

**CITY OF MAYFIELD HEIGHTS  
COUNCIL MEETING MINUTES  
February 25, 2019**

The regular meeting of Council was called to order at 7:00 P.M. by Council President Donna Finney.

**ROLL CALL:**            **PRESENT:** Mr. Michael Ballistrea, Mr. Robert DeJohn,  
Mrs. Donna Finney, Mr. Donald Manno,  
Mrs. Susan Sabetta, Mrs. Diane Snider,  
Mrs. Gayle Teresi.  
**ABSENT:**            None.

Also present were Mayor Anthony DiCicco, Law Director Paul T. Murphy, Director of Finance/Clerk of Council Karen Fegan and Deputy Clerk of Council Lisa Benedetti.

In attendance: Fire Chief Bruce Elliott, Service Director Joe Fornaro, City Engineer Dan Gerson, Building Director Tom Jamieson, Police Captain Doug Suydam, and Recreation Director Sean Ward.

The Pledge of Allegiance was said.

Special Presentation:

**RESOLUTION NO. 2019-17:** "A Resolution commending Robert G. Tribby, Director of Finance, on his retirement from the City of Mayfield Heights." Mr. Murphy read the resolution by title only. Mrs. Snider moved for suspension of the rules, seconded by Mr. Ballistrea. Roll Call on motion as stated: AYES: Manno, Ballistrea, DeJohn, Sabetta, Teresi, Snider, Finney. NAYS: None. Motion carried. Mrs. Teresi moved for adoption, seconded by Mrs. Sabetta. The Mayor read the resolution in its entirety and presented it to Mr. Tribby. Mr. Tribby thanked the Mayor and Council and stated he enjoyed his time working for the City and with the people. Roll Call on motion as stated: AYES: DeJohn, Snider, Teresi, Ballistrea, Manno, Sabetta, Finney. NAYS: None. Motion carried. *The resolution is adopted.*

Mr. Ballistrea moved to suspend reading of the Council minutes of February 11, 2019, and approve as written, seconded by Mrs. Sabetta. All in favor, motion carried. *Minutes approved.*

**CORRESPONDENCE AND ANNOUNCEMENTS:**

Mrs. Finney thanked everyone who worked on the Taste of Italy event. It was a wonderful evening.

**REPORTS OF OFFICERS:**

*Mayor Anthony DiCicco:*

The City received a grant from Cuyahoga County Solid Waste District to promote Recycling Awareness. The funds will be used for our Annual Shred Day which is scheduled on Saturday, May 4th. Over the years the program has evolved into a well-attended, successful event.

The Mayor received a notice from the county that the City was selected to receive some funding for the road work planned for Lander Road. The 2019 road program includes the resurfacing of Lander from the I271 bridge to Cedar Road. The county will reimburse the city \$77,000 for the work. The funds will help offset the estimated cost of \$455,000.

There was a great article in the Sun Messenger last Thursday about our Hometown Hero Banner Program. We've received excellent feedback from the residents and the Mayor is looking forward to seeing the banners on display. The banners will be hung from Memorial Day through Veterans Day and will be a fitting tribute to our Veterans. The Mayor is proud to announce promotions in the Police Department. Sgt. Anthony Mele was promoted to the rank of Lieutenant and Patrolman Donavin Paquette was promoted to the rank of Sergeant. Both Officers are extremely qualified and received high test scores. Our congratulations to these fine men.

Health Express Urgent Care Center located at 6092 Mayfield Road will open its doors to the public on March 11th. There will be a "soft" Grand Opening on Friday, March 8th at 2:00 p.m. Members of Council are welcome to attend. The center will be open Monday through Friday from 8:00 a.m. - 8:00 p.m. and on Saturday and Sundays between 9:00 a.m. - 6:00 p.m.

Director of Law Paul Murphy: No report.

Director of Finance Karen Fegan: Ordinance No. 2019-5 on the agenda is just a rollover of original road notes from last year, which come due on April 4, 2019. This will provide the funds to pay them down. Pricing will be the next week or two and she would let Council Members know the interest rate. Because of the City's sound financial status the City can participate in the OMAP program which provides a better interest rate.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: Mrs. Snider stated a meeting would be scheduled as a follow up to discuss fees for amusement devices.

Finance and Audit Committee: Mrs. Sabetta stated a meeting would be scheduled for the annual appropriations.

Legislative Committee: Mrs. Teresi reported on the meeting held February 12, 2019. Copies of the minutes of the meeting were distributed to all members and are a part of the permanent record. The amended ordinance 2018-29 was sent to Council for adoption this evening per the recommendation of the committee. An abstention would be considered a non-vote and anyone who would be abstaining cannot participate in any vote or discussion. Ordinance No. 2019-6 pertains to the number of votes needed to suspend the rules and having three readings on legislation. The committee recommended keeping the number at six to suspend the rules and if any member felt the need for more information, that legislation could be placed on first reading. Housekeeping matters or other legislation that did not need further research could be adopted on the first reading. The code for tree removal on private property needs to be reviewed and another meeting would be held to discuss it.

Public Works and Services Committee: Mr. Ballistrea stated he would schedule a meeting to discuss possibly reinstating the sidewalk program. Mrs. Finney thanked the Service and Police Departments for tree removal at a neighbor's Sunday during the wind storm.

Recreation and Parks Committee: Mr. Manno reported as follows:  
Pavilion Rental Reservations for Mayfield Heights residents start March 1. The rental fee is \$50 per pavilion per date.

Teen Adventure Camp registration opens to School District Residents March 4. Nonresidents may register beginning March 18. Registration can be done by mail, email, or in person at City Hall in the Recreation Department.

1<sup>st</sup> & 10 Flag Football registration is ongoing for those in grades K- 5. The league will run from March 24 to May 5 and the cost is \$55 per player.

Red Devil Soccer registration opens to School District Residents March 4. Nonresidents may register beginning March 18. There are two age levels for this program, 3-4 year olds, and 5-6 year olds. Soccer meets on Saturday mornings April 20 – May 18. The cost is \$40.

Spring Training registration is open for Boys and Girls 5 to 10 years old. Spring Training meets Tuesdays and Thursdays for three weeks starting March 13. Cost is \$40.

Taste of the Islands Happy Hour - Tuesday, March 26, from 2:30 – 4:30 pm at the Ross DeJohn Community Center. Join us for delectable food & dessert samplings from the Bahamas, Jamaica, Cuba, Key Largo and Hawaii. There will be a DJ, Photo Booth and Door Prizes. \$5.00 per person in advance at the Recreation Department. Registration deadline is March 15.

For more information on these all recreation programs visit the website or call 440-442-2627 for more information.

Mr. Manno remarked the Taste of Italy event was one of the best yet. He thanked everyone for their work on it.

Safety and Transportation Committee: No report.

Board of Zoning Appeals: Mrs. Sabetta reported on the meeting held February 12, 2019. Copies of the minutes of the meeting were distributed to all members and are a part of the permanent record.

Planning Commission: Mr. Ballistrea stated the meeting of February 18 was cancelled due to lack of an agenda. The next meeting is scheduled for March 4, 2019.

---

PUBLIC COMMENT:

Neal Jeakle, National Illumination & Sign, representing BP, stated two variances were requested and one was denied for the canopy, as it was for logos. They wanted three helios logos, which are BP logos. The company offered not to illuminate the fascia if it could have the illuminated logos, but if the logos are not approved, they would like to be allowed to have the rest of the fascia illuminated with the green stripe banding, as other gas stations on Mayfield Road have.

John Molchan, Fairchild Management, stated there are five resolutions on the agenda for the proposed self-storage facility on Golden Gate Boulevard. Three variances were approved and the sign and size on the east side was denied. He commented that he did not do a good job in presenting this to the BZA. He pointed out that all the doors on the facility have restricted ingress for security purposes and that was why the variance was denied, as the code requires unrestricted ingress and egress. He mentioned an Ohio State Supreme Court case that cited where the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance, then it should be granted. The only people who cannot get into the facility are the ones who should not be getting in. He had sent pictures of other buildings with signs where there is no entrance at all. Mr. Molchan asked that the east side sign be granted, and if granted he would ask that the larger sign variance also be granted so that it can be seen from I271.

Sean Ward, Recreation Director, reviewed the annual report from Wildcat Sport and Fitness. There is continued growth and all age groups are included in the various activities. Mrs. Finney asked if the pool water temperature could be raised as people with babies feel it is too cold. Mr. Ward explained the athletes who use the pool prefer it colder and they come first. When the season is over for these athletes, the temperature may be adjusted. Mrs. Teresi inquired when the busiest hours are and if any new equipment would be installed. Mr. Ward stated after work is the busiest time and the facility is running out of space for more equipment. There are other infrastructure needs being met. Mrs. Finney commended Mr. Ward for doing a great job with this facility. Mrs. Teresi asked if there were any statistics as to how many people have left private facilities to join this one. Mr. Ward did not have any, but Mrs. Finney knew of two. Mayor DiCicco remarked this is an amazing partnership between the school district and the City.

---

Mrs. Finney turned the chair over to Mrs. Snider as Mrs. Finney would be abstaining from the next item on the agenda due to a personal relationship with the property owner.

RESOLUTION NO. 2019-10: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Fairchild Management Company a use variance to permit a self-storage facility at 1413 Golden Gate Boulevard, a use not permitted in a U-4 Zoning District (Cuyahoga County Permanent Parcel Nos. 862-06-050, 862-06-071, 862-06-072, and 862-06-073)." Mr. Murphy read the resolution by title only. Mr. Manno moved for adoption, seconded by Mr. Ballistrea. Mrs. Sabetta explained this was an unanimous vote. This use variance is strictly for this property only. Roll Call on motion as stated: AYES: Sabetta, Snider, Manno, Ballistrea. NAYS: DeJohn. ABSTENTIONS: Teresi, Finney. Vote 4-1-2. Motion carried. The resolution is adopted.

RESOLUTION NO. 2019-11: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Fairchild Management Company a variance to reduce the minimum parking spaces necessary from 572 to 12 to permit a self-storage facility to operate on the property at 1413 Golden Gate Boulevard (Cuyahoga County Permanent Parcel Nos. 862-06-050, 862-06-071, 862-06-072, and 862-06-073)." Mr. Murphy read the resolution by title only. Mr. Ballistrea moved for adoption, seconded by Mrs. Sabetta. Mrs. Sabetta explained conditions were added so the parking reduction variance is only for a self-storage facility. It will be null and void, if another type of use comes in and it was an unanimous vote. Roll Call on motion as stated: AYES: Ballistrea, Sabetta, Snider, Manno. NAYS: DeJohn. ABSTENTIONS: Teresi, Finney. Vote 4-1-2. Motion carried. The resolution is adopted.

RESOLUTION NO. 2019-12: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Fairchild Management Company a variance to allow the main identification sign to be on the south side of the proposed self-storage building at 1413 Golden Gate Boulevard (Cuyahoga County Permanent Parcel Nos. 862-06-050, 862-06-071, 862-06-072, and 862-06-073)." Mr. Murphy read the resolution by title only. Mr. Manno moved for adoption, seconded by Mrs. Sabetta. Mrs. Sabetta explained the BZA saw the difficulty in identifying the property from Golden Gate Boulevard due to the site line. The lighted sign would not be facing residential areas and it was an unanimous approval. Roll Call on motion as stated: AYES: Snider, Manno, Ballistrea, Sabetta. NAYS: DeJohn. ABSTENTIONS: Teresi, Finney. Vote 4-1-2. Motion carried. The resolution is adopted.

RESOLUTION NO. 2019-14: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in denying to Fairchild Management Company a variance to allow a secondary sign on the east side of the proposed self-storage building where there is no unrestricted ingress and egress to the inside of the building at 1413 Golden Gate Boulevard (Cuyahoga County Permanent Parcel Nos. 862-06-050, 862-06-071, 862-06-072, and 862-06-073)." Mr. Murphy read the resolution by title only. Mr. Ballistrea moved for adoption, seconded by Mr. Manno. Mr. Manno commented there are six other businesses in that area and they have an east facing sign. He asked Council members to overturn the BZA decision and allow the sign. Mr. Ballistrea stated he agreed and also asked Council members to overturn the decision. When the BZA makes a decision, it is then up to Council to determine if it wants to allow an applicant receive something for the betterment of the City. He believes this is a fair request for a new business to help increase visibility for the facility. Mrs. Sabetta explained the BZA determined the applicant did not demonstrate a practical difficulty for the request for a secondary sign on the east side. There is a present tenant sign, monument sign and the south side sign available. It was a unanimous decision. Since the BZA decision was made the applicant has brought forward more information. Mrs. Snider asked if the applicant brought up the other signs. Mrs. Sabetta stated yes and the BZA asked for a practical difficulty, which he did not provide. Mayor DiCicco noted the BZA did its job per the strict guidelines they abide by. As Mr. Ballistrea stated, Council members can determine a different decision. Mr. Murphy explained the voting procedure by Council for BZA decisions. The BZA recommended a denial so a yes vote by Council to confirm means a denial and takes four votes. If the resolution is not confirmed, then a second resolution would need to be introduced by Council determining what it wanted, or Council could table it for further consideration. Mr. Manno, seconded by Mrs. Sabetta, moved to table the resolution. Roll Call on motion as stated: AYES: Sabetta, Manno, Snider, DeJohn. NAYS: Ballistrea. ABSTENTIONS: Teresi, Finney. Motion carried. Vote 4-1-2. The resolution is tabled.

RESOLUTION NO. 2019-13: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in denying to Fairchild Management Company a variance to allow a 178 foot secondary sign on the east side of the proposed self-storage building at 1413 Golden Gate Boulevard (Cuyahoga County Permanent Parcel Nos. 862-06-050, 862-06-071, 862-06-072, and 862-06-073)." Mr. Murphy read the resolution by title only. Mr. Manno moved to table the resolution, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Manno, Ballistrea, DeJohn, Sabetta, Snider. NAYS: None. ABSTENTIONS: Teresi, Finney. Motion carried. Vote 5-0-2. The resolution is tabled.

Mrs. Snider turned the chair back over to Mrs. Finney.

RESOLUTION NO. 2019-18: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Jim Bond, National Illumination & Sign, on behalf of BP, a variance to allow digital changeable copy gasoline prices on the existing monument sign at 6680 Mayfield Road (Cuyahoga County Permanent Parcel No. 862-36-001)." Mr. Murphy read the resolution by title only. Mr. Ballistrea moved for suspension of the rules, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: DeJohn, Snider, Teresi, Ballistrea, Manno, Sabetta, Finney. NAYS: None. Motion carried. Mrs. Teresi moved for adoption, seconded by Mrs. Snider. Mrs. Sabetta explained this is a request to change a monument sign to digital. The BZA determined it was a practical difficulty for safety reasons and only the price would be digitized. The vote was 4-0. Roll Call on motion as stated: AYES: Teresi, Sabetta, Snider, Manno, DeJohn, Ballistrea, Finney. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2019-19: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in denying to Jim Bond, National Illumination & Sign, on behalf of BP, a variance to add BP logo signs on three sides of the existing canopy over the gas pumps at 6680 Mayfield Road (Cuyahoga County Permanent Parcel No. 862-36-001)." Mr. Murphy read the resolution by title only. Mrs. Teresi moved for suspension of the rules, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Ballistrea, Teresi, Sabetta, DeJohn, Snider, Manno, Finney. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mrs. Snider. Mrs. Sabetta explained this was a request for nationwide branding on the canopy. Considering the busy location and the other gas stations in the area it was a 2-2 vote for denial. Mr. Ballistrea inquired if the denial was for the logo or for signage on three sides of the canopy. Mrs. Sabetta stated it was for the logo and it was illuminated, which is not allowed. Mr. Ballistrea asked if the BZA felt it was okay to be lit on three sides and Mrs. Sabetta replied only two did. Mrs. Finney inquired if the illumination could be dimmer. She did not feel logos should be denied and that the City is making it very difficult for businesses.

Building Director Tom Jamieson came to the podium and explained there is no signage allowed on canopies. Logos are signage. The code is old and may need amending. There is no code to deny lighting on the canopy, only that it has to go before the Architectural Board of Review, so that is not part of the variance request. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Ballistrea, Sabetta, Teresi. NAYS: Finney. Vote 6-1. Motion carried. The resolution is adopted.

RESOLUTION NO. 2019-20: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in denying to Thomas Gaye a 216 square foot variance to build a 1,216 square foot detached garage at 1645 Lander Road (Cuyahoga County Permanent Parcel No. 863-02-007)." Mrs. Finney noted the applicant sent an email requesting this variance be withdrawn from the agenda. Mrs.

Sabetta moved to withdraw this variance from the agenda per the applicant's request, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Sabetta, Manno, Ballistrea, Teresi, Snider, DeJohn, Finney. NAYS: None. Motion carried. The resolution is withdrawn.

RESOLUTION NO. 2019-21: "A Resolution authorizing the Mayor to enter into a contract with Zenith Systems for the purchase of an upgrade to the City Hall surveillance camera security system, and declaring an emergency." Mr. Murphy read the resolution by title only. Mrs. Snider moved for suspension of the rules, seconded by Mr. Ballistrea. Roll Call on motion as stated: AYES: Manno, Ballistrea, DeJohn, Sabetta, Teresi, Snider, Finney. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mr. Ballistrea. Mayor DiCicco commented a memorandum was received from Renee Augustine detailing the process and proposals received. This may be done in phases to include the park cameras. Mrs. Teresi noted she would again ask for updates to the Council Chamber cameras and equipment for the residents who watch the meetings and asked it be added to the to do list. Mrs. Finney remarked she also had complaints. Mayor DiCicco replied he is working on it with Ms. Benedetti. Mr. DeJohn concurred that it needs to be done and asked the Mayor to guarantee the upgrade by the end of the year, as it has been requested for several years now. The Mayor cannot guarantee the timeframe and he also mentioned it is up to Council to

approve the amount for the project. These are two different things, but he will get it done. Roll Call on motion as stated: AYES: DeJohn, Snider, Teresi, Ballistrea, Manno, Sabetta, Finney. NAYS: None. Motion carried. The resolution is adopted.

---

ORDINANCE NO. 2019-4: "An Ordinance approving the Solid Waste Management Plan Update (2019-2033) in the City of Mayfield Heights for the Cuyahoga County Solid Waste Management District." Mr. Murphy read the ordinance by title only. Mrs. Teresi moved to place the ordinance on second reading, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Teresi, Sabetta, Snider, Manno, DeJohn, Ballistrea, Finney. NAYS: None. Motion carried. The ordinance is placed on second reading with a public hearing to be held March 11, 2019 at 6:45 P.M.

ORDINANCE NO. 2019-5: "An Ordinance providing for the issuance and sale of not to exceed \$4,000,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving streets and roads in the City by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related drainage facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto, and declaring an emergency." Mr. Murphy read the ordinance by title only. Mr. Ballistrea, moved for suspension of the rules, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Ballistrea, Teresi, Sabetta, DeJohn, Snider, Manno, Finney. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mrs. Teresi. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Ballistrea, Sabetta, Teresi, Finney. NAYS: None. Motion carried. The ordinance is adopted.

ORDINANCE NO. 2019-6: "An Ordinance amending Chapter 121 of the Codified Ordinances of the City titled "Council" by amending Section 121.02(m)." Mr. Murphy read the ordinance by title only. Mr. Manno moved for suspension of the rules, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Sabetta, Manno, Ballistrea, Teresi, Snider, DeJohn, Finney. NAYS: None. Motion carried. Mrs. Snider moved for adoption, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Manno, Ballistrea, DeJohn, Sabetta, Teresi, Snider, Finney. NAYS: None. Motion carried. The ordinance is adopted.

Mrs. Teresi moved to remove Ordinance No. 2018-29 from the table and place it on the agenda. Roll Call on motion as stated: AYES: DeJohn, Snider, Teresi, Ballistrea, Manno, Sabetta, Finney. NAYS: None. *Motion carried.*

ORDINANCE NO. 2018-29: "An Ordinance amending Chapter 121 of the Codified Ordinances of the City titled "Council" by amending Section 121.02(r) Voting." Mr. Murphy read the ordinance by title only. Mrs. Teresi moved to approve the ordinance as amended, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Teresi, Sabetta, Snider, Manno, DeJohn, Ballistrea, Finney. NAYS: None. Motion carried. The ordinance is adopted.

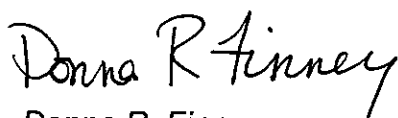
---

Mr. Manno, seconded by Mrs. Teresi, moved to authorize the GPD Group to prepare a new five year road program plan for an amount not to exceed \$40,000. Mr. Ballistrea stated the Public Works Committee recommended this as it would continue the five year road programs to reassess the streets on a regular basis. Mrs. Teresi asked if there was a ten year program and Mr. Ballistrea replied no. All in favor, *motion carried.*

---

There being no further business to come before Council, Mrs. Finney adjourned the meeting at 8:10 P.M.

Approved:



Donna R. Finney  
Council President

Respectfully submitted,



Lisa A. Benedetti, MMC  
Deputy Clerk of Council