

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, May 17, 2010 – 8:00 p.m.
Mayfield Village Civic Hall

The Council of Mayfield Village met in regular session on Monday, May 17, 2010, 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, Mr. Marrie,
Mrs. Mills and Mr. Saponaro

Absent: Dr. Parker

Also Present: Mayor Rinker, Mr. Wynne, Mr. Diemert, Mr. Cappello,
Chief Dearden, Mr. Marrelli, Mr. Metzger, Chief Mohr,
Mr. Dinardo, Mr. Thomas, Mrs. Kalina, Mr. Esborn
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 – April 19, 2010

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Minutes Approved

COMMENTS FROM MAYOR RINKER:

Mayor Rinker thanked everyone involved, employees as well for the broad support, especially in the last couple weeks before the vote. It was very, the cliché humbling is apt enough here, but also very gratifying to know that this is something that we got a vote of confidence. It definitely is a charge to us to make sure that we sustain people's confidence in what we do. It was a very positive outcome. Other than that, we had a nice pancake breakfast.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ:

There were no comments.

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

Mr. Metzung reported that we have begun our mulch deliveries. Also, Mr. Thomas arrived at work at 8:00 this morning at the pool.

BUILDING – John Marrelli

Mr. Marrelli reported that two new businesses just opened in the last week and a half since our last meeting. The first one is on Wilson Mills, Tommy V's Pastaria, homemade spaghetti, homemade sauce, a young man that's taking a chance took a small business loan out. If you can help him out, go buy something from him. The other business is the Conference Center at 700 Beta which officially opened on Friday. Their first functions were held on Friday and Saturday. All went well. There's some odds and ends still that they have to do. They are finishing off two of the smaller conference rooms. They should be finished in the next three weeks.

ENGINEERING – Tom Cappello

Mr. Cappello reported that we are going out for bid for the Wilson Mills Road Culvert #9 project. It will appear in the paper this Thursday and next Thursday. Bid opening will be Friday, June 4th.

LEGAL DEPARTMENT – Mr. Diemert

There was no report.

FIRE – Chief Mohr

There was no report.

FINANCE – Ron Wynne

Mr. Wynne reported that we will have a letter going out to all the businesses at the end of this week confirming to them that the tax increase did pass, letting them know how it may or may not impact their employees and offering any type of assistance we can do to help them with their conversion process. We are also working with RITA to make sure that the conversion process of all of the businesses is as smooth as possible.

POLICE – Chief Dearden

Chief Dearden reported that construction on the new police facility continues to be on schedule. We are still anticipating completion in the first week of September.

PARKS & RECREATION – Bill Thomas

Mr. Thomas reported that Tommy V's will be involved with Cruise Night. He also has a banner already up at the new field. We appreciate his support. Doug mentioned that Mr. Thomas was at the pool early today. We had our four college students start prepping the pool. So, summer's not too far behind.

ARCHITECT – Ron Dinardo

To add to what the Chief said about the police station, Mr. Dinardo reported that it is progressing. He had a conversation with Panzica and they are really moving along. The concrete floor is poured. The structural steel is at 100%. They are continuing with the interior wall framing. They are working on the inside. The brick veneer is continuing on the front. The roof trusses are 90% complete and they anticipate getting the roof completed in the next week to 10 days. We are going to really start to see some things happening in the next month. It is exciting. It is looking very well. They are on budget.

HUMAN SERVICES – Eunice Kalina

Mrs. Kalina reported that we had our Anniversary Party this past Saturday which was very nice. We did not have as big a crowd as usual, probably due to graduations, weddings or whatever. Those who attended enjoyed it thoroughly. This Wednesday, we are having a program at 2:00 sponsored by Belltone. They are going to do free hearing testing. They still have a few spots available. It only takes about 10 minutes. There is no charge and no obligation. We are going to start a week from tonight at 7:00 in the Community Room in conjunction with Crossroads Hospice, a bereavement support group. We have publicized this event and already have had a good number of people sign up for it. It's a 12-week group. We will see if that night is good for everybody. We may change it. Mrs. Kalina was approached by Crossroads Hospice. Obviously it's filling the need because we have already had people sign up for it. So, if you know of anybody, send them our way. No charge.

PLANNING DEPARTMENT – Ted Esborn

Mr. Esborn reported that there are two ordinances this evening on the agenda pertaining to subscriber service agreements. They were both discussed in Finance. Mr. Esborn wanted to add that he has been working pretty closely with our Law Department to make sure that we have a solid agreement structure for this fiber subscription program. This is not only necessary for us but it is also mandated by the County that we have agreements documenting our program. We have charted out how the system works. If anybody's interested in getting a copy of it, let him know.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills thanked everyone for their participation and hard work at the Mother's Day Pancake Breakfast. We served about 680 paid admissions. That does not include

the children. It was a very good turnout. Thank you to the Service Department. They do such an excellent job in setting up the room and making sure that everything is done right. When it's all over, they come in and re-clean and do their thing one more time. Mrs. Mills is passing around a volunteer sheet this evening for Cruise Night. Check to see if your name is on the list and if not, we would like you to sign up if you can. We have a meeting tomorrow night. We will be discussing the Summer Concerts and Fourth of July.

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

Beautification Committee - Mr. Marrie reported that the next meeting is Wednesday, May 25th.

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

Cemetery – Mrs. Mills reported that some of the women from the Garden Club, Jean Britton, Carole Marrie and herself have been working at the cemetery to get it ready for Memorial Day, etc. With the help of the Service Department, Mrs. Mills thinks we are going to accomplish it one more time.

Citizen's Advisory – Mr. Marrie reported that Citizen's Advisory met on May 11th. One of the items discussed was the Memorial Day Service at the Cemetery. We have volunteers to put the flags down on the 29th. We can certainly use more to make the job easier. There are thousands to be put down. The Service will be 1:00 on the 30th. All are welcome. Hopefully some of you can attend. One of the other things discussed was a Neighborhood Watch. At the meeting prior to this one, a member asked about a Watch in lieu of what had happened at CVS. Chief Dearden was good enough to come in and discuss it with the members during the meeting. It will be discussed more. Nothing was settled, but a Neighborhood Watch is only as good as the people that are involved in it, which is really the neighbors themselves. We are fortunate that Mayfield Village Police Department gets calls about suspicious cars or suspicious people, so our neighbors do watch out for each other. Chief Dearden will agree with him that they get a lot of calls just on that. He has encouraged them to do that. It's a lot easier and better to make a call to the police department on something like that than if they get a call after something happens. He encouraged everyone to do that. There have been more calls for their time and effort. Basically, people should use a little common sense. If something seems out of place and out of whack, someone should make a phone call or bring it someone's attention. We also discussed the tax levy and wanted to thank Ron and the Mayor for their effort with all of the meetings that we had. Not taking anything away from the Mayor, but Ron did an excellent job attending all the meetings, including all Village Board and Committee meetings, which adds up to a tremendous amount of meetings. He attended them all to explain it to everyone. That went over very well. The Citizen's Advisory Committee agreed that that helped in a big way. The other thing they discussed about the levy was that it was a nice touch to have the "Thank You" signs across the levy signs after it passed. Usually it passes and someone pulls the signs out and that's the end of that. It was a nice way to do it. The Malachi House and Veterans collection went extremely well. We got a few items during Election Day. The bin was left at the voting location. We did very well during the Pancake Breakfast. A lot of things were dropped off. Overall, it's extremely gratifying that it was that successful. Mr. Marrie promised Bill he would get the

things out his closet. He's crowding him out. It's also amazing, because of the article in the paper about the items coming in from the Hilton Garden Inn and Dr. Parker, a lady contacted him and asked if she could put packages together for this. She lives in Lyndhurst. She came in and dropped off three shopping bags full of items all pre-packaged already. It was a very very successful event. It will be more successful in the eyes of the Veterans and the people at Malachi House where the need is very great. We also talked about requests for sidewalk assistance, for cracked sidewalks. Doug addressed that and said that they will be discussing that in the future when the funding comes up for it. Last but not least, there were a couple of questions and concerns about some of the scams that have been in the paper, especially scams for seniors. Chief Dearden responded to the questions very well. He is going to be putting an article in the *Voice of the Village* addressing phone and mail scams, in addition to talking about the "Neighborhood Watch" type of philosophy. Our next meeting is on June 15th. That will be the last meeting of the year until the Fall.

Commission on Aging – Mrs. Kalina reported that the Commission met on April 20th. They finalized the plans for the party and went over future events. Ron Wynne came and addressed the Commission on Aging about the levy as well.

Safety and Service – Mrs. Cinco reported that Safety and Service met on Monday, May 3rd. At that time, we discussed going out for bid on the sale of the police vehicle, Voice and Data work for the new police facility and Voice/Data and Security cabling for the new police facility. The Committee also discussed the front end loader for the Service Department and fire protection equipment in the Civic Center auditorium. All of these items were forwarded to Finance and are on the agenda this evening.

Finance Committee – Mr. Saponaro reported that the Committee met in Caucus on May 10th and then this evening for the Committee meeting. There were 10 expenditures and four Ordinances that were approved. They are on this evening's Council agenda.

Historical Society – Mrs. Mills reported that this Friday, May 21st, we will have Lander Road School come to tour the House. There will be 88 students, 44 in the morning and 44 in the afternoon. We also have been painting the bottom half of the house. We are taking the storm windows off and reglazing them as needed and painting. That's been a big job.

Hillcrest Council of Councils – There was no report.

M.A.R.C. – Mr. Thomas reported that the M.A.R.C. Board met on May 6th at the Board office. Mr. Weinberg reported about the high school floor hockey program. It went very well. A lot of high school Seniors were involved. The women's tennis program will take place again at Highland Heights Community Tennis Courts. Mr. Thomas mentioned that our Rocketman program and our Kite-Making program will run again this year back to back. The next meeting will be June 3rd at the Board office at 7:00 p.m.

Ordinance Review Committee – Mr. Saponaro reported that Ordinance Review will be meeting on June 8th at 5:00 p.m.

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

Mr. Wynne explained this has to do with the Regional Council of Governments which oversees RITA. Each one of the RITA communities that participate has a voting part to what takes place there, so the role of the Delegate or the Alternate Delegate is to place the vote on behalf of the Village to what RITA is doing.

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

- **Motion to authorize expenditure in the amount of \$46,000 representing the Village's cost for the Wiley Park Swift Grant (Total cost of project: \$230,000; our portion: 20% or \$46,000).**

Mr. Marquardt moved to table. This has not been discussed in Council Caucus and should be.

Council President Buckholtz asked if we have a second.

Mrs. Mills seconded. We discussed it in Finance at our Caucus and also at the Finance Committee meeting. How soon does this need to be done?

Mr. Marquardt stated that generally it is discussed at Caucus.

Mr. Saponaro stated it was already done. That was why it went on the agenda. It was for the application. This was something that is hitting the 2011 budget. The application was submitted last week. We will not know until November or December whether we get it or not. The application had to go in. It did go to Finance Caucus. We had a presentation from Rachel Webb. If you looked at the attachment to the Minutes of the Finance Caucus, it is a presentation provided by Rachel Webb. It outlines the parking lot retrofit at Wiley Park. It explains the purpose of what we are trying to achieve there. There's no guarantee that we would get the grant. There's nothing that requires us at this point to expend any of this \$46,000. It would be if the grant was granted. We won't know until the end of this year.

Mr. Diemert asked, you can still opt out then, after it's granted? Mr. Saponaro replied, yes, and it would not hit the 2010 budget, it would hit the 2011 budget. It has already been contemplated for that budget as well.

Council President Buckholtz stated he did read the Minutes of the Finance Caucus meeting. So, what was presented to us tonight and what was presented in detail at Finance Caucus was merely to make application for the pending grant.

Mr. Saponaro replied, that's correct.

Council President Buckholtz asked, and there was a timing issue, there was a reason it didn't come before Caucus prior to that?

Mr. Metzung replied, part of the issue was predicated upon the outcome of the vote. We weren't going to move forward with something of this nature without that.

Council President Buckholtz asked, prior to the vote on the tax increase?

Mr. Metzung replied, correct. The reconstruction of that parking lot then became more foreseeable to do that. The timing then became very quick.

Mr. Saponaro stated, because of the deadline to get the application process completed was on May 14th. It had to be completed and executed on behalf of the Village to be submitted for consideration. When we had our Finance Caucus on May 10th, that came before us with a presentation.

Council President Buckholtz asked Mr. Marquardt if he had specific questions.

Mr. Marquardt replied, not at this meeting. This should have been discussed at Caucus. That's the procedure. He does have questions, but he has an objection to the point of order as to the procedure that was followed here.

Mr. Metzung stated, the project in general has been discussed. We originally requested a Swift Grant. Our Engineer has pointed out that this is actually a 319 Grant. The Swift Grant was 100% funded. When we were turned down from that, they came back and said, you had a very good application. You made the first few rounds. We suggest you file for this 319 Grant. Mr. Metzung held on to that talking to Rachel about going forward with that because of the match number. We had discussed it internally some so we knew those numbers, but when the levy passed, to Mr. Metzung it was more of a time to go forward and go ahead with this. The project itself does not change as to the project that we had originally brought to Council back in February, the first round, which was the Swift Grant.

Council President Buckholtz stated, originally, we were turned down for the 100% grant. That was when, roughly?

Mr. Metzung replied, that was not that long ago.

Council President Buckholtz asked, but had we discussed the project in detail prior to that, that we were made aware of?

Mr. Metzung replied, we discussed the Swift Grant.

As a side note, Council President Buckholtz remembers that redoing the parking lot was something we had planned to do or we knew we were going to have to do after the police station was built.

Mr. Metzung replied, correct. The driveway is in immediate need for replacement.

Council President Buckholtz stated, but we talked about holding back.

Mr. Metzung stated, correct, and redoing the parking lot. The parking lot needs to be addressed.

Council President Buckholtz asked, so that Grant was working at the same time that we were approving the original police station meetings. Council President Buckholtz remembers meeting with Panzica at one of those meetings and saying we would wait until after they were done with all of their equipment, is that correct?

Mr. Metzung replied, correct.

Council President Buckholtz will open the floor to anyone who wants to comment on it. He does not take issue with Mr. Marquardt's point of order on the procedural way that things should run and the idea that we have moved the Finance Caucus is a good example of how we have the flexibility to do something like this. Sort of siding and trying to bridge the gap here, the prudent thing would have been to have brought it up at Caucus and said we would not go through with it if the tax had not passed. We could have talked about it at that point. Caucus could have sent it to Finance Caucus and it would have all been pending the passage of the tax. Having said that, because we have a motion, we have a second, we have a vote, Council President Buckholtz just wanted to say that he thinks the processes that we are developing is coming around. It's got to go to Caucus. It's got to go to Finance. His only criticism and it's a mild one, is that we could have discussed it in Caucus. But the fact that we had previously and the fact that we do need it done and the fact that without the grant it's going to be on our own dime and we have the opportunity to do this with the bricks that allow the water, we kill two birds with one stone. We are not just going to pave over the parking lot, right?

Mr. Metzung replied, right. And it was a case that there was a very short window between when we were denied the grant, internal discussions with going forward with the grant and when that Caucus meeting was. This all came about very quickly. We did not have a written grant for the Caucus meeting. We did not have that, although we just recycled what we had. Mr. Metzung did want to know what the vote was, but that's why. If we want to wait a month, the application is in and should we pull it tomorrow, we pull it in two weeks, we pull it whenever, that's six and one half dozen of the other.

Council President Buckholtz stated we are not voting tonight on making the grant application. The way the verbage is we are voting to authorize the expenditure in the event that we win the grant. It's not necessary to go through with this at this time.

Mr. Metzung replied, for the grant application itself, we did not need a resolution of Council.

Council President Buckholtz commented, not on his own behalf, the discussion was very worthwhile to understand the process of what we need to do, the way it came down and the importance. With that, does anyone else have a comment?

Mrs. Mills, seconded by Mr. Saponaro, 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. Saponaro, made a motion to enact Ordinance No. 2010-21.

Council President Buckholtz asked if there was any further 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.

Mr. Saponaro asked Mr. Cappello what the timing is on the Wilson Mills Culvert. When does that commence? Mr. Cappello replied from the time the contract is signed, we can proceed and the contractors can start the process. We will limit the closure to 60 days. Mr. Saponaro asked, the closure is going to be one side and then the other side? Mr. Cappello replied, yes, two lanes and two-way traffic. Probably they will start work in July, beginning of August. Mr. Saponaro asked, so the closure for both sides is going to be 60 days, correct? Mr. Cappello replied, yes.

ADJOURNMENT

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

The meeting adjourned at approximately 8:45 p.m. The next Council meeting is scheduled for Monday, June 21, 2010 at 8:00 p.m.

WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT

BRUCE G. RINKER, MAYOR

MARY E. BETSA, CLERK OF COUNCIL