

MINUTES OF THE REGULAR MEETING OF COUNCIL
Mayfield Village Civic Hall
Monday, March 17, 2014 - 8:00 p.m.

The Council of Mayfield Village met in Regular Session on Monday, March 17, 2014 at Mayfield Village Civic Hall. Council President Pro Tem Marrie called the meeting to order at 8:00 p.m.

ROLL CALL: Present: Mr. Delguyd, Mr. Jerome, Mr. Marquardt, Mr. Marrie, Mrs. Mills and Dr. Parker (8:13 p.m.)

Also Present: Mayor Rinker, Mr. Wynne, Ms. Calta, Chief Edelman, Chief Carcioppolo, Mr. Marrelli, Mr. Metzung, Mr. Thomas, Mr. Cappello, Mr. Dinardo, Mr. Esborn, Ms. Wolgamuth and Mrs. Betsa

Absent: Mr. Buckholtz

The Pledge of Allegiance to the Flag was given.

OPEN PORTION

Janie Ratner

613 Rutland

Highland Heights, Ohio

In my craziness of coming here and being a little bit pressured, I left behind my visual items that I planned on bringing here. I made a sign for our fundraiser at Heinen's for the Cleveland Foodbank. I also left behind the paper I had specifically run off to bring to you to show you the kind of funds we are raising compared to the other 16 Heinen's. We are number 7.

Myself and the friendly manager at Heinen's have this passion for the Cleveland Foodbank. I do a fundraiser in my neighborhood in the Williamsburg area which I started 6 years ago. I began with collecting \$2,057. This past year, number 6, we actually raised \$5,500 through donations from neighbors. We have also raised over a ton of food in addition to the dollars for the Cleveland Foodbank. Going along with that, the friendly manager at Heinen's and myself having this passion for the Cleveland Foodbank, I approached her and said, why don't we do something a little special over and above the Harvest for Hunger that Heinen's and Dave's and Giant Eagle all participate in and she said, okay, let's try it. We took a few food items to sell separately. I am the demonstrator over there. We did some hot dogs and buns and other items and raised several hundred dollars.

At that time, they were a little resistant in having other vendors bring their products. This year, I went ahead on my own and contacted local vendors that we carry in our store. They were all on board with participating and donating their items for sale with 100% of all proceeds going to the Cleveland Foodbank. We began with Euclid Beach Humphrey popcorn products which Joanne Lynch donated. We then went to Mitchell's Homemade Ice Cream. This week we are doing Pizzazz pizza. Stephanie is donating the pizza. I also have Coca Cola products on board and Snyder's of

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Hanover to go along with the pizza. Our fourth week will be Mitchell's Fine Chocolates in Cleveland Heights. We carry that at Heinen's as well. Our final week will end with Stone Oven on Lee Road in Cleveland Heights. We carry their breads. They are going to be doing pastries.

Our first week with Euclid Beach yielded \$367. This past week with Mitchell's Homemade Ice Cream, we did \$306. We are trying to at least make \$1,500 and hopefully go over that. The generosity of our patrons is amazing. I am having people refuse to take the product which we are offering and slipping in \$5, \$10 and \$20 in the box that is on the table.

This Heinen's here, because of our friendly manager's passion, plus a little bit on my part, we have surpassed the other 16 Heinen's in our collections. At this time, the most the other stores collected were about \$4,000. We are up to about \$9,000. I think that's pretty significant. Alicia Smith has taken it upon herself to work with each cashier, showing them the video from the Cleveland Foodbank and working with them to make sure she has each of them saying to each customer, "Would you like to contribute to the Cleveland Foodbank?". We are being not to assertive or aggressive, but certainly suggestive. My little fundraiser is certainly helping towards that goal.

I think that as a community we, you and everyone, should be most proud of this Heinen's and the effort the employees are making. They are doing an outstanding job, all under Alicia Smith's guidance. Customers have been most generous. And it continues.

Mr. Jerome asked, so it's Saturday and Sunday the next couple weeks?

Ms. Ratner replied, yes. Our third weekend with vendor fundraising will take place this coming weekend. It will be Pizzazz. The following weekend, Bill Mitchell will be attending from Mitchell's Candies. That will be our second to last vendor fundraiser. Then the next weekend would be the final vendor which is scheduled to be Stone Oven from Cleveland Heights.

Mr. Jerome stated, I appreciate you coming up. I hope everyone can come up and donate.

Ms. Ratner replied, it's a win-win. Thank you for allowing me to speak tonight.

Council President Pro Tem Marrie thanked Ms. Ratner for her effort.

Council President Pro Tem Marrie asked, is there anyone else who would like to speak during open portion? There were no comments.

CONSIDERATION OF MINUTES:

Regular Council Meeting – February 18, 2014

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

Special Council Meeting – March 4, 2014

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

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes Approved

COMMENTS FROM MAYOR RINKER

There were no comments.

COMMENTS FROM COUNCIL PRESIDENT BUCKHOLTZ

There were no comments.

DEPARTMENT HEAD REPORTS:

SERVICE – Douglas Metzung

Mr. Metzung stated, the only thing I would like to say is to wish everyone a Happy St. Patrick's today. Other than that, I have nothing to report.

BUILDING – John Marrelli

Mr. Marrelli stated, I will ditto that comment.

ENGINEERING – Tom Cappello

There was no report.

LEGAL DEPARTMENT – Diane Calta

There was no report.

FIRE – Chief Eugene Carcioppolo

There was no report.

FINANCE – Ron Wynne

Mr. Wynne stated, the annual audit has been completed. The report is down in the hands of the State Auditor's office for final review. Once they sign off on it there should be copies published on the website.

POLICE – Chief Richard Edelman

There was no report.

PARKS & RECREATION – Bill Thomas

Mr. Thomas stated, the next Lunch N Movie is April 9th for the Seniors. The movie is *August Rush*. AARP volunteers will be doing taxes on April 7th at 12:00, 1:00, 2:00 and 3:00. The next trip is to Lakeview Cemetery on April 16th. It is sold out.

ARCHITECT – Ron Dinardo

There was no report.

PLANNING DEPARTMENT - Ted Esborn

There was no report.

ADMINISTRATION – Diane Wolgamuth

There was no report.

STANDING COMMITTEE REPORTS:

Activities Committee – Mrs. Mills reported that Activities will meet tomorrow in the Main Conference Room at 6:45. The Grove Committee will be making a presentation. I have the sign-up sheet for Mother's Day Pancake Breakfast.

Architectural Review Board – Mr. Marrelli reported, the Architectural Review Board met last week and did a final approval on a sunroom addition on Kenwood.

Board of Appeals – Mr. Marrelli stated, there was no meeting. We will be meeting tomorrow to discuss a banner at the High School on the old Library building for a new educational innovation program.

Cemetery – Mrs. Mills stated, there is no report.

Citizen's Advisory Board – Mr. Marrie reported, Citizen's Advisory will meet on March 31st.

Safety and Service – Mr. Marrie reported, Safety and Service met on March 3rd. All items were mentioned at Caucus.

Finance Committee – Mr. Delguyd reported, Finance Committee met this evening. Everything is on the agenda.

Historical Society – Mrs. Mills reported, Center School and Millridge have taken their tour. Our next school will be Lander Road. We are progressing rapidly with that.

Mr. Marrie asked, are you getting more this year than the year before?

Mrs. Mills replied, I think so. Millridge had two classes with 55 children in each session. We have to split it up. We can't handle 100 children in the house at one time.

Hillcrest Council of Councils – Mr. Jerome stated, there was no meeting. There is no report.

Ordinance Review Committee – Mr. Marquardt stated, there was no meeting. There is no report.

Planning and Zoning – Mr. Marquardt stated, Planning and Zoning had a meeting on March 3rd. On the agenda was the Parkledge Corporation Sublots 22A, 23A and 24A. That was voted on and carried. It was a resubdivision for Parkledge Corporation.

Recreation Board - Mr. Marrie reported, Recreation Board will meet this Wednesday.

Commission on Aging – Mrs. Mills reported, the Commission on Aging is meeting tomorrow at the Senior Services office at 11:00.

SPECIAL COMMITTEE REPORTS:

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

Records Commission – Mrs. Mills reported, Jean Vitek is the new Chairman. House Bill 9 Training will take place on Friday, May 23rd from 10:00 a.m. to 1:15 p.m. Contact Mary Beth if you are interested in attending. Shred Day is on May 17th. Our next meeting is April 30th at 12:00.

Community and Economic Development - Mr. Delguyd stated, there was no meeting. There is no report.

The Grove Committee – Mr. Jerome reported, we met on March 10th. We honed in on our calendar for events this year. We are figuring out what the budget allows us to do. Our next meeting is April 14th at 7:00 p.m. We are going to firm up everything we have going on in our calendar. We have a couple holes left with some bands and events we still want to do. Garry Regan, the Chairperson, and I are doing our Grove tour, meeting with Activities Committee tomorrow and Rec Board on Wednesday to let everyone know what is going on at The Grove and try to get more people involved.

OLD BUSINESS

- **Third Reading of Ordinance No. 2014-04**, entitled, “An emergency ordinance authorizing an agreement with MetLife as and for an employee AD&D and Life Insurance Program.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – February 18, 2014; Second Reading – March 3, 2014)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to enact Ordinance No. 2014-04.

Council President Pro Tem Marrie asked, any discussion? There was none.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

- **Third Reading of Ordinance No. 2014-05**, entitled, “An ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2014 and ending December 31, 2014 and declaring an emergency.” Introduced by Mayor Rinker and Council as a Whole. (First Reading – February 18, 2014; Second Reading – March 3, 2014)

Mrs. Mills, seconded by Mr. Jerome, made a motion to enact Ordinance No. 2014-05.

Council President Pro Tem Marrie asked, any discussion?

Mr. Wynne replied, I wanted to mention that Council should have received in their packets this weekend the final version of the budget. Since the initial version, the changes made were we eliminated two capital projects totaling \$400,000 and took that \$400,000 and will transfer it to the Sanitary Sewer Relief Fund to start putting funds away for the second project that needs to be done with the Village. We also had a net reduction in operating expenses in the budget of \$45,000.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Enacted

NEW BUSINESS

- **Motion to authorize expenditure in the amount of \$4,390.00 to The Walter H. Drane Company for updating of the Mayfield Village Codified Ordinances to February 2014.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to authorize expenditure in the amount of \$4,390.00 to The Walter H. Drane Company for updating of the Mayfield Village Codified Ordinances to February 2014.

- **Motion to authorize expenditure in an amount not to exceed \$18,000 from Anchor Industries for installation of new umbrellas on grass and replacement of old fabric on existing umbrellas of Parkview Pool.**

Mrs. Mills, seconded by Mr. Delguyd, made a motion to authorize expenditure in an amount not to exceed \$18,000 from Anchor Industries for installation of new umbrellas on grass and replacement of old fabric on existing umbrellas of Parkview Pool.

Council President Pro Tem Marrie asked, any discussion? There was none.

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

- **Motion to authorize expenditure in an amount not to exceed \$18,000 to J.R. Sbrocco Plumbing for removal and installation of new pool heater at Parkview Pool.**

Mrs. Mills, seconded by Mr. Delguyd, made a motion to authorize expenditure in an amount not to exceed \$18,000 to J.R. Sbrocco Plumbing for removal and installation of new pool heater at Parkview Pool.

Council President Pro Tem Marrie asked, any discussion? There was none.

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

- **Motion to authorize expenditure in an amount not to exceed \$6,000 to Maxine Shrontz for geese control at fields.**

Mrs. Mills, seconded by Mr. Marquardt, made a motion to authorize expenditure in an amount not to exceed \$6,000 to Maxine Shrontz for geese control at fields.

Council President Pro Tem Marrie asked, any discussion? There was none.

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

- **Motion to authorize expenditure in an amount not to exceed \$8,500 to Klyn Nurseries for the purchase of spring tree plantings.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to authorize expenditure in an amount not to exceed \$8,500 to Klyn Nurseries for the purchase of spring tree plantings.

Council President Pro Tem Marrie asked, any discussion? There was none.

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

- . **Motion to authorize expenditure in the amount of \$15,262.34 to Good Nature Company for fertilization of Village-owned lands.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to authorize expenditure in the amount of \$15,262.34 to Good Nature Company for fertilization of Village-owned lands.

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

- . **Motion to authorize expenditure in the amount of \$9,715.17 to Good Nature Company for fertilizer for Village sports fields.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to authorize expenditure in the amount of \$9,715.17 to Good Nature Company for fertilizer products for Village sports fields.

Council President Pro Tem Marrie asked, any discussion? There was none.

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

- . **Motion to authorize expenditure in the amount of \$12,800 to North Union Realty for demolition of home at 6128 Wilson Mills Road.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to authorize expenditure in the amount of \$12,800 to North Union Realty for demolition of home at 6128 Wilson Mills Road.

Council President Pro Tem Marrie asked, any discussion?

Mr. Jerome asked, what did the house next door cost? About the same?

Mr. Metzger replied, this is \$300 more.

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

- . **Motion to acknowledge receipt of financial reports for February 2014 and to approve of same as submitted.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to acknowledge receipt of financial reports for February 2014 and to approve of same as submitted.

Council President Pro Tem Marrie asked, any discussion? There was none.

Mr. Wynne stated, in the report, I mentioned that our income tax collections through February were about \$250,000 below the collections for the same period last year, but the collections that have come in for the month of March have been strong and have closed that gap to only showing a shortfall of \$50,000 so far. Usually the first three months for us gives us a sign as to what we can anticipate for the balance of the year. That's getting over the big hump as to when the corporate bonuses and everything are paid out. It might not be as strong as last year was, but it is going to still be a very strong year and much better than we anticipated.

Council President Pro Tem Marrie stated, nothing but good news.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	Financial Reports for February 2014
		Acknowledged and Approved

- . **Motion to accept proposal and authorize expenditure in the amount of \$15,520.00 to TMS Engineers, Inc. for Traffic Signal Update Project Purpose and Need Study.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to accept proposal and authorize expenditure in the amount of \$15,520.00 to TMS Engineers, Inc. for Traffic Signal Update Project Purpose and Need Study.

Council President Pro Tem Marrie asked, discussion? Any comments, Chief?

Chief Edelman replied, this item was discussed at Caucus and Finance.

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

- . **Motion to authorize the Village Engineer to prepare plans and specifications and to go out to bid for 2014 Road Program.**

Mrs. Mills, seconded by Mr. Jerome, made a motion to authorize the Village Engineer to prepare plans and specifications and to go out to bid for 2014 Road Program.

Council President Pro Tem Marrie asked, any discussion? There was none.

Roll Call:	AYES: All	Motion Carried
	NAYS: None	Engineer Authorized to prepare
		plans and specifications and go
		out to bid for 2014 Road Program

- **First Reading of Ordinance No. 2014-06**, entitled, “An Emergency Ordinance establishing the Parkview swimming pool employee’s salary for the 2014 season.” Introduced by Mayor Rinker and Council as a Whole

Dr. Parker, seconded by Mr. Jerome, 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

Dr. Parker, seconded by Mr. Jerome, made a motion to enact Ordinance No. 2014-06.

Mayor Rinker asked Mr. Thomas to address this item on the record.

Mr. Thomas stated, this is our annual adjustment. All I did was take up the minimum wage 10 cents. Everything else stayed the same.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Ordinance Enacted

- **First Reading of Ordinance No. 2014-07**, entitled, “An Emergency Ordinance creating certain positions and compensation related thereto for the Village’s 2014 Summer Camp program.” Introduced by Mayor Rinker and Council as a Whole.

Dr. Parker, seconded by Mr. Jerome, 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. Jerome, made a motion to enact Ordinance No. 2014-03.

Council President Pro Tem Marrie asked, any discussion?

Mr. Thomas stated, this is our annual adjustment. All I did was take up the minimum wage 10 cents. Everything else stayed the same.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Ordinance Enacted

- **First Reading of Resolution No. 2014-07**, entitled, “A Resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2014.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mrs. Jerome, made a motion to adopt Resolution No. 2014-07.

Council President Pro Tem Marrie asked, any questions? There were none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **First Reading of Resolution No. 2014-08**, entitled, “A Resolution urging Ohio voters to support State Issue 1 renewal of the State Capital Improvements Program on the May 6, 2014 ballot.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mr. Jerome, made a motion to adopt Resolution No. 2014-08.

Council President Pro Tem Marrie asked, any discussion? There was none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **First Reading of Resolution No. 2014-09**, entitled, “A Resolution disproving of the State’s actions to restrict citizens’ access to the ballot; urging the State to repeal these restrictions; and calling upon the State to instead work on increasing citizens’ access to the ballot.” Introduced by Mayor Rinker and Council as a Whole.

Mrs. Mills, seconded by Mr. Jerome, made a motion to adopt Resolution No. 2014-09.

Council President Pro Tem Marrie asked, any discussion?

Dr. Parker asked, can our legal counsel explain this one for the record?

Ms. Calta stated, I have just seen this today. If you look at the Resolution, this was a template provided. It sets out where they believe there are restrictions on access to the ballot. The recent adoption of Ohio Senate Bills 205, 216, 238 and the Secretary of State Directive 2014-06, they are saying are restricting those rights to the ballot. This Resolution calls on the State to disprove or make changes to that.

Mayor Rinker stated, this looks like it’s disapprove as opposed to disprove. My request would be, this is Council’s call. If we can get synopses of the different Senate Bills, because the little I have read in the papers, this sounds like it’s highly debatable.

Dr. Parker stated, since it has an impact on citizens and voting and such, maybe if we don't vote on it tonight, it gives anyone who happens to read Minutes or want to question what we are doing, to bring it up.

Mayor Rinker stated, if you are comfortable voting on it, that's fine.

Dr. Parker stated, I am suggesting we not vote on it.

Ms. Calta stated, that's what we were talking about, exactly. I can give a brief synopsis.

Council President Pro Tem Marrie stated, I would feel better voting on it if I understood it.

Dr. Parker stated, maybe at the next meeting there may be someone who wants to come up to the podium and comment on it.

Mayor Rinker stated, that's fine. What I would ask is to get a synopsis of this. The impression I have had is this has been very political, between Democratic, Republican, there's a lot of campaigning fingerpointing on this. If we are going to step in to this mix, it would be good to have a little better insight. A lot of times the labels mean nothing. This is one where I think it is fraught with a lot of differing opinion.

. Motion to rescind the vote on Resolution No. 2014-09.

Mr. Marquardt, seconded by Dr. Parker, made a motion to rescind the vote on Resolution No. 2014-09.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Vote rescinded

Council President Pro Tem Marrie stated, this Resolution will be revisited at the next meeting.

ANY OTHER MATTERS:

Council President Pro Tem Marrie asked if there were any other matters. There were no other matters before Council.

ADJOURNMENT

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

The meeting adjourned at 8:30 p.m. The next Council meeting is scheduled for Monday, April 21, 2014 at 8:00 p.m.

WILLIAM BUCKHOLTZ, COUNCIL PRESIDENT

BRUCE G. RINKER, MAYOR

MARY E. BETSA, CLERK OF COUNCIL