

MINUTES OF A COUNCIL CAUCUS

Monday, August 3, 2020 – 7:00 p.m.

Videoconferenced in Main Conference Room-Mayfield Village Civic Center

Present in Main Conference Room: Council President Schutt and Mrs. Betsa. All other members of Council, Mayor Bodnar, Ron Wynne, Law Director Coyne and Chief Carcioppolo in attendance via ZOOM. The remainder of the Department Heads accessed the meeting via videoconference.

This meeting can be accessed by going to <https://youtu.be/wPfr69nqX4o>

Council President Schutt stated, welcome to the Council Caucus Meeting of Monday, August 3rd. This Caucus meeting has been duly noticed and is being held in accordance with Ohio Revised Code Section 121.22 specific to recent amendments made in light of the current COVID-19 declared emergency (House Bill 197). Under the orders of Governor DeWine and the Director of Health of Ohio, and pursuant to Ordinance 2020-20, adopted March 16, 2020, Council will be meeting remotely, via electronic means. Notice of this meeting and agenda was forwarded to the news media and placed on the website. No one will be in Council Chambers or be able to access that space during this meeting. The public was invited to view the meeting live, accessing the meeting through a link posted on the Mayfield Village website at www.mayfieldvillage.com

Mayfield Village will conduct these proceedings in compliance with all applicable State Laws and regulations.

PENDING LEGISLATION

ORDINANCES:

- **Ordinance No. 2020-17**, entitled, “An ordinance repealing Mayfield Village Codified Ordinance Chapter 955 Drainage and Infrastructure.” Introduced by Mayor Bodnar. (Administration) (First Reading – June 15, 2020) (Second Reading – July 18, 2020)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Ordinance 2020-17 will be on Third Read at the next Regular Meeting of Council.

- **Ordinance No. 2020-18**, entitled, “An ordinance enacting Mayfield Village Codified Ordinance Chapter 159 Moral Claims.” Introduced by Mayor Bodnar. (Administration) (First Reading – June 15, 2020) (Second Reading – July 18, 2020)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Ordinance 2020-18 will be on Third Read at the next Regular Meeting of Council.

- **Ordinance No. 2020-19**, entitled, “An ordinance amending Mayfield Village Codified Ordinance Section 1105.02 relating to granting variances.” Introduced by Mayor Bodnar. (Administration) (First Reading – June 15, 2020) (Second Reading – July 18, 2020)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Ordinance 2020-19 will be on Third Read at the next Regular Meeting of Council.

MAYOR

Thank you Council President. This is a rare evening. I have no report.

COUNCIL PRESIDENT

I do not have a report this evening either.

ADMINISTRATION

- **CERT Agreement with Highland Hts. and Mayfield Hts.**

Chief Carcioppolo reported, I will be talking about the CERT Agreement with Highland Heights and Mayfield Heights. As you saw in your packets, the three communities have been paying into the CERT Team since 2009. A grant was received at that time to establish the CERT Team. At the expiration of that grant, the cities continued paying into that, \$2,500 a year per community, but there was never any legislation drafted to memorialize that. So in doing some research and not being able to locate anything like that, I brought it up to the Administration and the Law Department and they felt that it was necessary to do so, so that’s why that’s on the agenda this evening. It is currently in draft form. It’s at both other communities right now. They are reviewing it with their Law Departments. The final version will be submitted prior to the Council meeting. It is a good idea to have this document memorialized by Council. That’s why it’s on the agenda this evening.

Mr. Meyers asked, is that enough, \$2,500 per city to run that organization?

Chief Carcioppolo replied, I think that it is. They haven't complained about any money. It's used to maintain their equipment and training. They do have a provision to increase if necessary. Not an exorbitant amount. I think they have finally been able to purchase a trailer to store their equipment in and maintain their training up until this point. I believe when I spoke with Paul Byrne who is the Executive Director of the Team that he felt that the money was sufficient and enough to cover what their needs were.

Mr. Meyers stated, at this point. Okay.

Council President Schutt asked, any other questions?

There were none.

Council President Schutt stated, thank you Chief Carcioppolo.

- **Resurfacing of Wilson Mills from Lander to Alpha**

Mr. Wynne reported, this will be a joint project between the County, Mayfield Village and Highland Heights. It involves asphalt resurfacing of Wilson Mills from Lander to Alpha. Subject to the receipt of Federal funding, the County will sponsor the project through ODOT and then arrange for the preparation of all of the plans and specs and engineering and inspection of the project once it's going on. The project won't be bid until 2023. The portion that's not covered by Federal funds will be split 50% to the County and then 25% Mayfield Village and 25% to Highland Heights. Preliminary numbers put together by the engineer would make our portion of that project about \$165,000. What the County is looking for us to do now is pass legislation to enter into an Agreement of Cooperation where we would agree to participate in this project when they do get ready to go out to bid and award it.

Mr. Murphy asked, did you say the County will pay 50% and then 25% Mayfield Village, 25% Highland Heights?

Mr. Wynne replied, yes, the portion that is not thoroughly funded would be 50% County, 50% municipalities, which would be 25%/25%.

Council President Schutt asked, any other questions?

There were none.

Council President Schutt stated, thank you Mr. Wynne.

BUILDING DEPARTMENT

- **Recommendations by Planning and Zoning Commission:**
 - **Lot Line Change in Montebello Subdivision (Building)**
 - **Center School and Old School House Building Lot Split**

Mr. Coyne reported, I attended the Planning and Zoning Commission meeting this evening. There were two items on the agenda, one being the lot line change in the Montebello Subdivision. Essentially, there are maybe a dozen lots out of the entire subdivision where they are moving the lot line just a few feet to accommodate the houses going in without being required to get variances. It seemed to be a nominal change in the Plan. They are also proposing to raise the mounding adjacent to 271. Again, that was higher than the original plan but it provides more buffering from the freeway. That was approved by the Planning and Zoning Commission unanimously.

The other item was the change in the lot split and consolidation plans for Center School at 6625 Wilson Mills. That also is necessary for that parcel to be split off and used as proposed by the new owner. It will require a few minor variances because it's an existing historic structure. There also is the necessity of an easement for parking on some of the school property. That was also unanimously approved by the Planning and Zoning Commission.

Mr. Coyne stated, end of report.

Council President Schutt asked, any questions?

Mrs. Jurcisek asked, how much of a variation just in general are you allowed to deviate from the original development plan before it would have to go back to the voters?

Mr. Coyne replied, that's a good question. He still has to comply with 1159 but the development standards that are in the Development Agreement can be modified at the request of the applicant if they are reasonable. They have to get approval from the Village in order to do that. So, in this particular case, the lot sizes, it's really the side yard. It has to be adjusted so that they could build certain homes and designs without requiring variances and then the mounding for the buffer next to the freeway was going to be raised. I would think you would only have to go back to the voters if you were changing the actual PUD, purpose and intent or maybe density, depending on the change, but the applicant runs the risk obviously of the Planning Commission or Council saying no for any of these changes. He made a good case. John Marrelli also agreed, I think, with the changes.

Mrs. Jurcisek stated, okay. Thank you.

Mr. Coyne stated, sure.

Council President Schutt stated, thank you, Mr. Coyne.

ENGINEER

- **2020 Street Striping Program**

Mr. Wynne reported, the budget for this program is \$35,000. This is our annual program. The Engineer is currently in the process of getting proposals to do the work for the Village this year. He will be asking for approval of his recommendation at the August 17th meeting.

Council President Schutt stated, thank you, Mr. Wynne.

FINANCE DEPARTMENT

- **Sewer Maintenance Fee – proposed reduction to \$2/ft. (Resolution 2020-36 revising Agreement with Department of Public Works).**

Mr. Wynne reported, I provided Council with a memo this weekend explaining what we were looking to do. We currently have a little bit over \$1.9 million in the fund with the County to handle our sewer maintenance costs. All the property owners in the Village, residential and commercial, are currently charged \$4.00 per foot annually. That goes into that fund to pay the expenses. On an annual basis, the revenues right now are about \$600,000. Expenses average between \$300,000-400,000. What we are looking for here is to provide a tax break to our property owners by reducing that because we have such a surplus. We would reduce the sewer maintenance fee from \$4.00 per foot to \$2.00 per foot.

If there's no major objection by anybody this evening, the County does have a voting meeting tomorrow night where they are putting forth all the new charges for next year. They will be putting on their agenda to reduce this fee from \$4.00 to \$2.00 unless I tell them otherwise.

Are there any comments or questions on what we are looking to do?

Mr. Coyne stated, the Law Department prepared a Resolution to reflect that. It's a 50% reduction. I think that's great, Ron.

Council President Schutt stated, yes. It's great that we can give back to our residents.

- **SRO Agreement with School District for 2020-21 (Resolution 2020-35)**

Mr. Wynne reported, we were contacted by the School District that they desire to renew our SRO Agreement for the 2020-2021 school year. It's generally a 10-month agreement. It runs from August through May. The draft agreement that you have been provided a copy of is

reflective of our new rates which the School District has agreed to. They will be approving that at their meeting this month also.

Mrs. Jurcisek asked, I know Mayfield Schools just announced that the first quarter will be remote. Does that change how Mayfield Village is reimbursed from this Agreement?

Mr. Wynne replied, I will actually read to you just an excerpt from an e-mail that the Chief got today from the Assistant Superintendent of the Schools regarding this matter. He basically said to all of the Chiefs that are involved with the SRO program. He said, "Our remote learning plan/announcement was sent to the community last Friday. As you are aware, the issue of school reopening is very fluid and may change by the hour. The district values our successful SRO program, and will be honoring the SRO contracts as submitted with all four of our communities. Our SRO's are a talented group and can play a critical role as we engage with our students with our enhanced virtual platform."

Mrs. Jurcisek stated, thank you.

Mr. Wynne replied, sure.

- **Village Proportionate Share of Lyndhurst Municipal Court Operating Deficit as of June 30, 2020 – \$31,835.46**

Mr. Wynne reported, we had a meeting on July 29th with all of the Finance Directors that are involved with the Court as well as with the Judge and his staff to review the 6-month results. The deficit for the 6 months is approximately \$200,000. The way that deficit is allocated is using the previous year's percentage of civil and criminal counts, our total percentage as the percentage of the whole. That's how our number was determined.

We went over with the Judge what his projections are for the balance of the year. He said that traffic enforcement is the heart of their operating budget and it's taking a real hit this year in all of the communities, rightfully so. They have significantly cut back on traffic enforcement which is impacting the fees that the Court's realizing and resulting in their operating deficit. There was hope that traffic enforcement would pick up going into the second half of the year as the case counts started to go down, but now that COVID cases have gone back up, that has not occurred and they are projecting right now a potential deficit for the second half of the year of \$300,000-400,000 of which our portion of that would probably be \$60,000.

We did have a discussion with the Judge regarding employment and head count. There have been no staff reductions at this point in time. He basically said they have purchased a new case management software program and invested a lot of time in hiring people and training people on that software. A reduction in staff at this point is the last step they want to take. We are going to meet more frequently than every 6 months just to stay on top of what's going on, but that's the latest information I have got. The Court in general has run a very efficient operation.

The last time we had to pay into their operations was back in 2006. So, since 2006 they have been self-sufficient and operating very efficiently. Any questions on this?

Mr. Williams stated, I am not sure if this is good news or bad news. Fewer traffic violations means improved safety, I would think. I am just making an observation. I support the cooperation with the other cities, but it also seems that this is good that traffic violations are down.

Mr. Wynne replied, I agree with you, but in discussions with the Chief, part of it was, for the second quarter of the year, with the stay at home order, traffic was a lot less. Then also there was, just I think from the standpoint of not wanting to expose the safety forces to the potential of contracting the disease. I think they are much more selective on what people are being stopped for now versus what they were doing earlier in the year.

Mr. Williams stated, good point.

Mr. Murphy asked, when are we going to have the information for the second half of the year? When is that? Did you say that there's an estimate but we don't have to pay into it until we know?

Mr. Wynne stated, we won't pay until we get the final numbers. The Judge said the best case would be a loss of \$300,000. It's looking more like \$400,000. We wouldn't know the exact number until closer to the end of the year. It would be a payment we would have to make in January. We wouldn't cover it at the end of this year.

Mr. Murphy stated, sure. Okay. Thanks.

- **Finance Software Upgrade through Civica CMI**

Mr. Wynne stated, I will provide everybody with a memo about this this weekend. I'm still in the process of finalizing the contract terms. We have \$75,000 budgeted to upgrade our accounting and finance software as well as our server for that software. What Jeff Thomas has been able to do with this server which we are actually upgrading tomorrow and the contract with our software provider, probably the total project would be around \$60,000 if the software is approved. We have been using Civica CMI since at least 1995. Our last system upgrade was in 2006. Our current platform is jbase. It's still being supported but it's not being improved and our provider anticipates that they will stop supporting it within a couple of years. The new package that we have been looking at, I have been looking at it actually for the last couple years, is sequel based so it's got the much more look and feel of a Microsoft business type of product with much better report writing features, search features. It will allow to eliminate some of the printers we have in the Finance Department and just use the copy machines we have. There will be cost savings to offset the cost of the project in the way of reduced hardware costs and support costs which I will outline in the memo that you will get this weekend. The cost of the upgrade right now is about \$48,000. It's split equally. A portion for payroll and a portion for finance.

Mrs. Juncisek stated, I am impressed that you made it as long as you did without an upgrade.

Mr. Wynne stated, if there are no questions, that's all I have at the moment.

Council President Schutt stated, thank you Mr. Wynne.

LAW DIRECTOR

Mr. Coyne stated, yes, I have a few items to report on.

The property swap agreement with the School District has still not been finalized. We sent an exchange agreement over to the School District, so we are waiting for their response.

We spent a fair amount of time with the Board of Elections talking about some of the language with the Charter Amendment changes and some of the items that are going to be on the ballot. I think we worked them all out. It was a little more complicated than we had thought. There were some disagreements, but they have had their hands full with a lot of communities and are addressing the ballot language in general. They try to make it as concise as possible with the ordinances that have been approved by Council. One item that is a minor item, but because it was in the heading of an Exhibit, at the next Council meeting we will probably need a motion to correct VI to IV on the Exhibit concerning gender neutral language. Since it was a heading, they would not agree to accept it as simply a typographical error. We will have to address that at the next Council meeting.

You will get in your packets on Friday an explanation somewhat about a claim that we are filing with the Purdue Pharma Bankruptcy. With COVID-19, I think a lot of the attention has been taken off this opioid crisis. Purdue Pharma has a pre-packaged bankruptcy in the Southern District of New York and they have given governmental units the opportunity to file proof of claim forms. They have created a calculator to determine what that could be. It's probably remote but there's no downside to filing. I will get a memo to you in your packet on Friday. If you have any further questions, you can talk to me about it. End of report.

Council President Schutt stated, thank you Mr. Coyne.

PARKS AND RECREATION

- **Softball Field Renovations**

Mr. Wynne reported, this is an item that's in the budget for this year. We had budgeted \$30,000. Shane went out and got a couple quotes to have the dirt work done. He got one quote for \$24,000 and one for \$33,000. The one for \$33,000 involved 84 tons of dirt at each one of the

fields whereas the only for \$24,000 only involved 44. He did go back to the one who had the lower tonnage and asked them to re-quote their numbers at the 84 ton so he had comparable numbers. They did not get back to him with a quote at this point in time. Based upon his research of references and qualifications, he is recommending that we go with the \$33,000 quote to have the work done. He will bring this forth on the 17th.

Council President Schutt stated, any questions?

There were none.

Council President Schutt stated, thank you Mr. Wynne.

ANY OTHER MATTER BEFORE COUNCIL

Council President Schutt stated, the next regularly scheduled meeting of Council is on Monday, August 17th at 7:00 p.m. The meeting will be held virtually.

Council President Schutt asked, are there any other matters to come before Council?

Mr. Wynne stated, yes, I wanted to mention that tomorrow we have an annual meeting with the County to review the performance of our TIF Agreements. I don't anticipate any issues, but I will fill you all in after that at the Council meeting on the 17th.

Council President Schutt stated, thank you Mr. Wynne. Any other matters?

There were none.

There being no further matters, the meeting concluded at 7:26 p.m.

Respectfully submitted,

Mary E. Betsa, MMC
Clerk of Council