

MINUTES OF THE REGULAR MEETING OF COUNCIL
Monday, June 21, 2010 – 8:00 p.m.
Mayfield Village Civic Hall

The Council of Mayfield Village met in regular session on Monday, June 21, 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, Mr. Marquardt, Mrs. Mills
Dr. Parker and Mr. Saponaro

Absent: Mrs. Cinco and Mr. Marrie

Also Present: Mr. Wynne, Ms. Calta, Mr. Cappello, Chief Dearden,
Mr. Marrelli, Mr. Metzong, Chief Mohr, Mr. Dinardo
Mr. Thomas, Mr. Hartt 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 – May 17, 2010

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

ROLL CALL: AYES: All	Motion Carried
NAYS: None	Minutes Approved

Special Council Meeting – June 7, 2010

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

ROLL CALL: AYES: All	Motion Carried
NAYS: None	Minutes Approved

COMMENTS FROM MAYOR RINKER:

There were no comments.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ:

There were no comments.

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

There were no comments.

BUILDING – John Marrelli

There were no comments.

ENGINEERING – Tom Cappello

Reporting on the Wilson Mills Road project, Mr. Cappello stated construction will initially start sometime this week. You will receive a schedule and notification of more positive dates of when construction will begin.

LEGAL DEPARTMENT – Ms. Calta

There was no report.

FIRE – Chief Mohr

There was no report.

FINANCE – Ron Wynne

Mr. Wynne reported that he is wrapping up working with the Department Heads and the Mayor on the allocation of how the tax dollars will be spent with the tax increase that just passed. He will have a report to Council on that sometime during the month of July. It is the hope to schedule a couple of Town Hall meetings with residents during the month of August to update them on the status of the Village's finances and discuss more formally with them how the tax dollars will be spent. Council President Buckholtz commended Mr. Wynne on the report of the financial situation. There were some good numbers there. Mr. Wynne replied, things are looking up.

POLICE – Chief Dearden

Chief Dearden reported that the new police facility is still on schedule and within budget.

PARKS & RECREATION – Bill Thomas

Mr. Thomas reported that summer is off and running. Parkview Pool opened up on time. Attendance has been good. Passes have been selling well. Our summer camps are off and running. Unfortunately due to the economy our enrollment in the summer camps is down a little bit, but we are not the only camp. Just about every recreation department in Northeast Ohio reports lower enrollment. We normally have 150 for our Sports N More. We have 121. We are still surviving and anticipate to at least break even.

ARCHITECT – Ron Dinardo

Adding to Chief Dearden's report about the police station, Mr. Dinardo reported that the roofing, masonry, interior studs are about 85% complete. Fire protection is about 80% complete. They are working on the interior mechanical, electrical and plumbing. That's approximately 2/3rds complete. They are putting in the exterior windows and overhead doors. It's on schedule and looking really good.

HUMAN SERVICES – Eunice Kalina

There was no report.

PLANNING DEPARTMENT – David Hartt

Mr. Hartt reported that this is the first Council meeting since being retained in this capacity by the Village. He appreciates having been so retained. It's going reasonably well, but you and the Administration are better judges of that than he is. The one thing to report is in the Memorandum you received on Friday, Ted and he in the reasonably short term will be working on what the Village ought to do with the excess Village land that will be created by demolitions that are going to be before you in your next meeting, one on the south side, the parsonage and then the possibility of the demolition of the police station. We are going to be looking at what to do in the short run, mid-term and long-term and obviously part of that will be judging what short, mid-term and long-term are in terms of moving toward temporary steps that the Village should take looking toward achieving the 2020 Vision Plan.

Council President Buckholtz added, you are also looking across the street. He spoke with the Mayor earlier. It's good from a marketing standpoint. It gets the word out there that there are areas to be developed. You never know what kind of entrepreneurs will come to the surface.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported that the last meeting was May 18th. At that time they recapped the Pancake Breakfast. It went very well. A special thanks to the Girl Scouts and Key Club and Service Department for all of the work that they do. That's the only reason why this can be a very nice happening for the mothers in the Village. The summer concerts are in

place. We also had Cruise Night. We will be meeting tomorrow night to critique Cruise Night. The Fourth of July Celebration will be held on July 3rd. The new popcorn machine works very well. It looks like we won't have to buy any extra already-popped popcorn because this machine pops rapidly.

Architectural Review Board – Mr. Marrelli reported that the Architectural Review Board met on June 10th and approved a room edition at 600 SOM.

Beautification Committee - Mr. Saponaro reported that the next meeting is scheduled for August 31st.

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

Cemetery – Mrs. Mills thanked Mr. Metzung and the Service Department for spreading the cinders on the driveway. They were needed. The Garden Club has been working in the Cemetery. She has tentatively hired a young man to come in and help with the weeding and to spread the mulch for the summer so the weeds don't get ahead of us. Last year it was very tedious towards the end of July to get the weeds under control. It's working very well. Mrs. Mills will be having the annual meeting with Mayfield Heights and Highland Heights this week.

Citizen's Advisory – Council President Buckholtz reported that Citizen's Advisory met. He referred to the extensive report provided by Mr. Marrie during Caucus.

Commission on Aging – There was no report.

Safety and Service – Mrs. Cinco provided her report at Caucus.

Finance Committee – Mr. Saponaro reported that the Committee met in Caucus on June 14th and then this evening for the Committee meeting. There were 11 items recommended for approval. One item which was deferred is the \$100,000 payment to the Mayfield City School District. This will be discussed more on the floor of Council. We also recommended the ordinance on the agenda.

Historical Society – Mrs. Mills reported that yesterday they had an open house for the 3rd graders that went through the Historical House this past year. It was interesting to see how these little 3rd graders could take their parents to the House and demonstrate and talk about the different things and what they come up with. It was very gratifying. We are working on our Quilt Show in October. As far as the exterior, the Garden Club is busy planting and weeding. We are doing some painting on the exterior of the building.

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

M.A.R.C. – Dr. Parker reported that M.A.R.C. held its regular meeting on June 3rd. The Treasurer's report shows a balance of approximately \$14,400. Of note, the Punt, Pass and Kick will be September 11th at 1:00 p.m. As Mr. Thomas reported, Sports N More is a little bit down

on campers this year. They also discussed Highland Heights Home Days being changed to a one-day event. It will likely be held on the 7th.

Ordinance Review Committee – Mr. Saponaro reported that Ordinance Review met Tuesday, June 8th. On the agenda they discussed the Beautification ordinance and the flood ordinance plans. The Committee had an extensive discussion on rain barrels and a rain barrel ordinance. They looked at other municipality's ordinances. There was an article in *The Plain Dealer* right after that regarding rain barrels. We are looking at rain barrel ordinances and how we can incorporate them in Mayfield Village.

Council President Buckholtz asked what rain barrels are. Mrs. Mills replied, there's a flier in the hallway. Mayfield Village will be holding a workshop on this on August 25th from 6:30-8:00. The cost is \$60.00 per rainbarrel, materials and downspout diverter. Mr. Saponaro stated, what rainbarrels do is they stop rainwater from going into the storm sewers and then overflowing them into the sanitary. You collect them. People have cisterns. You can see one out in the hallway. We have to regulate it because you don't want them in the front of the house. People can have them look any certain way. We want to make sure that aesthetically they are pleasing. We want to make sure that they comport with what we are trying to do as a community. It's in front of us. We will be looking to draft legislation that will come before Council. It will go through the processes.

The next meeting is scheduled for the second Tuesday in July.

Planning and Zoning – Mr. Marquardt reported that Planning and Zoning met on May 20th and discussed relationships between Planning and Zoning and Planning Development. No conclusions were drawn.

Recreation Board - Mr. Thomas reported that the Recreation Board will not meet until Wednesday, September 15th at 7:00 p.m.

SPECIAL COMMITTEE REPORTS:

Information & Technology – There was nothing to report.

Records Commission – Mrs. Mills reported that Shred Day was quite successful. You should have received the results in your packet. The Village shredded 37 boxes. Residents came in with 136 boxes. It was held from 9:00-12:00 by Shredding Network. We plan to tour their storage facility on the 29th. We would like to hold another Shred Day on October 16th. Our next meeting is on June 30th.

• **Motion to authorize expenditure in the amount of \$53,269.00 to B&C Communications for the purchase of a Zetron 911 Phone System.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$53,269.00 to B&C Communications for the purchase of a Zetron 911 Phone System.

Council President Buckholtz stated this was discussed at Caucus. Is there an update?

Chief Dearden replied this will replace the AT&T Positron system which is no longer being manufactured. They still have parts to repair. Short-term it would satisfy us, but we are going to have to replace it anyhow. The cost to move the Positron down makes it a disadvantage. We might as well move into the Zetron system now and use it for many years to come.

Dr. Parker asked if there is any possibility we might sell the old system. Council President Buckholtz suggested we put it on e-Bay. Chief Dearden does not think there is much value to it.

Mr. Metzger stated that Reverse 911 was brought up at Citizen's Advisory. Chief Dearden replied that is a software system. Different corporations sell them. We have looked at them in the past. They are pretty cost-prohibitive. We discussed this in Finance earlier. It boils down to what specific programs we want Reverse 911 to commit to. Relatively speaking we have many of the capabilities of a Reverse 911 system through A Child Is Missing Organization which we signed on to seven or eight years ago. That is free to us. It does the same thing as Reverse 911 as far as message delivery system in cases of children missing, elderly missing or mentally disabled missing. Outside of those services, the only items that a Reverse 911 delivery will give you is weather-related type messages or if you want to go into general type messages, Council would have to weigh whether the benefit of those types of messages are worth the cost of a Reverse 911 system.

Mrs. Mills we do have the capacity on the radio (1640) that it is still available.

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

• **Motion to authorize expenditure in the amount of \$2,571.55 to Mayfield City School District in reimbursement for bus transportation for 12/13/09 H1N1 activation.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$2,571.55 to Mayfield City School District in reimbursement for bus transportation for 12/13/09 H1N1 activation.

Council President Buckholtz asked how many buses this is for. Chief Mohr replied, 13. Mr. Saponaro stated we received a grant for \$20,000. This was discussed on the floor. For the benefit of the minutes, this is coming from the grant.

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

. **Motion to authorize expenditure in the amount of \$12,895.00 to City of Mayfield Heights for Teen Camp registrations (pass-through)**

Mr. Saponaro, seconded by Dr. Parker, made a motion to authorize expenditure in the amount of \$12,895.00 to City of Mayfield Heights for Teen Camp registrations (pass-through)

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

. **Motion to authorize expenditure in the amount of \$3,611.00 to Oriental Trading Company, Inc. in payment of Sports-n-More Camp supplies.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$3,611.00 to Oriental Trading Company, Inc. in payment of Sports-n-More Camp supplies.

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 expenditure in an amount not to exceed \$10,000.00 to City of Bedford Heights Jail for prisoner housing.**

Council President Buckholtz explained that this is a three or four month estimate. It is an open p.o. We do not pay it in advance but we encumber the funds of \$10,000 because that should cover the three or four month period coming up.

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in an amount not to exceed \$10,000.00 to City of Bedford Heights Jail for prisoner housing.

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 expenditure in the amount of \$12,142.86 to Central Business Group for evidence room property lockers (under State Purchasing Contract).**

Mr. Saponaro, seconded by Dr. Parker, made a motion to authorize expenditure in the amount of \$12,142.86 to Central Business Group for evidence room property lockers (under State Purchasing Contract).

Council President Buckholtz asked if there were any questions.

Mr. Saponaro reported, this is part of the bid with Panzica and Central Business, however, in order to get the State Purchasing price, Central Business cannot sell it to Panzica. They need to sell it to us. This falls well within the budget. This is not anything above and beyond. It's just a mechanism in order for us to get the best price for these lockers.

Chief Dearden added, it's very similar to the emergency generator. We will deduct this amount from Panzica's contract price.

Council President Buckholtz asked Chief Dearden if he will have the key for the lockers. Chief Dearden replied, yes.

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

- **Motion to authorize expenditure in the amount of \$100,000 to Mayfield City School District in payment of final installment of the annual allocation to the school.**

Council President Buckholtz stated this item will be deferred for the purpose of further discussion in Caucus. We would like to get some numbers and ideas. He is not sure we got the previous year's accounting of what the money was used for. This is the final payment to the School.

Mr. Saponaro added, for the past two years, we have not gotten a report on what the money was used for per the agreement. Ron has reached out to them to explain what we need. They have a heads-up.

- **Motion to authorize expenditure in the amount of \$42,327.60 to Marie Urbancic in payment of final installment of purchase price of 6532 White Road.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$42,327.60 to Marie Urbancic in payment of final installment of purchase price of 6532 White Road.

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

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

- **Motion to acknowledge receipt of the financial reports for May, 2010 and to approve of same as submitted.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to acknowledge receipt of the financial reports for May, 2010 and to approve of same as submitted.

Council President Buckholtz asked if there was any discussion.

Mr. Wynne reported that the first five months have looked real good. Our income tax revenues are up by 5% over last year's. The department heads have done a great job in controlling expenses. Those two things combined make for a nice positive trend in the way the numbers are going.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	May 2010 Financial Reports
		Acknowledged and Approved as
		Submitted

- . **First Reading of Ordinance No. 2010-22**, entitled, "An Ordinance proposing an amendment to the Charter of Mayfield Village to correct and clarify certain definitions and grammatical irregularities and to establish gender neutral content throughout." Introduced by Mayor Rinker and Council as a Whole.
- . **First Reading of Ordinance No. 2010-23**, entitled, "An Ordinance proposing an amendment to Article III, Section 8 of the Charter of Mayfield Village pertaining to the procedure in the event of vacancies in Council." Introduced by Mayor Rinker and Council as a Whole.
- . **First Reading of Ordinance No. 2010-24**, entitled, "An Ordinance proposing an amendment to Article III, Sections 12 and 13 of the Charter of Mayfield Village to determine when zoning and land use changes may be submitted to the electorate." Introduced by Mayor Rinker and Council as a Whole.
- . **First Reading of Ordinance No. 2010-25**, entitled, "An Ordinance proposing an amendment to Article IV, Section 7 of the Charter of Mayfield Village clarifying when the President of Council shall become the Acting Mayor." Introduced by Mayor Rinker and Council as a Whole.
- . **First Reading of Ordinance No. 2010-26**, entitled, "An Ordinance proposing an amendment to Article VII, Section 5 of the Charter of Mayfield Village pertaining to measures subject to referendum." Introduced by Mayor Rinker and Council as a Whole.

Mr. Saponaro asked if these are going to go through three readings. Ms. Calta replied, that is her understanding.

Mr. Marquardt asked if these would be more properly introduced by the Charter Review Commission. Ms. Calta asked, instead of Mayor Rinker and Council as a Whole? Her understanding is that the concept is for Charter Review to present these to Council and then Council to actually introduce them. There's no specific procedure that says one way or the other.

Mr. Marquardt is not sure that he supports all of them. That is why he is questioning this. Ms. Calta replied, keep in mind that supporting, opposing, endorsing, all of those things, the Charter

Review process at this point when it gets to Council should be looked at more as a certification to the Board of Elections because the process for the Charter amendments is for the matters to be put on the ballot for the electors to make a decision on. No one is asking for Council to come out and endorse, oppose or really take a stand other than to make a decision that they should be certified to the Board of Elections for the ballot and then leave it up to the voters and hope there is not a tie like there was the last time.

Council President Buckholtz stated we ran into this once before with a petition. Ms. Calta replied there were some initiative petitions that came forward. Same thing. Council President Buckholtz added, the way the law was was that we were required to pass it along for the electorate to vote on much the way the Charter is set up for Charter Review. Ms. Calta stated, you can certainly have an opinion on all of them.

Mr. Saponaro thinks it should state in all of these that it's introduced through the Charter Review Commission so that for the reflection of the Minutes, for the folks that are reading this, they understand this was done through a Committee. That's who it was introduced by. Our function may be to approve it to get on the ballot or to say okay, it can go on the ballot, but it was through the Charter Review.

Mr. Marquardt agreed. The wording doesn't seem appropriate for the action.

Ms. Calta thinks that the Codified Ordinances also say that ordinances are typically introduced by the Mayor and Council. She does not know if it actually specifically contemplates Charter Review. Changing the agenda to say introduced by Charter Review, you can certainly have the record reflect that these are obviously recommendations from the Charter Review to Council for certification to the Board of Elections. She will look for that and she will reference it.

Council President Buckholtz suggested that the specific concerns be discussed at Caucus to get them out there. At the time of final passage or the final vote, be specific on what we are voting on, that we are not voting to support or not support the action, just to do our job as part of passing it on to the electorate.

Ms. Calta referred to 121.03(B). It talks about the introduction and passage of ordinances and resolutions. That is where it says "it shall be introduced by the Mayor or Council or both". That's where that transcends from.

Council President Buckholtz suggested we discuss the proposed legislation at Caucus.

Ms. Calta stated all of these can be kept on First Read. They have to be to the Board of Elections in September, so there is enough time for reads in June, July and August.

Ms. Calta suggested that the inclusion of language, "recommended by the Charter Review Commission and Introduced by the Mayor and Council pursuant to ORC 121.03(B)" be considered.

First Reading of Ordinance No. 2010-27, entitled, “An Emergency Ordinance repealing in its entirety Section 153.03(b) of the Village’s Codified Ordinances pertaining to employee compensation.” Introduced by Mayor Rinker and Council as a Whole.

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. 2010-27.

Council President Buckholtz asked Mr. Wynne to provide an overview.

Mr. Wynne reported that back in November/December we went through the budget cutting process for 2010. A decision by everyone at that point in time was that if the finances were such, that we would pass the increases that employees were entitled to on January 1st on July 1st. We have done that with the Memorandums of Understanding for the two collective bargaining agreements. This makes it official now for the non-union group. There is no retroactive application of that increase at this point but we will, based upon the job that the department heads and employees have done in reducing our expenses, take a look at that a year from now and evaluate the Village’s finances to see if we can do some type of retroactive application for the benefit of the employees. That won’t be evaluated until August of next year.

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.

Mr. Saponaro stated we should thank the Charter Review Commission. It’s a tough job. They have to meet a lot of times. They really took it seriously. There were a lot of new people on that committee. They should be commended.

ADJOURNMENT

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

The meeting adjourned at approximately 8:40 p.m. The next Council meeting is scheduled for Monday, July 16, 2010 at 8:00 p.m.

WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT

BRUCE G. RINKER, MAYOR

MARY E. BETSA, CLERK OF COUNCIL