

**MINUTES OF THE REGULAR MEETING OF COUNCIL
MAYFIELD VILLAGE, OHIO**

Monday, February 19, 2024

**Immediately following the M.C.I.C. Meeting
Mayfield Village Civic Hall-Mayfield Village Civic Center**

The Council of Mayfield Village met in Regular Session on Monday, February 19, 2024 at Mayfield Village Civic Hall at the Mayfield Village Civic Center immediately following the M.C.I.C. meeting. Council President Schutt called the meeting to order at 7:04 p.m.

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

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

Also Present: Mayor Bodnar, Mr. Wynne, Ms. Calta,
Mr. Cappello, Mr. Marquart, Mr. McAvinew,
Mr. Russell, Mr. Sipos, Ms. Wolgamuth
and Mrs. Betsa

Absent: Chief Matias and Chief Carcioppolo

Council President Schutt stated, let the minutes reflect that Chief Matias and Chief Carcioppolo are excused from this evening's meeting.

The Pledge of Allegiance to the Flag was given.

CONSIDERATION OF MINUTES:

Regular Council Meeting – January 22, 2024

Mrs. Juncisek, seconded by Mr. Meyers, made a motion to approve the minutes of the Regular Council Meeting of January 22, 2024 as written.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Minutes of January 22, 2024
		Meeting Approved as Written

Comments From Mayor Bodnar

Thank you Council President. A couple of things tonight. First of all, Happy President's Day to everyone. Hope everyone had a chance to enjoy it a little bit. Also, thanks to everyone in this room for all of the service that you have given to your communities.

An update on Ron Wynne's retirement. As you know, Ron is retiring this year but he has graciously agreed to stay on through May 31st as we search for his replacement. So thank you for that, Ron.

Lastly, I hope everyone had a great Valentine's Day last week. As a Village, we had a nice Valentine's Day gift from the Supreme Court. You probably have heard about the ruling that came down on February 14th. To talk about that, I am going to kick it over to Ron.

Mr. Wynne stated, just briefly, after a long long wait, the Supreme Court finally came out with a decision. It was a 5-2 decision where they determined that what the State did in 2020 to allow the businesses to continue to pay withholding tax for employees and municipalities to collect that money, that decision was not considered unconstitutional and therefore the taxpayers are not allowed to request refunds for working from home in 2020. They felt that the decision the State made was in the best interest of the employers because they could not react quickly enough to change the way they do business for the work from home. It was in the best interest of the municipalities to not disrupt their services to their residents. There are still several other cases out there from 2020 that have been in a holding pattern to see what the Supreme Court's decision was going to be. I don't know what will happen with those now but I would assume that they don't have much legs at this point with the Supreme Court decision coming forth. The good news for us is that we will not be having to issue any refunds at all for 2020 for work from home for any of our taxpayers.

Mayor Bodnar stated, that's all I have, thank you.

Council President Schutt stated, thank you Mayor Bodnar. Thank you Mr. Wynne.

Comments From Council President Schutt

I wanted to mention to keep Chief Carcioppolo's family in your thoughts and prayers with the passing of his father-in-law last week, David Lillash. I also wanted to mention that our March Caucus is on March 4th. The Regular Meeting of Council will be on March 18th.

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

Council President Schutt stated, if anyone wishes to speak, please come up to the podium and state your name and address for the record.

There were none.

Department Head Reports:

Diane Wolgamuth (Administration) – Thank you Council President. Reporting for Citizen’s Advisory, the Committee will be meeting next Monday, February 26th at 7:00 p.m. The main agenda item is discussing the *Kindland* initiative in Mayfield Village. We will also have a presentation by the Community Partnership on Aging regarding their volunteer program. We are hoping that maybe some additional residents will show up for that meeting and we can get people enthused about volunteering with the Community Partnership on Aging.

I also wanted to give Council just a couple of updates on some projects that are going on in the Village. We talked many times before about getting electric vehicle charging stations here in our parking lot. That hasn’t happened yet. In October, NOACA awarded the contract to a company called SAF, Inc. and they came here on November 1st and walked around with us. They were trying to determine the best source for the power. They have decided that the power to the west along the rear of the parking lot is their location. We have heard nothing since. I am assuming something will happen sometime in the Spring. I will keep you updated on that.

If anyone has noticed work going on on Highland Road on the orphan gas well, they are plugging the well. They started in early January. They needed to get to a depth of 2,800 feet to plug it. As of today, they were at 2,400 feet. They anticipate being done by the end of the week and then they will be doing restoration in that area.

The last project is the Civic Center improvements that we talked about so much. This is the one we got the \$250,000 grant from. Scott, Dan, Shane and I are meeting with the architect tomorrow morning. We hope that we will be going out to bid probably within the next month. As we have more detail, I will bring that to Council too. That’s all I have.

Council President Schutt asked, any questions?

Mr. Meyers asked, how long is the grant good for? Does it have to be done by a certain time?

Ms. Wolgamuth replied, they want a report in June of this year, but as long as we are working toward it, it’s okay. They are very lenient. This grant was very easy. They don’t have a lot of restrictions. As long as we can report we are moving forward, that will be fine.

Mr. Meyers stated, thank you.

Council President Schutt asked, any other questions?

There were none.

Dan Russell (Building) – Thank you Council President. I only have one item to report on. That was the January 25th ARB meeting. We had one proposal for a sign change for Cuoco Bello Restaurant. That was approved. The sign has been changed. That's all I have.

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, thank you Mr. Russell.

Shane McAvinew (Parks and Recreation) - Thank you Council President. I have a few items to report on. Commission on Aging met last week. The main thing they discussed was the Senior Appreciation Party. It's usually in May. This year it is on March 28th. It coordinates with the school's Spring break so we have access to the parking lot there. If anyone is interested in attending, just drop me an e-mail or a phone call. Council and Administration are always welcome to attend that event.

Also, if you have not yet received our Community Recreation guide, I have it here. It should be in your mailboxes this week. It contains all the activities going on in the next couple of months. It includes the Grove schedule and entertainment schedule. In addition to the Senior Appreciation Party, on the 19th we will have our Adult Easter Egg Hunt. If you are interested in signing up for that, it's only \$5.00. It will be at the Community Center. We also have the Leprechaun Trail. We are partnering with the Library. It will run from March 1st through March 16th. We will have the trail decorated in different spots where kids and families can get out of the house and find the secret locations. A winner will be chosen during Lucky's party at the Library on March 16th.

Lastly, the Grove Restroom project broke ground about a week and a half ago. The weather turned bad on us a little bit, but they did dig up the foundation and they are starting to lay block. Hopefully this week's weather will help them get going. Cianci Construction has a goal of 60 days. I think it will be more like 90-120 days. We will keep on encouraging that 60 days. It will be open in time for the Grove season.

Council President Schutt asked, any questions?

There were none.

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

John Marquart (Economic Development) - Thank you Council President. I just have one item to report tonight. We had mentioned last month that we have been working on a Development Agreement with Premier Development Partners. We very much hoped to have that in your packets for First Read this evening. Unfortunately, there is still one point we are negotiating with the developer. We should have that hammered out shortly and back in front of you next month.

Council President Schutt stated, any questions?

There were none.

Council President Schutt stated, thank you, Mr. Marquart. Are there any other Department Head reports?

Mr. Wynne replied, I just have one thing. I received an e-mail this morning from the State Auditor's office. They finally released the 2022 audit report. I gave a copy of that to Jeff Thomas this morning. He has posted it on our website if you would like to take a look at it. 2022 is finally done.

Council President Schutt stated, thank you Mr. Wynne. Any other Department Head reports?

There were none.

OLD BUSINESS

- **Third Reading of Ordinance 2023-19**, entitled, "An ordinance authorizing all actions necessary to establish an opt-in natural gas program pursuant to Section 4929.27(A)(1), Ohio Revised Code, jointly through NOPEC as a NOPEC member." Introduced by Mayor Bodnar (Administration) (First Reading – December 18, 2023; Second Reading – January 22, 2024).

Council President Schutt stated, Public hearings were held at 1:30 and 6:30 p.m. today on this legislation. This legislation has gone through three readings and if passed tonight will take effect in 30 days.

Mrs. Jurcisek, seconded by Mr. Meyers, made a motion to enact Ordinance No. 2023-19.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Ordinance Enacted

Council President Schutt stated, Ordinance No. 2023-19 is enacted.

- **Second Reading of 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)

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, Ordinance 2024-01 will move to Third Read. Upon Third Reading and passage, this legislation will take effect immediately upon signature by the Mayor.

- **Second Reading of 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. (Finance Department) (First Reading – January 22, 2024 read in title only)

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, Ordinance 2024-02 will move to Third Read. Upon Third Reading and passage, this legislation will take effect immediately upon signature by the Mayor.

- **Second Reading of 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- read title only)

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, Resolution 2024-03 will move to Third Read. Upon Third Reading and passage, this legislation will take effect immediately upon signature by the Mayor.

NEW BUSINESS

- **First Reading of Ordinance No. 2024-03**, entitled, “An emergency ordinance establishing wages for part-time seasonal employees employed by the Parks and Recreation Department. Introduced by Mayor Bodnar. (Parks and Recreation). (Requires suspension of the rules tonight and upon passage this legislation will take effect immediately upon signature of the Mayor.)

Mr. Murphy, seconded by Mr. Meyers, made a motion to suspend the Rules of Council requiring an Ordinance to be read on three separate occasions.

ROLL CALL: AYES: All
 NAYS: None

Motion Carried
Ordinance Suspended

Mr. Murphy, seconded by Mr. Meyers, made a motion to enact Ordinance No. 2024-03.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES: All	Motion Carried
NAYS: None	Ordinance Enacted

Council President Schutt stated, Ordinance 2024-03 is enacted.

- **First Reading of Resolution No. 2024-09**, entitled, “An emergency resolution authorizing an expenditure in an amount not to exceed \$13,323.00 to Lewis Landscaping & Nursery, Inc. for softball field annual maintenance.” Introduced by Mayor Bodnar. (Parks and Recreation) (Requires suspension of the rules tonight and upon passage this legislation will take effect immediately upon signature of the Mayor.)

Mr. Murphy, seconded by Mr. Meyers, made a motion to suspend Resolution No. 2024-09.

Mr. Arndt asked, what is the annual maintenance for? Sprinklers?

Mr. McAviney replied, no. Every year the interior surface of the softball field gets conditioners put on the soil. That way it allows it to drain off properly. Additionally, all lines are cut throughout the field. If they are not cut, it causes an unsafe jump for the ball. That’s what’s done with that. It’s basically the cost to keep those fields in the condition they are in right now. Four or five years ago, the fields were not in very good condition. We started outsourcing it to be able to keep the fields at the condition level they should be. Additionally, between the two main fields you would see run off of all that ball mix. The fields have all been repitched it so the fields do not have that run-off.

Mr. Arndt stated, okay. I was just wondering why it was outsourced.

Mr. McAviney replied, it’s the time of the year. The previous person who handled the Service Department retired. This is also the time of the year, and Mr. Sipos would speak of it too, the combination of getting the pool ready and the grass cut, something had to be outsourced to help those guys to get the other work done in the Village.

Mr. Murphy asked, but this isn’t continual throughout the year, this is just a one time thing to get the field up and running?

Mr. McAviney replied, yes.

Mr. Murphy asked, we maintain them, right?

Mr. McAviney replied, yes. We maintain them. We cut the grass. We take care of them.

Council President Schutt asked, any other questions or discussion at this point?

Mr. Meyers asked, they just get it ready, right? The Service Department maintains it after that?

Mr. McAviney replied, yes. The fields will be dragged every day throughout the whole entire season. That's part of the conditioner you put in at the beginning of the season. That conditioner continues to work through the soil. It allows that to absorb the water. It's an ongoing process. The fields are maintained every day. They play 5-6 days a week. It's ongoing dragging. It helps additionally to outsource this to make it easier for the Service Department to maintain the fields throughout the season.

Mr. Meyers stated, thank you.

Council President Schutt asked, any more questions or discussion?

There was none.

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

Mr. Murphy, seconded by Mrs. Jurgisek, made a motion to enact Resolution No. 2024-09.

Council President Schutt asked, any further discussion?

There was none.

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

- **First Reading of Resolution No. 2024-10**, entitled, "An emergency resolution authorizing Mayfield Village to take all actions necessary to accept the 2024 energized community grant from the Northeast Ohio Public Energy Council (NOPEC) in the amount of \$9,715.00." Introduced by Mayor Bodnar (Administration). (Requires suspension of the rules tonight and upon passage this legislation will take effect immediately upon signature of the Mayor.)

Mr. Murphy, seconded by Mrs. Jurgisek, made a motion to suspend Resolution No. 2024-10.

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

Mr. Murphy, seconded by Mr. Meyers, made a motion to enact Resolution No. 2024-10.

Council President Schutt asked, any discussion?

There was none.

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

Council President Schutt stated, Resolution 2024-10 passes.

- **First Reading of Resolution No. 2024-11**, entitled, “An emergency resolution authorizing and directing the Mayor and President of Council to enter into the Parkview Pool Concessionaire Agreement with MVVGM, Inc. for a three-year term commencing January 1, 2024 through December 26, 2026.” Introduced by Mayor Bodnar (Administration). (Requires suspension of the rules tonight and upon passage this legislation will take effect immediately upon signature of the Mayor.)

Mr. Murphy, seconded by Mr. Meyers, made a motion to suspend Resolution No. 2024-11.

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

Mr. Murphy, seconded by Mr. Meyers, made a motion to enact Resolution No. 2024-11.

Council President Schutt asked, any discussion?

Mr. Arndt stated, I have a quick question. I see there are two \$250.00 payments. Does that cover the cost of utilities? Coming from that industry before, you usually rent out kitchens to chefs and cooks.

Mr. McAvineu replied, they are picking up the cost of the license this year. We have paid the cost in the past. When I first came on board in 2018, concession was loosing \$10,000-15,000 a year. The best we could get back was \$1,000 plus or minus at best. This basically takes all that cost away from the facility. We don't have any costs that come in. They give us \$500 to operate it. We are not losing thousands of dollars either.

Mr. Arndt stated, I just think we may be shortchanging ourselves a little bit. The cost of renting something out like that, you can probably get a couple thousand from somebody else if not more.

Mr. McAvineu stated, very few people, and I will use Mayfield Heights as an example, they couldn't find anyone to rent it. They also use Pizzazz. Highland Heights does too. We all have a similar contract. There's just not a lot of people out there who want to rent a pool concession to try to make money off of it. I tried to make money on it. After five years, it wasn't anything more than a big headache.

Ms. Calta clarified, on the agenda, it's a three year term. It will be retroactive back to January 1, 2024 but it is running through December 31st of 2026. We talked about it at Caucus that there are terms within the agreement that if there is a situation that it can be terminated.

Mr. Meyers stated, the agreement is pretty in-depth.

Ms. Calta stated, right. There's some flexibility.

Council President Schutt asked, any other questions or discussion?

There was none.

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

Council President Schutt stated, Resolution 2024-11 passes.

- **First Reading of Resolution No. 2024-12**, entitled, "An emergency resolution authorizing and directing the Mayor and President of Council to renew their lease with Quadiant Leasing, Inc. and authorizing an expenditure in the amount of \$29,548.80 (\$5,909.76) per year) for digital mailing system including equipment maintenance, rate change protection, installation and training from March 25, 2024 to March 25, 2029." Introduced by Mayor Bodnar (Administration). (Requires suspension of the rules tonight and upon passage this legislation will take effect immediately upon signature of the Mayor.)

Mr. Murphy, seconded by Mr. Meyers, made a motion to suspend Resolution No. 2024-12.

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

Mr. Murphy, seconded by Mr. Meyers, made a motion to enact Resolution No. 2024-12.

Council President Schutt asked, any discussion?

Mr. Murphy asked, is this like a postage meter?

Mr. Wynne replied, yes. There's two pieces of equipment. It's a postage meter and an inserter.

Mr. Murphy asked, is this the leasing of that equipment?

Mr. Wynne replied, correct.

Mr. Murphy asked, it doesn't include postage?

Mr. Wynne replied, no. Just the equipment itself. They make sure that the equipment is updated throughout the year. As postage regulations change, they make all of the changes to keep us compliant with the new regulations. In the information we passed out to Council, they gave us an option to purchase. The lease price and the option to purchase are on State bid. We took a look at the option to purchase versus leasing it. There's not a whole lot of difference. Especially with the challenges we are facing with income tax dollars, we felt it was better to finance over a five year period than to put out all the cash now.

Mr. Murphy stated, thank you.

Council President Schutt asked, any other questions or discussion?

There was none.

ROLL CALL: AYES: All

NAYS: None

Motion Carries

Resolution Adopted

Council President Schutt stated, Resolution 2024-12 passes.

- **First Reading of 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." Introduced by Mayor Bodnar (Administration). (Requires three reads.)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, this is the First Reading of Resolution 2024-13. This legislation will go through three reads. In April, Council will consider the legislation for passage. Upon passage, this legislation will be effective immediately upon signature of the Mayor.

- **Motion to approve 2023 Economic Development Incentive Grant payment to OMNI Systems in the amount of \$60,445.70. (Finance Department)**

Mrs. Jurcisek, seconded by Mr. Meyers, made a motion to approve 2023 Economic Development Incentive Grant payment to OMNI Systems in the amount of \$60,445.70. (Finance Department)

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	Jurcisek, Marquardt Meyers, Murphy, Schutt, Williams	Motion Carries Grant Payment Approved
ABSTAIN:	Arndt	

- **Motion to acknowledge receipt of financial reports for January 2024 and to approve of same as submitted. (Finance Department)**

Mrs. Jurcisek, seconded by Mr. Marquardt, made a motion to acknowledge receipt of financial reports for January 2024 and to approve of same as submitted. (Finance Department)

Council President Schutt asked, discussion?

There were none.

ROLL CALL: AYES:	All	Motion Carries
NAYS:	None	Financial Reports for January 2024 Acknowledged And Approved as Submitted

ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL

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

There were none.

ADJOURNMENT

Mr. Arndt, seconded by Mr. Meyers, made a motion to adjourn. The meeting adjourned at 7:29 p.m.

STEPHEN SCHUTT, COUNCIL PRESIDENT

BRENDA T. BODNAR, MAYOR

MARY E. BETSA, MMC, CLERK OF COUNCIL