

Mrs. Snider moved to suspend reading of the Council minutes of June 13, 2016, and approve as written, seconded by Mrs. Finney. All in favor, motion carried. *Minutes approved.*

Mrs. Snider moved to suspend reading of the Committee of the Whole minutes of June 9, 2016, and approve as written, seconded by Mr. Mercurio. All in favor, except Mrs. Finney who was absent from the meeting, motion carried. *Minutes approved.*

CORRESPONDENCE AND ANNOUNCEMENTS:

Mrs. Teresi commented it was quite a week with the Cleveland Cavaliers winning the NBA Championship and with Unity Days over the weekend. She thanked the Parks and Recreation for all they did. Everybody had a great time.

REPORTS OF OFFICERS:

Mayor DiCicco:

The Mayor started with well-deserved congratulations to the Cleveland Cavaliers – the 2016 NBA Champions. What a series. What a game seven. What a shot and what a block! And what a game changer for the City of Cleveland! He was one of the 1.3 million who ventured downtown to see the parade. He just could not miss a historic opportunity like that!

The City had a fantastic parade of its own this past weekend. It was great to see Kardiak Kid Brian Brennan lead the parade. Residents of all ages truly enjoyed it along with the fireworks and all of the Unity Days activities. Kudos to Recreation Director Sean Ward and his staff – Nick Tagg, Patty Rogaliner and Judy Delfs for their hard work planning and organizing Unity Days. The Mayor's appreciation goes out to all of the others who had a hand in the success of this event. They are the members of the Parks and Recreation Commission and the staff of every department at city hall – from issuing checks to crowd control – it was a team effort and could not be done without each and every one of them. Thank you, as well, to all of the residents who live adjacent to the park. They graciously dealt with crowds, traffic and noise as we celebrated the beginning of summer in the City of Mayfield Heights.

Fees for the Northeast Ohio Regional Sewer District's Regional Stormwater Management Program will return to bills beginning July, but the Sewer District is hosting informational workshops to help customers learn more about the program's benefits to Mayfield Hts. and how residents can apply for residential credits to reduce their bills. Most customers receive quarterly sewer bills and this fee will appear as a separate line-item on their July, August or September bills, whenever the next bill is scheduled. Through the Sewer District's stormwater fee credits, customers can reduce their bill by taking steps to manage their stormwater runoff. The Sewer District is holding several meetings and customers can attend any meeting that is most convenient to them. A brief presentation will be offered at multiple times throughout these workshops. Residents are encouraged to attend one of the following meetings: Wednesday, June 29, 2016 from 5:30 – 7:30 p.m. at the Lyndhurst Community Center and Thursday, September 22, 2016 from 5:30 – 7:30 p.m. at the Mayfield Village Civic Center.

Council will not be meeting again until after July, so the Mayor wished everyone a safe and happy 4th of July. The fourth falls on a Monday which means there will be no trash collection on that day resulting in a one day delay for the remainder of the week.

Mrs. Teresi noticed there is a separate line item on the tax bill from the sewer district. The Mayor stated Mrs. Snider had brought that matter to the City's attention previously. Mr. Tribby explained that a resident had a septic tank so he had not been getting charged for the sanitary sewer charge, because they do not have sewers. The county sanitary engineer decides where the money will be allocated during a particular year and if the funds will be put in the storm sewer account, then everyone is charged. He is waiting for confirmation of this information from the county sanitary engineer.

Mr. Manno asked if there was a start date for the Mayfield Road repairs. City Engineer Greg Cifra stated the contract books are being signed and waiting for ODOT final approval. The anticipated start date is the end of the week of July 4, 2016 or the beginning of the following week. The company has 120 days to finish, once they start. Mr. Manno stated he was just concerned about the 120 day window with the winter season and what happened to the road the last time it was done late in the season. Mr. Cifra explained ODOT's fiscal year begins in July, so this is the earliest the project could start under the 2017 fiscal year under which this grant falls.

Director of Law Murphy: No report.

Director of Finance Tribby: The annual audit started this week. They will be here approximately three weeks.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: No report.

Finance and Audit Committee: Mrs. Snider stated there are two items on the agenda.

Legislative Committee: No report.

Public Works and Services Committee: Mr. Mercurio thanked the Service Department for its work on Unity Days. They did a great job setting up, tearing down and maintaining the grounds over the weekend. The planting of the center strip on Mayfield Road is completed. Construction on West Miner Road has started and the crack sealing on various streets is finishing up. After that happens, street striping will begin. The new one ton truck has arrived. Beginning July 5 the recycling bins located on Marsol Road at the community center will have limited hours. These are Monday and Wednesday from 6:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m. and Saturdays from 6:00 a.m. to 11:00 a.m. Since the City has signed a contract for every other week for recycling, any overflow should be brought to the recycling bins. The swimming pool is up and running although it was closed one day due to a pump issue.

Recreation and Parks Committee: Mr. Manno reported as follows:

The City had beautiful weather for Unity Days.

Highlights from the weekend include:

- 36 residents were inducted into our the 2016 class of 50 year Gold Residents,
- Saturday evening included a spectacular Fireworks display
- Sunday was our parade which was led by former Cleveland Brown Brian Brennan and included over 70 units.
- We hosted the 10th Annual Cleveland International Challenge Cup of Bocce Tournament. The tournament winner was Vandra Brothers, a Mayfield Team. They defeated a team from Canada in a thrilling final.

Congratulations to the winners of our Grand Prize Drawing:

1st Place \$3,000 - Patrick Jones

2nd Place \$1,000 - Madison Snider

3rd Place Overnight stay at Glidden House & \$500 in American Express Gift Cards - Elizabeth MacDougall

We would like to thank all our sponsors, volunteers, vendors, the Parks & Recreation Commission and various City Departments who help make this event possible. Without all of the support we could not bring this three day event to our residents and neighbors of our community.

The next two Bus Trips still have a few spots open:

Vermillion on Friday, July 15, 8:30 am – 4:00 pm - cost is \$45 per person

Tony Packo's & Toledo Museum of Art: Friday, August 19 8:30 a.m. – 4:30 p.m. - cost is \$45 per person

Our next Concert in the Park will be Wednesday, July 13, from 7-9 p.m. at City Park near the gazebo. Join in with a blanket or lawn chair for the Tabloid Twangers. The rain location will be the Ross DeJohn Community Center.

The Mayfield Heights Annual Car show is coming up on Thursday, July 28 at 6:30 p.m. Dash plaques will be given to the first 100 cars to register with us. Registration is \$5.

For more information or to register for any events please visit the website at www.mayfieldheights.org or call the Recreation Department at 440-442-2627.

Safety and Transportation Committee: Mrs. Finney reiterated her comment from the last Council meeting regarding Ordinance No. 2016-23 pertaining to dual employment. Both the Police and Fire Chief strongly oppose it. She also spoke to the other department heads and they also strongly oppose it. Given these facts, she urged council to take it off the table and vote no for the betterment of the employees.

Mr. Mercurio commended Chief Elliott on the annual report of the Fire Department.

Board of Zoning Appeals: Mr. Mercurio stated there are two items on the agenda.

Planning Commission: No report.

PUBLIC COMMENT: None.

RESOLUTION NO. 2016-37: "A Resolution authorizing an engineering services agreement with AECOM Technical Services for the purpose of providing the City of Mayfield Heights with necessary engineering services and declaring an emergency." Mr. Murphy read the resolution by title only. Mrs. Finney moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated the Mayor sent a memorandum urging Council to approve this contract for the City Engineer. The monthly retainer remains the same and some of the hourly rates increased minimally. The contract was up February 29 and the firm has been working without a contract since that time. Mr. Manno stated at the Committee of the Whole meeting he requested this contract should be on a month to month basis and that RFPs should be taken and considered in September for next year's contract. Mayor DiCicco replied he thought the consensus was to approve this contract through the end of the year, as it would be difficult to have a contract on a month to month basis with all the projects in process that the Engineer is handling on a day to day basis. The RFPs have not yet gone out. They are prepared; he and Mr. Fornaro worked on them and they will go out soon.

Mrs. Teresi, seconded by Mr. Manno, moved to amend the resolution as follows: "authorizing the approval of an engineering contract with AECOM Technical Services on a month-to month basis until December 31, 2016 with a stipulation that City Administration go out for RFPs from other engineering firms within 30 days of this council meeting and have RFPs be returned by September 30, 2016 and include language to clarify that a new engineering contract will begin January 1, 2017." Mayor DiCicco reiterated it would be more efficient to approve this contract until the end of the year without the month to month portion. Roll Call on motion to amend as stated: AYES: Snider, DeJohn, Manno, Mercurio, Finney, Teresi. NAYS: None. Motion carried. Roll Call on original motion as amended: AYES: Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. The resolution is adopted as amended.

RESOLUTION NO. 2016-38: "A Resolution authorizing the Mayor to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District to provide for implementation of the Regional Stormwater Management Program." Mr. Murphy read the resolution by title only. Mrs. Finney moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated a copy of the agreement and all exhibits was sent to all members. Mr. Manno inquired what happened to the municipalities that originally refused to be part of this program. Mr. Murphy stated the litigation was unsuccessful against the sewer district and several of those cities have already approved this agreement. Mr. Manno asked what benefits

Mayfield Heights would receive. Mr. Murphy stated the City would receive 25% of the fees to be used for local storm water projects, approximately \$180,000 per year, and in addition there may be regional projects conducted by the sewer district. Mrs. Teresi asked if there was a termination date. Mr. Murphy stated no, this is the City agreeing to follow the storm water management program guidelines. Mr. Mercurio clarified the residents would get charged whether or not the City entered into the agreement so why not get something back and Mr. Murphy said that was correct and also includes commercial properties.

Mrs. Teresi asked what the charge on the tax bill is since this is something else. Mr. Murphy stated that is a fee for the County to maintain the storm and sanitary sewers and this is the charge to maintain those in the City. The tax bill fee has nothing to do with the Regional Sewer District. Mr. Tribby added one agency gets the sewerage to its destination and the other agency processes it. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Finney, Snider, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-39: "A Resolution authorizing the Mayor to enter into a Shared Savings Agreement with Gardiner providing for engineering services to improve operational efficiencies at the City Hall Complex and declaring an emergency." Mr. Murphy read the resolution by title only. Mrs. Finney moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated Mayor DiCicco sent a memorandum asking for Council's support in approving this shared savings agreement. Mr. Manno stated he understands this shared efficiency program, however, the City paid this company \$40,000 to \$45,000 to balance the system a couple of years ago. He thinks it is still sketchy as to whether or not it is working. He wonders how they can get an accurate reading to come to a savings if the system is not functioning properly. The whole system has not worked properly since the building was constructed, and he wants to see it working properly. He wanted assurance that it will be working properly. Mayor DiCicco stated he thinks this is a step in the right direction. They will figure out if it can run more efficiently and they can save the City money, which will be shared with them. They may also find out more is needed. Mr. Manno asked for reports and the Mayor stated there would be reports. Mrs. Teresi asked what the current contract covers. Mayor DiCicco replied it is for maintenance only. Mrs. Teresi asked if they had found anything. The Mayor stated they have done a lot of repair work and changing computer settings. They have been very responsive in the two years of the contract so far. Parts of the various systems are old and may need repairs or replacement in the future. Mrs. Teresi asked if the other company, Brewer Garrett, was still working on the chiller portion and the Mayor said that was the company. Mr. DeJohn inquired if this was just for the city hall complex, not Service, and the Mayor stated that was correct. Mr. DeJohn asked why the other city buildings are not part of the program.

Kevin Pugley, Gardiner Trane, stated they looked at all the buildings and because of the nature of the shared savings agreement they had to only look at the facilities they thought there were energy savings and efficiencies to be gained. The Service Department's system is fundamentally simple while the city hall complex is more sophisticated so there are opportunities for improvement. Mr. DeJohn asked if either side can terminate the agreement. Mr. Pugley replied they asked for three years because there is a lot of in depth engineering and labor intensive services up front. They can only recoup their original investment if they have it for multiple years, since it does not cost the City anything up front. Typically they maximize the savings potential between year one and two. Mr. DeJohn stated then year one is when they get most of the savings at 75% and Mr. Pugley said yes. They have a diagnostic tool they attach to the system to analyze it and that will create quarterly reports, which are shared with the Service Director. These will show savings and improvements that have been made. Mr. DeJohn asked if this is for both gas and electric and Mr. Pugley stated yes. Mr. DeJohn clarified then Mr. Tribby can monitor the results. Mr. Tribby stated once the modifications are made, he can look at the amount of power used or gas consumed and in theory the amount used should go down. Mr. Pugley stated they took a base year of utility data and they will be comparing future performance against that base share and they will be adjusting for weather and the savings will be in units depending on the utility. Mr. DeJohn asked how the seasonal usage affects the quarterly payout and why it would not be more on an annual basis. Mr. Pugley stated the commodity itself does not change, but the consumption does. That normalizes out over the course of a year.

Mr. DeJohn asked if the City was on a fixed rate. Mr. Tribby stated the City pays whatever the rate is based on the purchase of power. The City is currently with AEC for 36 months and is negotiating with NOPEC. This is based on the rate of consumption, so it should be less. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-42: "A Resolution confirming the action of the Planning Commission of the City of Mayfield Heights in approving the adjustment of the hours of operation for the fueling facility at the Costco store located at 1409 Golden Gate Boulevard, Mayfield Heights, Ohio." Mr. Murphy read the resolution by title only. Mr. Manno moved for suspension of the rules, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Finney, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated the hours were 7:30 a.m. to 9:00 p.m. and are going to Monday through Friday, 6:00 a.m. to 9:00 p.m. and Saturday and Sunday, 7:00 a.m. to 7:00 p.m.

Ted Johnson, Development Director for Midwest Projects for Costco came to the podium. Mr. DeJohn asked if he was successful in notifying the residents on Bonnie Lane. Mr. Johnson stated 29 letters were sent to the adjacent property owners. One resident asked why grass was not cut. Costco is not responsible for that so they contacted the landlord. They were told there was a trampoline placed on an easement so the landscaper could not get his equipment in there. Mr. Manno pointed out five or six residents refused the additional ownership of the property to the wall when the lawsuit was settled, so the maintenance of that property should be done by Costco, who owns it. It was being taken care of until recently. Mr. Johnson corrected Mr. Manno and stated the property is not owned by Costco, it is owned by Shemo. And Mr. Shemo acknowledged his landscaper is responsible for taking care of that. Costco takes care of everything adjacent to its parking lot. But this is an easement that the landlord has control over. Mr. DeJohn explained the reason for this request is so all the hours are the same in the Cleveland area for their customers. Roll Call on motion as stated: AYES: Mercurio, Finney, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-43: "A Resolution approving a lot consolidation of Cuyahoga County Permanent Parcel Nos. 861-30-019 and 861-30-020, so as to create one parcel for the development of a new medical office building (2060 Lander Road)." Mr. Murphy read the resolution by title only. Mr. DeJohn moved for suspension of the rules, seconded by Mrs. Finney, Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Finney, Teresi. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mrs. Snider. Mr. DeJohn explained they needed both parcels to build this building. Mrs. Teresi added a letter was received from the traffic engineer and a memorandum from Assistant Fire Chief Braccia giving approval. Roll Call on motion as stated: AYES: Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-46: "A Resolution adopting the Alternative Tax Budget Information Format for the City of Mayfield Heights, State of Ohio, for the fiscal year 2017 and declaring an emergency." 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: Manno, Mercurio, DeJohn, Finney, Snider, Teresi. NAYS: None. Motion carried. Mrs. Snider moved for adoption, seconded by Mr. Manno. Mrs. Teresi stated a memorandum was sent to all members from Mr. Tribby. Mr. Tribby stated this is not going to increase any property taxes. It is a requirement that has to be done every year to allow the county to set the tax rate. There is a slight increase in the tax duplicate estimate. Most of the proceeds will be allocated to the General Fund. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-47: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Michael Manno, 1127 Belrose Road, a variance to widen the driveway on said property to 16 feet, 6 inches (Cuyahoga County Permanent Parcel No. 861-08-054)." Mr. Murphy read the resolution by title only. Mrs. Snider moved for suspension of the rules, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Finney, Snider, Manno, DeJohn, Mercurio, Teresi.

NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mr. DeJohn. Mr. Mercurio stated this was a unanimous approval. Due to the way the code reads and the requirement for a two car garage, because this house only has a one car attached garage, this was considered a non-conforming use and had to go to the BZA for a variance. Mr. Murphy further explained the codes provide that all attached garages have to be two car garages. Because this is a single car attached garage, the Building Director determined it was a non-conforming structure. Therefore, any changes to the property have to go the BZA. Mr. Murphy concurred with his decision and added the codes are a little ambiguous and perhaps should be reviewed. The code used to read that the pavement could be only a foot on either side of the door, but was changed in perhaps 1989 to provide for 18'. He thought Council might want to consider if it wants wide pavement on 50' lots. Mr. Mercurio remarked this specific ordinance does not specify one or two car garages. Mr. Murphy stated there is another ordinance that states the garage has to be 450 sq. ft., which is a two car garage so the two parts of the code are considered together. Mrs. Teresi asked if it was a hardship and Mr. Mercurio said yes. Mrs. Teresi stated there are many homes with this issue, especially on Ranchland and Belrose and they would have to move their cars constantly if they were not allowed wider driveways. Mr. DeJohn inquired if this type of variance has been granted before; he thinks it has. Mr. Mercurio said yes, several times. Roll Call on motion as stated: AYES: Mercurio, Finney, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-48: A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Atwell, LLC, on behalf of Leedy Real Estate, LLC, a variance to develop the property known as 2060 Lander Road, Cuyahoga County Parcel Nos. 861-30-019 and 861-30-020, without a six foot masonry buffer wall on the south and west sides of the parcel." Mr. Murphy read the resolution by title only. Mr. DeJohn moved for suspension of the rules, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Finney, Teresi. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mrs. Finney. Mrs. Teresi stated photos were distributed showing the landscaping currently in place from west looking east and from Lander Road looking west along the property line. Mr. Mercurio explained the vote was unanimous and the intent of the code was to protect residential areas abutting commercial zoning. This is abutting an office district. They will line the property line with landscaping and there is already some natural landscaping for further buffering.

Ron DiNardo, 6728 Seneca, approached the podium. Mr. DeJohn asked if the landscape plan had been submitted. Mr. DiNardo stated it has been submitted to all the pertinent committees. Mr. DeJohn asked if they are adding a lot more landscaping and Mr. DiNardo said yes. Roll Call on motion as stated: AYES: Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-49: "A Resolution authorizing the Mayor to enter into an agreement with Coral Strategies, LLC, and AECOM to provide professional consulting services in connection with the management of the redevelopment process for the Mayland Block, and declaring an emergency." Mr. Murphy read the resolution by title only. Mr. Mercurio moved for suspension of the rules, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Finney, Snider, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mr. Mercurio. Mrs. Teresi stated a memorandum was received from Mr. Murphy. This contract is in the amount of \$160,000 for the Mayland Block portion of the Strategic Plan. Mr. Manno commented he would like to amend this as he thinks only the first stage should be appropriated in the amount of \$25,000 for three months until Council knows how it is going and what the numbers are going to be. Council would then decide if it wants to move forward and can make another appropriation. Mrs. Teresi agrees with Mr. Manno. She received an email from a resident who sat on the Master Plan Committee in 2004. Money was spent on that and the City has not really moved forward on that and now more money has been spent on the Strategic Plan. This resident feels the City is just spending money and getting nowhere. Mr. Mercurio remarked he does not have a problem with Mr. Manno's suggestion, but is three months enough time for the first stage. Jeff Homans from AECOM approached the podium and stated it should be.

Mr. DeJohn stated Ordinance No. 2014-24 approved Phase I of the Strategic Plan for Mayfield Road and authorized AECOM to provide professional consulting services for Phase II of the Mayfield Road Strategic Plan. He asked how it is different from this proposal. Mr. Homans stated Phase II was a full feasibility study to determine if the redevelopment opportunity was viable and that was confirmed. Those reports were issued. Mr. DeJohn stated he has never seen any of those and Council needs to see them before approving anything further. Mayor DiCicco stated he has the reports. That was a feasibility study and this is the next step. Mr. Homans added the first phase the Coral Company would perform is to see what it would take to acquire the property. They did the market study and the financial feasibility study and preliminary cost estimates for the improvements of both the infrastructure and the redevelopment costs. Now this is going forward with the Coral Company leading it and AECOM as a sub-consultant.

Mayor DiCicco added this was discussed at the Committee of the Whole meeting. It was stated that the numbers in the initial feasibility study showed this could be done, so it was time to move forward. Mr. Manno remarked the question was raised if there were hard numbers as to what the owners would be asking for. The point of the three months for this stage was to see if there was salability of the shopping center and to get some hard numbers. The City would then decide if it wanted to move forward or if it was too expensive. He has no problem with appropriating the \$25,000, but not \$160,000. Mayor DiCicco replied this is spelled out in Section 3 that Council must approve each stage, so the City is not obligated to pay \$160,000. This is to allow Finance to set aside the money. Mr. Tribby concurred. Mr. Manno asked where the appropriation goes. Mr. Tribby stated the appropriation is a separate matter and all it does is appropriate the funds from the unencumbered balance in the General Fund. It is like any other budget item in that it is appropriated, but it can only be spent if it is authorized. If the money is never spent, it goes back into the General Fund balance at the end of the year and will be available for appropriation next year. So it will not be spent unless Council approves the next stages. Mr. DeJohn asked what the purpose is of appropriating the whole amount now if it would just go back into the fund if not used. Mr. Tribby only provided an amendment to the budget, not the resolution. Mr. Murphy concurred and reiterated this resolution approves the whole amount, but it still gives Council control over each stage. This allows Council to appropriate the whole amount so legislation does not need to be approved each time, just a simple motion can be made to approve the next stage if Council chooses to do so. The proposal itself, which is part of the contract, also states the City may terminate the engagement at any time.

Mrs. Finney moved to call for the vote, but there was no second. Mayor DiCicco stated this is too important to hold up over semantics. It is one of the most important projects the City has looked at in a long time and it should get started. Mr. Mercurio asked what the amendment was. Mr. Manno stated it was to appropriate funding for \$25,000 for stage one. Mr. Mercurio questioned if that should be an amendment to Ordinance No. 2016-25 instead of this agreement. Mr. Murphy replied this resolution provides for the agreement of a not to exceed \$160,000 figure and Mr. Manno would like it to read \$25,000 and then it would come back to Council for each stage. So the amendment is in Section 2 ". . . for a total cost not to exceed \$25,000 . . ." Mr. Murphy asked Mr. Manno if he wanted to remove Section 3, which states Council has to approve each stage. Mr. Manno said that section can remain. Mrs. Snider remarked the question of approving each stage was asked and answered at the Committee of the Whole meeting, and it is in the contract that Council would get updates after stage 1 to determine if it would approve the next stage. Mrs. Teresi commented the perception of residents is that money was spent with all these prior plans and nothing is happening. It is confusing with all this phases and stages.

Mr. Homans clarified this is a proposal at this time, not a contract. There is a lot of work to be done and if Council accepts the report that was prepared as Phase II, which included a full performa developed by the Coral Company, and cost estimates for both the public and private sector improvements. This project tests out as being feasible and would have a dramatic impact on the City. The proposal is set up in stages, which can be stopped at any time. The fundamental point from today is that to select a developer and go forward there are many steps. The first big step is to consolidate the properties and determine the acquisition costs, which is stage 1. Mr. DeJohn stated the point is that Council is being asked to appropriate money without knowing what the costs would be, such as demolishing the shopping center. Mr. Homans stated a

detailed cost estimate was done and Mr. DeJohn stated he has never seen that. Mayor DiCicco commented that if there were questions, they should have been asked at the Committee of the Whole meeting. This should not be held up. This is one of the most developable and most under developed and one of the places in the City where every resident in the City wants something done with it. Mr. DeJohn reiterated Council should have had the reports with the figures in order to make a decision. Mr. Manno again stated that he is willing to approve the first stage of \$25,000, then he would decide if the rest of the money should be appropriated. He does not want to be on the hook for \$160,000. Mayor DiCicco stated he is not on the hook per the resolution. Mr. Murphy stated Mrs. Snider asked him a question. Right now the cost is not to exceed \$160,000 for the whole proposal, which is what Council would be authorizing. If the amendment went through for not to exceed \$25,000, conceivably stages 2, 3, 4 and 5 would be more expensive than currently listed in the proposal. Mrs. Teresi asked why. Mr. Murphy explained Council would only be committing to \$25,000. If it remains at \$160,000, the engineer has agreed to do the work for those amounts listed for each stage, but if only one part is approved, the cost for the next stages could increase. The contract will be written that each stage has to be approved by Council. So Council is only committing to \$25,000 this evening.

Mr. Manno, seconded by Mrs. Teresi, moved to amend the resolution as follows: in Section 2 “. . . for a total cost not to exceed \$25,000 . . .” Roll Call on motion as stated: AYES: DeJohn, Manno, Teresi. NAYS: Snider, Finney, Mercurio. Vote 3-3. Motion failed. Roll Call on original motion as stated: AYES: Finney, Snider, DeJohn, Mercurio. NAYS: Manno, Teresi. Vote 4-2. Motion carried. The resolution is adopted.

ORDINANCE NO. 2016-24: “An Ordinance accepting the Mayfield Heights Commercial Corridor Design Manual, authorizing the incorporation of said manual into the Codified Ordinances, and declaring an emergency.” Mr. Murphy read the ordinance by title only. Mrs. Snider moved for suspension, seconded by Mr. Mercurio. Roll Call on motion as stated: AYES: Mercurio, Finney, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mr. Mercurio. Mrs. Teresi stated this was discussed at the Committee of the Whole meeting. Mr. DeJohn added it was also recommended by the Planning Commission. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Finney, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

ORDINANCE NO. 2016-25: “An Ordinance amending Ordinance No. 2016-11 the appropriation expenditures of the City of Mayfield Heights, State of Ohio, for the fiscal year ending December 31, 2016.” Mr. Murphy read the ordinance by title only. Mrs. Snider moved for suspension of the rules, seconded by Mrs. Finney. Roll Call on motion as stated: AYES: Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mr. Mercurio. Mr. Tribby stated this appropriates money into the Economic Development Services line item, as no funds had been budgeted this year. \$160,000 would be appropriated and that would be controlled as Resolution No. 2016-49 states. If it is not spent, it would go back into the General Fund. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Finney, Snider, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

Mr. Manno, seconded by Mrs. Snider, moved to advertise for rock salt bids. Mr. Tribby explained the City needs to get the bids so a contract can be approved at the special Council meeting. Mrs. Teresi asked if there was a lot of salt left from last year and the answer was yes. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Teresi. NAYS: None. *Motion carried.*

Mrs. Snider, seconded by Mrs. Finney, moved to recess the regularly scheduled Council meetings of July and August. Mrs. Teresi asked Council to reserve July 18 and August 22 as dates for special meetings if they are needed. Roll Call on motion as stated: AYES: Finney, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. *Motion carried.*

Mrs. Snider, seconded by Mr. DeJohn, moved to remove the Leedy Medical Building motion from the table and place it on the agenda. Roll Call on motion as stated: AYES: Mercurio, Finney, DeJohn, Snider, Manno, Teresi. NAYS: None. *Motion carried.*

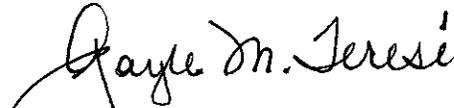
Mrs. Finney, seconded by Mrs. Snider, moved to confirm the decision of the Planning Commission approving a final site plan for a new 5,500 square foot medical office building contingent upon receiving a variance to eliminate the required buffer wall on the west and south sides of the property for the Leedy Medical Office Building, 2060 Lander Road. Mr. DeJohn stated this was approved unanimously by the Planning Commission. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Finney, Teresi. NAYS: None. *Motion carried.*

NEW BUSINESS; COMMENTS FROM COUNCIL:

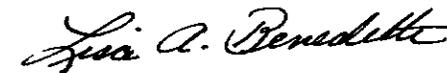
Mr. DeJohn reiterated that everyone needs to look thoroughly at this Mayfield Road Corridor project. There is a lot of money already invested in it. He would like to get the reports from the Mayor that were distributed for Phase II. Mr. DeJohn asked for a total invested so far and Mr. Tribby stated he could get those numbers.

There being no further business to come before Council, Mrs. Teresi adjourned the meeting at 9:11 P.M.

Approved:


Gayle M. Teresi
Council President

Respectfully submitted,


Lisa A. Benedetti, MMC
Deputy Clerk of Council