

MINUTES OF THE REGULAR MEETING OF COUNCIL
Mayfield Village Civic Hall
Monday, May 16, 2011 - 8:00 p.m.

The Council of Mayfield Village met in regular session on Monday, May 16, 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, Mrs. Mills, Dr. Parker, Mr. Marrie, and Mr. Saponaro

Absent: None

Also Present: Mayor Rinker, Mr. Wynne, Mr. Diemert, Mr. Cappello, Acting Chief Edelman, Mr. Marrelli, Mr. Metzung, Mr. Neyman, Mr. Thomas, Mr. Esborn, Mr. Dinardo, Mrs. Kalina and Mrs. Betsa

The Pledge of Allegiance to the Flag was given.

Presentation by Lieutenant Mike Girbino: Photoelectric Smoke Alarms

Lieutenant Girbino showed a couple of videos providing information on photoelectric smoke alarms.

Council President Buckholtz stated, that was certainly a compelling demonstration. What can we do here in the Village to promote this?

Lieutenant Girbino replied, we are off to a good start. We just recently passed legislation requiring photoelectric smoke detectors in all new construction. What we can do on the Fire Department level is get the word out to the public which is what we are trying to do here tonight to let them know that this is something that they should consider in the homes that they are in now. Most of us live in homes that are protected with single-station battery-operated smoke alarms. 95% of those alarms out there are ionization. It's very very different than the type of technology for photoelectric. An ionization detector is more of a gas detector. A photoelectric device uses a beam of light and a receiving device inside the chamber. When the smoke enters the chamber, the light scatters and triggers an alarm. It actually is a smoke sensor. Photoelectric detectors are consistent and reliable.

Mr. Saponaro asked, how will we educate the residents or the community on what is the proper way to go or what proper type to purchase? When you go to the store, you get very confused about the packaging. You think you are buying the right one and you are not. What are we going to do? How are we going to educate the community?

Lieutenant Girbino replied, right now we started with our website. We put some valuable information on the website. We also put an article in the latest *Voice of the Village*. We are going to try to get the word out, whether it's mailings, additional information as it becomes available on the internet.

Mr. Marrie asked if you can put a two-page spread in the *Voice of the Village* to get more attention.

Lieutenant Girbino would be more than happy to do that.

Council President Buckholtz suggested this be brought up in committees, such as Citizen's Advisory.

Mr. Marrie replied, Joe's point is good. You go to buy one and you get very confused about which is the best, so maybe a recommendation.

Lieutenant Girbino stated, the videos give you a couple different stories. They recommend using both. They talked about the combination with both types of technology.

Mr. Marrie asked, what do you have in your house?

Lieutenant Girbino replied, I actually have photoelectric. Mine are battery-operated, wireless and interconnected. When one detector goes off, all of them do. That's what's required in new construction. In existing homes we don't really legislate that, but it's recommended. If you can buy the wireless product, that's what I would do.

Mayor Rinker asked, price range?

Lieutenant Girbino replied, the wireless product usually runs about \$30-35. There's a couple different manufacturers that make them. Probably the most common is BRK First Alert.

Mayor Rinker asked, for a 2500 square foot home, 2000 square foot home, difference between ranch or colonial, typically how many units would you want an interconnection?

Lieutenant Girbino replied, it depends on the level of protection. The minimum recommended standard is one smoke detector in each sleeping room, one outside the common sleeping area and a minimum of one on every level of the home.

Mayor Rinker asked, so 4-5 would be the general range?

Lieutenant Girbino replied, yes.

Council President Buckholtz stated, that's good information to get out to people. Thank you. Any other questions? There were none.

OPEN PORTION

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

John Ranallo
6768 Meadowood Drive

A couple of questions on some of the ordinances tonight.

Ordinance 2011-25, amending the Investment Policy of Mayfield Village. Where can I find the Investment Policy of Mayfield Village and where can I find what you are going to amend it to?

Ordinance 2011-27, regarding a no-bid contract for a Carrier Air Conditioning Unit for \$14,000. I would like to know why there's no bid on that.

Ordinance 2011-26, creating the position of Director of Administration, new codified Ordinance Section 131.01 which was repealed in March of 1987. What does a Director of Administration do compared to an Administrative Assistant that was in that Section?

Why is every Ordinance on the agenda tonight an emergency legislation once again? I just don't understand why everything has to be an emergency.

Council President Buckholtz stated, the first explanation, going from back to front on emergency legislation, that was asked the first or second week I was on Council, I don't know how many years ago that was. I should defer to the Law Department, but I will say it has more to do with, if you notice they were called, on the first 2011-06, 07, 08, 09, 10, 18, 19, they were all titled emergency legislation yet we read them three times. It doesn't mean literally what you think it means, like that it's verbiage to jam something through. It has more to do with how soon you can enact it after it's approved or not approved.

Mr. Diemert added, it doesn't mean emergency in the Webster's sense. It's a term of art used in municipal legislative law. It merely means that once it's been read, it could be for six months, could be for a year, could be for six weeks or at one meeting. Once it is finally adopted, it doesn't have to wait 30 days for a referendum period. It becomes law immediately after it is finally adopted and signed by the Mayor. All it does is eliminate the referendum 30-day period where you wait. Most of the ones that have an emergency on them are not controversial. They are not something that would be subject to referendum or that anyone would be interested in doing a referendum on. That's why most legislation has that on there.

Mr. Ranallo asked, can there be a referendum on emergency legislation?

Mr. Diemert replied, there's no referendum on emergency legislation. But for instance 2011-20, an ordinance amending Chapter 153 pertaining to employment provisions is not an emergency measure and that's because perhaps there will be an interest in doing a referendum on that. That's why it was left off of that one.

Mr. Ranallo asked, which Ordinance?

Mr. Diemert replied, referring to the agenda, 2011-20, the last page.

Mr. Ranallo asked, so requiring an emergency doesn't mean it's emergency legislation?

Mr. Diemert replied, no, some of these as you see are on third reading. The first six or seven are on third reading which means it's been six weeks already, at least, that they've been considered. So it doesn't mean it's an emergency, it just means that the time period for referendum is being eliminated.

Mr. Ranallo asked about the Investment Policy.

Mr. Wynne replied, the Investment Policy, I will e-mail both of those to you tomorrow morning.

Mr. Ranallo asked, and the no-bid items?

Mayor Rinker replied, that can be discussed at the time that Council is looking them.

Council President Buckholtz added, typically we entertain comments from the audience and we don't engage in a back and forth. That doesn't mean we don't want to address what you are saying. When we get to the item, that might be the best way to do it. There's more to be said on it. I know the Investment Policy, that hasn't been looked at in how many years?

Mr. Wynne replied, since 1996.

Council President Buckholtz continued, it definitely needed to be looked at. It was a proactive thing, so we will take that under advisement when we get to each of those items.

Mayor Rinker stated, most of your questions should be answered before the night is through.

Mr. Ranallo replied, I appreciate it. Thank you.

CONSIDERATION OF MINUTES:

Regular Council Meeting – April 25, 2011

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

Special Council Meeting – May 2, 2011

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

COMMENTS FROM MAYOR RINKER

Mayor Rinker stated, somewhat ceremonial, Eunice Kalina will be sworn in.

- **First Reading of Ordinance No. 2011-24**, entitled, “An emergency ordinance confirming the appointment of Eunice Kalina as Human Services Director for Mayfield Village, Ohio.” Introduced by Mayor Rinker and Council as a Whole.

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. 2011-24.

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

Mayor Rinker thanked Council. Eunice has been our Human Services Director for a long time now. For discussion purposes, I wanted to apprise everyone in the room. As Council is well aware and I think the public more or less secondarily, we have been for quite some time now going through extensive negotiation with our various groups of employees, reviewing all positions. It's part of what we do whenever we are looking at wages and benefits ordinances. Especially this year we have all been very well aware just overall of a lot of these kinds of issues, but we are at a point where we can at least recognize Eunice.

Mayor Rinker administered the oath of office to Eunice Kalina as Human Services Director.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ

Council President Buckholtz reminded Council that Hillcrest Council of Councils will be meeting this Saturday morning. It's a good one. It's not billed as a debate, but it is two attorneys that have opposing views on Ohio Senate Bill 5 on public management perspectives. Everyone is invited to go to it. It's a 9:00 a.m. breakfast this coming Saturday. You need to RSVP to Mary Beth. I would like to point out that this is the very first one being held right here in Mayfield Village at the Hilton Hotel Conference Center. I think everyone would benefit by attending that. It's very pertinent to the things that we have been working on and will continue to work on. Everyone should let Mary Beth know by Wednesday if they are planning on attending.

The other thing I would like to talk about a little bit is the committee that I mentioned in Caucus that I am really psyched about in terms of establishing a committee, a Community and Economic

Development Committee. I think I explained a little bit in Caucus that this is sort of a ping-ponging exercise that goes on and I will defend it as such. We started with the 2020 Vision Committee. We started before that, I am sure the Mayor will be much better at discussing the history of it, but out of several different committees came a Development Department and the department has done some great things with grants and research and bringing businesses in, but I think that to complete the circle and the cycle of things, we need to bring Council together with the Administration on this. I think it's every bit as important as the Safety and Service Committee or Finance Committee as a committee that better understands the uses for the land that we own, the uses for such projects as moving across the street. This building would have been a good example in its time, but we've got a lot of work to do in terms of motivating Beta Drive beyond QED and keeping the charm of the Village intact to rehash the things that have always come out of citizen's committees, keeping the charm of the Village intact, keeping the size of the Village intact, but yet keep us fiscally growing and part of all of the new economics that are going on. I would like to ask Diane Wolgamuth to come up to the podium and speak a little bit because it really all came out of an exercise where quite frankly this year, even though it seemed like we were just appointing the same committees much in the same way as always, it occurred to me how certain committees came to be and why some committees had three Council representatives and others had one and the difference between citizen's committees versus Council or legislated committees. If you want to give a little background on that?

Mrs. Wolgamuth stated, I don't think you want me to go through the whole memo, but in everyone's packets you should have gotten the memo that I did on committees. It has a chart. One of the things that I recommended in the memo is that the Beautification Committee might take a look at projects brought forward by Administration. I think that recommendation led to the discussion between you and the Mayor that that is not necessarily appropriate for a citizen committee but it is something that should be looked at by Council and Administration together. So I really think that's the genesis of this Committee and that's how we ended up there. This afternoon we had a meeting with various Department Heads and the Mayor to talk about projects that we intend to do in the Village and I think we've pretty much developed the agenda for the first meeting of the CEDC. It's really a matter now of appointing the people from Council. From Administration it would be the Mayor, David Hartt, Ted Esborn and myself.

Mayor Rinker stated, kind of an overview for all of us. Sometimes we have to step back and little bit. While we are a very small Village and government is intended to be effective and efficient, there are some structural issues that I think constantly challenge us to be that. Over the years we tend to get habituated at doing things a certain way. I have found especially as I go to different communities every community has its own set of fingerprints on how it governs. We are no exception in that regard, but fundamentally there is a difference between the Executive Branch and the Legislative Branch in our system of government. The third branch being the Judicial Branch.

It's the dynamic that exists between an Executive and Legislative body that I think often confounds most of us, good, bad and indifferent. It just tends to be one of those matters where there's no distinct role per se, but a lot of overlapping. It's easy to say that the Executive Branch executes the laws and the Legislative Branch makes up the laws, but the space in between is administering, applying the laws, and frankly our Legislative Branch, Council if you think about

it, a lot of different committees, different commissions, handles many of the administrative functions.

It really is a necessary marriage between the Mayor and the Council to coordinate policy. It's great to talk about it. It's another thing to implement it. So kind of what sparked this as Diane pointed out, it began looking at one particular committee, but we really went back and surveyed, Diane did a very good job and Council looked at this memo which we can make available to everyone else, but it essentially went back and looked at committees or commissions that are set up through our Charter, others that were set up by Ordinance and then still others which over time have been more informally comprised. What we saw in that was what I think going forward will be a useful exercise. Every year Council President will review with Council the various committee members and make selections. But there are also, and we have our organizational meeting every year, a lot of boards and commissions populated by volunteers. That combination of citizens who are neither elected nor really seek public office but want to volunteer their time, all of this mix tends to require, I think a way for us to identify the policies that we want to implement and over the years I have found it often very challenging from the administration standpoint on how to initiate policy changes and there's often like flip sides of a coin, projects and policy.

It's sometimes hard because Council's got to make a decision finally on how to spend the dollars in choosing when and what projects should be voted upon, what's needed, what's seen as less needy, but maybe something prudent to invest in. There's a whole spectrum of discussion.

This Committee, I think, probably recognizes, I think in the first time in the Village's history, what we think will be a very good mechanism to help align Council's function, the Mayor's administrative function, the Executive function, and more methodically go through and sort of sort out projects from policy because we have a lot of issues in front of us. For example, what goes on across the street with the old Village Hall and those facilities? What do we do with other public facilities? We have had discussion about the library for example. We need to talk about the future of dealing with our various businesses, all the way from Progressive down to much smaller businesses.

So we think that this Committee will be a good way more directly to communicate and sort of cultivate a working relationship between the Mayor and Council. I think that by recognizing that this is going to be a standing committee of the Council we hope gives it legs and we think, especially because as we went through it this afternoon, we had about 6 pages, a few dozen different "projects" that range anywhere from relatively small and straightforward one-dimensional to multi-dimensional matters that will touch upon a lot of policy consideration. So hopefully Council recognizes. I think as Council President Buckholtz said, after going through this process of discussion between us over the last several months I think he is forecasting correctly what should be I think a very good dynamic between the Administration and Council.

So, I thank Diane and I thank Bill and stay tuned.

Council President Buckholtz stated, I have talked to several people on Council. I have not made any appointments yet, although this is something I want to start soon. It's not something I am talking about for next year. We need to start immediately. I wanted to ask the Law Director first

because this did come up in discussion, it is interesting that you mentioned Beautification Committee but in some ways it became a model of taking a new committee out of thin air and just running with it. We did pass that by ordinance and then we found that in functioning modifications needed to be made. The idea that we had was not to rush into an ordinance. Can we create a committee and see how it runs and then build an ordinance around it?

Mr. Diemert replied, absolutely. The Mayor or Council can create committees. Legislative acts are not necessary to do so. You are not delegating any power. You are just appointing advisory committees.

Council President Buckholtz asked, anyone interested, call me. I will be calling around. I have to say sitting on the Wage Negotiation Committee where we met early in the morning was a very interesting and gratifying experience. We were sometimes going to a meeting at the end of a busy day and certainly getting up an hour early to go to a meeting is something that you don't want to do, but these meetings where I thought they were going to be a half hour to an hour were often two and three hours. By the time you got out of there you were so pumped with ideas. I would like to recreate that dynamic with this committee.

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

Mr. Metzung reported, we did manage to find a couple of dry days to work with Progressive to plant the trees along the Parkview and North Commons area. They got all but three of them in. Next time you drive by, take a look. Our new lawnmowers are already paying dividends as they are much more powerful than our old ones. With all this rain they have allowed us to keep some semblance of keeping up.

With Progressive, Mayor Rinker did not want to make this seem like we are glossing this over. Doug was approached by Brian Smith some time ago and broached this first with me and then also with Council. This came from Progressive and it came from people who work at Progressive who really wanted to contribute to their community. This is something that they drove the bus. The fact is it was a community project that they brought to us. We had a fair number of trees that we needed to replace and otherwise it improve the entryway there. Our understanding is this is something that these folks would like to repeat on an annual basis. We clearly want to give credit where it's due and recognize it. I just can't say enough. To me, it's such a positive contribution. This is basically their sweat equity that they brought to us. It's kind of a partnership, but this again came from a lot of the employees with the Company's blessing. To me, it's just a nice way to show in a small town we can get things done well. Thank you to Doug because he coordinated it and promoted it.

BUILDING – John Marrelli

In follow up to Michael's presentation, you may not remember, but last month Council passed an ordinance amending the Ohio Residential Code. In that section particularly the photoelectric smoke alarms was mandatory and the required smoke alarm locations of the Ohio Revised Code.

You have already acted on it. Today you got to see why. I think Mike did a great job on that. I think we are one of the few towns that are ahead of the curve.

Council President Buckholtz stated, I think what came out of Council was that was new construction that requires it.

Mr. Marrelli replied, or additions or any other time that they are required to go in, they will be photoelectric.

For a plug for this new Committee, Mayor Rinker replied this might be the kind of thing where if the Committee wants to pick it up and explore some alternatives as far as not just only promoting it verbally there may be other ways that we can make this more effective to implement it. Again, that touches upon policy issues and something that Council and Administration can work on together.

Council President Buckholtz stated, a number of years ago, I don't remember what item it was, but the Fire Department purchased carbon monoxide detectors and made them available for sale, bought them in bulk and there was a push to get them to the community. I don't remember what it was.

Mayor Rinker stated, that's kind of where I was going with the idea.

Council President Buckholtz stated we will talk further on this.

Lieutenant Girbino added, we are in the process right now of completing the distribution of photoelectric smoke detectors. We received Federal grant money and purchased photoelectric detectors and right now the apartments have installed all but five of those detectors. We gave 252 total.

Mayor Rinker stated, it's fair to say, it was focusing on probably a more higher risk because of the common areas that they share, the common walls, construction-wise. But that gets probably 15%, 20% of our housing stock?

Mr. Marrelli replied, maybe 10%.

Mayor Rinker stated, as a policy consideration, if we are going to take this thing to another level, that is what I suggest that we look at it because I suspect the more we make it easy for people, it's going to be more successful.

Lieutenant Girbino added, we also applied for another Federal grant to get more photoelectric alarms to be able to provide one for every household.

Council President Buckholtz stated, that would be great. Thank you.

ENGINEERING – Tom Cappello

Mr. Cappello reported that we are preparing the 2011 road program concentrating in the Aintree Park neighborhood. We hope to go out to bid in June.

LEGAL DEPARTMENT – Joe Diemert

There was no report.

FIRE – Craig Neyman

There was no report.

FINANCE – Ron Wynne

Mr. Wynne mentioned that he has a meeting this Friday with the State Auditor's office. They will be starting our 2010 audit next week. This is a preliminary planning meeting before they start their field work. Also, a reminder to everyone here today that we have two Town Hall meetings scheduled, one on May 23rd and one on June 21st where the Mayor and I will make a presentation and update everybody on the Village's finances.

POLICE – Acting Chief Edelman

Acting Chief Edelman stated we have a couple of items on the agenda. I will report on them at the appropriate time.

PARKS & RECREATION – Bill Thomas

Mr. Thomas just wanted to let everyone know how unique this Spring has been. To put it in context, we have not used the soccer fields other than one night since April 4th. This has been an unbelievable Spring. Our softball program as well. I think we've used two nights. The nights that we used it it started raining. It has really been a challenge for the Recreation Department as well as with the pool. I really am concerned. Hopefully we are going to open up on time because we can't really do any of our maintenance stuff that we need to do. We need to have that done before we open up and put water in the pool. Hopefully the weather will break soon.

ARCHITECT – Ron DiNardo

There was nothing to report.

HUMAN SERVICES – Eunice Kalina

Mrs. Kalina reported that we had our Anniversary Party for the seniors this past Saturday. It was extremely nice. Everyone in attendance received a door prize in addition to favors and lunch and entertainment by our resident harpist. Patsy Mills was there to help out as always. Today we had a trip to Carrie Cerinos where we heard Ricky Martin, son of Dean Martin and had lunch. It was

very nice. We have just scheduled an AARP Safe Driving class for Friday, August 12th. Anybody who's interested, we will be announcing that shortly.

PLANNING DEVELOPMENT – Ted Esborn

There was nothing to report.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills thanked everyone that helped at the Pancake Breakfast. It was quite successful. Especially Service, they always do such a nice job in cleaning up the Service Department and making it almost look like home. We had approximately 700 people. That's a lot of pancakes. We almost ran out of pancake batter this year. Our next meeting is Wednesday, May 18th here at 6:45. We will be talking about 50's Night and also Fourth of July.

Architectural Review Board – Mr. Marrelli reported that Architectural Review Board met last week. We approved a duplex unit over at the Krenzler property down the street.

Mayor Rinker stated, they are actually building again. When was the last permit pulled?

Mr. Marrelli replied, three years ago.

Beautification- Mr. Saponaro reported that the Beautification Committee met on Tuesday, April 26th. On Friday, May 6th we had our Arbor Day Celebration. It was very well attended. I think everyone really enjoyed it. Everyone did a terrific job in helping out and coordinating everything. The kids really had a great time. It was very educational. Thanks to everyone here who showed up. It was a big showing. Much appreciated. I think the kids got a big kick out of that. We have a Poster Contest every year. We have a reception for the kids. This year it's on Monday, May 23rd in the Community Room at 6:30. That will be our last meeting before we break for the summer. We will reconvene in the Fall.

Board of Appeals - Mr. Marrelli reported, there was no meeting last week. There will be a meeting tomorrow. We are reviewing the High School proposal for a new electronic digital sign in front of the school.

Cemetery – Mrs. Mills reported that the Mayfield Village Garden Club has been trying to get to the cemetery to do some weeding in the flower beds but it's almost impossible. Mr. John Bendis from Highland Heights is involved in forming a new VFW Chapter that will be meeting down in Willowick. I put him in contact with Mary Singer for the Memorial Day Service at Whitehaven. He wants to put flags in the cemetery. I said, well the Village always did that. He said, no, VFW should do that. So he contacted a committee somewhere in Cuyahoga County that will give you flags. All these years we have been buying the flags. We could get the flags for nothing. He went downtown and got the flags Friday. This Saturday afternoon we are going to place the flags here in the cemetery and what he doesn't use he is going to give to Mary Singer to use. He will be at that ceremony too. Very nice man from Highland Heights.

Citizen's Advisory Board – Mr. Marrie reminded everyone that we could use some help placing the flags at Whitehaven for the Memorial Day Service. There are about 3,000 to be placed there. It's on Saturday the 28th at 9:30. Anyone is welcome to help us. The Memorial Service will be held on Sunday at 1:00 p.m. The other events were already reported on. We have two more meetings, one in May, one in June, and then we do not meet for the rest of the summer.

Commission on Aging – Mrs. Kalina reported that Commission on Aging members were very much in evidence Friday helping to set up for the party before it began and when it ended helping to clean up. I could not have done it without them.

Safety and Service – Mrs. Cinco reported that Safety and Service met on May 2nd. At that time with the Police Department we discussed the promotional exam, adopting procedures for the operation of the Mayfield Village Police firing range, for the Service Department, intersection work at SOM Center and Wilson Mills Road. Also, the salt and sodium chloride bid. Also, under the Fire Department, the new mattresses for the fire station. All those items are on the agenda tonight.

Council President Buckholtz asked when the Drainage and Infrastructure Committee is meeting. Mrs. Cinco replied the last Friday in May, the 27th at 8:00 in the morning at the Service Department.

Finance Committee – Mr. Saponaro reported that Finance Committee met on Monday, May 9th for their Caucus as well as today for their additional meeting. We have 6 expenditures on the agenda that we have recommended for approval. We also have 8 Ordinances, three of them we have deferred only because of the discussion purposes, 2011-20, 2011-21 and 2011-26 because we will discuss those at length in Executive Session. The remaining Ordinances and Resolution were all recommended for approval.

Historical Society – Mrs. Mills reported that we have a new security system in place. It replaces the original one that we had since 1978. It needed to go. We will be having the Lander Road students come on Friday. We will have 91 students touring the house that day. It will be in two sessions. We also have an open house on June 4th. We hope all of you come. It is from 1:00-5:00.

Hillcrest Council of Councils – Council President Buckholtz reminded everyone of the event scheduled this coming Saturday morning on Senate Bill 5 at the Hilton Hotel Conference Center. RSVP to Mary Beth.

M.A.R.C. – Dr. Parker reported that M.A.R.C. met on May 5th. Items of note, the Treasurer's Report showed a balance of \$20,771.00. Field hockey continues to be a very popular activity. Mr. Folkman from the school system indicated that construction at the Middle School is well underway and that the High School construction will likely start in July. The next meeting will be held on June 2nd at 7:00 p.m.

Ordinance Review Committee – Mr. Saponaro reported that Ordinance Review met last Tuesday. On the agenda we had various items for discussion regarding the wind turbines. We are drafting the zoning standards for that. The Law Department is making final changes. We

discussed the accessory use, Codified Ordinance 1157.06. We are still in discussion on that. We also discussed temporary advertising signs and we are looking at ways to adjust or clean up our ordinance as well as the sign ordinance amendments for Section 1185.10 and 1185.14. Those deal specifically with the political sign ordinances. We are looking at a lot of the different ordinances right now. The Law Department is providing us further information on that as well.

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

Recreation Board - Mr. Marrie reported that the Recreation Board won't meet until September 21st but the members of the Board will be busy volunteering for the summer, Cruise Night, the Debbie Hudacko run, the bike ride and scavenger hunt which is new this year, along with the Summer Sizzler Swim Meet, plus other projects that are going on in the Village in the area of recreation.

SPECIAL COMMITTEE REPORTS:

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

Records Commission – Mrs. Mills reported that we had Shred Day on Saturday. The Village shred 19 boxes. Residents brought us 350 boxes for a total of 369 boxes. They recycled 2.25 tons which is up because last October we only did 1.75 tons. It's been a good project. It was busy most of the morning. They worked until Noon. It worked out very well. The residents are fascinated. They have to watch their papers be shred. It's interesting.

OLD BUSINESS

. **Third 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 – April 25, 2011)

Mrs. Cinco, seconded by Mr. Saponaro made a motion to enact Ordinance No. 2011-06.

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

. **Third 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 – April 25, 2011)

Mrs. Mills, seconded by Mr. Saponaro made a motion to enact Ordinance No. 2011-07.

Before we vote on this, Council President Buckholtz asked for an explanation of this Ordinance and the other Ordinance.

Mr. Diemert replied, the fees for the billing services to Life Force have been altered. That is what the exhibit is. Also on cost recovery, there has been a movement afoot to try and recover calls to accidents that the Fire Department responds to and to collect from the negligent party's insurance carriers for the cost of our Fire services.

Council President Buckholtz asked if this is non-residents.

Mr. Diemert replied, residents are paying for it through their taxes here. The justification which has been authorized by the courts for collecting from non-residents is that it's covered under their insurance policy.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

Third 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 – April 25, 2011)

Mr. Saponaro, seconded by Mrs. Cinco made a motion to enact Ordinance No. 2011-08.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

Third 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 – April 25, 2011)

Mrs. Cinco, seconded by Mr. Saponaro made a motion to enact Ordinance No. 2011-09.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

. **Third 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; Second Reading – April 25, 2011)

Mr. Saponaro, seconded by Mr. Marrie made a motion to enact Ordinance No. 2011-10.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

. **Second 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 – April 25, 2011).

This Ordinance will be left on Second Read.

. **Second 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 – April 25, 2011).

This Ordinance will be left on Second Read.

NEW BUSINESS

. **Motion to refer to the Planning Commission Commercial Alteration Application filed by Winfield Deacon, LLC on May 9, 2011 regarding rezoning of two existing lots at 835 SOM Center Road from single family residential to local business.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to refer to the Planning Commission Commercial Alteration Application filed by Winfield Deacon, LLC on May 9, 2011 regarding rezoning of two existing lots at 835 SOM Center Road from single family residential to local business.

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

Roll Call: AYES: All
NAYS: None

Motion Carried
Referral Approved

Motion to authorize expenditure in the amount of \$3,804.57 to Original Mattress Factory for the purchase of replacement mattresses for Fire Station.

Mr. Saponaro, seconded by Mr. Marrie, made a motion to authorize expenditure in the amount of \$3,804.57 to Original Mattress Factory for the purchase of replacement mattresses for Fire Station.

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

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

Motion to go out to bid for sale of police and fire vehicles.

Mr. Saponaro, seconded by Mrs. Mills, made a motion to go out to bid for sale of police and fire vehicles.

Council President Buckholtz asked if there was any discussion. These are separate bids?

Mr. Saponaro stated, there's actually a correction on that. There are actually one Fire vehicle, one Building Department vehicle and two Police vehicles.

Council President Buckholtz suggested we amend the language to read: "Motion to go out to bid for sale of two Police vehicles, one Building Department vehicle and one Fire vehicle."

Mr. Saponaro, seconded by Mr. Marrie, made a motion to go out to bid for sale of two Police vehicles, one Building Department vehicle and one Fire vehicle.

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

Motion to authorize expenditure in the amount of \$7,200.00 to Kapton Caulking and Building Restoration, Inc. for caulking of pool.

Mr. Saponaro, seconded by Mr. Marrie, made a motion to authorize expenditure in the amount of \$7,200.00 to Kapton Caulking and Building Restoration, Inc. for caulking of pool.

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 \$3,000.00 to Sherwin-Williams for paint for pool at 0-42" depth, preschool wall and diving well.

Mr. Saponaro, seconded by Mr. Marrie, made a motion to authorize expenditure in the amount of \$3,000.00 to Sherwin-Williams for paint for pool at 0-42" depth, preschool wall and diving well.

Council President Buckholtz asked if there was any discussion.

Dr. Parker asked, by when do they need to get started in order for the pool not to be delayed?

Mr. Thomas replied, the first thing we need to do is caulk the pool. That's priority number one. We would need three days to fill the pool and I would hope another three days to heat the pool, especially if the temperature is 45 degrees. So we're looking at at least a week and a half, so if we backtrack and we are opening up the pool on June 10th, I would say by June 1st we need to start filling the pool with water.

Mayor Rinker asked, Doug, John, yes, no?

Mr. Metzung replied, it's up to the gentleman we got the bid for the caulking. He assured me that he will be able to get done with it by the end of the month timeframe and then a couple of days for the paint.

Mayor Rinker asked, does caulk need to cure between the paint, dry surfaces, do we have any insight on that?

Mr. Metzung replied, we need a dry surface for the caulk. That would take one good day. They tear everything out and replace the caulk. They need dry weather. We expect we will get it done. If for whatever reason we cannot, if it doesn't stop raining, we will make in-house repairs to the caulking. We think we have narrowed down the worst offending areas. We will make those repairs in-house and then we will get ready to open the pool.

Dr. Parker asked, are you saying that you would caulk it and then not paint it this year and maybe do all that stuff next year, or what?

Mr. Metzung replied, if push comes to shove and we couldn't paint the pool, we wouldn't paint the pool. The end that he is looking to paint is just the shallow end and down by the wall area. Typically we paint that every year so it's not horrible. It needs to get done but it wouldn't keep you from opening up the pool if the weather is bad.

Council President Buckholtz asked, you would patch it in-house and not paint it this year?

Mr. Metzung replied, that would be extreme.

Mayor Rinker added, worst case scenario.

Mr. Metzung replied, correct.

Roll Call: AYES: All
 NAYS: None

Motion Carried
Expenditure Authorized

Mrs. Mills, seconded by Mr. Saponaro, made a motion to enact Ordinance No. 2011-22.

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

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

- **First Reading of Ordinance No. 2011-23**, entitled, “An emergency ordinance confirming the appointment of special counsel to represent the Village in upcoming police and fire negotiations and establishing the terms, conditions and compensation of such appointment.” Introduced by Mayor Rinker and Council as a Whole.

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. 2011-23.

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

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

- **First Reading of Ordinance No. 2011-25**, entitled, “An emergency ordinance amending the Investment Policy of Mayfield Village.” Introduced by Mayor Rinker and Council as a Whole.

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 Mr. Saponaro, made a motion to enact Ordinance No. 2011-25.

Council President Buckholtz asked if there was any discussion.

Mr. Wynne explained, the Village has an Investment Policy that was adopted back in 1996. At the time it was adopted, it was based upon the rules and regulations established by the

Ohio Revised Code at that point in time which has changed. It was also adopted based upon the funds that we had in place on our books at that time which have changed significantly since then. Now that the Village has some cash to invest, I have been working with a municipal investment advisor from UBS who took a look at our Investment Policy and informed me that he was unable to work with it based upon the way it was drafted back in 1996 so I worked with the Law Department and we revised it based upon the current rules and regulations that are established by the State of Ohio. This will allow us the flexibility to start investing our excess reserves.

Council President Buckholtz asked, what does that mean when they said that they couldn't work with it until we revamped it?

Mr. Wynne replied, I don't have the specifics with me, but with the changes in the Ohio Revised Code as far as investing and the length of time you can invest the money, we had to make those changes.

Mayor Rinker added, to conform to the Revised Code.

Mr. Wynne replied, yes, and the type of investment. The investment strategy they are doing is investing the money in Certificates of Deposit. We will start 7 months out with CD's at \$100,000 each for the next 12 months so that every 6 months they review it so we get the maximum return to protect the main investment and have it liquid enough in the event that we do need it.

Council President Buckholtz asked, so it's a conservative investment approach?

Mr. Wynne replied, what we are allowed to do within the confines of the Revised Code is conservative.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

- **First Reading of Ordinance No. 2011-27**, entitled, "An emergency ordinance authorizing the Mayor to enter into a contract with Apple Heating & Cooling for the purchase of two (2) Carrier air conditioning units in an amount not to exceed \$14,000.00 without the necessity of advertisement and formal bidding." Introduced by Mayor Rinker and Council as a Whole.

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. 2011-27.

Council President Buckholtz asked for an explanation. This has been explained at Caucus as to how this is working.

Mr. Marrelli reported, several months ago we had chased a leak in the back hallway here. I don't know if you have had the pleasure of walking around the bucket to go to the Men's Room, but it's usually out there. We gave up on the roof part because all of the roofers said there was nothing wrong with the roof. So that concentrated it to the rooftop air conditioning unit. We had our maintenance contractor go up there and pull the cover off to find out that the inside of the air conditioning compressor cabinet was just a pile of rust. The water is running down the electrical lines, etc. I got a price from them. Realizing that it was around \$8,000, I decided to get two more prices so I informally bid them to contractors that had worked in this building before. I got three prices for a single air conditioning unit from \$8,000-11,000. It was pointed out to me that both of the units up there are the same age, 32 plus years old. At that point I went back to the three bidders and I said I want you to bid it as two units instead of one which they did which threw us over the \$10,000. Having been notified that at \$10,000 I should have put an ad in the paper, I explained to our legal department that we are trying to stop the roof leak and since it has not stopped raining for six weeks could we kind of bypass that a little bit. I was advised that we took three informal bids and it's kind of an emergency when water's coming through the roof. So hopefully that explains it.

Mr. Diemert added, the law does allow Mr. President for emergency situations where the Village will lose money or have damages to our property if we don't move quickly to not do the formal bidding process which would have added another six weeks on to this project to get the informal bids. If Council deems that it's important enough you can adopt this legislation, waive the formal bidding and if you are satisfied, go ahead and authorize the contract.

Council President Buckholtz stated, to add the obvious, you are familiar with the three bidders and you are happy with who is doing the work?

Mr. Marrelli replied, yes. The bids ranged from \$14,000 to \$18,500. Apple Heating has done some work in here before in our offices, our little air conditioning units. They did a tremendous job. They came in low. I was happy to see that. I have all the confidence that they can take care of this job quickly.

Council President Buckholtz asked if there were any other questions.

Mrs. Mills added, also, Apple had the necessary equipment to do this job according to OSHA. That was one of the big things that John was concerned about.

Mr. Marrelli replied, new fall protection laws for the guys that are up there installing these units. It's something they had to purchase to do some work downtown so they have the latest and the most up to date equipment for safety which takes the liability off of us.

Council President Buckholtz stated we figured that's how some of the bids came in really high. They were probably going to go out and buy the equipment on our dime.

Mr. Marrelli replied, right. I don't believe the other two companies were aware of the fall protection equipment costs and may have had to rent or purchase something.

Council President Buckholtz remembers the discussion. Any other comments? There were none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Ordinance Enacted

- **First Reading of Resolution No. 2011-07**, entitled, "A Resolution requesting the Ohio Department of Transportation to repair and resurface the intersection of SOM Center Road and Wilson Mills Road and authorizing the Mayor to enter into agreements with the Director of Transportation necessary to complete the project." Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adopt Resolution No. 2010-07.

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

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

EXECUTIVE SESSION

- **Motion to go into Executive Session to discuss negotiations concerning wages and benefits of public employees.**

Mr. Saponaro, seconded by Mrs. Mills, made a motion to go into Executive Session to discuss negotiations concerning wages and benefits of public employees.

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 will be voting on three more items when we get back so you are invited to stay. We will be back as soon as we can. Thank you.

Council went into Executive Session at approximately 9:20 p.m.

Council reconvened at approximately 9:35 p.m.

- **Third 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 – April 25, 2011; Second Reading – May 2, 2011)

Mrs. Mills, seconded by Dr. Parker, made a motion to enact Ordinance No. 2011-20.

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

- **Third 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. (First Reading – April 25, 2011; Second Reading – May 2, 2011)

Mrs. Mills, seconded by Mrs. Cinco, made a motion to enact Ordinance No. 2011-21.

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

- **First Reading of Ordinance No. 2011-26**, entitled, “An emergency ordinance creating the position of Director of Administration and enacting new codified ordinance Section 131.01.” Introduced by Mayor Rinker and Council as a Whole.

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. 2011-26.

Council President Buckholtz asked if there was any discussion or comments.

Mr. Saponaro stated, the only comment I would make is to be clear that with the new position of Director of Administration, the salary range will be at the low salary range stated in the Ordinance. Everyone should be aware of that.

Council President Buckholtz stated, I think we phrase that the starting salary. The gentleman that raised the question is no longer here, but I will still give a brief explanation. This position is being created for a person who has done some outstanding work here and in fact salary is not really the issue. The compensation that she has been earning since Diane Wolgamuth in the front row there, is basically the same as what the salary will be but the duties that she has performed and the role that she has played in keeping the Village running and interfacing between the Mayor and representing his administration and interfacing with Council and our Council Clerk Mrs. Betsa has been unparalleled in the time that I have been on Council. Her job description reads like a novel. We are all thrilled as a body. Any other comments?

Mayor Rinker stated, I think it's fair to say this has been a consensus decision and from my perspective what has been rather interesting is that fact because we have as I commented earlier been going through a pretty lengthy period dealing with various employment issues over the last few years actually. I tell a lot of people who ask us how Mayfield Village has been doing and I have remarked that I'd say probably for the last three years, we kind of got an earlier wake-up call in terms of some of the economic issues in our community, probably a good year before most other communities started feeling the pinch. As I say, we got a wake-up call. In addition over that time we have gone through some pretty significant structural changes and I guess on the outside to people it may not appear to be all that noticeable. It may seem seamless, but internally I can say this and I know that for me what was rewarding is the sense that Council has seen it as well that I believe we have done a remarkably good job of introspection and then making the kinds of changes that have ultimately inured to everyone's benefit and very much at the core of all of this progress has been Diane Wolgamuth. She has been exceptionally effective. She has organized, a comment that a number of people made tonight is that she can tell people pretty candidly what needs to be done in such a way that they are not at all offended by recognize that they want to do what needs to be done. She is very diplomatic. She's book smart. She's people smart and I think we all appreciate that fact. Those are factors that have been cumulative and I think it makes sense that this be treated as a departmental position because she has to deal so extensively with all of the other department heads as well as the community with just about everyone and she does it very very effectively. So thank you. With that I look forward to the vote and a couple other business matters here.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

Mayor Rinker administered the Oath of Office to Diane Wolgamuth as Director of Administration.

Mrs. Wolgamuth asked to make a comment. I just wanted to say quickly, when the Mayor and I first discussed this position he had a vision of what he thought it should be or could be and I worked really hard over the last couple years to get there and to achieve that vision, so I just wanted to thank him for giving me the opportunity and the free reign to get there. I want to thank all of you for recognizing the effort and I want to thank all the Department Heads for their help and support along the way. I look forward to a lot of Monday nights with all of you. Thank you.

ANY OTHER MATTERS:

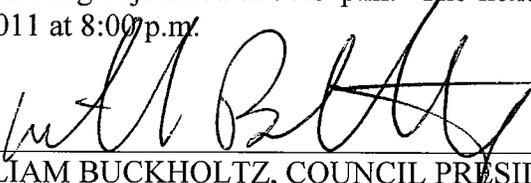
Council President Buckholtz asked if there were any other comments.

There were no other matters before Council.

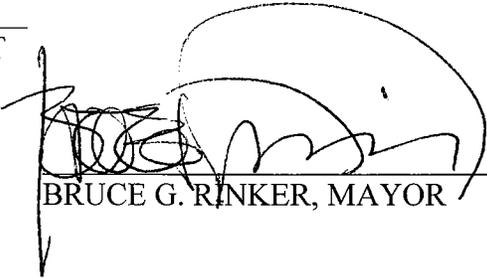
ADJOURNMENT

Mrs. Mills, seconded by Mrs. Cinco, made a motion to adjourn.

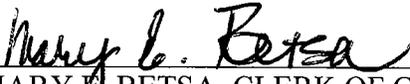
The meeting adjourned at 9:45 p.m. The next Council meeting is scheduled for Monday, June 20, 2011 at 8:00 p.m.



WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT



BRUCE G. RINKER, MAYOR



MARY E. BETSA, CLERK OF COUNCIL