

MINUTES OF A COUNCIL CAUCUS
Mayfield Village Civic Hall - Mayfield Village Civic Center
Monday, August 2, 2021 – 7:00 p.m.

The Council of Mayfield Village met in Caucus Session on Monday, August 2, 2021. Council President Schutt called the meeting to order at 7:01 p.m.

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

Also Present: Mayor Bodnar, Mr. Coyne, Mr. Wynne,
Mr. Cappello, Chief Carcioppolo,
Mr. Russell, Chief Matias, Mr. Marquart,
Mr. Sipos, Mr. McAviney,
Ms. Wolgamuth and Mrs. Garbo

Absent: None

MAYOR

Thank you Council President. I have a few comments this evening. First of all, just to report that Saturday night we had our tribute to our retired school Superintendent, Dr. Keith Kelly and it was at The Grove. It was a wonderful night. Dr. Kelly had a lot of friends and family there including Mom. Shane, you did a great job with the tent and the refreshments and getting everything in order. Thank you, Shane. I know you were juggling several hot potatoes on Saturday night but everything came out perfectly, so thank you very much. Also thanks to Scott and the Service Department for all you did to make Saturday night a perfect night. I appreciate that.

A couple of other things. I read on Cleveland.com today that Cuyahoga County has reached the threshold for new cases of COVID for the CDC to recommend that masks be worn indoors even for fully vaccinated people. So right now we are recommending that even vaccinated people wear a mask indoors. They are going to hold a press conference on Wednesday and we will be monitoring the statistics and will listen to the press conference to guide what we do in the future.

Finally, this Saturday night is our big Centennial celebration. Shane and the Rec Department and Scott and the Service Department will be doing a lot of work for that as well as people here in the Administration. Please everybody attend a part of it if you can. It's all detailed in the *Voice of the Village* which just came into our mailbox in the past week. Take a look at that and come and join us to celebrate our Centennial.

That's all I have. Thank you Council President.

Council President Schutt stated, thank you Mayor Bodnar.

COUNCIL PRESIDENT

I just wanted to echo the Mayor's comments that she had. We appreciate everybody's help in putting together the events that we have at The Grove. We have been getting an unbelievable amount of comments and commentary on how much people enjoy the concerts and just how we have such an outstanding venue in such a small Village. We really appreciate everybody from the Parks and Recreation, the Service Department, and the Police and Fire as well for being on hand. Thankfully I don't believe we have had any instances where we needed any assistance but thank you for being there and being ready if called into action. Thank you very much. Our next Regular Meeting of Council is on Monday, August 16th at 7:00 p.m. here in this room.

ADMINISTRATION

Ms. Wolgamuth stated, thank you. I just wanted to let Council know that Dan Russell and I met with the Architect that's working on the restroom and kitchen project. I know I said this before but we are expecting final plans probably within the week and then at that point we will have to have the Fire Department and the Board of Health review them and I will share them with Council at that time. So we are still hoping we can go out to bid on that project soon, so expect to see that. Thank you.

Council President Schutt stated, thank you Ms. Wolgamuth.

ENGINEER

. Street Striping – 2021

Mr. Cappello reported, the 2021 street striping proposals should be in our office by August 11th. The estimated amount is about \$33,000.

. Crack Sealing - 2021

Mr. Cappello reported, we are going to be going on State bid for ODOT's 101G. I should have those results also. That information will be in your Friday, August 13th packet.

Council President Schutt asked, are there any questions for Mr. Cappello?

There were none.

Council President Schutt stated, thank you Mr. Cappello.

FINANCE DEPARTMENT

- . **Lyndhurst Court Report**
 - **Village proportionate share of Lyndhurst Municipal Court Operating Deficit as of June 30, 2021 (\$12,875.22)**

Mr. Wynne stated, we have two items for this evening. We had the semi-annual meeting with the Lyndhurst Court last week to go over their operations. They are starting to come back from the impact of COVID last year but it's a slow crawl, so based upon their operating results for the first six months, our portion of that is \$12,875.22, so we ask that Council pass to pay that invoice to them.

- . **Declaring 2006 Ford Explorer surplus (VIN: 1FMEU72E36UB17421)**

Mr. Wynne stated, we have a 2006 Ford Explorer that used to be the old Building vehicle and then after that the Rec Department. It has been idle over at the Service Department for over a year now. We would like to declare that surplus and put it on Govdeals.com to try and sell it.

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

There were none.

Council President Schutt stated, thank you Mr. Wynne.

LAW DIRECTOR

- . **Legislation:**
 - **Forestation Grant**
 - **Approval of Agreement with Chagrin River Watershed Partners (Resolution No. 2021-25)**

Mr. Coyne reported, I have a couple of matters to address tonight.

First, there's a Forestation Grant with Chagrin River Watershed Partners. We applied for this grant some time ago. It has been approved. Attached to the Resolution is the Grant Agreement. The grant has as a component a \$14,722 contribution from the Village which is about 20% of the cost of the trees. This will involve the planting of approximately 2,600 trees in a specific acreage area. This is an exciting opportunity for the Village, so that is something we will request approval for tonight. It is on the Special Meeting Agenda. Are there any questions on that one?

Mr. Murphy asked, Tony, what did you say cash out flow was for?

Mr. Coyne replied, it's for the Chagrin River Watershed Partners. It's \$14,722. This is a USDA Grant that was provided to Chagrin River Watershed Partners. It's about 20% of the cost of the work that's going to be done.

Mr. Murphy asked, is this voluntary?

Mr. Coyne replied, we were part of the Grant Agreement. We applied for the grant. It's really a matching grant. It's \$75,000, I think, is the amount of the improvements for the trees. We are paying about 20% of that. It's a good opportunity for the Village.

Mr. Murphy stated, okay. Thank you.

Mr. Meyers asked, where are the improvements going to be made?

Mr. Coyne replied, it's described in the Agreement, it's about a 19-acre location covering 7 sites. I don't know the exact sites myself, but there are 7 sites reported. They are described in further detail in the Agreement. They are not all in the Village.

Mr. Meyers stated, okay.

Mr. Coyne asked, any other questions?

There were none.

- **Photo Enforcement Law (First Read – Ordinance No. 2021-10)**

Mr. Coyne continued, the next item which was going to be read tonight, but it has been recommended to the Law Department that we may not want to do that, and that is the photo enforcement Ordinance attached to your materials. It is 2021-10. On further review and discussion with the Administration, we identified a couple of scrivener errors, but there are some substantive questions I want to run by the Prosecutor's office that relate to the definition of some of the traffic law violations and how the penalties are going to be imposed. I think there are just a few items that we think should be looked at. I think they are all correctible, but we want to make sure we do it right the first time. I think we are going to recommend to Council that this matter not be acted on tonight so it not be read as a First Read formally, that we get the revised Ordinance done and reintroduce it in due course.

Mr. Murphy asked, Tony, quick question on that?

Mr. Coyne replied, yes.

Mr. Murphy asked, this may be for Chief Matias too, did we ever nail down that percentage that the company is getting a cut of? I think it was 38% written and the guy came in to present and said 33%.

Mr. Coyne stated, good question. We have and that comes down an amount that would be, 38% would be the fee that Gatso would charge. They also explained the cost if there's a collection proceeding filed in the Municipal Court. There may be additional Court costs with that, but there's a 30% charge for the collection service that they use on top of the fee that they get.

Mr. Murphy asked, so it's 38%?

Mr. Coyne replied, 38% and another 30% if we had to go to Court over it.

Mr. Murphy stated, thank you.

Mr. Coyne added, again, they pick up the activities for that.

Chief Matias stated, Mr. Murphy, the main part of the misunderstanding came from me. The 33% came from me. I computed the contract with another contract because I was not wearing my newly-acquired reading glasses at the time. That was my error. It has always been from the beginning 38%.

Mr. Coyne asked, any other questions?

Mr. Meyers asked, if you don't use the 40 hours in a month time, will they charge us if it's under or over? In your letter it says that we have to use 40 hours according to the Agreement.

Chief Matias replied, yes, according to the Agreement. We worked out 40 hours a month, yes.

Mr. Meyers asked, if it's under, do we have to pay them?

Chief Matias replied, in the contract they could charge us for operational expenses because they lease the equipment, so if we are not using it, it's basically a cost to them. That would be determined off of how we are using them. But according to the Gatso rep, they have never actually used that clause. They always try to work with the agency if there are issues with the number of hours being used before they have actually started charging us.

Mr. Meyers stated, thank you.

Mr. Coyne asked, any other questions?

There were none.

- **Right-of-way portion of entryway replacement at Progressive Insurance (not to exceed \$132,000) (Resolution No. 2021-26)**

Mr. Coyne continued, the other item on the agenda, Resolution 2021-26, and Mr. Cappello may want to address some of this, but I will just note, this is for the replacement of the Progressive right-of-way, so it's Progressive Drive which is really the entryway to Progressive. That is a

dedicated public street so the Village has to maintain that. Progressive is going to make these improvements. The cost that we are going to be responsible for will be for an amount up to \$132,000. There may be some other improvements that they may want to do, but that's not going to be the responsibility of the Village. I will turn it over to Mr. Cappello if he wants to elaborate on that.

Mr. Cappello stated, the work being done is some concrete repair of the existing concrete surface. Then they are going to do an asphalt overlay. There's a certain amount of the driveway that's in the right-of-way that the Village is responsible for. The remainder is on their property. Our share ended up being per their bids approximately \$132,000.

Mr. Coyne asked, any questions?

There were none.

. **Request for additional extension of time regarding Development Agreement deadlines at 730 SOM**

Mr. Coyne continued, the last item in the Law Director's report has to do with the Development Agreement that was entered into with Georgian Medical Arts, LLC. If you recall, there was a request to extend construction, preparation and completion of the traffic study, and the approvals would be good until sometime frankly this summer. I was contacted by the lawyer for Georgian Medical Arts, Mr. Fisher, who submitted a letter that is in your materials. Basically they are asking for another extension. They are really looking and talking with University Hospitals for the improvements that would be undertaken and given the pandemic, the hospital is not in a position to make a commitment at this time. They are requesting another extension which is in the letter until November 19, 2023. We would prepare the appropriate Resolution for the next meeting if Council is acceptable to making that extension.

Council President Schutt asked, are there any other questions for Mr. Coyne?

There were none.

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

**PARKS AND
RECREATION**

Mr. McAviney stated, thank you, Council President. I have no legislation to report but I would also like to thank Police, Fire and Scott at the Service Department. He made a great selection on some of his new employees. I had an opportunity to work with two of the gentlemen this weekend. When things were stressed, they kept me going and kept beside me. I have to give hats off. I don't remember the two gentlemen's names offhand. They did a wonderful job along with Steve.

This weekend, as the Mayor mentioned we do have our Centennial Party. It's starting around 1:00 at Parkview Pool. We have games and activities, catered by Austin's for food for Mayfield Village residents and their family and friends. We also have residents signed up for Comedy Hypnosis at 4:30. We are looking for volunteers to sign up. I did have a hard time with that one. Then it is followed by two great bands and fireworks, so there's kids activities and family activities from 1:00-10:30 at night. We are hoping to get a good turnout this Saturday because it will be a good event. We will have a lot of restaurants at The Grove with food. We will have a pizza party too. That's also free for the residents. Thank you.

Council President Schutt stated, thank you Mr. McAvinew.

POLICE DEPARTMENT

. Power DMS Policy Software Proposal

Chief Matias stated, I am requesting to purchase some policy training software from a company called Power GMS. As you see in my memo to Council, policy formulation and maintenance is a very important part of our police legitimacy and transparency. The Power DMS program will help out our Department with that by helping to write our policies, keep our policies updated and training our officers on those policies. This is normally something I would just include in my budget. The annual subscription to Power DMS is \$6,000 a year, but if we do a three-year subscription, it drops it down to \$4,400 a year. It's basically like buy two get one free. The total is over my \$10,000 limit, so it brings it to a total of \$13,332.79. Doing it for three years will definitely save us some money. In addition, I am currently using for a training platform Lexipol, it's called PoliceOne Academy and that costs \$2,400 a year. I am not renewing that. That ends at the end of this month. I am getting rid of Lexipol PoliceOne and replacing it with Power DMS. It's a much better program and will definitely help with policymaking.

Council President Schutt asked, any questions for Chief Matias?

There were none.

Council President Schutt stated, thank you Chief.

SERVICE DEPARTMENT

. Winter Salt – 2021-2022 – (Cargill, Inc. - \$37.38 a ton at 1,800 tons +-10% - not to exceed \$74,012.40)

Mr. Sipos stated, thank you Council President. Our winter road salt prices came in for 2021-2022. We put in for 1,800 tons. We will be using Cargill. We used them in 2019. In 2020, the prices were \$50.20 a ton. This year they came in at \$37.38 a ton. That's a savings of \$12.82 a

ton. We also are the cheapest District in the State. We got the best prices in the State. I think that's fantastic.

Thank you Shane for kudos to my guys. Their names were Michael Giallombardo and Kevin Soros you were working with, along with Steve. They are two great guys. I couldn't be happier with them. Are there any questions on the road salt?

There were none.

Council President Schutt stated, thank you Mr. Sipos.

ANY OTHER MATTER BEFORE COUNCIL

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

There were none.

There being no further matters, the meeting concluded at 7:20 p.m.

Respectfully submitted,

Transcribed by: Mary E. Betsa, MMC
Clerk of Council