

**COUNCIL CAUCUS MINUTES**  
**Monday, March 6, 2023 – 7:00 p.m.**  
**Mayfield Village Civic Hall-Mayfield Village Civic Center**  
**6622 Wilson Mills Road, Mayfield Village, Ohio**

The Council of Mayfield Village met in Caucus Session on Monday, March 6, 2023. Council President Schutt called the meeting to order at 7:01 p.m.

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

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

Absent: Mr. Sipos and Ms. Wolgamuth

Council President Schutt stated, please let the record show that Ms. Wolgamuth is excused from this evening's meeting.

**MAYOR**

Thank you Council President. For anyone who doesn't know, our Service Director Scott Sipos encountered some unexpected health problems last week. He is going to be out for at least a month. In the interim, we have Lenny Tierney, our Assistant Service Director, who is stepping in with full authority. We sent a memo to all Service Department personnel and Department Heads so that they know that. Lenny, welcome aboard. I am sure you are going to do a great job. Thank you. Our thoughts and our prayers go to Scott.

Council President Schutt stated, thank you Mayor Bodnar.

**COUNCIL PRESIDENT**

Welcome Lenny. Our thoughts and prayers to Mr. Sipos as Mayor Bodnar mentioned as well. I would like to say Happy Birthday to Councilman Mark Arndt. His birthday is on the 9<sup>th</sup>. Also, as a reminder, Spring Forward on Sunday, March 12<sup>th</sup> at 2:00 a.m. for the beginning of Daylight Savings. The next Regular Meeting of Council is scheduled for Monday, March 20<sup>th</sup> at 7:00 p.m.

**PENDING LEGISLATION**

- **Ordinance No. 2023-01**, entitled, “An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2023 to December 31, 2023 and declaring an emergency.” Introduced by Mayor Bodnar. (Read in title only – January 23, 2023; Second Read – February 20, 2023) (Finance Department)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Ordinance No. 2023-01 will be on Third Read at the March 20<sup>th</sup> Regular Meeting of Council.

- **Resolution No. 2023-02**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2023.” Introduced by Mayor Bodnar. (Read in title only – January 23, 2023; Second Read – February 20, 2023) (Finance Department).

Council President Schutt asked, any discussion?

There was none.

Council President Schutt stated, Resolution No. 2023-02 will be on Third Read at the March 20<sup>th</sup> Regular Meeting of Council.

- **Ordinance No. 2023-02**, entitled, “An ordinance amending Mayfield Village Codified Ordinance Section 1157.08 fences; permit; fee in residential districts.” (First Reading – February 20, 2023) Introduced by Mayor Bodnar.

Council President Schutt asked, any discussion?

There was none.

Council President Schutt stated, Ordinance 2023-02 will be moved to Second Read at the March 20<sup>th</sup> Regular Meeting of Council

**NEW BUSINESS FOR  
DISCUSSION**

**1) Pool Pump House Chemical Storage (Engineer)**

Council President Schutt asked, Mr. Cappello?

Mr. Cappello stated, yes, Council President. Just to bring Council up to date. Currently at the pool, the chlorine is stored in the same enclosure as the acid. For safety reasons, we need to separate them so we are going to be going out to get some proposals to do new a new concrete pad and fence enclosure which will be for the acid alone and then modify the existing chlorine storage area to install two new double wall tanks for the chlorine storage.

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

There were none.

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

**2) Mayfield Community Improvement Corporation (“M.C.I.C.”) Annual Review of Incentive Agreement for OMNI (immediately before the Regular Council Meeting on March 20, 2023) (Finance Department)**

Council President Schutt asked, Mr. Marquart?

Mr. Marquart stated, thank you Mr. President. You will note a memo in your packets. Just briefly, we will only have one rebate agreement to review this year and that’s for OMNI Systems. We just wrapped up year 2 of their Agreement. It was a good year for them. Income tax receipts to the Village were \$163,284.00 which exceeds the benchmark of \$44,400.00 by over \$118,000.00.

Just briefly, if I could bore you all with a few numbers. I think this is a real good example of how the agreement program can yield really good benefits for us. In the year before we started negotiating with the company, our income tax receipts from that company were \$44,000.00 at which at that point they occupied about 45,000 square feet. In the year during which we negotiated with the company, receipts to the Village increased to \$133,000.00. They grew to 65,000 square feet in year 1. At the end of year 1, receipts to the Village were \$146,000. They grew to 120,000 square feet. At the end of year 2, that’s increased to over \$163,000 in revenue and they now have 544,000 square feet. I think we hit it out of the park with that company. We will be reviewing this in a couple of weeks with you.

Council President Schutt stated, sounds good. Any questions for Mr. Marquart?

There were none.

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

Mr. Marquart stated, thank you.

**3) Sprinkler Systems - 5-year testing (S.A. Communale - \$15,465) (Fire Department)**

Council President Schutt asked, Chief Carcioppolo?

Chief Carcioppolo stated, thank you, Council President. In my memo, I wrote about the process of going to different companies. S.A. Communale came back and stated that they had made a mistake because they had a new guy quoting the work who didn't realize they could do all of the work in the same day. With that being said, they did come in under Protegis. I am good with either one, Protegis or S.A. Communale, but because S.A. Communale has been doing the work, they are familiar with everything and it's about \$1,000 cheaper if we decided to stay with them. The third one I would say I would not recommend.

Council President Schutt asked, any questions for Chief Carcioppolo?

There were none.

Council President Schutt stated, thank you Chief.

Chief Carcioppolo stated, thank you.

**4) Revisions to Animal and Fowl Ordinance – Chapter 505 (Law Department)**

Council President Schutt asked, Ms. Calta?

Ms. Calta replied, yes, thank you Mr. President. We did not include a summary of the changes to the animal ordinance or a memo for Council so we will do that before the next meeting. You will see what was included in your packets. You could call it a revision. You could call it a complete rewrite. It was very thoroughly vetted between the Administration, Police, Law and the Prosecutor to really bear down on this ordinance and see where we could make improvements. There were things that were very outdated, color of chickens, things like that.

Also, we looked at some incidents that had happened in the Village with dog bites. We really wanted to focus on circumstances that weren't being addressed in the existing Code including penalties and making sure that when there's a serious injury or a death that those things are prosecuted to the highest level that can be within our Code and also in accordance with the Revised Code. This is a section of the Ohio Revised Code statutes which also have a very thorough provision for animals that governs generally all laws that we can't conflict with. We can still have our own ordinance that we cite under.

I am going to put together a summary of everything. Katie spoke to the Citizen's Advisory Committee. We will have those Minutes from that meeting and then I will put together a memo so we can highlight everything that has been changed. We will have this on three readings so we can have further discussion at other caucuses and maybe even take it some sections at a time so if Council has questions we can dive deep into those.

This is one of the biggest revisions I have done since I have been back. The next item I will be talking about is an amendment and you will see the difference. This one is much more comprehensive than some of the others since it is an entire chapter.

Council President Schutt asked, any questions for Ms. Calta?

Ms. Jurcisek stated, I don't have a question, but I just wanted to comment because it was presented at the CAC meeting and I want to tell the rest of Council that it was well-received by the CAC. There were some great questions. Overall the CAC was happy to see the rewrites in the level it was at.

Council President Schutt asked, any other questions or comments?

There were none.

Council President Schutt stated thank you Councilwoman Jurcisek and Ms. Calta.

**5) Revisions to Accessory Buildings and Structure Ordinance – Section 1157.06 (Law Department)**

Council President Schutt asked, Ms. Calta?

Ms. Calta stated, thank you very much Mr. President. This section has also gone through significant rewrite, but you can see in your packets the whole section fits on one page. This has been presented to the Planning Commission. It was discussed at their workshop on the 16<sup>th</sup> and then they also voted on it tonight to recommend it to Council for consideration.

This is one of those where we have seen sort of a steady flow of variance requests for accessory uses. If you remember the existing Code and you can see it, it's on page 2, it was very specific as to square footage for a specific use. You could have an accessory use if it fell within one of these three very specific square footage requirements and use requirements. They were tied to things like storage of motor vehicles or storage of motor vehicles and recreational vehicles or a toolshed.

If you remember some of these variances that have come in, we have had some other more interesting uses. Maybe they have been moved forward because of COVID, I don't know. We looked at codes from around the region. We talked through many different ways of approaching and we ultimately came up with something that was much more streamlined. Very clearly we set

out that it cannot be a habitable dwelling. This isn't something you can turn into a coach house or a mancave or a pool house. That's not what this is about. We haven't broadened the section at all but they are meant to be less than 200 square feet, not habitable, they can't exceed the 15 feet in height which is the same as what it has always been. The locations we have made that very clear that they can't be in any easements and they have to conform to all of the setback requirements and other provisions of the Code. These are in residential districts.

We came up with "No more than two accessory buildings or structures which shall include a detached garage and the total area of any above ground accessory buildings erected separately from the main structure on any one lot shall not exceed 800 square feet or 10% of the rear lot, whichever is less." You don't have to tie it into keeping your riding lawnmower or recreational vehicle or your car except for the detached garage part.

This should really streamline the requests that Dan sees come through his office and it addresses the requests we were seeing come in. It will get rid of those sort of variances. That's not to say that we won't have some that will come in. People can be rather creative in their backyards.

I think this turned out really well and should serve the Village well and eliminate some variances and make the residents happy when they come in that they don't have to go through a couple more steps for approval. Dan was even calling shed places to get dimensions on things to make sure that the kind of sheds that people might go out and buy we weren't –

Mr. Russell stated, the dimensions we had were much smaller than the sheds that are typically out there, so I wanted to streamline it with less variances. I think it's going to work out very well.

Council President Schutt asked, any questions or comments?

Mr. Meyers stated, and tonight they also revised Section 2 where they eliminated the 480 square feet and the 675 and the 192 foot sheds. They took that all out. It was confusing.

Ms. Calta stated, yes, all of those would come out. They all come out. So, that's where I think a lot of the variances came from because people would come in and they couldn't really fit within these three things, but they still were an accessory use. This will be a good regulation but not have that be a deterrent. This has been discussed for many many years. This goes back to the first time I worked with the Village. There were some attempts to make some changes and streamline it. I am glad to see this come forward.

Council President Schutt asked, any other questions or comments?

There were none.

Council President Schutt stated, thank you Councilman Meyers, Mr. Russell and Ms. Calta.

**6) Joint Agreement with Highland Hts. and School District for reimbursement of construction and installation costs of traffic control devices at Wilson Mills and Miner Roads (Law Department)**

Council President Schutt asked, Ms. Calta?

Ms. Calta stated, this is what happens when Diane Wolgamuth isn't here, right? Did you see a memo about this? Where do you want me to start? You are all aware that there will be some upgrades with the realignment by the school. Miner is going to be realigned with the improvements that the school is making. That requires the intersection to be resignalized. They are going to have to redo the signal. Again, these discussions have been going on for some time. They are moving forward on the project. It's expected to begin later this Spring. You can probably see some of the work there. I think they are working on the STEM building so far. I don't think they have actually started working on the realignment. They are moving forward.

What we are talking about is a Joint Agreement with Highland Heights, the School Board and Mayfield Village to cover the cost of the traffic control devices at the intersection. The Agreement has gone through some revisions and discussion with all of the communities and the Board of Education. They had to go back and refine the cost. The Mayor brought to their attention that because we are contributing some funds to this project, it becomes a prevailing wage project. They had to go back and make sure that their numbers were up to date and accurate and included the prevailing wage. They have come up with the cost for the intersection of \$365,000 roughly. Highland Heights has agreed to contribute \$100,000 and the Village would also contribute \$100,000 and then the schools will cover the remaining balance, whatever that is. Even though they have come up with the cost of \$365,000 if for some reason that changes and it becomes \$375,000 or \$400,000, they would be covering all of those costs, but with the contribution from both of the communities.

We have a draft of the Agreement. We would like to move it forward. The School Board has asked for that to move forward in March, but we are awaiting some additional information to attach to the Agreement. You will see that in your packets for consideration to move forward. Highland Heights will be doing the same thing and then they can move forward with the project with that contribution. Ron, it's going to be reimbursed, right? That's how we structured it? They are going to do the project and then they will ask for our contribution once it's finished?

Mr. Wynne replied, yes.

Council President Schutt asked, any questions or comments?

Mr. Williams asked, when will the road construction start? Is that this year also?

Mr. Cappello asked, the resurfacing?

Mr. Williams replied, yes.

Mr. Cappello replied, yes, this year. Spring or Summer.

Mr. Williams asked, and that's totally separate from this?

Mr. Cappello replied, right.

Mr. Williams stated, thank you.

Council President Schutt asked, any other questions or comments?

There were none.

Council President Schutt stated, thank you.

**7) Permanent and work easement with Dominion East Ohio Gas for Thornapple Regulator Station (Law Department/Engineer)**

Council President Schutt asked, Ms. Calta or Mr. Cappello?

Ms. Calta asked, do you want me to start, Tom?

Mr. Cappello replied, go ahead.

Ms. Calta stated, okay. This is an easement that Dominion has requested next to Smokin' Q's. Council first saw it in around 2020. Last year, Dominion realized that they needed some additional space. The initial easement was a temporary and a permanent easement. They had one section that was temporary and one that was permanent. The permanent was roughly 32 x 50?

Mr. Cappello replied, the permanent was 32 x 60; the temporary was 32 x 60.

Ms. Calta stated, right. And then they needed both of those areas. Last year they came back to Council and we approved I think in the Spring the amendment to that easement so that they had a full permanent easement of 110' by 32'. It appears that there is some additional land that's needed. I am going to turn it over to Tom. This is still moving around.

Mr. Cappello stated, my contact there, Jonathan Blackwell, said it was his mistake. He should have asked for an additional 10', so instead of the 32' by 50' amendment to the permanent easement, it should have been 32' x 60'. This is on the property we own just north of Smokin' Q's which is where the ravine is located. It is the property south of SOM Court. The extra 10 feet in my opinion isn't an issue. I guess the third time around is a charm.

Ms. Calta stated, we are trying to move this ahead because their timetable is that they are also moving ahead. Smokin' Q's has a shed in this same area so they are also involved in these



discussions because with the amendment and the additional area that they need, it impacts their shed and they need to be able to access it.

As I was walking in tonight, we were trying to set a meeting for Friday which appears is not going to happen this Friday but we will get something on. Long story short, we should have something before Council and it may need to have Council's review pretty quickly because they have already mobilized. I don't know how far they are getting exactly. You can comment on that.

Mr. Cappello stated, I was asked today to see if there is any objection. I don't know if the Mayor or Council has any objection to granting them the additional 10 feet because if they don't get that, then they are going to have to pull off the job until they get the easement which might be in the next few days. They are at a stopping point and they can't go any further because they need that extra 10 feet.

Mayor Bodnar stated, we can't do anything tonight.

Mr. Cappello stated, I understand. Again, I don't know if we can relay it to them tomorrow that there is no real objection, but we still have to go through the Council process. If that's something I can tell them, they may continue, but if not they will have to pull out temporarily.

Mayor Bodnar stated, it's taken this long. Just for everyone on Council to remember, this all began when Dominion had a regulator station underground on the east side of the corner and they wanted to take it from underground and put a great big box above ground on the east side and we said, no, we would really rather have a park over there and so that led to us getting them to move it to the other side so that it's not visible to the eye and so that we could put a small park on the other side. If you get residents asking you, because I know I do, they are making comments like, well, that park's never going to happen is it? Now you can explain why. Hopefully Dominion will get through what they need to get through and get it set up on the west side so we can get a bench or something out there on the corner on the east side.

Council President Schutt asked, any questions or comments?

There were none.

Council President Schutt stated, thank you everyone.

**8) 2023 Chemical Prices – Parkview Pool (Sal Chemical - \$32,000) (Parks and Recreation)**

Council President Schutt asked, Mr. McAvineew?

Mr. McAvineew stated, thank you, Council President. The 2023 prices for chemicals has gone up. In 2021, the price per gallon was \$1.15 per gallon. In 2023, it has gone up to \$2.50. That has been

a significant increase over the last two years. In talking to my contact, they don't see that going down any time soon. It's actually going up because they have also put on the Agreement that they have a 30-day window to increase you again. On a good note, with the chemical storage unit, we are planning on going with bulk acid so we should be able to see a savings on the acid side of around \$1,500-2,000 to help with that additional chlorine cost.

Council President Schutt asked, any questions or comments?

There were none.

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

**9) Senior Snowplow Program (\$1,400 overage – Arnold Landscaping) (Parks and Recreation)**

Council President Schutt asked, Mr. McAvineu?

Mr. McAvineu stated, normally we have around 265 seniors in the program. We ended up taking up a handful more residents because of the lack of contractors. Because of that Arnold Landscape picked up more and exceeded it by \$800. I have had an issue with one of the contractors so I always want to buffer it a little bit more. Hopefully we are through with the snow season. We are just getting a little bit of snow here and there. That's my hope, but it would cover the remainder with a little balance as a buffer. I had to shift things around due to the issue with one of the contractors. He has done better. He struggled a little bit this year. And there were extra residents who joined the program this year that we fell a little short with Arnold Landscaping.

Council President Schutt asked, any questions or comments?

There were none.

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

**10) Portable Radios Vendor Change (Motorola Solutions - \$60,082.54 – Resolution 2023 - ) (Police Department)**

Council President Schutt asked, Chief Matias?

Chief Matias stated, thank you Council President. This was a radio purchase that was passed last month. When I put it together, I didn't understand that we were actually buying the radios from Motorola, the actual vendor. We had it listed as B&C. This is just changing from B&C as the listed vendor to Motorola, the actual vendor.

Council President Schutt asked, any questions or comments?

There were none.

Council President Schutt stated, thank you, Chief.

**11) Police and Fire Wellness Program Agreement (Police Department)**

Council President Schutt asked, Chief Matias?

Chief Matias stated, yes, this is the wellness grant that we applied for back in June of last year. We learned we were awarded the grant in October. I worked Officer Palka on this. We discussed this several months ago. Nothing has really changed. Unfortunately, it just took the State of Ohio quite a while to get all of the paperwork together for us. We finally got the paperwork together so we are ready to move forward with the grant. We were awarded \$173,340.00 for our wellness program through December 31, 2024. It's based on a reimbursement. Any cost we would get approved by the State and then they would reimburse us for it.

Council President Schutt asked, any questions or comments?

Mr. Meyers asked, is this program in-house or is it at a gym?

Chief Matias replied, most of it is in-house. That was kind of the idea, to try to bring all the parts of the program to the officers, dispatchers and fire. There will be options available depending on how things work out with the vendors.

Mr. Meyers stated, thank you.

Council President Schutt asked, any other questions or comments?

There were none.

Council President Schutt stated thank you Councilman Meyers and Chief Matias.

**ANY OTHER MATTER BEFORE COUNCIL**

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

Mr. McAviney stated, thank you Council President. The Parks Board has a meeting tomorrow at 6:00 at the Civic Center. On Thursday, we have a meeting with the Commission on Aging at 11:00 a.m. That will also be held in the Civic Center. We are also coming upon the part of the year where the volunteer sheets will be coming around in the next couple of weeks. We do have coming

up on April 1<sup>st</sup> our Easter Egg event down at the Grove. We will need some volunteers to help. The Pancake Breakfast will be here in this room this year. June 10<sup>th</sup> is Cruise Night. I have some sign-up sheets in case anyone is interested in getting a jumpstart with all that. I wanted to give you the opportunity before we round up some Parks Board people to sign up.

Council President Schutt stated, thank you, Mr. McAviney. Are there any other matters to come before Council this evening?

Mr. Wynne stated, yes. I just had one thing to mention. I was contacted last week by the State Auditor's office to start planning for their 2022 audit. Every year, they always issue a fraud questionnaire but it generally just goes to myself, the Mayor and the Council President. They told me that for the 2022 audit, all representatives of Council will get that questionnaire. From some of the comments I have heard, I think you already got it. I was going to give you a heads up about it, but you should have received it already from the State. They will be looking to you to respond to that directly to them. That's all.

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

There were none.

There being no further matters, the meeting concluded at 7:32 p.m.

Respectfully submitted,

Mary E. Betsa, MMC  
Clerk of Council