

**CITY OF MAYFIELD HEIGHTS  
COUNCIL MEETING MINUTES  
September 26, 2016**

The public hearing was called to order at 6:50 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, Finance Director/Clerk of Council Robert Tribby and Deputy Clerk of Council Lisa Benedetti.

The purpose of the hearing was to hear comments from the public regarding 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 stated the changes were reviewed in Committee and by the Planning Commission and an expert was hired to help with these revisions. There were some changes also suggested from the Planning Commission that were not part of the original ordinance, which he did not have time to incorporate into the ordinance for review this evening. He asked it be tabled this evening until the changes can be brought to Council.

Mr. DeJohn explained one suggestion was to regulate invisible fences, but that may need to go to the consultant, Mark Majewski for definition. Mr. Manno thought it would be easy to define it as to where the contact points should be located. Mr. DeJohn added would it require a permit. Mr. Manno said yes.

Mr. Murphy stated he would need to be told what the changes would be in order for him to get the changes in ordinance form. Then it would be up to Council if they wanted to accept those changes. Mr. Manno noted that since there is a Building Committee meeting scheduled for September 29, 2016, the suggested changes could be discussed then and then forwarded to Mr. Murphy to make the amendments.

Mrs. Finney clarified that Council should table this ordinance this evening and Mr. Murphy said yes. There would be an amended ordinance before Council at that time.

As there were no comments from the public, the hearing was closed at 6:56 P.M.

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The regular meeting of Council was called to order at 7:05 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.

In attendance: City Engineer Greg Cifra, Fire Chief Bruce Elliott, Building Commission Tom Jamieson, Police Chief Fred Bittner, Recreation Director Sean Ward, and Service Director Joe Fornaro.

The Pledge of Allegiance was said.

Mrs. Sabetta moved to suspend reading of the Council minutes of September 12, 2016, and approve as written, seconded by Mrs. Snider. All in favor, motion carried. *Minutes approved.*

CORRESPONDENCE AND ANNOUNCEMENTS:

Mr. Manno stated he has received emails from residents on Bonnie Lane asking the City to review opening up the stub in order to allow traffic to and from Costco to use it, which would alleviate the traffic on all of Bonnie Lane. Mayor DiCicco stated he also received the request and asked the Traffic Engineer to do a study on the impact. Mr. DeJohn stated all the residents of Bonnie Lane should be advised of the potential stub opening.

Mrs. Finney stated the traffic situation at the Panini's plaza is bad. She has also had complaints about blocking the entrance. She believes the parking lot needs to be clearly marked with No Parking in the appropriate spots to alleviate the issue. Right now, the markings are faded. Mr. Manno added the markings at the Costco entrance near the Bob Evans building need to be redone as it is hard to see there and people drive on the wrong side of the access road.

Mrs. Snider reported on the Euclid Creek Watershed Program summit meeting will be held October 6, 2016. The focus will be the accomplishments from last year with presentations, networking and refreshments. The meeting is for all partnership agencies and residents are welcome to come to get educated about their storm water management.

Mrs. Teresi thanked all the Council Members who participated in the Coffee with Council. She thanked all the department heads too for giving reports. She did receive good feedback from the residents. Not many residents attended, but it was a start. She noted the event was paid for by the Council Members and it was not a political event. Mr. Manno thanked Mrs. Teresi for arranging the event and believes it will get better each time it is held. Mrs. Teresi mentioned she modeled it on Lyndhurst's event and found many cities hold this type of event across the country. She has not decided how often to hold these yet. Mrs. Snider suggested holding them in different locations at different times of the year.

Mrs. Teresi extended condolences to Mrs. Snider on the passing of her mother-in-law.

Mrs. Sabetta reported on the meeting of the Chagrin River Watershed Partnership held on September 13, 2016. The board reviewed the 2016 budget and voted to increase the partnership dues by 1% for 2017. There is one new member, which is Chardon. This is the last year for the CRWP president who has held the position for 21 years. CRWP is accepting employment resumes for this position.

REPORTS OF OFFICERS:

Mayor DiCicco:

The Mayor reiterated the opportunity residents have to save on their sewer bill presented by The Regional Stormwater Management Program. A workshop was held last week at which City Engineer Greg Cifra attended. The City has booklets available. Residents can receive a reduction in fees if they take measures to reduce the storm water volume or minimize the pollutants flowing from their properties. Information and applications are found on our website and can be picked up at City Hall.

The Mayor congratulated the Mayfield Heights Fire Department on being approved for a "Staffing for Adequate Fire and Emergency Response" (SAFER) grant from FEMA. Per the grant, the City was approved in the amount of \$660,969.00 to hire three people. This cost includes salary and fringe benefits for two years. The Mayor has met with the chief and they are working on the paperwork.

September 16th was Constitution Day at Lander Elementary School and the Mayor had the pleasure of speaking to the Lander School students about the United States constitution which is an annual event. Their enthusiasm and excitement is always contagious. This year was extra special as the school paid tribute to one of our own heroes Larry Sofia. Principal Felecia Evans recounted Larry's early life, his military honors as well as his commitment to Lander School. Principal Evans announced there will be a plaque in Larry's honor placed by the flag pole so every morning the flag is raised Larry will be remembered.

The Mayor attended the Villa Serena Ribbon Cutting Ceremony on September 21<sup>st</sup> Villa Serena received a grant for nearly 9.7 million dollars for renovations for the 242 units within the complex. Villa Serena, which was built in 1967, spent nearly \$40,000 per apartment on renovations which included: new carpeting, flooring, paint, cabinets and fixtures. Common areas were updated as well. The sprinkler system and the energy efficient roof system were upgraded. There are upgrades in social services for the residents also. A full time coordinator to help residents find services entitled to them was added as well as additional medical services and transportation services for doctor appointments and shopping. Congratulations to Villa Serena and the residents.

A chemical called Chromium-6 was in the news last week in relation to water contamination. Robert L. Davis, Director of Cleveland Department of Public Utilities sent an email to the cities he supplies assuring us that the water they deliver meets, and exceeds, all Federal and State regulations including those related to Chromium. While there is no Federal Maximum Contaminant Level for Chromium-6, the State of California adopted one and set the level at 10 PPB. During recent testing, Cleveland Department of Public Utilities did in fact test for Chromium-6 and found levels were 0.1 PPB – or approximately 100 times below California's MCL. A link to this story and testing results can be found at [www.clevelandwater.com](http://www.clevelandwater.com)

Mrs. Teresi asked about the status of the RFPs for various annual professional services. Service Director Fornaro informed Council they will be ready for the next meeting. He received one and he got a call for another interested company.

*Director of Law Murphy:* An Executive Session will be needed to discuss property acquisition and personnel after the regular business.

The house the City purchased on Woodhurst has transferred to the City. There is discussion taking place on its demolition.

As an update on the two pending demolitions of houses on Longwood and Mayflower. The Longwood property is still in the foreclosure process, so it still may be bought and renovated. The property on Mayflower has been transferred to Fannie Mae. Mr. Murphy will follow up on that property. Mr. Jamieson has been asking about these properties every month.

There are five ordinances on the agenda this evening which incorporate into the City's codes the Mayfield Heights Commercial Corridor Design Manual which Council approved in June. They are on first reading and have to be reviewed by the Planning Commission. A public hearing will be held at a date to be scheduled.

Mr. Murphy asked that the fence ordinance, 2016-27, be tabled this evening as it is on third reading, had a public hearing this evening, but he needs to get a revised ordinance with changes suggested by the Planning Commission to be reviewed before it is considered by Council.

Mr. DeJohn mentioned AECOM was supposed to do a comparison of the design manual with which codes need to be changed. Before these ordinances are considered, he would like to see AECOM's report. Mr. Murphy stated they did prepare a proposal which Council will have to approve for additional work done by them. These changes are the minimal needed to get them incorporated into the codes so if someone is coming into the City to build or revamp, they would have to look at these standards. The more specific changes will be suggested by AECOM and will be sent to Council for review. Mr. DeJohn would still like to see that report before these changes are adopted.

This is going to change how Mayfield Road looks for the next 50 years and it should not be done quickly. Mr. Murphy noted Council did approve the design manual and authorized him to incorporate it into the code. AECOM will be looking to see if there is a conflict between what is currently in the code and the design manual. Mr. DeJohn commented he is sure there will be things in the design manual that Council will not want to approve to be a part of the code. Mr. Murphy stated that can be done item by item.

Director of Finance Tribby: No report.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: Mr. DeJohn stated a meeting is scheduled for September 29, 2016 at 7:00 P.M. to discuss paving of exterior areas. He called the meeting to define the widening of driveways, which may reduce the number of BZA cases and which may eliminate some of the subjectivity of the current code.

Mr. DeJohn asked that Ordinance No. 2016-14 be removed from the table and placed on the agenda this evening regarding Chapter 1340 association with clandestine drug labs. He gave the background of why he introduced it. A young resident purchased her first home without knowing Hazmat had been there due to the fact that it was thought there was a meth lab. Hazmat did remove meth making material from the house. She found out by accident about the incident and had the house tested. It tested 13 times over the acceptable toxic limit. Meth is toxic especially to children and the elderly. It produces a sticky substance that penetrates in the house and it is very difficult to remove completely without sometimes ripping out infrastructure like drywall. Mr. DeJohn found out that the City had no notification process or protection for potential buyers or process between departments. He brought in an expert, Roy Wilkinson, about the hazards of this problem of meth contamination who would speak during the public portion. This legislation addresses health risks to the public, law enforcement responsibilities, property owners' responsibilities and notification of various parties. The Building Department would be in charge of enforcing the code. Mr. Wilkinson is a principle at Safety Elements, a co-founder of Ohio Clan Lab Decontamination Technicians, is on a Summit County task force and has testified before legislators as well as presenting for the Ohio Health Department. He has helped Mr. DeJohn prepare the legislation. He hopes Council will pass the legislation without delay.

Mrs. Sabetta asked if this would be something that would be on the point of sale inspection list. Mr. DeJohn stated it would be up to the property owner to disclose it on the POS. Notice of Hazmat being called out needs to be communicated to all pertinent City departments. Mayor DiCicco pointed out that the legislation seems to imply that if the property was cleaned up then no disclosure would be needed. Mr. DeJohn stated there is an addendum pertaining to disclosure, which none of Council had, but Mr. DeJohn would get that to everyone.

Finance and Audit Committee: No report.

Legislative Committee: No report.

Public Works and Services Committee: Mr. Mercurio reviewed Service Department activities. The Mayfield Road project is moving along and there will be lane changes when the work moves to the curb lanes. Mr. Mercurio will be scheduling a meeting to discuss a winter operations planning manual proposed by the Service Director.

Recreation and Parks Committee: Mr. Manno reported the following:

- Registration is underway for LBJ Basketball for two groups - K-1<sup>st</sup> and 2<sup>nd</sup> -3<sup>rd</sup>
- Halloween Party - Oct 29 at the DeJohn Community Center - there is 1 session 11:00 am - 12:00 pm. The cost is \$7 / person tickets must be purchased in advance.
- Bus Trips – Spots available for November 18 to Columbus Zoo and Schmidt's Sausage House. 12:00 pm – 9:30 pm \$50 – includes transportation, admission into the Columbus Zoo. Meal is on your own.

- Adult Afternoon Out is October 11 – We will be serving pizza, wings, salad, Angel Food cake & coffee. Entertainment will be provided by Sam Fosh. Cost is \$10 and reservations must be made in advance. Sponsored by: HCR Manor Care Mayfield Heights
- The October Lunch Bunch will be going to Abo's on October 26 at 11:30am. Reservations needed.

At Wildcat Sport & Fitness:

- Teen Halloween –October 13, 6-9pm for Mayfield Middle School students in grades 6-8.
- Pickleball Tournament – This mixed doubles, "fun" double elimination tournament is for those 50 years and older and will be held on October 22, from 9am to noon. The cost is \$10/player.
- Indoor Swimming Lessons had 73 students in this session which runs through October 22. Registration for the next session begins on October 22 for residents of the school district. The session dates are October 29 - December 10.
- We also offer Private swim lessons. Please call WSF at 995-6840 for more information.

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

The next meeting of the Parks and Recreation Commission is scheduled for September 27, 2016.

Safety and Transportation Committee: No report.

Mr. Manno stated the City now has an ordinance where the Police can ticket the cars parked in no parking spots. Mrs. Finney stated better pavement marking would help. Mrs. Teresi asked Chief Bittner if any cars have been ticketed. Chief Bittner stated they have, and they also have let the Panini's management know of the issue. The officers try to find the owners to move the car to alleviate the issue, rather than just ticketing them. He feels marking the lot would work better. Chief Bittner stated they could request signs be placed there and his department would work with the owner. Mrs. Finney reiterated it really needs to be clearly marked. Mayor DiCicco noted it was noticeable when the lot was first painted, but that has now faded. Mrs. Teresi suggested signs on bolsters, but Mrs. Finney was afraid of placing obstacles in the way. The Mayor commented perhaps the traffic pattern could go back to the way it was unless there was also the same problem.

Mrs. Teresi stated people parking cars on grass seems to also be an issue around the City. How is that addressed? Chief Bittner explained it is a parking violation so if someone calls the department to complain, a ticket can be issued or the officers can cite if they see it. There are repeat offenders they work with.

Board of Zoning Appeals: Mr. Mercurio reported on the meeting held September 13, 2016. Copies of the minutes of the meeting were mailed to all members and are a part of the permanent record. There is one item on the agenda this evening and the applicant is in the audience.

Planning Commission: Mr. DeJohn reported on the meeting held September 19, 2016. Copies of the minutes of the meeting were mailed to all members and are a part of the permanent record.

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PUBLIC COMMENT:

Mel Krut, 5840 Cantwell Drive commended all the departments in the City who do such a good job. He stated he is a pharmacist and he can get some experts from Ohio State University to come speak with elderly people about how to take medications properly. With the amount of medication some people have to take, it can sometimes cause issues. As a public service, he could arrange it with the Community Partnership on Aging or the high school, since drugs are a big problem now that is destroying people and their lives. The Mayor will contact the director of the CPA and the City has a contact with the school superintendent.

Mr. Krut explained he lives on a corner lot and there is almost no curbing left. Because of this the salt spread on the street goes on his tree lawn and the grass will not grow. He wondered if the City could install some curbing to reduce the salt impact. He had contacted the City Engineer two years ago and was told there were no plans for that street at the time, as there was no money available. Mayor DiCicco stated the City could look at the situation. Mr. Krut added the Service Department seeds grass every spring, but it is a waste of money. Mrs. Teresi commented she had a resident on Drayton communicate he had the same problem. The Mayor stated the City Engineer could determine if it would make any difference.

Mr. Fornaro stated that street is scheduled for repairs in 2018. He is also working on getting the salt trucks to not scatter salt as much or as far as they currently do.

Tom Lear, 1760 Lakeshore Drive, Michigan, stated he is in partnership with his son and two others for a Moe's Southwest Grill franchise. There are over 625 stores and the company is headquartered in Atlanta. The food served is Mexican fast casual food. They have two stores in Mentor, are building one in South Euclid and have been looking for a place in Mayfield Heights on Mayfield Road. They want to go into the building where NTB is located. The signage is important in order for them to go forward with the project. Over \$200,000 will be spent by RMS Investment on the outside and over \$500,000 by his company on the inside. There would be 20-30 employees. The building design is to create two distinctly different store fronts with two unique identities for the two businesses that occupy the structure. He displayed a rendering of the proposed design. The Board of Zoning Appeals approved their design with the corporate signage and he asked for Council's approval.

Roy Wilkinson, Akron, stated he is an Akron firefighter and oversees the Hazmat unit, as well as working for a cleanup company. He spoke about the dangers of meth lab contamination. Not every meth lab is the same and can affect people differently. He displayed some pictures of contamination. Meth lab contamination is common across the United States. The contamination is difficult to find and even after initial cleanups, contamination can remain. Many people only find out there was a meth lab on the property from neighbors. There are four ways to make meth and the methods have gotten better. The chemicals used to make it are also contaminants and are used differently, so they get all over. Per the EPA, protective gear has to be worn when cleaning up the contaminants. All textiles need to be destroyed, it gets on walls and in duct works. Healthy adults are not usually affected as it is based on a dosage, similar to medications. It affects children and the elderly more. The proposed legislation before Council is not new; other municipalities have similar legislation. The meth epidemic is getting worse. There are various minimum qualifications required for remediation of these contaminants throughout the country. This is a multifaceted issue. Since this affects our population, especially children, he asked Council to approve the legislation. It is a burden to all, but it can ultimately protect our children.

Mayor DiCicco asked if there were state or federal funds for remediation. Mr. Wilkinson stated none that he knows of. Unless it affects a huge location, then it becomes a brown field. Mr. DeJohn inquired if there is a list of where these labs have been located. Mr. Wilkinson stated there is, but they are separate lists by jurisdiction as to who busted the lab. There is not one comprehensive list. Mayor DiCicco asked if there is an easy, inexpensive test that a person could use to determine if there is contamination. Mr. Wilkinson replied there is a do it yourself kit or a company. The kit is sold by SKC, Inc. Mrs. Snider asked about the danger to neighbors. Mr. Wilkinson stated it is a particulate and it sticks so other than if there is an explosion it is not usually harmful. Mrs. Teresi inquired if someone buys a house and it is not disclosed, what is the process and who pays for the remediation. Mr. Wilkinson stated it depends on the legislation in place if it has to be disclosed and/or who cleans and who tests the property and how it is then certified clean. Mr. Jamieson asked what the cost was to test the whole house. Mr. Wilkinson stated the SKC kit is about \$40.00 per test. Mr. Jamieson asked about the cost of the cleanup. Mr. Wilkinson replied the range can be from \$3000 and up depending on size, type of house, etc. Mr. Jamieson clarified this would only be good if it is known there was a meth lab on the property. Mrs. Snider asked if any homes have had to be demolished and Mr. Wilkinson said yes. Chief Elliott

commented the local hazmat unit could only determine certain things, not microns. Mr. Manno asked if there has been any criteria established that when some place reaches a certain point of contamination the structure must be destroyed. Mr. Wilkinson said no, he does not know of a maximum. Mr. DeJohn asked if the majority of properties with meth labs are rentals and Mr. Wilkinson said yes.

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**RESOLUTION NO. 2016-60:** "A Resolution confirming the action of the Board of Zoning Appeals of the City of Mayfield Heights in granting to Archer Sign Corporation on behalf of Moe's Southwest Grill, 5920 Mayfield Road, a variance to place an identification sign on the front elevation of the building that is not substantially similar in design and color to the adjacent tenant, in conjunction with a new restaurant on the property (Cuyahoga County Permanent Parcel No. 861-28-042)." Mr. Murphy read the resolution by title only. Mrs. Finney moved for suspension of the rules, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. Mr. Manno moved for adoption, seconded by Mrs. Snider. Mrs. Teresi stated the BZA granted the variance and the vote was unanimous. Mr. Mercurio explained the thought behind the decision. The code talks about continuous or similar marque or mansard or building face, but with the changes to the marque, it would now be dissimilar to the NTB mansard, so the variance was granted as there was no longer a similarity with the renovations being done.

Mrs. Teresi asked if there would be landscaping, as the City would like to make Mayfield Road greener instead of a giant parking lot. Joe Carrino, RMS Investment Corporation, stated they intend to landscape the northwest and northeast sides of the building. They can address the tree lawn, but typically, they do not want to block visibility of the buildings. Mr. DeJohn asked if it is a sit down restaurant. Mr. Carrino stated it is fast casual, similar to a Chipotle. Mr. Jamieson added the parking requirements were calculated with the easement and variance parking already granted. They meet the parking requirements for a sit down restaurant. Mayor DiCicco stated it seems like this design with the architectural features are similar to NTB and would set a precedent because only the colors are different. He thinks it looks good. Mrs. Finney agreed and wondered if either company would change to one color or the other.

Mrs. Snider asked about outdoor seating. Mr. Lear replied other stores have outdoor seating and there is a space available here for it. If they put in outdoor seating it would be on the side toward the front of the building, but it is not part of the current plan. Mrs. Teresi commented if there is not a high enough curb, the City would require bollards as needed to protect the customers. Mr. Jamieson stated that is correct, but added outdoor seating would have to have a variance and go before various boards and Council again. Mr. Manno believes BZA Chairman Fred Kramer spoke about each case being taken on its own merit and not setting a precedent. Mayor DiCicco thinks he was referring to the BZA not taking it as a precedent. Mr. Jamieson concurred that the BZA looks at that case only and not the outcome of other cases. The Mayor again thought this was setting a precedent. Mr. DeJohn does not believe it is different than Boost Mobile, even though the buildings were separate, but one cannot tell that, and the sign was granted. He does not see the difference here and also, the sign code needs to be addressed. The Mayor stated there is a big difference in that there were separate owners on separate parcels and it was granted according to code. He asked if the Council wants to have this set be used as a template for the other strip centers in the City. Mr. DeJohn commented the City does not want to turn away businesses from locating in the City because they cannot use their logos.

Mrs. Finney asked if this was a standardized signage for Mo's or could it be changed to be closer to NTB. Mr. Lear explained they are trying to create brand equity. There is a lot of confusion being created for the consumer when colors and logos are changed. He is respectful of codes, but companies spend millions of dollars creating and protecting their brands and on advertising. They would not put risk into this project without being able to use their corporate image. He believes the building is very different from NTB with the colors, lighting and architectural detail. Mayor DiCicco commented that maybe this is the catalyst for the City to take the route it has been talking about for a long time. Council has heard this argument from many others. Mr. DeJohn noted there are other places in the City where this has been allowed. Mr. Jamieson pointed out those were given according to the current code. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, 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 table the ordinance, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The ordinance is tabled.

ORDINANCE NO. 2016-30: “An Ordinance amending Chapter 131 of the Codified Ordinances of the City of Mayfield Heights by enacting Section 131.06, Mayor/Director of Public Safety; Employment. (Making it full time)” Mr. Murphy read the ordinance by title only. Mr. Manno moved to place the ordinance on first reading, seconded by Mr. DeJohn. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. The ordinance is placed on first reading.

ORDINANCE NO. 2016-31: “An Ordinance amending Chapter 1171 of the Codified Ordinances of the City titled “U-4 Local Retail and Wholesale Districts” by enacting Section 1171.12.” Mr. Murphy read the ordinance by title only. Mrs. Snider moved to place the ordinance on first reading, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The ordinance is placed on first reading.

ORDINANCE NO. 2016-32: “An Ordinance amending Chapter 1173 of the Codified Ordinances of the City titled “U-4-A Development Districts” by amending Sections 1173.04 and 1173.05.” Mr. Murphy read the ordinance by title only. Mrs. Finney moved to place the ordinance on first reading, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. The ordinance is placed on first reading.

ORDINANCE NO. 2016-33: “An Ordinance amending Chapter 1174 of the Codified Ordinances of the City titled “U-4-B Planned Office and Restrictive Service Districts” by enacting Section 1174.11.” Mr. Murphy read the ordinance by title only. Mrs. Snider moved to place the ordinance on first reading, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. The ordinance is placed on first reading.

ORDINANCE NO. 2016-34: “An Ordinance amending Chapter 1180 of the Codified Ordinances of the City titled “U-9 Mixed Use District” by amending Section 1180.06.” Mr. Murphy read the ordinance by title only. Mrs. Finney moved to place the ordinance on first reading, seconded by Mr. Manno. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. The ordinance is placed on first reading.

ORDINANCE NO. 2016-35: “An Ordinance enacting Chapter 1197 of the Codified Ordinances of the City titled “Design Standards.” Mr. Murphy read the ordinance by title only. Mr. Mercurio moved to place the ordinance on first reading, seconded by Mrs. Finney. Roll Call on motion as stated: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The ordinance is placed on first reading.

Mr. Manno, seconded by Mr. Mercurio, moved to remove Ordinance No. 2016-14 from the table and place it on the agenda. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. *Motion carried.*

ORDINANCE NO. 2016-14: “An Ordinance enacting Chapter 1340 of the Codified Ordinances of the City of Mayfield Heights regarding real property associated with a clandestine drug laboratory or associated dumpsite.” Mr. Murphy read the ordinance by title only. Mr. DeJohn moved to place the ordinance on second reading, seconded by Mrs. Finney. 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.

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Mrs. Finney, seconded by Mrs. Sabetta, moved to approve the donation of a 2000 Horton rescue squad to the City of East Cleveland Fire Department. Mrs. Teresi noted a memorandum was received from Fire Chief Bruce Elliott. Mr. DeJohn stated he thought another City department wanted to use the squad. Chief Elliott stated yes, and the squad has been sitting in the back parking lot since the beginning of the year, when the Fire Department no longer needed it. Mayor DiCicco added there was an idea to create a sewer unit in the Service Department. Mr. DeJohn clarified that was not going to happen and the Mayor said yes. Chief Elliott commented he has no control over who uses it and it seems there were changes in plans and he was advised to move forward with disposal of the squad. The Mayor said there was discussion with Service Director Fornaro about creating a sewer division in the City. However, the county provides this service to the City and has better resources to do so. The squad would need a lot of work to equip it for this type of use and more employees would need to be hired. Mrs. Finney clarified that it was 16 years old and Chief Elliott said it was. She commented it would be better to donate it than keep it. The Mayor added in a meeting held with the county, it was determined the county is better able to perform this work and the county receives money for doing this work out of property taxes. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. *Motion carried.*

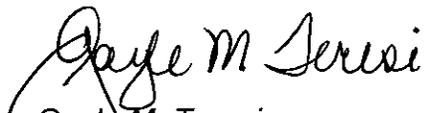
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 There being no further business to come before Council, Mrs. Teresi asked for a motion to hold an Executive Session.

Mrs. Finney, seconded by Mrs. Snider, moved to hold an Executive Session for property acquisition and personnel. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. *Motion carried.*

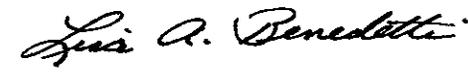
Mrs. Teresi recessed the meeting at 9:02 P.M. Council went into Executive Session at 9:10 P.M. and reconvened at 10:00 P.M.

There being no further business to come before Council, Mrs. Teresi adjourned the meeting at 10:01 P.M.

*Approved:*

  
 Gayle M. Teresi  
 Council President

*Respectfully submitted,*

  
 Lisa A. Benedetti, MMC  
 Deputy Clerk of Council