



Daren Hornig, 45 N. Station Plaza, Great Neck, New York, one of the owners and manager of Golden Gate Shopping Center spoke on proposed changes. Golden Gate has been in the City for over 60 years and was developed by Forest City Enterprises. He bought it two years ago. It is outdated and they have some new concepts they would like the City to entertain. Chick Fil A would like to build in the parking area near Mayfield Road and there is enough parking. The restaurant building behind the east side of the center would be an indoor sky diving facility and would be the only location between Cleveland and Columbus. They would also like to introduce a food truck area near the back part of the parking lot. They will make extensive renovations to the whole shopping center. They would have sufficient parking for all of these entities. Traffic patterns would be changed. The food park would put green space back in the shopping center. Several trucks would be part of this and the space could be used also as a public setting. This would help them increase revenue and also helps the tenants remain in their spaces. There is quite a bit of vacancy in the center and two tenants need to downsize, as the Internet is taking away a lot of retail business. He displayed a rendering of updating the facade, basically keeping the buildings the same. The U shape of the center is atypical of shopping centers, but they would like to have new signage to let people know what is there. He displayed a large pylon type sign that is being used successfully in the area. There would be more green space and permeable surfaces to help with storm water. The front monument sign would be opened up for better visibility and a small monument sign would be placed at the back Marsol Road driveway for identification. There needs to be a balance for the tenants, the customers and the community.

Jonathon Novak, Herschman Architects, 2500 Emery Road, stated they are located locally, but work nationally. Again, they would like to update the center. For materials on the buildings they are trying to make it so it will last. They would like to balance materials to help both the tenants and the look of the center for the customers. They would use lots of textures, like wood and stone and put in updated metal louvers. It would all tie together and give it a humane touch.

Mr. Hornig stated he would be making a significant investment with upgrading the center, which would be a win-win for everyone. Mrs. Teresi inquired if the 16' high pylon sign would have different colors for each tenant. Mr. Hornig replied right now all the signs are red at the center. That has been a limitation for getting tenants who want to have their own branding. He would like to work in the future to allowing tenants to have their own identity. Mayor DiCicco commented there are a lot of new ideas that do not fit into our codes, but this may be a chance to explore some new ideas that have been discussed and this might be a good start. Mrs. Teresi asked if a landscaping plan would be presented to the City. Mr. Hornig said that would be done.

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Mrs. Sabetta moved to suspend reading of the Special Council minutes of August 22, 2016, and approve as written, seconded by Mr. Manno. All in favor, except Mrs. Finney who abstained as she was absent from the meeting. Motion carried. *Minutes approved.*

#### CORRESPONDENCE AND ANNOUNCEMENTS:

Mrs. Finney thanked the Mayor for his response to a water main break a few weeks ago. When she spoke with him about it, he immediately sent a reverse 911 call to the community to let them know what was going on. The Mayor stated Chief Elliott actually was the one who came in and got it resolved.

Mrs. Sabetta reported the Chagrin River Watershed Partners quarterly trustee member meeting would be held September 13, 2016. To be discussed would be oil and gas well drilling and exploration pertaining to the CRWP's model ordinances pertaining to water and land and community preservation. She invited Council to the presentation.

Mrs. Teresi commented the Mayfield Road traffic has been flowing well during the road construction. Residents have been calling regarding the nice job the Service Department is doing in removing tree lawn trees and replacing sidewalks for people. She thanked the Service Director for his work.

REPORTS OF OFFICERS:

Mayor DiCicco:

This summer residents may have noticed a change to their water and sewer bills. Beginning in July, the storm water fees for the Regional Stormwater Management Program began to appear on customers' bills which led to some confusion. To help address questions on the program and residential credit opportunities, the Sewer District will be hosting informational workshops across the service area. The nearest workshop to Mayfield Hts. will be September 22 from 5:30 – 7:30 p.m. at the Mayfield Village Civic Center. Sewer District staff will be on hand to address customer's individual questions on the program, the storm water fee and available credits.

This year's We Fit Together / Healthy Mayfield is 6 pm Wed. Sept 14 at Wildcat Stadium. The Healthy Community Initiative is a collaborative effort between the Cleveland Clinic and community partners Mayfield Heights, Mayfield Village, Highland Heights, Gates Mills, Mayfield City Schools, Cuyahoga County Public Library, Cleveland Metro Parks, Mayfield Academic Boosters, Heinen's and Costco to promote optimal health and wellness in our communities through education, nutrition and physical activity. Last year the event drew more than 500 people. So come out and get healthy.

The Mayor congratulated Finance Director Bob Tribby and his staff for receiving the Auditor of State Award. The award is given in recognition of clean, accurate and timely record keeping. The letter from Dave Yost, Auditor of State also says that the residents should take pride in our commitment to accountability. The Mayor agreed. Job well done Bob. Mr. Tribby thanked his staff, Lisa Benedetti, Rita Kramer and Angela Ianiro, for their part in the audit award.

The Mayor received an email he wanted like to share with council and the residents.

It was titled-What are you people putting in the water? He was leery at first but the content is something we should all be proud of. It stated that the couple stayed at the Comfort Inn Mayfield Heights while the one of them had 5 continuous days of procedures at the Hillcrest Pain Clinic. From the staff at the hospital and hotel, to service people at stores and restaurants, to the other customers and strangers in public, we have never met so many nice people. If it was at all feasible, I think we would move there tomorrow. Whatever it is you people are doing, please keep it up. And look into bottling it if you can.

It is nice when you hear that others think that Mayfield Heights is as special as we think it is.

Don't forget to register to vote, or update your voter registration, if necessary. If you moved recently, or if you haven't voted in a while, check to make sure your registration information is accurate. The registration deadline is October 11<sup>th</sup>.

Yesterday marked the 15th anniversary of 9/11. It's hard to believe that it has been that long since that horrible day when we suffered the worst terrorist attack in American history. The Mayor asked people to take a moment sometime during their day to pray for all those whose lives were lost and for those first responders who continue to put themselves in harm's way every day to keep us safe. He also called attention to the Mayfield Heights Blue Ribbon Campaign. This will last from September 11 to October 11. The Safety Forces are asking people to place a blue ribbon around a tree, post or anything at home to honor the first responders who have lost their lives in the line of duty. They put their lives on the line every day and these ribbons would show support.

The Mayor stated he made two appointments to boards, Darcy Horvat is moving from the Parks and Recreation Commission to the Planning Commission and Michael Horvat will be taking Darcy's place on the Parks and Recreation Commission.

Director of Law Murphy: No report.

Mrs. Teresi noted Mr. Murphy sent an email to Council stating the Sharona lawsuit would be ready, so she wondered if an executive session would be needed this evening. Mr. Murphy replied no, he was premature in sending out the email.

Director of Finance Tribby: Mr. Tribby announced there is a link on the City's website to the State Auditor's office where people can review the 2015 audit, as well as previous years audits. Mrs. Teresi asked how many years has Mr. Tribby received the award. Mr. Tribby replied once before and the City has never had a findings for recovery. He is not sure how the award is determined, but it is appreciated.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: Mr. DeJohn stated he would like to schedule a Building Committee meeting to review Section 1389.03, driveway extensions, due to all the information that has been sent out pertaining to the tabled Woodhawk Drive request.

Finance and Audit Committee: Mrs. Sabetta congratulated Mr. Tribby and his staff on the audit award. It is a pleasure working with him. There are several items on the agenda.

Legislative Committee: No report.

Public Works and Services Committee: Mr. Mercurio reported the City is making many expensive road repairs throughout the City under the 2016 road program. The Service Department is making various repairs to sidewalks, curbs and sinkholes and water breaks. The night crew is painting crosswalks. The parks have been maintaining the fields and other areas throughout the summer. The leaf pick up machines are being prepared for the upcoming season.

Mayor DiCicco mentioned there has been input from the residents about the hours for the central recycling center not being convenient. He and Mr. Fornaro will be reviewing the hours to see if they can be made to better serve the residents.

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

Fall programming has started and includes the following Programs that are underway:

Youth Sport Programs

- Mini Cats Football                      ages 3-7
- Flag Football                              ages 5-8
- Pat V Basketball Camps                ages 5-12
- Registration for LBJ Basketball started today for residents.
- LBJ is a recreational basketball league for those in grades k-3<sup>rd</sup> grade.
- We are also renting our fields out for fall youth baseball on Saturdays through Oct 3.

Adult Sports leagues

- Men's & Coed Bocce Leagues
- Coed Softball Leagues

For older adults:

- Are you interested in a fun activity that will get you that needed exercise, while providing a mental and physical release? Try Pickleball! It is a game anyone can play. Consider learning to play the game from our already established Pickleball group. They play Monday-Friday from 9:30 -11:30 at our outdoor tennis courts when the weather is good and at Wildcat Sport & Fitness when the weather is bad. Call the Recreation Department for more information.

Bus Trips –

- The following trips are sold out
- Sept 16                      Hartville Marketplace and Flea Market
- We still have spots available on our bus trip on:
- Oct 14                      Sisters Tea Room and Garfield Memorial
- Tickets are \$25 – lunch is on your own

Our September Lunch Bunch will be going to DiCillio's on September 28 at 11:30. If interested a reservation must be made.

For any information on any recreational program please call the office at 442-2627.

Healthy Mayfield – Join us for a collaborative effort between the Cleveland Clinic and our Mayfield community partners to promote optimal health and wellness with in our community. This free event will take place on:

Wednesday, September 14, from 6-8:00 pm at Wildcat Park (the High School Stadium).

This community event will include health screenings, cooking demonstrations, healthy food samplings, fitness demonstrations, kid-friendly activities and more! Meet your city and school leaders and get to know local fire, police and EMS personnel and see their vehicles.

Mr. Manno congratulated Mrs. Horvat on her move to the Planning Commission. She will be missed.

Safety and Transportation Committee: Mrs. Finney stated a resident whose house caught on fire a few weeks ago had nothing but positive comments about the safety forces who responded.

Board of Zoning Appeals: Mr. Mercurio stated there is one tabled item that he would like to consider. The next meeting is scheduled for September 14, 2016. Mrs. Teresi believed the tabled item would remain tabled at this time.

Planning Commission: No report.

Mayor DiCicco stated the Knollwood motion should remain tabled at this time.

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PUBLIC COMMENT:

Carmella Juarbe, 6391 Woodhawk Drive, stated she has been friends with an elderly man, Nino Farinacci, for four years who lives on Larchmont. She has tried to get him to have visitors and volunteers and has spoken with the Community Partnership on Aging and the Mayor's office about the situation to no avail. He is a senior who wants visitors, but his family has a problem with her visiting him. She stated she has no designs on his house or assets; he is a dignified person who likes company. He has called her many times begging for her to visit him and take him places. She called the police on herself to have them come over to see that he is competent and to make sure there was a report on file. There were many people there, including his daughter. The police said that he is of the right mind and allowed to have visitors. However, Ms. Juarbe is no longer comfortable visiting him due to potential accusations. She asked if anyone would like to go with her to visit Mr. Farinacci, they should contact her.

She also stated some concerns about the new garbage and recycling bins and how seniors are going to get them to the curb in the winter. They are difficult to maneuver.

Fred Kramer, 1187 Golden Gate Blvd., Chairman of the Board of Zoning Appeals, reviewed the history of Woodhawk driveway extensions due to the tabled item pertaining to this matter. There have been three ordinances involving the City permitting this type of construction. Prior to 1995 no permit was required for this work, so some of the driveways with extensive concrete may have been installed before that date. In 1993 there was an ordinance that referred to 18' extension. What is basically in place today detailing dimensions was adopted in 1998. There have been three variances before the BZA for this matter. One was for garage accessibility and that was granted. Council confirmed that decision. Another one in 2007 was denied by the BZA and reversed by Council. 2012 was for parking issues and that was denied and Council reversed by the decision. He wanted to give the facts to Council.

Mr. DeJohn thanked him for his and the rest of the board's service, as well as for coming this evening.

Robert Orlando, Algiers, thanked Mayor and Council and Recreation Director Sean Ward for their help on putting together the recent train show at the high school. It was very successful. They are planning on doing it again next year.

Ms. Juarbe stated the number on the police log for her call to them on June 20, 2016 was #2161720034, which confirmed that Mr. Farinacci wanted her on his property.

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RESOLUTION NO. 2016-57: "A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer." 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: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mr. Mercurio. Mrs. Teresi stated a memorandum was received from Mr. Tribby regarding the levying of property taxes. Mr. Tribby explained the property tax rate is not going up. It has been 10 mills since the charter was adopted in 1951, when Mayfield Heights became a city. Roll Call on motion as stated: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-58: "A Resolution requesting the County Fiscal Officer to advance real property taxes from the proceeds of tax levies pursuant to Section 321.34, Ohio Revised Code." Mr. Murphy read the resolution by title only. Mrs. Sabetta moved for suspension of the rules, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated this is an annual request to advance the property taxes. Mr. Tribby further explained that the county requires this; otherwise the City has to wait for the taxes. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-59: "A Resolution authorizing the Mayor to issue a purchase order to Nick Mayer Ford for the purchase of a 2017 Ford Explorer SUV for the Fire Department and declaring an emergency." Mr. Murphy read the resolution by title only. Mrs. Finney moved for suspension of the rules, seconded by Mr. DeJohn. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. Mrs. Snider moved for adoption, seconded by Mr. Mercurio. Mrs. Teresi stated Chief Elliott sent a memorandum explaining this vehicle will replace the current chase car. The Nick Mayer quote was approximately \$116 less than the state purchasing price. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. The resolution is adopted.

Mrs. Finney, seconded by Mr. Mercurio, moved to remove Resolution No. 2016-54 from the table and place it on the agenda. Roll Call on motion as stated: AYES: DeJohn, Finney, Mercurio, Teresi. NAYS: Snider, Manno, Sabetta. Vote 4-3. *Motion carried.*

RESOLUTION NO. 2016-54: "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in denying to Debbie Wadkins-Posante and Greg Posante, 6356 Woodhawk Drive, a variance to allow widening the driveway to 29 feet, and to add a parking pad next to the attached garage (Cuyahoga County Permanent Parcel No. 863-15-046)." 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: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. Mr. Mercurio moved for adoption, seconded by Mr.

DeJohn. Mrs. Teresi noted Mrs. Snider had asked that this be tabled at the August 22, 2016 Council meeting. Mrs. Snider stated she spoke with the applicant, Mr. Jamieson, and the Law Director about this matter. The applicant wants to try to redo his plans, but Mr. Jamieson is out of town. She explained to him that if it was voted on this evening it would be voted on the way it was presented to the BZA. If he redoes his plans that would work out better for him and the City, he would like to take that opportunity. She

advised him that he could withdraw it, let Council vote on it as originally presented or keep it tabled. As of today, he wanted to keep it tabled so he could speak with Mr. Jamieson. Mr. Jamieson had sent information on prior history of the Woodhawk Drive driveway extensions to all Council members after the last Council meeting. Mr. DeJohn asked if the original request could be voted on and then the applicant could submit a new request. Or it could be tabled again stated Mrs. Teresi. Mr. DeJohn said the applicant would then have to amend it, so why not have it be cleaner by having the applicant bring back a new request. Mr. Manno stated the Board of Zoning Appeals decision should be upheld and the applicant can submit the revised request. And the Building Committee is going to look at those codes. Mr. Mercurio agreed. Mrs. Snider asked if the applicant, who was present this evening, could submit something else this evening. He was under the assumption that it would remain tabled this evening. She had spoken with the Law Director about options and Mr. Murphy did say that if the applicant presented it, then he would not have to go back to the BZA. This is what she relayed to the applicant. Mr. Murphy confirmed that Mrs. Snider had spoken with him and that was an option. But, ultimately, it is Council's decision as to what the applicant should do. Mr. Murphy had prepared a revised draft resolution in case Council did not uphold the BZA decision. Mr. DeJohn noted what Mr. Kramer had stated in that Council had overturned two of their decisions in the past. The BZA was looking at the City's Codified Ordinances and applying them. Mrs. Teresi added that each case was taken on an individual basis. Mr. DeJohn mentioned that one resident does not want the pad on the side of the house and maybe the applicant will change that. He does not want to compound any wrong decisions made in the past. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. The resolution is adopted.

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ORDINANCE NO. 2016-27: "An Ordinance repealing current Chapter 1183 of the Codified Ordinances of the City of Mayfield Heights titled "Fences", and enacting new Chapter 1183 regarding fences." Mr. Murphy read the ordinance by title only. Mrs. Finney moved to place the ordinance on second reading, seconded by Mr. DeJohn. Mayor DiCicco commented this fence ordinance will be on the Planning Commission agenda next week. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The ordinance is placed on second reading with a public hearing scheduled for September 26, 2016 at 6:45 P.M.

ORDINANCE NO. 2016-29: "An Ordinance imposing a moratorium on granting any building permit or certificate of occupancy for any building, structure, use or change of use that would enable the cultivation, processing or retail sale of medical marijuana for a period not to exceed six months from the effective date of this ordinance, and declaring an emergency." Mr. Murphy read the ordinance by title only. Mr. Manno moved for suspension of the rules, seconded by Mr. DeJohn. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. Mr. DeJohn moved for adoption, seconded by Mrs. Snider. Mr. Murphy explained the state passed a law, HB523, which became effective September 7, 2016 allowing the sale, use, etc. of medical marijuana in Ohio. While this will not happen soon, as various state agencies have to provide regulations, someone could make application and claim they were grandfathered. This moratorium will allow the City time to review the matter and the codes, as well as seeing what the state is doing. 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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Mrs. Finney, seconded by Mrs. Snider, moved to authorize the sale of vehicles through GovDeals:

- 1999 Chevy Tahoe – VIN 1GNEK13R0XJ540671
- 2007 Ford Taurus – VIN 1FAFP53U87A113237

Mrs. Teresi noted the City does this frequently. Mr. Tribby stated the Tahoe was obtained through court forfeiture and the Taurus has been used by three departments and is well used. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried.

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**NEW BUSINESS; COMMENTS FROM COUNCIL:**

Mrs. Sabetta announced this evening is the first night of the Citizen's Academy and there are 16 residents in this class. As a graduate herself, she wished them a lot of fun.

Mrs. Teresi has had a few calls regarding the fence that abuts the parks parking lot and Nick Mayer Ford. Mrs. Teresi passed photos around to council depicting the broken fencing. The trucks extend into the grassy area, the fence is rusting and the gate is open. While Mr. Mayer has been a good neighbor, and donates to the bocce tournament in the summer, she would prefer to see the fence fixed. Mr. DeJohn asked if it had to be a masonry wall. Mr. Manno stated if it abuts residential it does. Mrs. Teresi stated it does not. A portion of fencing near the entrance to the park was repaired a few years ago. She had asked that it be masonry to match the half of the wall that is masonry. Some is chain link. The residents feel the situation is unsafe. Mr. Manno commented the eastside drive abuts residential. He was told by residents that they were told that Nick Mayer was going to buy five of those houses as well as the Firehouse Subs building to add parking, so he was not going to fix the fence because of this plan. Mrs. Teresi noted that was on Woodhurst.

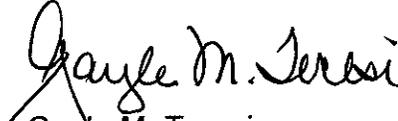
Mr. DeJohn stated on behalf of himself and his family, he wanted to thank the Mayor, Council, and staff for their support on the loss of his mother.

Mrs. Teresi announced the a Coffee with Council event on September 17, 2016 at the community center. This is a non-political event and will be paid for personally by council members. Departments will be there and it is an opportunity to learn what is going on in the City and to ask questions.

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There being no further business to come before Council, Mrs. Teresi adjourned the meeting at 8:35 P.M.

Approved:

  
Gayle M. Teresi  
Council President

Respectfully submitted,

  
Lisa A. Benedetti, MMC  
Deputy Clerk of Council