

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 14, 2014

This Regular Council Meeting was called to order by Council President Michael C. Barth at 8:00 p.m. with the Pledge of Allegiance.

ROLL CALL

Present and accounted for were Mayor Dell'Aquila, Director of Law Pignatiello, Director of Finance Johnson, Councilman-at-Large Barth, Councilwoman-at-Large Lecznar, Councilman-at-Large Trafis, Ward 1 Councilman Bryda, Ward 2 Councilman Fraundorf, Ward 3 Councilman Snitzky, Ward 4 Councilwoman Ernst, and Director of Public Service and Properties and Acting City Engineer Lovece. Absentee was Building Commissioner Moro.

READING AND DISPOSAL OF JOURNAL

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to accept the Minutes of the Regular Council Meeting held June 23, 2014, as printed.

Council President Barth stated:

“I would just like to say in reviewing the Minutes from June 23, 2014 I found them factual as to what was said, but want to get it on the record that some of what was said was not factual.”

Roll Call: all yea

MOTION CARRIED

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to accept the Minutes of the Special Council Meeting held July 7, 2014, as printed.

Roll Call: all yea

MOTION CARRIED

CONSENT AGENDA

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to accept **Consent Agenda No. 1** of July 14, 2014, as printed, if there is no division of the question.

Roll Call: all yea

MOTION CARRIED

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to accept **Consent Agenda No. 2** of July 14, 2014, as printed, if there is no division of the question.

Council President Barth stated:

“Because of a conflict with the Bentkowski litigation, Councilman Trafis will not be voting on Consent Agenda No. 2 tonight.”

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;

Lecznar, yea; Snitzky, yea; Trafis (recused)

6 yea, 0 nay (Trafis recused)

MOTION CARRIED

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RESOLUTIONS OF COMMENDATION

Resolution No. 18-2014 – A RESOLUTION OF COMMENDATION TO JOHN BRASKIE FOR 22 YEARS OF SERVICE, SEVEN HILLS FIRE DEPARTMENT.

MOTION by Mrs. Lecznar, seconded by Mr. Snitzky, to read Resolution No. 18-2014 in its entirety for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Resolution No. 18-2014 was read in its entirety by the Clerk of Council for its first and final reading.

MOTION by Mrs. Lecznar, seconded by Mr. Snitzky, to adopt Resolution No. 18-2014 as an emergency measure.

Mrs. Lecznar made the following comments:

“John – if I can say this without crying – I want to congratulate you on your twenty-two years of service with the Seven Hills Fire Department. I take privilege in being able to call you a friend for the past twenty-two years. As a brother firefighter, you were a part of our family and were there in good times at celebrations and in bad times at funerals. In turn, my family has been there for important times in your life, such as the wedding to your lovely wife, Melissa. I have watched your family grow with the addition of your sons, and now they will benefit from your retirement. Our loss is their gain. On behalf of my entire family, I wish you success in the future, and please don’t be a stranger.”

Mr. Trafis made the following comments:

“John, congratulations on your twenty-two years. Thank you for your service to the City of Seven Hills. Best of luck to you and your family in your future endeavors.”

Council President Barth made the following comments:

“John, I want to thank you for your twenty-two years of service to Seven Hills. What greater gift can you give to our City other than putting your life on the line for our residents. It takes great dedication to do what you do, and this Council just wants to say thanks for all you have done. Your sacrifices for our community should not be overlooked. All that you do is valued and greatly appreciated. Best of luck to you in your retirement. You will be missed.”

Roll Call: all yea

MOTION CARRIED

RESOLUTION NO. 18-2014 IS DECLARED ADOPTED.

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Council President Barth invited John Braskie to approach the dais to accept his Resolution of Commendation.

John Braskie received a hearty and lengthy round of applause from the audience and from everyone present.

Council President Barth presented John Braskie with the Resolution of Commendation on behalf of Council and the Administration with his congratulations and best wishes.

John Braskie made the following remarks:

“Mayor, Council – thank you very much. Twenty-two years went by in a flash. I just want to thank the City for giving me a chance twenty-two years ago, as a kid, coming in here. I’d like to introduce my family to you – this is my wife, Melissa, and my boys, Andrew and Joseph. My mom is here – Joan Braskie, and my nephew, Jacob, and my brother, Mike. I’m really here to thank the guys of the Fire Department family, because without them I would never have been here for twenty-two years. So, thank you guys, for everything. And the best of luck. The City is lucky to have them! Thank you.”

John Braskie received another round of applause from everyone in attendance.

Council President Barth stated:

“I always tell everybody you don’t have to stay for the rest of the meeting. If you want to leave, feel free to at this time. Don’t all run out at the same time.”

Council President Barth thanked everyone for coming.

There was a short pause in the meeting while members of the audience exited Council Chambers.

Resolution No. 22-2014 – A RESOLUTION OF COMMENDATION TO TERRY DEIS, PARMA HOSPITAL CEO.

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to read Resolution No. 22-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Resolution No. 22-2014 was read by full title only for its first and final reading.

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to adopt Resolution No. 22-2014 as an emergency measure.

Council President Barth stated:

“I’d just like to say that Terry Deis has been a great friend, and, Mayor, I think you will concur with this, Terry Deis has been a great friend to this City.”

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Council President Barth (continued):

“I remember a good seven or eight years ago when you and I first sat down with him, he was very receptive, and it was because of his efforts that we have the relationship with Parma Hospital/University Hospital at the Recreation Center.”

Roll Call: all yea

MOTION CARRIED

RESOLUTION NO. 22-2014 IS DECLARED ADOPTED.

REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning, Zoning, and Economic Development Committee Chairman Trafis stated that the Committee last met on Monday evening, June 16, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Trafis said that the Committee will hold its next regular meeting on Monday evening, July 21, 2014.

Public Works

Public Works Committee Chairman Bryda stated that the Committee last met on Monday evening, July 7, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Bryda said that the Committee will hold its next regular meeting on Tuesday evening, September 2, 2014.

Community Services

Community Services Committee Chairman Fraundorf stated that the Committee last met on Monday evening, July 7, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Fraundorf stated that the Committee will hold its next regular meeting on Tuesday evening, September 2, 2014.

Police and Fire

Police and Fire Committee Chairman Snitzky stated that the Committee last met on Monday evening, June 16, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Snitzky stated that the Committee will hold its next regular meeting on Monday evening, July 21, 2014.

Parks and Recreation

Parks and Recreation Committee Chairperson Lecznar stated that the Parks Committee will hold its next regular meeting on Monday evening, July 21, 2014.

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Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chairperson Ernst stated that the Committee last met on Monday evening, June 2, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mrs. Ernst stated that the regular meeting scheduled for Monday evening, July 7, 2014 was delayed, and will be held on Monday, July 21, 2014.

Finance, Civil Service, and Personnel

Finance, Civil Service, and Personnel Committee Chairman Barth stated that the Committee last met on Monday evening, July 7, 2014. Mr. Barth said he was not present at the July 7th meeting so Councilwoman Lecznar chaired that meeting, and has assured him that the minutes from that meeting are on file with the Clerk of Council. Mr. Barth stated that the Finance Committee will hold its next regular meeting on Monday evening, July 21, 2014.

APPOINTMENTS AND CONFIRMATIONS

There were no appointments or confirmations.

COMMUNICATIONS, PETITIONS, AND CLAIMS

There were no communications, petitions, or claims.

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were no questions or comments from the audience.

ORDINANCES AND RESOLUTIONS

Ordinance No. 75-2014 -- AN ORDINANCE TO AMEND SECTION 997.04(f), PROHIBITED FENCES, AS CONTAINED IN CHAPTER 997, FENCES, OF TITLE ELEVEN, PROVISIONS AFFECTING USE, STRUCTURE AND AREA, OF PART NINE, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF EXTENDING INSTALLATION TIME FOR TEMPORARY SNOW FENCES.

MOTION by Mr. Trafis, seconded by Mrs. Ernst, to read Ordinance No. 75-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

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Ordinance No. 75-2014 was read by full title only for its third and final reading.

MOTION by Mr. Trafis, seconded by Mrs. Ernst, to pass Ordinance No. 75-2014.
Roll Call: all yea **MOTION CARRIED**

ORDINANCE NO. 75-2014 IS DECLARED PASSED.

Ordinance No. 99-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH COMPANAGEMENT, INC., OF CLEVELAND, OHIO, FOR THE PURPOSE OF ADMINSTRATING WORKERS COMPENSATION CLAIMS AND ONLINE CLAIMS ACCESS BEGINNING SEPTEMBER 1, 2014; AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$2,725.00 FOR SAID SERVICE.

MOTION by Mrs. Ernst, seconded by Mr. Trafis, to read Ordinance No. 99-2014 by title only for its third and final reading.
Roll Call: all yea **MOTION CARRIED**
Ordinance No. 99-2014 was read by full title only for its third and final reading.

MOTION by Mrs. Ernst, seconded by Mr. Trafis, to pass Ordinance No. 99-2014.
Roll Call: all yea **MOTION CARRIED**

ORDINANCE NO. 99-2014 IS DECLARED PASSED.

Ordinance No. 108-2014 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SATURN COMMUNICATIONS LLC OF PARMA, OHIO, FOR THE PURPOSE OF PURCHASING A SURVEILLANCE SYSTEM AT THE CITY OF SEVEN HILLS RECREATION COMPLEX, WITH APPURTENANCES, FOR AN AMOUNT NOT TO EXCEED \$2,814.00.

Ordinance No. 108-2014 was read by full title only for its second reading.

Ordinance No. 109-2014 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE K COMPANY INC., OF AKRON, OHIO, FOR THE PURPOSE OF REPLACING THE COMPRESSOR, CONTACTOR, FILTER DRIER AND WEIGH IN 17 POUNDS OF R22 REFRIGERANT FOR THE CITY HALL RECREATION COMPLEX TRANE ROOFTOP UNIT 5, MODEL YCH300B4HGOA, WITH A SERIAL NUMBER OF 203100288D, TO INCLUDE A FIVE-YEAR EXTENDED COMPRESSOR WARRANTY, WITH APPURTENANCES, AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$6,150.00.

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Ordinance No. 109-2014 was read by full title only for its second reading.

Ordinance No. 110-2014 – AN ORDINANCE ENACTING NEW CHAPTER 1142, ENTITLED “WIND AND SOLAR ENERGY SYSTEMS”, AS CONTAINED IN TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO.

Ordinance No. 110-2014 was read by full title only for its second reading.

Amended Ordinance No. 111-2014 – AN ORDINANCE ENACTING NEW CHAPTER 966(C), ENTITLED “ELDERLY CARE DISTRICT”, AS CONTAINED IN TITLE NINE, ZONING USE DISTRICTS, OF PART NINE, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO.

Amended Ordinance No. 111-2014 was read by full title only for its second reading.

Amended Ordinance No. 112-2014 – AN ORDINANCE TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SEVEN HILLS A PROPOSED REVISION TO THE ZONING MAP OF THE CITY OF SEVEN HILLS BY CHANGING THE ZONING IN A CERTAIN AREA WEST OF EAST DARTMOOR AVENUE, NORTH OF JOHN GLENN DRIVE, EAST OF WINCHESTER OVAL, AND SOUTH OF MEADVIEW DRIVE (PERMANENT PARCEL NUMBER 551-18-002) FROM FIRST RESIDENTIAL TO ELDERLY CARE DISTRICT WITH GUIDELINES FOR USE FOUND IN CHAPTER 966(C) OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS.

Amended Ordinance No. 112-2014 was read by full title only for its second reading.

Ordinance No. 113-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH JACK DOHENY COMPANIES OF TWINSBURG, OHIO, FOR AN AMOUNT NOT TO EXCEED \$36,328.30, FOR EMERGENCY VACUUM SYSTEM REPAIR TO THE VACTOR, MODEL 2110J6P, USED BY THE CITY OF SEVEN HILLS SERVICE DEPARTMENT; AND DECLARING AN EMERGENCY.

MOTION by Mr. Bryda, seconded by Mr. Snitzky, to read Ordinance No. 113-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 113-2014 was read by full title only for its first and final reading.

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MOTION by Mr. Bryda, seconded by Mr. Snitzky, to pass Ordinance No. 113-2014 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 113-2014 IS DECLARED PASSED.

Ordinance No. 114-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE CITY OF BROADVIEW HEIGHTS, OHIO, TO ALLOW THE CITY OF SEVEN HILLS TO SHARE PERSONNEL SERVICE RESOURCES WITH THE CITY OF BROADVIEW HEIGHTS.

Ordinance No. 114-2014 was read by full title only for its first reading.

Ordinance No. 115-2014 – AN ORDINANCE TO AMEND SECTION 143.08(e), DIVISION OF ENGINEERING – ENGINEERING TECHNICIAN, AS CONTAINED IN CHAPTER 143, DIVISION OF ENGINEERING, OF TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF ADJUSTING THE COMPENSATION RATES FOR THE ENGINEERING TECHNICIAN.

Ordinance No. 115-2014 was read by full title only for its first reading.

Ordinance No. 116-2014 – AN ORDINANCE TO AMEND SECTION 151.091, COMPENSATION OF EMPLOYEES GENERALLY, AS CONTAINED IN CHAPTER 151, EMPLOYEES GENERALLY, OF TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, FOR THE PURPOSE OF ADJUSTING COMPENSATION RATES FOR THE PART-TIME DEPUTY FINANCE DIRECTOR EFFECTIVE JANUARY 1, 2014.

Ordinance No. 116-2014 was read by full title only for its first reading.

Ordinance No. 117-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE SEVEN HILLS FIREFIGHTERS ASSOCIATION, FOR THE PURPOSE OF MEMORIALIZING WAGE NEGOTIATIONS WITH VARIOUS FIRE DEPARTMENT EMPLOYEES.

Ordinance No. 117-2014 was read by full title only for its first reading.

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Ordinance No. 118-2014 – AN ORDINANCE AUTHORIZING THE PURCHASE OF ROAD SALT THROUGH THE JOINT MUNICIPAL IMPROVEMENT CONSORTIUM AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$300,000.00 FOR THE PERIOD OF NOVEMBER 1, 2014 THROUGH OCTOBER 31, 2015.

Ordinance No. 118-2014 was read by full title only for its first reading.

Resolution No. 17-2014 – A RESOLUTION APPROVING THE PROPOSED TAX BUDGET FOR THE CITY OF SEVEN HILLS, OHIO, FOR THE FISCAL YEAR 2015.

MOTION by Mr. Snitzky, seconded by Mr. Bryda, to read Resolution No. 17-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Resolution No. 17-2014 was read by full title only for its third and final reading.

MOTION by Mr. Snitzky, seconded by Mr. Bryda, to adopt Resolution No. 17-2014.

Roll Call: all yea

MOTION CARRIED

RESOLUTION NO. 17-2014 IS DECLARED ADOPTED.

COUNCIL OPEN TO THE AUDIENCE

Joe Andres, 1004 John Glenn Drive, made the following comments:

“My subject tonight would be John Glenn Drive. I don’t know if it should be called ‘drive’ or just a rustic trail. I’m getting tired of every Spring cleaning my tree lawn. It’s not just minor. I have to get two rubbish days to get all the weight debris away and off my lawn. They were down there this week patching. I have pictures where the big hole in front of my driveway had dirt in the bottom – packed dirt. They still put a patch in it, on dirt. That cold patch will not hold on dirt – it will not hold on concrete. You have to spray adhesive in there. You have to put some tar in there, liquid tar. Now they were just down there, okay. They were on my tree lawn Saturday morning. They did a marvelous job, didn’t they? This morning was the insult of everything. The crew came down to do the East end of John Glenn Drive. They turned off of Winchester. How did they drive down John Glenn Drive? On the wrong side of the street. Because the eastbound lane – or the westbound actually – the north side of the street – is somewhat driveable. If you have a pickup and a trailer, that’s the side to use. If you would park on John Glenn for a half-hour or an hour, half the cars that use John Glenn drive on the wrong side of the street. I mean it’s not ending. What I’m going to do next year, I’m not going to get all excited about this, if I have to clean the lawn next year, I’m not going to clean it myself. I will call Council first, or the Service Department, and if they want to clean it, fine. If not, I’ll get a landscaper – and I’m going to do this – I’ll take you to small claims court.”

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Joe Andres (continued):

“It has got to come to an end. If this gets thrown on the sidewalk (*exhibiting a large chunk of concrete or rock*), what if there’s a kid there? It’s ridiculous. And this is not a big piece by the way. No – bigger pieces. When they came down to do the street on Thursday, after they had blown out all the holes, they threw a big patch of tarred asphalt on my treelawn because it was from last year and it wasn’t sticking. It is just.....it’s a situation that’s out of hand, and I don’t know where it’s going to end. I heard we’re going to do a little bit of Dartmoor. God, could we move Dartmoor over onto John Glenn? It’s a whole lot better than what we have. We keep asking, and we’re not getting anywhere. The main thing that bothers me the most is that we’re spending.....it took them two days, five guys, with all the equipment, to do the road. And some of it, like the patch in front of my driveway, is one-quarter gone and out of the hole already.”

“We have continued training for firemen, policemen, and paramedics. We have no continuing training, or any training, for the Service Department. I asked the one guy that was in charge – I asked how could you put cold patch in the hole when there’s dirt in the bottom? Do you know what the straight-faced answer was? *It’s the way we’ve been doing it for thirty years.* Is this how we run the City? We stay with it for thirty years? I hope we can get something done. I’m not going to keep coming up here. We just can’t put up with it. Somebody is going to get hurt. And you wonder how it got up on the sidewalk – I don’t know. But in the spring time, after the snow plows go, you cannot cut your tree lawn. You must do a rock cleaning first, because it’s a rock garden. I think the City is imposing on the residents of John Glenn Drive. Thank you. I’ll be here after the meeting if you have any questions.”

Council President Barth thanked Mr. Andres for his comments.

MISCELLANEOUS

Mr. Bryda had no miscellaneous comments.

Mr. Trafis:

Just for anybody’s edification in the audience that may be here regarding the Zoning Board of Appeals meeting last Wednesday. We briefly discussed it tonight, and we will take it up again next meeting, and of course you’re welcome to attend that meeting. It will start at 6:00 p.m. here at City Hall. Thanks.

Mrs. Ernst:

I would like to make a statement.

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Mrs. Ernst (continued):

I believe the entire council has received e-mails from a Ward 3 resident promising recall action if the council passes a bow hunting ordinance. While I wouldn't normally respond to an e-mail from a resident in a council meeting the latest e-mail also attacked my representative to the Ad Hoc Deer committee and I felt that required a public response.

I want to start out by saying I chose my representative with full knowledge of what I was doing and I still support my choice. From Ward 4 I could have chosen a representative who was totally opposed to any lethal options to control the deer population. I also had the option of choosing a representative who would like to have the deer in Seven Hills eliminated. I chose Jo because she had no predetermined agenda regarding the deer and is representative of our largest demographic, longtime residents of Seven Hills who are now retired. I felt strongly that if there was going to be a committee of residents addressing this issue, we should try to have as diverse a group as possible. Jo is an active volunteer who takes her responsibilities seriously. She remained dedicated to the committee even when it continued months longer than the original mandate from Council President. The representatives on the committee took their own time to come to the meetings and should be commended for that, not condemned. The e-mails made an issue of the fact that Jo does not use a computer. I was aware of that fact when she agreed to be my representative and didn't feel that using a computer was a prerequisite to sit on the committee. I felt that any information needed to make a decision should be presented at the meetings. I also want to state that while she has chosen not to use a computer, she did research away from the committee meetings. The e-mails quoted a statement that Jo made after the last meeting of "I should not have been on this committee"; this statement however was taken out of context. It was used to further that person's cause and position by distorting the context in which it was made. Jo made that statement after being verbally accosted by two different residents with the apparent intent to belittle and intimidate her.

I think it is sad that a person who is so concerned with treating animals with respect can't find it within themselves to treat another human being, especially one who is their elder with respect.

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Mrs. Ernst (continued):

Thank you, Jo, for serving on the Committee.

Council President Barth said, “Very well put, Councilwoman – Thank you. And thank you, Jo!”

Mr. Snitzky had no miscellaneous comments.

Mr. Fraundorf had no miscellaneous comments.

Mrs. Lecznar:

I, too, would like to reiterate – I wasn’t aware of the accusations that were made about my Committee Members. I tend to just not even pay attention to the person that sends those emails, because I know exactly what she’s going to say. Jo was one of my better committee members. She was there every meeting and she kept in close contact with me. I always called her. She called me. She was always in receipt of any information that was given out at the meetings. And she made her decision after being very informed by all the committee meetings that she did attend. In closing, I just want to thank her very much for her service to my committee. It did take a lot out of most of the people that were on the committee that did take the time to come to the meetings. They did their research on the outside, too.

Lastly, I just want to say that I will be making a recommendation of the Committee to the Council Caucus meeting next Monday.

Council President Barth:

As an Elected Official, we all have the right to sit up here, make statements, voice our opinions, and cast votes. But I think we also have a moral obligation to make statements that are responsible, not attempt to mislead or purposely deceive our residents, and to have respect for your colleagues. That is why after reading the minutes to our June 23rd Council Meeting, as Council President I find it necessary to challenge Councilman Trafis’ comments that evening both on Resolution No. 20-2014, passed on emergency, and his Miscellaneous comments.

First, on Resolution No. 20-2014. Councilman Trafis states that we were told last week that the emergency would be removed which would allow more time for resident input. I did say that the emergency should be removed prior to our meeting that night. But Law Director Pignatiello made it very clear that this was only the first step in the process and that Resolution No. 20-2014 needed to be passed on an emergency in order to meet the August 6th deadline for getting the police levy on the ballot.

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Council President Barth (continued):

Councilman Trafis raised no objections or asked any questions at that time. As Director Pignatiello explained, Resolution No. 20-2014, or the Resolution of Necessity as it is termed, simply requests from the County estimated tax revenues. I understand that the information was received by the City just today. It was made clear that this was not the resolution placing the levy on the ballot. Now that the Certificate of Estimated Tax Revenue has been received from the County, our legal counsel will prepare the Resolution to Proceed for Council's approval. That will be the time for the resident input. Passage of that Resolution will then allow for the initiative to be placed on the ballot.

Next, Councilman Trafis states that passage of the levy will affect the homeowner by at least \$200.00 annually. Wrong. Real estate statistics put the value of the average home in Seven Hills at \$160,000.00. An owner of a house valued at \$160,000.00 would pay \$168.00 annually.

The Councilman goes on to say that this levy is being showcased as a police levy, and the perception is that the City will receive additional safety forces and that calling it a police levy is deceptive. First, perception is not reality. The reality is that police expenditures represent about 27% of our operating budget and that passage of the levy would reduce the general fund obligations of the Police Department from 100% to about 60%, saving the general fund about \$940,000.00 per year. At no time – at no time – has anyone even remotely suggested that we would hire more police if the levy passes.

You suggested that this was deceptive to our residents. Are you suggesting that all our Elected Officials, except you, are trying to deceive our residents? That the six Council Persons who have agreed to place a police levy on the ballot cannot be trusted? I take exception to that, Councilman, and I take exception to the characterization, and so should everyone on this dais who was insulted.

As for a street levy versus a police levy, we had considerable debate and all but yourself agreed that a police levy was more plausible than the street levy.

In your comments you also stated that to add insult to injury the Council and the Administration also has been discussing changing the income tax formula. What is the insult? What is the injury? I, nor anyone else on this dais, will deny that we discussed changing the income tax formula. You may remember that both the Mayor and I said that whatever we decide the whole plan should be laid out. And we have to be up front about it. And there was unanimous agreement to that in the room.

I also remember that it was you, Councilman, who made a recommendation to increase the income tax while adjusting the tax credit limit. Council agreed that changes have to be made, but did not agree with your formula – reason being to equalize the tax burden.

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Council President Barth (continued):

Let's keep in mind all this discussion centers around putting a police levy on the ballot and that the citizens will make that final decision. Councilman Trafis called the process wrong and will not support a process of going to the voters to seek approval on a levy that will stabilize our general fund balance and improve quality of life issues in our City.

As for his miscellaneous comments, Councilman Trafis says that if a vote on longevity was held, the vote would have been 4-3 in favor of giving longevity. Again, the facts are, a vote was never taken. So, it is irresponsible to make statements on what the final vote would have been. As for my vote on that matter, no matter what you think, I have always kept an open mind when it comes to this, my position as Council President, and I did ask to table that legislation after a long discussion with Councilwoman Ernst. And I commend her and thank her for expressing her thoughts to me. I also wanted to see more than just a simple majority.

So, Councilman, don't make any assumptions on why I do things I do, or how I'm going to vote. This is the second time that you assumed what I was going to do or what my motives were. The first being when you said that I introduced and voted for a resolution supporting Normandy High School for political reasons. We could have that debate all day long on who was being political when it comes time for passing that resolution.

Once again, I respect every Councilperson's right to state their case, voice their opinions, and cast their vote. What I don't respect are statements that are misleading and self-serving, and I will continue to challenge statements made of that nature or anyone who disparages their colleagues.

REPORTS FROM THE DIRECTORS OF DEPARTMENTS AND OTHER OFFICIALS

Director of Finance Johnson had no formal report.

Director of Law Pignatiello had no formal report.

Director of Public Service and Properties and Acting City Engineer Lovece:

A little message. The Village of Brooklyn Heights will be paving Lancaster Drive, scheduled for mid-August to mid-September. No through traffic will be allowed. So I wanted to bring that to your attention.

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Director of Public Service and Properties and Acting City Engineer Lovece (continued):

Regarding John Glenn Drive, I did receive a complaint. I talked with the Foreman today. They are using hot mix asphalt. They had some problems with the asphalt that they got from the plant. Actually, it wasn't hot enough. They're supposed to be using tack coat on the larger patches. They're supposed to be cleaning the patches.

The thirty year comment – I'm going to...I know what you're talking about. Some of that mentality is down there, and it takes a little bit of time, but it's changing. The Mayor has some other comments regarding long-term solution of John Glenn Drive.

Building Commissioner Moro was not present.

REPORTS AND COMMUNICATIONS FROM THE MAYOR-SAFETY DIRECTOR

Mayor Dell'Aquila made the following remarks:

A little bit of good news after a relatively intense closing here. We've just learned that an online consumer advocacy group has listed the best places in Ohio for homeownership. They analyzed Federal data relating to statistics such as affordability, population growth, homeownership rates, and I'm happy to report that out of the 183 Ohio communities that were studied throughout the entire State, Seven Hills actually ranked number 13. It ranked in the top 7% of statistics relating to those items. So we are, according to this analysis, one of the 13 best – the 7% highest – places in Ohio for homeownership. One of the statistics they cited was that 95% of our housing stock is actually owner-occupied. So we will be posting that and some other information on the website, but I thought wow, that is very good news.

A little bit of background on the planning with respect to the nursing home in the area around John Glenn Drive. One of the things we are considering, if that plan does go forward, is to put together a tax incremental financing plan similar to what we're doing at the nursing home project on Rockside and Old Rockside. The hope, the intent, the goal, is to draw off tax revenues from that project to pay down borrowing for the purpose of improving infrastructure immediately adjacent to that site. And obviously John Glenn, knowing what we know about the condition of John Glenn, could conceivably benefit from that. That's long term. We are very much aware of the existing conditions. In putting together the street repair program, what our engineers did, and was normally done, is they reviewed the street conditions throughout the City in an attempt to isolate those streets, that from an engineering standpoint, are in most need of repair. That was done. And then there was a decision made as to how we could devote the limited revenues that we have to repairing those streets. So the plan is in place, and unfortunately for this year, there weren't enough monies available to resurface John Glenn.

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Mayor Dell'Aquila (continued):

But the intent here is, if the nursing home is put together, we are hoping to draw off that income and use that money, as we are on Rockside Road to work on Pinnacle Park and Old Rockside, and in this case hopefully to do John Glenn. And as you just heard, we'll have Stewart get out there and take a look at what's going on right now with the street.

Thank you, Mr. President.

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to adjourn the meeting.

Roll Call: all yea

MOTION CARRIED

The July 14, 2014 Council Meeting was adjourned at 8:50 p.m.

Michael C. Barth, President of Council

Attest: _____
Carol L. Sekerak, Clerk of Council

Date: _____