

**COUNCIL CAUCUS MINUTES**  
**Monday, March 4, 2024 – 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 in Mayfield Village Civic Hall at the Mayfield Village Civic Center on Monday, March 4, 2024. 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. Marquart,  
Mr. McAvinew, Mr. Sipos, Ms. Wolgamuth  
and Mrs. Betsa

Absent: Mr. Russell

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

**MAYOR**

Thank you, Council President. Not much this evening. I just wanted to commend Shane and the Recreation staff for the great concert with the Chardon Polka Band two Thursday nights ago. It was a lot of fun. It was well attended. This week you have Justo Saborit, Latin Jazz. That should be fun. That's all I have. Thanks.

Council President Schutt stated, thank you Mayor Bodnar.

**COUNCIL PRESIDENT**

I want to wish Happy early Birthday to Councilman Mark Arndt. His birthday is on March 9<sup>th</sup>. Don't forget to move your clocks up an hour before you go to bed on Saturday, March 9<sup>th</sup>. Daylight savings begins on March 10<sup>th</sup> at 2:00 a.m.

The next regular meeting of Council is scheduled for Monday, March 18<sup>th</sup> at 7:00 p.m. in Reserve Hall so that the Board of Elections can set up Civic Hall for Election Day on Tuesday March 19<sup>th</sup>. Don't forget to vote. Polls are open from 6:30 a.m. to 7:30 p.m.

**PENDING LEGISLATION**

- **Ordinance 2024-01**, entitled, “An emergency ordinance authorizing and directing the Mayor and President of Council to enter into a delinquent debt collection agreement with the Ohio Attorney General for the collection of unpaid and delinquent receivable debts owed to the Village.” Introduced by Mayor Bodnar (Finance) (First Reading – January 22, 2024; Second Reading – February 19, 2024)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, upon Third Reading and assuming passage at March's Regular meeting, this legislation will take effect immediately.

- **Ordinance No. 2024-02**, entitled, “An ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2024 to December 31, 2024.” Introduced by Mayor Bodnar. (Read in title only) (Finance Department) (First Reading – January 22, 2024; Second Reading – February 19, 2024)

Council President Schutt asked, any questions?

Mr. Wynne stated, you have had the budget for about a month. There's been two changes of significance since you received it. Since the Supreme Court came down with their decision on the 2020 refunds, I have increased the income tax collection budget by \$1,000,000. On the expense side, we got some updated numbers on the Ridgeway Boulevard road project this year. We increased the cost of that from \$660,000.00 to \$720,000.00. We had to increase the expenditure by \$60,000.00 to cover the increase in material costs. There have been no other changes to the budget besides those two items since you have received it.

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

There were none.

Council President Schutt stated, upon Third Reading and assuming passage during March's Regular meeting, this legislation will also take effect immediately.

- **Resolution No. 2024-03**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2024.” Introduced by Mayor Bodnar. (Finance Department) (First Reading – January 22, 2024; Second Reading – February 19, 2024)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, upon Third Reading and assuming passage during March’s Regular meeting, this legislation will also take effect immediately.

- **Resolution No. 2024-13**, entitled, “A resolution authorizing Mayfield Village to designate funds received from the American Rescue Plan Act as revenue replacement and to obligate, appropriate and expend those funds to pay for wages of safety forces in 2024. (Finance Department) (First Reading –February 19, 2024) Upon Third Reading and passage, this legislation will take effect immediately)

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, upon Third Reading and assuming passage during March’s\* (*Clarified – April’s – see Any Other Matters*) Regular meeting, this legislation will also take effect immediately.

<b>NEW BUSINESS FOR DISCUSSION</b>
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- 1) **Medical uses on Beta Drive-clarification to overlay district definitions.  
(Administration/Law)**

Council President Schutt asked, Ms. Calta?

Ms. Calta replied, thank you Council President. This came to my attention from Mr. Marquart. The question that was posed to me was whether or not medical offices are considered professional offices under our Code. My opinion is that it could be that a professional office would include a medical office, however, it would be my preference to have Council consider clarification of the definition of “professional offices” so that it clearly articulates all of the professional offices that we are intending to cover. That’s why this is on the agenda. We will

put together a draft of a piece of legislation that we can talk about and put on to go through the process. It will go through three reads.

Mr. Meyers stated, I have a question. A doctor isn't a professional?

Ms. Calta replied, that's just my point.

Mr. Meyers asked, are you a professional? You're a lawyer. That's what I mean. How can you designate that?

Ms. Calta replied, that's why we would like to clarify the definition. That's just it. So there is no question of what is professional and what isn't. Also, if you go down the path of medical offices, we want to be able to just have medical offices. So you are not looking at Urgent Care facilities. You are not looking at anything else that would be more than a doctor or dentist. You are not getting ambulances there. It's not something that tends to then look more like an ER.

Mr. Meyers asked, what about Dr. Moyal's surgery center? What would that fall under? Professional or medical?

Ms. Calta replied, it's all going to fall under the definition of professional.

Mr. Meyers asked, there wouldn't be any separation?

Ms. Calta replied, no. There's not going to be a separate definition. It will be one definition and it will add to what we have. We will take the definition we have right now and we will add those to clarify it. If anyone thinks of anything else other than an ER, let me know.

Mr. Meyers stated, as it stands right now, how is it classified?

Ms. Calta replied, that was the question that was posed because in the past prior to the Beta overlay, you had a fair amount of medical office uses there but they are on conditional use permits. This will take that away.

Council President Schutt asked, any other questions or discussion?

There was none.

## 2) **Board of Building Standards Code Update. (Building/Law)**

Council President Schutt asked, Ms. Calta?

Ms. Calta replied, periodically the State will update our standard Building Codes. They have done that. The last time we did it was in 2017. What we typically do here is we adopt those codes. Not usually but there are some instances where you can carve out some things for your municipality that are different from the standard building code. For the most part we adopt them. The new codes come out. We have legislation that adopts those codes. There's a Plumbing Code, a Mechanical Code and a General Building Code. There are three codes we have to adopt. There's another code, the Ohio Residential Building Code. That was amended so we don't have to do anything with that because they haven't replaced the code, they just amended it. We adopted that code back in 2017 and in our legislation we adopted any amendments that may have been forthcoming. If anyone has any specific questions about those codes, I would defer those to Dan because they are pretty technical codes and he can answer those questions.

Council President Schutt asked, any discussion?

There was none.

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

**3) Renewal of Life Insurance for employees. (MetLife) (Resolution 2024-15)  
(Finance Department)**

Council President Schutt asked, Mr. Wynne?

Mr. Wynne replied, our life insurance plan was up for renewal on April 1<sup>st</sup>. We got the renewal from MetLife. They agreed to a two-year renewal term with no increase.

Council President Schutt asked, any questions or discussion?

There was none.

**4) Renewal of Dental Insurance for employees. (Delta Dental) (Resolution 2024-16)  
(Finance Department)**

Council President Schutt asked, Mr. Wynne?

Mr. Wynne replied, our dental plan is also up for renewal on April 1<sup>st</sup>. Delta Dental came forth with a 6% increase. The insurance broker went back to them and tried to get them to commit

to a two-year renewal with a 6% increase in year one and no increase in year two and they were not receptive to doing that. They would only agree to a one-year renewal with a 6% increase.

Council President Schutt asked, any questions or discussion?

There was none.

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

**5) Part-time firefighter wages – update to wage ordinance exhibit. (Ordinance 2024-04) (Fire Department)**

Council President Schutt asked, Chief Carcioppolo?

Chief Carcioppolo stated, thank you, Council President. We are updating the wage ordinance. The current hourly rates that are proposed are what we are currently paying our Firefighter/Paramedics and EMT's. All we are doing is deleting the tiered schedule that was there because no one has that. It's not necessarily a bad thing when there's a ton of people that want to come into this field, but since no other places are recognizing a tiered 6-month, 12-month, 24-month graduation schedule of pay and the range was starting at \$15.00 an hour, we weren't really getting anyone wanting to start out and advance in the part-time field. If we get rid of that, we will be able to solicit some more people to apply for part-time to help us cover shifts and operate.

Council President Schutt asked, any questions or discussion?

Mr. Murphy asked, what would they start at if we eliminate the tiered schedule?

Chief Carcioppolo replied, \$29.25 is what a Firefighter/Paramedic would start at. I believe \$26.47 would be an EMT basic firefighter. They would have to be in paramedic school and they would have to graduate within 18 months in order to be considered to be hired. Again, it's hard because not a lot of people are coming into our field right now.

Mr. Meyers asked, what are we paying now?

Chief Carcioppolo replied, right now Firefighter/Paramedics make \$29.25 but without changing the wage ordinance, the starting pay was \$15.00 hour. Guys are just not willing to come here for that when they can go to another place to make that. Just at the hospital for example, Hillcrest is starting paramedics at \$24.00 an hour just as a paramedic without any fire training.

Council President Schutt asked, any other questions or discussion?

There was none.

**6) Replacement of 2 Lucas CPR machines. (Stryker ProCare Services - \$30,317.88 after \$6,000.00 trade in) (Fire Department)**

Council President Schutt asked, Chief Carcioppolo?

Chief Carcioppolo replied, this is to replace our two CPR machines. They will no longer be supported for parts at the end of this year. They are pretty critical to advanced cardiac life support. We couldn't renew our entire treatment products contract for a full three years with those in there. If we trade in our units now we can update our three-year contract for treatment products which covers all the AED's in the whole community which includes all the buildings, Police and Fire.

**7) 3-year Agreement with Stryker ProCare Services for maintenance to AED's, LifePaks, Lucas CPR Machines. (\$47,331.38 - annual payment of \$15,777.13) (Fire Department)**

Chief Carcioppolo stated, each annual payment will be \$15,777.13. It also includes batteries. If the batteries go bad, they will replace those. All those units have to be calibrated every year so that they are certified to deliver the correct amount of electrical energy if they are utilized.

Council President Schutt asked, any questions on items 6 and 7?

Ms. Calta asked, did you see my note on the State bid contract?

Chief Carcioppolo replied, I did.

Ms. Calta asked, so were you able to confirm that the price here is at that or better?

Chief Carcioppolo replied, I didn't look at that.

Ms. Calta asked, can you just ask them to confirm that because I think they will be able to tell you yes.

Chief Carcioppolo replied, okay. I will ask them.

Mr. Murphy asked, are the CPR machines on the ambulances?

Chief Carcioppolo replied, yes.

Mr. Murphy asked, how old are the current ones?

Chief Carcioppolo replied, about 9 years old. I think we bought them in 2014.

Mr. Murphy asked, what did we update recently within the past year?

Chief Carcioppolo replied, the cardiac monitor.

Mr. Murphy asked, is that something different?

Chief Carcioppolo replied, yes. It's included in the treatment product service contract. We have two LifePak 15's.

Mr. Murphy asked, so this is different?

Chief Carcioppolo replied, they are advanced cardiac monitors the paramedics use. They are different from an Automated External Defibrillator. It lets us do diagnostic electrocardiograms and evaluate what type of heart condition you may be having. That one happened to be at the end of its life so we replaced that one last year.

Mr. Murphy stated, it all sounded very similar to me.

Chief Carcioppolo stated, no, I understand.

Council President Schutt stated, any other questions or comments?

There were none.

Council President Schutt stated, thank you, Chief.

**8) Legislation to prohibit the sale and cultivation of recreational marijuana in Mayfield Village by businesses. (Law Department)**

Council President Schutt asked, Ms. Calta?



Ms. Calta replied, thank you. I think everyone's aware of the initiative that passed in November to permit recreational marijuana in the State. This legislation and what was passed on the ballot is similar to what was passed by the State back when they approved medicinal marijuana. It gives municipalities the option to prohibit the sale by businesses in your municipality. The recreational piece is just a little bit different from the standpoint of we can't prohibit individuals from growing plants in their homes, but there's a limit on that. We can't prohibit that sort of growing but we can prohibit what is called adult cannabis operators. That's the definition for recreational marijuana businesses. It's all cannabis operators. This legislation, similar to what we did with medicinal marijuana would prohibit any sort of sales, dispensing and cultivation for adult recreational marijuana/recreational marijuana. You will see the legislation will call it adult cannabis operators, but it means for recreational marijuana.

Mr. Meyers asked, so an individual technically can grow it?

Ms. Calta replied, yes.

Mr. Meyers asked, how many?

Ms. Calta replied, I believe it's two plants per person. It's limited. They are not going to be farming it.

Mr. Meyers asked, if they did allow this, would it be more revenue for the Village?

Ms. Calta replied, John provided information in last months' packet on what he found from other communities that have establishments and what kind of tax revenue they are receiving. John, if you want to jump in, but the gist of what I think he found is that it's not an appreciable amount.

Mr. Marquart stated, I unfortunately don't have those numbers in front of me, but the impact to the municipalities was frankly pretty minimal. Employment was fairly small. At the retail operations, employment was between two and four people, generally one person per shift at any one time. The revenue to the Village from that employee would be quite small. For the growing operations, we learned that the largest growing operator in the State is only about 35,000 square feet and employed about 50 people if memory serves. It's not as though these are huge employers with lots of revenue. All of the municipalities that I spoke with frankly told me that the return to the municipality was pretty negligible. In fact some of them imposed a fee structure to sort of make up for that. Again, I didn't want to sway you guys one way or the other. I simply presented the fact that the return to the Village would be fairly minimal.

Mr. Arndt stated, we do business with some of the manufacturers in Michigan. It roughly does about \$6 billion a year. You can look at a smaller one that's in Eastlake. They make anywhere

between \$5-10 million a year. Taxing them alone, you can put your tax where you want your tax at. Michigan made \$2.3 in 2022 and last year they did 3 billion. They estimated that in 2024 we can see probably about 6-8 billion across the United States. No crime rate went up.

Ms. Calta stated, if I can jump into that, the Village, nor any municipality was given the opportunity to impose a tax on those revenues. That isn't to say that some communities have not. Some communities did with medicinal marijuana, but I think it was a voluntary agreement. They are structured more as fees, like an annual permit fee. The State is obviously taxing and will get a significant amount of revenue. The State is going back and forth on whether or not to amend the legislation as to what those funds will be used for. There are some buckets they designated right now, but it's still all going to be controlled at the State level. They are going to be the ones collecting those.

Mr. Arndt stated, I just thought why take ourselves out of an opportunity?

Ms. Calta replied, the other thing I would add is there are some limitations like with the medicinal marijuana where you can't have establishments within certain distances from schools and daycares. Where would those go? We don't have that much commercial/retail area where some place could go. You think about those locations and you think about where schools are and you think about where daycares are. We are also very limited on where a place could go. You have to take that into account too. I don't think we are just taking ourselves off of the table as an option. I think we have very limited places available.

Mr. Arndt stated, it's good revenue stream.

Ms. Calta replied, I think that's what Mr. Marquart was looking at. What would that revenue stream be? What would it look like? Based upon what other communities are seeing, it's not a revenue stream. But I will just throw out there, this is something that if at any point you would want to have another conversation, this could be repealed.

Mr. Arndt stated, I'm just thinking of the revenue. Just in manufacturing the amount of labels that we do for them already.

Ms. Calta replied, it's definitely an industry that is growing, no pun intended.

Mr. Meyers asked, is that regulated by the State through Alcohol and Tobacco?

Ms. Calta replied, I think the Department of Commerce. They have a specific branch overseeing all of that.

Mr. Marquart replied, and further to your answer to Mr. Arndt's question, the State will be the ones to reap the benefits. With municipalities, it's pretty minimal. Relatively low employment. Relatively low salaries. Again, a few of the folks we spoke to did indicate that in order to offset that, they implemented some annual licensing fees which I believe State law gives you the ability to do if you want.

Mr. Murphy asked, do we already have something in place to prohibit the medical marijuana?

Ms. Calta replied, we do.

Mr. Murphy asked, with it changing in the State of Ohio in November, can we go ahead and pass something like this while it is still going back and forth?

Ms. Calta replied, that's the reason why we didn't just jump on recommending legislation back in December. We wanted to see where the State was going. There were some Bills that were pending and there was some thought that some things were going to be changing. That seems to have settled down but it was always the plan that the rules and regulations for this program were going to take some time for them to be implemented. Those are still being formed. No matter what happens with those rules and regulations, they won't change the fact that recreational marijuana will be permitted in the State. At this point in time, the short answer to your question is we don't see anything changing right now. Some municipalities did pass moratoriums to hit the pause button. I didn't think that was necessary because the program's not set to be fully operational until later this year. On top of adopting all of the rules and regulations for the program, they also have to issue licenses. There is some priority amongst the existing medicinal marijuana establishments for those permits. Locations that are already operational for medicinal have some priority for the recreational. They don't have to be in the same location. That's probably where the path of least resistance will be. You are going to see your existing establishments go to recreational as well as medicinal and then you will see more permits being issued.

Council President Schutt asked, any other questions or discussion?

There was none.

**9) 2024 Chemical Prices – Parkview Pool. (Sal Chemical - \$32,000) (Resolution 2024-17) (Parks and Recreation)**

Council President Schutt asked, Mr. McAvinew?

Mr. McAvinew stated, thank you Council President. The price for chemicals this year is the same as last year. In speaking with a Sal Chemical representative, that price is projected to come down, so if the price comes down for them it will come down for us. We currently only have one company that we can work with. They are the only current vendor in the area that works with the muriatic acid that we have. It's a lower price and allows for a safer environment. Normally we try to get two to three bidders once you exceed \$10,000. This is the reason why there are no other companies out there that can provide this service.

Council President Schutt asked, any questions?

There were none.

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

**10) Two patrol cars to be declared surplus. (Police Department)**

**2019 Ford Explorer Vin: 1FM5K8ARXKGB15396 Mileage: 120435 Color: black**

**2019 Ford Explorer Vin: 1FM5K8ARXKGB15397 Mileage: 107545 Color: black**

Council President Schutt asked, Chief Matias?

Chief Matias replied, these are just two of our old patrol vehicles from 2019 that since we have gotten the new Chargers, we can we can get this moving on.

Council President Schutt asked, any questions or discussion for Chief Matias?

Mr. Meyers asked, any word on the new Durangos?

Chief Matias replied, no. We are getting a demo to look at next week just to see how it's set up but as far as when they are showing up, we don't have a date yet.

Council President Schutt asked, any other questions or discussion?

There was none.

Council President Schutt stated, thanks Chief Matias.

**11) Fertilization of sports fields and Village properties (Dyna-Green - \$18,772)  
(Service Department)**

Council President Schutt asked, Mr. Sipos?

Mr. Sipos stated, thank you Council President. I put in your packets the information on our fertilization program and the proposals I received to maintain and take care of the fields and Village properties. We got three quotes, one from Dyna-Green, one from TruGreen and one from UltraLawn. Dyna-Green came in the cheapest at \$18,772. My recommendation is we go with Dyna-Green. We have used them for the last two years and have not had any problems. They do a good job.

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

There were none.

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

**Any Other Matter That May Come Before Council**

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

Ms. Wolgamuth stated, I wanted to give a quick update. I mentioned at the last meeting that we are preparing to go out to bid for the improvements for this building. We are actually going ahead. On the 14<sup>th</sup>, the 21<sup>st</sup> and 28<sup>th</sup> of March we will be advertising for bids and will be bringing the results to Council in April.

Council President Schutt stated, okay. Any questions for Ms. Wolgamuth?

There were none.

Council President Schutt stated, thank you Ms. Wolgamuth. Mr. Wynne, did you have something?

Mr. Wynne stated, yes, just quickly, going back to Resolution 2024-13 which was designating funds received from the American Rescue Plan, I wanted to mention that this will be on Second Read this month and the Third Read will take place in the month of *April*.

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

There were none.

There being no further matters, the meeting concluded at 7:31 p.m.

Respectfully submitted,

Mary E. Betsa, MMC  
Clerk of Council