

MINUTES OF A COUNCIL CAUCUS
Monday, December 2, 2013 – 8:00 p.m.
Mayfield Village Civic Hall

The Council of Mayfield Village met in Caucus Session on Monday, December 2, 2013 Council President Buckholtz called the meeting to order at approximately 8:00 p.m.

ROLL CALL: Present: Mr. Buckholtz, Mr. Marrie, Mr. Marquardt,
Mrs. Mills, Dr. Parker (8:05) and Mr. Delguyd

Also Present: Mr. Wynne, Mr. Diemert, Mr. Cappello,
Lieutenant Jablonski, Mr. Metzung, Mr. Marrelli,
Lieutenant Girbino, Mr. Dinardo,
Mr. Thomas, Mr. Esborn, Ms. Wolgamuth
and Mrs. Betsa

Absent: Mrs. Cinco

IN COMMITTEE (STATUS)

Activities Committee

Mrs. Mills reported, we had a very good turnout at the Menorah Lighting. We had between 45-50 people come on a cold night. Last year, a lady from Florida was the farthest. This year, we had a young lady from Spain. They let her light the first candle on the Menorah. It was a very nice ceremony. The Tree Lighting is Sunday night here at the Civic Center at 7:00 p.m.

FINANCE DEPARTMENT

Resolution to advance property taxes

Mr. Wynne reported, in December of every year we pass a Resolution instructing the County that we would like to receive advance payment distributions on tax collections versus settlements twice a year. This is just a Resolution to inform them that we are approving the advance payments of those taxes.

Council President Buckholtz asked, is this a relatively new program?

Mr. Wynne replied, it has been in place as long as I have been here. That's been 4 years. I don't know how far back prior to that it goes.

Council President Buckholtz asked, we don't see any changes in local or County government in terms of having the ability to have the tax payment advanced? I don't know historically what it was.

Mr. Wynne replied, I think historically it would have been payments twice a year after the collection of the first half taxes and then after the collection of the second half. This then allows them to advance the money as they are receiving those collections versus waiting for the whole collection period to be over.

. **Resolution requesting Cuyahoga County Fiscal Officer to Adjust the Amended Official Certificate of Estimated Resources for 2013**

Mr. Wynne stated, this is the report we use to inform the County of our revenue budget. Any time we make an adjustment to the revenue budget, we have to inform the County by amending the Certificate. In Council's packets this past week you received a copy of the revenue budget with several suggested changes. Once that is approved I will need to amend the Certificate to reflect those changes and notify the County. The changes were mainly just increasing the budget for municipal income tax collections and also estate tax collections.

. **Advances and Transfers**

Mr. Wynne stated, at the next meeting, advances and transfers will need to be approved by Council before the end of the year. In your packets, I provided a list of all of the transfers that will require approval and what changes there were from what was originally budgeted. I will just comment on four of them.

We had budgeted to transfer \$500,000 from the General Fund to the Sanitary Sewer Relief Fund. We are going to increase that from \$500,000 to \$1.5 million. We are going to take some of the additional income tax collection money that we received this year and put it in the Fund so in the event that the Issue I funding we applied for is not approved, we will have 100% funding set aside to pay for the sewer project next year regardless of approval of the Issue I funding.

We had budgeted \$300,000 to transfer from the General Fund to the Parkview Ballfields Fund for the soccer field restrooms. That had to be increased from \$300,000 to \$350,000. The \$300,000 was based upon estimates that we had at the time.

The other two items that were significantly different was, the original budget for this was -0-, but we have to make an advance from the General Fund to the Greenway Corridor Construction Fund of \$1,067,417.58. That's the exact amount of the funding we will receive from NOACA. Once Council approved the bid from Mr. Excavator for the construction of the trail, I am required on the books to encumber that full amount of money. We can't allow any Fund on our books to have a negative fund balance. We won't be receiving the NOACA money that goes towards that project until 2014. We get it on a reimbursement basis, so the General Fund will need to advance that money to the Greenway Corridor Construction Fund this year to make sure the Fund is in balance. Once we receive the money from NOACA, that money will be reimbursed to the General Fund in 2014.

Council President Buckholtz asked, so that's a transfer on paper from the General Fund to this Fund. As we spend it, it gets reimbursed?

Mr. Wynne replied, yes. As we pay Mr. Excavator, we submit that to NOACA for reimbursement of 80% of that cost. When the money gets received, we will deposit it into the Greenway Corridor Construction Fund and then pay it back to the General Fund in 2014. This is called an advance versus a transfer. Transfers are permanent. Once you make a transfer, you can't put it back without a legal process. By calling it an advance, it will be repaid once it is collected.

Council President Buckholtz asked, that's the only advance on here?

Mr. Wynne replied, correct.

Mr. Wynne continued, we had budgeted a transfer of \$1.4 million from the Sanitary Sewer Relief Fund to the Sewer Conversion Fund which doesn't need to happen this year because we delayed the project for a year. That transfer was reduced down to \$25,000 to cover the cost of some of the pre-engineering that is going to be done to get ready for the project next year.

Reviewing the two Sanitary Sewer Relief Funds, Council President Buckholtz asked, are #4 and #13 related?

Mr. Delguyd replied, numerically they look like they are related, but they are not.

Mr. Wynne replied, it has to do with the way the funds are classified. The Sanitary Sewer Relief Fund is like a holding fund. The other is a project fund.

• **Final appropriations for January 1, 2013 through December 31, 2013**

Mr. Wynne reported, we will have legislation to approve the final budget for 2013 to reflect any changes that need to be made. I provided Council with a copy of the budget. Most of the changes that need to be made have to do with the transfers that are being adjusted. I have highlighted the items on the budget that need to be changed and have included the reason for the change.

• **Temporary Appropriations for January 1, 2014 through March 31, 2014**

Mr. Wynne reported, we have two choices. One is to pass a budget for next year at the end of this year or the other is to pass it during the first quarter of next year. We always do it the first quarter of the following year. We need to pass a temporary budget at the end of this year to allow us to do business for the first quarter of next year until Council approves the final budget before March 31st.

MCIC – December 16, 2013 at 8:00 p.m.

Mr. Wynne reported, this is the Annual Meeting of the Mayfield Community Improvement Corporation. This will be held prior to the Council meeting on December 16th. Mr. Diemert, it came up during conversation at Finance, that corporation has been dormant for quite a few years, is there a reason we need to maintain it?

Mr. Diemert replied, I think we still have some people that are governed by it, don't we, the businesses in town? I will check on that. Has anyone been reporting to the Village?

Mr. Wynne replied, no, not since I have been here. There's been no activity at all.

Mr. Diemert replied, if so, we can just disband it and take it off the books. Let me look into it.

LifeForce Agreement

Mr. Wynne reported, I have been only actively involved with this Agreement since the Fire Chief retired. What I found is the Agreement was set up so we only bill the insurance companies of non-residents. Once we receive notification from the insurance company of what they are paying, that's where everything stops. What I have found as I have gotten into it is, for example, if we charge \$650 for an EMS run, it gets submitted to the insurance company, and they might say, okay, we are only going to pay \$550, but we are only going to send you \$50, because the insured has a deductible of \$500. So we accept the \$50 and that's where everything stops. There's no attempt to collect the \$500 from the individual for their deductible or they might have a co-pay of \$100. The individual then gets the benefit of having that deductible satisfied on their insurance plan at our expense. What I want to throw out for discussion is consideration of amending the agreement with LifeForce to allow them in situations where an individual has a deductible or a co-pay, non-resident only, they can invoice that individual and try to collect it up to a certain point where they make a decision that it is non-collectable and might be sent to a collection agency. We would then make the determination whether it's worth sending to a collection agency or not.

Mayor Rinker asked, they would be responsible for the initiation of all of this?

Mr. Wynne replied, yes. Once they got the notification from the insurance company. With the example that I gave, LifeForce would invoice that individual for the \$500 and makes contact and attempts to collect it.

Council President Buckholtz asked, so it gets paid to LifeForce?

Mr. Wynne replied, the insurance companies run through LifeForce. They are on a commission basis. They get 7% of everything they collect. They send the additional to us. I had them run numbers. They said for the past two years total, there was about \$45,000 of items just like this

where there was a deductible or co-pay and no attempt was made to collect it. I don't think that was the intent of this when we put it in place.

Mayor Rinker agreed. It was not.

Mr. Delguyd asked, are there other situations, or is it really just the co-pay and deductible?

Mr. Wynne replied, the only other situations which would involve the need for a collection agency is where the insurance company by mistake sends the payment directly to the individual and then they refuse to turn the money back over to LifeForce.

Mayor Rinker stated, the idea was there would be another entity that does the collections so we would not incur the administrative overhead to do it. That was part of the negotiations.

Council President Buckholtz asked, and it's non-residents?

Mr. Wynne replied, non-residents only. So if Council is okay with it, I would like to move forward with amending the Agreement to allow LifeForce to bill for deductibles and co-pays for the non-resident.

Council President Buckholtz stated, I don't see a problem. You talked about this in Finance?

Mr. Delguyd replied, yes. It was approved to move forward.

Council President Buckholtz asked, anyone have any comments on any of the items in Finance? There were none.

FIRE DEPARTMENT

Lieutenant Girbino reported, we received the smoke alarms from the program a couple of weeks back. We are in the process right now of delivering and installing them.

SERVICE DEPARTMENT

Mr. Metzger reported, the house next to the Library has been demo'd. I will be coming to Council at the Regular Meeting requesting authorization to seek bids for the house next door.

Council President Buckholtz asked, the next house is ours as well?

Mr. Metzger replied, correct. These are the houses we got through the Library.

Council President Buckholtz asked, is it premature to throw out there for discussion purposes the creative and fun concept of realigning that street?

Mayor Rinker stated, I don't think it's too soon to talk about it, other than that will probably be a budget item. We have had initial discussions with the School and Highland Heights. There really has been nothing to my knowledge for months now where there has been any real pointed discussion. We have let it marinate. In the recent round of paving, the High School did virtually the entire parking field around the building once they got all of the improvements on the structure itself done. I think John Folkman was eager to get some kind of read from us as to whether we could go forward on it. The timing just wasn't going to work that well. That was probably the last discussion I am aware with anyone.

Overall, being able to align makes a lot of sense. What we would want to do is look at (1) whether there's still an opportunity to reorient the property to the bowling alley lot to the east that Chris Skoda was looking at one time to split into two which would make two non-conforming lots running on Wilson Mills. John Marrelli had the idea that if you switched it the other way instead of cutting longways but chopped it horizontally or cross-ways east-west with north-south boundaries you could create three buildable lots on the east side of the drive. One thought would be if that's still viable. Whether or not the west side would lend itself to that, that's something we need to talk to the school about because the school has to figure out what they want to do with the old Library site. There are a number of interests that have to be revisited as to just from a site planning other than the roadway itself, what would the adjacent parcels look like? Does the greenspace on one side leave it unchanged on the east side? The thought originally had been if we could create some buildable lots, at least on the east side and potentially on the west side, those frontages could be assessed. Part of the construction cost could be covered by a conventional assessment. I would think that the County would be interested giving the Wilson Mills corridor in a realignment of the intersection. There may be some grant dollars out there. NOACA may be another one. Really until we have a better sense of what people are looking for and then what kind of funding, it's hard to report on. It's certainly discussion we should continue.

Council President Buckholtz agreed. Just to keep it alive and keeping the residents informed of the potential since it worked out so well at Raleigh. What do you perceive as Highland Heights' participation, passive? In other words, they just have Miner Road coming up there and it will be great.

Mayor Rinker stated, but they also have the other side of Wilson Mills. Historically, any changes along that Wilson Mills corridor, the best arrangement has been 25% funding Mayfield, 25% Highland Heights and then 50% other, typically the County, is the pass through. I would think that while there is a more passive approach, it nonetheless affects their road system and their safety. I think there would be more interest than not, especially when you look at the traffic pattern coming up Miner and then that jog to the high school site. Wilson Mills itself is kind of screwed up there. The focal point is fix the intersection but as you emanate out from the intersection, what are the ways you can kill a number of birds with one stone?

Mr. Marrie asked, does the School participate financially at all?

Mayor Rinker stated, you will have to ask the School that one. We would say yes, but I think it's fair to state that the School would love to see other sources of funding because they had done so much. I think it was one of the reasons John Folkman was eager to see if we could get something going because he might have been able to dedicate some of the dollars for the paving program to doing the driveway itself because that was bonded, those improvements, back in 2007 or 2009, there was a levy. The short answer is, I doubt it, but overall we would coordinate with them. The potential is with the adjacent Library property there may be some kind of dealing in the offing there. We have a new superintendent, it would be a new school board. These are issues we would have to revisit. I would not want to speak for them.

Council President Buckholtz asked, would it have to become a dedicated street?

Mayor Rinker replied, it would if we were to do the assessment. That was the thought. It would make sense but then if it is assessed and it is dedicated, we would maintain it as opposed to the school. That might be a good thing because I think between Service, Highland Heights, Mayfield Village, working through that intersection is something we would want to control more than not. Any one of these are options we could look at and we would evaluate the pros and cons of each one. That's something that collectively Council would have to vote on how it wants to go in the long run.

Mrs. Mills asked, has Skoda sold that property?

Mr. Marrelli replied, he still owns that. The next house to the east is still his.

Mayor Rinker would think the housing market having turned around, this might be something more palatable. We have not had that discussion with him for a while.

Mr. Marrelli stated, in the last discussion we kind of played with the numbers a little bit to try and figure out what three lots might cost and what the assessments might be. A lot of it depends on how much Federal or state money we can get, how we can knock the price down so that the assessments are less.

SENIOR SERVICES

Mr. Thomas reported, Commission on Aging will be meeting tomorrow at 11:00 a.m.

LAW DIRECTOR

. **ODOT property transfer to the Village.**

Mr. Diemert referenced the memo he prepared for Council back on August 29, 2013 about the transfer of the property on SOM Center from ODOT to us. The memo explains the whole process. We have gone through the legislation process and have the Ordinance. It will be on the next agenda. This will be the culmination for Council to accept the donation of the property.

Council President Buckholtz asked, this is the actual legislation to donate the property to the Village?

Mr. Diemert replied, yes, provided we keep it for public use.

- **Legislation Amending Codified Ordinance Section 1511.05(g)(2)(C) relating to portable outdoor fireplaces used at one and two family dwellings.**
- **Legislation Amending Codified Ordinance Section 141.01(b) relating to establishment of positions in the Fire Department in removing the position of part-time Captain.**

Mr. Diemert reported, these are just updates on the legislation. These were recommended by Ordinance Review.

Council President Buckholtz asked Mr. Marquardt, are those going to stay on three reads?

Mr. Marquardt replied, yes.

Mr. Diemert stated, the second one could go through. It's not controversial. It's just cleaning up the Code book.

ANY OTHER MATTERS

Council President Buckholtz asked if there were any other matters. I hope everyone had a wonderful Thanksgiving. Thank you Councilman-Elect Jerome for attending the meeting this evening.

There being no further business, the meeting adjourned at approximately 8:25 p.m.

Respectfully submitted,


Mary E. Betsa, CMC
Clerk of Council