

DRAFT
MINUTES OF THE REGULAR MEETING OF COUNCIL
MAYFIELD VILLAGE, OHIO
Monday, June 20, 2022 – 7:00 p.m.
Mayfield Village Reserve Hall-Mayfield Village Civic Center

The Council of Mayfield Village met in Regular Session on Monday, June 20, 2022, at Mayfield Village Reserve Hall at the Mayfield Village Civic Center. Council President Schutt called the meeting to order at 7:00 p.m.

ROLL CALL: Present: Mr. Arndt, Mrs. Jucisek, Mr. Marquardt, Mr. Meyers,
Mr. Murphy, Mr. Schutt and Mr. Williams

Also Present: Mayor Bodnar, Mr. Wynne, Ms. Calta,
Mr. Cappello, Chief Carcioppolo, Chief Matias,
Mr. Marquart, Mr. McAvinew, Mr. Russell, Mr. Sipos,
Ms. Wolgamuth and Mrs. Betsa

The Pledge of Allegiance to the Flag was given.

Council President Schutt stated, prior to starting our regular agenda for this evening, I'd like to welcome Ohio House Representative Dan Troy to tonight's meeting. Under the new District maps, Representative Troy will be the House Representative for Mayfield Village.

Introduction and Comments from District 60 Ohio House Representative Dan Troy

Thank you, Council President Schutt, Mayor Bodnar and members of the Village Council. As you probably are aware, we redrew Districts in the State of Ohio last year. I think after four or five sets of maps, the map that was the number 3 version was used. I am currently State Representative for what's called the 60th District which is pretty much the western half of Lake County but in the changed District, I moved a little bit more west. They took away Painesville and Fairport Harbor, but I now am happy to have Mayfield Village, the Village of Gates Mills and the City of Richmond Heights as part of my District.

I have been doing this for a long time. Again, I won't be your State Representative unless I am successful in November because that representation will start January 1, 2023. I previously served in the legislature. Before that, I served as City Council and then as City Council President in Willowick so I understand the role of local government being on the front line of providing the services of civilization. I understand it's very important that there's a good relationship between the State of Ohio and local governments because we are all serving the same constituents.

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I served in the legislature previously in the '80's and '90's. I served for 20 years as Lake County Commissioner. I decided to go back to the legislature in 2020. People asked me if I was nuts and I said well, it's keeping me off the streets.

I have worked over the years with the Village of Mayfield. I have been a long-time Trustee of the Chagrin River Watershed Partners. We have had several meetings here in your complex. Obviously, my District will be the northern end of that very important watershed. I want to make sure that if I am representing you that we have a very positive non-adversarial relationship. As a representative, I need to know what you folks need. I think we need to do a little bit less of the State legislature pre-empting the local authority of our local governments. I didn't vote for the Bill, but I would rather have you facing the issue of opting in to whether or not you want to shoot off fireworks for the 4th of July rather than having you opt out of it.

Again, I understand the key role that you people play and again, if I am successful in November's election, I look forward to working with you and the good people of the Village of Mayfield. Thank you very much for the opportunity to be here. I have business cards with me. Even though I am not your representative now, feel free to call and we will see what we can do for you. Thank you very much. Keep up the good work of representing the fine citizens of this fine community which I pass by every time I go to Columbus on 271. I remember when I was a City Councilman, I was always envious of you. I wished we had a Progressive Insurance in our community. Thank you for the opportunity. We look forward to working with you.

I would be happy to answer any questions if anybody has any questions. I know when I was in Gates Mills, they said, who's our State Representative right now? This is the way the Districts will be. The ironic thing is these Districts are only good for two years, so we are going to go through this all again in 2024. You deserve the best representation you get during 2023 and 2024. I will try to provide that. Thank you.

Council President Schutt stated, thank you Representative Troy. Good luck in November's election.

CONSIDERATION OF MINUTES:

Regular Council Meeting – May 16, 2022

Mrs. Jurgisek, seconded by Mr. Marquardt, made a motion to approve the minutes of the Regular Council Meeting of May 16, 2022 as written.

Council President Schutt asked, any discussion?

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There was none.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Minutes of May 16, 2022
Meeting Approved as Written

Comments from Mayor Bodnar

Thank you, Council President. I've just got a few things tonight. First, I would like to thank Representative Troy for coming out tonight, for introducing yourself and telling us a little bit about your background and experience and your dedication to home rule. I appreciate that very much. Thank you. As Steve said, good luck in the coming election.

Second, I would just like to note that this is the Federal holiday of Juneteenth which commemorates the emancipation of slaves that happened in the United States on June 19, 1865. Happy Juneteenth to everyone.

Finally, I wanted to congratulate Shane McAviney and the Recreation Department for another very successful Cruise Night. Everybody had a good time. Also, I want to thank Mayfield Village Police Department for their strong and positive presence at that event to keep everybody happy and safe.

That's all I have this evening. Thank you.

Council President Schutt stated, thank you, Mayor Bodnar.

Comments From Council President Schutt

I would like to welcome back Mrs. Betsa. We missed you while you were out the last couple of months and are very happy to have you back. Looks like everything is going well with your recovery. I am very happy to have you back.

Mrs. Betsa replied, thank you.

I want to wish Mayor Bodnar a very Happy Early Birthday. Her Birthday is June 23rd.

Mayor Bodnar stated, thank you.

Just one other thing too I wanted to mention. I received some feedback that it was a little bit hard for some people to hear at our last meeting. So, whenever anybody's speaking if we have the microphones, to make sure you speak into the microphone. For a night like tonight that we don't have the microphones, if you could just make sure you speak loud enough so everybody can hear you.

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The July Council Caucus meeting is scheduled for Tuesday, July 5th at 7:00 p.m. A Special Meeting will also be scheduled that evening to consider the Alternative Tax Budget previously mentioned by Mr. Wynne. The next Regular Meeting of Council is scheduled for Monday, July 18 at 7:00 p.m.

Open Portion – For Public Comment (5-minute limit imposed by Chair)

Council President Schutt stated, if you have any comments, come up to the podium and state your name and address for the record.

Anthony Benedictus

Owner – Beauty Salon

6693 Wilson Mills

I am here to talk about the Cruise Night which I love. I have been here 24 years. It's been a great event. The fact that it was moved to 3:00 did not do any small businesses any good. I lost a lot of money that day and I had clients walking from Austin's and Heinen's to my salon for appointments. I just wanted to make you very aware that the 3:00 hour is not suitable for a lot of us. It even goes to parking spots being taken up throughout the week for port-a-potties. We have a small parking lot. I support the event. I have been here a long time. I love it. At 5:00, they would come to the parking lot at 3:00. This year, you couldn't park anywhere in this neighborhood at 11:00 in the morning. I have 25 employees who are booked all day. Probably 15-18 clients left and rebooked their appointments. I have a lot of rent to pay. It's hard enough. I just wanted everyone here to know how it impacted the small businesses. Don't forget us. Progressive's not the only one here. That's pretty much what I wanted to say. I hope that we can resolve it somehow. Thanks.

Council President Schutt stated, thank you for your comments. We will definitely consider that. Is there anybody else who would like to come up and speak?

Lorry Nadeau

678 Robley

I just wanted to make a couple of comments about the resolutions that you are considering for the Mayor's compensation and Council's compensation and then the resolution to solve the issue going forward. I am in favor of all three.

Patsy Mills appointed me to the Charter Review last time. I think that's where this all really started it. We reviewed it. We looked at all of the other communities. We recommended that we needed to update the way compensation is in the Village. And then COVID struck and it was put on the backburner and now it's back.

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I read the Caucus Minutes from last week. The Charter tasks Council with making sure the Village runs smoothly and finding things that need to be updated and fixed. This is your job to then recommend it and then bring it to the voters. You are not voting on anything. Actually, you are doing what we elected you to do by putting these in front of the voters. If you don't do it, then you are like Congress kicking the can down the road because it's time to fix this once and for all. If it doesn't work and we don't like it in a few years, we can go back and change that going forward.

I really urge you to stick with it. You have the fortitude. One other thing, the *Sun* newspaper did the Village a big disservice by printing that the Mayor's position was part time because nowhere in the Charter is there any timeframe put on it. It's whatever it takes to get the job done.

That's it. Thanks.

Council President Schutt stated, thank you. Are there any other comments for the Open Portion of our meeting?

There were none.

Department Head Reports:

Diane Wolgamuth (Administration) – Thank you Council President. I am reporting on Citizen's Advisory Committee. They met on May 23rd and Service Director Sipos was our guest speaker that evening. He spoke about beautification projects throughout the Village that he has on his radar. I want to say I thought they were all very well received. The Minutes are available on-line for anyone who hasn't read them yet. Our next meeting is Monday, June 27th at 7:00 p.m. Our guest speaker will be Building Commissioner Dan Russell. He will be talking about Property Maintenance Ordinances. He is going to focus the discussion on high grass and weeds, trash and debris, exterior maintenance and tree removal which he says are the Ordinances that are most often violated. It will probably be in the Main Conference Room.

Next week, the tile is being replaced in the foyer. The main entrance to the building is going to have to be closed probably for most of the week. We will be diverting all traffic to the front entrance.

That's all I have. Thank you.

Council President Schutt stated, thank you, Ms. Wolgamuth.

Daniel Russell (Building) – Thank you, Council President. I only have one item to report on the Zoning Board. It was a variance for a driveway under 524.22. That was approved. That's all I have.

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

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Mary Betsa (Council) – It’s so good be back here this evening. It really really is. I just wanted to thank everyone for their prayers and support and their well wishes. It is highly probable that I will be back in the beginning of July full-swing during the day. Thanks again. I missed everyone.

Council President Schutt stated, we missed you too. Thank you, Mrs. Betsa.

Tom Cappello (Engineer) – Yes, Council President, we had a pre-construction meeting for the Worton Park area culverts last week. The contractor would like to begin mid-July. If anyone has any questions regarding that, let me know.

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

Ronald Wynne (Finance) – Next Tuesday, June 28th will be the annual Tax Incentive Review Committee meeting between the Village, the Mayfield City Schools and the County to review the performance of our five TIF Agreements. I will report back to Council after that. This is just an annual formality to go over the TIF Agreements to make sure they are in compliance with the Development Agreements set up with the TIF’s.

Council President Schutt stated, any questions for Mr. Wynne?

There were none.

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

Shane McAviney (Parks & Recreation) – Thank you Council President. Cruise Night took place two weeks ago. Overall, it went well. The weather was a little bit unpredictable. All of the departments came together. I do apologize to the businesses and restaurants. That’s on me. We talked to the staff and thought 3:00-7:00 would be a good time. After feedback, I think we will go back to 5:00-9:00 if it works best for everybody. I thought the event went really well. People enjoyed everything. We had a lot of residents who came out late because it was supposed to rain. It did rain and left things a little bit more challenging. Moving forward, we have a great week of events coming up. We have International Day of Yoga tomorrow at the Gazebo. It will be small scale at the request of the instructor. The instructor is still uncomfortable with the pandemic situation. This Thursday we have the University Heights Symphonic Orchestra at the Grove. They are great. They do movie show tunes like Jaws and things like that. Coming into next week, we have a lot of activities going on. We will be in full swing with the Grove kicking off for July 2nd. We have Chamberfest this Sunday from 6:00-8:00. There were about 300-400 people who showed up yesterday and they are really happy with it. It’s good music. I have enjoyed it every time they have been down there. They have been great hosts and work with Mayfield Village. Outside of that, I don’t have anything else. Thank you.

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

Chief Paul Matias (Police Department) – I just have one quick item. A couple of weeks ago, our K-9 Leo went in for a little procedure and they found a large mass on his spleen. He had surgery last week to remove it. He’s doing great. It turned out the mass wasn’t cancer. He is cancer-free and doing well and ready to get back to work. I just wanted to update everybody on that.

Council President Schutt stated, good to hear. Thank you, Chief.

OLD BUSINESS

- **Second Reading of Ordinance No. 2022-06**, entitled, “An ordinance adjusting the compensation of the Mayor and submitting same to the electorate for approval by majority vote.” Introduced by Council President Schutt and Council Members George Williams and Allen Meyers. (First Reading, May 16, 2022).

Council President Schutt stated, Ordinance No. 2022-06 will be on Third Reading at the next regular meeting of Council on July 18, 2022.

- **Second Reading of Ordinance No. 2022-07**, entitled, “An ordinance adjusting the compensation of the President of Council and members of Council and submitting same to the electorate for approval by majority vote.” Introduced by Council President Schutt and Council Members George Williams and Allen Meyers. (First Reading, May 16, 2022).

Council President Schutt stated, Ordinance No. 2022-07 will also be on Third Reading on July 18, 2022.

- **Second Reading of Ordinance No. 2022-08**, entitled, “An ordinance increasing, as of January 1, 2024, the annual compensation of the Mayor, President of Council and members of Council by 2.5% and submitting same to the electorate for approval by majority vote.” Introduced by Council President Schutt and Council Member Allen Meyers. (First Reading, May 16, 2022).

Council President Schutt stated, Ordinance No. 2022-08 will also be on Third Reading on July 18, 2022.

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NEW BUSINESS

- **First Reading of Ordinance No. 2022-09**, entitled, “An Emergency Ordinance authorizing and directing the Mayor and President of Council to enter into a Lease Agreement with John and Ersuela Marquart for the property located at 6532 White Road.”

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Rules Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Ordinance No. 2022-09.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Ordinance Enacted

- **First Reading of Ordinance No. 2022-10**, entitled, “An Ordinance repealing and replacing Mayfield Village Codified Ordinance Section 1149.02 relating to Conditional Use Permits.”

Council President Schutt asked, are there any questions or discussion regarding Ordinance No. 2022-10?

There were none.

Council President Schutt stated, Ordinance No. 2022-10 will be moved to Second Reading at our meeting on July 18, 2022.

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- **First Reading of Ordinance No. 2022-11**, entitled, “An Emergency Ordinance authorizing and directing the Mayor and President of Council to grant a Permanent Stormwater Easement over the property located at 6213 North Woodlane Drive to the Northeast Ohio Regional Sewer District.”

Mr. Murphy, seconded by Mrs. Jurcisek, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Rules Suspended

Mr. Murphy, seconded by Mrs. Jurcisek, made a motion to enact Ordinance No. 2022-11.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Ordinance Enacted

- **First Reading of Ordinance No. 2022-12**, entitled, “An Emergency Ordinance authorizing and directing the Mayor and President of Council to Amend the East Ohio Gas Company Easement for the installation and future maintenance of a Measuring and Regulating Station on SOM Center Road.”

Mr. Murphy, seconded by Mrs. Jurcisek, made a motion to suspend the rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Rules Suspended

Mr. Murphy, seconded by Mrs. Jurcisek, made a motion to enact Ordinance No. 2022-12.

Council President Schutt asked, discussion?

Ms. Calta stated, you have seen this before except for this is a modification. Tom, if you want to jump in, you can. My understanding is that initially the amount of property that was necessary for this easement was split between a temporary easement and a permanent easement. The gas company has looked back at it and they need the full amount of the area for a permanent easement so that they can access this new regulating station. It’s actually an amended easement. It is amended because it was previously approved by Council as a

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smaller footprint. I think that was approved in I want to say 2021. It could have been late 2020.

Mr. Cappello stated, it was a 50-foot temporary and 60-foot permanent. So, it will be 110 total.

Council President Schutt asked, any other discussion or questions?

There were none.

Council President Schutt stated, thank you Ms. Calta and Mr. Cappello.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Ordinance Enacted

- **Motion to acknowledge receipt of financial reports for May 2022 and to approve of same as submitted.**

Mrs. Jurcisek, seconded by Mr. Marquardt, made a motion to acknowledge receipt of financial reports for May 2022 and to approve of same as submitted.

Council President Schutt asked, any discussion?

Mr. Wynne stated, I just want to make a few comments on the income tax situation from the standpoint of refunds to update Council. As of today, the best guestimate for refunds since tax season started is about \$700,000. We are starting to see it taper off now that the tax filing deadline has passed and RITA is starting to work through the refunds. The main numbers, we showed income tax collections of \$4.6 million. Those year-to-date numbers are net of \$80,000 in refunds. So, there's still another \$620,000 to flow through our numbers. You will see another \$86,000 when I report the month of June's numbers which will then leave about \$434,000 that will start impacting us from the month of July going forward. RITA's starting to catch up. We had our annual COG meeting the other day with RITA and they said they are probably about six to eight weeks away yet to actually catching up with the volume of refunds they are trying to process at the moment. That's the impact to us. If \$700,000 is where we end up, that's a lot better than we had thought initially going into the budget preparation. I will keep an eye on it and keep reporting back to Council if there are any significant changes.

Council President Schutt asked, any questions for Mr. Wynne?

Mr. Murphy stated, Ron, the last time you reported it, I think it was in the \$300,000 range, so in the past month or so it has doubled which is understandably so.

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Mr. Wynne stated, yes.

Council President Schutt asked any other questions for Mr. Wynne?

There were none.

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

There were none.

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| ROLL CALL: AYES: | All | Motion Carried |
| NAYS: | None | Financial Reports for May 2022 Acknowledged And Approved as Submitted |

- **First Reading of Resolution No. 2022-26**, entitled, “An Emergency Resolution Authorizing Mayfield Village to expend funds in an amount not to exceed \$145,000.00 to Wichert Insurance for its 2022 Property & Liability Insurance Renewal.”

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring a Resolution to be read on three sperate occasions.

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| ROLL CALL: AYES: | All | Motion Carried |
| NAYS: | None | Rules Suspended |

Mrs. Juncisek, seconded by Mr. Murphy made a motion to enact Resolution No. 2022-26.

Council President Schutt asked, discussion?

There was none.

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| ROLL CALL: AYES: | All | Motion Carried |
| NAYS: | None | Resolution Adopted |

Council President Schutt stated, Resolution No. 2022-26 is approved.

- **First Reading of Resolution No. 2022-27**, entitled, “An Emergency Resolution Authorizing Mayfield Village to enter into a contract with Robert Myers and AL Stage Lighting, LLC for Summer 2022 sound and light production in the amount of \$12,375.00.”

Mr. Murphy, seconded by Mrs. Juncisek made a motion to suspend the rules of Council requiring a Resolution to be read on three separate occasions.

