

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

The Council of Mayfield Village met in Regular Session on Monday, November 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, Dr. Parker (8:30) and Mr. Delguyd

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

Absent: Mrs. Cinco, Mayor Rinker and Ms. Wolgamuth

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.

Ricky Christian
510 SOM Center Road

At 6:00 this evening, I arrived home from work, went to my mailbox and got this note: "Dear Resident: The water will be shut down for no more than a 10 hour period starting at 7:30 a.m. 11/20" which is tomorrow morning. They gave us 13 hour notice. "Please draw down any water you need prior to shut off. You should make sure your water main valve is closed prior to this service interruption and turn it back on after the water service is restored at 5:30 p.m."

I think this is very disrespectful to the people of the Village that you be given 13 hours' notice that our water is going to be off 2 days before Thanksgiving. If I hadn't looked at my mailbox, I wouldn't have known it was going to be shut off. For anybody else that didn't look in their mailbox, they may not know that their water would be off in the morning.

Mr. Marrie asked, who did that? Who is it from?

Mr. Christian replied, Mr. Excavator.

Mr. Metzung explained, that's the contractor working at the Library. They have to turn the water off to lower the water lines.

Council President Buckholtz asked, did they give us notice, Doug?

Mr. Cappello replied, we have been talking to them for a long time about the lowering. The first we did hear that they sent out notices was this morning. They knocked on doors and for people who were not home, they put the notice in their mailbox. Would we have preferred more than one day's notice? Yes. They are giving themselves 10 hours in case of some issues. They feel they can do it in less than 10, approximately a 6 hour period which the water might be shut down.

Council President Buckholtz asked, do we have an idea of how many homes are involved?

Mr. Cappello replied, 6. Basically the homes between Hickory Hill and Metro Park on SOM. One on the west side and one on the east side.

Mrs. Mills asked, do you know who the 6 are? Can we notify those people somehow to make sure they recognize what is happening?

Mr. Cappello replied, at this point right now at night –

Mrs. Mills stated, no, I am saying tomorrow morning first thing.

Mr. Cappello replied, that would be late.

Council President Buckholtz suggested we go to the houses after the meeting.

Mr. Marquardt asked, what if somebody is gone? In my opinion this is totally unreasonable. They should at least be given a week's notice that this is going to happen. Somebody could be on vacation. They don't get the notice. This is totally unreasonable in my opinion.

Mr. Cappello stated, they have been working with Cleveland Water to get this shut down set up. This has been a long process. If you noticed that plate on SOM Center Road has been there for two months plus, we have been pressing them to get this done. Last week we actually met with the contractor. They were still waiting for parts to get shipped from Texas. It's a 16 inch water main that needs to be shipped up here.

Council President Buckholtz does not think this should be allowed to happen until after the holiday, like Monday. Tomorrow's Tuesday.

Mr. Marrie knows they have been working on this for a long time, but for them to pop this at the last minute is terrible.

Mr. Cappello stated, I imagine we can tell them tomorrow morning to stop. This is going to be a back charge to the Library project.

Mr. Marquardt stated, I think we need to remember who the customer is here. Our Village residents are our customers, not this project, the Village residents. We have to be courteous and give them adequate notice that something that is going to affect them is going to happen. A half a day isn't enough.

Mr. Cappello stated, if you tell us to tell them to stop, we will tell them to stop; that they can't do it.

Mr. Marrie stated, I would tell them to stop, but I wouldn't pay them.

Mr. Cappello replied, we are not paying them.

Mr. Marrie stated, then it's the Library's problem then. I think it's wrong. It's only 6 houses, but as Rick said a minute ago, if he didn't go to the mailbox, there's many times that we don't go and pick it up the next morning, it would be a little late. I am concerned with somebody being ill in the house.

Mr. Cappello stated, I can understand what you are saying. You are absolutely right. This notice is too short. But, if there was a water main break on the street, they wouldn't get a week's notice, they would end up having it shut off right away.

Council President Buckholtz stated, Tom that's not what we are dealing with here.

Mr. Cappello stated, I am just letting you know if this was a water main break, there would be no notice.

Mr. Marquardt stated, it's not a water main break.

Mr. Marrie stated, that's like a storm, you can't predict that. But they could predict this.

Mr. Cappello stated, I totally understand what you are saying. I am not disagreeing with you. You tell me what you want me to do.

Council President Buckholtz stated, I think tomorrow is a work day. We should get to the homes of the people involved and find out what they have to say about it in terms of are they prepared for this or did they get notification, is it okay, whatever and if they need to do it on Wednesday or Monday, then that should be determined.

Mr. Marrie stated, Wednesday is not a good day either. Families are coming in. It's Thanksgiving.

Council President Buckholtz stated, I was leaving it to the homeowners. If it's only 6 homeowners.

Stivo DiFranco
6580 Highland Road

I work with for the EPA. Did they get plan approval to move that line?

Mr. Cappello replied, yes.

Mr. DiFranco stated, okay. So they have that all in place?

Mr. Cappello replied, through Cleveland Water, yes.

Council President Buckholtz stated, I did not hear what you said.

Mr. Marrie stated, he said he works for them.

Mr. DiFranco replied, I work for the EPA. Cleveland Water would have to get plan approval before they can make that modification. That's what the question was to Tom, whether or not they got plan approval. I can check at the office as well tomorrow.

Mr. Delguyd stated, to get back to the original point, regardless of whether they gave them a week's notice or a day's notice, two days before Thanksgiving, even a month's notice, I wouldn't want you to do it this week.

Mr. Marrie stated, that may be true. The fact is they want to shut it down tomorrow morning. I am saying baloney. I don't think we should let them.

Mr. Delguyd stated, I understand your point. Talk to the people. If they want to shut this down at 7:30 tomorrow until 5:30 –

Mr. Cappello stated, they are giving themselves a long workday, 7:30 to 5:30. They said they can probably get it done in 6 hours if everything goes well.

Mr. Delguyd asked, how does it put the project behind if you tell them to wait until Monday?

Mr. Cappello stated, I would have to call them. If you are telling me you don't want it done, I just need to call them.

Council President Buckholtz stated, not tomorrow. The opinion of Council is not during the holiday. That just doesn't make any sense. You made the comparison to a natural disaster or an act of God or something that happens. That's not what we are dealing with here. Nobody's made a case for even what this does. I don't know. I know very little about building and development so I really don't even know what they are doing out there. Mr. Marquardt makes a point. It just takes one of our Village residents to speak up on behalf of several.

Mr. Diemert stated, I know that when we have a water main break, getting Cleveland Water out is sometimes a very difficult process. Are they involved in this tomorrow?

Mr. Cappello replied, yes. They are the ones that are going to be turning the valves to shut off the main.

Mr. Diemert asked, so scheduling them again may be a difficult thing?

Mr. Cappello stated, I won't know until I talk to them. I think they can get around it. If you are telling us you don't want them tomorrow and they have to reschedule until after Thanksgiving, they will just have to reschedule.

Mr. Diemert stated, or with better notice. At least a 72-hour notice.

Mr. Cappello does not disagree the notice was short. The whole deal was to get it done so we can get the plate off the road in case it snows.

Council President Buckholtz asked, but you are definitively saying that we found out this morning?

Mr. Cappello replied, we knew that we had to do this work. We found out this morning that they were going to do it tomorrow.

Council President Buckholtz asked, you found that out today?

Mr. Cappello replied, yes. I got the call telling us we were doing it tomorrow.

Mr. Delguyd stated, which I would imagine is when they stuffed the mailboxes.

Mr. Cappello replied, yes.

Council President Buckholtz stated, once again, I feel it should be worked out not just done. I am not saying it should be done Wednesday or Friday or Monday. I am just saying it needs to be in some kind of a reasonable timeframe and worked out with the homeowners themselves.

Mr. Delguyd stated, if nobody has an issue with it, it's easily done on Wednesday, fine.

Mr. Marrie stated, Wednesday is a bad day. That's the day before Thanksgiving.

Council President Buckholtz stated, it's not for us to determine exactly what day. These are the residents that are affected. Either let them have something to say about it or pick something that's 72 to a week's notice or several days' notice. There must be some kind of precedent.

Mr. Marrie stated, for scheduling purposes, though, you just can't leave it sitting out there in the air. You are going to have to tell them something, so at least 72 hours would be reasonable.

Mr. Cappello stated, at this point, they will have to give out another date. Obviously, if you are telling me that three days' notice is sufficient, 72 hours notice prior to them beginning the work, you are telling me to have them not to do it this week, but sometime next week.

Mr. Delguyd stated, Monday would be fine.

Mr. Marrie agreed. At least they got notice.

Mr. Delguyd added, it's after the holiday.

Mr. Christian agreed. You have people cooking and washing dishes right now. You can't do anything.

Mr. Cappello stated, the work would be done tomorrow, but just let me know if you don't want them to do it.

Council President Buckholtz stated, it's not for us to determine the project or the homeowners. You raised a valid point. It's beyond reasonable expectation of people to get that kind of notice. I don't know and nobody here can really articulate what this has to do with the project. Find out tomorrow and keep us posted. Please keep Council and the residents posted.

Mr. Cappello stated, I just need to know. I have to call this guy tonight if I can get a hold of him.

Mr. Marrie stated, he needs an answer now.

Council President Buckholtz stated, you are excused from the meeting if you want to go call him.

Mr. Cappello stated, if you are telling me absolutely not tomorrow, then fine. I need to let them know.

Council President Buckholtz stated, it's not something we can vote on.

Mr. Marquardt stated, I say that's the directive. Not tomorrow. Find out when he can reschedule.

Mr. Cappello stated, I think at this point my main concern is to make sure they are not doing it tomorrow. I will find out tomorrow about rescheduling.

Council President Buckholtz stated, then the onus is on the Village to provide, I don't know how, but in the disaster we just went through, providing water, electrical or services for our residents, then that's what you are looking at. You are going to put the burden on the Village, not on the homeowner. But the project is beyond our responsibility.

Mrs. Mills stated, these residents should be notified what we are doing.

Council President Buckholtz stated, that has been made clear. I think that in any event someone here representing the Administration, John, I think that in the morning for residents that received this notice and are prepared for it to happen should be told. 9:00 or 9:15 is not too late to knock on doors. They need to know now that the water is not being turned off.

Mr. Marrelli stated, that's what we are doing. We are texting people right now.

Council President Buckholtz stated, okay, great. Thank you.

Stivo DiFranco
6580 Highland Road

This topic concerns the sidewalk along Highland Road. I am beyond the tunnel where the sidewalk will stop. I am asking that Council consider extending it while the contractor is out there all the way to 91 and then putting in a crosswalk. I have a 3 year old and an 8 year old. It's always been a bit treacherous to get across Highland Road, whether I am going to 91 where there is no crosswalk or over to the tunnel there to get on to the bike paths to get access to the playground and the park. I am asking that Council consider extending it now as the contractor is out there doing his work. I am on the opposite side of the road. Both residents on that side of the road have expressed interest in the sidewalk continuing on all the way to 91.

Mr. Delguyd asked, just to be clear, you are on the South side?

Mr. DiFranco replied, I am on the South side of Highland Road. The sidewalk is on the North side.

Mr. Delguyd asked, you want the sidewalk on the North side?

Mr. DiFranco replied, it would be great on my side, but you could, run it on their side and continue it on to 91 and all I have to do is cross the street on to an apron and then on to a sidewalk giving me a direction to get to the parks with the kids.

Mr. Delguyd asked, this would require signatures from those two residents?

Council President Buckholtz replied, I am not sure what's involved.

Mr. Cappello replied, today we had a Department Head meeting and the plan is to do the extension next year. The two residents did voice their favor to extend the walk. We didn't budget it for this year, but the plan is to do it next year.

Council President Buckholtz asked, is that totally our project?

Mr. Cappello replied, yes.

Mr. Delguyd asked, is there an idea when? You said it's not budgeted but –

Mr. Cappello replied, I couldn't venture a guess without measuring it. We could probably put the walk in. The problem is the signalization for the crosswalk.

Mr. Marrie stated, do the whole project at one time with crosswalks and all. Is that what you would prefer to do?

Mr. Delguyd stated, he's saying since we are already putting in the bulk of the sidewalk, just finish it off. Just do the whole project.

Mr. DiFranco stated, I understand the signaling issue is an additional cost, but you have the contractor out now.

Mr. Cappello stated, I will be honest with you. At this point, he's paved all the Highland Road walk today. He's going to finish the last section that goes back to connect to the trail and then he's done.

Mr. Metzong added, it has to be engineered.

Mr. Cappello agreed. It's not like I can just sit there and have them finish it. They have to lay it out and make sure everything goes well. Plus, the weather is starting to get us.

Mr. Metzong stated, the process is he goes out and meets with the residents, lays it out so that they understand what it is we are putting in. While we stay in the Village right of way, we still do work with each and every resident. I am certain you are aware of the gentleman just to the East of the underpass there. My understanding is, the last I heard, he was okay with it, but he is going to be a customer that you are going to have to treat with kid gloves.

Mr. DiFranco understood. He's given me verbal okay to speak on his behalf. The other neighbor, I had a conversation with him.

Mr. Metzong stated, we would have to deal with the Tirgan property as it is referred to. We will be in the right of way, but this takes several months.

Council President Buckholtz asked, I heard you say Tommy that this is something that is scheduled for next year potentially?

Mr. Cappello replied, we talked about budgeting money and to do it next year. We do plan it. It's something we are not against. We would like to do it. I think it can be done early next year, in the Spring probably.

Mr. DiFranco stated, there is a lot of traffic that comes down Highland Road, bike traffic and foot traffic. The majority of the traffic right now, not knowing if they are going to use the tunnel or not, goes all the way to 91. I see a lot of traffic bypass the tunnel. I think because it's kind of wooded back there and they are looking to get on to the main bike path on 91 and then continue on to the

park. I think what you are going to have is a bike path and still a lot of people coming down Highland Road on the road because it hasn't continued all the way to its destination to where it should.

Mr. Metzger stated, I think you will see that now that they have excavated that last portion that turns to the North and connects to the bike path. It's much more obvious now that this is where this goes. Now it's a continuous walkway that goes in to that and attaches to it. You would have to drive off of that to stay on to Highland Road.

Mr. DiFranco stated, I would be happy if it is done in the Spring. That way we can utilize it for the summertime.

Mr. Marrie stated, okay. That will give them a chance to engineer it properly with a crosswalk. If that's fine with you.

Council President Buckholtz thanked Mr. DiFranco for bringing this to our attention.

Angelo Basconi
792 Hanover Road

My complaint is the swale that was filled in by my neighbor across the street. It was originally like this. It's now like this and water does not travel across the road. It was flooded to the point where the Police Department had to close the street off in January of this year as well as March 15th of this year.

Can you imagine if there's a - this is in violation that I think of the restriction of the Hanover Road. This restriction is in the Deed there. If the Fire Department had to come down for an emergency with an emergency unit, they couldn't get through. In the letter I just received, they say that their property is lower than mine. That's impossible because they used a different yardstick. You can stand on my porch and see how much higher it was. Originally it was like this. Water flowed out to the Chagrin River. It was no problem. Now I have no front yard. I paid additional dollars to put in additional sewers in the back of the house to catch some more water that goes to the front down to Hanover and then back to the sewer. A big sewer that Doug is familiar with. He does come out and sees what's done when I call his office. It's too late. I don't want to wait for them for it to get to my basement. It was within 5 to 6 inches to get in the basement last time, March 15th. It can't be ignored. It's there. I know there's a master plan someplace and it's here. I got a copy but it's a lot of scratching. I don't quite understand it.

Mr. Metzger stated, we would be happy to meet with you Mr. Basconi and go through it with you.

Mr. Basconi continued, a lot of scratching on this master plan where the water flows. I have a map as well. I would like someone, I would like for the Council to consider the correction of this problem.

Council President Buckholtz stated, Doug will come out and take a look.

Mr. Basconi continued, it's a problem you wouldn't want and I am stuck with it.

Council President Buckholtz replied, I understand. Thank you.

Council President Buckholtz asked if there was anyone else. There were no further comments.

CONSIDERATION OF MINUTES:

Regular Council Meeting – October 15, 2012

Mrs. Mills, seconded by Mr. Delguyd, made a motion to approve the minutes of October 15, 2012 as written.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes of
October 15, 2012 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, we have successfully gotten to the bulk of our leaf season. We will remain out until snow or all of the leaves are gone, whichever comes first.

BUILDING – John Marrelli

There was no report.

ENGINEERING – Tom Cappello

Mr. Cappello reported, the Highland Road walk is almost completed. We finished grading across the street at the old Village Hall site. We will not be shutting down the water main on SOM Center Road tomorrow.

Council President Buckholtz asked, did you get a confirmation on that?

Mr. Marrelli replied, I did. I texted the Foreman for Panzica. He said, "Got the message. Passed it on."

Mr. Metzung added, we will be out in the morning to make sure they don't turn any water off.

LEGAL DEPARTMENT – Joseph W. Diemert, Jr.

There was no report.

FIRE – Chief Mohr

Chief Mohr reported, as part of Fire Prevention Week, we took it upon ourselves, if you recall we have been selling smoke detectors for the community all year through the Smoke Detector Program. We called 266 residents over the last several weeks double-checking with them to make sure that their detectors worked. Of those 266 phone calls, we went out and installed 38 smoke detectors, so it was worthwhile to make those phone calls so that we know they are working and functioning. The second thing is that we are meeting with the CERT team Captains tomorrow evening at 5:30 if anyone is interested. We are going to review the action plan for the hurricane and power outage. I will report back next month.

FINANCE – Ron Wynne

Mr. Wynne reported, just one item to let Council know that next month, the December Council meeting, that is the month we pass the legislation for all the year-end transfers and the final budget approval for the year as well as a temporary budget for next year. I will get that information to you in your packets next week so you have it in advance of the next meeting.

POLICE – Chief Edelman

There was no report.

PARKS & RECREATION – Bill Thomas

Reporting on Senior Services, to date there are 239 residents that have opted in to the snow removal program. We are still receiving opt outs. The deadline for us to receive the opt outs is December 31st. There are still openings for the trip to the J.E. Reeves Victorian Home and

Carriage House Museum on December 5th. The Annual Holiday Party for our Village seniors ages 60 and over will be held on December 8th. Reservations are due on or before November 29th.

ARCHITECT – Ron Dinardo

There was no report.

PLANNING DEPARTMENT - Ted Esborn

Mr. Esborn reported on two items. First, I need to extend an invitation to Council to 6660 Beta, also known as the Euclid Industries Building. It's right at that northern curve of Beta. It's in the process of being sold to Premier Development Group. This is really a significant event for two reasons. First, outside of Progressive Campus 1 and Campus 2, this is the largest building in the Village. It's 198,000 square feet. Number two, Premier Development Group looks to make significant improvements to the building whether or not it has a tenant lined up when it takes control. In fact, that's exactly what they did to a building on Alpha Drive which became the home of SKF which is a company looking at a building here in Mayfield Village that we were courting pretty aggressively. In their enthusiasm to be new commercial residents of Mayfield Village, they have invited Council to take a tour of both the building on Alpha that they have completely renovated and made huge improvements to and also the building that they are purchasing, the old Euclid Industries Building, 6660. So, I am putting the word out that they are interested in opening up the building for a tour for Council. You may want to consider maybe doing it an evening before a Council or Caucus meeting.

The second item I have this evening, I don't want to steal any of Nick's thunder on the Committee report, but really just another sort of word to get out there preliminarily, Governor's Village up on North Commons is looking to expand. They have done market studies that show that they could successfully expand to include more rooms at their current site and they have proposed an expansion that encroaches on to a piece of land that's owned by the Village that sits between their property and North Commons. So, we have had discussions with them. In our last meeting of the Community and Economic Development Committee, we strategized about ways that they can make that plan happen with our land sitting there between theirs and North Commons.

ADMINISTRATION – Diane Wolgamuth

There was no report.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported that our December 2nd Tree Lighting will be held here at the Civic Center instead of across the street this year. The Menorah Lighting will be on December 9th, the second day of Hanukah. It will be at the Community Room.

Architectural Review Board – There was no meeting. There is no report.

Board of Appeals – There was no meeting. There is no report.

Cemetery – Mrs. Mills reported, I put the holiday wreaths up on the Cemetery today.

Citizen's Advisory Board – Mr. Marrie reported, Citizen's Advisory Board met on October 22nd. We met down at the Historic House. Pat Negrelli welcomed the Board and Mrs. Mills and her Committee gave a tour and welcomed everybody there and gave them a complete history of the building. Some of the things that were discussed were *The Grove*. Garry Regan who is on our Planning and Zoning also related his experience because he was very involved in Cain Park in Cleveland Heights. There's very few people with Villages like ourselves that have an amenity like that and the committee that is working on that are very interested in keeping it small scale and community-based, not anything big time. Also, a couple of people brought up the suggestion that we use our theater for different types of programming such as what Gates Mills did when they had County Executive Ed Fitzgerald and Representative Jack Schron who spoke at Gates Mills. In other words, public meetings such as that.

Safety and Service – All of the items discussed at the last meeting are on the agenda this evening.

Finance Committee – Mr. Marrie reported, we met this evening. All of the items but one were recommended by the Finance Committee. One was deferred. There are four ordinances to be read this evening all of which need to be passed on an emergency basis so that they are passed in plenty of time before the end of the year.

Historical Society – Mrs. Mills reported, the Historical Society had a meeting on November 14th which is our famous pie night. We had 19 delicious pies for tasting. We also had our Holiday Raffle.

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

M.A.R.C. – Mr. Thomas reported, the M.A.R.C. Board met on Thursday, November 1st at the Board of Education. The Director, Mr. Weinberg, reported that floor hockey for the Fall session for 3rd through 5th grade had 66 children and grades 6th through 8th had 55. I reported that the MBA boys and girls programs will be running at the same time this year due to the school program adjusting the girls program to run at the same time as the boys do for the school program. The program will run January through March for both boys and girls. We had 75 participants signed up then. We have close to over 200 now. The next Board meeting will be December 6th at 7:00 at the Board office.

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

Planning and Zoning – Mr. Marquardt reported, Planning and Zoning had a workshop on Thursday, November 15th. There was one item on the agenda, preliminary site plan for East Commons Office Development. That was discussed and will be voted on at the next meeting.

Recreation Board - Mr. Marrie reported, the Board met here on the 14th. Items discussed were the future restrooms for the soccer and softball fields. They are looking forward to receiving information from Council and our directors about the future facility. They also did an evaluation on the Halloween Party. We had 45 children here. It went very well. The Key Club students from Mayfield High School were very helpful. The Santa Ride and Christmas Party will be held on December 1st. It's a little different this time. They are starting the Santa Ride on the Fire Engine at 10:00 a.m. instead of 10:30 a.m. so that we can get everybody done and in and still have Santa Claus here at 1:30 for the kids.

Commission on Aging – Mrs. Mills reported, the next meeting will be held on December 4th at 11:30 a.m. in the Senior Service office in the rear of the Community Room. On the agenda we will be discussing the Holiday Party for Village Seniors on December 8th and a Holiday Party for the Card Group.

SPECIAL COMMITTEE REPORTS:

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

Records Commission – Mrs. Mills reported the Commission met on the 14th. The Commission was updated on the off-site storage. Boxes are all labeled and ready to be rotated annually. Our Shred Day is May 18th from 9:00-12:00. Mary Beth reported on the Social Media seminar she attended at the Ohio Historical Society in Columbus. There's also a *Public Records: 101, Release or Not*, seminar being held in Highland Heights on December 13th from 9:00-4:30. It would behoove people to go and learn about what we do with public records laws and updates, understanding privacy laws and recommended methods and compliance procedures which is very important to the Village and implementation at the local level. Mary Beth has informed us at every meeting that we are well in advance of some communities as far as how we are handling our records

Community and Economic Development Committee – Mr. Delguyd reported, we met Friday November 9th at 7:00 a.m. here at the Civic Center. Ted already touched a little bit about the Governor's Village expansion. They want to expand into some property owned by the Village along the street. We discussed different methods of allowing them to facilitate that expansion. We suggested going through with Planning and Zoning and Architectural Review Board processes simultaneously so we can see any issue and coming to some sort of agreement. That is being discussed with Governor's Village. I am sure legal will get involved at some point. As mentioned, we discussed the 6660 Beta/Euclid Industries Building tour. There was an update on the incentive program. We had a couple of businesses go through that evaluation. We have found that some are seriously going through it and some are asking us for the incentive program and then signing leases anyway. We have decided to amend that process slightly. There will be

updates to follow. Finally, we have received some interest from Progressive regarding restrooms/concessions at the soccer fields. Those discussions are very preliminary but do involve some funding on Progressive's part. More updates to come.

Council President Buckholtz added, with regard to the invitation from Premier Development. I, for one, absolutely want to go on that tour. We should urge everyone to participate, for several reasons. One is here is a model corporate citizen coming in who wants to just do it all because it's the right thing to do. I am sure you have been in discussions about some of the things we have done with fiber. I would like to encourage that. Not to show up at all is like snubbing them, whether it is or it isn't. Early in the morning works for me. I will coordinate it with Ted. Somehow we need to reach everybody and think seriously about seeing what they have done on Alpha and what they are doing here. I think that will help give us a handle on the kind of people we are looking for and the kind of things we want to resell or pass along.

Mr. Esborn thinks it will be a great hands-on education about commercial industrial real estate in Northeast Ohio. 6660 Beta is of the vintage and in the condition that so much industrial real estate is in. There's really sort of a crisis about what is to be done to get that kind of real estate back in to usual shape and what this group has done on Alpha is a great example of that. It should be very informative.

Mr. Marrie suggested the meeting take place as discussed earlier, prior to a Caucus or prior to a Council meeting so everybody's coming here anyway. It might be hard to get everybody's schedule. Some would want it in the morning. Some would want it in the evening. We would be going round and around.

Council President Buckholtz stated, what I realized on that and Ted and I discussed it before I got to everybody, I couldn't make that time. I am tied up until almost 7:00 until December 13th, so December 13th through January 13th I am available at that time. We will look to that. I am sure they wouldn't have a problem having us come to an early or a late session. Ted and I will get back together with them and update everyone. I just feel very passionate about it.

Mr. Delguyd asked, if we are going to tour both buildings, do we have to wait until Euclid actually closes?

Mr. Esborn replied, the purchasers don't seem to think so. They definitely seem open to showing it now. I thought of that, but they seem able to show it now.

Council President Buckholtz asked Mr. Esborn to make sure of that.

Mr. Esborn replied, I will.

OLD BUSINESS

There was no Old Business.

Motion to authorize expenditure in the amount of \$15,000 to Agresta for concrete work at pool (straw vote approved – 10/23/12)

Dr. Parker, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$15,000 to Agresta for concrete work at pool (straw vote approved – 10/23/12)

Council President Buckholtz asked, we found the leak? Mr. Metzger replied, yes we have. We excavated the area and found that the flange holding the stainless steel drain boxes to the plastic piping, the bolts had become corroded and pulled away from the plastic piping. We did find one section of plastic piping where the glue joint had come loose. We took that back out and reglued that and put the new gaskets in and made modifications to the drain boxes themselves because of the hydrostats. I think we have got a much better system now.

Roll Call: AYES: All
NAYS: None

Motion Carried
Expenditure Authorized

Motion to authorize the Finance Director to enter into an Amendment with Fidelity Investments to reflect statutory changes in compliance with the Heroes Earnings Assistance and Relief Tax Act of 2008 (“HEART Act”).

This item will be deferred until the December Council meeting.

Mr. Wynne stated, the wording does not truly reflect what is happening. We are amending the Mayfield Village Deferred Compensation Plan. We are not entering into an agreement with Fidelity Investments. We need to change the motion to reflect that wording. We will defer action until the next Council meeting.

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

Mrs. Mills, seconded by Mr. Marrie, made a motion to acknowledge receipt of financial reports for October 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 October 2012 Acknowledged
and Authorized

Mrs. Mills, seconded by Mr. Marrie, made a motion to enact Ordinance No. 2012-31.

Council President Buckholtz asked if there was any discussion.

Mr. Wynne replied, briefly, we found out after one of our permanent part-time employees got injured while on duty that he had no coverage for the first week of their injury until Workers' Comp kicked in. This is just filling the gap.

Council President Buckholtz asked, any questions? There were none.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

ANY OTHER MATTERS:

Council President Buckholtz asked Mr. Cappello, are we all set for tomorrow?

Mr. Cappello replied, yes. We told him. He's not happy, but he is not going to do it.

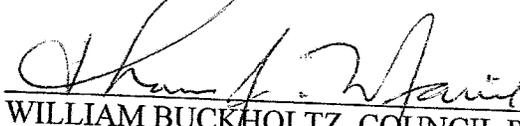
Council President Buckholtz asked if there were any further matters. There were none.

Council President Buckholtz wished everyone a very very Happy and Healthy Thanksgiving.

ADJOURNMENT

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

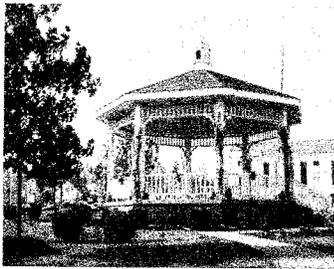
The meeting adjourned at 8:50 p.m. The next Council meeting is scheduled for Monday, December 17, 2012 at 8:00 p.m.


WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT

pro Tem

BRUCE G. RINKER, MAYOR


MARY E. BETSA, CLERK OF COUNCIL



MAYFIELD VILLAGE

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Bruce G. Rinker, Mayor

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AGENDA OF THE REGULAR MEETING OF COUNCIL **Monday, December 17, 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 – November 19, 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

NEW BUSINESS

- **Motion to authorize expenditure in the amount of \$38,175 to Community Partnership on Aging for renewal of programs and services to Mayfield Village Senior Residents for 2013.**
- **Motion to authorize expenditure in an amount not to exceed \$7,000 to City of Bedford Heights for prisoner housing for the remainder of 2012.**
- **Motion to authorize an expenditure in the amount of \$11,340 to TAC Management for monthly TAC fees for CAD and Olen for 2013.**
- **Motion to authorize expenditure in the amount of \$7994.14 to City of Cleveland Division of Water for annual hydrant fee for 2013.**
- **Motion to authorize expenditure in an amount not to exceed \$20,000 to All-American Fire Equipment, Inc. for two thermal imaging cameras.**
- **Motion to authorize expenditure in an amount not to exceed \$10,000 to Jack Doheny Supply for trackless snow blower attachment for sidewalk snowplow.**
- **Motion to authorize expenditure in an amount not to exceed \$3,000 to C.A. Agresta for additional work on Highland Road sidewalk.**
- **Motion to authorize no objection to application filed by Marra's Foods, LLC, dba Marra's Foods and Fine Wines in Mayfield Village with the Ohio Department of Commerce, Division of Liquor Control.**
- **Motion to authorize expenditure in the amount of Five Thousand Seven Hundred Ninety-Nine Dollars (\$5,799) to Creative Microsystems for 2013 annual software support for database, payroll and finance.**
- **Motion to amend the Mayfield Village Deferred Compensation Plan (Governmental 457(b) Plan) to reflect statutory changes pursuant to the Heroes Earnings Assistance and Relief Act of 2008 ("HEART Act").**
- **Motion to acknowledge receipt of financial reports for November 2012 and to approve of same as submitted.**

- . **Motion to authorize transfer from the General Fund to the Street Construction Maintenance & Repair Fund to cover the 2012 road projects the sum of One Million Dollars (\$1,000,000).**
- . **Motion to authorize transfer from the General Fund to the Community Room Fund to cover the cost of moving utilities and refurbishing the sum of Sixty Thousand Dollars (\$60,000).**
- . **Motion to authorize transfer from the General Fund to the Civic Center Fund to cover the cost of door and window refurbishing and the Versalite Stage Extension the sum of One Hundred Thousand Dollars (\$100,000).**
- . **Motion to authorize transfer from the General Fund to the Sanitary Sewer Relief Fund for future projects the sum of Eight Hundred Thousand Dollars (\$800,000).**
- . **Motion to authorize transfer from the General Fund to the Infrastructure Improvement Fund to cover the cost of various D&I projects the sum of Twenty-Five Thousand Dollars (\$25,000).**
- . **Motion to authorize transfer from the General Fund to the General Bond Retirement Fund to cover debt payments not funded by TIF, Special Assessment and Property Tax Revenue the sum of Five Hundred Thousand Dollars (\$500,000).**
- . **Motion to authorize transfer from the General Fund to the Capital Improvement Fund to cover the cost of the new file server, Library driveway and Highland Road sidewalk the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000).**
- . **Motion to authorize transfer from the General Fund to the Green Corridor Construction Fund to cover future costs associated with the trail system the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000).**
- . **Motion to authorize transfer from the General Fund to the Parkview Pool Improvement Fund to cover the renovation of the bath house and playground the sum of Thirty-Five Thousand Nine Hundred Six Dollars and Fifty Cents (\$35,906.50).**
- . **Motion to authorize transfer from the Police Pension Fund to the General Fund to offset pension costs the sum of Fifty One Thousand Five Hundred Dollars (\$51,500).**
- . **Motion to authorize transfer from the Police Operating Fund to the General Fund to offset operating expenses the sum of Sixty-Three Thousand Dollars (\$63,000).**
- . **Motion to authorize transfer from the North Commons T.I.F. Fund to the General Bond Retirement Fund to offset debt payments the sum of Eight Hundred Eleven Thousand Seven Hundred Forty-Seven Dollars and Ninety-Eight Cents (\$811,747.98).**

- **Motion to authorize transfer from the Governor's Village T.I.F. Fund to the General Bond Retirement Fund to offset debt payments the sum of Sixty-Two Thousand Five Hundred Twenty-Five Dollars and Six Cents (\$62,525.06).**
- **Motion to authorize transfer from the Heinen's T.I.F. Fund to the General Bond Retirement Fund to offset debt payments the sum of Seventeen Thousand Seven Hundred Eighty-Eight Dollars and Fifty-Four Cents (\$17,788.54).**
- **Motion to authorize transfer from the Skoda, Minotti T.I.F. Fund to the General Bond Retirement Fund to offset debt payments the sum of Ten Thousand Five-Hundred Nineteen Dollars and Ninety-Two Cents (\$10,519.92).**
- **Motion to authorize transfer from the OMNI Hotel TIF Fund to the General Bond Retirement Fund to offset debt payments the sum of Eighty-Three Thousand Nine Hundred Two Dollars and Thirty-Four Cents (\$83,902.34).**
- **First Reading of Ordinance No. 2012-32**, 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 of Ordinance No. 2012-33**, entitled, "An ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2013 and ending March 31, 2013 and declaring an emergency." Introduced by Mayor Rinker and Council as a Whole.
- **Resolution No. 2012-20**, entitled, "A resolution requesting the Cuyahoga County Treasurer to advance from the proceeds of tax levies for the collection year 2013." Introduced by Mayor Rinker and Council as a Whole.
- **Resolution No. 2012-21**, entitled, "An emergency resolution declaring the necessity of a transfer of an amount not to exceed \$50,308.00 from the Raleigh Drive/Culvert #9 Fund of the Village to the Bond Retirement Fund of the Village in accordance with Ohio Revised Code 5705.14." Introduced by Mayor Rinker and Council as a Whole.
- **Resolution No. 2012-22**, entitled, "A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2012." Introduced by Mayor Rinker and Council as a Whole.

ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL

CLOSING COMMENTS

ADJOURNMENT