

COUNCIL CAUCUS MINUTES
Monday, October 2, 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, October 2, 2023. Council President Schutt called the meeting to order at 7:00 p.m.

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

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

MAYOR

Thank you, Council President. First off, I would like to thank everybody for your kind thoughts and prayers and your friendship. I think you all know that my Dad passed away over the weekend. It's really been a tough time for my sister and me and our families. But I want to tell you when something like this happens, you realize you have all the prayers, friendship and support in this world. I appreciate those very much. Thank you.

Secondly, I would like to commend the Recreation Department, Shane, Sam and Danielle for a wonderful Senior Fair on Thursday afternoon. Thank you to everyone here. All of the Departments really participated in that. We had a great showing. There were a lot of seniors who came in and talked to all of us. They got to know what we have to offer a little bit better. Thank you all for participating.

Council President Schutt stated, thank you, Mayor Bodnar.

COUNCIL PRESIDENT

As Mayor Bodnar mentioned, if we can keep the Mayor and her family in our thoughts and prayers with the passing of her father. I am very sorry to hear that, Mayor.

Mayor Bodnar stated, thank you.

Also, on another note, Happy Birthday to Mr. Coyne. His birthday is today.

The next Regular Meeting of Council is scheduled for Monday, October 16th at 7:00 p.m. here in the Civic Center.

PENDING LEGISLATION

- **Ordinance 2023-10**, entitled, “An ordinance amending Codified Ordinance Section 123.02 relating to contracts: advertising for bids; award, purchases and spending authority.” Introduced by Mayor Bodnar. (Administration) (First Reading – September 18, 2023)

Council President Schutt asked, discussion?

Mr. Meyers stated, I noticed tonight that it is coming up to authorize Specialized to do the crack sealing, but they are already three quarters of the way done. How does that work? We didn't pass the ordinance yet. They are already doing the work. We didn't vote to have it done.

Ms. Calta stated, my understanding of this is, and I don't want to steal anyone's thunder, we had other legislation before Council where the Village is participating with ODOT in their crack sealing program. We authorized the contract to have that work done. We are paying for it, but we contracted through them to do it. Just like when we had cooperative purchasing with the State where we did not have to competitively bid because the State has gone out and bid. Also, Sourcewell is another cooperative purchasing program we participate in. In this case ODOT went out and did all that bidding and they are doing the work. This is just to authorize the expenditure. Just the dollars for it.

Mr. Meyers stated, but the work's already done. That's why I am asking the question.

Ms. Calta stated, I think Ron and Tom can elaborate a little further. The contract was authorized. I just wanted to clarify that this isn't a contract that---

Mr. Meyers asked, but did they still bid the job and did they still go through the process?

Ms. Calta replied, yes. It was through ODOT's process that it was done.

Mr. Meyers asked, I thought it was only supposed to be \$75,000 according to 123.02?

Ms. Calta replied, that's for the Village. If another community or entity or State agency goes out and bids a project, we can contract with that entity or State agency that has already done the bidding. That's what's happened with this crack sealing, however, the actual expenditure of the monies to pay for it hasn't been authorized by Council.

Mr. Meyers asked, that's what I'm asking. How do you do the work and then authorize the money after the fact, that's my question?

Mr. Cappello replied, Al, what ended up happening is, again this is a cooperative bid. It's like what the State does on bids for vehicles and salt. Specialized was listed to do this type of crack sealing work. We had the authorization and we went through ODOT. Council passed the legislation to utilize ODOT. ODOT said, yes, now you are able to utilize them as a vendor. We didn't have to go through the competitive bid process. That's why we ended up accepting the State bid. What my mistake was I thought that when we had that we were good to go. The money's there, it's in the road budget.

Mr. Meyers stated, that's not the question. It's why is the work done before it's approved?

Mr. Cappello replied, that was my fault. Once we passed that ordinance, I thought we could go ahead and start the work. We are getting at a time of year where that work can't get done if the temperature drops.

Mr. Meyers stated, it's only on First Read. This Ordinance is only on First Read.

Ms. Wolgamuth clarified, Mr. Meyers, this is a different ordinance though. This ordinance is for the Village to change our rules about competitive bidding. It's separate from the ODOT ordinance.

Mr. Meyers stated, to go with the State and they do all the work and you just accept what they agree to.

Ms. Wolgamuth stated, we did pass that one in August. This one that's on Second Read is a separate thing that we are doing.

Mr. Meyers asked, just the amounts, the \$10,000 and the \$75,000.

Ms. Wolgamuth replied, right.

Ms. Calta replied, all the same topic but different pieces and parts.

Mr. Meyers stated, but the work's still done. That's my point.

Ms. Calta stated, yes, I think Tom explained that. It's not necessarily how you would put a timeline together but that's what occurred.

Mr. Cappello stated, it was my error. My miscommunication was the ordinance was passed and I thought we were good to go but obviously we had to pass the amount. I take responsibility for that Al.

Mr. Meyers replied, thank you.

Council President Schutt asked, any other discussion related to Ordinance 2023-10?

There was none.

Council President Schutt stated, Ordinance 2023-10 will move to Second Read at the Regular Meeting of Council on October 16th.

NEW BUSINESS FOR DISCUSSION
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**1) Recommendation by Planning and Zoning: D.O. Summers land-banked parking.
(Building/Law)**

Ms. Calta stated, this is a little bit unusual and not our standard request that comes from Planning and Zoning Commission to Council. This is a request for land that was landbanked and maintained as greenspace in front of D.O. Summers. Their request to Planning Commission was to unlandbank that parking or essentially now use it as parking. They were before the Planning and Zoning Commission in July. Everyone should already have a copy of those Minutes. Planning and Zoning then made a recommendation based upon a site plan that they reviewed identifying all of the parking on the site. There's a lot of history. Then it got to the Board of Zoning Appeals for a variance because the parking is in a section within the setback from the right of way and from the property line. Planning and Zoning recommended it contingent upon the variances being approved by BZA. It went to the Board of Zoning Appeals in September. In those Minutes which Council should also have, there is a memo from me that has an outline of all of the history. So, essentially, this property has gone through a lot of changes through the years. We dug deep into the archives back into the early '90's to go through the history on the property. The landbanking happened over 20 years ago. A few things have happened on the site since that time. The variances were approved by the Board of Zoning Appeals. Because it was a recommendation of the Planning Commission it does come to Council.

A couple of things. If approved by Council, it will create the only parking in front of any of those buildings from the freeway pretty much up to the intersection. The whole stretch there is pretty much all across from residential. During the BZA process, those properties within 300 feet would have been advised of the request. No one showed at the Board of Zoning Appeals meeting just so you know but a lot of those properties I understand are rental properties as well.

Just a couple of things to keep in mind on that. If you have any questions when you go through the Minutes, let me know. The site plan is now up to date. Originally when it was submitted it did not capture all of the changes that had been made on the property in over the 20 years. Without getting into too much detail, we had a change in our parking code. At the time it was approved 20 plus years ago, our parking code required a lot more parking on that site than it does now.

If there are any questions, I can answer them, or once you get a chance to look at the Minutes and that memo, if there are any questions, just give me a ring. This will be on for the October 16th meeting.

Mr. Murphy asked, there were three variances approved at the Board of Zoning Appeals?

Ms. Calta replied, that's correct. There were two for the setback of the parking, one for the sign. The sign was a variance to move it forward essentially because you have the parking there and if you leave the sign where it is, you won't see the sign.

Mr. Murphy stated, I guess I was confused. This might be a question for Dan. Why did we send D.O. Summers a letter saying that you have 10 days to appeal this if the variances were granted?

Mr. Russell replied, that letter is always sent out, approved or not approved.

Mr. Murphy stated, so it's canned language whether it gets approved or denied?

Mr. Russell replied, yes, the same letter goes out.

Ms. Calta stated, just to let you know, any interested party can appeal. So that can serve two purposes. In the instance where a variance isn't granted, that interested party can be the property owner but where they are granted, there could be other interested parties such as neighboring property owners that would be interested parties who could appeal that variance request. The applicant then knows that their approval is subject to a potential appeal within that time period.

Council President Schutt asked, any other questions or discussion?

There was none.

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

2) Appropriations Legislation (Finance Department)

Mr. Wynne stated, this time of the year is when we start during the month of October and November with legislation read in title only. In December we will have the actual numbers of the legislation to adjust the current year budget to reflect our actual results in items that Council has approved throughout the year that were not in the original budget. We also have to pass temporary legislation for the budget for the first three months of next year before the budget is finalized in the month of March.

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

There were none.

3) Healthcare Renewal (BORMA) (Finance Department)

Mr. Wynne stated, we received our renewal from BORMA for the medical plan. The results for this year were an increase of 14.99% for the plan we currently offer our employees. The Healthcare Task Force has met a couple of times, one with just ourselves and one with the insurance consultant. We have another one scheduled for this week. BORMA offers 9 different health plans. We are taking a look at all 9 plans and will probably recommend offering 2 or 3 to the employees. Based upon what those offerings are will determine the amount of payroll deductions each employee would pay and the cost to the Village. We hope to have a final recommendation at the Council meeting for that renewal.

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

There was none.

4) Vision Plan Renewal (VSP) (Resolution 2023-58) (Finance Department)

Mr. Wynne stated, we got our renewal for VSP. I did not bring those numbers with me, but I think the increase was around 1%. It's for a multi-year renewal. We will have legislation for that also. That goes into effect on January 1st.

Council President Schutt asked, any questions or discussion?

There was none.

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

5) Ordinance amending Code sections regarding forms of mail delivery (Ordinance 2023-12) (Law Department)

Ms. Calta stated, thank you very much. This actually came about after discussions relating to Ordinance 2023-10 and the legal notices. We were able to make some changes about legal notices and how they are published. We have a fair amount of Code sections that discuss sending notices by Certified Mail. What we have included in there is we kept in the Certified Mail notifications but then we have added in that notices can also be sent with receipt of mail. Things like FedEx or UPS or any other mail where there is confirmation of delivery as opposed to Certified Mail. Over the last couple of years, especially with COVID, there have been a lot of issues. Mary Beth just had to send out the sidewalk letters to residents for the ongoing repairs. We had a fair amount of letters that had to go out reminding residents about the sidewalk program. Sometimes you just don't get the green cards back or it takes a significant amount of time. We are making a recommendation to also add this other form of delivery to all of those sections that are noted. There's a fair amount of sections. If there are any questions about this, let me know. It's meant to give another option to the Village that might not be so time-intensive and expensive.

Mr. Meyers asked, how long do you give them to get the green cards back?

Ms. Calta replied, the mail has a specific amount of time or number of attempts they make. With COVID, what was happening in my experience was that carriers were signing for it.

Mr. Meyers asked, so they didn't have to have contact?

Ms. Calta replied, yes. We never really had confirmation that they had been received. I don't know that that's happening any more, but it can take some times upwards two to three weeks for something to be turned around.

Mr. Meyers asked, is there a rule that after a long period of time, you can pursue?

Ms. Calta replied, when we have complaints filed with the Court, they are sent Certified. There's refusal, failure to deliver, undeliverable as addressed. There are different reasons they come back. If you can't deliver it, it would probably be undeliverable. Depending on what the reason is, we go on to the next service. All in all, it can be very time-consuming.

Council President Schutt asked, any other questions or discussion?

There was none.

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

6) Aintree North, Sandalwood and Aintree Park Sidewalk Projects – additional legislation needed for assessments (Law Department)

Ms. Calta stated, speaking of the sidewalk project, we will have the next piece of legislation necessary to assess those properties that have not yet paid or repaired their own sidewalks.

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

There were none.

7) Senior Snow Removal Program – Approval of Contractors (Parks and Recreation)

Mr. McAviney stated, thank you Council President. As of today, we have 259 residents signed up for the program. We will probably get another 40 throughout the month of October. We have four contractors this year. Three of them have been with us for many, many years, Ameriscape, Arnold's and MJO. J.C. was new last year. They did a really good job. We had one contractor that we did not invite back because of their performance. Does anyone have any questions?

There were none.

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

8) Grove Restroom bid results (Cianci Construction - \$392,000) (Administration/Parks and Recreation)

Ms. Wolgamuth stated, thank you Council President. Mr. McAvineu and I put together a memo that we provided to Council in packets regarding the bids we received. Once again, we had five contractors who pulled bids. Only two actually submitted bids. Millstone Management is 10% over the Architect's estimate so that bid needs to be rejected. Cianci Construction was under the base bid at \$367,500. Jim McKnight is still reviewing the bids to make sure that all the numbers are right. We will have a formal recommendation by the Council meeting as to which alternates we want. I know Shane is still thinking that we might want to ask to have the metal roof instead of the shingled roof. We will have all of that and the contract ready for the next meeting. We are happy to answer any questions Council might have.

Mr. Meyers asked, is the split face brick and the metal roof numbers on top of the \$392,000 or is that included?

Ms. Wolgamuth replied, it's included. We did not include the \$14,000 for the metal roof, so then that would be on top of the \$392,000.

Mr. Meyers replied, okay.

Council President Schutt asked, any other questions or comments?

There were none.

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

9) Additional expenditure for toilet and handwashing rentals for the 2023 season (\$1,200 to Miller Portable Restroom; \$17,600 approved 1/23/23) (Parks and Recreation)

Mr. McAvineu stated, thank you Council President. I am requesting an additional \$1,200, although I really think it is going to be close to \$600 or \$800 for two reasons. One, when I did my regular calculations, their estimate did not include mileage charges back and forth. There was a slight mileage charge throughout the whole summer. Also, we wanted to close the restrooms down a little earlier this year so Service could get in and winterize them properly and have more than enough time to do that. With the playground being busy in October, I planned on putting three restrooms down there versus one or two restrooms down there because I don't think one will suffice in September and October.

Mr. Meyers asked, do they have an attendant there at every event?

Mr. McAvineu asked, at the playground?

Mr. Meyers replied, at the toilets. Do they have someone there at every event?

Mr. McAviney replied, no, the playground is open play. That's throughout the daytime. What we were discovering when we did not have port-a-pots over there is that kids were using bushes. That's why I decided to keep the restrooms there at the playground to December 9th so that situation won't occur.

Mr. Meyers asked, so the mileage is just to get them there and get them back basically?

Mr. McAviney replied, the initial drop for all of the pots and initial pick-up for all the pots. It added up to a couple hundred dollars. Like I said, I don't think we will be at the \$1,200. I think we will be close to \$600-800 at that.

Council President Schutt asked, any other questions or comments?

There were none.

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

10) Purchase of a 3-wheeled drag (Baker Vehicle Systems - \$38,065) (Service Department)

Mr. Sipos stated, thank you. I prepared a memo listing the three bids. Baker Vehicle Systems of Macedonia came in the cheapest at \$38,065. We are seeking Council's authorization to purchase a new ballfield groomer. Our current model is a 2003. We purchased it used in 2006. The motor is blown out. The hydraulics went bad. We can't get parts for it anymore because it is outdated. That's why we are looking to buy a new one. Any questions?

There were none.

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

11) Crack Sealing Program through ODOT Cooperative Purchasing Program (Specialized Construction - \$92,000)

Mr. Cappello stated, as we discussed earlier, this is to pay for the crack sealing project that we received through the State bid.

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

There were none.

Any Other Matter That May Come Before Council

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

There were none.

There being no further matters, the meeting concluded at 7:24 p.m.

Respectfully submitted,

Mary E. Betsa, MMC
Clerk of Council