

RESOLUTION NO. 2010-04

INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY RESOLUTION
PROVIDING FOR THE EMPLOYMENT
OF A MUNICIPAL ARCHITECT FOR MAYFIELD VILLAGE, OHIO
ACCORDING TO ORDINANCE NO. 70.7 AND SECTION 1301.03
OF THE CODIFIED ORDINANCES**

WHEREAS, the Mayor has appointed Ron DiNardo as Municipal Architect and Council wishes to confirm such appointment.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO THAT:

SECTION 1. The Mayor's appointment of Ron DiNardo as Municipal Architect for Mayfield Village, Ohio, is hereby confirmed subject to the terms, conditions and compensation hereinafter established.

SECTION 2. Ron DiNardo is hereby employed and reappointed as Municipal Architect for Mayfield Village, Ohio, effective January 1, 2010 through December 31, 2011 provided, however, that such employment may be terminated by either the Village or said Municipal Architect upon thirty (30) days written notice to the other.

SECTION 3. In addition to duties and functions of the Municipal Architect per Ordinance No. 70.7 or Section 1301.03 of the Codified Ordinances, he shall provide at the direction of the Mayor, architectural consulting services in relation to the construction and/or renovation of public buildings or structures.

SECTION 4. The Municipal Architect may currently serve as a member on The Architectural Review Board.

SECTION 5. The Municipal Architect will not be required to provide Commercial Plan Review of new or altered buildings per the Ohio Building Code, unless proper Plan Review certification is presented to the Building Commissioner for approval.

SECTION 6. Said Ron DiNardo shall be compensated as follows, and the Mayor and the Director of Finance are hereby authorized to enter into an Agreement in writing with said Ron DiNardo whereby he will be paid on the following basis:

(a) The fee provided in Section 6(b) hereof shall cover architecture services including preliminary estimates and reports, complete detailed plans and specifications, and does not include property, topographic, boundary or right-of-way surveys, color renderings, construction inspections, inspection of materials, costs of test borings, or other subsurface explorations, structural, mechanical, plumbing or electrical engineering. These latter services may be provided by Municipal Architect's consultants on an hourly basis not to exceed one hundred thirty and 00/100 Dollars (\$130.00) per hour.

(b) For all architectural services in connection with any and all public improvements constructed by the Village in cooperation with any Federal or State agencies, or work not let by contract, or reports, etc. and for any and all services not specified above nor incident to nor connected with the construction of public improvements, subject to the terms of Section 6(c), compensation shall be made on the basis of time spent by him or his employees and associates at the rate set forth in the following schedule of hourly rates:

Architect	\$ 77.60
Draftsman	\$ 56.90
Materials, Printing, Supplies and Services by Others	Cost

Payment shall be made under this Section at the completion of each service and upon billing by the Municipal Architect. The Municipal Architect shall provide such documentation as the Village deems necessary to substantiate such bills.

(c) In addition to the other services mentioned hereinabove, the Municipal Architect shall be required to give advice to Council, the Mayor and other administrative officials of the Village on problems pertaining to architecture, including minor consultation with such authorized representatives of the Village, providing such consultations require no preparation of detailed plans. For these services, the Municipal Architect shall be compensated at the rate of Nine Thousand Eight Hundred Thirty-Two and 50/100 Dollars (\$9,832.50) per calendar year during the term of this contract. The Municipal Architect shall not separately bill for non-reimbursable meetings requested by the Mayor, the Building Commissioner, the Council or President of Council.

(d) Projects with the Village having architecture design in excess of \$25,000,000, based on estimated construction contract costs, must be awarded using the qualifications-based selection procedures mandated by the Ohio Revised Code.

SECTION 7. The Municipal Architect shall not participate in the review of, or give advice upon, any work of which he, his partner or professional associate or associates, has any direct or indirect interest.

SECTION 8. This Resolution shall be effective January 1, 2010 and retroactive thereto.

SECTION 9. The Council finds and determines that all formal actions of the Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 10. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mayfield Village for the reason that the employment of a Municipal Architect is necessary for the orderly development of the community. It shall, therefore, take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

WILLIAM BUCKHOLTZ
Council President

First Reading: _____, 2010

Second Reading: _____, 2010

Third Reading: _____, 2010

PASSED: _____, 2010

DATE: _____, 2010

BRUCE G. RINKER
Mayor

APPROVED AS TO FORM: _____

JOSEPH W. DIEMERT, JR.
Director of Law

ATTEST: _____

MARY E. BETSA
Clerk of Council