

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, December 21, 2009 – 8:00 p.m.
Mayfield Village Civic Hall

The Council of Mayfield Village met in regular session on Monday, December 21, 2009, immediately following the Annual Meeting of the Mayfield Community Improvement Corporation (“M.C.I.C.”), 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,
Dr. Parker and Mrs. Mills

Absent: Mr. Saponaro

Also Present: Mayor Rinker, Mr. Wynne, Mr. Diemert, Chief Dearden,
Mr. Marrelli, Mr. Metzung, Chief Mohr, Mr. Dinardo,
Mr. Thomas, Mrs. Kalina and Mrs. Betsa

The Pledge of Allegiance to the Flag was given.

Council President Buckholtz stated that the first order of business is to amend the agenda for the purpose of adding two items. One is Ordinance No. 2009-70 regarding our new voice-over internet phone system and the other item is a resolution thanking and congratulating Mayfield Village part-time firefighter Charles Sedgley.

. **Motion to amend the agenda**

Mr. Marrie, seconded by Mrs. Mills, made a motion to amend the agenda.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	Agenda Amended

Council President Buckholtz stated that we will start with the Resolution since we have a number of people here for that purpose.

Mayor Rinker stated this is a good seasonal event, maybe a little bittersweet, but it is celebratory nonetheless. Mayor Rinker will read the Resolution that Council will adopt formally for presentation to Charles Sedgley.

. **First Reading of Resolution No. 2009-17**, entitled, “A resolution thanking and congratulating Mayfield Village Part-Time Firefighter Charles W. Sedgley for over thirty-two years of dedication and service on behalf of Mayfield Village.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2009-17.

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

A break was taken for refreshments at 8:15 p.m.

Council reconvened at 8:30 p.m.

Council President Buckholtz stated since we amended the agenda for the two items, he would like to take the second item now.

First Reading of Ordinance No. 2009-70, entitled, “An Emergency Ordinance authorizing the Mayor to enter into a Memorandum of Understanding with Cuyahoga County, Ohio for the purchase of a voice-over internet protocol VOIP phone system for the Village.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, 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	Motion Carried
NAYS: None	Rules Suspended

Mrs. Mills, seconded by Dr. Parker, made a motion to enact Ordinance No. 2009-70.

Council President Buckholtz reported that the Committee met on several occasions. This will affect all of the departments, but not as much as the emergency services which will maintain copper wire.

We had a very interesting meeting before this of the IT Committee who recommended approval. We had John Hunter from Cuyahoga County who brought a representative from Cisco, a third-party which will be involved in this and OneCommunity as well. This will be a real step in a pilot project of Cuyahoga County moving towards an IT regionalism where they will be offering the same kinds of phone systems used within the County and at the County agencies. It will now be offered to several municipalities. We were one of the ones chosen. It’s a great opportunity. It went to Finance as well.

Mr. Marrie confirmed that it did. Besides the technical aspects, this will represent a savings for the Village every month. The Finance Committee passed this item unanimously.

Council President Buckholtz stated he left out the most important part. Since the County is not in the business to make money, this represents a tremendous savings. If more municipalities sign on, the price would only continue to go down.

There are a couple of contingencies. Council President Buckholtz is not sure if they are covered in here, but he wanted to state them for the record. We will be moving forward with this, but we will be testing the equipment to everyone's satisfaction, particularly with police and fire. All the language will be smoothed out if it isn't already. It's basically the kind of agreement we do between organizations we are familiar with. We already have grants and relationships with Cuyahoga County obviously and OneCommunity is a big driver. They are the non-profit who supplied the fiber in the area. We are charter members of that organization. We are really excited and see nothing but good things coming from this.

Mayor Rinker added that sometimes it's the proverbial tip of the iceberg because the meeting tonight is rather almost blasé and calm and quiet. He can assure everyone that this is something that our Police Chief and Fire Chief especially, our safety personnel, are exceedingly conscientious about anything that would impact the delivery of safety services. From the very beginning, all of the discussion about anything having to do with our communication system has been subject to scrutiny, as it should be. It's very encouraging to know that we come together with a nice technological advance, a good economic plus, and we feel that the overall delivery of services will be enhanced. It's a big step for us. It's worth recognizing everyone who got involved because this stuff can get dry as dust and dense as molasses in January. It's encouraging to see we are moving forward. Mayor Rinker appreciates the good work that everyone has done on it. Thank you.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

OPEN PORTION

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

Jim Triner
829 Hanover Road

Mr. Triner stated, first of all, congratulations to the Mayor on his appointment to the Park Board. It's a very important decision for all concerned. The park is an integral part of the Village. What's important too with this oil and gas well business is that we now have someone on the Park Board that is aware of a lot of the problems involved with this type of activity. It's good that we have Bruce there too to protect the Village and do what's best for the park system.

With regard to the health issues, Mr. Triner wanted to bring to Council's attention that there are new health concerns that have come out of Texas. What's interesting about this report is this is actually documented information about the health hazards of living near gas and oil wells. What's most revealing is that the community is reporting health symptoms that overlap significantly with the chemicals detected. They are seeing not only respiratory ailments and headaches, but brain disorders, pre-cancerous lesions and impairment of motor skills.

This is a community in Texas that is living near operating gas and oil wells. This is just coming out three years after the wells were put in. People were looking at gas and oil well activities for economic gains and then they have experienced health concerns. This is real proof now for communities that our going hot and heavy with this type of activity that health hazards do exist in those sort of activities. Mr. Triner is glad that things are as they are in the Village.

With regard to that, we still have to keep a vigilant eye on Aintree because there are two active well sites very near Aintree. If we lose our focus, oil and gas well companies will try to come in and sign leases in those areas.

Mr. Triner submitted the report on the health issues to Mary Beth.

The last thing is, what is happening with Bonnieview and Stonecreek. Have we heard any official word on that?

Mayor Rinker stated he received semi-official word from Linda Butler. She can share that with us tonight, what she heard about Bonnieview and Stonecreek.

Ms. Butler stated it is all hearsay. She does not have anything direct.

Mayor Rinker stated he is not going to put anyone on the spot, but it sounded like that thing has been put on hold. It's encouraging to see that. We will see what turns up.

Mr. Triner asked if the Village has heard any official word on that at all.

Mayor Rinker replied, no. We have not. John said there was some feedback from downstate.

Mr. Marrelli confirmed that he received feedback from the Ohio Department of Natural Resources that due to an alleged forgery of a signature, the permit was denied for Bonnieview. He spoke with Mike McCormick this afternoon who stated that there was an investigation done on a signature from Stonecreek. Three handwriting experts checked the records and decided that it was indeed a forged signature. So, ODNR has denied the permit for Bonnieview until everything else is straightened out through the criminal situation with Mayfield Heights. The Detective Bureau is supposed to investigate how the forgery took place and why it was notarized. They are supposed to report back to ODNR. The way it is shaping up is, this permit application for that particular site is denied until further notice. Unless the drillers come back and put another unit together and submit that, this issue for now is dead according to ODNR.

Mr. Triner asked if that means that they would have to go back and get people's signatures all over again.

Mr. Marrelli replied that he does not know that for sure. He surmises that is the case. He does not want to speak out of turn, but he believes from the tone of the conversation that things are being

checked more thoroughly. He is sure that if the same operator submitted 20 acres worth of signatures, they will be looked at with scrutiny.

Mr. Triner stated, so it could come back and be an issue for the Village.

Mr. Marrelli replied, it can always come back. At this time, this application is denied. That does not mean they can't take out another one tomorrow. That's what they are telling us.

Mayor Rinker stated, the only thing we can add to that is again, part of the discussion that is ongoing on this pending Bill is going to be whether or not there will be amendments that will address not only the health and safety issues, but also this ability for local control at some level. As we have indicated before, the prevailing view is that local control as it used to be, where zoning would be totally the municipality's control, we are not likely to see reverting back to that. The bigger question though is whether and to what extent local governments can have a say in the permitting process. If this can be an object lesson for everyone, we may take some lessons from this that our legislators could look at as far as the better mechanism, improving the mechanism for notice, for intervention on having a say in just how a drilling unit is comprised before a permit is issued. That's kind of the cutting edge of it.

Mr. Triner stated, he thinks also that we do have to make vigilance since there are two other active drill sites right in that area. The people living in those areas should know.

Council President Buckholtz thanked Mr. Triner and asked if there was anyone else wishing to address Council.

Linda Butler
817 Hanover Road

Ms. Butler reported that sometime last week they had a meeting of people from Bonnieview. Some people from Bonnieview were there, but it was mostly for people from Stonecreek. Ms. Butler put a notice in their mailbox and about 30 people came.

What was astonishing to her is that many of the people had signed a lease believing they were going to be getting \$140.00 a month to completely offset their monthly fees to Stonecreek. Most of them were living on a tenth of an acre. According to Jim's calculations that he has done looking at the 10 year output of an average well, he figured out that they would receive \$2.60 a month. The lies and exaggerations were astonishing.

The other thing was that the driller did not tell any of these people as the sites were being changed. Most of them believed that the drill was still going to be drilled on the Village property way at the back of the unit and way out of the way of their condominium and property. When it moved to somewhat more centrally located but still back for most of the people, they did not know about that. Then when they moved it to the center of the condominium development, no one had heard about that. There was a great deal of secrecy. In fact, one of the people called the owner of the development and he didn't know about any of these moves where the well was going to be.

One of the things Ms. Butler is learning from this is the extent to which true dishonesty and also extreme secrecy are being used to essentially squeeze these wells into properties where people don't want them. We all need to think about how we can confront the State and our representatives at the State level to talk to them about how unfair this is to the people of Ohio to be essentially hoodwinked in this way to sign up for something that is completely misrepresented and completely not what they expected.

Ms. Butler would hope in the next few weeks some of you might try to get a hold of some State-wide officials because it is definitely an uphill fight with the representatives. We have no indication that Armond Budish is essentially on our side at all on this or at all synthetic. What happened in the Senate was pretty much based on the support of the Senate minority leader Capri Cafaro who rallied all of the Democrats and two Republicans to vote consistently against the Niehaus Bill as it was written and to vote for our amendments which were for first, 1,000 foot setbacks, for local control, for the end of mandatory pooling and finally for 300 foot setbacks and right away the 300 foot setback lost in the Senate. It was only by a vote of 15 for and 17 against. It was a bipartisan support with all the Democrats and three Republicans voting with us. Ms. Butler feels if we can write a bill that can get Republican support, there would be hope of it being passed, but it's going to take a tremendous amount of effort. Thank you.

Council President Buckholtz asked if anyone else would like to address Council at this time. There were no other comments.

CONSIDERATION OF MINUTES:

Regular Council Meeting – November 16, 2009

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

Special Council Meeting – December 7, 2009

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

COMMENTS FROM MAYOR RINKER:

Apart from wishing everyone the best of the season, Mayor Rinker thinks it is important that we observe our MIPOD group last Sunday that delivered doses, one of three sites that the Cuyahoga County Board of Health designated. We have talked about this before, but really under the aegis of our Fire Department and other safety forces and a lot of volunteers and the other

municipalities in the area, Mayor Rinker would say we have a total of about 350 volunteers now between medical professional personnel, doctors, nurses, EMT's from our own departments and then a lot of volunteers, bus drivers, you name it, residents, to Mayor Rinker it was almost as gratifying for the people volunteering as for the people getting the shots, but the H1N1 delivery was over 2,300 doses in about a three, three and a half hour period which is pretty commendable.

We have set up MIPOD in order to deal with a lot of different kinds of emergencies. This is a great example of how people can mobilize, how our community really could provide a community services for its own. Everyone involved is to be commended. It was really very gratifying. Mayor Rinker thinks they are going to do it again probably sometime in the latter part of January.

Chief Mohr confirmed that is what they are leaning towards. If the public wants the shots, they will bring us back up probably towards the latter part of January.

Mayor Rinker continued, fundamentally the goal of the vaccine is to be preventative, not just for individuals but frankly for a mass population as well. The more people who get the vaccine the better off everyone else is as well. It is encouraging.

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

There was no report.

LEGAL DEPARTMENT – Mr. Diemert

There was no report.

FIRE – Chief Mohr

Chief Mohr stated the Mayor just made the comment on MIPOD. Chief Mohr wanted to thank Cheryl Garinger, the medical staff, Laura Rinker and the community who really came together. 375 volunteers stepped forward to help our community. Thank you to all of them.

FINANCE – Ron Wynne

Mr. Wynne reported we received our final tax payment from RITA. We were on budget for the month. On a year to date basis, our tax revenue is about \$9.5 million which is about \$300,000.00 less than what we received last year. The inheritance tax monies you were informed about from the County arrived last week.

POLICE – Chief Dearden

There was no report.

PARKS & RECREATION – Bill Thomas

Mr. Thomas reported for our annual Santa Ride held on December 5th, we had fireman Jason Brothers drive the fire truck. He did an exceptional job safely driving and keeping us on schedule. Thank you Jason Brothers for a job well done. Also, as part of our cost-saving measures for 2010, we are realizing a cost savings for the Spring/Summer 2009 *Parks and Recreation* brochure to the 2010 brochure of \$1,236.00. This is the result of going to black and white pages inside the brochure. The outside covers will be in color. The Recreation Department will also be looking at allowing businesses and organizations to place a 3x5 banner on the outfield fences at Parkview Softball Complex for advertising purposes. This will be during our softball season from May 1st to October 15th. Mayfield Village has a well-kept secret. That secret is we have a wonderful sledding hill. If we do get a lot of snow, this sledding hill can be used on SOM Center Road just north of Parkview pool.

ARCHITECT – Ron Dinardo

There was nothing to report.

HUMAN SERVICES – Eunice Kalina

Mrs. Kalina reported that they had their annual Senior Holiday Party this past Saturday. We were graced by both the Mayor and Council President and Patsy Mills. We had a good turnout. Everyone had a good time. It was very nice.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported that the Tree Lighting was December 6th. It was a balmy night, but it was very good. They had plenty of hot chocolate, donuts and coffee. The Menorah Lighting took place on December 11th. They received a nice write-up in the *Sun*

Messenger. The Singing Angels were here this past Saturday night. It was a sold-out crowd again. It was a very very good show. The Committee will reconvene sometime in February. We are looking for volunteers, so anyone who would like to become active on this Committee, call the Civic Center and give them your name and Mrs. Mills would be glad to have you on the Committee.

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

Beautification Committee- There was no meeting. There is no report.

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

Cemetery – Mrs. Mills reported that they decorated the cemetery for over the holidays.

Citizen's Advisory Board – Mr. Marrie recapped what was reported at Caucus that the Citizens Advisory Board will be taking on a project to collect personal items for both the Malachi House and the Veteran's at Easter. They were very grateful to hear that because a lot of people do things during Christmastime but everyone's forgotten during the Springtime. It will be in the *Voice of the Village*. It will be a collection of personal items that we will give the patients of both organizations.

Commission on Aging – Mrs. Kalina reported they met December 15th and finalized plans for the holiday party. They also discussed having their second annual St. Patrick's Day luncheon. They will have it on March 15th. It was very well received last year.

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

Safety and Service – Mrs. Cinco reported that they met on December 7th. At that time there was a discussion on the gas and oil well Ordinance.

Finance Committee – Mr. Marrie reported that the Committee met this evening prior to this meeting. All 22 items are on the agenda this evening.

Historical Society – Mrs. Mills reported that the quilters had their annual luncheon a week ago Monday. They have contracted for the stairway of the movable stairchair so handicapped people can get to the second floor.

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

M.A.R.C. – Dr. Parker reported that M.A.R.C. met on December 3rd. The Treasurer reported that the balance as of November 30th was \$38,000 and some change. Of note, the Hot Shot contest will take place on February 16th. There were 234 players currently signed up for MBA. The next meeting will be held on February 4, 2010 at 7:00 p.m.

Ordinance Review Committee – Mr. Marquardt reported that Ordinance Review met on December 8th. They discussed an amendment to the proposed drilling ordinance that would include the disclosure of chemicals to be used in the process. That amendment is on the agenda tonight. We also discussed the Mayfield Village insurance program and the national flood insurance program. Those issues are on the agenda tonight as well.

Planning and Zoning – Mr. Marquardt reported that Planning and Zoning met on December 7th. The only item on the agenda was the Mayfield Village Greenway Corridor Master Plan which was recommended for approval by Planning and Zoning.

Recreation Board - Mr. Marrie reported that Mr. Thomas covered most of it earlier. The one thing not mentioned was the Halloween party for the children. It's getting so large that we are probably going to move it back to the Community Room and for another reason, the police and fire always come to the children. There was a little concern by the Moms with the traffic out here. The Community Room is cornered in its own and is a little safe for the kids, so we will probably go back there. The other thing, Bill and his group recommended signs at the ballpark. Mr. Marrie thinks it's a great idea. It will account for about \$15,000.00 for a season. That's a real winner. The Christmas party was held here. Santa did an outstanding job. It was packed in here. There was cookies and punch and candy and gifts. It went over very very well. It was done with a tremendous amount of volunteers. There were more volunteers this year than ever before. That makes for an easier day for everyone, including the parents. It was a big success for the kids.

SPECIAL COMMITTEE REPORTS:

Planning Development Committee – Council President Buckholtz reported that a meeting is scheduled for January 25th.

Information & Technology – Council President Buckholtz reported that Information & Technology met tonight as stated earlier. Thank you to Mr. Hunter for bringing in the people from Cisco who made it very easy to make that decision.

Records Commission – There was no report.

OLD BUSINESS

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

Linda Butler
817 Hanover Road

Given how these ordinances would make such a huge difference, she believes, and the ability of drillers to be able to drill quickly and surreptitiously, she would like to urge Council to, unless we have a great number of dissidents here tonight, to consider passing these ordinances and putting the second and third reading together and just passing them tonight. That would be her request. Thank you.

. **Second Reading of Ordinance No. 2009-55**, entitled “An Emergency Ordinance creating Section 905.011 of the Village’s Codified Ordinances relating to vehicle fees and bonds for heavy equipment.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – November 21, 2009).

Council President Buckholtz stated this is from Ordinance Review. We could leave it on Second Reading.

Mr. Marquardt stated you can pass it.

Mrs. Mills, 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 Mr. Marrie, made a motion to enact Ordinance No. 2009-55.

Council President Buckholtz asked if there was any discussion. There were no comments

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

. **Second Reading of Ordinance No. 2009-56**, entitled “An Emergency Ordinance amending Chapter 1179 of the Village’s Codified Ordinances pertaining to the safe operation of oil and gas wells along with preserving the character and aesthetics within the Village.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – November 21, 2009).

Council President Buckholtz stated this is from Ordinance Review. We could leave it on Second Reading.

Mr. Marquardt stated you can pass it.

. **Motion to amend Exhibit A to Ordinance No. 2009-56**

Council President Buckholtz stated this amendment has to do with the request for drillers to be forthcoming with the chemicals that they are using. Ordinance Review did add this at the request of the residents. That was a great suggestion. It's in there now. We are planning on voting on this tonight.

Mr. Marrie, 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

Mrs. Mills, seconded by Dr. Parker, made a motion to amend Exhibit A to Ordinance No. 2009-56.

Roll Call: AYES: All
NAYS: None

Motion Carried
Exhibit A to Ordinance No. 2009-56
Amended

Mrs. Mills, seconded by Mr. Marrie, made a motion to enact Ordinance No. 2009-56 as amended.

Council President Buckholtz asked if there was any discussion. There were no comments

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted
As Amended

Council President Buckholtz stated we now have an Ordinance in place for what it's worth that adds some restrictions and some commentary on gas wells.

Ms. Butler asked if the audience could give a round of applause. A round of applause was given.

NEW BUSINESS

. **Motion to approve recommendation from Planning and Zoning of the Mayfield Village Greenway Corridor Master Plan.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to approve recommendation from Planning and Zoning of the Greenway Corridor Master Plan.

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

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

. **Motion to authorize an expenditure in the amount of \$5,101.50 to Creative Microsystems, Inc. for annual database support for payroll and finance.**

Mrs. Mills, seconded by Mr. Marrie, made a motion to authorize an expenditure in the amount of \$5,101.50 to Creative Microsystems, Inc. for annual database support for payroll and finance.

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

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

. **Motion to authorize an expenditure in the amount of \$17,280.00 to B&C Communication (pass through – Fire Grant).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize an expenditure in the amount of \$17,280.00 to B&C Communications (pass through – Fire Grant).

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

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

. **Motion to authorize an expenditure in the amount of \$3,297.50 to the City of Bedford Heights for November prisoner housing.**

Mrs. Mills, seconded by Mr. Marrie, made a motion to authorize an expenditure in the amount of \$3,297.50 to the City of Bedford Heights for November prisoner housing.

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

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

Mrs. Mills, seconded by Mr. Marrie, made a motion to acknowledge receipt of the financial reports for November 2009 and to approve the same as submitted.

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

Roll Call:	AYES: All	Motion Carried
	NAYS: None	November 2009 Financial Reports Acknowledged and Approved

- . **Motion to authorize transfer from the General Fund to the Bond Retirement Fund the sum of Two Hundred Fifty-Five Thousand Ninety-Five Dollars and Sixty-One Cents (\$255,095.61).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize transfer from the General Fund to the Bond Retirement Fund the sum of Two Hundred Fifty-Five Thousand Ninety-Five Dollars and Sixty-One Cents (\$255,095.61).

Council President Buckholtz asked if there was any discussion. Council President Buckholtz asked Mr. Wynne to explain these transfers.

Mr. Wynne reported this the annual transfer we make at the end of the year. It's generally the difference between the T.I.F. dollars and tax monies received against the principal and interest payment we have to make on our debt. The balance that is not covered by revenue is transferred from the General Fund into the Bond Retirement Fund.

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

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

- . **Motion to authorize transfer from the North Commons T.I.F. Fund to the Bond Retirement Fund the sum of Eight Hundred Seventy-Nine Thousand Six Hundred Sixty-One Dollars and Thirty-Three Cents (\$879,661.33).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize transfer from the North Commons T.I.F. Fund to the Bond Retirement Fund the sum of Eight Hundred Seventy-Nine Thousand Six Hundred Sixty-One Dollars and Thirty-Three Cents (\$879,661.33).

Council President Buckholtz asked if there was any discussion.

Mr. Wynne reported that these are the T.I.F. monies received during the year on the Progressive property. It is simply a reclassification of the monies from the T.I.F. Fund to the Bond Retirement Fund.

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

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

. **Motion to authorize transfer from the Governor’s Village T.I.F. Fund to the Bond Retirement Fund the sum of Fifty-Eight Thousand Six Hundred Eighty-Nine Dollars and Eight Cents (\$58,689.08).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize transfer from the Governor’s Village T.I.F. Fund to the Bond Retirement Fund the sum of Fifty-Eight Thousand Six Hundred Eighty-Nine Dollars and Eight Cents (\$58,689.08).

Council President Buckholtz asked if there was any discussion. This is the same as the last one.

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

. **Motion to authorize transfer from the Skoda, Minotti T.I.F. Fund to the Bond Retirement Fund the sum of Fifty-Two Thousand Four Hundred Thirty Dollars and Six Cents (\$52,430.06).**

Mrs. Mills, seconded by Mr. Marrie, made a motion to authorize transfer from the Skoda, Minotti T.I.F. Fund to the Bond Retirement Fund the sum of Fifty-Two Thousand Four Hundred Thirty Dollars and Six Cents (\$52,430.06).

Council President Buckholtz asked if there was any discussion.

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

Mayor Rinker stated, a general comment for anyone in the audience following along, the T.I.F., tax incremental financing is significant. When you add up these three different accounts, it’s roughly a million dollars. That’s based upon property tax in effect. It’s a re-routing of extra property tax dollars for infrastructure we have put in. It is significant that we can look to at least a solid property tax base as something on which we can depend. These dollar amounts are pretty steady year in and year out.

- **Motion to authorize transfer from the Highland/Metro/Zorn Fund to the Bond Retirement Fund the sum of Fifty Four Thousand Six Hundred Ninety-Eight Dollars and Twenty-Seven Cents (\$54,698.27).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize transfer from the Highland/Metro/Zorn Fund to the Bond Retirement Fund the sum of Fifty Four Thousand Six Hundred Ninety-Eight Dollars and Twenty-Seven Cents (\$54,698.27).

Council President Buckholtz asked if there was any discussion.

Mr. Wynne reported that the Highland/Metro/Zorn project is completed. These funds were remaining after the project was done. It is a requirement to return the funds to the fund where it came from or if the project was funded by debt to return it to the Bond Fund, so the excess cash was sent to the Bond Fund to pay down debt.

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

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

- **Motion to authorize transfer from the Police Pension Fund to the General Fund the sum of Fifty-One Thousand Dollars (\$51,000.00).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize transfer from the Police Pension Fund to the General Fund the sum of Fifty-One Thousand Dollars (\$51,000.00).

Council President Buckholtz asked if there was any discussion.

Mr. Wynne stated these are real estate tax dollars earmarked for police operating expenses.

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

- **Motion to authorize transfer from the Police Operating Fund to the General Fund the sum of Fifty-Nine Thousand Dollars (\$59,000.00).**

Mrs. Mills, seconded by Mr. Marrie, made a motion to authorize transfer from the Police Operating Fund to the General Fund the sum of Fifty-Nine Thousand Dollars (\$59,000.00).

Council President Buckholtz asked if there was any discussion.

Wynne replied, yes, we are. Council President Buckholtz asked if that makes better sense than moving it now and having to go through that to get it back in. Mr. Wynne replied, yes.

Dr. Parker asked if there are any anticipated projects. Mayor Rinker replied the only project we are anticipating is the balance of the Wilson Mills roadwork in the vicinity of Raleigh. That was the first phase. Then, the culvert work right across from D.O. Summers. We are still looking to see what kind of connectivity there may or may not be with NEORS on that, but no sanitary sewer. That's stormwater. Mr. Wynne stated in the 2010 Budget we will have to transfer \$155,000.00 from the General Fund to the stormwater fund.

Mayor Rinker stated, you will recall that we got some grant monies from DOPWIC (District One Public Works Integrating Committee). They are the ones that typically do road and other types of projects. This is a project that we have actually had on the radar screen for about the last four years. It's a major cleanout issue for us. There's a point at which the plates in the road have really loosened up there. If you ever notice, when you are driving east or westbound in that section, you get a nice jolt. What we tried to do is spread out the payments. We budgeted increments of really a three year period to cover that. We are coordinating this with the County Engineer. Part of the delays were to accommodate all of the work being done on Mayfield Road. We were able to buy a little extra time to do it and break up the expenses. We are going to get it done this year.

Mayor Rinker added, the only other real sanitary sewer project is the Thornapple Pump Station Relocation which is entirely covered by the County Sanitary Program there.

. **First Reading of Ordinance No. 2009-57**, entitled, "An Emergency Ordinance authorizing and directing the Mayor to enter into a Lease Agreement with George Ballash for the purpose of leasing the real estate located at 6826 Meadowood Drive, 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. 2009-57.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

Mayor Rinker stated that this is one of two properties that straddle the current Thornapple Pump Station which is to be plucked out of there after so many years of use. It is going to be relocated to the circle at Ravine and sunken down into the center. The general circle will become the utility access point. There are about 7 properties downstream from the current pump that are

Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2009-59.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

. **First Reading of Ordinance No. 2009-60**, entitled, “An Emergency Ordinance repealing in its entirety Chapter 945 of the Village’s Codified Ordinances pertaining to master cable television regulations.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mr. Marquardt, 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 Mr. Marquardt, made a motion to enact Ordinance No. 2009-60.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

Council President Buckholtz asked if there were any questions on this.

Mr. Marquardt stated, this is clean-up. These are items we took out of the ordinances because they are not relevant anymore.

. **First Reading of Ordinance No. 2009-61**, entitled, “An Emergency Ordinance amending Section 1119.17 of the Village’s Codified Ordinances pertaining to liability insurance requirements for required improvements.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, 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

Council President Buckholtz stated that this will be left on Three Reads.

ANY OTHER MATTERS:

Council President Buckholtz asked if there were any other matters.

Mrs. Mills asked if packets should be distributed on Wednesday as the office is closed on Thursday and Friday. Council suggested packets be sent out next Thursday. The office is closed next week on Friday.

Mrs. Betsa relayed a request from Mr. Saponaro that for next year, the December Council meeting be held a week before so that it is not so close to Christmas.

There were no further comments.

ADJOURNMENT

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

The meeting adjourned at approximately 10:25 p.m. The next Council meeting is scheduled for Tuesday, January 19, 2010 at 8:00 p.m.