

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, March 16, 2009
Mayfield Village Civic Hall

The Council of Mayfield Village met in regular session on Monday, March 16, 2009 at approximately 8:00 p.m. in the Mayfield Village Civic Hall. Council President Buckholtz called the meeting to order.

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

Absent: Mr. Marrie and Dr. Parker

Also Present: Mayor Rinker, Mr. Miller, Ms. Calta, Mr. Cappello,
Lieutenant Edelman, Mr. Metzung, Chief Mohr, Mr. Thomas,
Mr. Dinardo, Mrs. Kalina and Mrs. Betsa

The Pledge of Allegiance to the Flag was given.

OPEN PORTION

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

There were no comments.

CONSIDERATION OF MINUTES:

Regular Council Meeting – February 16, 2009

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Minutes Approved

Special Council Meeting – March 2, 2009

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

COMMENTS FROM MAYOR RINKER:

. **Administration of Oath of Office to Marie Urbancic
 as a Member of the Commission on Aging**

Mayor Rinker administered the oath of office to Marie Urbancic as Member of the Commission on Aging.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ:

There were no comments.

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

Mr. Metzung reported that the house on SOM Center, the Rivers' property, was torn down. In the process, we found an outbuilding, like a barn, which we have since brought back to Service. We refurbished it and put a brand new roof on it. We will use it in place of a POD that we typically rented for the ballfields up at Parkview to keep our materials in. We have been working downstairs diligently creating office space. If anyone gets a chance, go down and see the fireplace room that we renovated.

BUILDING – John Marrelli

There was no report.

ENGINEERING – Tom Cappello

Mr. Cappello had three items to report.

One is the Raleigh/Beta/Wilson Mills traffic signal. It is scheduled to go on-line this Wednesday weather permitting. All of the interconnect and signalization coordination has been done. Lieutenant Edelman stated that they called this morning. They will be doing it tomorrow.

The second item is the Ridgebury Boulevard resurfacing. The pre-construction meeting will be held on April 9th. We would then get a complete schedule on how they plan on performing the work. As of today, it is still a two-phase project. The first phase will be Richmond to Lander. If the section does go ahead in Mayfield Village, it will not begin until mid-July. We have some time yet to inform people regarding the section in the Village.

The third item, Councilperson Cinco mentioned something about the River Road bridge. Yes, that is actually going to be bid this Wednesday. That project is about a four to six month project. There is a six-week period in which River Road will close. The project does last longer than the six week closure. It should be performed during the month of July and part of August. We will get a schedule on that down the road after the bids are accepted.

LEGAL DEPARTMENT – Diane Calta

Reporting on the discussions between Mayfield Village and Gates Mills regarding EMS service, Ms. Calta stated that we have what appears to be an agreement that just needs ratification by their Council and then it will be presented to Mayfield Village. They are trying to get together a special meeting. It appears it will be on the 31st of March. We will have information for Council right after that.

Mayor Rinker added that what we would probably want to do is then schedule the night of Caucus a special meeting so that we can ratify pending Gates Mills. Council President Buckholtz asked, for April's Caucus? Mayor Rinker replied, correct.

FIRE – Chief Mohr

Chief Mohr stated he has an item on the agenda, so he has no report.

FINANCE – Dave Miller

Mr. Miller reported that there is one change from the appropriations ordinance that you saw at the last meeting. That is the \$1,201,250.00 from the fire grant. That has been added in the Federal Grants.

Mr. Miller asked Mr. Cappello, when you were talking about Ridgebury, you said if it goes ahead. Mr. Cappello replied, if it goes ahead this year. There are two phases because of the Mayfield Road project. It will go ahead either this year or 2010, but we are still responsible for our portion of the project. Mr. Miller said the expenditure is on the agenda tonight.

Council President Buckholtz asked if there was anything else.

Backtracking a little bit, Council President Buckholtz stated that he does not know if people have been following this story. It has been widely publicized. Council President Buckholtz is pretty shocked and amazed at the grant that Chief Mohr and some colleagues are responsible for. The Finance Director may or may not be impressed with it, but Council President Buckholtz is.

Council President Buckholtz asked Chief Mohr to elaborate on it. We received almost a million dollars in stimulus funding?

Chief Mohr replied that it is for radio equipment for the area departments in the Hillcrest area as well as in Lake and Geauga County to building an interoperable system which is MARCS which is currently functional. This puts additional departments on it. This is the second largest grant in the United States this year.

Council President Buckholtz asked if this is \$900,000.00?

Chief Mohr replied from the Federal Government and then a pick-up of \$240,000.00 from Cuyahoga County.

Mr. Miller replied \$1,201,000.00 altogether. Council President Buckholtz asked Mr. Miller if he did know about it. Mr. Miller replied, "Oh Yes."

Council President Buckholtz said to Chief Mohr, way to go. That's outrageous. That's excellent.

POLICE – Lieutenant Edelman

There was no report.

PARKS & RECREATION – Bill Thomas

Mr. Thomas reported that registration has started for their Spring/Summer programs now that the brochure is out. Mr. Thomas is pleased to report that all adult softball leagues and the adult co-ed soccer league are all filled.

ARCHITECT – Ron DiNardo

There was no report.

HUMAN SERVICES – Eunice Kalina

Mrs. Kalina reported that tomorrow definitely is St. Patrick's Day. We have more than 50 people coming for a corned beef lunch. It promises to be a lot of work but a lot of fun too. Wednesday we have Max Edelman speaking at our Senior Speaker Series about his experiences during the Holocaust. There are a number of people signed up for that.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported that the Committee met on February 4th. The Activities Committee will now be working with the Recreation Department. We are looking forward to Bill Thomas' directions. We recapped the Singing Angels. That was a sold-out show. We are considering now maybe some presale reserved seating and maybe some placement of

extra chairs. It was really a nice affair. Mother's Day Pancake Breakfast sign-up sheet is available for everyone's signature. Summer Concerts will start after 4th of July and end at Labor Day. Cruise Night and July 4th fireworks under discussion. There are also tentative teen events being planned, a pool party for the 6th, 7th and 8th graders. The proposed date is August 8th. The Committee members are checking on a new popcorn machine. Our next meeting is in April.

Architectural Review Board – There was no report.

Beautification Committee- Mr. Saponaro reported that the Beautification Committee met on March 10th. At that meeting we discussed the baskets and flowers that are being planted right now by Eagle Creek and when we can expect those. Also, on April 25th, the Committee is having the poster contest and a reception like the one we have had at Council meetings. It will be part of a clean-up day with activity here in the morning of Saturday, April 25th. More to follow. The next meeting is April 27th.

Board of Appeals – There was no report.

Cemetery – There was no report.

Citizen's Advisory Board – There was no report.

Commission on Aging – Mrs. Kalina reported that the Committee met on March 3rd. They finalized plans for the St. Patrick's Day celebration. We evaluated the Valentine's party and employee luncheon. Employees will be getting a survey in their pay envelopes to see which caterer they liked better or which aspect of it. We also are working on the Anniversary Party in May and various other activities.

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

Safety and Service – Mrs. Cinco reported that Safety and Service met on Monday, March 2nd. All of the items on tonight's agenda were discussed: the fire department purchase of the oximeter, the rubbish bids, the sports field fertilization program, the road salt for the 2009-2010 winter season. We also received an update on the police station.

Finance Committee – Mrs. Mills reported that Finance Committee met this evening and discussed 19 agenda items. The first four relate to the oil and gas wells. We took no action on those at all. The next items were all recommended for approval. We will be discussing those as we go to pass them.

Historical Society – Mrs. Mills reported that the Historical Society took the quilt that they were working on, the raffle quilt off and they put another one on today. It was their first day of quilting.

Hillcrest Council of Councils – There was no report.

M.A.R.C. – Mr. Thomas reported that the M.A.R.C. Board met on Thursday, March 5th at the Board of Education. The Director's report by Phil Weinberg included a report that a cheerleading program running now will be considered for a summer program. All youth floor hockey programs will finish up on March 21st. The second session of high school floor hockey program begins March 7th and will run through April 4th. The women's summer tennis program is looking to return to Highland Heights tennis courts again this summer. Mr. Thomas mentioned that the 7th and 8th grade track coach Michelle Fortuna contacted Mayfield Village about offering a 2nd through 6th grade running club. The running club will begin on March 24th and will be preparing the runners for the annual youth school community track meet on Sunday, May 3rd. The next meeting is Thursday, April 2nd at the Board.

Ordinance Review Committee – Mr. Marquardt reported that Ordinance Review met on March 10th. We had seven items to discuss in our ongoing clean-up of the ordinances. Nothing major. Just minor clean-up adjustments and dropping some of them.

Planning and Zoning – There was no meeting. There is no report.

Recreation Board - Mr. Thomas reported that the Recreation Board will meet this Wednesday, March 18th at 7:00 p.m. here to discuss the upcoming Spring party on April 4th from 12:00-1:30 p.m. which has the Annual Egg Hunt even in snow based on this year's Spring/Summer brochure picture. The Debbie Hudacko Scholarship interviews will take place on Monday, April 27th. We have 14 Mayfield Village students who have applied for scholarships. Any runner or walker that is participating in the 20th Annual Memorial Debbie Hudacko Run will receive a free admission into Parkview Pool which will be good on July 12th only. New this year will be a two mile run along with a two mile walk and five mile run. The Board will review the Spring/Summer brochure that was mailed March 5th. Everyone should have received it by now. The next meeting will be Wednesday, April 22nd at 7:00 p.m. here. This will be the last meeting until September 16th.

SPECIAL COMMITTEE REPORTS:

Planning Development Committee – The cancelled meeting has not been rescheduled as of yet.

Information & Technology – Council President Buckholtz reported that the fiber is going in on Beta. Mr. Cappello added that the fiber conduit, not the actual fiber itself, is going in right now.

Records Commission – Mrs. Mills reported that Records Commission met on March 11th. The committee approved the disposition of forms from the Recreation, Police and Administration offices. Public records policy changes are being made as needed. The secretaries from different departments will be examining records stored at the upper level of the Service Building on March 21st. A House Bill 9 meeting will be held for the surrounding communities in the Mayfield Village Civic Center on May 21st from 12:00-3:00. Shred Day is May 16th from 9:00 to 12:00. We have an application for anyone wishing to attend the House Bill 9 meeting. Mrs. Mills asked Mrs. Betsa if Council is in compliance. Mrs. Betsa said we are. Mrs. Mills said if

anyone knows anyone that needs to take this course offered by the Attorney General's office, see Mary Beth.

Health Care Task Force – Mrs. Mills reported that Ordinance 2009-16 is on the agenda for this evening's consideration. Mr. Miller and Mr. Esborn are in agreement with the proposal.

Mrs. Mills also reported that she attended the annual meeting of the Cuyahoga County Board of Health. Mrs. Garbo also attended. The information from the meeting is in the Mayor's office if anyone wants to read that.

Mrs. Mills also reported that we attended a Sister Cities meeting. Mrs. Mills asked Mrs. Cinco to explain that. Mrs. Cinco said we are waiting to get a little bit more information. We did have a very eventful meeting last week. We have Carmella Mitra from the High School who has been very active and has been in contact with a city in Italy. They are interested in more information. We sent them a video. Mrs. Cinco will forward one to Council President Buckholtz tonight. Mrs. Cinco will get on Jeff's case to forward it to the Mayor so that he is in on all of this information. The city in Italy is a small place. It's on the Mediterranean Coast. Council President Buckholtz asked Mrs. Cinco to keep us posted.

OLD BUSINESS

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

There were no comments

- **Second Reading of Ordinance No. 2008-25**, entitled "An ordinance authorizing and directing the Mayor to negotiate and enter into a non-drilling, non-trespassing oil and gas lease with Seagull Development Corp. regarding certain property known as Permanent Parcel Nos. 831-13-005 (4.75 acres), 831-22-031 (1.22 acres), 831-22-002 (2.5 acres) and all contiguous Village owned properties including S.O.M. Center Road." Introduced by Mayor Rinker and Council as a Whole. (First Reading - July 21, 2008) (Second Reading – August 18, 2008).
- **Second Reading of Ordinance No. 2008-26**, entitled "An ordinance authorizing and directing the Mayor to negotiate and enter into a non-drilling, non-trespassing oil and gas lease with Seagull Development Corp. regarding certain property known as Permanent Parcel Nos. 831-40-001 (10 acres) located on the corner of Bonnieview Road and Beech Hill Road." Introduced by Mayor Rinker and Council as a Whole. (First Reading - July 21, 2008) (Second Reading – August 18, 2008).

These Ordinances will be kept on Second Read.

- . **First Reading of Ordinance No. 2008-49**, entitled “An emergency ordinance authorizing and directing the Mayor to negotiate and enter into an oil and gas lease with Seagull Development Corp. regarding certain property known as Permanent Parcel No. 831-40-001 (10 acres) located on the corner of Bonnieview Road and Beech Hill Road.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – December 15, 2008)

- . **First Reading of Ordinance No. 2008-50**, entitled “An emergency ordinance authorizing and directing the Mayor to negotiate and enter into an oil and gas lease with Seagull Development Corp. regarding certain property known as Permanent Parcel Nos. 831-13-005 (4.75 acres), 831-22-031 (1.22 acres), 831-22-002 (2.5 acres) and all contiguous Village owned properties including S.O.M. Center Road.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – December 15, 2008)

These Ordinances will be kept on First Read.

- . **Third Reading of Ordinance No. 2009-05**, entitled, “An Emergency Ordinance amending Chapter 311 of the Village’s Codified Ordinances to delete Section 311.04.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – January 20, 2009) (Second Reading – February 16, 2009)

Mrs. Mills, seconded by Mrs. Cinco made a motion to enact Ordinance No. 2009-05.

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

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

- . **Third Reading of Ordinance No. 2009-06**, entitled, “An Emergency Ordinance amending Chapter 745 of the Village’s Codified Ordinances to amend Section 745.05(g).” Introduced by Mayor Rinker and Council as a Whole. (First Reading – January 20, 2009) (Second Reading – February 16, 2009)

Mrs. Mills, seconded by Mrs. Cinco made a motion to enact Ordinance No. 2009-06.

Council President Buckholtz stated for the benefit of the audience that these are the more of the codified ordinance changes that are primarily language changes.

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

- **Motion to authorize expenditure in the amount of \$4,500.00 for the purchase of a RAD-57 CO-Pulse Oximeter (State of Ohio is picking up \$4,000.00 – EMS grant; we are paying \$500.00).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$4,500.00 for the purchase of a RAD-57 CO-Pulse Oximeter (State of Ohio is picking up \$4,000.00 – EMS grant; we are paying \$500.00).

Council President Buckholtz asked if there was any discussion.

Mrs. Mills said Chief Mohr should explain what this is all about. This was in need at Gilmour on Saturday evening.

Chief Mohr reported that they had a substantial carbon monoxide problem at Gilmour Academy during a national hockey tournament in which the facility was just packed to the gills. What occurred was like a perfect storm situation where they had a malfunctioning grooming machine and ice groomer. They had numerous large-scale Greyhound-style buses that were parked behind the building. The ventilation was pulling the exhaust in because of the east wind. They had a malfunction of their computerized air handling system. All three things together put a large amount of carbon monoxide over the course of the day in that building where there were 2,000 people, 1,000 per rink. People became ill. We were called. We transported one juvenile. We had five releases. Gates Mills Fire arrived at the scene. The monitoring equipment clearly showed that there were high levels of carbon monoxide within the structure. Long story short, they evacuated the building and called the gas company to isolate the issues to rule out appliances and the deduction found the problem. Later that night while all these visitors to our area were at their hotels on Chagrin Boulevard, they started becoming ill. That's where they transported 100 people to various hospitals.

Chief Mohr stated that we use pulse oximetry all the time from an EMS standpoint. It measures the amount of oxygen in your blood. It is a diagnostic tool. What this particular tool does is that it actually measures the amount of carbon monoxide also in your blood. It can give you a reading as to how much CO attaches to the hemoglobin. It will give you a diagnostic tool to help the hospital plan for the patient as you are bringing them in. We got this on grant.

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

- **Motion to authorize expenditure in the amount of \$3,600.00 to Waid's Rainbow Rentals for port o potty's for pool and softball areas.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$3,600.00 to Waid's Rainbow Rentals for port o potty's for pool and softball areas.

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 acceptance of rubbish bid of J&J Refuse.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize acceptance of rubbish bid of J&J Refuse.

Council President Buckholtz asked Mr. Metzung for a quick recap.

Mr. Metzung reported that the low bid was J&J. We are going with the base bid. Any chance to save money by recycling more was unfounded. We went with the same contractor, same rules.

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

. **Motion to authorize expenditure in the amount of \$8,505.00 to TAC Computers for CAD/MDT System Maintenance from April-December 2009.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$8,505.00 to TAC Computers for CAD/MDT System Maintenance from April-December 2009.

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

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

. **Motion to authorize expenditure in the amount of \$11,295.00 to Cuyahoga Regional Info. System ("C.R.I.S.") for user fees from April-December 2009.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$11,295.00 to Cuyahoga Regional Info. System ("C.R.I.S.") for user fees from April-December 2009.

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

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

- **Motion to authorize expenditure in the amount of \$2,518.00 to TurfGrass for in-house fertilization of athletic fields.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$2,518.00 to TurfGrass for in-house fertilization of athletic fields.

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

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

- **Motion to authorize expenditure in the amount of \$1,201,614.00 to Motorola for Federal Emergency Management Agency Assistance to Firefighters Grant (pass through).**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$1,201,614.00 to Motorola for Federal Emergency Management Agency Assistance to Firefighters Grant (pass through).

Council President Buckholtz stated this is the item we discussed.

Mr. Marquardt asked if we have a good assurance that these other communities are going to ante up their share.

Chief Mohr replied, yes.

Mr. Marquardt asked if they are committed.

Chief Mohr stated, the County has a letter on file that we have picking up the Cuyahoga County match and the communities outside, Willoughby Hills, Hambden and Munson, their township trustees have assured us that they will pay.

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

- **Motion to authorize expenditure in the amount of \$26,280.60 to Cuyahoga County Engineer for Ridgebury Boulevard Project.**

Mrs. Mills, seconded by Mrs. Cinco, made a motion to authorize expenditure in the amount of \$26,280.60 to Cuyahoga County Engineer for Ridgebury Boulevard project.

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

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

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

. **First Reading of Resolution No. 2009-03**, entitled “An emergency resolution declaring it necessary to close certain municipal funds which have been created but are no longer necessary for the efficient operation of the Village.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2009-03.

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Resolution Adopted

ANY OTHER MATTERS:

Council President Buckholtz asked if there were any additional comments.

Mrs. Cinco mentioned how well the healthcare committee went and kept everyone updated on what was going on. That was good.

Mayor Rinker reminded everyone that on the 25th, Hanover Woods and Kenwood homeowner’s associations are having an informational meeting on oil and gas well drilling and on the 30th we have a public meeting on the Greenway Master Plan. Tom Evans of URS is going to give an informative presentation. Happy St. Patty’s Day.

ADJOURNMENT

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

The meeting adjourned at approximately 8:40 p.m. The next Council meeting is scheduled for April 20, 2009 at 8:00 p.m