

**MINUTES OF THE REGULAR MEETING OF COUNCIL
MAYFIELD VILLAGE, OHIO
Monday, October 16, 2023 – 7:00 p.m.
Mayfield Village Civic Hall-Mayfield Village Civic Center**

The Council of Mayfield Village met in Regular Session on Monday, October 16, 2023 at Mayfield Village Civic Hall at the Mayfield Village Civic Center. Council President Schutt called the meeting to order at 7:00 p.m.

Council President Schutt asked, Mrs. Betsa, may I have a Roll Call, please?

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. Marquart,
Mr. McAvinew, Mr. Russell, Mr. Sipos,
and Mrs. Betsa

Absent: Ms. Wolgamuth

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

The Pledge of Allegiance to the Flag was given.

CONSIDERATION OF MINUTES:

. **Regular Council Meeting – September 18, 2023**

Mrs. Jurcisek, seconded by Mr. Meyers, made a motion to approve the minutes of the Regular Council Meeting of September 18, 2023 as written.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Minutes of September 18, 2023 Meeting Approved as Written

• **Special Council Meeting – October 2, 2023**

Mrs. Jurcisek, seconded by Mr. Meyers, made a motion to approve the minutes of the Special Council Meeting of October 2, 2023 as written.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Minutes of October 2, 2023
		Meeting Approved as Written

Comments From Mayor Bodnar

Thank you Council President. I just have two things tonight. First of all, I received a request from Joe Cicero who is a member of our local Hillcrest Sunrise Rotary Club asking me to issue a Proclamation designating October 24th as World Polio Day in Mayfield Village and also commending the local Rotary Club as well as the Rotary Club International for the work they do and the contributions they make to eradicate polio worldwide. I have done so. I don't know if you all got a copy of the Proclamation. It's kind of fresh off the presses. If you would like one, let us know and we will e-mail a copy to you. So if you see someone from our local Rotary Club, please be sure and thank them for all of the work they do to eradicate polio.

The second thing I want to do is commend Shane and the Rec Department and Service, Fire and Police who participated on Saturday for our very successful Halloween party. It had to be moved indoors at the last minute. I counted 161 kids and I think they all had a blast. Thank you for your flexibility in making sure all those kids had a great time right here at the Civic Center. Thank you.

Council President Schutt stated, thank you, Mayor Bodnar.

Comments From Council President Schutt

On behalf of Council I support the Mayor's Proclamation commemorating World Polio Day as October 24, 2023.

I want to wish a Happy early birthday to Mary Beth Betsa. Her birthday is on October 29th. Happy Birthday and thank you for all you do.

The next Council Caucus is scheduled for November 6th in Reserve Hall so the Board of Elections can set up for voting in this room. The next Regular Meeting of Council will be held on Monday, November 20th in this room.

Please remember to vote on Tuesday, November 7th. The polls are open from 6:30 a.m. to 7:30 p.m.

Also, we change our clocks and fall back effective Sunday, November 5th.

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

Derek McDowell
6543 Highland

I have two letters to read. One is from my wife and one is from me. My wife's letter is first:

I am writing to bring Council aware of the ongoing traffic issues we are experiencing on Highland Road and to ask for a further solution as the current one is not working or sustainable. For the past 5 years we have experienced issues with vehicles not stopping for the bus while it is picking up our children. The beginning of every school year, we contact the Police Department and an officer is put on patrol at the Baptist Church on Highland Road for a couple of weeks. We will call the Police Department again in the Spring when traffic gets bad again and they send a patrol.

Last March 2022, we had contacted the Police Department after a vehicle did not stop for the bus. This time with the video from our security camera, the police again put patrol at the Church. A week later again with video from our camera and with police now on patrol, a van did not stop for the bus and the policeman did not pull them over. When I questioned why, they gave me multiple excuses as to why and I went as far as debating the school bus law with the Mayor and the Chief of Police. Those e-mail conversations have recently been sent to Council.

Section 4511.75 of the Ohio Revised Code says the driver of a vehicle upon meeting or overtaking from either direction any school bus stopped for the purpose of receiving or discharging any school child shall stop at least 10 feet from the front of the school bus and shall not proceed until such school bus resumes motion or until signaled by the school bus driver. The law clarifies it is no defense to a charge under this division that the school bus involved failed to display or be equipped with an automatic extended stop warning sign. The law is extremely clear that if a bus is stopped, a vehicle must stop. The Mayor and Police Chief agreed with this but further clarified that people do not understand the law. As a result, the Chief is going to ask the school district to remind the bus drivers to use lights. They are going to include it in the *Voice of the Village* which most people traveling down Highland Road do not read as they are not residents.

When the 2023 school year began, again we ran into issues again with vehicles running the bus while my children are getting on. We asked the Police Chief to take a zero tolerance stance on this as our neighbor in Mayfield Heights has done and start giving citations. All of Council have been included on his response. He wants officers to add discretion during traffic stops on whether the lights are on or the stop sign has been extended which again is not in accordance with the Ohio Revised Code. Police continue to patrol Highland Road during the school year but my question is if we continue to have a zero tolerance policy, what is a police presence going to accomplish? Since March 2023, only one citation has been given from a school bus incident on Highland Road

and it was after pressing the Village on this stance. There's not a long term solution to this safety issue with the Mayfield Village children, but whether there be a sign alerting school bus stop ahead or working with the transportation department to send citations based on bus cameras. Something needs to be done and I am asking Council to help find a solution.

Sincerely,

Nicole McDowell

My letter: I am requesting that the Mayfield Village Police Department take a zero tolerance stance on school bus safety. Over the last five years, since my daughter has been in kindergarten at Center Elementary, vehicles continually run the bus while it is stopped to pick up my kids. Each year I must call the Police Department and request enforcement. The solution for them is when available, they will park at the Church as a deterrent so people stop when they see them there.

There have still been occasions when a vehicle has passed a stopped bus. On March 8, 2023, a police car was posted across the street when a white van passed the stopped school bus. The officer did not pursue the vehicle. When sending an e-mail to the Mayor and Chief of Police, the Mayor responded to my complaint with an incorrect interpretation of what the school bus law actually was and inappropriately further tried to blame the school bus driver for not actuating the lights. All during this exchange, vehicles continued to run the school bus at times in front of the police.

An incident in June occurred and when I asked the Chief if the driver was cited, he said a citation was not issued because the bus driver waved the car through. As a witness to the violation, I can attest that the bus driver did not wave the driver through. In total, I know only one citation was issued by the Police Department for violations that have occurred in front of my house. When asking the Police Department for a zero tolerance policy, the Chief failed to commit and said that he allows his officers discretion when violations occur. I am requesting the Police Department follow the lead of our neighboring community, Mayfield Heights, as indicated in their newsletter, and commit to a zero tolerance on these violations.

Also concerning as a resident, throughout this continued interaction, the Mayor and Police Chief have said numerous lies. In the first instance, the story changed multiple times and when pressed where the lies originated, even after submitting proof of the lie, I never received a response. Furthermore, the latest interaction involved the bus driver waving the driver through. I called Administration and spoke to Diane who was in a meeting with the Mayor and Chief of Police. When asking her about the integrity of the Village, she asked me how I knew the bus driver didn't wave the car through? I simply stated that I was there. My wife and I are there every morning putting our kids on the bus.

As a resident, I am disgusted with the lack of integrity as well as the communication from Administration and the Police Department. As leaders in this community, they should have integrity and communicate effectively and timely with residents. I'm saddened that this interaction

has gone on for so long without any resolution or commitment for zero tolerance from the Police Department. The Mayor and Police Chief have pushed back at every interaction rather than act in a collaborative and productive manner. As it is currently not feasible for bus drivers to report violations as there's no longer a front license plate mandate in Ohio, I would like to hear productive ideas how bus safety can be improved in the Village. My hope is that a zero tolerance policy will be instituted, maybe a bus caution sign can be installed along the road. Maybe the Police Department can form a productive working relationship with Mayfield Schools' transportation department with some Council oversight to ensure the Police Department is doing their job.

Sincerely,

Derrek McDowell

Council President Schutt asked, are there any other comments this evening?

Jeff Heinrich

NOPEC

I wanted to give you a guys an update on your enrollment since you were recertified with the electric aggregation. As it stands today, and this could change day to day, definitely week to week with people who opt out or opt back in, Mayfield Village is currently at a little over 1,900 enrollments with NOPEC. It's 1,1165 electric and 741 gas.

I wanted to draw your attention real quick to the program participation part on the sheet I distributed to everyone. In Cleveland Heights, where I live, we have had an influx of door to door energy salespeople who are very good at what they do. I happened to be out on my porch as an employee of NOPEC who is the provider for Cleveland Heights and the person said, I am with your electric provider and my wife said, really, you should talk to my husband because he's the one who pays the bills (she pays all the bills). I came out and I said, hi, I'm Jeff and they said, hi, I am with your electric provider. And I said, oh, you're with NOPEC, knowing we don't do door to door solicitation. He said, well, I am with your electric provider. I asked, NOPEC? And he said, your electric provider. I said, listen, I know you got a job to do. We are not falling for it. I work for NOPEC. We don't do door to door. Please take your business elsewhere. Kind of funny interaction because he picked the wrong house as we have 20 employees and I am one of them and he ends up my door, but the real issue is that, especially senior citizens in communities, all prey to this on a daily basis. Mayor Bodnar, you remember when we had our Q/A months back when we were recertified with electric. Afterwards we did one on one talks with community members. One woman told me that she fell prey to the door-to-door solicitation, so instead of paying the NOPEC given rate which is 6.4 cents, she is currently paying .13 a kilowatt with a \$200 cancellation fee. Mayor Ward of Lyndhurst said, oh, you must be talking about a certain provider. He banned them from the City because he had gotten so many complaints. A way to take care of that is the Do Not Knock program. You sign up. Your community residents would put themselves on the program. That will tell door to door solicitation people they can't go to those addresses. Just something to keep in mind.

The other thing is our gas opt-in program. How it is now is if you decide to opt out of the NOPEC electric program but then they say, or actually their price was pretty good, I want to opt back in, they can call the next day if they want and opt back in. Gas isn't the same way. That's above our pay grade. That's the PUCO. They dictate this. You have to wait a whole cycle to get back into the gas program if you opt out. If you were to pass simple legislation for the gas opt-in program, residents can then opt out on a Monday and if they decide to opt back in on a Tuesday, they can do that. It's just something to keep in mind.

I see you guys did use your sponsorship money. Looks like your grant money has been dispersed accordingly, so that's great. A question that has come up in the past couple of years is where does NOPEC get that money? It feels like they are doing it off the backs of our constituents. How does that happen? That's on us. We really haven't done a great job of communicating how that money comes about. I don't know about you guys, but in Cleveland Heights at my address, we get mailings on a weekly basis from ABC Energy. If you go on 1100, you are going to hear an energy provider say sign up now at so and so.com. On TV, same thing. All of that advertisement adds up to millions and millions of dollars. Our provider Next Era doesn't do that. NOPEC is kind of their advertising. They provide us with the energy. We go to our communities and that's about it. Instead of them keeping that advertising money, we said, hold on, put that in a special category where we can give back to our community. So that's how you get your sponsorship, your grant money, so on and so forth. If that question does come up, certainly you can send them my way.

My number and e-mail is on the piece of paper. If you just want to take care of it on the phone, if someone were to call you and stop you at the supermarket or whatever, that's how that comes up. Like I said, it doesn't come up often but it does come up more often in the last two years. I just wanted to make sure you guys were abreast of all that. At the back of the page is the total amount of your NEC disbursements dated as of 2018. As usual, if you have any questions, anything at all, call, e-mail, I'm always available. Thank you.

Mayor Bodnar asked, Jeff, do you have sample legislation for the gas opt-in program?

Mr. Heinrich replied, not with me. I can e-mail it to you tomorrow.

Mayor Bodnar stated, that would be great thanks.

Ms. Calta stated, and Jeff, we do have a No Solicitation registry in the Village. The Police Department has a list.

Mr. Heinrich replied, perfect. If you guys have your own, that's great.

Mayor Bodnar stated, thank you.

Council President Schutt stated, thanks for the information. Any other comments this evening?

There were none.

Department Head Reports:

Diane Wolgamuth (Administration) – Thank you, Council President. Reporting on behalf of Diane Wolgamuth, Mrs. Betsa stated, Citizen’s Advisory will be meeting next Monday, October 23rd in this room. The main agenda item is a continuation of the discussion regarding participation in the *Kindland* initiative.

Council President Schutt asked, any questions?

There were none.

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

Daniel Russell (Building Department) – Thank you, Council President. I only have one item to report on tonight which is the September 19th Board of Zoning Appeals meeting. We had two applications come in. The one was unanimous approval for a variance. The second application was approval on one and a denial on the other. That’s all I have.

Council President Schutt asked, any questions?

Mr. Murphy asked, Dan, was one of them about the fence?

Mr. Russell replied, there was a fence and a shed on one of the applications. The shed was denied.

Mr. Murphy asked, did they appeal that?

Mr. Russell replied, no. The shed was denied and the fence was approved.

Mr. Murphy asked, and they had 10 days to appeal it?

Mr. Russell replied, exactly.

Mr. Murphy asked, and they didn’t appeal it.

Mr. Russell stated, no. They changed their mind on that.

Mr. Murphy stated, thank you.

Council President Schutt asked, any other questions or comments?

There were none.

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

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

Paul Matias (Police Department) – Thank you Council President. I just wanted to go over something, kind of tailing off our NOPEC presentation. A couple of weeks ago, we had the Senior Resource Fair. While we were there, we handed out a lot of the No Soliciting stickers for people to put on their doors. We have plenty of them. If anyone needs them, let me know. We handed out a lot of sheets with information about avoiding scams, including our scam hotline that we use to try to be proactive with dealing with scams in the community. I networked a little bit with the Cuyahoga County Consumer Affairs representative who was at the fair. After talking with him, a few days later I was contacted by the Consumer Affairs Scam Squad which is a task force put together of government and non-profits and social services to try and address the problem of scams. They invited us to join the task force. I am really happy about that. I had a virtual meeting with them a few days ago. There are a lot of great resources. We will be partnering up with them.

Going back to the NOPEC issue, some of these companies out there are legitimate companies but their sales people can be a little bit deceptive. When we do issue permits for these companies, Maura and I monitor it to see if there are any complaints or issues because if they are being aggressive or deceptive, we can pull their permits. We haven't had many since COVID. A lot of the permits have dropped off. We do keep an eye on it to make sure there are no problems. If we do, we can address those companies. Like I said, I am very happy to be part of the task force and hopefully we will get a lot of good information from them. That's all I have.

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, thank you, Chief.

Shane McAvinew (Parks and Recreation) – Thank you Council President. I do have a handful of things to report on. First, with regard to the Trick or Treat Trail, it was a challenge that day, but it went very very well. It takes so many bodies to do that event. I would like to thank my staff, Sam, Danielle, Mayor Bodnar and her daughter, the Jersey family, Mary Murphy, Pat Andrzejczyk, the Parks Board. I always forget to thank my wife and son who are always there for me, so I would like thank Christina and Ryan tonight. The Interact Club did a phenomenal job. There were a lot of new young people there. They make it work for the kids. They get themselves involved. They listened to me about dressing up and enjoying the day. Gino from our Service Department led the pumpkins outside. He did a really good job. We had some other volunteers who helped out. It would not have been possible without the volunteers and the hard work.

Also, this year we have the Halloween Window Painting Contest. I don't know how many windows have gotten painted so far, so we might be pushing it because of the cold weather and the rain. I never dealt with this much bad weather for them to get the windows done in time. Hopefully in the next couple of days they will be able to get out. There will be 20 windows. I am posting pictures of them every day on Facebook. They are really good this year.

Up next for the Parks Department, we have the Holiday Decorating Contest which will happen in early December. Last year we had 50+ houses signed up. Hopefully we will get a few more this year. On the 2nd of December, is the Santa and Christmas Tree Lighting. On the 7th of December is the Menorah.

Reporting on our senior program, we had a wonderful self-defense program led by retired Chief Edelman. He surprised me. He was one of the instructors that day. We had 15 older adults who came out. We have one more for November this year. There are already 15 people signed up for it.

We have our Veteran's Day Ceremony on November 10th at the Community Room. An e-mail will go out about that.

The Village residents' party will be on the 8th. It's for the older adults in Mayfield Village. We always invite Council. Also, we have the holiday brunch with Frank and Dean for residents and non-residents.

Lastly, I will not see you at the next meeting. I will be having knee surgery. You will get a memo on the 2nd of November. I will hopefully be returning on the 20th for the Council meeting. I will be returning e-mails and phone calls if needed. The memo will come out in two weeks with more detail. But, I will be back on the 20th. Are there any questions? Thank you.

Council President Schutt stated, thank you, Mr. McAviney. Good luck with your surgery.

OLD BUSINESS

- **Second Reading of 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. (First Reading – September 18, 2023) (Administration)

Council President Schutt asked, any questions or comments?

There were none.

Council President Schutt stated, Ordinance 2023-10 will move to Third Read at the Regular Meeting of Council on November 20th.

NEW BUSINESS

- **First Reading of Ordinance 2023-12**, entitled, “An ordinance amending certain Codified Ordinances relating to Certified Mail notification to also permit Express Mail and other forms of delivery with a signed receipt or proof of delivery.” Introduced by Mayor Bodnar. (Administration)

Council President Schutt asked, any questions or comments?

There were none.

Council President Schutt stated, Ordinance 2023-12 will move to Second Read at the Regular Meeting of Council on November 20th.

- **First Reading of Ordinance No. 2023-13**, entitled, “An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2023 and ending December 31, 2023 and declaring an emergency.” Introduced by Mayor Bodnar. (Finance Department) (Read in title only)

Council President Schutt asked, any questions or comments?

There were none.

Council President Schutt stated, Ordinance 2023-13 will move to Second Read at the Regular Meeting of Council on November 20th.

- **First Reading of Ordinance No. 2023-14**, entitled, “An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2024 and ending March 31, 2024 and declaring an emergency.” Introduced by Mayor Bodnar. (Finance Department) (Read in title only)

Council President Schutt asked, any questions or comments?

There were none.

Council President Schutt stated, Ordinance 2023-14 will move to Second Read at the Regular Meeting of Council on November 20th.

- **First Reading of Resolution No. 2023-58**, entitled, “An emergency resolution authorizing an agreement with VSP for an employee Vision Care Plan.” Introduced by Mayor Bodnar (Finance)

Mr. Murphy, seconded by Mrs. Jurcisek, made a motion to suspend Resolution No. 2023-58.

ROLL CALL: AYES: All	Motion Carries
NAYS: None	Resolution Suspended

Mr. Murphy, seconded by Mrs. Jurcisek, made a motion to enact Resolution No. 2023-58.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES: All	Motion Carries
NAYS: None	Resolution Adopted

Council President Schutt stated Resolution 2023-58 passes.

- **First Reading of Resolution No. 2023-59**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2023.” Introduced by Mayor Bodnar (Finance) (Read in title only)

Council President Schutt stated, any questions or comments?

There were none.

Council President Schutt stated, Resolution 2023-59 will move to Second Read at the Regular Meeting of Council on November 20th.

- **First Reading of Resolution No. 2023-60**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to advance from the proceeds of tax levies for the collection year 2024.” Introduced by Mayor Bodnar (Finance) (Read in title only)

Council President Schutt stated, any questions or comments?

There were none.

Council President Schutt stated, Resolution 2023-60 will move to Second Read at the Regular Meeting of Council on November 20th.

- **First Reading of Resolution No. 2023-61**, entitled, “An emergency resolution authorizing Mayfield Village to accept the bid of Cianci Construction Group for the Grove Restroom Building Project in the amount of \$406,000.” Introduced by Mayor Bodnar (Parks and Recreation)

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend Resolution No. 2023-61.

ROLL CALL: AYES: All	Motion Carries
NAYS: None	Resolution Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Resolution No. 2023-61.

Council President Schutt asked, any discussion?

Mr. Meyers asked, how much of that is grant money?

Mr. Wynne replied, \$250,000.

Mr. Meyers asked, \$250,000?

Mr. Wynne replied, yes.

Council President Schutt asked, any other discussion?

There was none.

ROLL CALL: AYES: All	Motion Carries
NAYS: None	Resolution Adopted

Council President Schutt stated Resolution 2023-61 passes.

- **Motion to remove from the table a motion to approve a recommendation from the Planning and Zoning Commission for site plan approval of five (5) additional parking spaces for applicant D.O. Summers & Wheely Clean Car Wash, located at 6447 Wilson Mills Road, which was contingent upon BZA’s approval of two (2) front setback variances. (Building Department) BZA’s Approval was received on September 19, 2023.**

Mrs. Juncisek, seconded by Mr. Meyers, made a motion to remove from the table a motion to approve a recommendation from the Planning and Zoning Commission for site plan approval of five (5) additional parking spaces for applicant D.O. Summers & Wheely Clean Car Wash, located at 6447 Wilson Mills Road, which was contingent upon BZA’s approval of two (2) front setback variances. (Building Department) BZA’s Approval was received on September 19, 2023.

Council President Schutt asked, discussion?

Mr. Murphy asked, can someone explain what's going on with this one and the next one?

Ms. Calta replied, if you remember back to September, this popped up on the agenda because of the Planning Commission meeting. Typically when things are granted by the Planning Commission, it will then come to Council for approval. However, because the Planning Commission approval was contingent on the BZA approval, we had to have the BZA meeting in September. This was placed on the table until that BZA meeting. This is the first motion. To procedurally just take it from the table and then place it on this agenda. The second one is the motion to approve the recommendation of the Planning Commission.

Mr. Murphy asked, so did we approve it before on the table?

Ms. Calta replied, no. You just placed it on the table. You kind of just set it aside until the BZA meeting.

Mr. Murphy asked, so now we are taking it off the table?

Ms. Calta replied, and considering it, yes

Mr. Murphy stated, okay. Thank you.

Ms. Calta stated, this is just to place it in front of Council again.

Council President Schutt asked, any other discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Motion Removed from the Table

- **Motion to approve a recommendation from the Planning and Zoning Commission for site plan approval of five (5) additional parking spaces for applicant D.O. Summers & Wheely Clean Car Wash, located at 6447 Wilson Mills Road, which was contingent upon BZA's approval of two (2) front setback variances. (Building Department) BZA's Approval was received on September 19, 2023.**

Mrs. Jucisek, seconded by Mr. Meyers, made a motion to approve a recommendation from the Planning and Zoning Commission for site plan approval of five (5) additional parking spaces for applicant D.O. Summers & Wheely Clean Car Wash, located at 6447 Wilson Mills Road, which was contingent upon BZA's approval of two (2) front setback variances. (Building Department) BZA's Approval was received on September 19, 2023.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Recommendation Approved

- **Motion to acknowledge receipt of financial reports for September 2023 and to approve of same as submitted. (Finance Department)**

Mrs. Juncisek, seconded by Mr. Marquardt, made a motion to acknowledge receipt of financial reports for September 2023 and to approve of same as submitted. (Finance Department)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Financial Reports for September 2023 Acknowledged And Approved as Submitted

- **Motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with Arnold's Landscape and Design for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$27,200.00. (Parks and Recreation)**

Mrs. Juncisek, seconded by Mr. Marquardt, made a motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with Arnold's Landscape and Design for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$27,200.00. (Parks and Recreation)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Proposal Accepted Expenditure Approved

- **Motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with Ameriscape Land Design, Inc. for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$29,450.00. (Parks and Recreation)**

Mrs. Jurgisek, seconded by Mr. Arndt, made a motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with Ameriscape Land Design, Inc. for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$29,450.00. (Parks and Recreation)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Proposal Accepted
		Expenditure Approved

- **Motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with MJO Lawn, Inc. for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$26,600.00. (Parks and Recreation)**

Mrs. Jurgisek, seconded by Mr. Arndt, made a motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with MJO Lawn, Inc. for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$26,600.00. (Parks and Recreation)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Proposal Accepted
		Expenditure Approved

- **Motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with James Cellura, LLC for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$20,400.00. (Parks and Recreation)**

Mrs. Jurgisek, seconded by Mr. Arndt, made a motion to authorize Mayfield Village to accept the proposal of and enter into an Agreement with James Cellura, LLC for the 2023-2024 Senior Snow Removal Program in an amount not to exceed \$20,400.00. (Parks and Recreation)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Proposal Accepted
		Expenditure Approved

- **Motion to approve additional expenditure in the amount of \$1,200 to Miller Portable Restroom for toilet and handwashing rentals for the 2023 season (\$17,600 approved 1/23/23) (Parks and Recreation)**

Mrs. Jurcisek, seconded by Mr. Arndt, made a motion to approve additional expenditure in the amount of \$1,200 to Miller Portable Restroom for toilet and handwashing rentals for the 2023 season (\$17,600 approved 1/23/23) (Parks and Recreation)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Additional Expenditure Approved

- **Motion to approve expenditure in the amount of \$38,065 to Baker Vehicle Systems for the purchase of a new stand-on ballfield groomer. (Service Department)**

Mrs. Jurcisek, seconded by Mr. Meyers, made a motion to approve expenditure in the amount of \$38,065 to Baker Vehicle Systems for the purchase of a new stand-on ballfield groomer. (Service Department)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Expenditure Approved

ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL

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

Mrs. Jurcisek stated, I just wanted to follow up real quick with what Mr. McDowell had said in the audience today during the open portion. I know I talked to the Chief before. Besides Highland Road, I know there are a couple of families on Wilson Mills who have also expressed concerns regarding people passing buses. I am asking maybe if we can think out of the box and if there is

something we can do extra. I don't know if there's a sign we can put on Highland at either direction or on Wilson Mills. Something maybe we can consider in the next couple of months and discuss.

Chief Matias stated, first of all, as far as this being a problem for the past 5 years, I have been the Chief during that time. The first time I heard of their complaint was last spring. Since then, basically there is a police car in front of their house every morning when their kid gets on the bus. If the officer sees a violation, he will do a traffic stop and write the ticket. Whatever their issues would be with the department, there's a police car every morning in front of his house. As far as Wilson Mills, we have two or three cars on the road. We have a school zone; we have other special attentions we do. We try to monitor as much as we can. I have not received any complaints this school year from bus drivers or any other residents.

Mrs. Juncisek stated, I just didn't know if there was something, I don't know if we could put up a sign. Those two roads are travelled by a lot of non-residents with traffic coming on. If there's something extra we can do that the other communities do like post signs saying this is a bus stop or just an extra warning.

Mayor Bodnar stated, I don't think I have ever seen signs other than school zone signs. This would be for something different. We can look into it. Chief, I know you worked with the people in the transportation department over at the bus garage. For the people who have noticed things along Wilson Mills, have them contact me or the Chief and e-mail us so we can hear from them and see what's going on. Okay?

Mrs. Juncisek replied, okay.

Mayor Bodnar stated, thank you.

Mr. Meyers asked, which end of Wilson Mills are we talking?

Mr. Sipos replied, east side.

Mr. Meyers asked, east of SOM or west of SOM?

Mrs. Juncisek replied, east.

Mr. Meyers stated, because west of SOM the laws are a little different.

Mayor Bodnar stated, two lanes versus four lanes.

Mr. Murphy stated, like Brenda said, I would imagine that the school bus drivers are aware. They should be reporting those incidents. Maybe we can target problem areas and then maybe we know where to go. Maybe it's a reiteration where you don't know who to talk to and maybe someone can point me in the right direction to reiterate to the bus drivers that if there's someone passing you when there are lights on, it needs to be reported. No ifs, ands, or buts.

Mrs. Juncisek stated, I did hear that they are putting cameras on the busses. I think it's supposed to be completed at the end of this year. I don't know how that works with the police department.

Chief Matias asked, are those cameras for traffic or for the bus?

Mrs. Juncisek replied, I don't know.

Chief Matias replied, I haven't heard anything about cameras on the buses.

Mr. Murphy stated, I am not speaking as an expert, but I heard from a friend of a friend that there's a certain percentage of buses in each school district that have these cameras on them. I don't think it's every bus, but I think it's a new law that came to be. That corroborates with what Jen's hearing, that some buses are going to be getting cameras.

Mr. Meyers asked, do you have the Revised Code for that?

Mr. Murphy asked, do I have the Revised Code for that, right here-in my back pocket. No, I don't.

Mayor Bodnar stated, we will look into it.

Ms. Calta replied, I do know that truckers have an amazing amount of cameras on their semis. I wouldn't be surprised if buses don't start having it.

Chief Matias replied, we can put cameras on anything. They have the technology out there. It's just the enforcement side of it. Those would be the schools. That wouldn't be ours.

Ms. Calta replied, they would have to share it with us or give us access to it.

Mr. Williams stated, he seems to keep referring to this no tolerance policy regulation initiative. Is that something real? Is that something that needs to be talked about?

Chief Matias replied, our officers are instructed that if they have a school bus violation they write the ticket. When I talked about discretion, what my point was is that for an officer to issue a ticket especially for a serious violation like passing a school bus, if the person contests it and the officer goes to court and testifies that they saw a violation, describe the violation and be 100% sure that they witnessed the violation. When I talked about discretion, if the officers don't believe there was a violation, I can't have them writing the ticket. That's the point I was trying to make. So the zero tolerance, sure, it's just semantics. We can say zero tolerance and that is what the officers are instructed to do. But when I discuss discretion, they have to be sure they saw a violation. You can't be like it was a close call or maybe it was a violation.

Mr. Williams stated, his concern seems to continuously be that there's not a no tolerance policy. That's what I keep reading and hear tonight.

Mayor Bodnar stated, that's what he is saying, but I think he's saying that you can't have a zero tolerance policy and allow an officer to have some discretion in situations. There's a lot of different facts like whether the bus came to a complete stop, how far away was the car, was he waved on by the driver, there are a lot of these questions. An officer who is there on duty on the spot has to have some discretion in that situation. That's not to say we don't want to issue citations for people who break the law, especially when there are children involved. But it is to say that an officer who is posted there has to be able to assess the situation and make the best determination that he can.

Mr. Williams asked, why do we think that is so hard for him? All due respect it is the concern. Why is it so hard to convey this message? He keeps bringing it up.

Mayor Bodnar replied, I think we have conveyed it. It wasn't hard for us to convey. I can't speak for how he took that, but we conveyed it.

Mr. Williams stated, he'll be back.

Council President Schutt asked, any other comments on this topic?

Mr. Arndt asked, what if we put a temporary camera there? You can buy a camera anywhere nowadays from Amazon or another place. What if we put a temporary camera over there where his house is or by the street? We may see something that he may see different.

Chief Matias replied, like said, I have an officer there every morning. As far as the camera, I don't know what kind of camera you are thinking about.

Mr. Arndt stated, it could be wired up with hotspots.

Ms. Calta asked, Chief, your cars have dash cams, right?

Chief Matias replied, no. We are getting them installed in November. With all due respect, the idea that either the officers aren't or don't have the ability to see these violations, I will disagree with that. To say we have an officer there, but maybe we need a camera to verify that the officer's not missing something? It's the only street that every morning there's a police car sitting in front of the house for his kids to get on the bus. If they see a violation, they will pull the car over and they will write a ticket. We said that before. That's what's going to happen. If it's not a violation, the officer can't write the ticket.

Mr. Williams asked, Chief, why isn't he getting that? That's where the conveyance challenge is to me.

Chief Matias replied, I can't answer that.

Ms. Calta asked, can I just jump in for a second?

Chief Matias stated, I'm just saying, I believe we are doing everything we can do. Yes, we could put signs up. People don't look at signs. They don't look at speed limit signs. We know that. I don't think signs are going to make any difference. There's an officer there. Every morning. If they see a violation, they will make a traffic stop and give them a ticket. The problem is being addressed. I can't shut traffic down on Highland Road from 7:45 to 8:15 every morning. It's being addressed.

Ms. Calta asked, Chief, can I just jump in? I wasn't insinuating that anybody wasn't doing their job in any way. I just think from vantage points, if he's loading his kids on to the bus, he's not going to see if the driver of the bus is waving someone on. He sees the one side of the bus which is where the kids are. He's not necessarily going to see what the officer does. There's a lot of different angles on a bus. If someone stops and they go and the bus is loaded but maybe not moving yet, there's a lot of different things. This is the first I have heard of this, just so you all know. I think it's just vantage points.

Chief Matias stated, these violations aren't where the bus is stopped and the cars just blow through the stop. It is a split second to where the other car traveling 35 miles an hour which is about 50 feet per second and then the bus coming to a stop and then as the bus comes to a stop a second later, the car that's already traveling passes it. Those are the violations that Mr. McDowell is talking about. They are not, the bus stopped; the kids are getting on; the flashers are going; people are just completely disregarding it and going by. These are split seconds that I have seen from his Ring camera.

Mr. Meyers asked, yellow lights or red lights? They can pass on yellow?

Chief Matias replied, yes.

Mr. Meyers stated, I agree with the police department. You see a police car there, you are not going to drive through. That's what they are there for. To let people know they are watching. That's what I don't get either. You see a police car there. You are not going to deliberately drive by the bus. That's why I am wondering are the lights yellow when they are driving by, if that's what he is insinuating.

Chief Matias replied, I am not going to try to understand Mr. McDowell's perspective. I respect his position that his family wants the roadway safe for the kids getting on the bus. But again, from my perspective, I believe the Police Department is addressing it appropriately.

Mr. Murphy asked, Chief, have you heard from any bus driver specifically, Mr. McDowell's kids' bus driver?

Chief Matias replied, no.

Mr. Murphy stated, then that's what I would say to Mr. McDowell. He sees the bus driver every morning. He has to be in a good relationship with the bus driver. It's like, hey, can you call the police or can you report this? And the bus driver should say I did or didn't wave that car on. The

bus driver is the only one who can corroborate the story. I don't know if he's asked the bus driver to do that or not, but I think that's something I would suggest to him to do.

Mr. Williams stated, it sounds like a direct conversation is due. This e-mail back and forth and these long explanations, people can read into them any way they want to, but Denny just said it. Say it, if you haven't. It sounds like a face-to-face conversation. I'm not him. But that's what seems to be missing here. Because he keeps coming. And he's not going to stop.

Mayor Bodnar stated, just for the record, I will say that we have put things in writing sometimes for people just so we have a written record of what was said. Even then, we tend to get misconstrued from people on what we are saying. For the record, I think that Chief Matias and the Police Department have done a very good job of handling this particular instance. As the Chief said, the gentleman who was here tonight is the only gentleman in Mayfield Village who has a police car stationed outside of his house. We have all of the children in Mayfield Village to protect. They don't get a police car stationed outside their house to see if someone is going to pass a bus. I respect it, but I want to say that you are doing things wisely and fairly. I don't think I need to second guess that. Thank you.

Chief Matias stated, thank you, Mayor.

Council President Schutt asked, any other questions or comments on this topic?

There were none.

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

There were none.

ADJOURNMENT

Mrs. Juncisek, seconded by Mr. Arndt, made a motion to adjourn. The meeting adjourned at 7:52 p.m.