

**MINUTES OF THE REGULAR MEETING OF COUNCIL  
Mayfield Village Civic Hall  
Tuesday, February 22, 2011 - 8:00 p.m.**

The Council of Mayfield Village met in regular session on Tuesday, February 22, 2011 at 8:00 p.m. at Mayfield Village Civic Hall. Council President Buckholtz called the meeting to order.

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

Absent: Mrs. Cinco

Also Present: Mayor Rinker, Mr. Wynne, Mr. Diemert, Ms. Calta,  
Mr. Cappello, Chief Dearden, Mr. Marrelli, Mr. Metzger,  
Chief Mohr, Mr. Thomas, Mr. Esborn, 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 – January 18, 2011**

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

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Minutes Approved

**Special Council Meeting – February 7, 2011**

Mrs. Mills, seconded by Mr. Saponaro, 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 stated, it is my pleasure and privilege to swear in a longstanding public official, our Prosecutor Vince Feudo. If you will come on up and take the oath.

Mr. Feudo was administered the oath of office as Prosecutor of Mayfield Village.

**COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ**

Council President Buckholtz had nothing to report at this time.

**DEPARTMENT HEAD REPORTS:**

**SERVICE – Douglas Metzung**

There was nothing to report.

**BUILDING – John Marrelli**

There was nothing to report.

**ENGINEERING – Tom Cappello**

There was nothing to report.

**LEGAL DEPARTMENT – Joe Diemert/Diane Calta**

Mr. Diemert reported that one of the pieces of legislation relative to Progressive is on. Before that, at any time of the meeting you deem appropriate, Mr. President, we do have a matter of pending litigation that is somewhat related. I have a hearing this Thursday. I would like to talk to Council in Executive Session about that pending litigation sometime this evening.

Council President Buckholtz stated we have a place later in the agenda for Executive Session.

**FIRE – Chief Mohr**

Chief Mohr stated that there are several items on the agenda. Other than that, there was nothing additional to report.

**FINANCE – Ron Wynne**

Mr. Wynne had two items to report. We are required to file an Annual Report with the State Auditor's office by March 1<sup>st</sup>. It has been filed. There will be a Press Release in the newspaper making the community aware that it has been filed. Those reports are available for inspection in

my office if anyone is interested in seeing them. The Health Care Task Force has been meeting pretty regularly over the past several weeks. We had several presentations last week. We will be reconvening tomorrow morning. At that time we should have a recommendation to Council as to what our health insurance carrier will be starting April 1<sup>st</sup>.

**POLICE – Chief Dearden**

In addition to the couple of items on the agenda, Chief Dearden announced that the Police Department will be taking part in a Prescription Drug Take Back day sponsored by the DEA. It will be held on April 30<sup>th</sup> from 10:00 a.m. to 2:00 p.m. There will be a number of drop-off sites within the County. Mayfield Village has been asked to participate and we are graciously going to do so. I know that through the senior citizen's office last year they participated in it too. This time they just called us to direct this. We will accept all of the prescription drugs, bag them up and deliver them to the DEA here in Cleveland.

**PARKS & RECREATION – Bill Thomas**

Mr. Thomas reported that Mayfield Village's outstanding Parks and Recreation *Spring/Summer* brochure will be mailed the first week of March. Look for it in your homes the first and second week of March.

**ARCHITECT – Ron DiNardo**

There was nothing to report.

**HUMAN SERVICES – Eunice Kalina**

There was nothing to report.

**PLANNING DEVELOPMENT – Ted Esborn**

There was nothing to report.

**STANDING COMMITTEE REPORTS:**

**Activities Committee** – Mrs. Mills reported that the Mother's Day Pancake Breakfast is May 8<sup>th</sup>. I will be passing the sheet for sign up down. Everybody sign up please. The summer concerts will be July 14<sup>th</sup> and the 28<sup>th</sup>, August 11<sup>th</sup> and 25<sup>th</sup>. August 11<sup>th</sup> will be the Friends of the Library Annual Concert. Cruise Night is June 11<sup>th</sup>. Fireworks will be July 3<sup>rd</sup>. The next meeting is April 5<sup>th</sup> in this room at 6:45.

**Architectural Review Board** – Mr. Marrelli reported that Architectural Review Board met on February 27<sup>th</sup>. We approved additions and alterations at the high school. We also approved a landscape screening plan for a resident on Glenview to store their trailer.

**Beautification**- Mr. Saponaro reported that the Beautification Committee met on January 25<sup>th</sup>. We discussed the Beautification Ordinance and the Beautification Committee guidelines that we are going to be putting together. We also approved the hanging basket quote from Urban Growers. We also discussed the Wiley Park 319 Grant and what our possible involvement would be with that. A Victory or Community Garden was also brought up. One of our community members is going to reach out to Bill Thomas on that. Our Annual Poster Contest for the children in the School District will be held in the Spring. We will have the ceremony on May 24, 2011 at 6:30. We also discussed Arbor Day. We have set it for April 29, 2011. That is in conjunction with our application to become a Tree City. The next meeting is Tuesday, March 1<sup>st</sup>.

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

**Cemetery** – Mrs. Mills reported that the three communities, Mayfield Village, Mayfield Heights and Highland Heights, have been invoiced for their annual donations to the cemetery care. I have been talking to a contractor that specializes in monument repair. We have some monuments that need to be repaired. This man was highly recommended. I am waiting to see what his opinion will be. We may have to go out to bid.

**Citizen's Advisory Board** – Mr. Marrie reported that Citizen's Advisory Board met on the 21<sup>st</sup>. Jim Mason was re-elected as Chairman. We swore in Brenda Bodnar and Tom Piteo, our new members on the Board. During the January meeting which we did not cover last Council meeting, John Marrelli gave an outstanding presentation on pre-sale inspections in great detail with handouts. He answered every question that we had. He felt very strongly that we didn't need it in Mayfield Village. Everyone agreed. We discussed the pros and cons. Some of the cities that have pre-sale inspections, values in homes went down. It didn't add anything to the value of the home. We also discussed the Greenway Corridor and the Wiley Park projects in detail and also the grants that we have received from those two projects to be able to proceed with them. Doug reported on the road conditions that we have and the repairs needed to them. We also discussed our plan for the next three years of what projects we have done according to the budget. Merv and Mary Singer have done their usual outstanding job and went into detail at the meeting describing our Memorial Day Service for the Veteran's at the Cemetery. We decided that we are going to go ahead again this year and do the Malachi House and Veteran's Hospital donations again with toothpaste, soap and shampoo and all of the things that they need. We will put that back in motion this year because it was so successful last year. Very frankly, an awful lot of people donated a number of items. It took them a couple of trips to take care of everything.

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

**Safety and Service** – Dr. Parker reported that most of the items were covered in Caucus. They are very routine items in general, some budgetary items.

**Finance Committee** – Mr. Saponaro reported that Finance Committee met this evening as well as last Monday the 14<sup>th</sup>. We have approved 13 expenditures as well as 4 Ordinances.

**Historical Society** – Mrs. Mills reported that we have received Highland Heights’ annual donation for the care and maintenance of the Historical House. We started the school tours with the children. Center School was the first. We had about 65 children. The next school will be St. Francis.

**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 February 10<sup>th</sup>. There was no quorum, however a number of items were discussed. Some of the programs were reviewed. We also had Mr. Folkman from the School. He discussed various aspects of what they are doing with their adult education and the changes they have made to that as well as other programs. Their brochure is now on-line. It is no longer being mailed to the communities because of cost. Another item of note, they have taken somewhat of a zero tolerance with their programs. If the programs do not make money, they are going to be cut. It doesn’t matter if one program makes more money, they won’t have a program if they don’t make money on it. It’s pretty much black and white. It’s interesting to see their model or trend in business today that they are following. The next meeting is March 3<sup>rd</sup>.

**Ordinance Review Committee** – Mr. Saponaro reported that Ordinance Review met on February 8<sup>th</sup>. At that meeting we discussed the zoning standards for wind turbines. We are still drafting those standards. We discussed licensing and insurance concerns regarding golf carts in the Village, especially on the trails. We talked about the accessory uses and reviewed Section 1157.06 of the Code. We also talked about Chapters 1128 and 1129 regarding comprehensive storm management, water management and erosion and sediment control to update those. We had a presentation by Fire Marshall Mike Girbino regarding photoelectric smoke alarms. It was very interesting. John and Mike were enlightening us as to the difference between the photoelectric versus the ionization. They provided a video presentation on it. It’s something that we need to look at our Ordinance to update that as well. More to come on that. It was an excellent presentation.

**Planning and Zoning** – Mr. Marquardt reported that Planning and Zoning met on February 7<sup>th</sup> and had their Organizational Meeting. Also addressed was the extension of 15 Conditional Use Permits through December 2012. This evening there was a Special Planning and Zoning meeting. At that meeting, the consolidation lot split of Progressive Insurance and Mayfield Village property was approved and Conditional Use Permits for Color by Laura and Bella Face were approved.

**Recreation Board** - Mr. Marrie reported that Recreation Board met on the 15<sup>th</sup> of this month. We discussed the Wildcat Sampler for the 6<sup>th</sup> to 8<sup>th</sup> graders. One of the items that the Board went into detail on was picking up the children afterwards. They worked on the situation with the Police Department so there wasn’t such bedlam when the kids were getting out all at one time. We also discussed the chance of buying some higher lounge chairs at Parkview Pool for seniors to get in and out of a little easier. We also discussed plans for the Easter Party which is Saturday the 16<sup>th</sup> at the Community Room between 1:30 and 3:00. The only big change there is we are going to take the donuts away and serve them pizza instead so they are not all wound up like

cuckoo clocks to go home. We discussed the possibility of using the old police annex for the Recreation Department. That is ongoing. The next meeting is March 16<sup>th</sup>.

**SPECIAL COMMITTEE REPORTS:**

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

**Records Commission** – Mrs. Mills reminded everyone that Community Shred Day is May 14<sup>th</sup> at the Civic Center from 9:00-12:00. Mrs. Betsa and Mr. Esborn are looking at a grant that would possibly help us financially for off-site storage.

**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.

**NEW BUSINESS**

- **Motion to authorize going out to bid for audio and videorecording system for Police Department.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize going out to bid for audio and videorecording system for Police Department.

Council President Buckholtz stated this was briefly discussed at Caucus.

Chief Dearden provided an update. As I mentioned to the Finance Committee, since Caucus I had the Detective Bureau review their 2010 records to see how many times this type of equipment would have been utilized by them in their investigative criminal offenses. Not as it is mandated by the State law but just in general how many times they would have used it. They said it approximated 60 times for 2010. After meeting with SPAN, I have a response to Dr. Parker relative to your question, all of the other SPAN community's municipalities made the necessary changes in their equipment either adding to or modifying what they have or buying new, there is no benefit for us to try and collectively purchase something. In talking with Highland Heights and Lyndhurst, they both used a company that was able to come in and provide a system at a much lower price than what the original cost of the Zenith system would be. They were talking somewhere in the area of \$4,000. I have contacted that vendor and asked him to come out and look at our system and see what his recommendations would be. The reason for leaving this motion on is just simply so that at any given time we feel that the pricing isn't conducive, it allows us to move forward with at least going out for bidding at that time without starting from square one again.



Chief Mohr reported that the amount is the same as it has always been since 1986.

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

- **Motion to authorize expenditure in the amount of \$3,133 to LifePak for 2011 annual maintenance renewal.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$3,133 to LifePak for 2011 annual maintenance renewal.

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 \$7,280 to MARCS for 2011 radio fees.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in an amount not to exceed \$7,280 to MARCS for 2011 radio fees.

Council President Buckholtz stated this is the same every year.

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

- **Motion to authorize expenditure in the amount of \$5,000 to Highland Heights for Mayfield Village's share for fire and training equipment (AFG Grant).**

Mr. Saponaro, seconded by Mr. Marrie, made a motion to authorize expenditure in the amount of \$5,000 to Highland Heights for Mayfield Village's share for fire and training equipment (AFG Grant).

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

- **Motion to authorize expenditure in the amount of \$5,851 to Calcom, Inc. for panel upgrade in fire station.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in the amount of \$5,851 to Calcom, Inc. for panel upgrade in fire station.





**First Reading of Ordinance No. 2011-04**, entitled, "An Emergency Ordinance authorizing and directing the Mayor to enter into a Subscriber Service Agreement with Panzica Construction Co." Introduced by Mayor Rinker and Council as a Whole.

Mr. Saponaro, seconded by Mrs. Mills, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Saponaro, seconded by Mrs. Mills made a motion to enact Ordinance No. 2011-04.

Council President Buckholtz asked if there was any discussion. This is for the fiber?

Mr. Esborn reported on this Ordinance and the next one on the agenda. The Subscriber Service Agreement is the same agreement we have with Mayfran and QED, our two current subscribers. The next Ordinance is for Addendum B-9. It has specific information for Panzica, the site of the connection, how much bandwidth they are getting and the cost. That's how it's broken up.

Council President Buckholtz thanked Mr. Esborn for the explanation.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Ordinance Enacted

**First Reading of Ordinance No. 2011-05**, entitled, "An Emergency Ordinance authorizing and directing the Mayor to enter into Addendum B-9 to the Subscriber Service Agreement between OneCommunity and Mayfield Village, Ohio." Introduced by Mayor Rinker and Council as a Whole.

Mr. Saponaro, seconded by Mrs. Mills, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Saponaro, seconded by Mrs. Mills made a motion to enact Ordinance No. 2011-05.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Ordinance Enacted

**EXECUTIVE SESSION**

- **Motion to go into Executive Session to discuss real estate matters concerning the amendment of the Development Agreement with Progressive and to discuss pending litigation.**

Mrs. Mills, seconded by Mr. Saponaro, made a motion to go into Executive Session to discuss real estate matters concerning the amendment of the Development Agreement with Progressive and to discuss pending litigation.

ROLL CALL: AYES: All  
                  NAYS: None

Motion Carried  
Executive Session approved

Council President Buckholtz stated that Council is going to adjourn into Executive Session. We do have a couple more items on the agenda. You are welcome to stay. If you leave we thank you for being here. We will be back as soon as we are done. Thank you.

Council went into Executive Session at approximately 8:30 p.m.

Council reconvened at approximately 9:34 p.m.

- **Motion to accept the recommendation of Planning and Zoning Commission to approve the lot consolidation and lot split for part of the Northwest Quadrant of Progressive Casualty Insurance Company.**

Mrs. Mills, seconded by Mr. Saponaro, made a motion to accept the recommendation of Planning and Zoning Commission to approve the lot consolidation and lot split for part of the Northwest Quadrant of Progressive Casualty Insurance Company.

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

ROLL CALL: AYES: All  
                  NAYS: None

Motion Carried  
Recommendation of Planning and  
Zoning Commission Approved

- **First Reading of Ordinance No. 2011-02**, entitled, "An Emergency Ordinance authorizing and directing the Mayor to enter into an amendment to the Development Agreement with Progressive Casualty Insurance Company relative to the southernmost part of the Northwest Quadrant." Introduced by Mayor Rinker and Council as a Whole.

Mr. Saponaro, seconded by Mrs. Mills, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All  
                  NAYS: None

Motion Carried  
Rules Suspended

Mr. Saponaro, seconded by Mrs. Mills, made a motion to enact Ordinance No. 2011-02.

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

ROLL CALL: AYES: All  
                  NAYS: None

Motion Carried  
Ordinance Enacted

**ANY OTHER MATTERS:**

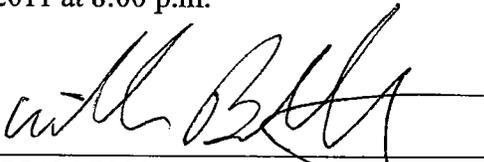
Council President Buckholtz asked if there were any other comments.

There were no other matters before Council.

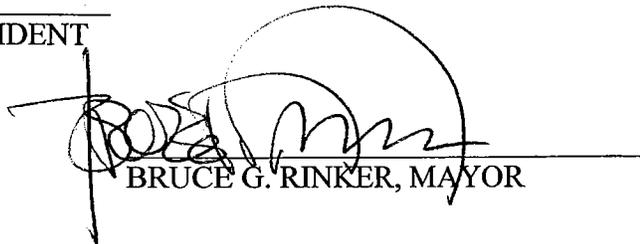
**ADJOURNMENT**

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

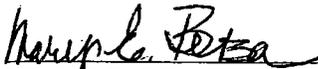
The meeting adjourned at 9:35 p.m. The next Council meeting is scheduled for Monday, March 21, 2011 at 8:00 p.m.



WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT



BRUCE G. RINKER, MAYOR



MARY E. BETSA, CLERK OF COUNCIL





SPECIAL COMMITTEE REPORTS:

Information & Technology  
Records Commission

Mr. Marrie  
Mrs. Mills

**OLD BUSINESS**

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

**NEW BUSINESS**

- . **Motion to authorize going out to bid for audio and videorecording system for Police Department.**
- . **Motion to authorize expenditure in the amount of \$5,400 to Northcoast Two-Way Radio Communications for equipment changeovers from old to new cruisers.**
- . **Motion to authorize expenditure in the amount of \$7,722.99 to Division of Water for 2011 annual hydrant fee.**
- . **Motion to authorize expenditure in the amount of \$5,000.00 to Hillcrest Tech Rescue Team for 2011 annual dues.**
- . **Motion to authorize expenditure in the amount of \$3,133 to LifePak for 2011 annual maintenance renewal.**
- . **Motion to authorize expenditure in an amount not to exceed \$7,280 to MARCS for 2011 radio fees.**
- . **Motion to authorize expenditure in the amount of \$5,000 to Highland Heights for Mayfield Village's share for fire and training equipment (AFG Grant).**
- . **Motion to authorize expenditure in the amount of \$5,851 to Calcom, Inc. for panel upgrade in fire station.**
- . **Motion to authorize expenditure in the amount of \$3,420 to Turfgrass for repair and maintenance of baseball and soccer fields.**
- . **Motion to authorize expenditure in the amount of \$4,074.69 to Hans Freightliner Trucks for parts for Truck 1. (Straw vote approved on January 20, 2011)**
- . **Motion to authorize expenditure in the amount of \$14,600 to Zambelli for fireworks for 4<sup>th</sup> of July Celebration.**
- . **Motion to authorize expenditure in the amount of \$79,779.96 to Bureau of Workers' Compensation for 2011 yearly assessment.**

- **Motion to acknowledge receipt of financial reports for January 2011 and to approve of same as submitted.**
  
- **First Reading of Ordinance No. 2011-03**, entitled, “An Emergency Ordinance ratifying the collective bargaining contract between the International Association of Firefighters, Local 2619 and Mayfield Village, Ohio.” Introduced by Mayor Rinker and Council as a Whole.
  
- **First Reading of Ordinance No. 2011-04**, entitled, “An Emergency Ordinance authorizing and directing the Mayor to enter into a Subscriber Service Agreement with Panzica Construction Co.” Introduced by Mayor Rinker and Council as a Whole.
  
- **First Reading of Ordinance No. 2011-05**, entitled, “An Emergency Ordinance authorizing and directing the Mayor to enter into Addendum B-9 to the Subscriber Service Agreement between OneCommunity and Mayfield Village, Ohio.” Introduced by Mayor Rinker and Council as a Whole.
  
- **Motion to go into Executive Session to discuss:**
  - **Real Estate**
    - **Amendment to Development Agreement with Progressive**
  - **Litigation**
  
- **Motion to accept the recommendation of Planning and Zoning Commission to approve the lot consolidation and lot split for part of the Northwest Quadrant for Progressive Casualty Insurance Co.**
  
- **First Reading of Ordinance No. 2011-02**, entitled, “An Emergency Ordinance authorizing and directing the Mayor to enter into an amendment to the Development Agreement with Progressive Casualty Insurance Company relative to the southernmost part of the Northwest Quadrant.” Introduced by Mayor Rinker and Council as a Whole.

ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL

CLOSING COMMENTS

ADJOURNMENT