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We had our first formal agreement for EMS services with Gates Mills in 2012. That was a three-year agreement where Gates Mills began paying for ambulance and EMS services and their cost at that time was \$1,200 per run.

In 2015, Mayfield Village and Gates Mills renewed their Agreement. It was a five-year renewal and it extended through December of this year. This Agreement provided for an annual maximum charge not to exceed \$185,500 and a run charge of \$1,325.00 and that equates to 140 runs per year which would get you up to the \$185,500.

We noticed that Gates Mills began to regularly exceed the maximum of 140 runs per year so in 2018, we entered into an Addendum on the contract and by that Addendum, we were allowed to bill Gates Mills residents for ambulance services beyond 140 runs and keep that money. Prior to that, we billed through LifeForce billing for runs after 140, but that money went to Gates Mills. So that was the change back in 2018.

In the middle of this year, we began to negotiate with Gates Mills for a successor agreement. We have reached a tentative agreement and this one will be for three years with two one-year options to renew. I don't want to go into all the terms yet since we don't have it finalized. The Gates Mills Law Director is currently reviewing that and we'd like to have something to you before the next Council meeting. If we had to push it to November, we could, but we are hoping to get an Agreement to you before the Council meeting this month.

That's all I have tonight, thank you.

Council President Schutt stated, thank you, Mayor Bodnar.

COUNCIL PRESIDENT

I'd like to wish a Happy Belated Birthday to Tony Coyne. Tony's birthday was on October 2nd.

Mr. Coyne stated, thank you for not sharing the number.

Council President Schutt stated, the next regularly scheduled meeting of Council is on Monday, October 19th at 7:00 p.m. The meeting will be held virtually. The agenda will be posted on the website for public view and comment.

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CLERK OF COUNCIL

Upcoming Events

- . **Shred Day 2020 – October 31, 2020 – Mayfield Village Civic Center Parking Lot – 9:00–12:00**

- . **Virtual Webinars**
 - **House Bill 9 – Ongoing**
 - **Ohio Municipal League Annual Conference**
 - **November 9-13, 2020**
 - **Citizen’s League of Greater Cleveland**
 - **Ethics, Fraud Prevention and Detection**
 - **Friday, November 20, 2020**

Thank you, Council President. As reported earlier, Shred Day will take place on Saturday, October 31st from 9:00-12:00. Please call Administration with any questions you might have.

There are a number of organizations who are doing a great job hosting webinars so that we do not have to take in-person educational seminars for our health and safety. House Bill 9 Training is available on demand. The OML Annual Conference is in November. The Citizen’s League will be hosting a seminar on Friday, November 20th with Cuyahoga County and Sue Willeke from the Ohio Ethics Commission. If you need further information on any of these webinars, please let me know.

The Regional Firefighter/Paramedic exam will take place tomorrow at the Hilton-Garden Inn. There are almost 200 candidates. I will keep you posted.

With regard to the Small Business Relief Fund Grant awards, John Marquart has prepared a memo for me to read into the record:

“Thank you all once again for your support of the *Small Business Relief Fund* last month to help bolster our business community.

To update Council briefly, the response from our small enterprises has been very good thus far. As of Friday, October 2, 2020, we have received 14 applications totaling \$32,500 (leaving \$17,500 still available for more applicants).

Four (4) of these applicants submitted incomplete information and I have been in conversation with each to clarify what is needed to become eligible.

Per last month's discussion, it is my intention to convene the Mayfield Village Community Improvement Corporation Monday, October 19, 2020 to request

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approval of payment to all applicants in this first group. Council approval would be sought immediately afterward that same Monday night.

I am happy to answer any questions you may have and look forward to seeing you all again soon. Thank you.”

End of report.

Council President Schutt stated, thank you Mrs. Betsa.

BUILDING DEPARTMENT

. **Legislation enacting Codified Ordinance 1157.10 – Patios; Permit; Fee (Ordinance 2020-24)**

Mr. Marrelli stated, on your agenda tonight is the proposed patios in the front yard legislation. You may have noticed driving around town that there's furniture out in the front yards. People I guess have decided that they don't like to isolate in the backyard any more so neighbors are kind of getting together and setting up patio furniture in the front yard and it came to my attention when someone asked about the requirements for pouring a concrete pad in their front yards for their lawn furniture that we didn't have any regulations and so I was kind of scuffled for a good answer to that question. I came up with an off-the-cuff size and placement so that I could avoid having concrete all over the front yards helter-skelter, wherever they decided to put it.

I talked to the Law Department and they requested that I talk to the Architectural Review Board which I did and we bantered about several different options. Everybody kind of settled on what you're looking at in Exhibit A attached to the proposed legislation. What my fears were is that if and when this fad of putting furniture in the front yard passes, I don't want to have parking lots in the front yard because then you could have a driveway with cars and a patio with cars. So we put in some safety precautions of separations and barriers so that they won't end up being parked on in the future. I don't know what the future brings. I do know that some of the people I talked to said they felt more comfortable out in the front yard than in the backyard. I guess it's more of a community awareness kind of thing.

So Architectural Review Board went through their due diligence and I put my two cents in and then Tony and Katie put pen to paper and that's what we have right now is the first blush of how a patio can be installed in a front yard legally. That's about it.

Council President Schutt stated, thank you Mr. Marrelli. Any questions?

Mrs. Jorcisek asked, Mr. Marrelli?

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Mr. Marrelli replied, yes, go ahead.

Mrs. Juncisek asked, I'm just curious. Have you gotten a lot of requests for patios in the front this past couple months?

Mr. Marrelli replied, you know, I haven't gotten that many residents come to me and say can I do it but when I did, I had nothing to offer as far as rules. I know even on your street if you cross the street there's a patio set out in the front yard. A lot of residents had extended driveways that came across the front of the house and they would use the part away from the garage and just set up tables and chairs, which was fine. That plays right into the way we wrote this because it allows them in the front yard like up against the house and it regulates the size so that they don't end up covering the whole front yard with concrete. It's been done tastefully so far. I guess I have the stop measure here in case it gets out of hand. I can say, no, we have a rule and you have to stick within these parameters.

Mrs. Juncisek stated, okay, I was just curious.

Mr. Marrelli stated, yes. Not that many.

Mr. Meyers stated, I have a question.

Mr. Marrelli stated, go ahead.

Mr. Meyers asked, what about the ones that already have the patios in the front yard?

Mr. Marrelli replied, that's a good question. What we are going to do is grandfather those in. We are going to have to do almost a door-to-door inventory and take photos and put them in the computer and they are going to be grandfathered in because there was no rule up until the time this passes which it's not even passed now.

Mr. Meyers asked, and is there any rule that you can't concrete your whole front yard right now?

Mr. Marrelli replied, I think between what the driveway rules are and this, that would prevent that.

Mr. Meyers asked, at this point though, before you pass this?

Mr. Marrelli replied, not really. Another good reason for passing this quickly.

Mr. Meyers stated, people are thinking, like our guy on Lander Road with the garage and the trucks.

Mr. Marrelli stated, right.

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Mr. Meyers stated, that's my issue right there, I mean the whole front yard's concrete now and he sits out there with his lawn chairs and his buddies and his motorcycles and you know my point. It's what we end up with.

Mr. Marrelli stated, I get it, exactly. That's why I want to go through with this so that I have something to point to and say no you can't do that and here's why. Here's the rule

Mrs. Mills asked, John, what about the play yards in the front yard on Thornapple? There's a resident that has a lot of plastic toys in the front yard and the people are asking me about that. What can we do about that?

Mr. Marrelli replied, you would have to write legislation to regulate what you want or don't want to see in the front yard. That would be up to Council to put something together about that.

Mr. Coyne stated, Councilwoman Mills, if there are toys and things of that nature, it's harder to regulate that because they're not fixtures. They're not improvements to the property that are permanent, so John's authority would be somewhat limited. If there were trip hazards or they're getting on the sidewalk or the public way, that would be different.

Mrs. Mills stated, well this front yard certainly has a lot and every weekend it seems like another new structure goes up. So, John if you could take a look at that for me?

Mr. Marrelli replied, I could look at it, but I don't have any rule about plastic toys in the front yard .

Mrs. Mills stated, I know.

Mr. Marrelli stated, like I said people are coming out in the front yards. They're just tired of isolating in their house and in their backyards.

Council President Schutt asked, okay, any other questions?

There were none.

Council President Schutt stated, thank you Mr. Marrelli.

Mr. Marrelli replied, you're welcome.

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FINANCE DEPARTMENT

. Appropriations Legislation

Mr. Wynne stated, in December of every year, we pass the legislation that finalizes the current year's budget for any adjustments that Council approved during the year and then also we pass a temporary budget for the first three months of the next year. That legislation will be on the October agenda in title only so that it has three reads up until December when the actual numbers are presented and it's finalized.

. LifeForce Billing

Mr. Wynne stated, LifeForce is the company that handles our EMS billing for us. We entered into an Agreement with them back in 2009. In that Agreement, there's a schedule where there's three different tiers of billing to insurance companies based upon the type of life support that's provided at the scene, whether it's basic or advanced or advanced 1. Those rates have not increased since 2009. LifeForce approached us and gave us a survey of what municipalities are currently charging and gave us some rates for consideration. These would just be billings to the insurance companies, so we are taking a look at that and we're going to propose to go with LifeForce's recommendations of what that new rate structure would be.

Also at the same time we're gathering some information that we will present to Council for discussion. We are one of the few communities, if not the only community who does not soft bill their residents for EMS services, and by soft bill, I mean we would just bill the insurance company of the individual for whatever the insurance company would pay for that type of service and we would take that as payment from the insurance company and that would be the end of it so we think that there's a lot of revenue that's being left on the table by us currently not doing that for our residents. It was something that Council was opposed to doing many years ago but maybe things have changed. We are going to gather information as to what we think that revenue impact might be for us and present that to you for your consideration when we do renew the LifeForce Agreement.

Mr. Wynne continued, and one last item that's not the agenda just as an FYI, if you recall last year with the medical insurance for the employees, we made the decision to self-insure and go with a consortium, BORMA, the Buckeye Ohio Risk Management Association, a consortium of 14 different municipalities. We did get our increase for 2021 and the increase came in at 4.49%. Making the decision to go with the self-insurance route with a larger group is definitely paying off from the standpoint of the price increase we are looking at for next year.

Mr. Wynne stated, that's the end of my report.

Council President Schutt asked, any questions?

There were none.

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Council President Schutt stated, if there are no questions, we will move along. Thank you Mr. Wynne.

LAW DIRECTOR

. Update on Georgian Center – 730 SOM Center Road

Mr. Coyne stated, the only thing I had to report upon turns out to be sort of a non-issue. This had to do with the Georgian Medical Arts Building. They were refinancing and were looking for a third-party opinion letter that their use was lawful under our Code. Ironically, we found that the building was constructed through the application of a Special Use Permit and we couldn't confirm whether it was renewed or not. Fortunately, through Diane Wolgamuth's good work, we found that there was a renewal, so it's in place, but it is subject to a Special Use Permit renewal every two years. I don't know if that's something we want to look at at some point in time, but that is in fact the case, but I thought we were going to have to potentially introduce a resolution to renew it, but we don't have to do that. Are there any questions?

Mr. Meyers asked, is the original Georgian Center building under Special Use Permit?

Mr. Coyne replied, yes it is.

Mr. Meyers stated, okay.

Mr. Coyne stated, and as you know the zoning change is to accommodate the potential medical office and surgical surgery center with U-H, but with COVID, I am not sure that's going to happen as expected, but we don't know that right now.

Mr. Meyers asked, now are they going to have to apply for Special Use for the front?

Mr. Coyne replied, for that, I believe they would. Yes.

Mr. Meyers stated, if they got it passed already I mean? I don't believe I ever heard that come up in any of the conversations.

Mr. Coyne stated, it's a medical – well which part?

Mr. Meyers replied, well the part about when they went for the zoning change and you know the buildings. I never heard anything about them having to apply for a Special Use Permit.

Mr. Coyne replied, it's a medical arts laboratory is the use and they entered into willingly a Development Agreement so that would be covered in that Agreement.

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Mr. Meyers stated, okay.

Council President Schutt asked, any other questions?

There were none.

**PARKS AND
RECREATION**

- . **Senior Snow Removal**
- . **Senior Snow Removal Opt Outs**

Mr. McAvineu stated, good evening everybody. I am going to basically talk a little bit about the snow plow program. As of this date, we have 222 people who have opted into the program. Later this month we will come to Council for three agreements, one with Ameriscape, one with Arnold's and one with MJO. At this point, we are hoping that the numbers come up a little bit because each of the groups are based upon lots of 30. Right now, we have Ameriscape with 90, Arnold with 90 and MJO with 30. If we don't make it to 60 for MJO, their price will go up about \$10 per driveway, so not a significant increase, but it will go up if we don't get the 60.

We also will be putting in the purchase orders this month after Council approval with a not to exceed so the bottom line is next week I'll probably add 10 on top of that with a not to exceed.

We will also be taking opt-outs up through December 31st. That's \$75 per resident who supplies the proper material to get reimbursed. So, this is my first year doing the program hands-on and I have a pretty good handle on it. I'm pretty confident moving forward. Does anybody have any questions?

Mr. Williams asked, so, are you saying people can still apply or register?

Mr. McAvineu replied, yes, people can still apply. We are past the opt-in date, but we allow people to register up through whenever and we do the opt-out through the end of the year. Then we start at that particular point but yes we're still accepting both of them right now.

Mr. Williams stated, thank you.

Council President Schutt asked, any other questions?

There were none.

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

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SERVICE DEPARTMENT

- . **Memorandum of Understanding – Euclid Creek Watershed Council – January 2021-December 2024 (\$3,000) (Resolution No. 2020-46)**
- . **Legislation enacting Codified Ordinance Section 903.05 – Sidewalk Repair Reimbursement (Ordinance 2020-23)**

Mr. Metzger stated, thank you Council President. I have a few items tonight, the first one being the Euclid Creek Watershed Council. This is a group we've joined now for well since their inception; it's got to be over 20 years now for this group. Again, as my memo indicates, this is all for our Phase II water quality issues that we belong to these groups Euclid Creek and Chagrin River Watershed for \$3,000 a year. It runs through 2024. It's a pretty good bargain for us to be part of these groups as we move forward with when we have to be audited and things of that nature for the water for the Ohio EPA.

The other item on the agenda is the sidewalk repair reimbursement. It looks like we're going to be codifying this now in an ordinance. This has been a policy that goes back many years now where we reimburse residents for sidewalks that are damaged by tree roots. It originated back many many years ago when looking for people to fix their sidewalks and you know they have to do it over and over again and they eventually would just rather have the tree removed than have to continue to replace their sidewalk. So in an effort to help alleviate some of that, we came up with this program to help pay for damaged sidewalks by tree roots.

I canvassed the area of Aintree and I found that about 20% of the sidewalk blocks up in that neighborhood needed some repair. Of that, 15% of them would be covered by this program. So you can see it's a fairly significant part of the repair of the sidewalks in a neighborhood. So, the only thing that we are looking to change other than codifying it in an ordinance is it's always been eight blocks, up to \$1,000. It's \$125 a block. We are now changing it so if you live on a corner you will get twice as much because you have twice as much sidewalk to have to cover. So, that's the only real change in the policy other than we are going to put it into an ordinance form.

I have two other notes. One is the Village has been awarded a tree grant that we applied for back in June that the Chagrin River Watershed Partners and Frank Stupczy, our Arborist, worked on together. We were part of six communities that moved forward with this grant application that we were awarded. It was a \$215,000 total award, of which we are getting \$67,000. Back in June, Council did okay \$14,000 towards this grant. It's an 80/20 grant so we did get it so we will be planting these trees in the Beech Hill holding tank area that is a 10-acre lot. The Village got it about 25 years ago. The County gave us that property. You couldn't do anything with it. So now we are going to reforest it finally after all these years.

The last thing is leaf season starts in two weeks. It'll run through the middle of December or when weather chases us out. We will stay out as long as there's leaves coming out. We will not

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come back in the Spring. That's the one caveat we always say, get them out early so we can pick them up.

Mr. Metzger stated, if there are any questions on any of these items, please let me know.

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, thank you Mr. Metzger.

ANY OTHER MATTERS

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

Mr. Williams stated, yes, Council President.

Council President Schutt stated, all right Councilman.

Mr. Williams stated, I would like to bring up the complaint that we received over the weekend from Mr. Mastrangelo in the Worton Park area about the deer problem. You may recall that at our first Council meeting this year, I asked that we make deer a priority in 2020 and I also committed to look into what other communities are doing and provide an update back to Council. COVID-19 kind of slowed me down to a degree, but Mr. Mastrangelo's complaint is bringing it to the forefront. I trust you had a chance to look at my note this morning about some of the things I've learned about what other communities are doing. One of the things I learned was that no one mentioned using their deer statistics as a way to determine if there was a deer problem. They are using head count. They are counting the deer as a way to determine if the number of deer in a particular area is safe and healthy for both the deer and the residents. I would like us to seriously consider exploring doing a head count of the deer in Ward 4 of Mayfield Village.

Mr. Meyers stated, I could add a little to that. I did some research with Highland Heights and they did do a survey of the deer count per acre and after they had come up with their deer count last year, they went in and they killed 40 deer and it was like \$10,000, but the way they did it we couldn't do it in Ward 4. I don't believe there's any safe spot where they could eliminate the deer because it's so congested with houses and people. I mean there's no way I don't believe that they could do it there so it's got to be done a different way. I believe now this year Highland Heights they propose to do 100 deer and the cost is \$40,000 for 100 deer so it's at this point kind of up in the air so how you do it? Where you do it? And you got to be safe about it. Metroparks usually takes care of our deer but it's nowhere near Ward 4, so I don't know what we do. I mean it's kind of a dilemma right now.

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Mr. Williams stated, well that's been somewhat of a stumbling block in my thinking on this and talking to people and that's why I'm not proposing that we cull deer at this point in time. I'm just proposing step one to determine if we should even consider it in the future by doing an accurate headcount. Time will tell if it's impossible to do in Ward 4, but I would like to provide our residents with a more definitive answer about the deer problem in this area than just our police stats and the Animal Warden's stats which don't justify –

Mr. Meyers stated, right.

Mrs. Jurgisek asked, George do you know how many residents are in Ward 4?

Mr. Williams replied, if I remember correctly, close to 95 homes.

Mrs. Jurgisek asked, do you know what percentage or how many people have you heard from over the years do you know? Do you have a ballpark?

Mr. Williams replied, I keep all the e-mails.

Mr. Jurgisek stated, okay I was just curious if it was maybe some of the same residents or if it's different residents, if it's 10%, 25%.

Mr. Williams replied, different residents. This is the first time we've heard from Mr. Mastrangelo. I haven't included myself in the list. I started to take pictures of what they did to my yard recently over this summer but it's just been consistent maybe persistent is the word since I've been involved and it's become a topic at our quarterly meetings that we used to have.

Council President Schutt asked, Councilman Williams do you have a guesstimate on how many deers we think are acceptable per acre if we do a head count that. Any of the communities that you spoke with, did they mention what they go with as a rule of thumb?

Mr. Williams replied, there is a formula and I can pass that on. I am sorry. I just don't have it in front of me.

Council President Schutt stated, sure yes. I would just be curious as to what other communities feel is acceptable.

Mr. Williams replied, well it's based on population and on the size of the community not so much the community itself making the decision it's just the State and Department of Agriculture as I understand it.

Council President Schutt stated, if you can just pass all along whatever information you have.

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Mr. Williams stated, all right. I know we're not trying to bring this to a vote tonight but I wanted to initiate a conversation and continue having discussions with the Administration about this. Diane has been very helpful in sharing information that she's learned as well.

Council President Schutt stated yes, it makes sense. It's another way to look at it because we haven't looked at it in this regard like you mentioned.

Mr. Williams stated, there's no other questions. That's it for now but hopefully you'll be hearing more in the very near future.

Council President Schutt stated, sounds good. Okay if we're done with the deer conversation is there anything else any other matters to come before Council?

There were none.

Council President Schutt stated, thank you everybody for your time. I appreciate it.

There being no further matters, the meeting concluded at 7:33 p.m.

Respectfully submitted,

Mary E. Betsa, MMC

Clerk of Council