MINUTES OF THE REGULAR MEETING OF COUNCIL
Mayfield Village Civic Hall
Monday, June 18, 2012 - 8:00 p.m.

The Council of Mayfield Village met in regular session on Monday, June 18, 2012 at 8:00 p.m. at Mayfield Village Civic Hall. Council President Buckholtz called the meeting to order.

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

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

Absent: 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.

CONSIDERATION OF MINUTES:

Regular Council Meeting – May 21, 2012

Mrs. Mills, seconded by Dr. Parker, made a motion to approve the minutes as written.

ROLL CALL: AYES: All — Motion Carried
NAYS: None — Minutes Approved

Special Council Meeting – June 4, 2012

Mrs. Mills, seconded by Dr. Parker, made a motion to approve the minutes as written.

ROLL CALL: AYES: All — Motion Carried
NAYS: None — Minutes Approved

COMMENTS FROM MAYOR RINKER

There were no comments.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ

There were no comments.

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

Mr. Metzung reported that while we have not located the leak at the swimming pool, we have found where the water is going. It goes into a sump pit in the pool. We have begun to recycle and circulate that water. We are no longer loosing vast quantities of water. We are still leaking but it is just going in a circle.

BUILDING – John Marrelli

Mr. Marrelli reported that the Library project is coming up out of the ground. The foundations are underway. The High School is in high gear while the kids are on summer vacation. Both of those projects will be ongoing.

ENGINEERING – Tom Cappello

There was no report.

LEGAL DEPARTMENT – Joe Diemert

There was no report.

FIRE – Chief Mohr

Chief Mohr reported that we have sold smoke detectors.

FINANCE – Ron Wynne

Mr. Wynne reported that we received an RFP from Gates Mills. They are looking to potentially outsource their dispatch operations and their jail operation. I will be meeting this week with the Police Chief to go over the specs of their request to see how it falls within the parameters of what we have available and what we might need to do different and get up to speed with their request so that we can start pulling information together.

POLICE – Chief Edelman

Chief Edelman has a couple of items on the agenda this evening. We will discuss them when we get there.

PARKS & RECREATION – Bill Thomas

Mr. Thomas reported that the feedback on Cruise Night was overwhelmingly positive. We actually had an absolutely beautiful night. The biggest crowd that I have seen. Thank you to the *Sun* papers for doing a wonderful spread. The photographer did a great job of coverage. The other thing I wanted to get feedback about, we have a very overwhelming positive response to the new tile we put in the bathhouse. Not only from our users but also it is a lot easier to clean when the pitch is done right. It was not done right in 1999. It makes it a lot easier for our crew to clean the facility. It looks absolutely beautiful without any cracks or stains, the really ugly look that we have had for a number of years. It's great to have the tile.

ARCHITECT – Ron Dinardo

There was no report.

PLANNING DEPARTMENT - Ted Esborn

Mr. Esborn reported, for those of you who have not seen the Rating the Suburbs issue of the *Cleveland Magazine,* Mayfield Village ranked 13th this year out of 75 communities. We were ranked 12th last year. In ranking these communities, *Cleveland Magazine* asks for a lot of information. They look at things like the parks, sidewalks, pool, tennis courts, but the main criteria for their rankings are two things, education and safety. This year, the Mayfield districts ranked 23rd. Mayfield Village's specific safety ranked 6th overall out of 75 communities. It sometimes tough to put together rhyme or reason for the rankings, but I can pull information from last year if anyone wants more detail on where we were and where we are on this.

ADMINISTRATION – Diane Wolgamuth

Ms. Wolgamuth supplemented Chief Mohr's report. 51 residents have ordered 166 smoke alarms so far. Also, as a reminder, the Town Hall meeting is next Tuesday at 7:00 here in this room for an update on Village finances.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported, our meeting will be tomorrow night. At that time, we will be evaluating Cruise Night which as Bill said was a very wonderful turnout. The 4th of July Celebration is on June 30th. Our Summer Concerts will start after that.

Architectural Review Board – Mr. Marrelli reported, Architectural Review Board met on June 14th. We looked at a room addition and approved that.

Board of Appeals – Mr. Marrelli stated, the Board of Appeals will meet tomorrow evening to go over numerous issues for the Deacon Chrysler Plymouth signage package that they submitted.

Cemetery – Mrs. Mills reported, the Legends Monument Company is back working at the Cemetery. We are waiting now for the pads for the monuments to cure. They will start replacing

them. The Garden Club is diligently working along with Mr. Remec for weeding of the flower beds and some trimming.

Citizen's Advisory Board – Mr. Marrie reported, our next meeting is Monday, June 25th.

Safety and Service – Mrs. Cinco reported, as reported at Caucus, Safety and Service met on Monday, June 4th. At that time, the police discussed replacing old radios with the new narrow band, the donation of the mini-pumper from the Fire Station to the Western Reserve Fire Museum, street striping and 2012 Road Program. All of these items have been through Finance and are on the agenda tonight.

Finance Committee – Mr. Marrie reported that the Finance Committee met this evening. We have 14 items and two Ordinances that were passed. They are all on the agenda this evening.

Historical Society – Mrs. Mills reported, the quilters are getting ready for their biannual Quilt Show in October. The Garden Club has been working in the gardens.

Hillcrest Council of Councils – There was no meeting. There is no report.

M.A.R.C. – Mr. Thomas reported, M.A.R.C. met on Thursday, June 7th at the Board of Education. Items discussed were approval of the monthly budget. The Annual Art Show was discussed and will be held in late September to mid-October at the Library. Letters have been going out to communities for their annual contribution. The next meeting will be held at Parkview Pool on Thursday, July 5th at 7:00 p.m.

Ordinance Review Committee – There was no meeting. There is no report.

Planning and Zoning – Mr. Marquardt reported, Planning and Zoning met on June 4th. There was one item on the agenda which was a Conditional Use Permit for Best Buy Pools and Spas. Considerable discussion took place. The Committee recommended approval only if Best Buy Pools and Spas and the landlord corrected the 13 safety violations. This Occupancy Permit was not applied for until two and a half months after the tenant moved in and only because there was a problem with the sprinkler system. I don't know if those conditions have been met. Did they correct all of the problems? Mr. Marrelli replied, 99% of them are done. We have a re-inspection for Thursday morning.

Recreation Board – There was no meeting. There is no report.

Commission on Aging – There is no meeting until September. There is no report.

SPECIAL COMMITTEE REPORTS:

Information & Technology – There was no meeting. There is no report.

Records Commission – Mrs. Mills reported, House Bill 9 training was on May 29th. Mrs. Mills has the manual from the State. Mrs. Betsa has a copy in her office. It was a very informational

meeting. The records from Village Hall have been removed. Some are in storage off-site. The other records were destroyed at Shred Day per our records schedule. In our packets, there was information about a public records request to the Cuyahoga County Mayors and Managers from *The Plain Dealer*. Our next meeting will be August 8th.

Community and Economic Development Committee – There was no meeting. There was no report.

OLD BUSINESS

- **Second Reading of Ordinance No. 2012-16,** entitled, "An emergency ordinance amending Codified Ordinance Section 1185.14 relating to signs permitted in any district." Introduced by Mayor Rinker and Council as a Whole. (First Reading – May 21, 2012)

This Ordinance will be left on Second Read.

- **Second Reading of Ordinance No. 2012-17,** entitled, "An emergency ordinance amending Codified Ordinance Section 1185.10 relating to permits and review fees for signs located in the Village." Introduced by Mayor Rinker and Council as a Whole. (First Reading – May 21, 2012)

This Ordinance will be left on Second Read.

- **Second Reading of Ordinance No. 2012-19,** entitled, "An ordinance amending Section 123.02 of the Codified Ordinances of Mayfield Village, Ohio, relating to contracts: advertising for bids; award and declaring an emergency." Introduced by Mayor Rinker and Council as a Whole. (First Reading – May 21, 2012)

This Ordinance will be left on Second Read.

NEW BUSINESS

- **Motion to approve recommendation of Planning and Zoning Commission for Conditional Use Permit for Best Buy Pools and Spas.**

Mr. Delguyd, seconded by Mrs. Cinco, made a motion to approve recommendation of Planning and Zoning Commission for Conditional Use Permit for Best Buy Pools and Spas.

Council President Buckholtz asked if there was any discussion on this. Best Buy Pools, it's nothing to do with the company Best Buy?

Mr. Marrelli replied, no.

Mr. Marrie asked, since they have not received their certificate from the Fire Department, should it go back to Planning and Zoning?

Mr. Marquardt hopes that everyone on Council read the Minutes of the meetings for Planning and Zoning. This Best Buy Pool and Spa, both the tenant and the landlord in my opinion acted irresponsibly in by-passing the occupancy permit process completely. They only did it because there was a problem that was found with one of the sprinkler systems. Some workman tapped into it and set off the sprinkler system. Otherwise, they wouldn't have applied for it at all. In the subsequent inspection, there were 13 safety violations found. We don't have to grant Conditional Use Permits and in this case, I don't recommend it. Neither one of these people that are involved in this thing are responsible. I don't see that the business is that important to the Village that we grant a Conditional Use Permit for this business.

Council President Buckholtz stated, that's the feeling I was getting from your P&Z report. I did read the Minutes. Wasn't this the one where they came in on the same page and they weren't so much on the same page, there was a little disagreement?

Mr. Marquardt replied, they signed a Lease on March 5th and the landlord never applied for an Occupancy Permit.

Council President Buckholtz asked, which is customary?

Mr. Marrelli replied, prior to moving in to the suite.

Mr. Marquardt added, and the tenant moved in without an Occupancy Permit. Everybody was just pointing their fingers around that somebody else was responsible for it. I can't in good conscience reward that kind of behavior with a Conditional Use Permit which is authorizing this operation to operate outside of our use ordinances.

Council President Buckholtz asked, and we didn't know? These people moved into the building and then –

Mr. Marrelli replied, let me give you a little history. I got a call from the Fire Department on Monday that Sunday night somebody ran a nail through an alarm wire and set off the alarm. The Fire Department came out and they found hot tubs and pools being set up in a showroom in an office building. Dave mentioned to me, you know there's somebody selling pools and spas out over on Beta Drive? I replied, no. I went there the next day and asked the gentleman what he was doing. He said, I am setting up my showroom. I asked him, where did you come from? He said, I was in a building next door in the warehouse and then this came up, so I moved in and, why, is there a problem? I said, well, you can't sell hot tubs and pools in an office district. He said something to the effect that, well I was told that I could sell this stuff and I could put signs on the building and I could park my truck outside that says Pools and Spas. He said, I was just about to put this location in with my other 4 on a TV spot advertising it. I said, please don't. We have been trying to keep the lid on it for the past month or so. That's why we had to take it to the Planning Commission to see if they were going to allow him to do any direct sales out of his office. As Bill said, we had the landlord pointing at the tenant saying he should have done

something and the tenant saying I have all kinds of proof that they were supposed to do something. There's a leasing agent saying, here's the 25 page contract that he signed and it says that he can't do any of the stuff that he is asking to do.

Council President Buckholtz asked, who typically gets the Occupancy Permit, the building owner or the business owner?

Mr. Marrelli replied, typically it's the building owner. Let's say you are a lawyer and you are going to move into a space. They fill out an application saying that the lawyer is going to move into this space, come and do your inspection and let us know everything's up to Code, zoning-wise, exit lights –

Council President Buckholtz asked, before I move in?

Mr. Marrelli replied, before you move in. The tentative date of occupancy would be, let's say, August 1st. That stuff is all done way in advance. That's the preparation to move somebody in. In this case, this gentleman was in there from February. We found him in May. Now he's trying to get approvals from us in June. Of course the landlord wants the approvals because they have a contract.

Council President Buckholtz asked, he's already collected rent?

Mr. Marrelli replied, for a few months. He also has made some improvements on the office space and showroom. It's not cheap to build out a showroom.

Mr. Marquardt stated, but the landlord is the one that should have come for the Occupancy Permit. They totally avoided the thing.

Council President Buckholtz asked, what was the general concensus on P&Z in terms of granting or recommending?

Mr. Marquardt replied, P&Z went with the write up that said that they had to correct all these things. It was a somewhat reluctant vote. After the meeting, there was some post-meeting discussion where I think there was more reluctance than was reflected in the vote.

Mr. Marrelli clarified, the conditions that the Planning Commission put on the occupant were basically requiring the occupant to be invisible to the public as a sales operation. No outdoor signs. No trucks parked outside. No open signs in the window. Nothing other than an advertised address sign. In other words, if somebody goes on the internet and sees the pools and spas and they say, can I actually see one, they can go to the showroom and look at one and if they decide to buy, let's say, an accessory for their pool like a filter or chlorine, this gentleman wanted permission to be able to sell to the public at that level. He said, if somebody comes in to look at a spa and they end up buying a ladder, do I have to tell them they can't buy the ladder, that they have to go back home and do it on the internet? The Planning Commission basically said, as long as it doesn't look like retail, as long as there's no advertising in retail, if you sell

something once in a while to somebody that happens to walk in, that's what you got. That's where we are.

Council President Buckholtz stated, if he's a distribution center with an on-line website presence and he's shipping stuff out, that's exactly what Beta Drive is for. The original office distribution. He's just pushing it towards somebody walking and taking a look at it. He owns four places. What percentage of his business do we know is on-line sales?

Mr. Marrelli replied, I don't know.

Council President Buckholtz asked, have we taken a look at the other locations? Are they really just stores?

Mr. Marrelli replied, yes. They are retail.

Council President Buckholtz asked, they are stores?

Mr. Marrelli replied, yes. This gentleman used to own Leisure Time in Eastlake which was a 20,000-30,000 square foot freestanding building. Then, I don't know what happened. The market went south or whatever. He started a new company under three different names. He's got LLC's all over the place.

Council President Buckholtz stated, I would like to turn to the Law Department to give us a couple of options. We have a motion on the table. I am not sure if we can withdraw the motion. I don't know if we want to vote this down or table it. It isn't right. It's not that we necessarily want to kill the business or the project, or this business' presence in the Village, but there's too much wrong here for us to approve it.

Mr. Marrie stated, that's why I suggested sending it back to Planning and Zoning to hash this out and talk it out before it's brought to us for a vote.

Mr. Marquardt stated, I don't see where this is any benefit to the Village at all.

Mr. Marrie stated, according to Bill, it wasn't that easy at Planning and Zoning. There were a lot of people that were maybe changing after the meeting.

Mr. Delguyd stated, they still voted on it. Send it back to revote. Go back to prove that they met the conditions.

Council President Buckholtz stated, if this was totally within the parameters and they hadn't gotten the building permit and there were violations in the building, but it was nothing to do with the variance or conditional use or anything like, we might hang with them.

Mr. Marrelli replied, repairs is one thing. Being in the wrong zone and operating another office, that's a whole other thing.

Mr. Diemert stated, you can either approve what Planning Commission did or you can totally reject the approval which will be a denial of the Conditional Use Permit or you can add and supplement the conditions that they have attached to it. Make it more restrictive, less restrictive, whatever you want to do.

Council President Buckholtz asked, if we voted no and didn't accept it at this point, where does it go or where could the building owner who owns property in our Village or where could a businessman who wants to do business in our Village, what are their options at that point?

Mr. Diemert replied, we are a very nice community to the people that live and work here. We could have cited these people, arrested them, shackled them, put them in jail, for what they have done already. By not doing that, we have already given them the courtesy of that. The next thing we could do is just say, no, you can't come in under these conditions, but you can talk to your Building Commissioner and tell him they have to be out of there by the end of the week or come in with a plan that we would reasonably accept which is similar to what they had next door.

Mr. Marrelli explained, their Lease that they have with the landlord does not allow them to do retail sales. The Lease would be in keeping with Council if they turn down the Conditional Use Permit. The landlord is saying no retail sales. Planning says a little bit of retail sales. Council could say, no, no retail sales. You would be in harmony with the landlord.

Council President Buckholtz asked, so if we voted against the Conditional Use Permit, we are not voting against the business conducting commerce in our Village?

Mr. Marrelli replied, no. They can have their office.

Council President Buckholtz asked, as long as they comply with the Building Department?

Mr. Delguyd asked, they could just not sell anything?

Mr. Marrelli replied, they could have the showroom. They can't sell.

Mr. Delguyd asked, they just can't have a cash register.

Mr. Marrelli replied, there you go. You can't advertise and you can't sell to the public through there. If somebody comes in and says I will take that pool home right now, they can't do that. They can't sell over the counter.

Mr. Delguyd asked, could they have a computer there and just do it all on-line?

Mr. Marrelli replied, yes. And they could just ship it out. It doesn't matter if you are shipping it to Albuquerque or if you are shipping it to Florida.

Mr. Delguyd stated, so instead of buying a cash register, you buy a laptop and if someone wants to come in and buy a pool and a spa and all of the accessories, okay, here's a desk, sit down, here's the SKU's and you just have to fill it out yourself.

Council President Buckholtz asked, so it's the point of sale transaction that defines retail?

Mr. Marrelli replied, that's right. The way our Code reads is retail sales is purchased by the final user which means you can't go in there and buy a filter for your pool.

Mr. Delguyd stated and vice versa, they couldn't walk out with anything. It has to be shipped.

Mr. Marrelli replied, they cannot.

Dr. Parker asked, we define cash register or sale somewhat loosely today. At what point is a computer no different than a cash register? When you walk in there and they have a computer there and you go over to the computer. You type it in. You make the purchase at the computer that is sitting there. Then they ship it to you or drop it off. How different is that in just having a cash register? Are we circumventing the rules and regulations?

Mr. Delguyd replied, there's a couple differences there. You can't walk out with it. You don't have a sales staff. You can't walk out with the product.

Dr. Parker asked, so, could someone purchase it at a cash register but have it delivered?

Mr. Diemert replied, I suppose so.

Dr. Parker stated, it sounds like you can't have a cash register there and have retail sales. I feel like they circumvented our rules.

Mr. Diemert replied, that's up to John to enforce.

Dr. Parker stated, retail is retail. It is what it is.

Mr. Delguyd stated, from the standpoint of retail operation, they can't have signage and they can't advertise that it's there and they can't drive traffic there. It's not going to be as beneficial. We can give them all of the variances, but at the end of the day, it's going to end up operating as a distribution center because they can't put a sign up there. They can't even have a monument sign out front. I don't know how he is going to make his trucks invisible unless he will have them parked in the back.

Mr. Marrelli replied, it's a conditional permit.

Council President Buckholtz replied, but not if we don't approve the conditional use.

Mr. Marrelli replied, that's true. You will wipe those conditions out.

Council President Buckholtz stated, that's my point.

Mr. Marrelli stated, our parking code doesn't allow commercial trucks to be parked out in front of buildings.

Council President Buckholtz asked, and speaking of parking, what kind of parking does he have there?

Mr. Marrelli replied, maybe 10 spaces. He shouldn't need any.

Council President Buckholtz asked if there were any other questions or comments.

Mr. Marquardt stated, I have one more. If we are considering attracting business, one of the objectives was to offset the 800 pound gorilla called Progressive. Number one, this business will never make a dent in any of that. It's more trouble than it's worth. They probably won't pay any taxes because the two people that might work there probably pay from some other location. We ought to keep that in mind when we are considering businesses coming in. Is it really worth it? We have spent a half hour talking about this thing. In my opinion, this business isn't worth having in the Village.

Mr. Delguyd but it maybe went to the landlord.

Mr. Marquardt replied, the landlord doesn't have a whole lot of respect for our procedures either. That doesn't have much sway with me. If they have avoided the occupancy permit many times, this being one of them, then don't ask me to do any favors on that. Let's remember there were safety violations that were avoided by not going through the occupancy permit.

Mr. Esborn stated, economic development is significant. I look at three things, increased revenue, filling a vacancy and even this is less direct but maintaining relationships with commercial landlords. We are not increasing revenue that much because there's not that many employees and because they are relocated from another spot in the Village. We are not for the same reason filling a vacancy because they are shifting a vacancy. Based on the Planning and Zoning meeting we had, we put the finger pointing that we mentioned earlier, I am not really sure that we are harming our relationship with the landlord.

Mr. Marquardt stated, I don't think the landlord is working on any relationship with the Village if he is avoiding our occupancy permit process and avoiding safety violations. It works both ways. I don't have a lot of sympathy for that relationship stuff if it doesn't go both ways.

Council President Buckholtz asked, what are they trading in terms of square footage? You know how we keep an eye from the economic development side of things on Beta and what is vacant and available. In other words, is it blocking another business from coming in? Is there some prime real estate?

Mr. Esborn replied, I don't know the square footage numbers off the top of my head.

Mr. Marrelli replied, 6,000 square feet. There are two tenants and they are sharing space.

Mr. Esborn replied, that's both the building they are leaving.

Mr. Marrelli replied, Weiskopf left 15,000 square feet. The pool guy, I don't know where he was. He moved into 3.

Mr. Esborn replied, I can say that there's more vacancy in the building they are leaving. Not that there's anything to be done about that.

Council President Buckholtz stated, it's got a negative impact.

Mr. Delguyd stated, whatever we do tonight is not going to fix that.

Council President Buckholtz stated, I understand that. In the interest of beating a dead horse, we have a motion on the table. I think we are ready to vote.

Mr. Delguyd asked, do we withdraw this motion. Do we vote on it or reject it? Or do we withdraw to go back to P&Z.

Mr. Diemert replied, you can withdraw it. As someone mentioned, what's the sense of sending it back to P&Z.

Roll Call:	AYES: None NAYS: All	Motion Failed Recommendation Denied

- **Motion to authorize expenditure in an amount not to exceed $7,500.00 for Volunteer Appreciation Event – August 3, 2012.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in an amount not to exceed $7,500.00 for Volunteer Appreciation Event – August 3, 2012.

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

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

- **Motion to authorize expenditure in the amount of $5,495.00 to CompManagement, Inc. for 2013 Enrollment Fee for Worker's Compensation Group Rating Program.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of $5,495.00 to CompManagement, Inc. for 2013 Enrollment Fee for Worker's Compensation Group Rating Program.

Mr. Marrie stated, this represents a $5,000 savings from last year.

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

- **Motion to authorize expenditure in the amount of $13,372.50 to North Coast Two-Way Radio for replacing old radios with new narrow-band capable radios.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of $13,372.50 to North Coast Two-Way Radio for replacing old radios with new narrow-band capable radios.

Council President Buckholtz stated, we have discussed this. The government's agencies have been asked to take up less airspace.

Mr. Delguyd added, Service will be doing this as well.

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

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

- **Motion to authorize donation by Mayfield Village of its 1978 E-1/GMC pumper to the Western Reserve Fire Museum and Education Center.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize donation by Mayfield Village of its 1978 E-1/GMC pumper to the Western Reserve Fire Museum and Education Center.

Council President Buckholtz asked if there was any discussion. This is a truck?

Chief Mohr replied, yes.

Council President Buckholtz stated, we have discussed this before. Does it have a value added to it? Just a historic value?

Chief Mohr replied, nostalgic.

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

- **Motion to authorize the sale by Mayfield Village of the following vehicles:**

  - **1993 International 4700, Model 1HTSCPLMSRH559889 - $2,752.51**
  - **1994 International 4700, Model 1HTSCAAMXSH644281 - $4,851.35**
  - **1999 Dodge 2500, Model 3B7K26Z1XM551411 - $1,206.00**
  - **2001 Ford Crown Victoria, Model 2FAFP71W11X160351 - $1,610.00**

Mrs. Mills, seconded by Mr. Marrie, made a motion to authorize the sale by Mayfield Village of the following vehicles:

- 1993 International 4700, Model 1HTSCPLMSRH559889 - $2,752.51
- 1994 International 4700, Model 1HTSCAAMXSH644281 - $4,851.35
- 1999 Dodge 2500, Model 3B7K26Z1XM551411 - $1,206.00
- 2001 Ford Crown Victoria, Model 2FAFP71W11X160351 - $1,610.00

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

Roll Call: AYES: All
NAYS: None

Motion Carried
Sales Authorized

- **Motion to reject bids submitted for the following vehicles:**

  - **2009 Ford Crown Victoria Model 2FAHP71V59X133861**
  - **2009 Ford Crown Victoria Model 2FAHP71V79X133862**
  -

  (Straw vote approved - June 12, 2012)

Mrs. Mills, seconded by Mrs. Cinco, made a motion to reject bids submitted for the following vehicles:

- 2009 Ford Crown Victoria Model 2FAHP71V59X133861
- 2009 Ford Crown Victoria Model 2FAHP71V79X133862

(Straw vote approved - June 12, 2012)

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

Roll Call: AYES: All
NAYS: None

Motion Carried
Bids Rejected

- **Motion to go out to re-bid on the following vehicles:**
  - **2009 Ford Crown Victoria Model 2FAHP71V59X133861**
  - **2009 Ford Crown Victoria Model 2FAHP71V79X133862**

  (Straw vote approved - June 12, 2012)

Mrs. Mills, seconded by Mrs. Cinco, made a motion to go out to rebid on the following vehicles:

- 2009 Ford Crown Victoria Model 2FAHP71V59X133861
- 2009 Ford Crown Victoria Model 2FAHP71V79X133862

(Straw vote approved - June 12, 2012)

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

Roll Call: AYES: All
NAYS: None

Motion Carried
Re-Bidding Authorized

- **Motion to authorize acceptance of bid of Ronyak Paving, Inc. for 2012 Road Program and to authorize expenditure in the amount of $1,005,165.25.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize acceptance of bid of Ronyak Paving, Inc. for 2012 Road Program and to authorize expenditure in the amount of $1,005,165.25.

Council President Buckholtz asked if there was any discussion.

Mrs. Cinco asked, when are they going to start?

Mr. Cappello replied, I did talk to the contractor today to let them know it was on Council's agenda this evening. He said he could start at the end of June, beginning of July.

Mrs. Cinco asked, how long will it take?

Mr. Cappello replied, probably not longer than 60 days.

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

- **Motion to authorize acceptance of bid from Mr. Excavator, Inc. for the Cuyahoga County Public Library Access Drive Improvement and to authorize expenditure in the amount of $110,270.00.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize acceptance of bid from Mr. Excavator, Inc. for the Cuyahoga County Public Library Access Drive Improvement and to authorize expenditure in the amount of $110,270.00.

Council President Buckholtz asked if there was any discussion.

Mr. Delguyd added, this doesn't include some extra engineering costs we expect to come in later. It should still be under what is budgeted.

Roll Call:	AYES: Mr. Buckholtz, Mrs. Cinco Mrs. Mills, Mr. Marrie, Dr. Parker Mr. Delguyd NAYS: Mr. Marquardt	Motion Carried Bid Accepted Expenditure Authorized

- **Motion to authorize expenditure in the amount of $3,350.00 to Oriental Trading, Inc. for Sports N More Camp Supplies.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of $3,350.00 to Oriental Trading, Inc. for Sports N More Camp Supplies.

Council President Buckholtz asked if there were any questions. This is an annual amount.

Mr. Thomas added, it will be a little less than that.

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

- **Motion to accept bid of Bauman Enterprises for demolition, asbestos abatement and site clearing of the former police station and Village Hall located at 6621 Wilson Mills Road and to authorize expenditure in the amount of $76,670.00.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to accept bid of Bauman Enterprises for demolition, asbestos abatement and site clearing of the former police station and Village Hall located at 6621 Wilson Mills Road and to authorize expenditure in the amount of $76,670.00.

Council President Buckholtz asked if there was any discussion.

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

- **Motion to declare the modular buildings located at 6621 Wilson Mills Road surplus.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to declare the modular buildings located at 6621 Wilson Mills Road surplus.

Council President Buckholtz asked, as surplus, what are they becoming?

Mr. Metzung stated, the next motion will be asking to go out to bid for the sale of the buildings.

Roll Call:	AYES: All NAYS: None	Motion Carried Modular Buildings located at 6621 Wilson Mills Road Declared Surplus

- **Motion to authorize going out to bid for the sale of the modular buildings located at 6621 Wilson Mills Road.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize going out to bid for the sale of the modular buildings located at 6621 Wilson Mills Road.

Council President Buckholtz asked if there were any questions. Do we have any idea of a value?

Mr. Metzung replied, no. I have heard anything from a couple hundred dollars to a couple thousand.

Roll Call: AYES: All
NAYS: None

Motion Carried
Bidding Authorized

- **Motion to acknowledge receipt of financial reports for May 2012 and to approve of same as submitted.**

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

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

Roll Call: AYES: All
NAYS: None

Motion Carried
Receipt of Financial Reports
For May 2012
Acknowledged and Approved

- **First Reading of Ordinance No. 2012-20,** entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Lease Agreement with John Dasher for the purpose of leasing the real estate located at 6120 Wilson Mills Road, Mayfield Village, Ohio." 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
NAYS: None

Motion Carried
Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2012-20.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

- **First Reading of Ordinance No. 2012-21,** entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Lease Agreement with Chad LaGrasso for the purpose of leasing the real estate located at 6128 Wilson Mills Road, Mayfield Village, Ohio." 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
NAYS: None

Motion Carried
Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2012-21.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

ANY OTHER MATTERS:

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

ADJOURNMENT

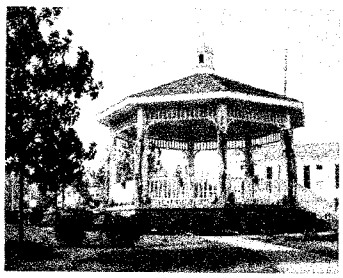
Mrs. Mills, seconded by Mr. Marquardt, made a motion to adjourn.

The meeting adjourned at 8:50 p.m. The next Council meeting is scheduled for Monday, July 16, 2012 at 8:00 p.m.

WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT

BRUCE G. RINKER, MAYOR

MARY E. BETSA, CLERK OF COUNCIL



MAYFIELD VILLAGE

6622 Wilson Mills Road
Mayfield Village, OH 44143

Office of Council
(440) 461-0862 · Fax (440) 461-0552
mbetsa@mayfieldvillage.com
www.mayfieldvillage.com

Bruce G. Rinker, Mayor

AGENDA OF THE REGULAR MEETING OF COUNCIL
Monday, June 18, 2012 at 8:00 p.m.
MAYFIELD VILLAGE CIVIC HALL

MEETING CALLED TO ORDER.....ROLL CALL.....PLEDGE TO FLAG

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

CONSIDERATION OF MINUTES: Regular Council Meeting – May 21, 2012
Special Council Meeting – June 4, 2012

COMMENTS FROM MAYOR RINKER

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ

DEPARTMENT HEAD REPORTS:
Douglas Metzung (Service)
John Marrelli (Building)
Tom Cappello (Engineer)
Joseph Diemert/Diane Calta/Tom Hanculak (Legal)
Chief David Mohr (Fire)
Ron Wynne (Finance)
Chief Richard Edelman (Police)
William Thomas (Parks & Recreation)
Ron Dinardo (Architect)
Ted Esborn/David Hartt (Planning Department)
Diane Wolgamuth (Administration)

STANDING COMMITTEE REPORTS:

Activities Committee	Mrs. Mills
Architectural Review Board	Mr. Marrelli
Board of Appeals	Mr. Marrelli
Cemetery	Mrs. Mills
Citizen's Advisory Board	Mr. Marrie
Safety and Service	Mrs. Cinco
Finance Committee	Mr. Marrie
Historical Society	Mrs. Mills
Hillcrest Council of Councils	Mr. Delguyd
M.A.R.C.	Dr. Parker
Ordinance Review Committee	Mr. Marquardt
Planning and Zoning	Mr. Marquardt
Recreation Board	Mr. Marrie
Commission on Aging	Mrs. Mills

SPECIAL COMMITTEE REPORTS:

Information & Technology	Mr. Marrie
Records Commission	Mrs. Mills
Community Economic Development Committee	Mr. Delguyd

OLD BUSINESS

- **Second Reading of Ordinance No. 2012-16,** entitled, "An emergency ordinance amending Codified Ordinance Section 1185.14 relating to signs permitted in any district." Introduced by Mayor Rinker and Council as a Whole. (First Reading – May 21, 2012)

- **Second Reading of Ordinance No. 2012-17,** entitled, "An emergency ordinance amending Codified Ordinance Section 1185.10 relating to permits and review fees for signs located in the Village." Introduced by Mayor Rinker and Council as a Whole. (First Reading – May 21, 2012)

- **Second Reading of Ordinance No. 2012-19,** entitled, "An ordinance amending Section 123.02 of the Codified Ordinances of Mayfield Village, Ohio, relating to contracts: advertising for bids; award and declaring an emergency." Introduced by Mayor Rinker and Council as a Whole. (First Reading – May 21, 2012)

NEW BUSINESS

- **Motion to approve recommendation of Planning and Zoning Commission for Conditional Use Permit for Best Buy Pools and Spas.**

- **Motion to authorize expenditure in an amount not to exceed $7,500.00 for Volunteer Appreciation Event – August 3, 2012.**

- **Motion to authorize expenditure in the amount of $5,495.00 to CompManagement, Inc. for 2013 Enrollment Fee for Worker's Compensation Group Rating Program.**

- **Motion to authorize expenditure in the amount of $13,372.50 to North Coast Two-Way Radio for replacing old radios with new narrow-band capable radios.**

- **Motion to authorize donation by Mayfield Village of its 1978 E-1/GMC pumper to the Western Reserve Fire Museum and Education Center.**

- **Motion to authorize the sale by Mayfield Village of the following vehicles:**

  - **1993 International 4700, Model 1HTSCPLMSRH559889 - $2,752.51**
  - **1994 International 4700, Model 1HTSCAAMXSH644281 - $4,851.35**
  - **1999 Dodge 2500, Model 3B7K26Z1XM551411 - $1,206.00**
  - **2001 Ford Crown Victoria, Model 2FAFP71W11X160351 - $1,610.00**

- **Motion to reject bids submitted for the following vehicles:**

  - **2009 Ford Crown Victoria Model 2FAHP71V59X133861**
  - **2009 Ford Crown Victoria Model 2FAHP71V79X133862**
  -

  (Straw vote approved - June 12, 2012)

- **Motion to authorize going out to rebid on the following vehicles:**

  - **2009 Ford Crown Victoria Model 2FAHP71V59X133861**
  - **2009 Ford Crown Victoria Model 2FAHP71V79X133862**

  (Straw vote approved - June 12, 2012)

- **Motion to authorize acceptance of bid of Ronyak Paving, Inc. for 2012 Road Program and to authorize expenditure in the amount of $1,005,165.25.**

- **Motion to authorize acceptance of bid from Mr. Excavator, Inc. for the Cuyahoga County Public Library Access Drive Improvement and to authorize expenditure in the amount of $110,270.00.**

- **Motion to authorize expenditure in the amount of $3,350.00 to Oriental Trading, Inc. for Sports N More Camp Supplies.**

- **Motion to accept bid of Bauman Enterprises for demolition, asbestos abatement and site clearing of the former police station and Village Hall located at 6621 Wilson Mills Road and to authorize expenditure in the amount of $76,670.00.**

- **Motion to declare the modular buildings located at 6621 Wilson Mills Road surplus.**

- **Motion to authorize going out to bid for the sale of the modular buildings located at 6621 Wilson Mills Road.**

- **Motion to acknowledge receipt of financial reports for May 2012 and to approve of same as submitted.**

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- **First Reading of Ordinance No. 2012-21,** entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Lease Agreement with Chad LaGrasso for the purpose of leasing the real estate located at 6128 Wilson Mills Road, Mayfield Village, Ohio." Introduced by Mayor Rinker and Council as a Whole.

ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL

CLOSING COMMENTS

ADJOURNMENT

BB/mb