

**CITY OF MAYFIELD HEIGHTS
COUNCIL MEETING MINUTES
January 11, 2016**

The regular meeting of Council was called to order at 7:00 P.M. by Council President Gayle Teresi.

ROLL CALL: PRESENT: Mr. Robert DeJohn, Mrs. Donna Finney,
Mr. Donald Manno, Mr. Joseph Mercurio,
Mrs. Susan Sabetta, Mrs. Gayle Teresi.
ABSENT: Mrs. Diane Snider.

Also present were Mayor Anthony DiCicco, Law Director Paul T. Murphy, Director of Finance/Clerk of Council Robert Tribby and Deputy Clerk of Council Lisa Benedetti.

The Pledge of Allegiance was said.

Mr. Manno moved to suspend reading of the Council minutes of December 14, 2015, and approve as written, seconded by Mr. DeJohn. Mrs. Sabetta stated she had an amendment. Under her Parks and Recreation Committee report she would like it to reflect her following remark that was not included: *"Mrs. Sabetta wished a happy birthday to a special committee member Larry Sofia who will be turning 95 on December 21. He has been an active volunteer throughout our city and a decorated and honored World War II veteran."* Mr. Mercurio moved to approve the amendment, seconded by Mr. DeJohn. All in favor of the amendment except Mrs. Finney who abstained as she was not on council at the time. All in favor of approval of the minutes as amended, except Mrs. Finney, motion carried. *Minutes approved.*

Mrs. Finney moved to suspend reading of the Special Council minutes of January 6, 2016, and approve as written, seconded by Mr. Manno. All in favor, motion carried. *Minutes approved.*

CORRESPONDENCE AND ANNOUNCEMENTS:

Mrs. Teresi welcomed the two new members, Donna Finney and Diane Snider, who is absent this evening. Both are returning after a two year absent. Mrs. Teresi thanked her council colleagues for their confidence in re-electing her as Council President. She introduced the council members and read the committee assignments for 2016-17 (attached).

REPORTS OF OFFICERS:

Mayor DiCicco:

The Mayor also wanted to welcome back Council Members Donna Finney and Diane Snider, who is ill this evening, and congratulated Council President Gayle Teresi and Council President Pro Tem Joe Mercurio on their reappointment to those positions. He looks forward to working with all of them.

It has been a busy start to the New Year for all of the departments. Employees are just finishing year end housekeeping and are jumping right into budget preparations, events and activities, new programs and unfortunately, snow plowing which could not be dodged forever.

With regard to the NOPEC program, NOPEC is providing press releases and other informational brochures that very soon will be posted on our various media outlets along with links to NOPEC. Their customer service telephone number will be included in the correspondence. Since some inquiries have been received the Mayor wanted to be sure to get this information out in every possible manner and provide initial information.

In November, voters approved a governmental 'opt-out' electric and natural gas aggregation program for the City of Mayfield Heights. City Council and Mayor DiCicco selected the Northeast Ohio Public Energy Council or NOPEC to best manage the

program. By joining NOPEC, the city expects to save the average household approximately 6% per year on their electric supply with similar savings on the natural gas supply.

Cleveland Electric Illuminating and Dominion East Ohio Gas will continue to deliver the power and natural gas to your home or business, repair the pipes, meters, and will continue to send you your utility bill. Nothing changes other than the discounted energy supply available through this new governmental opt out aggregation.

NOPEC will send two separate letters to eligible addresses at the beginning of February; one for natural gas and one for electricity. Ineligible addresses will not receive the letters. Ineligible addresses include those that are on a percentage of income discount program, who are in a contract with another supplier, or who are delinquent on their utility bill payments. Contained therein, will be instructions on how to opt out with a 20 day opt out period.

Since this is an "Opt-Out" program, those wishing to participate will be automatically enrolled. No action is necessary to participate. If you choose to participate, you simply discard the opt out card and you're automatically enrolled.

Those wishing to opt out can easily do so by following the instructions in the opt-out letter. There is no opt out fee for natural gas. There is a \$25 opt out fee for electricity that is waived during this initial enrollment. The first letter provides a 20 day opt out letter. After the initial 20 day opt out period, another notice will be sent providing an additional 10 days to opt out. Any who have not opted out after this 30 day period are enrolled with NOPEC.

As part of our agreement with NOPEC, the city will receive \$5 per household enrolled in the program. The grant funds may be used for energy efficient capital improvement projects. They will provide us with the grant total once enrollment is completed.

The Mayor is pleased that we are able to offer this cost saving program to our residents.

He is also pleased that we are able to return curbside recycling to our residents. Residents should have received an introductory mailing from Kimble Companies. They won the bid to be our new refuse and recycling contractor. A public meeting will be held on Wednesday, January 20, at 7:00 p.m. at the DeJohn Community Center so that residents can meet our new contractor, hear about the new receptacles and learn about the return of the curbside recycling program. Details on accepted items and how to prepare them for pickup will be presented. Information about recycling opportunities for those who reside in apartments or condominiums will be discussed, as well.

Trash collection days will remain the same. Time schedules may change from what we had with the previous vendor so be sure to have your trash at the curb by 7:00 am on your collection day. Curbside recycling will make a return when the new trash/recycling receptacles are delivered to homes by May 2016. We held off on delivery so that residents didn't have to contemplate storage and use during the winter months. Of course, it has barely snowed.

Anyway, the trash receptacle has a capacity of 96 gallons and the recycling receptacle has a capacity of 64 gallons. The capacities of these receptacles are quite sufficient, but on occasions when there is overflow, it can be placed in bags or other containers at the curb for collection. Residents are able to opt out of the containers. Should you opt out, you will be limited to two bags of trash per week. The recycling center at the community center will be reduced to two bins and will be available only during specific and limited times. These bins will remain available so that our residents who reside in condominiums or apartments may continue to participate in recycling. Again, detailed information will be available at the Public Meeting on January 20, at 7:00 p.m. at the DeJohn Community building and the Mayor urged all residents to attend.

The Board of Elections has been in discussions with the Mayfield City Schools about moving voting out of the Middle School. The schools cited reasonable and justified concerns about safety of children and lack of parking availability while school is in session.

The board of elections will accommodate the elimination of the middle school as a polling location by making the following moves. They will move Precinct M which is the Landerhaven Court and the Woodhawk Condo area from the Ross C. DeJohn Community Center to Our Savior Lutheran church on SOM Center Road. They will also

move Precinct D which is the Piercefield/Aldenham and Giesse/Bonnie Lane area and E which is the Cordova/Queens Park area from the Middle School to the Ross C. DeJohn Community Center. All other precincts will remain unchanged.

These moves will be made prior to the March 15th, Presidential Primary election. All affected voters will receive a Voting Location Notification card informing them of the change. In addition, New Voting Location signs will be placed at the Middle School (Precincts D & E) and Ross C. DeJohn Center (Precinct M) for the next two elections informing voters of the change.

Any resident who has lived in Mayfield Heights for 50 years qualifies to be a Gold Resident. Applications are available at city hall, the community center and on the website. The induction ceremony will be held on Friday, June 24, 2016. Application deadline is April 22, 2016.

It is with sadness that the Mayor reported the passing of K9 Officer Duke. He retired last year and was living with his handler Patrolman Mele and his family. We appreciated Duke's service and work as a goodwill ambassador during his eight years with the police department.

The State of the City edition of the City Focus will be out at the end of the month. All of the information about NOPEC and curbside recycling will be included along with the year-end reports from all of our departments and upcoming program and event information.

Mrs. Finney believes the residents will be excited for the return of curbside recycling and asked what happens if someone puts out more than two garbage bags. Mayor DiCicco stated the City would be working with the company to iron out initial issues since this is new. Mr. Manno and Service Director Joe Fornaro stated garbage pickup is unlimited if a bin is used. It is only limited to two bags if no bin is used.

Director of Law Murphy: Mr. Murphy stated there were questions regarding Resolution No. 2016-1. He prepared a memorandum this afternoon and distributed it to all members this evening, but he suggested it be placed on first reading for further review and clarification.

Director of Finance Tribby: Mr. Tribby gave a brief year end report. The City had a positive balance of \$33,000 with \$21,930,000 million in revenue and \$21,907,000 million in expenditures. The City is in the black by .14%. Mr. DeJohn and Mrs. Teresi congratulated Mr. Tribby.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: Mr. Manno asked where the proposed fence ordinance review was by the Planning Commission. Mayor DiCicco stated it would be reviewed at the next meeting on January 18, 2016.

Finance and Audit Committee: Mr. Mercurio echoed the congratulations of Mrs. Teresi to Mr. Tribby on the finances.

Legislative Committee: No report.

Public Works and Services Committee: Mr. Mercurio congratulated the Service Department on getting the roads cleared yesterday.

Recreation and Parks Committee: Mrs. Teresi itemized upcoming events:

- January 22 - Third annual Middle School dodgeball tournament and cool and dance party
- February 22 - Taste of Italy

The Wildcat Sport and Fitness Center is open and a great place to stay fit.

Safety and Transportation Committee: Mr. DeJohn remarked legislation for requiring video cameras for secondhand dealers is still pending.

Board of Zoning Appeals: Mr. Mercurio reported there is one item on the agenda for the meeting scheduled for January 12, 2016.

Commission on Aging: Mrs. Teresi reported on the meeting January 5, 2016. Copies of the minutes of the meeting were mailed to all members and are a part of the permanent record. The next meeting is scheduled for February 2, 2016, if the group is not disbanded.

Planning Commission: Mr. DeJohn reported on the meeting held December 21, 2015. Copies of the minutes of the meeting were mailed to all members and are a part of the permanent record. The proposed Winking Lizard was discussed. There will be a landscape buffer on the south side. Currently there is 94% of the parking spaces required and with the Winking Lizard that would be reduced to 90%. Andy Hoffman of Cosmo Eastgate indicted this area of the parking is underutilized and there should not be a problem with parking. Also discussed was a lot split and consolidation in Hidden Woods. The original approval was granted in April 2014, but the documents were never filed, so according to code an extension is needed for it to now be finalized. Mr. DeJohn reported David Dugovics retired as of December 31, 2015 and he was the chair. He always impressed Mr. DeJohn with his knowledge and leadership abilities. He was an asset to the residents and he will be missed. Mr. DeJohn wished Mr. Dugovics the best in his retirement.

Mayfield Union Cemetery: Mrs. Sabetta reported on the annual meeting held December 30, 2015. Copies of the minutes of the meeting were mailed to all members and are a part of the permanent record. The year end report was also distributed.

PUBLIC COMMENT:

Mr. Ballistrea, 6614 Hidden Woods Trail, asked Council to approve the extension of the lot split and consolidation in Resolution No. 2016-3. The reason this was delayed was due to some financial issues his neighbor had when this was originally approved and could not pay his portion. That has now been resolved and the plans have been released and sent to the Building Department. The extension is needed to get all signatures and to have the document filed.

Andy Hoffman, Cosmo Eastgate, 30201 Aurora Road, explained they have agreed to some concessions for the proposed Winking Lizard Restaurant and those were made a part of the site plan submitted. The patio has been flipped to the west side and there will be a 30' setback as required. Most of the building is west of the Gates Mills Villa building line so there are no direct site lines from ground level. He is confident there will be no parking issues. They are using landscaping as a buffer. The goal is to have trees, bushes and grasses on a mound between the building and Gates Mills Villa. The south side will be aesthetically pleasing to the restaurant patrons as well. The formal landscaping plan will be submitted when the final site plan is presented to the Planning Commission.

State Senator Kenny Yuko wished everyone a Happy New Year. He congratulated the newly elected and re-elected council members and presented them with a citation from the Ohio Senate.

RESOLUTION NO. 2016-1: "A Resolution authorizing the Mayor to enter into an amendment to the agreement with URS Corporation to provide additional professional consulting services in connection with the expansion and renovation of the Mayfield Heights Police Department, and declaring an emergency." Mr. Murphy read the resolution by title only. Mr. DeJohn moved to place the resolution on first reading, seconded by Mrs. Finney. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The resolution is placed on first reading.

RESOLUTION NO. 2016-2: "A Resolution authorizing the Mayor to issue a purchase order to Statewide Ford Lincoln for the purchase of three (3) vehicles for the Police Department." Mr. Murphy read the resolution by title only. Mrs. Finney moved for suspension of the rules, seconded by Mr. Mercurio. Roll Call on motion as stated: AYES: DeJohn, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mrs. Sabetta. Mrs. Teresi stated three SUV vehicles would be purchased for the Police Department. Mr. Tribby remarked all members received a letter from Police Chief Fred Bittner explaining the request. Mr. Manno inquired if Nick Mayer Ford participates in the state purchasing program. Mayor DiCicco replied it does, but it could not beat the Statewide price. The City will take vehicles to Nick Mayer Ford for maintenance work. Mrs. Teresi pointed out the money has been appropriated in the equipment fund. Roll Call on motion as stated: AYES: Finney, Sabetta, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-3: "A Resolution extending the time to record a lot split of Permanent Parcel No. 862-20-049, and consolidation into Permanent Parcel Nos. 862-20-033 and 862-20-034." Mr. Murphy read the resolution by title only. Mrs. Finney moved for suspension of the rules, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Manno, Teresi. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mr. DeJohn. Mrs. Teresi explained this first came before Council in April 2014, but it was not filed. This will allow it to be signed and recorded with the County. Mr. Murphy added the code provides that these matters will expire in 18 months after the approval is granted if not completed, and this was past that timeframe. Roll Call on motion as stated: AYES: DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-4: "A Resolution confirming the intention of the City of Mayfield Heights to sell property that is unneeded, obsolete or unfit for City purposes via Internet auctions and authorizing the use of certain representative websites to conduct the Internet auctions." Mr. Murphy read the resolution by title only. Mr. Mercurio moved for suspension of the rules, seconded by Mrs. Finney. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, DeJohn, Teresi. NAYS: None. Motion carried. Mrs. Sabetta moved for adoption, seconded by Mrs. Finney. Mr. Tribby explained this has worked out really well for selling City property as there is a wider audience. Mrs. Teresi asked what happens if an item is not sold. Mr. Tribby stated it has not been an issue. Some items do not sell for much, but are sold. Mr. DeJohn asked for examples of what is sold. Mr. Tribby enumerated vehicles, bikes, confiscated property, office furniture and similar items. The money goes into the general fund and for the vehicles into the equipment replacement fund. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The resolution is adopted.

ORDINANCES: None.

Mr. Manno, seconded by Mrs. Finney, moved to approve a preliminary site plan for a new 7,400 sq. ft. free-standing restaurant building with a lesser number of parking spaces (90%), being not less than 67% of the required spaces, in accordance with *Section 1189.07(b); Separate or Combined Use of Facilities* for the Winking Lizard at 1355 SOM Center Road, Eastgate Shopping Center. Roll Call on motion as stated: AYES: DeJohn, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. *Motion carried.*

Mrs. Sabetta, seconded by Mr. DeJohn, moved to approve the renewal of the contract between the City of Mayfield Heights and the Cleveland Restoration Society for the continuation of the Heritage Home Program in the amount of \$6,850 for 2016. Mayor DiCicco remarked he sent a memorandum with attachments to all members that showed the success and usage of the program. This is another tool for the residents to help them maintain their homes. Mrs. Sabetta commented it is nice to see there will be meetings and presentations held throughout the county explaining the program. The Mayor agreed and added these meetings are countywide and are for the people in the

communities to attend. He would let everyone know when he finds out when these are scheduled. Roll Call on motion as stated: AYES: Finney, Sabetta, Manno, DeJohn, Mercurio, Teresi. NAYS: None. *Motion carried.*

Mr. Mercurio, seconded by Mrs. Finney, moved to approve the expenditure from the Community Relations Fund of \$1,500 for Silver Level Sponsorship for the Green Tie Gala in support of The Mayfield STEM2M Program and the Mayfield Innovation Center. Mrs. Teresi stated this building and program are amazing. There is so much going on and this event will help with funding. Mrs. Teresi encouraged Council to attend the event in support. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Manno, Teresi. NAYS: None. *Motion carried.*

Mr. DeJohn, seconded by Mr. Manno, moved to designate two appointees to the Community Reinvestment Area Housing Council for the term 4/1/2015 to 3/31/2018. Mayor DiCicco recommended Building or Planning Commission members be on it as it pertains to buildings in the City. Bob DeJohn nominated himself and Donald Manno nominated himself. Mrs. Finney, seconded by Mrs. Sabetta, moved to designate Bob DeJohn and Don Manno to the Housing Council. All in favor, motion carried. Roll Call on original motion as revised: AYES: Sabetta, Manno, Mercurio, Finney, DeJohn, Teresi. NAYS: None. *Motion carried.*

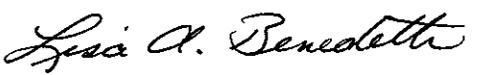
Mr. Manno, seconded by Mr. Mercurio, moved to designate the Deputy Clerk of Council as the designee to receive Public Records training representing Council Members Donna Finney, Diane Snider and Gayle Teresi for the term commencing January 1, 2016 to December 31, 2019 in accordance with Ohio Revised Code Section 109.43(B) and 149.43(E)(1). Mr. DeJohn commented he attended one of these sessions and found it interesting and recommended other council members attend one. Mrs. Sabetta noted it can also be done online and was easy to do. Roll Call on motion as stated: AYES: DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. *Motion carried.*

There being no further business to come before Council, Mrs. Teresi adjourned the meeting at 8:08 P.M.

Approved:


Gayle M. Teresi
Council President

Respectfully submitted,


Lisa A. Benedetti, MMC
Deputy Clerk of Council

January 11, 2016

MEMORANDUM

TO: Council Members
Mayor DiCicco
Department Heads

C: Renee Augustine, Ex. Assistant to the Mayor
Anne Weiland, Ex. Assistant, Building Dept.
Shelly Burkholder, Safety Force Administrative Assistant
Laura Baumgardner, Safety Force Administrative Assistant
Tammy Clines, Administrative Assistant

FROM: Gayle Teresi, Council President

RE: **COUNCIL COMMITTEE & COMMISSION APPOINTMENTS**
FOR 2016-2017

Council President:	<i>Gayle Teresi</i>
Council President Pro Tem:	<i>Joe Mercurio</i>
Building Committee:	<i>Bob DeJohn, Chairman</i> <i>Don Manno, Member</i>
Finance and Audit Committee:	<i>Susan Sabetta, Chairman</i> <i>Diane Snider, Member</i>
Legislative Committee:	<i>Diane Snider, Chairman</i> <i>Susan Sabatta, Member</i>
Public Works & Services Committee:	<i>Joe Mercurio, Chairman</i> <i>Bob DeJohn, Member</i>
Recreation & Parks Committee:	<i>Don Manno, Chairman</i> <i>Gayle Teresi, Member</i>
Safety & Transportation Committee:	<i>Donna Finney, Chairman</i> <i>Joe Mercurio, Member</i>
Mayfield Union Cemetery:	<i>Donna Finney</i>
Commission on Aging:	<i>Gayle Teresi</i> <i>Mayor Anthony DiCicco</i>
Planning Commission:	<i>Robert DeJohn</i>
Board of Zoning Appeals:	<i>Joe Mercurio (Mayor appointed)</i>
Chagrin River Watershed:	<i>Susan Sabetta (Donna Finney-alternate)</i>
Euclid Creek Watershed:	<i>Diane Snider (Joe Newman – resident appointee)</i>

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