

DRAFT
MINUTES OF THE REGULAR MEETING OF COUNCIL
MAYFIELD VILLAGE, OHIO

Monday, June 15, 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, Chief Matias and Paul Fikaris, Chairman of the Charter Review Commission in attendance via ZOOM. The videoconferenced meeting can be accessed by going to <https://www.youtube.com/watch?v=xkMmi68Lf2c>.

Council President Schutt stated, welcome to the Regular Meeting of Council. This 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 is meeting remotely, via electronic means. Notice of this meeting was sent to the news media on June 5, 2020. The public was invited to view the meeting live by accessing the meeting through a link posted on the website. The public was also encouraged to view the meeting agenda and offer any comments or questions prior to 6:00 p.m. this evening to be read into the record and addressed at the meeting. Comments received in writing or electronically that were not received on time will be read into the record and addressed at the next meeting of Council.

Mayfield Village is conducting these proceedings in compliance with all applicable State Laws and regulations.

Chairman Schutt asked, Mrs. Betsa, may I have a Roll Call?

ROLL CALL: Present: Mrs. Jurgisek, Mr. Marquardt, Mr. Meyers, Mrs. Mills,
Mr. Murphy, Mr. Schutt and Mr. Williams

Also Present: Mayor Bodnar, Mr. Wynne, Mr. Coyne,
Chief Matias and Mrs. Betsa

Mrs. Betsa stated, all other Department Heads are viewing this meeting virtually. Also virtually present this evening is Mr. Fikaris, Chairman of the Charter Review Commission who is here to respond to any questions concerning the proposed Charter amendment legislation.

Council President Schutt stated, please remain seated as I recite the Pledge of Allegiance.

Council President Schutt recited the Pledge of Allegiance to the Flag.

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CONSIDERATION OF MINUTES:

Regular Council Meeting – May 18, 2020

Mrs. Mills, seconded by Mr. Marquardt, made a motion to approve the minutes of the Regular Council Meeting of May 18, 2020 as written.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Minutes of May 18, 2020
		Meeting Approved as Written

Comments from Mayor Bodnar

Thank you, Council President. I do have some comments this evening. Tonight, Council is going to be voting on a Resolution condemning the unconscionable conduct of members of the Minneapolis Police Department in causing the death of Mr. George Floyd. I am proud to sponsor this Resolution and I am even more proud that every member of Council is sponsoring the Resolution also.

When events like this occur, I think it's natural to look inward and evaluate and assess your own policies or procedures and to do that is a good thing. Here in Mayfield Village not surprisingly our own Police Chief Paul Matias was ahead of the curve. In fact, since Chief Matias became Chief, he has been busy developing and implementing policies to assure the safe and fair treatment of all individuals who live in or pass through Mayfield Village regardless of color. And of course, he has seen to it that our officers are more than well trained to handle any situations where use of force might come into play. Chief Matias has had the support and cooperation of his department as well as the support of this Administration and our Council and I would be remiss if I didn't say that Chief Matias and the Mayfield Village Police Department has the very strong support of this community.

So, I want to take this opportunity to thank you Chief Matias and thank all of the members of the Mayfield Village Police Department for doing the great job that you do every day and also I want to thank members of our Council for continuing their support of the Mayfield Village Police Department.

Now on to our Fire Department. On June 5th, I had the privilege of swearing in three new full-time Firefighter/Paramedics. They are going to begin their positions this month. The swearing ins were done at our First Responders Memorial next to the fire station. I believe Jeff is putting up some photographs as I speak. Firefighter Steve Drop is one of our newest members. He has worked part-time for Mayfield Village since October of 2018. He is a graduate of Mayfield High School and currently lives in Mayfield Heights. Firefighter Bill Buhlman has worked part-time for Mayfield Village since 2016. Firefighter Buhlman is a graduate of Mayfield High School and also lives in Mayfield Heights. Our third new firefighter is new to Mayfield Village. Firefighter Federico is a graduate of Willoughby South High School, a Veteran of the United States Navy and

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has an Associate's Degree in Fire Science from Lakeland Community College. He is coming to Mayfield Village from the Euclid Fire Department where he served on the Southeast Chagrin Hazmat Team. Firefighter Federico currently lives in Chesterland. I would like to welcome all of these three gentlemen into our Mayfield Village Fire Department.

Like the Police Department, members of our Fire Department are professional, courteous and well-trained and they serve our community very well. Just tonight, Chief Carcioppolo forwarded to me a letter from a member of our community that was very congratulatory and thankful commending members of our Fire Department for their prompt, safe and courteous care that they gave him in his time of need. At this time, I would also like to thank Chief Carcioppolo and the entire Fire Department for the work that they do every day. Once again, I want to thank each and every member of Council for your support of our Fire Department.

I also have some comments on Ordinance 2020-12 which is on First Read this evening. I will reserve those comments until we discuss the Ordinance later on.

Thank you, Council President.

Comments from Council President Schutt

Thank you, Mayor Bodnar. I just wanted to second what the Mayor said. We appreciate everything that both of our departments, Fire and Police, do for all of us in Mayfield Village. We are proud to support and stay behind you. We appreciate all you do. Thank you very much for keeping us safe as well as the people coming in and out of Mayfield Village on a daily basis. Thank you for all you do.

We have a birthday as well this month. Happy Early Birthday, June 23rd, to Mayor Bodnar.

Also, Caucus is scheduled for Monday, July 6th. We are going to hold Caucus on the 6th. The next regularly scheduled meeting of Council is July 20th. At this time, we don't know if the meetings will be held virtually or in person, but the website will be updated with this information and notification will be sent to the news media. We are looking forward to resuming our Caucus meetings.

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

Council President Schutt stated, Mrs. Betsa has received some comments and will read them into the record.

Mrs. Betsa stated, first of all, though, I would like to wish Council President Steve Schutt a Happy Birthday tomorrow. Hope your day is great!

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Lorry Nadeau
678 Robley Lane

With reference to Ordinance No. 2020-12, as a member of the 2020 Charter Review Committee and 35-year resident of wonderful Mayfield Village, I support this Ordinance. It would provide our elected officials with compensation commensurate with the responsibilities of their jobs and the skills and time required to perform those roles.

John G. Michalko
On behalf of John and Henrietta Michalko
6852 Wilson Mills Road

I have read Ordinance 2020-12 and the Memorandum and Schedule regarding the Mayor's salary and benefits along with the salary of council. As a resident of Mayfield Village for 41 years I think it is time to increase the salary of both Mayor and Council including benefits for the Mayor. More work and time is dedicated to keeping the operation of the Village running smoothly than most residents are aware of. The Mayor and Council meet with all committees and departments as well as local, state, and federal government officials.

We have very dedicated individuals as Mayor and Council members that are concerned about the value the Village brings to its residents and their compensation needs to show that. Compared to many other cities, towns and villages we are way behind in compensation.

Mayfield Village is a unique and special community offering both a neighborly village and a sophisticated business base. We have the best services that anyone could ask for. This takes time and dedication on the part of the Mayor and Council to keep the Village a Village in the future. As we go forward with the unknown about COVID-19 and other issues, the challenges will take the expertise and dedication of the Village leaders.

Cindy Kennedy
6751 Metro Park Drive

I'm relieved to see the topic of George Floyd and civil / human rights addressed at the meeting via Resolution 2020-30. I have a few thoughts and questions to share:

1) with regard to #2, continuing to develop and promote policies of diversity and inclusion.... what specifically is being done already, and what are the specific strategies and goals going forward?

2) with regard to #4, dedication to ensuring that Mayfield Village is a place where all people...feel safe and welcome. What specifically is being done and how will progress be measured? The 2010 census reported that MV is 90% white. Is this viewed as an indicator that perhaps MV is not as welcoming as it could/should be? Is there a diversity goal to change that percentage and what active steps will be taken to accomplish this?

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Petitioner Committee requiring term limits for all Mayfield Village elected officials

Ron DiNardo, Chairman

6728 Seneca Road

Re: Submitted Initiative Petition to propose an ordinance requiring term limits for all Mayfield Village elected officials.

Dear Mayfield Village Clerk of Council,

According to Article VII Section 1 of the Mayfield Village Charter electors have the power to propose an ordinance thru *[sic]* an initiative petition process. This proposed initiative petition ordinance will not be appropriating money or authorizing the levy of taxes. This initiative petition is proposing an ordinance allowing term limits for all elected officials to a maximum of 2 consecutive terms of 4 years each from when first elected. The enclosed initiative is being submitted to you thru a petition signed in ink by qualified electors equal in number to at least ten percent (10%) of the total vote cast at the last regular municipal election. The consensus of the enclosed 100+ signatures overwhelmingly supports the ballot language submitted in this bi-partisan initiative.

This petitioner committee requiring term limits for all Mayfield Village elected officials will not accept council amended language to the initiative petition ordinance language as submitted. All signatories expect the language as submitted to read "By Initiative petition propose an ordinance allowing term limits for elected officials to a maximum of 2 consecutive terms of 4 years each from when first elected" and appear on the ballot for the November 3rd, 2020 general election as such.

This petitioner committee requiring term limits for all Mayfield Village elected officials asks Council to pass the initiative petition ordinance language as submitted. This letter will serve as our formal request to submit the initiative petition ordinance language to the Cuyahoga County Board of Elections to be processed and placed on the ballot for the electors of Mayfield Village to vote at the November 3rd, 2020 general election.

Due to the uncertainty of the next in person regular scheduled council meeting because of the COVID-19 pandemic this initiative petition ordinance and letter is to be considered public comment and should be read into the meeting minutes as record at the next regularly scheduled council meeting.

Respectfully,

Ron DiNardo, Charmain *[sic]* of the Petitioner Committee requiring term limits for all Mayfield Village elected officials

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Mrs. Betsa stated, one of my jobs as Council Clerk pursuant to the Charter is that I have 20 days to review the Petition to determine its sufficiency. After preliminary review and discussion with the Law Department, it appears that this Petition has three deficiencies:

1. The original Petition is required to be filed pursuant to Mayfield Village, Article VII, Section 1 which requires the Petition to be "signed in ink by qualified electors". Only copies of the Petition were provided to me;
2. The Petition did not include an "affidavit sworn by the circulator thereof stating the number of signers to such part of the petition and that each signature thereon is the genuine signature of the person whose name it purports to be and was submitted in the presence of the affiant" as required under Mayfield Village Charter Article VII Section 3; and
3. The filing fee of \$12.50 required by the Board of Elections was not included.

I will work with the Law Department to prepare a letter to the chairman of the committee outlining these deficiencies.

Council President Schutt stated, thank you, Mrs. Betsa.

DEPARTMENT HEAD REPORTS:

Law Department – Mr. Coyne: I have several items to talk to Council about. It may be easier to just address them at each time. We have the Charter Review proposals and Mr. Fikaris is here to talk about the recommendations there as well as the ordinance for the compensation to be fixed for elected officials in the Village. We are repealing the D&I ordinance but we are reintroducing another mode of compensation that can be given consideration for moral claims. We are changing the time limit for the BZA approval process. We are also looking at a new Community Diversion Agreement. Council President, I will address those when they come up on the agenda.

Council President Schutt stated, sure. No problem. Thank you.

Police Department – Chief Matias: Thank you Council President. Thank you Mayor Bodnar for your earlier comments. I just wanted to come to this meeting and talk about my letter. Last Friday, I posted a letter from our department to the community. The reason we put that letter out is that since the death of Mr. Floyd, we have received a lot of questions about our procedures, our equipment and different policies of the Police Department. Naturally I am happy to take these questions because I know we have an excellent department.

The letter I put out, I am not going to read the whole letter, but it addressed a couple of main points. The first and utmost important point is that everybody in our department was shocked at what happened in Minneapolis. There's nobody that's on the wrong side of this. There's not an officer, a dispatcher, or anyone on our department that thinks that there's another side to it. It was shocking to all of us.

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The second thing we talked about was the use of body cams. We have been using body cameras since 2016 and even before that we had dash cams. When I started on the department in 1999, we even had dash cams back then when not a lot of the departments had them. We actually had VCR's in the trunk hooked up to the cameras. Everything was recorded. All of the officers on the department are used to having these cameras on us all of the time. So, it's not anything that's new to us. We are used to it. They have been very successful for us.

The next thing I want to talk about is use of force. We have a use of force policy, what we call Response to Resistance, that's compliant with all recommendations and regulations. It covers everything. It includes an addendum that covers tasers and the use of force for our auxiliaries. It's a comprehensive policy. It has been around for a while. Everybody's very familiar with it. We review it at least annually. The other policies we have in place about Bias-Free Policing and about the use of force and use of the body cams. They are all in place.

Training is something that we made a priority beginning in 2020. We always had training but we made it as a strategic plan we put together for 2020. We made it a priority. Already, even with the COVID-19, a lot of things have been cancelled, the officers have still taken over 100 courses, most of them on-line. That training has included procedural justice, use of force and implicit bias training. In January, we held training on applying restraints and talking about positional asphyxia which was probably what Mr. Floyd died from. We have taken training very seriously. We are going to load up the rest of the year with as much training as we can get done.

I just wanted to cover all of these points. I do want to say again that I am very proud of our officers, our dispatchers, auxiliaries, administrative staff. We have gone from the COVID-19 to a lot of the social unrest that has been going on. We received a ton of support from the community. I welcome any questions. Last year we did an open house. I hope to have an open house again this year when things start to open up so people can come to the station and see our equipment, meet our folks and ask any questions they want.

Again, I wanted to thank our officers, the rest of our staff and the community for being very supportive during all of this. Thank you.

Council President Schutt stated, thank you, Chief. There were no other Department Head reports submitted.

Committee Reports:

Council President Schutt stated, there are no Committee reports this evening.

OLD BUSINESS

Council President Schutt stated, there is no Old Business for consideration this evening.

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NEW BUSINESS

- **Motion to acknowledge receipt of financial reports for May 2020 and to approve of same as submitted. (Finance Department)**

Mrs. Mills, seconded by Mr. Marquardt, made a motion to acknowledge receipt of financial reports for May 2020 and to approve of same as submitted. (Finance Department)

Council President Schutt asked, discussion?

Mr. Wynne stated, I just wanted to make a few general comments. The results that you saw for May and for year to date through May were very strong. We experienced the decreases I expected to see during the month in hotel tax, admissions tax, gasoline tax, investment earnings and revenue from our recreation programs. There were no surprises. Looking in June, just before this meeting started, I got a news release from the Regional Income Tax Agency that spoke about their June distributions to municipalities in general being down about 28-29% than where they were last year. Our distribution through June was down about 14%. Most of that was attributed to individuals and net profit tax incorporations so I am just going to assume that that relates to the fact that they pushed the due date for the returns out to July from April and that we will see some of that kind of flip as we get into the month of June but that's yet to be seen. So far, our results are looking strong and I am very pleased at the moment.

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

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Financial Reports for
		May 2020 Acknowledged
		And Approved as Submitted

- **Motion to authorize expenditure in the amount of \$20,252 to HICAP Renovations for fire hydrant blasting and painting. (Fire Department)**

Mrs. Mills, seconded by Mr. Marquardt, made a motion to authorize expenditure in the amount of \$20,252 to HICAP Renovations for fire hydrant blasting and painting. (Fire Department)

Council President Schutt asked, discussion?

Mr. Wynne stated, this is in our capital budget. As the Chief mentioned in his memo, it was budgeted at \$75,000. He received two quotes, one from HICAP Renovations for \$20,252 and the second quote was for \$44,820. HICAP has done work in the Village before. We are very comfortable with the job they have done in the past.

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

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Expenditure Authorized

Council President Schutt stated, we are going to defer Ordinance No. 2020-12 for now and move on to the proposed Charter amendment legislation.

- **First Reading of Ordinance No. 2020-13**, entitled, “An ordinance proposing an amendment to Article III, Section 6, relative to the compensation of the Mayor and Members of Council.” Introduced by Mayor Bodnar. (Administration)

Council President Schutt asked, discussion?

Mr. Coyne stated, Council President, and to Mr. Fikaris, if you want to weigh in on any of these, you certainly are welcome to do so, but the Charter Review Commission met diligently and Mr. Fikaris who has got experience in that area reading the Charter in detail with members of the Commission to determine whether any updates were appropriate. This one in particular was identified as being one that should be amended.

The Charter Review Commission the last time around inserted the compensation for elected officials in the Charter that had not been done before. It should be more accurately reflected in the Village’s ordinances. At the end of the day, the amendments to the Charter requires Council approval and approval of the voters so this doesn’t do anything to change the procedure in terms of the Council reviewing the compensation for all of the elected officials and to do it through an ordinance which would be required to be passed by Council and then referred to the voters. That is being done. This is item 3 in the memorandum which Mr. Fikaris and I discussed. Paul, do you have anything you want to add?

Mr. Fikaris stated, Mr. Coyne explained the intentions of the Charter Review Commission. What we found was no area Charters had the actual dollar amount. I think that might have been an oversight to have that actually be in the Charter so we would like to remove that. I think it’s pretty straightforward. I echo your sentiments and those of the person who sent in a message and said how we felt, at least I felt about compensation, was that this language that we have in our Charter is pretty much identical to most of the area municipalities whereas Council fixes the salaries. In 2015, salaries had not been raised for 15 years so it was brought up to raise that marginally. We believe now in 2020, and the Mayor made a presentation as well, and we saw data on compensation for area officials. What I felt was that the Charter says the Council shall have the power to fix the compensation so hopefully Council will put in place a mechanism for which either there is some sort of index or some sort of fair compensation. I didn’t personally believe it was a Charter Review thing even though it occurred in 2015. That’s all I wanted to say. But I think you folks are on the right track.

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Council President Schutt asked, any other comments?

There were none.

Ordinance No. 2020-13 moved to Second Read.

- **First Reading of Ordinance No. 2020-14**, entitled, “An ordinance proposing an amendment to Article V, Section 6(E), of the Charter of Mayfield Village to allow competition for the appointment to the position of Chief within the Police and Fire Departments and Assistant Chief of Fire within the Fire Department to include individuals outside of the department should there be two or less qualified interested individuals from the supervisory lower ranks.” Introduced by Mayor Bodnar. (Administration)

Council President Schutt asked, discussion?

There was none.

Ordinance No. 2020-14 moved to Second Read.

- **First Reading of Ordinance No. 2020-15**, entitled, “An ordinance proposing an amendment to Article V, Section 12, to substitute the term “Board of Zoning Appeals” for “Board of Appeals”, “Board” and “BZA” in this section and throughout the Charter where applicable.” Introduced by Mayor Bodnar. (Administration)

Council President Schutt asked, discussion?

Mr. Fikaris stated, this was just a clerical item that we wanted continuity throughout the Charter referring to the Board of Zoning Appeals.

Council President Schutt asked, any other comments?

There were none.

Ordinance No. 2020-15 moved to Second Read.

- **First Reading of Ordinance No. 2020-16**, entitled, “An ordinance proposing an amendment to Article IV, Section 4 and Article V, Section 5, of the Charter of Mayfield Village, so as to provide gender neutral language.” Introduced by Mayor Bodnar. (Administration)

Council President Schutt asked, discussion?

Mr. Fikaris stated, our intent, with apologies, we thought we had a gender-neutral Charter in 2010. We missed two of them. This will clear that up.

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Council President Schutt asked, any other comments?

There were none.

Ordinance No. 2020-16 moved to Second Read.

Council President Schutt stated, we just wanted to thank Mr. Fikaris and the entire Charter Review Commission for their due diligence and hard work on this. We appreciate it. Thank you.

- **First Reading of Ordinance No. 2020-12**, entitled, "An ordinance amending the compensation of the Mayor, President of Council and Members of Council." Introduced by Council President Schutt, Council President Pro Tem Meyers, Councilman Williams, Councilwoman Jurcisek and Councilman Murphy. (Administration)

Council President Schutt asked, discussion?

Mr. Coyne stated, when this was discussed at Charter Review Commission, it was suggested that Council should be the one to make this decision and look at it more carefully then just the Charter Review Commission making a recommendation.

In your packets, you have some material of approximately 15 cities that have some similarity to Mayfield Village regarding their location near the freeway, population, etc. I gave a guide for the content of the current ordinance fixing the compensation for Council, Council President and the Mayor. As you can see, that survey gives you the information of the compensation, particularly for the Mayor, of being very much on the low side.

I also wanted to share with you that the Mayor's position in many communities is one in which the compensation is commensurate with their duties. Some have some additional duties like being official Safety Director, a role that Mayor Bodnar actually plays without having that mentioned in her job description but because there isn't a formal Safety Director, she has to meet with the Police Chief and the Fire Chief.

It's also apparent that most of the mayors can get benefits. The Mayors that are full-time and part-time often get benefits. All of the full-time mayors get benefits as you can see there and their salaries are \$75,000-115,000.

I also thought it was important, and I did some of this research the last couple of days, but the operating budget of the Village is approximately \$18 million. Of the 15 communities on that list, only two have larger budgets than Mayfield Village. The rest are smaller, some substantially smaller. So, the populations obviously vary to some degree but always keep in mind the population is the census data of those who reside in the Village but the Village workday may have 15,000 people or more in it with Progressive and other significant employers.

So, I thought that was just helpful to provide Council with some additional guidance. As Paul knows, at the meeting of the Charter Review Commission, we got some information from the

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Municipal League and Mayors and Managers Association of probably 100 communities throughout Northeast Ohio. I thought that information was helpful to Council. That's in part how the ordinance was drafted to be comprehensive to provide for the compensation for the elected officials in the Village that would be appropriate.

Council President Schutt stated, thank you Mr. Coyne. Any other comments?

Mayor Bodnar stated, thank you Council President. You have all received my memo relative to Ordinance 2020-12 and as Mr. Coyne mentioned, you received some information that he and Mrs. Betsa prepared. I am not going to repeat what is said in them. I do want to mention that I have had someone indicate to me that the numbers used in the chart provided may be a little bit out of date. Some of those figures may have increased since the time this was prepared. I have not had time to go back and check that out. Like I said, I don't want to repeat everything that's in my memo but I do want to highlight some things which I feel are of very important considerations.

First, the way this is structured, after 3 reads, Council will decide on whether or not to send this to the voters for them to decide. That's different than what happened back in 2017. Some of you were on Council then, some of you were not. But what happened in January 2017 was that Council considered enacting an ordinance that would give themselves health insurance benefits without going to the voters. The Mayfield Village Charter provides "The Council shall not increase the compensation for itself or the Mayor from and after the effective date of this amendment unless such increase in compensation has been enacted by ordinance and submitted to the electorate for approval by a majority vote thereon." Despite that language in the Charter, Council had received a legal opinion, not from Mr. Coyne, which indicated that it could enact an ordinance granting health insurance benefits to itself without going to the voters for approval. Well this caused quite a stir in Mayfield Village. Villagers came to the Caucus meeting in January 2017 and in fact packed the Council meeting that month and they cried fowl over the proposed ordinance because it would have violated our Charter. In addition, some others at that meeting expressed the belief that Council also should not receive benefits. Had it been approached initially with the intent of sending it to the voters, the voters could have decided that issue. However, the outrage generated over the idea that voter approval was not needed despite clear language of the Charter left a bad taste in a lot of people's mouths and really put to rest any thought of regenerating that ordinance and sending it to the ballot for a vote.

Second, the ordinance that you are considering, 2020-12, is not about me. It is about setting fair compensation for the work, skill, education and experience required for the job in the 21st Century. The Charter does not designate whether the job of Mayor is full-time or part-time. What it does do is set forth a long laundry list, a detailed list, of what the Mayor's and Council's duties or responsibilities are. As Mr. Coyne mentioned, this list includes the Mayor as Chief Conservative of the Peace within the municipality in causing all ordinances and laws to be enforced therein. This position, sometimes referred to as Safety Director, is as Tony mentioned, often compensated separately by other municipalities. It is not compensated separately here.

Going forward, I want Mayfield Village to have strong choices for leadership in the future. Not only is the compensation package set forth in the ordinance moderate in comparison to other local

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communities, but I believe it will help to attract strong candidates to consider running for public office in the future.

Finally, while we are indeed in the midst of COVID-19, Mayfield Village is sound and we are doing well. Thanks to conservative planning, budgeting and careful spending, we have very strong reserves, so much so that we did not hesitate to hire three new Firefighter/Paramedics. We pay our Department Heads and their staffs very well. So too can be said for our Fire Department members and our Police Department members and as a result we have attracted highly-qualified people to those positions. An increase in the Mayor's salary under the ordinance which is \$24,000 represents approximately 1/10th of 1% of an \$18 million budget. If you add in the cost of health insurance, assuming that's for a husband and wife or two people, it comes to a little over 2/10ths of 1% of the budget. No matter how you shake it, it's not even 3/10ths of a percent of the budget. Neither the increase in the Mayor's compensation nor the increase in Council's salary will have any significant impact on our budget. Taxpayer's services will not decrease. Taxpayers will not have to pay any additional money to support these increases. The ordinance will simply give the voters a chance to decide from a fair compensation package. So, Steve, I will kick it back to you.

Council President Schutt stated, thank you Mayor Bodnar. Any other comments or discussion?

Mr. Coyne stated, there was one follow up update on the memo I gave you just for the record. The compensation for the Mayor of Pepper Pike is actually \$55,000 plus an additional \$27,500 for the additional responsibility as Safety Director of the City. So, his total compensation is \$82,000 and he does receive full benefits. Interestingly enough, Pepper Pike's budget is about \$7 million lower than Mayfield Village's.

Council President Schutt stated, thank you Mr. Coyne. Any other comments or discussion?

Mr. Murphy stated, thank you Council President. These past three months have been incredibly difficult for a lot of different people, businesses staying afloat, trying to keep a job. It's just been very difficult. Challenging time for a lot of different people. As we stand here now, there is a ton of uncertainty of where we are going or where we will be. There's a lot of unknown. They are talking maybe having a second wave of the COVID in the Fall. The biggest thing that I see coming forward and how it impacts Mayfield Village is the municipal income taxes. State legislators, I would say, threw us a lifeline with doing emergency legislation to continue to let us collect those municipal income taxes for those people working from home. If this working from home trend continues, I don't know where it lends itself. Will we still be able to collect those taxes? I don't know. The employees that work here in the Village is a big part of our revenue source. The timing isn't great. I have talked to a decent amount of residents so far, but I would urge Village residents, as this is read over the next two meetings, the next two months, I would urge you to get comments in, questions in and reach out to members of Council. Reach out to me. My information is on the Mayfield Village website. I would be happy to talk to you. I love your comments. But ultimately, I think Council has to consider nominal or not, is this a good time for an ordinance like this? That's all I have. Thank you.

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Mayor Bodnar stated, if I could respond. Denny, I appreciate your concern tonight. Maybe Ron can address this better, but we are very conservative in our budgeting and in our forecasting and certainly if there came a time when we were looking forward and it was time to cut budgets and cut whatever we need to cut, we would have to do that. We are not unaware that that could happen down the line, but we have been very conservative and we have always paid people fairly. I think if you look at the numbers, these are very conservative numbers. There are Mayors in similar communities who are making much much more money. But Ron, maybe you could address this a little bit from a budgeting and spending and income standpoint.

Mr. Wynne asked, just which part, Mayor? I'm sorry.

Mayor Bodnar replied, everything.

Mr. Wynne stated, your comments earlier about the ordinance is that the percentage of the budget is nominal to what it is you are looking at. Denny's comments about the municipal income tax, his concerns are the same ones that I have. Even though the Governor threw everybody a lifeline with the work from home and the way that those taxes are currently handled, those individuals themselves when they file their tax return could file a request for refund if they work from a municipality whose income tax rate was lower than ours or they had a tax credit that was lower than ours. What happens once that emergency order is lifted? What it will mean for those individuals who still stay at home? So, from a budgeting standpoint and as far as our revenue goes, that's something we need to be very conscious of and look at having plans in place to address those depending upon what might happen.

Mr. Coyne stated, if I can add to that, Councilman Murphy, your points are very well taken. It's interesting, the Law Department is trying to keep up with these very unusual emergency declarations and the legislation, House Bill 197 which affects how municipalities operate. Ironically, the Village is in good shape from the standpoint that your income tax collections are still, when you compare the first 9 months from this year to last year, it's up like \$475,000 and comparing it to 2018 it's still up. But the way the law is written now, once this recession in the Stay At Home Order as relates to where you work and where your taxes go, there's a 30-day grace period, so for purposes, let's say Progressive Insurance, as I understand it, their employees are working remotely at their home in whatever city in which they live through September 1. So, if the Governor relieves us of the Stay At Home provision to August 1, there's a 30-day grace period, so it would not affect the Village at all. We don't know when that date is going to come. It's sort of hard to tell. That's the way it currently operates.

I also think that the Ohio Municipal League and others are starting to really look at this. *The Plain Dealer* carried a pretty accurate article on how the legislation could affect some cities. They mentioned it would be seriously financially hard in Solon, Mayfield Heights and the City of Cleveland. So, I do think that the Legislature and the Governor have to make sure that they don't do anything that would be unanticipated from the COVID regulations that have been put in place. We are going to follow that and keep the Administration advised and Council advised so at some point in time we will know when those declarations and emergency legislation changes if it would affect the cash flow of the Village going forward.

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Mrs. Bodnar stated, Tony, it's my understanding that the current law says that when the Governor's Declaration of Emergency ends, the 30 days extends from that time, not necessarily when we can go back to work. It's not tied into Stay at Home, it's more tied into the Declaration of Emergency.

Mr. Coyne replied, yes. If I wasn't clear, that's exactly what it means. It's the Declaration, when it gets rescinded or when the emergency is over and I do think that the State's going to have to look at what different companies are doing because some may extend it farther just because they want to be particularly careful. I know there's some companies that use a lot of partitioned office space and they can't get the social distancing down so they may extend it until they believe that we are out of this coronavirus problem.

We know everyone's concerned about a resurgence in the Fall possibly. We are just going to have to monitor it and hope that the State recognizes the fairness on how the tax structure for local governments is established so that you don't get these unanticipated issues with where people are working, where they get their paycheck from and where they actually reside. Of course, some cities have different credits as well so it's going to be pretty interesting on the Department of Taxation and the Ohio legislation monitors this. We are going to file the legislation, the Ohio Municipal League and the Cuyahoga County Law Directors. We are staying on top of it.

Mr. Murphy stated, great. Thank you.

Council President Schutt asked, any other comments?

There were none.

Ordinance No. 2020-12 moved to Second Read.

- **First Reading of Ordinance No. 2020-17**, entitled, "An ordinance repealing Mayfield Village Codified Ordinance Chapter 955 Drainage and Infrastructure." Introduced by Mayor Bodnar. (Administration)

Council President Schutt asked, any discussion?

Mr. Coyne stated, this ordinance should probably be considered as it is reviewed by Council in conjunction with the ordinance creating a moral claims chapter because they are related. The reason for this had to do in part with the way the Drainage and Infrastructure Committee operated and the way they reviewed matters was really tied to flooding issues and things of that nature, so in meeting with the Administration and the appropriate Department Heads, we concluded that it would be better to create a moral claims provision to handle claims that might not be covered by insurance and that the Village may have immunity for but which may have an impact on community residents. It rescinds the Drainage and Infrastructure Committee and it creates another process for residents to file claims to get consideration for assistance.

Council President Schutt stated, thank you Mr. Coyne. Any other comments or discussion?

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There were none.

Ordinance No. 2020-17 moved to Second Read.

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

Council President Schutt asked, discussion?

There was none.

Ordinance No. 2020-18 moved to Second Read.

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

Council President Schutt asked, discussion?

There was none.

Ordinance No. 2020-19 moved to Second Read.

- **Resolution No. 2020-26**, entitled, “An emergency resolution adopting the Alternative Tax Budget Information for Mayfield Village, Ohio for the Fiscal Year 2021.” Introduced by Mayor Bodnar (Finance Department)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adopt Resolution No. 2020-26.

Council President Schutt asked, discussion?

Mr. Wynne stated, this is an annual requirement we have with the County. This needs to be passed by July 15th and filed with the Budget Commission by July 20th. It’s basically a very very very rough draft of our 2021 budget. What they are mainly interested in is to see what our property tax revenue is for 2020 payable by residents in 2021 and how that property tax revenue is going to be allocated amongst our funds. We would like to remind Council that the property tax revenue in this budget is about \$105,000-110,000 less than what we typically receive because if you might recall in 2019, we had a five-year tax levy that’s up for renewal and in 2019 we decided not to renew it and to put that money back into the pockets of our residents so our property tax revenue in this budget is about \$105,000 less than what we typically receive.

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

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There were none.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Resolution Adopted

- **Resolution No. 2020-27**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Community Diversion Program Agreement with the Cuyahoga County Court of Common Pleas Juvenile Division.” Introduced by Mayor Bodnar (Finance Department)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adopt Resolution No. 2020-27.

Council President Schutt asked, discussion?

Chief Matias stated, the Diversion Program is something we have been a part of for many years with the Cuyahoga County Juvenile Court. What the program is is if we have first offenders or very minor offenses, the Cuyahoga County Juvenile Court refers the juvenile back to us to do community service. What the Agreement does it provides funding to support that program. It's not a lot of money. They have made a lot of cuts to it recently, but again, we can apply for reimbursement for any of the community service that we have any of the juveniles do that are referred back to us. It's been a very good program.

Council President Schutt stated, thank you Chief. Any questions?

There were none.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Resolution Adopted

- **Resolution No. 2020-28**, entitled, “An emergency resolution authorizing Mayfield Village to provide a letter of support for the FY2020 U.S. Forest Service Great Lakes Restoration Initiative Application and authorizing Mayfield Village to expend funds in an amount not to exceed \$14,722 for the reforestation of riparian habitat on Village property.” Introduced by Mayor Bodnar (Service Department)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adopt Resolution No. 2020-28.

Council President Schutt asked, discussion?

Mr. Wynne stated, this is a repeat of what was done last year. The submission for this is done by the Chagrin River Watershed Partners. We are one of the participating communities and actually what this letter will do if the grant is received by Chagrin River Watershed then about \$75,000 worth of trees will be planted in the property in the Bonnieview and Beech Hill area. Of that \$75,000, it's maybe \$20,000, so 80% is covered by the grant and another 20% will be covered by

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us which is what the \$14,722 is. We will spend that money provided that the grant is approved this year and Chagrin River Watershed receives the funds.

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

There were none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **Resolution No. 2020-29**, entitled, “An emergency resolution authorizing Mayfield Village to expend funds in an amount not to exceed \$120,000 to Wichert Insurance SVC, Inc. for renewal policy of business insurance coverage.” Introduced by Mayor Bodnar (Finance Department)

Mrs. Mills, seconded by Mrs. Jurcisek, made a motion to adopt Resolution No. 2020-29.

Council President Schutt asked, discussion?

Mr. Wynne stated, this is our annual renewal for our business insurance. Wichert Insurance is our broker and they go out to market for us every year and re-price all of our policies for property, casualty, auto, professional liability, our patrol officer coverage. The actual amount is \$116,989 which is an increase of \$2,136 or 1.9% over last year. We are asking this to be passed at \$120,000 because over the next 12 months as we buy new vehicles and sell old vehicles, there will be additional payments we will have to make to Wichert for the new insurance coverage on those vehicles but at the same time we will get the money back from them once we sell those vehicles so that’s why it’s been a little bit more than what the actual renewal price is.

Council President Schutt stated, thank you Mr. Wynne, any questions?

There were none.

ROLL CALL: AYES: All
NAYS: None

Motion Carried
Resolution Adopted

- **Resolution No. 2020-30**, entitled, “An emergency resolution condemning the racist and inhumane actions of the Minneapolis Police Department and supporting fair, just and equitable practices to protect the civil rights of all citizens.” Introduced by Mayor Bodnar, and Council as a Whole (Administration)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adopt Resolution No. 2020-30.

Council President Schutt asked, discussion? This Resolution has since been amended to include Council as a whole and revising the date that George Floyd died on May 25th and not the 27th. So, I just wanted to state that for the record. Any questions?

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There were none.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Resolution Adopted

- **Resolution No. 2020-31**, entitled, "An emergency resolution confirming compliance with Federal Government Guidelines and House Bill 481 in order to receive Mayfield Village's distribution of CARES Act Coronavirus Relief Funding." Introduced by Mayor Bodnar (Finance)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adopt Resolution No. 2020-31.

Council President Schutt asked, discussion?

Mr. Wynne stated, this was just finalized Friday evening in the House. There was \$350 million of the CARES Act that went to the State of Ohio to be distributed down to the local communities. They worked through all of the logistics for that as to how it will be allocated. Before it is allocated, they need resolutions passed by all of the municipalities stating that they will comply with the Federal guidelines on how that money is to be spent. That's what this Resolution is doing, saying that we are going to follow those guidelines and then distribution of those funds should take place within a couple weeks.

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

There were none.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Resolution Adopted

ANY OTHER MATTER BEFORE COUNCIL

Council President Schutt asked, are there any other matters that may come before Council this evening?

Mr. Murphy stated, there was a comment that was read in the beginning. It was on Resolution 2020-30. Are we going to respond to that or is someone reaching out to her? I think there were questions related to it.

Council President Schutt stated, the third comment from Open Portion that Mrs. Betsa read, the statement from Cindy Kennedy?

Mr. Murphy replied, yes, that sounds right.

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Council President Schutt stated, I believe Chief Matias was going to handle the response to Mrs. Kennedy.

Mr. Murphy stated, okay. I just wanted to make sure.

Chief Matias stated, Ms. Kennedy e-mailed me directly with some other questions as well. When I reply to her, I will include the questions directed towards the Police Department tomorrow.

Mr. Murphy stated, great. Thank you.

Council President Schutt stated, thank you, Chief.

Mr. Williams stated, if I heard correctly, she did have other questions or comments outside of the Police Department.

Mayor Bodnar stated, the ones referring to the Administration, we can take a look at those and respond to those.

Mr. Williams stated, all right. Thank you.

Council President Schutt asked, any other matters? I just wanted to thank everybody again for everything they have done over the last three months. It's been pretty challenging with our remote meetings due to COVID and now everything else that's been going on. We appreciate what everyone is doing, all of the Department Heads, Council, the Mayor, Clerk of Council. Thank you to everybody for all you have done for the past three months. We appreciate it.

ADJOURNMENT

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adjourn.

The meeting adjourned at 8:00 p.m. The next Regular Meeting of Council meeting is scheduled for Monday, July 21, 2020 at 7:00 p.m.