



Director of Law Murphy: No report.

Director of Finance Tribby: No report.

REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS:

Building Committee: Mr. DeJohn reported on the meeting held September 29, 2016. Copies of the minutes of the meeting were mailed to all members and are a part of the permanent record. The fence ordinance and the clandestine lab ordinance were revised and can be addressed by Council this evening.

Finance and Audit Committee: No report.

Legislative Committee: No report.

Public Works and Services Committee: Mr. Mercurio noted both leaf trailers are ready for the fall leaf pickup season. The Service Department will do all of the hauling, which will save the City money. He reviewed the Service Department activity. The Mayfield Road project has moved into the last two phases, which are the curb lanes. This portion may take longer due to the replacement of some stormwater structures.

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

- There are spots available for the LBJ basketball program for K-1, 2<sup>nd</sup> and 3<sup>rd</sup> grades.
- The Silver Social Dance will be held October 22, 2016.
- The Halloween Party will be held October 29, 2016.
- Spots are available for the bus trip on November 18, 2016 to the Columbus Zoo and Schmitz Sausage House.
- A Teen Halloween party will be held October 13, 2016.

At the Wildcat Sport and Fitness:

- Pickleball tournament – October 22
- Indoor swimming lessons begin October 29

Safety and Transportation Committee: No report.

Board of Zoning Appeals: Mr. Mercurio stated the next meeting would be held October 11, 2016 and there are two items on the agenda.

Planning Commission: Mr. DeJohn stated the October 3, 2016 meeting was cancelled due to lack of an agenda. The next meeting is scheduled for October 17, 2016.

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PUBLIC COMMENT: None.

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RESOLUTION NO. 2016-61: “A Resolution authorizing the Mayor to enter into a contract for and on behalf of the City of Mayfield Heights with the District Board of Health of the County of Cuyahoga, State of Ohio.” Mr. Schmidlin read the resolution by title only. Mrs. Finney moved for suspension of the rules, seconded by Mrs. Sabetta. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. Mrs. Snider moved for adoption, seconded by Mrs. Sabetta. Mrs. Teresi noted a memorandum was sent from Mr. Tribby with a letter and the contract from the County. The increase is 5% and the County provides a wide range of services to the City. The last increase was in 2014. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. The resolution is adopted.

RESOLUTION NO. 2016-62: “A Resolution authorizing the Mayor to enter into an agreement with AECOM to provide professional consulting services in conjunction with incorporating portions of the Mayfield Heights Commercial Corridor Design Manual into the City’s Codified Ordinances, and declaring an emergency.” Mr. Schmidlin 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. Mrs. Snider moved for adoption, seconded by Mrs. Sabetta. Mrs. Teresi stated everyone received a copy of

the scope of services to be provided by URS to cross reference the design manual with the City's codified ordinances, in the amount of \$8,900. Mr. DeJohn commented Phase 1 of the Mayfield Road corridor strategic plan project was approved by prior councils and the prior mayor in an amount of \$45,000. AECOM was then approved for \$92,900 for Phase 2. He does not understand why AECOM did not know this had to be done and include it in one of their previous proposals. At the Committee of the Whole meeting when the design manual was discussed in detail, the question was asked several times how it might change the codified ordinances. Council has approved quite a bit of money to date. It seems that every few months AECOM comes to Council to propose more money. There has been the \$45,000, \$92,900 and more recently \$160,000 of which \$25,000 is just a feasibility study for the Mayland Block. The \$8,900 should have been included in the \$92,900 proposal. Council has a fiscal responsibility to the residents.

Mayor DiCicco replied this portion was never discussed or included in prior proposals. There was an idea at one point that the City might be able to do it, but he does not believe the City has the expertise or time to review all the sections where these guidelines would be incorporated. He believes it is a misstatement to suggest it should have been included. Mrs. Teresi clarified that Mr. DeJohn thought it should have been part of their package knowing what they were doing and she had the same question. Since they created the design manual, they should have known it would need to be incorporated into the codes. Mayor DiCicco commented this is a step by step procedure by phases. It was never guaranteed that all the phases would be approved. Now that the last step was approved, this is the next step. Mrs. Teresi noted the \$160,000 proposal is broken down by stages and the first \$25,000 is a study on the sites feasibility, but she did not think the design manual was done in steps. The Mayor reiterated that the whole process was done in steps. When one was completed, Council decided if the next step was necessary. Mrs. Teresi asked what the Mayor thought the total project costs would be. The Mayor stated there are two different subjects going on in the City; there is the Mayland Block project and this matter is the last step of the now approved design manual. Mrs. Snider questioned if this design manual is not just for the Mayland Block, but for all of the commercial corridors in the City and would cover areas like the renovation of Golden Gate Plaza. The Mayor concurred that was correct. Mrs. Snider continued then this would need to be implemented, no matter what happens with the Mayland Block and the Mayor said yes.

Mr. Manno mentioned the additional amount of \$450 per meeting, if necessary. There is approximately \$250,000 approved so far and he asked what the City had to show for it, besides two manuals. Council had asked for RFPs, so matters like this could be bid competitively and there have been no updates from the Coral Group. He was inclined not to approve any more money until the City gets updates. The Mayor stated that Council thought it was a good idea to engage them in the steps they are taking now. Not to approve the last step of \$8,900 to incorporate the design manual would be short sighted. The RFPs have nothing to do with this and is a separate argument. Mr. Manno asked if there is a time line to complete this work. Mayor DiCicco replied the proposal states a guidance document would be done in 30 days. Mr. Manno wondered what would happen if it takes longer. The Mayor stated that time line is to provide the guidance document. If after it is completed, some people want some changes to it, then the time may be extended. They will work with the boards and commissions. Mr. Homans knows time is of the essence because of potential future developments. Mr. Manno asked what if Council does not want to get in deep with what they come back with on the Mayland Block. Mayor DiCicco stated that step has nothing to do with what is under consideration now. Mr. DeJohn commented what they would be doing is comparing the codes with the design manual. He believes that will be a long process with all the details involved, like signage. This will change how Mayfield Heights looks for the next 50 years and he wondered what the hurry was and it should be done right. Again, he thinks it should have been part of prior proposals. And once they are done with the guidelines, they will be meeting with various people, so the \$450 meeting charge will come into play. The City can use the guidelines right now as a standard in how decisions are made on a case by case basis. He agrees it should be done, but mentioned perhaps the City should get proposals from another engineering firm to see if it can be done for less money. Mrs. Finney stated the City should move forward with this now. Mrs. Snider stated this proposal is being confused with the Mayland Block proposal and not getting updates on that. They did this so they would be better able to make the comparison and she feels this should be done. Waiting would

not help the community. Mr. DeJohn stated any engineering firm could do the comparison and he still feels they should have known it was needed. It will take time with all our ordinances. Mrs. Teresi added AECOM will be doing what Mark Majewski did for the fence ordinance revisions.

Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, Snider, Teresi. NAYS: DeJohn, Manno. Vote 5-2. Motion carried. The resolution is adopted.

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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. Schmidlin read the ordinance by title only. Mrs. Finney moved for adoption of the amended version, seconded by Mrs. Sabetta. Mr. DeJohn stated these last revisions came from Roy Wilkinson, who spoke at the last Council meeting on this matter. Mr. DeJohn stated that Mrs. Sabetta also suggested having this matter be part of the point of sale inspection, so that was included too. Roll Call on motion as stated: AYES: Snider, DeJohn, Manno, Mercurio, Sabetta, Finney, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

ORDINANCE NO. 2016-30: "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. Schmidlin read the ordinance by title only. Mr. Manno moved to place the ordinance on second reading, seconded by Mr. DeJohn. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Snider, DeJohn, Teresi. NAYS: Finney. Vote 6-1. Motion carried. The ordinance is placed on second 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. Schmidlin read the ordinance by title only. Mr. Mercurio moved to place the ordinance on second reading, seconded by Mrs. Finney. Mr. DeJohn commented that if the City does not know the effect the design manual will have on the codes, why would it be incorporated into the codes at this time. Mayor DiCicco replied the Law Director felt these were essential and easy changes to incorporate the design manual. Council can table these ordinances at any point if they want to see if they would be in conflict with the guidance document. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. The ordinance is placed on second reading with a public hearing to be held on November 14, 2016 at 6:45 P.M.

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. Schmidlin read the ordinance by title only. Mr. Manno moved to place the ordinance on second reading, seconded by Mrs. Snider. Roll Call on motion as stated: AYES: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. The ordinance is placed on second reading with a public hearing to be held on November 14, 2016 at 6:45 P.M.

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. Schmidlin read the ordinance by title only. Mrs. Snider moved to place the ordinance on second reading, seconded by Mr. Mercurio. Roll Call on motion as stated: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The ordinance is placed on second reading with a public hearing to be held on November 14, 2016 at 6:45 P.M.

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. Schmidlin read the ordinance by title only. Mrs. Snider moved to place the ordinance on second reading, seconded by Mrs. Finney. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried. The ordinance is placed on second reading with a public hearing to be held on November 14, 2016 at 6:45 P.M.

ORDINANCE NO. 2016-35: "An Ordinance enacting Chapter 1197 of the Codified Ordinances of the City titled "Design Standards." Mr. Schmidlin read the ordinance by title only. Mr. Manno moved to place the ordinance on second reading, seconded by Mrs. Snider. 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 to be held on November 14, 2016 at 6:45 P.M.

ORDINANCE NO. 2016-36: "An Ordinance authorizing the continuation of a Section 125 Premium Only Plan in accordance with Internal Revenue Service regulations." Mr. Schmidlin read the ordinance by title only. Mrs. Sabetta moved for suspension of the rules, seconded by Mr. Manno. Roll Call on motion as stated: AYES: Sabetta, Manno, Mercurio, Finney, Snider, DeJohn, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mrs. Sabetta. Mrs. Teresi stated a memo was received regarding the Premium Only Plan for employees which is cost neutral to the City. Mr. Tribby explained this has been done since 2006. This allows the premiums paid by the employees to be pre-tax and there is no cost to the City for this program. Roll Call on motion as stated: AYES: Manno, Mercurio, DeJohn, Sabetta, Finney, Snider, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

ORDINANCE NO. 2016-37: "An Ordinance amending Chapter 1369 of the Codified Ordinances of the City titled "Swimming Pools" by amending Section 1369.09(b) regarding fences." Mr. Schmidlin 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: DeJohn, Snider, Finney, Mercurio, Manno, Sabetta, Teresi. NAYS: None. Motion carried. Mrs. Finney moved for adoption, seconded by Mrs. Sabetta. Mrs. Teresi stated this was discussed at the Building Committee meeting on September 29, 2016. Mr. DeJohn noted this only changes where the fee permit is located in the Codified Ordinances. Roll Call on motion as stated: AYES: Finney, Sabetta, Snider, Manno, DeJohn, Mercurio, Teresi. NAYS: None. Motion carried. The ordinance is adopted.

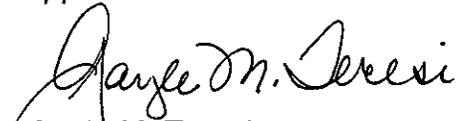
Mr. Mercurio, seconded by Mrs. Sabetta, moved to remove Ordinance No. 2016-27 from the table and place it on the agenda. Roll Call on motion as stated: AYES: Mercurio, Finney, Sabetta, DeJohn, Snider, Manno, Teresi. NAYS: None. Motion carried.

ORDINANCE NO. 2016-27: "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. Schmidlin read the ordinance by title only. Mr. Manno moved for adoption of the amended version, 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 adopted.

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 NEW BUSINESS; COMMENTS FROM COUNCIL: None.  
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There being no further business to come before Council, Mrs. Teresi adjourned the meeting at 7:55 P.M.

Approved:

  
 Gayle M. Teresi  
 Council President

Respectfully submitted,

  
 Lisa A. Benedetti, MMC  
 Deputy Clerk of Council