

MINUTES OF THE REGULAR MEETING OF COUNCIL
Mayfield Village Civic Hall
Monday, March 19, 2012 - 8:00 p.m.

The Council of Mayfield Village met in regular session on Monday, March 19, 2012 at 8:00 p.m. at Mayfield Village Civic Hall. Council President Buckholtz called the meeting to order.

ROLL CALL: Present: Mr. Buckholtz, Mr. Marquardt, Mrs. Mills,
Mr. Marrie, Mrs. Cinco and Mr. Delguyd

Also Present: Mr. Wynne, Ms. Calta, Mr. Cappello,
Chief Edelman, Mr. Marrelli, Mr. Metzung,
Chief Mohr, Mr. Thomas, Mr. Esborn,
Mr. Dinardo, Mrs. Wolgamuth and Mrs. Betsa

Absent: Dr. Parker and Mayor Rinker

The Pledge of Allegiance to the Flag was given.

OPEN PORTION

5-minute limit imposed by Chair. Those who wish to speak must first state their name and address.

There were no comments.

Council President Buckholtz recognized students in the audience from NDCL. We welcome you. We encourage you to ask any questions you may have. We will try to explain things along the way that will give you insight into what goes on here. I will say this in advance, we have a lot of other meetings. This is the Regular Meeting of Council where we actually vote on things, but the first Monday of the month is when we have what is called a Caucus when we discuss the items that will be voted on tonight. It then goes through a series of committees. Sometimes you will see things go through kind of fast, but we have all been working on them. Again, if you have any questions during or after the meeting, we would love to talk to you about it. We are happy to welcome you here.

PRESENTATION:

STACEY O'BRIEN, DIRECTOR – COMMUNITY PARTNERSHIP ON AGING

Ms. O'Brien thanked Council for having her today. She wanted to talk about the history of the Agency in providing services to older adults and to answer questions anyone has.

The Agency was formerly called Tri-C Consortium on Aging. We changed our name this year. We were created by a group of very forward thinking seniors in 1978 with the support of the Mayors

from South Euclid, Lyndhurst and Highland Heights. A program was started whereby older residents within those cities could have access to a nutritious meal every day during weekdays and programming so that they could remain socially active as they aged. That was the original goal of the program. That grew over the years.

When those seniors first came together, they had the support of their Mayors. Those Mayors entered into a Council of Government and signed an Agreement in 1978 establishing the Tri-C Consortium on Aging. Several years later, the four adults decided they wanted to be able to use transportation to be able to get to and from the lunch program they developed. In order to do that, they needed to apply for 501(c)(3) status to obtain secure funding for a van from the Ohio Department of Transportation. That was their next step. Over the years, the Agency has grown and expanded to serve many residents with many different programs and services.

The original three cities were the only three cities until last year when the Mayfield Heights Office on Aging Director retired at which point Mayfield Heights approached our agency and asked about becoming a member which they did this year which necessitated a name change. Now our name is the Community Partnership on Aging.

We have an identity issue in that we can be thought of as an Office on Aging since we are supported by the municipalities that we serve. We also can be thought of as a Senior Center. Primarily, we think of ourselves as a Social Service Agency. Our mission is to support older adults in the community by helping them to be able to maintain their independence, improve their quality of life and insure that they have opportunities for personal growth activity and civic engagement. We are committed to addressing those that are frail or vulnerable as well and insure that people with barriers such as cognitive barriers, physical, financial or social, can access programs and services needed whether they are through our agency or not.

One of the things we do well in each of the communities we serve is tailoring a program around the residents of that community we serve that meet the needs of the community. Our approach works for a number of reasons. Most of all, it's because we are able to make use of the resources of each municipality. We don't own a building. We pay a small rent to some of the cities we serve. We use space where we have offices. Primarily, we pay nothing in overhead expenses but deliver services, so all of our funding is to deliver services. We do so efficiently. We have been in business long enough that it is a very efficient organization. There are 19 employees who carry out all of our programs and services. We have over 200 volunteers that provided about 8,000 hours of volunteer service last year. We also have been able to develop relationships in the communities that we served in faith based and civic organizations and businesses to help support our mission.

I believe the proposal covered our funding formula, but we do use a formula for funding. Again our budget is primarily supported through the cities that we serve. We get some funding through Title III of the Older Americans Act.

I believe that's it. I would like to be able to answer questions that anyone may have.

Mr. Marquardt asked, what kind of detail reporting do we get on utilization as far as how many people, which people and how frequent they use the various services?

Ms. O'Brien replied, we do reporting at this point by hand. We are going to be purchasing a software system some time this year. We are able to give actual real data on who uses what services how many times. We have been doing that since 1978.

Mr. Marrie stated, the concern for few was how many people would use it? It's an unknown. I am sure you have gone through this before. Have you any idea how many seniors use it in Mayfield Heights? I realize it's a much bigger city, but do you have any numbers like that?

Ms. O'Brien replied, it's a much bigger city. We are also brand new there. Many people don't even know still how to access us. I don't have the number. What I provided you with was an estimate of a percentage with which we were guessing, was between 12-15% at that time.

Mr. Marrie asked, how long do you think it takes for the people to understand what is available? In other words, Mayfield Heights has been in it since when, the first of the year?

Ms. O'Brien replied, yes. Probably about 18 months.

Mr. Delguyd asked, that percentage you said was the percentage of their senior population or their total population?

Ms. O'Brien replied, the question was the percentage of the senior population that I guessed that used services.

Council President Buckholtz asked, once again, what municipalities are you in currently?

Ms. O'Brien replied, South Euclid, Lyndhurst, Highland Heights and Mayfield Heights.

Council President Buckholtz stated, this has great potential. We have been looking for something like this for a long time. It's just complicated when we talk about it without some kind of advisory or consulting understanding. You can tell us what's going on in other communities. We are looking to see what's going to go on in ours. So I would almost be tempted to say that, do we have this on the agenda tonight?

Mrs. Wolgamuth replied, yes.

Council President Buckholtz asked, and did it go through Finance?

Mr. Marrie replied, yes, through Finance Caucus and Finance Committee this evening.

Council President Buckholtz asked, and Finance approved it?

Mr. Marrie replied, yes.

Council President Buckholtz stated, it was my understanding there were several different options. We will get to this later when it is on the agenda, but I thought as long as you are here we might want to talk about the options.

Mrs. Wolgamuth replied, the way we set it up on the agenda, I had spoken to Ms. O'Brien and there's no contract required. So we did a not to exceed \$39,000 for the rest of this year. My suggestion was that we commence in May so that we could get this in the VOV in April and that we would have some head start in letting people know this is available. So the cost for the remainder of this year would be close to \$39,000. We would then review it for next year.

Council President Buckholtz stated, it's like we have a buffet of services and we can kind of see. Our experience is you can put out all the surveys and go door to door and we never see what people are really going to want to come out and make use of. So it could far exceed our expectations or it could fall short. I like the part about when you said tailor make it to our community using our facilities, and the programs we already have in place can maybe be enhanced by your leadership or experience. I thank you for coming. Do we have more comments?

Mr. Marrie stated, the way it has been set up by Diane and Ms. O'Brien is that we are not committed to a contract. This will give us 8 months to get a feel for how much it would be used. By that time we would have some definite numbers of how many are actually using it and what they are using it for. I think that was the most of the concerns.

Council President Buckholtz stated, I liked the concept of biting it off in chunks and seeing how it will go. Thank you for coming.

CONSIDERATION OF MINUTES:

Regular Council Meeting – February 21, 2012

Mrs. Mills, seconded by Mr. Delguyd, made a motion to approve the minutes as written.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

Special Council Meeting – March 5, 2012

Mrs. Mills, seconded by Mr. Marrie, made a motion to approve the minutes as written.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

Mr. Metzung reported, with the last couple rains we had, there were a few more areas that reported some flooding issues. There is a policy on the agenda this evening that will help some people who have had some chronic flooding. I hope everyone enjoyed their last day of winter today. Spring is tomorrow.

BUILDING – John Marrelli

There was nothing to report.

ENGINEERING – Tom Cappello

There was nothing to report.

LEGAL DEPARTMENT – Diane Calta

There was nothing to report.

FIRE – Chief Mohr

There was nothing to report.

FINANCE – Ron Wynne

Mr. Wynne reported that our annual audit which this year is being done by an independent public accounting firm started on Wednesday, March 14th and will take 4-6 weeks before it is finally done and a report issued to the State.

POLICE – Chief Edelman

Chief Edelman reported, last month Mrs. Mills asked me to get a number of the people who have signed up for Code Red. As of 4:00 this afternoon, we had 1,652 contacts signed up for Code Red. We are in the planning stages for a community sign up.

PARKS & RECREATION – Bill Thomas

Mr. Thomas asked if everyone got their brochure in the mail. Reporting on the senior services, Mr. Thomas stated that registration is underway for spring programs, including watercolors, seniorcize and Zumba Gold. The card group and game group continue to meet. An active game day will be held this Wednesday from 2:30 to 4:00 in the Community Room. Our trip to the Greater Cleveland Aquarium is almost sold out. There are two other trips scheduled, a Lolly the Trolley tour on June 22nd and a trip to the Wilds on September 28th. Please contact our Senior Services Department to register.

ARCHITECT – Ron Dinardo

Mr. Dinardo reported that the solar installation at the police station has begun. I will report back at the next meeting on the progress.

PLANNING DEPARTMENT - Ted Esborn

Mr. Esborn reported on two relatively small grants that we applied for earlier this year. We went one for two in that process. We sought about \$500 in scanning equipment. With the Records Commission, I applied for a grant through the Ohio Historical Records Advisory Board. Unfortunately we did not get that grant. They got 31 applications there for three times the amount of funding they had. We also applied for a completely separate grant through the Cuyahoga County Solid Waste District. We applied to get funding for recycling containers at the pool, Wiley Pavilion and ballfields. We did receive that grant. It's for about \$4,000. I just received word on that last week. I will be coordinating with Doug and the Service Department on pretty much the whole selection and placement of those. We will be setting them up in the Spring.

ADMINISTRATION – Diane Wolgamuth

There was nothing to report. Mrs. Wolgamuth just wanted to thank Stacey O'Brien for coming this evening and for all of her help in gathering the information I have provided to Council.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported the last meeting was January 24th. Our next meeting is April 3rd at 6:45 in this room. We will be planning and updating on the Mother's Day Pancake Breakfast, Cruise Night and 4th of July. I still have my volunteer list for sign-up for Mother's Day.

Architectural Review Board – Mr. Marrelli stated that there was no meeting. There is no report.

Board of Appeals – Mr. Marrelli stated that there is a meeting scheduled for tomorrow.

Cemetery – Mrs. Mills stated there is no report.

Citizen's Advisory Board – Mr. Marrie reported that Citizen's Advisory Board met on February 27th. The items covered, most of which have been covered during our Caucus was the recycling and rubbish collection, the flooding issues that have been happening through no fault other than Mother Nature. There was a lengthy discussion on Code Red. The senior program which was covered tonight was covered in detail by Diane at the meeting. The last item was Mary and Merv Singer asked for help and received it for the placing of flags at the Memorial Day event at Whitehaven Cemetery.

Safety and Service – Mrs. Cinco reported that all items are on the agenda for tonight, the doors at the Civic Center, all of the police expenditures and items for the pool.

Finance Committee – Mr. Marrie reported that the Finance Committee met this evening. We covered 21 items, 7 ordinances and 4 resolutions. For the benefit of the students here this evening, you will see a lot of items being voted on and a lot of money being passed through Council tonight. As the Council President mentioned earlier, there's been a lot of meetings ahead of this. These aren't all just brought up tonight and voted on. Some of these items have been kicked around in different meetings and certainly in some cases for months. There's much involved.

Council President Buckholtz added, a lot of these items are housekeeping measures. A lot are for medium sized purchases for departments.

Historical Society – Mrs. Mills reported that the Historical Society will be hosting approximately 275 third grade students from the Mayfield School District in April and May. The schools are Millridge, Lander, Gates Mills and St. Francis Schools. We are starting to make preparations for our quilt show in October.

Hillcrest Council of Councils – Mrs. Mills reported that she and Mr. Marquardt attended the meeting of Hillcrest Council of Councils. Mr. Fitzgerald from Cuyahoga County presented. It was a very good meeting. The next one will be on Economic Development. We will let Ted know when the meeting is scheduled.

M.A.R.C. – Mr. Thomas reported, M.A.R.C. met on Thursday, March 8th at the Board of Education. The Director Mr. Weinberg congratulated George Hughes, President of the School Board on the passage of their recent school levy. The second session of floor hockey for high school begins on April 14th. It is filled. Grades 1 and 2 floor hockey will have their championship on March 10th. The 3rd, 4th and 5th graders finished up on March 17th. Enrollment for cheerleading has been very good with almost 110 participants. They have been cheerleading at the MBA games on Saturdays. This concluded last week. The next meeting will be on Thursday, April 5th at 7:00 p.m. at the Board of Education.

Ordinance Review Committee – Mr. Marquardt reported, Ordinance Review met on March 13th. There were three items on the agenda and one added. We discussed temporary advertising signs, rubbish container screening, riparian setback ordinance and contract advertisings for bids. These were left for drafts of ordinances written up.

Planning and Zoning – Mr. Marquardt reported, Planning and Zoning met on March 5th at a regular meeting and approved the Preformed Line Products alterations and expansion. We had a workshop meeting on Thursday, March 15th where the roadway for the Library was discussed. There was considerable discussion about safety for pedestrians and bicycles. Tom Cappello is to put some additions on to the drawing which are not shown in the drawing you currently have in your packet.

Council President Buckholtz asked, those were suggestions?

Mr. Marquardt replied, after the discussion with Planning and Zoning there were some action items for Tom to investigate.

Recreation Board - Mr. Marrie reported, the Recreation Board met on Wednesday, February 22nd. There were four or five items. The first one was the senior program which we discussed. We discussed the Wiley Park Playground. Our Easter Party for the children is on the 31st of March from 1:30-3:00 at the Community Room. As always, we can use volunteers for that. Last but not least, the Debbie Hudacko Scholarship interviews will be taking place for the students.

Commission on Aging – Mrs. Mills reported the Commission on Aging will meet on March 27th at 11:00 a.m. at the Senior Services office which is in the rear of the Community Room. The agenda will include discussions about the Anniversary Party and reports on previous and upcoming activities.

SPECIAL COMMITTEE REPORTS:

Council President Buckholtz explained, we have several special committees that sometimes don't meet regularly because of what they have to do and other times they meet as a project comes up.

Information & Technology – Council President Buckholtz reported, we did not meet, although we are moving forward with some new servers that have already been approved in-house.

Records Commission – Mrs. Mills reported the Records Commission met on March 14th. I want to thank Ted and Mary Beth for all the work they did on the grant. Sometimes we win them and sometimes we don't, but we will keep pursuing. House Bill 9 Training is Friday, May 25th at 10:15 a.m. here at the Civic Center for all newly-elected and re-elected officials. Shred Day is Saturday, May 19th at 9:00. Our next meeting is April 25th at 12:30.

Community and Economic Development – Council President Buckholtz explained, this is the newest committee, the CEDC. We discuss upgrading and developing parts of the Village. I would ask Mr. Delguyd to report on this.

Mr. Delguyd reported, there were two major issues discussed, East Commons Development. We reviewed the plans and made some suggestions to both Dave and Ted to meet with the developers and talk about things that would enhance the plan from an economic development standpoint. We also talked about some proposed guidelines for economic development and assistance in terms of attracting new businesses. We went over some of the guidelines that other cities propose. We discussed them briefly and instructed Dave and Ted to come back with some more concrete numbers in terms of expanding that population. We will discuss further what we may want to offer.

Council President Buckholtz stated, the way we left things, the East Commons, where is that at?

Mr. Delguyd replied, that is going before the Board of Appeals tomorrow night.

Council President Buckholtz asked, you are planning on attending that?

Mr. Delguyd replied, I am going to plan on attending.

Council President Buckholtz stated, we have some interesting ideas. I don't know if you had a chance to go over those or if the developers are aware of those, but see you tomorrow night. And just to restate, the other part of that is, from time to time many communities are offering economic incentives to foster new businesses and attract new businesses. It's difficult to come up with a standard method for that because every case is different and you want to be fair but you want to base it on something substantial that helps the community and the tax base. There's a lot of background and research that's been going on of what other communities like ours or different than ours are offering.

Mr. Delguyd stated, also some significant investment on our part in terms of what we offer. It's not so much what we give out as incentives, but broadcasting what we already have to bring people to the Village.

OLD BUSINESS

- **Third Reading of Ordinance No. 2012-06**, entitled, "An emergency ordinance amending Ordinance 2010-38 relating to the agreement with the Board of Trustees of the Cuyahoga County Public Library." Introduced by Mayor Rinker and Council as a Whole. (First Reading – 2/21/12; Second Reading – 3/5/12)

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2012-06.

Council President Buckholtz opened the floor for discussion.

Mr. Marquardt stated, Council President, as discussed over the last six weeks with members of Council, the administration and the legal department, I will not be supporting the Library issues on the agenda tonight for the following reasons.

Ordinance 2012-06 is titled as an amendment to the 2010-38 Agreement with the Library. When the Library Agreement Ordinance was presented to Council for a vote in September of 2010, it stated and was emphasized by the Law Director at that Council meeting that some minor procedural changes would be made to the wording but the final agreement would be substantially similar to what Council was voting on that night. The signed Agreement, however, contains two substantial additions, namely committing the Village to a roadway into the Library and a traffic signal on SOM Center if needed. These substantial additions were neither brought to Council for approval nor even brought to Council's attention until January of this year. Due to these unapproved additions, the validity of the existing Library Agreement is questionable. The amendment Ordinance on the agenda tonight attempts to legitimize these unapproved additions and add funding.

Ordinance 2012-08 is titled as an access easement agreement for the Library property. There are two easements described in this Ordinance. The second easement is really another donation of property to the Library to accommodate a larger parking lot. At the September 2010 Council Caucus, Sari Feldman, Executive Director of the Cuyahoga County Public Library was asked why the library project funding did not include land acquisitions. She replied that their operating budget had been reduced by 10 million dollars and they had to reduce their capital expenditures accordingly. They were therefore looking for more affordable means of accomplishing their projects.

I would contrast this to the Village's police station project where funding was limited and the Village had to find a way to achieve our objectives within budget limitations. The donation of Village assets and funding for a County project has been objectionable since this project was first presented to Council at the September 2010 Caucus. These Village commitments continue to grow. The people in Mayfield Village should not have to support this project with both our County and municipal taxes.

Mr. Delguyd thanked Mr. Marquardt for his comments. As the newest member of Council, I did not vote in the earlier sessions and was not privy to a lot of the discussion. After discussing with people on Council and Mrs. Wolgamuth and Mayor Rinker, in the grand scheme of things, I do not have opposition to the Library. I don't have opposition to the access road that we are being asked to build per se. The opposition I do have is that the original plans, the reason the access road has grown in such cost is because the plans were moved from the front part of the property on SOM significantly far back. The original estimates we were given for the original access road was in the \$50-75,000 range. We were told that it was based on some preliminary drawings and when they changed, it was then on the Village to incur the extra cost of the access road. In my opinion, that additional extra cost above and beyond the \$50-75,000 should really be on the County Library because they are the ones that changed the preliminary plan. I don't know at this point given where we are in terms of timing if we have an opportunity to go back and ask them to pay the additional fees. I don't even know if that's plausible. I just wanted to give out my thoughts and concerns.

I think from a future standpoint as we are entering into these agreements I understand these are different governmental entities, different economic entities, things are fluid and we have to be flexible, but at the same time, we can't continue to vote on things and say that there is preliminary approval and then when the plans come back and they are significantly different, we just say go with it. I think we need to basically be more assertive in our negotiations. That's just my thoughts.

Council President Buckholtz explained for the audience, we have been talking about this extensively at meetings and how this evolved and what happened and how there's different points of view on it. I would like to ask any Council members first if they have any comments. If not, I would turn it over to our Law Department for comments.

Ms Calta stated, I just have a couple comments, Mr. President if I may. As far as the comments as to the access easement and the additional donation of land and the additional cost on the roadway which have been, Mr. Delguyd, I agree with your assessment of how the costs have grown, I have personally opened a dialogue with the attorney for the Library. She has been in dialogue with Sari Feldman who has also been in dialogue with Roger Riachi. Sari Feldman is the Executive Director of the Library. Roger Riachi is the individual working with the Library in charge of all of their improvements. This is just one of the projects he's working on, but he is the general contractor, or a little bit more of a project manager. They have all acknowledged what has been brought to their attention in the way of these additional costs that the Village is looking at. They are willing to sit down and talk further with the Village about those costs relating to the roadway and the additional parcel of land. I am hopeful that we can come to some appropriate resolution given the change of how the plans have evolved over this now probably 18 months, probably even longer than that, 19-20 months as the project has evolved from discussion to the point where they are ready to put the shovel in the ground.

Mr. Delguyd asked, if they are willing to talk to us about that, do we hold off on passing this?

Ms. Calta replied, it's a good question. I would say no. The roadway right now is proceeding through the Planning Commission. As Mr. Marquardt mentioned, there was dialogue as to the roadway and some thought on design changes. I don't want to have everyone have dollars in their mind right now, but there was further discussion. I think that it's appropriate that this moves forward. They are committed. The Library as a public entity has in good faith said we will sit down and talk about these things.

There also can be some efficiencies in the construction of that roadway on the Village's part. We talked about it with the administration, the Building Department and the Engineer. When the Library gets their bids back, and URS is here and they can comment on that, they have gone out to bid. They are waiting to get their bids back. They will have someone that will bid on their paving package so to speak. They are a public entity. They have to go out to competitive bid. So does the Village.

When we go out to competitively bid, we are hopeful that we will get a very competitive price from the market and possibly even get a very competitive price from the contractor that's working on their job because he will have all of his equipment mobilized on the site and probably be able to mobilize it at a cost that would be less than an outside contractor. That may not happen, but that is a possibility that could happen when this goes out to the market. We have a not to exceed number that's been inserted in this of \$175,000. I am sure Tom can comment on what that number will be when it goes out to bid. It's hard to tell. But I think that makes it attractive to the marketplace to come in at a competitive price. We have the dialogue open with the Library.

Mr. Delguyd asked, will we know the winning bidder on the pavement project prior to awarding the access road?

Tina Bell, the Project Manager, spoke on behalf of URS. We are expecting our bids in at the end of this week. We will be opening those bids at the time they come in. We should by the following week have gone through all of them to know who the project is awarded to.

Mr. Delguyd replied, very good. So you are essentially saying that we should know who their contractor is?

Ms. Calta replied, correct.

Mr. Delguyd asked, my understanding is that not to exceed \$175,000 is the number in our budget. We budgeted for it. It's inclusive of a \$125-130,000 base price and two contingencies in there for sewer and drainage?

Mr. Wynne replied, I don't know what the contingencies were. I think it had to do with the borings, didn't it?

Mr. Cappello replied, the contingencies were potential subgrade issues. That was approximately \$32-33,000. The base price was about \$124,000.

Mr. Delguyd asked, are we actually approving two possible issues? I don't want to put in \$175,000 and if there are no real boring issues –

Council President Buckholtz replied, typically again, you brought up the term you are the newest Councilman here, once we do a not to exceed, we pick a number that's worse case scenario and we go from there. There's no harm. We have a big celebration when we come in at \$90,000 or something. We don't have to have a second vote on that. I would ask the Law Director, do you have anything further?

Ms. Calta replied, if I may, just one more comment as to the substantial commitments that Mr. Marquardt mentioned that he believes the Law Director saw as small changes back in September of 2010. I just wanted to say that back then these were not deemed to be substantial changes given where the project stood at that time.

With regard to the traffic light, I don't want to be repetitive, but I do want to get on the record that the financial commitment relating to the traffic control signal at this time is determined to be zero because the traffic does not warrant a control signal being installed. If and when it would meet that criteria, there would need to be a traffic study, they are called warrants, that determines that it meets the checklist of items for that signal. But the traffic is not anticipated to meet that level at this time or when the Library is constructed and fully operational. If at some point the back parcel is developed, it is anticipated at that time that the traffic control signal would meet those warrants and would be required.

As far as the roadway, I will just bring it back to what was being discussed at that time was not thought to be substantial. At that point in time there were discussions that there could

have been access directly off of SOM. There may not have been a roadway and it was not contemplated to be the length that it is designed at now.

There's going to be another ordinance with regard to the access easement. There's been one small change. Everyone should have received in their packets a replacement Exhibit D. What it did is it shrank the size of this parking easement. It didn't shrink the size of the parking or anything that was in it, but if you look at the Exhibit D that was attached to the revision from March 2nd, the map that says Easement 2, you will see that the trail goes through the hatched area. This replacement exhibit does not go through that trail area right here, so that's being excluded. This is Tom's map. I will give him credit for it. URS is in the process of putting together their map and their legal description that will go with the easement.

Council President Buckholtz stated, there's a little background on how these things get voted on and a couple different facts and details of this. It's been a very good exercise. Everyone has weighed in on this. I have had numerous individual conversations and lots of subcommittee meetings and a lot of conferences over the phone. In the past, many many many times we have passed development agreements, resolutions and ordinances in title development agreements and they usually have a line in there like we are giving the administration authority and the Law Department authority to negotiate.

I want to thank all of the work that Mr. Marquardt did. All the historical facts to the best of my knowledge that are in his statement in one form or another are true and Mr. Delguyd giving the new perspective on coming on board not knowing some of the back story. You brought to light some very good things.

A couple things I want to point out is the document we have in front of us today and the map and everything is what it is. This was part of the problem before. There were too many documents floating around for whatever reason. We have the stuff. This is why we went through the whole exercise to redo it. The \$175,000, while it is considerably more, some of that had to do with the Library took a long time to present the site plan to us for whatever their reasons are. This is not unusual. Again, the price went up. I have talked to all of Council, \$175,000 as a not to exceed is, as the Finance Director pointed out, affordable.

It's a very new news item as of today that our Law Department has met with the various people from the Library and opened that door of opportunity and hope that they recognize that the easement for parking, the better road, some of the suggestions from P&Z to make a sidewalk, safer road, well-lit. We wouldn't do something that isn't safe but could run into cost overruns. They are at least willing to enter into conversations about participating in the dollars that are spent.

A couple other things again that were not understood is the road is on our property. There is another significant piece of land behind the Library that many of us know and some may not was going to be Campus 3 of Progressive. It's still a mystery on whether it will be or whether it will become some other commercial enterprise, whether it's sold or leased. The

way the Village has been operating very successfully in how we have tastefully developed the Village and I think it's known pretty much across the board by the people that live and work here, we use what's called TIF Agreements. We are unable to use a TIF Agreement with a County agency, but we would be with a commercial organization if and when they would in back there. Again, it's if and when, but part of our job is visionary, part of our job is immediate financial responsibility to the taxpayers, some of it is vision to the future. So, playing the hand so to speak to win, if and when that is developed, we would leverage TIF dollars and unbeknownst to me at the time, I learned from the Building Department and the Law Director that we would be able to be reimbursed for this road. I had no idea. This has always been an access road on original drawings that would access the commercial portion.

There's one other item I wanted to bring up. Does somebody have the approximate figure of what the Library is going to be spending on this project?

Mr. Marrie replied, \$12 to 13 million.

Council President Buckholtz continued, so what we have here, and in all my conversations is, we have a public library that's very respected throughout the County. Each Library has specialties. I think ours is arts and sciences and music. They wanted to stay in Mayfield Village. I think a majority of the people involved in the discussions want them to stay in Mayfield Village. They are going to be investing \$12-13 million in our town. I just wanted to add that because at this point in time we have all dwelled down to the mishaps, the details, the fiduciary responsibility of the public, the watchdogging on future expenses that some of us are better at than others in terms of the order in which things happen and what happens.

At this point in time I will wrap it up by saying that I think this is an excellent project. We are very excited about it and when the community at large gets to see the drawings or the model or the finished project, it's going to be spectacular. I just wanted to leave people with that understanding of the big picture, if I may.

Council President Buckholtz asked, any other comments before we vote? There were none.

ROLL CALL: AYES: Mr. Buckholtz, Mrs. Cinco,
Mr. Marrie, Mrs. Mills and
Mr. Delguyd

NAYS: Mr. Marquardt

Motion Carried

Ordinance Enacted

- **Third Reading of Ordinance No. 2012-07**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Hike and Bike Trail Access Easement Agreement with the Board of Trustees of the Cuyahoga County Public Library as and for the right to construct, maintain, patrol and use certain property for an all purpose non-vehicular public hiking and biking trail." Introduced by Mayor Rinker and Council as a Whole. (First Reading – 2/21/12; Second Reading – 3/5/12)

- **Motion to authorize expenditure in the amount of \$9,100 to Zenith Systems, LLC for upgrade for video recorder and security cameras.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$9,100 to Zenith Systems, LLC for upgrade for video recorder and security cameras.

Council President Buckholtz asked, and these are going where?

Chief Edelman replied, it's an upgrade in the police department.

Council President Buckholtz asked if there was any discussion. There was none.

- **Motion to authorize expenditure in the amount of \$8,000 for tactical patrol weapons.**

Mrs. Cinco, seconded by Mr. Marquardt, made a motion to authorize expenditure in the amount of \$8,000 for tactical patrol weapons.

Council President Buckholtz asked if there was any discussion.

Mr. Marrie explained, this was discussed at Finance. This is coming out of the Law Enforcement Trust Fund. This does not come out of the budget.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	Expenditure Authorized

- **Motion to authorize expenditure in the amount of \$14,000 to SPAN for 2012 dues.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$14,000 to SPAN for 2012 annual dues.

Council President Buckholtz asked if there was any discussion.

Chief Edelman replied, this is for annual dues. It's a reduction from last year.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	Expenditure Authorized

- **Motion to authorize acceptance of bid – Option 1 submitted by Kimble for residential solid waste recycling services.**

Mrs. Mills, seconded by Mr. Marrie, made a motion to authorize acceptance of bid – Option 1 submitted by Kimble for residential solid waste recycling services.

Council President Buckholtz asked if there was any discussion.

Council President Buckholtz asked if there were any questions. There were none.

Roll Call: AYES: All Motion Carried
 NAYS: None Recommendation Approved

Motion to allow the Finance Director to fund Medical Expense Reimbursement Plan (MERP) accounts for those employees selecting the Medical Mutual High Deductible Plan. Funding amounts are \$2,000 for a single employee and \$4,000 for an employee with spouse and/or dependents.

Mrs. Mills, seconded by Mr. Marquardt, made a motion to allow the Finance Director to fund Medical Expense Reimbursement Plan (MERP) accounts for those employees selecting the Medical Mutual High Deductible Plan. Funding amounts are \$2,000 for a single employee and \$4,000 for an employee with spouse and/or dependents.

Council President Buckholtz asked if there was any discussion.

Mr. Wynne explained, as part of our renewal this year for our medical plans, there were three different plans offered. There are significant savings realized by employees who sign up for that plan. We will be funding the deductibles of \$2,000-4,000. Even if every employee selects this plan over the next 3 years, the total we will be saving is about \$40,000-50,000 in medical insurance premiums.

Council President Buckholtz stated, good job Ron. Any other comments? There were none.

Roll Call: AYES: All Motion Carried
 NAYS: None Funding Approved

Motion to acknowledge receipt of financial reports for February 2012 and to approve of same as submitted.

Mrs. Mills, seconded by Mr. Marrie, made a motion to acknowledge receipt of financial reports for February of 2012 and to approve of same as submitted.

Council President Buckholtz asked if there was any discussion.

Mr. Wynne explained, in the report it mentions that through February our tax collections were down by about \$500,000. Our receipts from RITA for the month of March are ahead of last year's by \$200,000, so for the first three months of the year, we are down about \$300,000 which is far better than I expected knowing that last year was such an unusual high year for us tax collection wise because of corporate bonuses. We will start seeing tax collections level off to normal levels for the balance of the year. I think we came out of the first quarter, only being down \$300,00 is a pretty good sign of how the rest of the year is going to shake out.

Council President Buckholtz asked if there were any other questions. There were none.

Roll Call: AYES: All Motion Carried
 NAYS: None Receipt of Financial Reports
 for February 2012 Acknowledged
 and Approved

- **First Reading of Ordinance No. 2012-11**, entitled, "An emergency ordinance establishing the Parkview swimming pool employees salary for the 2012 season." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All Motion Carried
 NAYS: None Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2012-11.

Council President Buckholtz asked if there was any discussion. There was none.

ROLL CALL: AYES: All Motion Carried
 NAYS: None Ordinance Enacted

- **First Reading of Ordinance No. 2012-12**, entitled, "An emergency ordinance creating certain positions and compensation related thereto for the Village's 2012 summer camp program." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All Motion Carried
 NAYS: None Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2012-12.

Council President Buckholtz asked if there was any discussion. There was none.

ROLL CALL: AYES: All Motion Carried
 NAYS: None Ordinance Enacted

- **First Reading of Ordinance No. 2012-14**, entitled, "An emergency ordinance establishing the compensation of the animal warden for Mayfield Village, Ohio." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mr. Delguyd, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2012-14.

Council President Buckholtz asked if there was any discussion. There was none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

- **Resolution No. 2012-07**, entitled, "An emergency resolution providing for the employment of a Municipal Architect for Mayfield Village, Ohio according to Ordinance No. 70.7 and Section 1301.03 of the Codified Ordinances." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2012-07.

Council President Buckholtz asked if there was any discussion. There was none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **Resolution No. 2012-08**, entitled, "An emergency resolution re-establishing the terms, conditions and compensation for the services of the Prosecutor for Mayfield Village, Ohio." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2012-08.

Council President Buckholtz asked if there was any discussion. There was none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **Resolution No. 2012-09**, entitled, "A resolution requesting the Cuyahoga County Office of the Budget Commission to adjust the amended official certificate of estimated resources for 2012." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2012-09.

Council President Buckholtz asked if there was any discussion.

Mr. Wynne explained, the amended official certificate is what the County uses to track what our projection is for the year for our revenue. At the same time we pass the expenditure budget which we did earlier this evening, we also adjust our revenue budget and tell the County what those final adjustments are. This is what this is all about.

Council President Buckholtz asked if there were any other comments. There were none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **Resolution No. 2012-10**, entitled, "A resolution expressing sympathy and condolences to the community of Chardon and to the families, friends and classmates of Demetrius Hewlin, Daniel Parmeter and Russell King, Jr." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2012-10.

Council President Buckholtz asked if there was any discussion. It speaks for itself. It was terrible tragedy.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

ANY OTHER MATTERS:

Council President Buckholtz asked if there were any other matters. There were no other matters before Council.

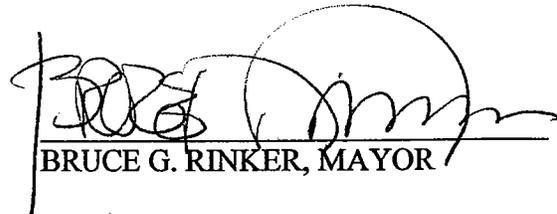
ADJOURNMENT

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adjourn.

The meeting adjourned at 9:30 p.m. The next Council meeting is scheduled for Monday, April 16, 2012 at 8:00 p.m.



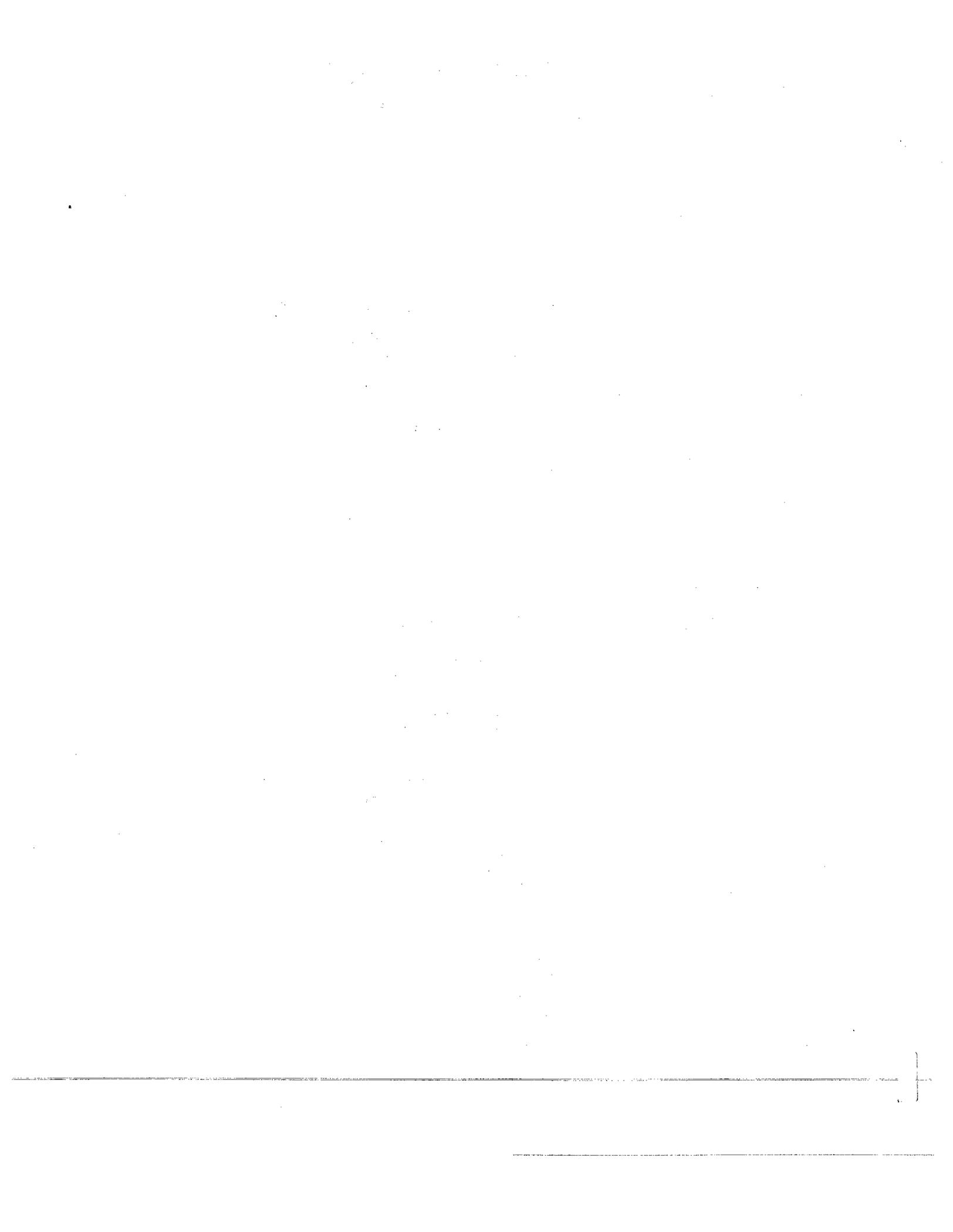
WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT



BRUCE G. RINKER, MAYOR



MARY E. BETSA, CLERK OF COUNCIL



SPECIAL COMMITTEE REPORTS:

Information & Technology

Mr. Marrie

Records Commission

Mrs. Mills

Community Economic Development Corporation

Mr. Delguyd

OLD BUSINESS

- **Third Reading of Ordinance No. 2012-06**, entitled, "An emergency ordinance amending Ordinance 2010-38 relating to the agreement with the Board of Trustees of the Cuyahoga County Public Library." Introduced by Mayor Rinker and Council as a Whole. (First Reading – 2/21/12; Second Reading – 3/5/12)
- **Third Reading of Ordinance No. 2012-07**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Hike and Bike Trail Access Easement Agreement with the Board of Trustees of the Cuyahoga County Public Library as and for the right to construct, maintain, patrol and use certain property for an all purpose non-vehicular public hiking and biking trail." Introduced by Mayor Rinker and Council as a Whole. (First Reading – 2/21/12; Second Reading – 3/5/12)
- **Third Reading of Ordinance No. 2012-08**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into an Access Easement Agreement with the Board of Trustees of the Cuyahoga County Public Library ("Library") as and for the purposes of parking, ingress and egress to the Library's property." Introduced by Mayor Rinker and Council as a Whole. (First Reading – 2/21/12; Second Reading – 3/5/12)
- **Resolution No. 2012-06**, entitled, "An emergency resolution confirming the Planning and Zoning Commission's approval of the Cuyahoga County Public Library Site Plan and Special Use Permit for the new library facility to be located at 500 SOM Center Road." Introduced by Mayor Rinker and Council as a Whole.
- **Third Reading of Ordinance No. 2012-09**, entitled, "An ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2012 and ending December 31, 2012 and declaring an emergency." Introduced by Mayor Rinker and Council as a Whole. (First Reading – 2/21/12; Second Reading – 3/5/12)

NEW BUSINESS

- **Motion to authorize expenditure in an amount not to exceed \$39,000 to Community Partnership on Aging for senior programs and services from May 2012 to December 31, 2012.**
- **Motion to authorize expenditure in the amount of \$5,000 to Luxury Builders for two new doors at the Civic Center.**
- **Motion to authorize expenditure in the amount of \$2,500 to Mayfield Township Historical Society for annual donation.**