

**MINUTES OF THE REGULAR MEETING OF COUNCIL**  
**Mayfield Village Civic Hall**  
**Monday, April 25, 2011 - 8:00 p.m.**

The Council of Mayfield Village met in regular session on Monday, April 25, 2011 at 8:00 p.m. at 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, Dr. Parker and Mr. Saponaro

Absent: None

Also Present: Mayor Rinker, Mr. Wynne, Ms. Calta, Mr. Cappello,  
Lieutenant Edelman, Mr. Marrelli, Mr. Metzong,  
Chief Mohr, Mr. Thomas, Mr. Dinardo,  
Mrs. Kalina, Mr. Esborn 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.

Marge Eisenberg  
6783 Seneca

I looked at the International Zoning Code. My husband and I looked at all of the ordinances, the building ordinances for the Village of Mayfield and nowhere did we see or find that you cannot put two buildings on a parcel. It was not there. And these people over here have got two buildings on a parcel of land. I think you need to change that ordinance to read that no accessory building shall be used for habitation. Other than that, what they have stays. You people need to do your due diligence on the ordinances before the fact and not after. Thank you.

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

**CONSIDERATION OF MINUTES:**

**Regular Council Meeting – March 21, 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 – March 24, 2011**

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

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

**Special Council Meeting – March 30, 2011**

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

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

**Special Council Meeting (Formal Hearing) – April 4, 2011**

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

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

**Special Council Meeting – April 4, 2011**

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

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

**COMMENTS FROM MAYOR RINKER**

- **Presentation of Resolution of Appreciation to Mayfield Village Police Chief Patrick J. Dearden for over 36 years of dedication and service to Mayfield Village and in Congratulations on his Retirement.**

Mayor Rinker referred to the article about Patrick Dearden. The headline is, "He hasn't changed much since Day 1." I don't know who your hairdresser is. You can reserve comments for the next Open Portion.

Mayor Rinker continued, this is truly a bittersweet moment. As many of you are aware, Chief Dearden has formally retired. Lieutenant Edelman is filling in as Acting Chief. But we would be

remiss, and everyone agrees, if we did not recognize somebody who has been so instrumental in the quality of service and safety in our community for so many years.

Mayor Rinker read the Resolution of Appreciation to Chief Dearden for his over 36 years of dedicated and exceptional service to Mayfield Village.

Mayor Rinker presented Chief Dearden with the Outstanding Citizen Award for Mayfield Village. Well deserved. Thank you.

Council President Buckholtz asked for a motion to adopt Resolution No. 2011-06.

- **First Reading of Resolution No. 2011-06**, entitled, "A Resolution Thanking Mayfield Village Police Chief Patrick J. Dearden for over thirty-six years of dedication and service and congratulating him on his retirement." Introduced by Mayor Rinker and Council as a Whole.

Mr. Saponaro, seconded by Mrs. Cinco, moved to adopt Resolution No. 2011-06.

ROLL CALL: AYES: All

NAYS: None

Motion Carried  
Resolution Adopted

Council President Buckholtz stated this is a good time to take a break. Everybody enjoy. We have some beverages over there. We will take a 5 minute break if anybody wants to say any parting words, or have some refreshments.

Council took a break at approximately 8:15 p.m.

Council returned at approximately 8:25 p.m.

Council President Buckholtz stated that there is one additional person who wished to address Council.

**Al Muhle**

Chesterland, Ohio

I am the President of the Mayfield Township Historical Society which I am very proud of. I am here on behalf of our membership to say Thank You Mayor Rinker, to Council and the people here for your generous contribution each year you have given us. Without it we probably wouldn't survive without the other communities. To know what we are doing with the monies, we always have an ongoing paint project going on. We are, tomorrow, going to install a new security system in the House. The security system was out of Chicago. It's 23 years old. It's not modernized. I know there's better things out there. I have taken bids from other companies and found out what they had to offer and we are going to change it. We have entertained two schools so far, the third graders that come through for their History class. We have two more to do in

May. We have entertained a number of associations that come through, church organizations, we have had Richmond Heights come. They are having a Historical Society now. They have come to see how our organization operates. Fortunately I guess we are doing okay. But anyhow, my purpose here tonight is to say on behalf of our membership, thank you very much for keeping us in mind. We appreciate the contribution that you have given us. Again, thanks.

On my behalf, I thank the people and I know you are in the audience here somewhere, who gave me the honor last year of being one of the volunteer Citizens of the Year. That's a great honor. I really appreciated it very much. Thank you very much.

### **DEPARTMENT HEAD REPORTS:**

#### **SERVICE – Douglas Metzung**

Before Al leaves, I do want to say a note to Mr. Muhle regarding his work at the Historical House. We see a lot of Al and I know Al is one of the hardest workers over there. It's a pretty dedicated group. Al, you have a lot to be proud of with that building.

The other thing I would like to mention tonight is the packet you received regarding the Beautification project that we are going to do cooperatively with Progressive Insurance. As I stated, this has been going on since Fall when they first brought to our attention that they would like to do something. We felt at the end of the day that this was a project that would benefit both Mayfield Village and Progressive by beginning to replace the trees along Campus 2 was a great place to start. Brian Smith of the Progressive landscape crew has been wonderful to work with. Mr. Stupczy has been working together with the gentleman from Progressive and they've come up with a plan. Progressive is going to foot the bill for the trees, \$4,278.00 worth. I was just told today they are looking at May 12<sup>th</sup>, weather permitting, that's the day that they are looking to planting the trees in the Parkview area. Hopefully this becomes a yearly event. We look forward to working with them. I talk a lot with Brian on many occasions. He'll call me regarding salt and he will call me about trees and things of that nature. It's a nice little working relationship. I look forward to it.

Mr. Saponaro asked Doug to clarify that although it's a Beautification project with Progressive, really they took the lead on that, they did the planning.

Mr. Metzung replied, correct. We came together to narrow our focus as to what we were going to plan. At first we looked at plans over the whole area. We did not really narrow it down to make a real impact until we came to the Parkview area. Particularly what would be the south side of Parkview, the pond area, to help really make an impact. If you notice in the planning list of trees a lot of native trees to the area, not trees that we necessarily plant much of. So in that regard, again, that's how we narrowed it down to the focus of that area and then they took it from there and really designed and laid it out, which trees to use in which areas. It has been a nice little project. I look forward to it taking off.

**BUILDING – John Marrelli**

There was nothing to report.

**ENGINEERING – Tom Cappello**

There was nothing to report.

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

There was nothing to report.

**FIRE – Chief Mohr**

Chief Mohr replied, we have two things on the agenda for tonight and I will comment when that time comes.

**FINANCE – Ron Wynne**

Mr. Wynne stated, just a brief comment on our budget. I think everybody has been aware of the discussions in the media about the State budget cuts and how they are impacting municipalities and school districts. The impact to us locally over the course of time, not immediate, and the loss of local government revenue and the commercial activity tax will eventually end up being about \$300,000 a year and then on top of that just briefly they had a vote to repeal the estate tax. If that goes through and is finalized, the effective date for that I believe is not until 2013, so any estate tax proceeds that we are entitled to we will still receive for the next couple years but starting 2013 that is going to be phased out 100%. A couple years ago we got an estate tax settlement for about \$800,000, so some years it's good and a real benefit to us and other years it's not a big part of our budget but the positive thing about the estate tax is we don't really budget a significant amount of money and rely on it in our normal operations.

Mayor Rinker stated, if I can just add to that because I think it's worth our paying attention to this. Fortunately from the Village's standpoint, as Ron has given an overview, while it does affect us, our bottom line is not affected as much as many other communities and local governments. Every school district, library, I've seen this with the Metroparks, regional governments, across the board, the proposed cuts are very very substantial and a lot of these organizations had already been apprised going into this year to set certain benchmarks. The pending legislation is basically double the impact of what was even predicted at the beginning of this year. So, we have to pay attention to it because we're seeing a lot of our neighbors and a lot of other organizations that are going to be taking some pretty serious hits, not the least of which is our school district. It looks like the pushback state-wide is such that there may be some significant changes in the legislation, but right now it's kind of a moving target. It's hard to see. What's encouraging from our standpoint is that we are at least trying to be as proactive as we can be. We just have to keep a weather eye out.

**POLICE – Acting Police Chief Edelman**

There was nothing to report.

**PARKS & RECREATION – Bill Thomas**

Mr. Thomas stated, at the last Recreation Board meeting, the Rec Board wanted me to ask Council if it's possible to have two domes, one dome going over the soccer fields and one dome going over the softball complex fields because of the weather. Mr. Thomas was joking about the request for domes, but did wish to report that due to the amount of rain that continued to fall, games have been cancelled on both the soccer field and the softball field.

**ARCHITECT – Ron DiNardo**

There was nothing to report.

**HUMAN SERVICES – Eunice Kalina**

Mrs. Kalina reported that we are getting ready for our annual Anniversary Party for the Seniors of the Village on May 14<sup>th</sup>. We have a trip on May 16<sup>th</sup>. Our watercolor class is going very well. A new session will start next Thursday. The last session for this month is this Thursday. We have a Bereavement Support Group which started last Thursday at 7:00 p.m. in the Community Room. We are finishing up snow removal damage reports. If any of you hear any complaints about damage done by snow contractors, you are supposed to let us know by the first of May.

**PLANNING DEVELOPMENT – Ted Esborn**

One quick note tonight. The *Voice of the Village* is coming out soon and in it there's a feature story about Keystone Rehabilitation. This is a new business on Beta Drive. They moved from Solon late last year and they are really thriving in their new space at 700 Beta. When we can, from now on we are going to try and recognize new businesses in the *Voice of the Village* when they come up. It gives us a chance to welcome them and it also gives us a glimpse into what's going on on Beta Drive.

**STANDING COMMITTEE REPORTS:**

**Activities Committee** – Mrs. Mills reported that the Mother's Day Pancake Breakfast is May 8<sup>th</sup>. Anybody in the audience that would like to volunteer just call the office and offer your services. We need your help. We have all of the bands in place for the 50's Night, Summer Concerts and also for 4<sup>th</sup> of July. Our next meeting is May 18<sup>th</sup>.

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

**Beautification**- Mr. Saponaro reported that the Beautification Committee meets tomorrow. There are Minutes from our last meeting which were in your packets. Also, Arbor Day is going to be celebrated on Friday the 5<sup>th</sup> at 8:30 at the Police Station where we will be planting a tree. We have some local kids from Brownie Troops, the choir coming to sing, everyone is invited and encouraged to come. On May 23<sup>rd</sup> which is a Monday evening we are having our celebration for our Poster Contest. That's going to be held in the Community Room. That is where the children from the grade schools put posters together regarding beautification. Our next meeting is tomorrow evening at 6:30.

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

**Cemetery** – There was no report.

**Citizen's Advisory Board** – Mr. Marrie reported that Citizen's Advisory Board met on the 22<sup>nd</sup>. We had some citizens who attended also in addition to the Committee. Mr. and Mrs. Triner were there representing some Village residents. They discussed and had questions concerning the Village finances. They thanked Ron Wynne for being extraordinarily responsive to their questions and for his help in answering their questions regarding the finances of the Village. We also went over the Memorial Day update. The *Voice of the Village* had an article about the items we are collecting for Malachi House and the Veteran's Hospital. At the Pancake Breakfast, there will be a box for collections. Another box is located in the Recreation Department. The other items we discussed were some of the things that are going on in the Village such as the gazebo repair. We went into great detail about the Greenway Trail. There was much discussion about that. We also discussed what might possibly happen with the old police trailer, about being moved down by the soccer fields. That was extremely well met. They are very very pleased with that. The library project is moving along. We don't have any real dead-on details, but it was discussed and people were told that they are moving on it. Last but not least, the Pancake Breakfast is set for May 8<sup>th</sup>. We ask that all of you think about attending and those that can, we could use volunteers. A sign-up sheet is in the Recreation office. Our next meeting is tomorrow evening.

**Commission on Aging** – Mrs. Kalina reported that the Commission on Aging met on April 19<sup>th</sup>. We went over plans for our party. We also had a demonstration of a new game similar to bocci but it's played indoors, played with magnets and it was invented by a Village resident. We invited Mr. Thomas from the Recreation Department to view and participate in the demonstration. It was a lot of fun. We are going to try and find some room on the schedule. Mr. Fioritto, the inventor of this donated a couple of the games, one to Recreation and one to us. It was very nice.

**Safety and Service** – Mrs. Cinco reported that there was no meeting this month. Agenda items were covered at Caucus in April.

**Finance Committee** – Mr. Saponaro reported that Finance Committee met last Monday the 11<sup>th</sup> at 4:00 as well as today at 7:30. There were 10 expenditures that were on the agenda that were recommended for approval. There was one addition. It was to accept the bid of URS for the Municipal Energy Program contract in an amount not to exceed \$21,780. That was also

recommended for approval. I would ask that that be placed on our agenda tonight if it is not already. We also had three ordinances that were discussed. One was recommended for approval and two were deferred for further discussion.

**Historical Society** – Mrs. Mills reported that there will be an Open House on June 4<sup>th</sup> which is the first Saturday of the month from 1:00-5:00. It's a celebration of the Civil War and we will have some artifacts on exhibit. It should be a fun afternoon. Come and visit us. Thank you.

**Hillcrest Council of Councils** – There is no report.

**M.A.R.C.** – Mr. Thomas reported that M.A.R.C. met on Thursday, April 7<sup>th</sup>. At the Board meeting, Director Phil Weinberg discussed the popular floor hockey program and the women's summer tennis league at Highland Heights tennis courts. We will also finalize the expenditures for the MBA for a check to be processed to Mayfield Village. The next meeting is scheduled for Thursday, May 7<sup>th</sup> at the Board of Education.

**Ordinance Review Committee** – Mr. Saponaro reported that Ordinance Review met on April 19<sup>th</sup>. At that meeting they discussed the draft zoning standards for wind turbines, Section 1157.06 of the Building Code regarding accessory uses, the comprehensive stormwater management and erosion sediment control ordinances, and the ordinance dealing with the smoke alarms, which you will recall we had a presentation by Lieutenant Girbino regarding photoelectric smoke alarms. We also discussed the radio communication ordinance, the off-street parking codes, Records Commission and the sign ordinances. We had a discussion regarding temporary advertising signs. Our next meeting will be the second Tuesday in May.

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

**Recreation Board** - Mr. Marrie reported that Recreation Board met on the 20<sup>th</sup> of this month. We evaluated the Easter party for the children. 55 attended. It was kind of rainy so the Easter Egg Hunt was held inside. The Rec Board did an outstanding job of running the party and coordinating all of the program. On the Debbie Hudacko Scholarship this year, there were 15 applicants. There will be 7 interviewed. The winner will be announced May 27<sup>th</sup>. The adult softball is down a little bit this year. We don't have as many teams or as many people. It seems that sponsorship because of the economy is one of the problems. Also Mayfield Heights just opened up an extremely competitive league so a lot of them have deserted and gone over there. We have 10 teams for the adult soccer. We have 94 campers signed up this year. The Junior Camp only has 9 signed up, but a lot of them sign up at the end. Camps this year will be held at St. Francis School due to the construction at all of the schools in the Mayfield district. We still need volunteers for the Pancake Breakfast. Our next meeting is not until September because the Board does not meet during the summer months.

#### **SPECIAL COMMITTEE REPORTS:**

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

**Records Commission** – Mrs. Mills reported that Shred Day is May 14<sup>th</sup> from 9:00-12:00 here at the Civic Center. We discussed the records training seminar which will be held here in the Village at a date to be announced. Tonight the ordinance for the Records Commission is on the agenda. It's Ordinance 2011-14. It is amending the Records Commission per State of Ohio guidelines. It will be beneficial for our audit if the auditors request to see it to show that we are compliant.

#### **OLD BUSINESS**

Council President Buckholtz stated that Council needs to take action on the issue that came from the Board of Zoning Appeals that was appealed. I don't know if we reference it as the Bernstein appeal. For now we will defer to Diane Calta to frame it before we call for a motion.

Ms. Calta stated, the issues before Council are set forth in the agenda. Council has been called to take action on these two issues. Council may on each of the issues affirm, modify or reverse the decision of the Board of Zoning Appeals.

The first matter has to do with the decision of the Board of Zoning Appeals to allow the garage to be maintained as built and the second has to do with the denial by the Board of Zoning Appeals of a variance for the woodshed located at the property on 648 Meadowood. I would ask for Council to have a motion on each of those issues.

- **Whether to affirm or reverse the decision of the Board of Zoning Appeals and allow the garage located at 648 Meadowood Drive to be maintained as built, providing it only be used to store vehicles, tools and/or firewood.**

Council President Buckholtz stated what we will do is I will call for a motion on the first one. Would anyone care to make a motion to modify the decision of the Board of Zoning Appeals on allowing the garage located at 648 Meadowood Drive to be maintained as built providing it only be used to store vehicles, tools and/or firewood.

There was no motion raised.

Council President Buckholtz asked if there is a motion to affirm or reverse the decision of the Board of Zoning Appeals and allow the garage located at 648 Meadowood Drive to be maintained as built providing it only be used to store vehicles, tools and/or firewood. Do we have a motion?

A "yes" vote would be to affirm.

A "no" vote would be to reverse.

Ms. Calta added, we are going to have one motion and an affirmative vote would be to affirm the decision of the Board of Zoning Appeals. A "no" vote would be to reverse it.

Council President Buckholtz stated we are looking for a motion to vote.

Mr. Marrie, seconded by Mr. Saponaro, moved to affirm or reverse the decision of the Board of Zoning Appeals.

Roll Call:	AYES: None	Motion Carried
	NAYS: All	Decision Reversed

- **Whether to affirm, modify or reverse the denial of the Board of Zoning Appeals of a variance for the woodshed located at 648 Meadowood to exceed the maximum square footage for total accessory uses by 281 square feet, requiring that the woodshed be removed and dismantled, and the wood be stored indoors or removed from the property.**

Council President Buckholtz asked if there is a motion to modify the denial of the Board of Zoning Appeals of the variance for the woodshed located at 648 Meadowood to exceed the maximum square footage for total accessory uses by 281 square feet, requiring that the woodshed be removed and dismantled, and the wood be stored indoors or removed from the property.

There was no motion to modify.

Council President Buckholtz asked if there is not a motion to modify, do we have a motion to vote such as we just did.

The affirmative would be upholding the Board of Appeals' ruling.

A negative vote would be to reverse the Board of Appeals' ruling.

Mr. Saponaro, seconded by Mrs. Mills, made a motion to affirm or reverse the denial of the Board of Zoning Appeals of the variance for the woodshed located at 648 Meadowood to exceed the maximum square footage for total accessory uses by 281 square feet, requiring that the woodshed be removed and dismantled, and the wood be stored indoors or removed from the property.

Roll Call:	AYES: None	Motion Carried
	NAYS: All	Denial Reversed

**Second Reading of Ordinance No. 2011-06**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into an amendment to Appendix B to the Billing Services Agreement with Life Force Management, Inc." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

This Ordinance will be left on Second Read.

**Second Reading of Ordinance No. 2011-07**, entitled, "An emergency ordinance amending codified ordinance Chapter 1523 relating to the recovery of costs for emergency services provided to non-residents." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

This Ordinance will be left on Second Read.

**Second Reading of Ordinance No. 2011-08**, entitled, "An Emergency Ordinance establishing the salary ranges for the Parkview Swimming Pool employees for the 2011 season." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

This Ordinance will be left on Second Read.

**Second Reading of Ordinance No. 2011-09**, entitled, "An Emergency Ordinance creating certain positions and compensation related thereto for the Village's 2011 summer camp program." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

This Ordinance will be left on Second Read.

**Second Reading of Ordinance No. 2011-10**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Site License Agreement between the Office of Information Technology Multi-Agency Radio Communications System ("MARCS") and Mayfield Village, Ohio." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

This Ordinance will be left on Second Read.

#### **NEW BUSINESS**

**Motion to authorize expenditure in an amount not to exceed \$25,000 to URS for wetland mitigation.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to authorize expenditure in an amount not to exceed \$25,000 to URS for wetland mitigation.

Council President Buckholtz asked if there was any discussion.

Ms. Calta asked if there were any questions. This has to do with the wetland mitigation for the Progressive property which is north of the library site. It was discussed at Finance Caucus and I did answer questions there. I don't know if there are any further questions of Council. Essentially there are certain credits pursuant to the amendment to the Development Agreement with Progressive, wetland credits that are being transferred from Progressive to the Village. They need to be used this year. They expire at the end of the year. \$42,000 is the amount of those









Mrs. Mills would like to have this in place so that when we have our audit we can show this to the auditors when they come in.

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

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Ordinance Enacted

**First Reading of Ordinance No. 2011-15**, entitled, "An emergency ordinance creating Chapter 1525 Emergency Responder Radio Coverage of the Village's Codified Ordinances." Introduced by Mayor Rinker and Council as a Whole.

Ms. Calta asked Chief Mohr if he wants to move this forward at this time.

Chief Mohr replied, it would be appropriate.

Mrs. Cinco, 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. Cinco, seconded by Mrs. Mills, made a motion to enact Ordinance No. 2011-15.

Council President Buckholtz asked if there was any discussion.

Chief Mohr explained, buildings across the United States are becoming denser with greater building materials with insulation with different style glasses and steel construction. Radio signals within these buildings are becoming harder and harder to get out. Our most recent example is the Mayfield High School is 400,000 square feet. If you walk into Mayfield High School right now, you will lose your cellphone. Your cellphone goes dead as you walk in the main doors of that building. That's also happening to our public safety communications. With the recent additions coming, we have asked the architect to look into putting in an EDA for fiber amplification within this building allowing public safety communications to pass within the buildings to the outside world. This is unique, not to us but everywhere in the United States. This is an occurrence that with the type building materials that they are suggesting for this construction we felt it best to pass this. This is also going to be in the 2009 International Code that hopefully Ohio will adopt either this year or next year.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Ordinance Enacted

**First Reading of Ordinance No. 2011-16**, entitled, "An emergency ordinance repealing in its entirety Chapter 1377 of the Village Code and replacing it." Introduced by Mayor Rinker and Council as a Whole.

Ms. Calta advised, it's my understanding that Chief would like to move this forward as well as the Lieutenant. It has to do with the fire alarms and the upgrading of the Code.

Chief Mohr explained, thanks to Lieutenant Girbino and Mr. Marrelli who looked into this. This is the upgrading of our 35-year-old smoke detector Ordinance. We looked at this. Lieutenant Girbino made the presentation to the Committees. It's in the *Voice of the Village* how the photoelectric smoke detector is the detector detecting your home of choice. What this is doing is to upgrade our ordinances to reflect that.

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

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2011-16.

Council President Buckholtz stated we have the explanation.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Ordinance Enacted

**First Reading of Ordinance No. 2011-17**, entitled, "An emergency ordinance repealing Section 1173.07 of the Village's Codified Ordinances in its entirety." Introduced by Mayor Rinker and Council as a Whole.

Council President Buckholtz asked which section this is.

Ms. Calta explained, this is the section of the Code which addresses off-street parking.

Mr. Marrelli continued, there are conflicts in our Code in two different sections. We have two parking codes. One is the commercial district and then another is a section for the entire Village. As we did a revamp of our parking codes for businesses and the residential and all our uses, it came up that it was in conflict with the old parking code which was just for sections of Beta Drive. So to relieve the conflicts we obliterated the old part and kept the new part in so that all our parking requirements are equal throughout the whole Village and there's no conflict.

Council President Buckholtz asked, it's all in one section?

Mr. Marrelli replied, right. It happened to have been in two sections and we kind of stumbled on that second section and decided to get it out of there.

Council President Buckholtz recommended that we suspend it along with the other changes to the Codified Ordinances.

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

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2011-17.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Ordinance Enacted

- **First Reading of Ordinance No. 2011-18**, entitled, "An emergency ordinance amending Codified Ordinance Chapter 1128 pertaining to Comprehensive Storm Water Management." Introduced by Mayor Rinker and Council as a Whole.

This Ordinance will be left on First Read.

Ms. Calta stated that Mr. Cappello has indicated that our deadline is September.

- **First Reading of Ordinance No. 2011-19**, entitled, "An emergency ordinance amending Codified Ordinance Chapter 1129 pertaining to erosion and sediment control." Introduced by Mayor Rinker and Council as a Whole.

This Ordinance will be left on First Read.

Ms. Calta stated this also has a deadline in September.

- **First Reading of Ordinance No. 2011-20**, entitled, "An ordinance amending Chapter 153 of the Codified Ordinances of Mayfield Village, Ohio pertaining to employment provisions, repealing such other ordinances as are inconsistent herewith and declaring an emergency." Introduced by Mayor Rinker and Council as a Whole.

This Ordinance will be left on First Read.

- **First Reading of Ordinance No. 2011-21**, entitled, "An emergency ordinance pertaining to the wages, benefits and other terms and conditions of employment for employees of Mayfield Village, Ohio, for the calendar years 2011-13, repealing all ordinances inconsistent therewith." Introduced by Mayor Rinker and Council as a Whole.

This Ordinance will be left on First Read.

**ANY OTHER MATTERS:**

Council President Buckholtz asked if there were any other comments.

Mr. Saponaro would recommend, and hopefully we will be able to do this sooner than later, that Lieutenant Girbino be able to come to Council to give the presentation on the photoelectric type smoke detectors. The presentation he did to the Ordinance Review Committee was very enlightening. It's something that not only Council but any of our residents could really gain a lot from. If we could get that coordinated, that would be terrific.

Mr. Thomas stated, there's a correction on the competitive league. It's Maple Heights, not Mayfield Heights.

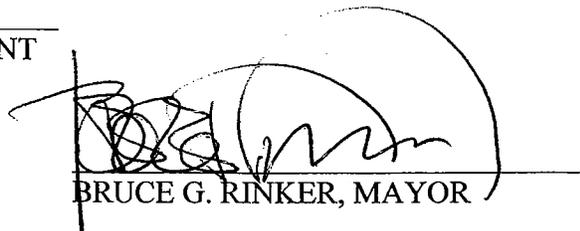
**ADJOURNMENT**

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

The meeting adjourned at 9:10 p.m. The next Council meeting is scheduled for Monday, May 16, 2011 at 8:00 p.m.



WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT



BRUCE G. RINKER, MAYOR



MARY E. BETSA, CLERK OF COUNCIL



# MAYFIELD VILLAGE

6622 Wilson Mills Road  
Mayfield Village, OH 44143

**Bruce G. Rinker, Mayor**

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## **AGENDA OF THE REGULAR MEETING OF COUNCIL**

**Monday, April 25, 2011 at 8:00 p.m.**  
**MAYFIELD VILLAGE CIVIC HALL**

MEETING CALLED TO ORDER.....ROLL CALL.....PLEDGE TO FLAG

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

CONSIDERATION OF MINUTES:

- Regular Council Meeting – March 21, 2011
- Special Council Meeting – March 24, 2011
- Special Council Meeting – March 30, 2011
- Special Council Meeting (Formal Hearing) – April 4, 2011
- Special Council Meeting – April 4, 2011

COMMENTS FROM MAYOR RINKER

Presentation of Resolution of Appreciation to Mayfield Village Police Chief Patrick J. Dearden for over 36 years of dedication and service to Mayfield Village and in Congratulations on his Retirement.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ

DEPARTMENT HEAD REPORTS:

- Douglas Metzger (Service)
- John Marrelli (Building)
- Tom Cappello (Engineer)
- Joseph Diemert/Diane Calta/Tom Hanculak (Legal)
- Chief David Mohr (Fire)
- Ron Wynne (Finance)
- Chief Patrick Dearden (Police)
- William Thomas (Parks & Recreation)
- Ron DiNardo (Architect)
- Eunice Kalina (Human Services)
- Ted Esborn/David Hartt (Planning Department)

STANDING COMMITTEE REPORTS:

- |                            |              |
|----------------------------|--------------|
| Activities Committee       | Mrs. Mills   |
| Architectural Review Board | Mr. Marrelli |
| Beautification Committee   | Mr. Saponaro |
| Board of Appeals           | Mr. Marrelli |
| Cemetery                   | Mrs. Mills   |
| Citizen's Advisory Board   | Mr. Marrie   |

STANDING COMMITTEE REPORTS (continued)

Commission on Aging	Mrs. Kalina
Safety and Service	Mrs. Cinco
Finance Committee	Mr. Saponaro
Historical Society	Mrs. Mills
Hillcrest Council of Councils	Mr. Buckholtz
M.A.R.C.	Dr. Parker
Ordinance Review Committee	Mr. Saponaro
Planning and Zoning	Mr. Marquardt
Recreation Board	Mr. Marrie

SPECIAL COMMITTEE REPORTS:

Information & Technology	Mr. Marrie
Records Commission	Mrs. Mills

**OLD BUSINESS**

Council will take action on the following issue:

- Whether to affirm, modify or reverse the decision of the Board of Zoning Appeals and allow the garage located at 648 Meadowood Drive to be maintained as built, providing it only be used to store vehicles, tools and/or firewood.
- Whether to affirm, modify or reverse the denial of the Board of Zoning Appeals of a variance for the woodshed located at 648 Meadowood to exceed the maximum square footage for total accessory uses by 281 square feet, requiring that the woodshed be removed and dismantled, and the wood be stored indoors or removed from the property.

**Second Reading of Ordinance No. 2011-06**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into an amendment to Appendix B to the Billing Services Agreement with Life Force Management, Inc." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

**Second Reading of Ordinance No. 2011-07**, entitled, "An emergency ordinance amending codified ordinance Chapter 1523 relating to the recovery of costs for emergency services provided to non-residents." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

**Second Reading of Ordinance No. 2011-08**, entitled, "An Emergency Ordinance establishing the salary ranges for the Parkview Swimming Pool employees for the 2011 season." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

. **Second Reading of Ordinance No. 2011-09**, entitled, "An Emergency Ordinance creating certain positions and compensation related thereto for the Village's 2011 summer camp program." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

. **Second Reading of Ordinance No. 2011-10**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into a Site License Agreement between the Office of Information Technology Multi-Agency Radio Communications System ("MARCS") and Mayfield Village, Ohio." Introduced by Mayor Rinker and Council as a Whole. (First Reading – March 21, 2011)

**NEW BUSINESS**

. **Motion to authorize expenditure in an amount not to exceed \$25,000 to URS for wetland mitigation.**

. **Motion to authorize expenditure in the amount of \$3,500 to Concord Road Equipment for reworking conveyor system in dump body truck 2.**

. **Motion to authorize expenditure in the amount of \$12,798.00 to Marshall Power Equipment for two 52" cut "Stand On" mowers (\$6,399 each – State Contract).**

. **Motion to authorize expenditure in the amount of \$21,462.66 to Valley Ford for one ton 4x4 pickup (State Contract).**

. **Motion to authorize expenditure in the amount of \$2,800.00 to Valley Freightline for painting of two new cab and chassis.**

. **Motion to authorize expenditure in the amount of \$4,600 to Mayfield City Schools for transportation for Sports N More Camp (pass-through)**

. **Motion to authorize expenditure in the amount of \$3,000 to Oriental Trading for supplies for Sports N More Camp (pass-through)**

. **Motion to accept bid and authorize expenditure in the amount of \$5,950.07 to Dickinson Company for lounge chairs and concession tables for Parkview Pool.**

. **Motion to authorize expenditure in the amount of \$5,007 to O.P. Aquatics for lane lines for Parkview Pool.**

. **Motion to acknowledge receipt of financial reports for March 2011 and to approve of same as submitted.**

. **First Reading of Ordinance No. 2011-13**, entitled, "An emergency ordinance authorizing and directing the Mayor to enter into an agreement for professional services related to an energy audit with URS Corporation – Ohio." Introduced by Mayor Rinker and Council as a Whole.

- **First Reading of Ordinance No. 2011-14**, entitled, “An ordinance amending chapter 157 of the Codified Ordinances of Mayfield Village, Ohio, creating a Records Commission and declaring an emergency.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-15**, entitled, “An emergency ordinance creating Chapter 1525 Emergency Responder Radio Coverage of the Village’s Codified Ordinances.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-16**, entitled, “An emergency ordinance repealing in its entirety Chapter 1377 of the Village Code and replacing it.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-17**, entitled, “An emergency ordinance repealing Section 1173.07 of the Village’s Codified Ordinances in its entirety.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-18**, entitled, “An emergency ordinance amending Codified Ordinance Chapter 1124 pertaining to Comprehensive Storm Water Management.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-19**, entitled, “An emergency ordinance amending Codified Ordinance Chapter 1129 pertaining to erosion and sediment control.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-20**, entitled, “An ordinance amending Chapter 153 of the Codified Ordinances of Mayfield Village, Ohio pertaining to employment provisions, repealing such other ordinances as are inconsistent herewith and declaring an emergency.” Introduced by Mayor Rinker and Council as a Whole.
- **First Reading of Ordinance No. 2011-21**, entitled, “An emergency ordinance pertaining to the wages, benefits and other terms and conditions of employment for employees of Mayfield Village, Ohio, for the calendar years 2011-13, repealing all ordinances inconsistent therewith.” Introduced by Mayor Rinker and Council as a Whole.

ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL

CLOSING COMMENTS

ADJOURNMENT

