

# DRAFT

**MINUTES OF THE REGULAR MEETING OF COUNCIL  
Monday, October 19, 2009 – 8:00 p.m.  
Mayfield Village Civic Hall**

The Council of Mayfield Village met in regular session on Monday, October 19, 2009 at approximately 8:05 p.m. in the Mayfield Village Civic Hall. Council President Buckholtz called the meeting to order.

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

Absent: None

Also Present: Mayor Rinker, Ms. Calta, Chief Dearden, Mr. Wynne  
Mr. Marrelli, Mr. Metzong, Chief Mohr,  
Mr. Cappello, Mr. Dinardo, Mr. Thomas,  
Mrs. Kalina and Mrs. Betsa

The Pledge of Allegiance to the Flag was given.

## **OPEN PORTION**

3-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 – September 21, 2009**

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

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Minutes Approved

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 2

**COMMENTS FROM MAYOR RINKER:**

There were no comments.

**COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ:**

There were no comments.

**DEPARTMENT HEAD REPORTS:**

**SERVICE – Douglas Metzung**

There was no report.

**BUILDING – John Marrelli**

There was no report.

**ENGINEERING – Tom Cappello**

Mr. Cappello reported that today the Thornapple Pump Station Project work began. They are doing the relocation and will start doing the sewer work for the remainder of this week. The final surface course for Ridgebury Boulevard should be underway this week.

With regard to the Thornapple Pump Station Project, Mr. Saponaro asked what houses are affected. Mr. Cappello replied, just the ones on Ravine.

**LEGAL DEPARTMENT – Ms. Calta**

There was nothing to report.

**FIRE – Chief Mohr**

Chief Mohr reported that they had a successful fire prevention week. They had the third graders and kindergarteners at Center and the third graders at St. Francis. That was well received with the Fire Safety House. It has gotten a lot of use over the summer. We are in the final planning stages for the flu clinic which is obviously front and center on everyone's mind with the swine flu. Chief Mohr reminded everyone that this is going to be a seasonal flu shot program at this time. We may have some information from the Health Department later this week that possibly, again, possibly, they are going to entertain the thought of possibly, if they can get it, bring out the H1N1 vaccine for the first time to the communities. Right now, it is still seasonal, but we are probably getting around 8 or 9 phone calls a day of interest.

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 3

**FINANCE – Ron Wynne**

Mr. Wynne stated that in his Finance Report he mentioned that we had not received our second payment from RITA just yet. We received that on Friday. For the month, our income tax collections were down by \$41,000.00 compared to the same period last year. The trend continues as far as employment tax dollars decreasing over what we have experienced historically. Mr. Wynne and Department Heads have met on a regular basis making sure we keep our costs in check. Chief Mohr, Mr. Wynne and Ms. Calta met this morning with Gates Mills at their request. They are looking to renew the EMS Agreement for a three-year period versus the one year we are currently under. We are working through the details to have that in place by the end of the year.

**POLICE – Chief Dearden**

There was no report.

**PARKS & RECREATION – Bill Thomas**

Mr. Thomas reported that the winter brochure will be finalized on Friday and sent out to our residents the first week of November.

**ARCHITECT – Ron Dinardo**

There was nothing to report.

**HUMAN SERVICES – Eunice Kalina**

Mrs. Kalina reported that the Senior Flu Shot Program is next Monday morning in this room. Originally the Board of Health had allocated 250 shots. We are down to 150 now because there has been a delay in their getting it. Everyone is concentrating on H1N1. The Board of Health has eliminated some of the smaller programs. We have space now only for 12 more people. Earlier today, Mrs. Kalina had asked Debbie Thomas to put something up on the marquee which she graciously did. Mrs. Kalina will have her take it down because we only have 12 more spots. This has never happened to us before. The representative also said she had talked to Cheryl. Mrs. Kalina does not know if there is a question about getting it for the MIPOD program or not. Mrs. Kalina reported that they have signed up about 250-275 people for the snow removal. Approximately 50 people have opted out. They will get their own contractor. The Village will reimburse them for half of that cost. Also, over the weekend, Meals on Wheels had their craft fair, their annual fundraiser. You will all be very sorry that you did not buy a raffle ticket from Mrs. Kalina, or buy raffle tickets period, because we had five great prizes. Mrs. Kalina sold two of them, one of them to Janice Reale, who won a 42" Toshiba TV. More importantly, Meals on Wheels is in desperate need of volunteers. Most of our volunteers are seniors. Some of them have passed away. A lot of them go south for the winter. We are really in dire straits. If anyone has some extra time, all you need is a two hour a week commitment. We would be happy to have you. Mr. Saponaro asked who people should contact for that. Mrs. Kalina replied, they can

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 4

contact me and I will give them more information. Council President Buckholtz asked if the two hours per week is lunchtime. Mrs. Kalina replied, it is at lunchtime, Monday through Friday, but you only need to do it once for two hours. Mr. Saponaro asked, from when to when. Mrs. Kalina replied, roughly 10:30-12:30, probably. We have some companies who have what they call adopt-a-route. They send different people from their company to do this. Mrs. Kalina does not know if Mayfield Village could afford to do that with our staff, but the thought has crossed her mind. If anyone is interested, we can see if we can do something about that.

**STANDING COMMITTEE REPORTS:**

**Activities Committee** – Mrs. Mills reported that the Committee met on October 12<sup>th</sup> and reviewed the Fourth of July celebration and the band concerts and projections for next year. The holiday events for 2009 are the Children’s Christmas Party on December 5<sup>th</sup>; the Tree Lighting on December 6<sup>th</sup>; there will be no Winter Solstice; the Menorah Lighting will be on December 11<sup>th</sup>; and the Singing Angels will be here on the 19<sup>th</sup>. We also talked about some of the events such as Mother’s Day Pancake Breakfast for 2010. It was a very good meeting this time.

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

**Beautification Committee**- Mr. Saponaro reported that the next meeting is next Monday the 26<sup>th</sup> at 7:00. The Minutes from the last meeting should be going out this week. You should all get them in your packets. Council President Buckholtz stated that we got them. Mr. Saponaro stated that he did not.

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

**Cemetery** – There was no report.

**Citizen's Advisory Board** – Mr. Marrie reported that they will be meeting tomorrow night.

**Commission on Aging** – There was no report.

**Drainage & Infrastructure/Stormwater Mgt.** – There was no report.

**Safety and Service** – There was no report.

**Finance Committee** – Mr. Marrie reported the Finance Committee met this evening. We covered 7 items, all of which are on the agenda this evening. Two of them will need to be passed this evening, Ordinance Nos. 2009-48 and 2009-49.

**Historical Society** – Mrs. Mills reported that the turkey raffle tickets are in the mail. Mrs. Mills hopes you will participate and buy some tickets.

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 5

**Hillcrest Council of Councils** – Council President Buckholtz reported that there is a breakfast this coming Saturday at 9:00 a.m. at Landerhaven. We will discuss Issue 6, Reorganization of County Government and Issue 5 as well, so we will be talking about the hot topic, reforming County Government. Council President Buckholtz urged everyone to go if they can. It is a nice breakfast.

**M.A.R.C.** – Dr. Parker reported that M.A.R.C. met on October 1<sup>st</sup> at 7:00 p.m. Notable items include the Punt, Pass and Kick competition was held on Saturday, September 12<sup>th</sup>. There were 35 participants. The Art Show was a big success with 68 entries. The Show will hang at the Mayfield Library until October 24<sup>th</sup>. MBA registration is underway with a deadline of October 28<sup>th</sup>. They are hoping for about 250-300 sign-ups. The meeting was adjourned at 7:35. The next meeting will be November 5<sup>th</sup> at 7:00 p.m. at the Board of Education building.

**Ordinance Review Committee** – Mr. Marquardt reported that Ordinance Review met on Tuesday, October 13<sup>th</sup>. We went over a couple more ordinances related to gas and oil well drilling. We should have final proposed legislation at the next meeting ready to present to Council. We also discussed a fence ordinance, reviewed our insurance provisions, contractor registration fees and administrative meeting fees.

**Planning and Zoning** – Mr. Marquardt reported that Planning and Zoning met on Thursday, October 15<sup>th</sup> and reviewed the site plan for the police station.

**Recreation Board** - Mr. Marrie reported that Recreation Board will be meeting on Wednesday. A couple of the items that will be discussed will be a recap of the Teen Halloween Party. They had 275 students in attendance. The Window Painting Contest has 33 merchants who have donated the use of their windows and 53 students will be participating in the contest. Judging will be on the 22<sup>nd</sup> of October. Also, we have our annual Halloween children's party on October 24<sup>th</sup> between 1:00-2:30. As always, we can use volunteers for that.

**SPECIAL COMMITTEE REPORTS:**

**Planning Development Committee** – Council President Buckholtz reported that Planning Development met on September 22<sup>nd</sup>. We discussed Dave Hart's concept of different areas that we want to focus on. We talked about everything from a traffic study to the Greenway. Council President Buckholtz advised Mr. Cappello that someone will be contacting him because one of the suggestions was to consider looking into data, if it exists, on traffic studies that are already out there rather than just rush in and do a traffic study, particularly in the center of town and the Beta area coming on to the freeway. On the broader spectrum of things, it is looking at finances in terms of the projects we want to take on themselves, what they are going to cost, but more of a cost-benefit return analysis as to going forward with different quadrants and how we would rework Beta and what affects different kinds of zoning plans. The Committee will be meeting again on November 10<sup>th</sup>.

**Information & Technology** – There was no report.

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 6

**Records Commission** – Mrs. Mills reported that Shred Day was October 10<sup>th</sup>. We shred 3,000 pounds. Mrs. Mills thanked Janice Reale, Danielle Echt, Mary Beth and Nancy Plastine for all of their work breaking down boxes. Mrs. Mills also thanked Mr. Marrie. He contributed a lot to Shred Day. Our last meeting was September 23<sup>rd</sup>. The girls will be going up to the Service Department to clean out some of those files that are still up there. We are getting rid of a lot of our old files which is a good thing.

Mr. Marrie said Shred Day is a good thing to have. How many people showed up? Mrs. Mills replied, about 50 people. It was a nice steady stream. No one had to wait. We took the boxes out. The two men from Iron Mountain helped. They put it in their toter and away it went. It went very quickly. Our biggest problem is breaking down boxes that they leave us. Not a big deal. It's very easy to do, except it was kind of a windy nasty day. We will probably plan another one in the Spring. It's a good program, especially since we need to have our own paper shred. If we bring in Iron Mountain, we might as well extend the courtesy to the residents.

**OLD BUSINESS**

**OPEN PORTION** - 3 minute limit imposed by Chair. Those who wish to speak must first state their name and address.

- . **Second Reading of Ordinance No. 2009-44**, entitled “An Emergency Ordinance amending Chapter 1731 of the Village’s Codified Ordinances pertaining to soil removal.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – September 21, 2009).

This Ordinance will be left on Second Read.

**NEW BUSINESS**

- . **Motion to authorize expenditure in an amount not to exceed \$2,700.00 to Digest Media for the Winter *Parks and Recreation* brochure.**

Mrs. Mills, seconded by Dr. Parker, made a motion to authorize expenditure in an amount not to exceed \$2,700.00 to Digest Media for the Winter *Parks and Recreation* brochure.

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

Roll Call:     AYES: All  
                  NAYS: None

Motion Carried  
Expenditure Authorized



**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 8

. **First Reading of Ordinance No. 2009-48**, entitled, “An Emergency Ordinance authorizing an agreement with the Board of County Commissioners, Cuyahoga County, Ohio, for the FY 2007 Homeland Security Grant Program (“HGSP”) Community Emergency Response Team (“CERT”) Project.” 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 Dr. Parker, made a motion to enact Ordinance No. 2009-48.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Ordinance Enacted

Council President Buckholtz asked if there was any discussion.

Chief Mohr reported that this is civil defense. The State of Ohio has finally released the funding for 2007 to the County to allow the communities to start their CERT teams which is a civil defense team. We chose to take the MIPOD first. We felt it was more important to get our medical team up and running which it is. Now it’s time to turn our direction toward a local civil defense team. We are combining resources with Highland Heights and Mayfield Heights and building a team. This money will provide the resources.

Council President Buckholtz asked what kind of dollars we are talking about. Chief Mohr replied, \$2,500.00.

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

. **First Reading of Ordinance No. 2009-49**, entitled, “An Emergency Ordinance amending Section 1309.05(g)(5) of the Village’s Codified Ordinances pertaining to contractor registration fees.” Introduced by Mayor Rinker and Council as a Whole.

Dr. Parker, seconded by Mrs. Mills, 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

Mr. Mills, seconded by Mr. Marrie, made a motion to enact Ordinance No. 2009-49.

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

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

. **First Reading of Resolution No. 2009-13**, entitled “A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2009-13.

Council President Buckholtz asked if there was any discussion. Council President Buckholtz asked Mr. Wynne if everything looked good with it. Mr. Wynne said, yes.

ROLL CALL: AYES: All	Motion Carried
NAYS: None	Resolution Adopted

## **EXECUTIVE SESSION**

. **Personnel**

- **Motion to go into Executive Session to discuss 2010 compensation including wages and benefits of all public employees and the hiring of special counsel.**

Council President Buckholtz stated that we will need a motion to go into Executive Session under Personnel to discuss 2010 compensation including wages and benefits of all public employees and the hiring of special counsel.

Mr. Saponaro, seconded by Mrs. Cinco, made a motion to go into Executive Session to discuss 2010 compensation including wages and benefits of all public employees and the hiring of special counsel.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	Executive Session approved

Council President Buckholtz stated that this will conclude any business that we will be conducting tonight. People are welcome to stay or leave as they see fit. Council President Buckholtz asked Mayor Rinker about Department Heads. Mayor Rinker stated, they don't need

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 10

to stay. Council President Buckholtz stated Department Heads are welcome to head out as well unless there is anything further to add to the meeting.

Council went into Executive Session at approximately 8:28 p.m.

Council reconvened at approximately 10:05 p.m.

Council President Buckholtz stated that for the record, due to an oversight, we do have one more piece of business. It is very important that we do it. It would be Ordinance No. 2009-50. We are basically passing it in title.

**First Reading of Ordinance No. 2009-50**, entitled “An Emergency Ordinance confirming the appointment of special counsel David J. Matty and members of his firm to represent the Village in upcoming police and fire negotiations and establishing the terms, conditions and compensation of such employment.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills asked if Service should be included in that too. Council President Buckholtz stated not at this time. He will just begin collecting the information and presenting information towards contract negotiations. The exact language we will be reading again.

Mr. Saponaro, seconded by Mr. Marrie, 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. 2009-50.

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.

Mrs. Mills said Happy Halloween.

Council President Buckholtz thanked Mrs. Mills for the lovely treats.

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 11

Mrs. Cinco wanted everyone to know that she has been CERT trained, which Dave Mohr neglected to mention. It has been great training.

Mr. Saponaro stated that he will be having his hip replaced on November 4<sup>th</sup>. Mr. Saponaro would hope that any meetings we have, if we could have them on a ground level. He is going to try to make it to Council on the 16<sup>th</sup>. He will be at meetings after, on crutches, cane or walker. He will need accommodations. He will also be available by e-mail.

**ADJOURNMENT**

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

The meeting adjourned at approximately 10:10 p.m. The next Council meeting is scheduled for November 16, 2009 at 8:00 p.m.

**DRAFT**

Regular Council Meeting Minutes

10-19-09

Page 12

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WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT

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BRUCE G. RINKER, MAYOR

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MARY E. BETSA, CLERK OF COUNCIL