

**CITY OF MAYFIELD HEIGHTS  
COUNCIL MEETING MINUTES  
April 25, 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. Diane Snider,  
Mrs. Gayle Teresi.  
**ABSENT:**            None.

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.

**RESOLUTION NO. 2016-30:** "A Resolution commending David Dugovics for his service on the Planning Commission." Mr. Manno moved to suspend the rules, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mr. DeJohn. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. Mayor DiCicco read the resolution in its entirety and presented it to Mr. Dugovics. Mr. Dugovics stated it was an honor and a privilege to serve the residents of Mayfield Heights by being a member of the Planning Commission. He had the opportunity to learn from the best and he thanked everyone for this resolution. Mayor DiCicco added when he first started on the Planning Commission Dave taught him a lot. It was great to have Dave's experience and see his method and how he conducted the meetings. The resolution is adopted.

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Mrs. Finney moved to suspend reading of the Council minutes of April 11, 2016, and approve as written, seconded by Mr. Mercurio. Mr. Manno pointed out an error in the day of the week on Page 2 under the Mayor's report pertaining to the Arbor Day Ceremony. The day should be Friday, not Sunday. Mrs. Finney, seconded by Mr. Manno moved to amend the minutes. All in favor, motion carried. All in favor of the original motion to approve, except Mrs. Snider who abstained as she was absent from the meeting. *Minutes approved as amended.*

**CORRESPONDENCE AND ANNOUNCEMENTS:** None.

**REPORTS OF OFFICERS:**

**Mayor DiCicco:**

The Mayor wished a Happy Passover to all who are celebrating.

Last week Marvin Blankfeld, a loyal and dedicated resident of our City, passed away. He served our country in the United States Marine Corps and was a Korean War Veteran. Marv assisted for many years in the planning and organization and as Master of Ceremony of our annual Memorial Day services. He also used his Marine Corps training to assist the Mayfield Heights Police Honor Guard upon its establishment. All who were fortunate to know Marv will remain forever enriched by his love, friendship and service. We extend our most sincere condolences to the Blankfeld family. Let's take a moment of silence at this time.

Girl Scout Troop 70142 will assist the Service Department in planting a tree in an Arbor Day ceremony on Friday, April 29, at 5:00 pm at City Hall. This event is held in conjunction with the Service Department's application for our City to be designated a Tree City USA. The Tree City USA focuses on greening up cities and towns across America. It is a nationwide movement that provides the framework necessary for communities to manage and expand their public trees. All residents are invited to attend the ceremony. Refreshments will be served.

All residents should have received a letter detailing use of the new trash and recycling carts. Also included was a list of accepted recyclable materials. Delivery of the carts will begin this week. Residents may choose to NOT use the carts after a 60 day period. At that time, they can contact the Service Department at 442-2626 x285 to have the carts retrieved. Those who choose not to use the carts will be permitted a maximum of two bags of trash each week. Any questions should be directed to the Service Department.

The annual Recycling and Shredding Day will take place on Saturday, May 7, from 9:00 am until 12:00 pm at the DeJohn Community Center. Accepted items are documents for secure on-site shredding, computers and small electronics, and household hazardous waste. For a list of household hazardous waste, visit the Cuyahoga County Solid Waste District's website at [www.cuyahogaswd.org](http://www.cuyahogaswd.org) or call 216-443-3749. Residents are limited to 5 bags or boxes of documents for shredding. Be advised that we cannot accept batteries, latex paint, televisions and/or prescription drugs. We have a prescription drug drop box in the lobby of the police department that is available 24/7. TVs can be placed at the curb on your regular trash collection day or you can take them to Best Buy for disposal at a fee. Contact Best Buy for details.

The Mayor reviewed the first quarter analytics for our new website which went on line in April of 2015.

The most popular pages were:

- Parks & Recreation Department
- Employment
- Police Reports
- Police Department
- Building Department
- Community Center
- Facilities

The top five search items were:

- Recycling
- Shredding Day
- Employment
- Garage Sale Permit
- Bocce

38% of our site traffic was from mobile devices so our decision to ensure a mobile responsive site was fitting especially since, according to our vendor, nearly 80% of the U.S. population uses the internet and nearly two thirds use mobile devices.

56% of our site visits happened outside of our regular business hours of 8am-5pm so the Mayor is pleased that we took the initiative last year to update the site to enhance its offerings for the convenience of our residents and business community.

Mr. Manno inquired about Building Director Tom Jamieson being the Building Director in the Village of Bratenahl as well as in Mayfield Heights. He had seen him there on one occasion during the day about a month ago. If Mr. Jamieson is working a 40 hour week for the City of Mayfield Heights, how can he also be in Bratenahl. If he has to go to Bratenahl, Mr. Manno wondered if he uses the City car to go there. This raises a lot of questions as to how it works out. Mr. Manno does not understand how he can do both jobs and he would like some answers.

Mr. Manno also stated he has had numerous complaints about the driveway at Panini's and Giant Eagle. The markings are worn and people park where there is the crossover to get to the bank, so customers have to drive all the way down to the grocery store and come back to the front to get to the bank. The Police Department told people who called there is nothing they can do when the markings are poor. Mr. Manno believes the Building Director should visit the property owner and get that corrected. Panini's should also tell its customers not to park there. It is a bad situation that needs to be fixed.

Director of Law Murphy: No report.

Director of Finance Tribby: No report.

Mr. DeJohn asked if the City is still looking into joining the state's Open Checkbook program. Mr. Tribby replied he has not had a chance to review the matter, but it could be something to consider. He believes there could be quite a bit of involvement in getting records available. Mr. DeJohn asked him to report back to Council. Mr. Tribby stated he would take a look at it.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: Mr. DeJohn stated he is still working on the clandestine drug ordinance and vacant commercial building legislation, Chapter 1340, as well as legislation for Section 1171 pertaining to accessory uses for commercial buildings defining recreation.

Finance and Audit Committee: No report.

Legislative Committee: Mrs. Snider reported tabled Ordinance No. 2016-13 pertaining to retail video surveillance can be taken off the table and discussed this evening.

Public Works and Services Committee: Mr. Mercurio reported there are two items on the agenda, approval of the road program bid and asphalt bid. The Service Department continues to get the parks prepared for summer activities. The Girl Scouts helped in the park by picking up leaves and planting flowers one day. 20 tree lawn trees were planted at the request of residents.

New rubbish and recycling carts will be delivered to all residents in the next couple of weeks. Residents can opt out of using the carts after 60 days. Opting out limits residents to two bags of garbage per week. Mrs. Teresi asked if the serial numbers are on the carts. The Mayor said yes and the numbers are being assigned to each residence.

Mrs. Finney inquired if the restrooms in the park are open and the answer was yes.

Mrs. Teresi asked if the park cameras were working and the Mayor said yes.

Recreation and Parks Committee: Mr. Manno stated the next meeting is April 26, 2016. Resident registration has been ongoing and non-resident registration begins April 26, 2016. Upcoming events:

- 4/30 Silver Social Dance
- 5/10 Adult Afternoon Out
- 5/15 Writing and publishing workshop

Safety and Transportation Committee: No report.

Mr. DeJohn commented he had spoken with Service Director Joe Fornaro about signage at the City's borders letting people know no texting while driving and not wearing a seat belt are primary offenses. Mr. Fornaro told him it could not be placed, because it is not state law. Mr. DeJohn thought the City could do this, as other cities have signage. Mrs. Finney stated she also asked, but did not get an answer. Mayor DiCicco remarked there was discussion with the City Prosecutor as to which code, state or city, would be cited on the signage. Mr. Murphy stated he could check with the City Prosecutor and the Mayor said he would do so. Mr. DeJohn added he believes the signage would be a good reminder for people of the code. Mrs. Teresi commented she did not remember if the City of South Euclid had signage installed when it was one of the first cities to enact this type of legislation, but people knew about the legislation and thought twice about driving and texting. The City of Cleveland may also be contemplating enacting such a law. Mr. Manno remarked the Plain Dealer and News Herald both had an article addressing the fact that distracted driving is becoming more of an issue. He sees people texting and driving all the time. The Police Department asked Council for this legislation to make both matters primary offenses and he feels nothing has been done to enforce it. He has asked Officer Woods at the Neighborhood Watch meetings for reports on how many citations have been written and has not gotten an answer. Mayor DiCicco remarked they are enforcing the code even without signage.

Board of Zoning Appeals: Mr. Mercurio stated the last meeting was cancelled due to lack of an agenda. The next meeting is scheduled for May 10, 2016.

Planning Commission: Mr. DeJohn stated the last meeting was cancelled due to lack of an agenda. The next meeting is scheduled for May 2, 2016 and the proposed fence amendments will be reviewed.

Mr. Manno remarked he received a memo from a Planning Commission member regarding the proposed changes to the fence ordinance. He stated he would be attending the meeting to answer questions from the members.

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PUBLIC COMMENT: None.

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RESOLUTION NO. 2016-31: "A Resolution accepting a certain bid for asphalt and concrete patching, base repair and resurfacing of pavement on various streets and declaring an emergency (Chagrin Valley Paving, Inc.)." Mr. Murphy read the resolution by title only. Mr. Manno moved for suspension of the rules, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. Mrs. Snider moved for adoption, seconded by Mrs. Finney. Mrs. Teresi stated a memorandum was sent from Mr. Tribby and a letter from City Engineer Greg Cifra explaining the bids. Mr. Mercurio added the lowest bid was roughly 20% less than the engineer's estimate of \$1.3 million. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-32: "A Resolution accepting a certain bid for asphalt and declaring an emergency (Stoneco, Inc. dba Allied Corporation)." Mr. Murphy read the resolution by title only. Mrs. Snider moved for suspension of the rules, seconded by Mrs. Finney. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. Mr. DeJohn moved for adoption, seconded by Mr. Manno. Mrs. Teresi stated Mr. Tribby sent a memorandum to all members. Two bids were received. Mr. Tribby remarked this firm is the company the City used last year. Mayor DiCicco explained this is for asphalt the Service Department uses throughout the year to make repairs. Mr. Tribby added it is used for street opening repairs, water line repairs and minor patching. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. The resolution is adopted.

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Mr. DeJohn, seconded by Mr. Mercurio, moved to remove Ordinance No. 2016-13 from the table and place it on the agenda. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. *Motion carried.*

ORDINANCE NO. 2016-13: "An Ordinance enacting Chapter 787 of the Codified Ordinances of the City of Mayfield Heights regarding retail video surveillance." Mr. Mercurio moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated this ordinance had three readings and was then tabled for further review. An amended version was distributed to all members, specifically Section 787.06. This legislation would require retail establishments to have video cameras on entrances and exits to parking lots and suggests additional cameras on loading docks and parking areas. Mrs. Snider moved to amend the ordinance to include changes to Section 787.06, seconded by Mrs. Sabetta. Roll Call on motion to amend: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. Roll Call on original motion to adopt: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The ordinance is adopted as amended.

ORDINANCE NO. 2016-15: "An Ordinance providing for the organization of certain administrative departments and fixing the salaries and bonds of certain officers and employees therein and declaring an emergency." Mr. Murphy read the ordinance by title only. Mrs. Finney moved for suspension of the rules, seconded by Mr. DeJohn. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. Mrs. Sabetta moved for adoption, seconded by Mrs. Snider. Mrs. Teresi explained last year Council only approved salaries and rates for 2015. This ordinance covers 2016 and 2017. Several meetings were held on this matter. Mrs. Sabetta added it could be placed on second reading or

adopted. Mr. DeJohn clarified that the Executive Secretary to the Mayor in this ordinance was a non-union position and the Mayor stated that was correct. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

ORDINANCE NO. 2016-16: "An Ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances; providing for the adoption of new matter in the updated and revised Codified Ordinances; providing for the publication of such new matter; and declaring an emergency." Mr. Murphy read the ordinance 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, Snider, DeJohn, Teresi. NAYS: None. Motion carried. Mrs. Sabetta moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated Ms. Benedetti sent a memorandum to all members explaining this is the annual update which brings the city code into conformity with state codes and codifies legislation Council has adopted throughout the year. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

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NEW BUSINESS; COMMENTS FROM COUNCIL:

Mrs. Teresi mentioned Two Bucks Restaurant has a vinyl tent set up on its patio with a propane tank. She is concerned that the tank is located against the tent, given a recent incident of a propane tank leaking and catching a building on fire. Mayor DiCicco explained they applied for and got permission for the tent to host a fundraiser and it should be dismantled soon.

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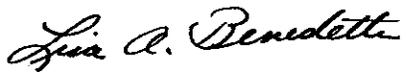
There being no further business to come before Council, Mrs. Teresi adjourned the meeting at 7:50 P.M.

Approved:



Gayle M. Teresi  
Council President

Respectfully submitted,



Lisa A. Benedetti, MMC  
Deputy Clerk of Council