

COUNCIL CAUCUS MINUTES
Monday, April 1, 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, April 1, 2024. Council President Schutt called the meeting to order at 7:00 p.m.

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

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

Absent: Mr. Meyers

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

MAYOR

Good evening everyone. I just wanted to take a minute to wish everybody a Happy April Fool's Day. I hope it wasn't too bad for everybody. I hope everyone also enjoyed a good Easter and holiday weekend. I'd also like to introduce you to our new Finance Director, Angie Rich who is here tonight. Angie, I think you have met most people, but in case you haven't, Angie is going to be our new Finance Director. I am sure you all got the memo that went out last week and you know that Angie's had a wealth of experience. She has worked for the State Auditor's office. She was Assistant Finance Director in Brecksville. She currently is serving as the Executive Director for Accounting and Financial Operations at Tri-C. Angie is well-qualified. She has a CPA. Welcome aboard Angie. Angie will be coming before Council on April 15th for approval of her position. Angie will begin May 1st so that her time will overlap with Ron's for about 30 days. She will then take over the position. Welcome and I look forward to working with you Angie. Thank you.

Ms. Rich stated, thank you.

Council President Schutt stated, thank you Mayor Bodnar.

COUNCIL PRESIDENT

I would like to echo the Mayor's comments as well in welcoming Ms. Rich. We look forward to working with you. Hopefully everyone had a Happy Easter as well. Happy early birthday to Mr. McAviney. His birthday is on April 23rd. The next Regular Meeting of Council is scheduled for Monday, April 15th.

PENDING LEGISLATION

- **Ordinance No. 2024-06**, entitled, "An ordinance amending Codified Ordinance Section 1175.00 relating to definitions applicable to the Beta Core Commercial District to define professional offices." Introduced by Mayor Bodnar (Building Department) (First Reading – 3/18/24) (Upon Third Reading and passage, this legislation will take effect 30 days thereafter.)

Council President Schutt asked, any questions?

Ms. Calta stated, I just have one comment on that. We had some discussion about surgical centers and how that would fit into the definition. We are going to make a little bit of a modification so we can allow surgical centers, but not any surgical centers that would require an emergency room. There are some surgical centers that have inpatients that can require emergency rooms. We are not looking to go into the hospital setting. We are just looking to have medical offices.

Mrs. Jurcisek asked, so this is outpatient?

Ms. Calta replied, outpatient surgical centers. That change seemed to make sense. Medical offices would be interested. That is something we would want to include. Any other questions?

Council President Schutt stated, makes sense. Any other questions or discussion?

There was none.

Council President Schutt stated, Ordinance 2024-06 will move to Second Read at the Regular Meeting of Council on April 15, 2024.

- **Ordinance No. 2024-09**, entitled, “An emergency ordinance amending Chapter 771 of the Codified Ordinances of Mayfield Village, Ohio to add a Section 771.02, addressing the recent passage of State Issue 2, to prohibit the cultivation, processing, and retail dispensing of adult use cannabis within the Village pursuant to the authority set forth in Ohio Revised Code 3780.25.” Introduced by Mayor Bodnar (Administration) (First Reading – 3/18/24) (Upon passage this legislation will take effect immediately upon signature of the Mayor.)

Council President Schutt asked, any questions?

Ms. Calta stated, at the last meeting we discussed the timing on this piece of legislation. We have rules and regulations being adopted at the State level. Those were open for public comment until March 20th. Those will be passed shortly. The projected timeline at the State level is once those get adopted, they will then start soliciting applications in June of 2024 and then permits are projected to be issued in September of 2024. Knowing that, I would say that a second reading on this in April and a third reading in May would work with what’s going on at the State level for the implementation of the program.

Council President Schutt asked, any questions?

Mayor Bodnar stated, if anyone listens to NPR, you can access it on the internet. They have a good story on the State legislature and the legislation that’s been pending in the State. It covers a lot of ground. It talks about the same thing Diane talked about. It also says that the people who have a first crack at getting the dispensaries are the ones that have medical dispensaries already. There’s also an article on *Cleveland.com*.

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

Mr. Marquart stated, yes, thank you Council President. One item I would like to clarify from my January 31st memo to Council. At the time I wrote that I indicated that the State Issue had failed in each of Mayfield Village’s Wards. There was discussion that came up at the Citizen’s Advisory Meeting that pointed to the fact that it actually passed in all four Wards. I do apologize for the error. I think what happened was that at the time I had written the memo I was looking at the unofficial results. So, to clarify one of the second bullet points on my memo, the Issue did pass in all Wards.

Council President Schutt asked, any other questions or comments?

There were none.

Council President Schutt stated, Ordinance 2024-09 will move to Second Read at the Regular Meeting of Council in April.

- **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; Second Reading – March 18, 2024) Upon Third Reading and passage, this legislation will take effect immediately)

Council President Schutt asked, are there any questions?

There were none.

Council President Schutt stated, Resolution 2024-13 will move to Third Read at the Regular Meeting of Council on April 15th. Once passed, this legislation will take effect immediately.

NEW BUSINESS FOR DISCUSSION
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- 1) **Approval of Appointment of Angie S. Rich as Director of Finance, effective June 1, 2024 (Administration)**

Council President Schutt asked, Mayor Bodnar?

Mayor Bodnar stated, thank you Council President. As I indicated earlier, Angie is here tonight. We are glad to have you here. She is very well qualified for the position. We look forward to having Angie officially appointed at the Regular Meeting of Council on April 15th. If anyone has any questions, I would be happy to answer them.

There were none.

- 2) **Adoption of 2023 National Electrical Code (Bldg/Law) (Ordinance 2024-12)**
- 3) **Adoption of 2024 Ohio Existing Building Code (Bldg/Law) (Ordinance 2024-11)**

Ms. Calta stated, these are more Codes that is necessary to update. It’s the Electrical Code, and then as Dan explained, the Ohio Existing Building Code was part of the Ohio Building Code but then they stripped it out and made it its own separate Code. We are going to adopt that as well. These are all relatively housekeeping measures similar to the other Codes that we recently updated.

- 4) **Appropriation of 1006 Woodlane Drive for Phase 2 of Worton Park Culvert Replacement Project (Law)**

Ms. Calta reported, as part of Phase 2 in Worton Park, they have identified a piece of real estate that needs to be acquired as part of the project. This home is in varying states of dilapidation. It has a tarp on it. The owner passed away a couple of years ago. There have been some efforts to try

and bring it into Code compliance. It works as part of the project. The Village is in need of acquiring it. This legislation will authorize the necessity of acquiring the property for the Phase 2 project. With that we can then make an official offer to what will be the Estate since the owner has passed away. We are hoping that we can negotiate the purchase of it but we will see. This is the statutory process that we need to follow to acquire the property for the project.

5) Reimbursement Agreement with Sewer District for Phase 2 of Worton Park Culvert Replacement Project (Law)

Ms. Calta reported, this is also part of that acquisition because the Sewer District has agreed to reimburse the Village for the costs associated with the acquisition of the real estate. That includes things like the purchase price, the demolition costs and then additional costs for appraisal and title work and some other miscellaneous contingencies. The agreement is with the Sewer District to authorize that reimbursement for those specific expenses related to the acquisition of 1006 Woodlane Drive. Tom, did you want to add anything?

Mr. Cappello stated, we need it for alignment of the creek and to install the new culvert.

Ms. Calta stated, there's a couple of construction sheets that you will have in packets so you can see the existing conditions and what the project will look like on that piece of property after the project is done.

Council President Schutt asked, any questions on any of these two?

There were none.

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

6) Montebello Amendment to Development Agreement (Law) (Resolution 2024-14)

Ms. Calta reported, Skoda came in to Planning to make some modifications to the plat out there. He wanted to make some of the doubles into singles to be more beneficial to the Village. In doing that, we asked for an update on the status of the terms of the Development Agreement. A different entity is now the actual owner of the real estate and is actually handling the development of it. It's still owned and operated by Mr. Skoda but we want the document to reflect the correct entity. In order to do that, that's what the amendment is for, to identify this new entity as opposed to a former entity that he initially had the properties in. It's an update. Most of the terms and conditions of the Development Agreement are either already completed or moving forward. I don't know how many lots are left, but it's still moving towards it. The only thing I think will need to be amended in the future is the clubhouse. Once he gets to a certain point of saturation of having enough –

Mr. Russell stated, 50%.

Ms. Calta stated, yes. I don't think he's quite there, but once he hits that threshold, that's when those requirements kick in.

Council President Schutt asked, any questions?

There were none.

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

7) Current Replacement Pages to the Mayfield Village Codified Ordinances (Ordinance 2024-05) (Law/Administration)

Mrs. Betsa stated, the amendments have come in from the codifier. If you would like a paper copy of it, let me know. We always get legislation which approves the replacement pages. Years back, it was discovered that some of the legislation was not included. From that point forward, Diane, Debbie, Jeff and I have separately checked to make sure all is included. Debbie Garbo has checked. I have checked. Diane and Jeff checked, but they stalled for a good reason.

Ms. Wolgamuth stated, some of the changes that we noticed as we went through the ordinances weren't showing up on the legislation. The codifier explained that the legislation that you get includes only the State changes. Our changes have already been approved separately by Council, so they wouldn't be on this legislation. That all made sense. We will complete our review before Council votes on it on the 15th.

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, thank you Mrs. Betsa and Ms. Wolgamuth.

8) Purchase of Replacement Awnings at Parkview Pool (Ohio Awning – not to exceed \$20,000) (Parks and Recreation)

Mr. McAviney stated, the awnings at Parkview Pool are coming to the end of their life. We are still going to put them up this year until we get a new replacement. It's to the point where we are one windstorm away. We still have the possibility of trying to get it in this year before the season starts. We might put it in this season depending on the timeline and how long it takes to produce it. If it gets too far in the season, I will just order the materials for 2025. Ohio Awning has been the company that the Village has worked with since 1998.

Council President Schutt asked, any questions?

Mr. Arndt asked, what is the warranty on that?

Mr. McAviney replied, I will have to look. It's the first time I have ever ordered this. In the past, the wind has damaged a couple of things down there. I'm sure that's not covered under warranty. Also, you can tell they are faded out. They are going on 15 years of age.

Mr. Arndt replied, thank you.

Council President Schutt asked, any other questions?

There were none.

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

9) Repair of Backhoe (Ohio Cat—not to exceed \$12,000) (Service)

Mr. Sipos stated, thank you Council President. Our current backhoe is a 2005 with 4500 hours on it. We have had good luck with it, but the fuel injector pump is gone. I contacted Ohio CAT who is the only game in town. It's a Caterpillar Backhoe. The quote was for \$10,697.66. We put a not to exceed \$12,000. Right now, it is at a not to exceed \$12,000 to try to get this repaired. A new machine would cost \$45,000. The machine is used daily. We are going to try to make this last.

Council President Schutt asked, any questions?

There were none.

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

Any Other Matter That May Come Before Council

Relative to the overlay, Mr. Arndt asked, are there any businesses over there that want to do anything on that?

Mr. Marquart replied, there are a couple of projects, Councilman, that are sort of early pipeline to take advantage of that zoning, one of which is relatively minor but it does indicate a gain of employment. I am hoping that comes in this summer. They are doing some cost-estimating right now. Secondly, the new ownership at Mt. Vernon has expressed some interest in taking advantage of that as well. If you have driven by that property the last 5 or 6 years, you would notice the sea of parking that is not full. They look to make a better use of that property. A couple of things in the works. Nothing concrete just yet.

Mr. Arndt replied, great. Thank you.

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

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Mr. Wynne stated, I just wanted to let everyone know that the Auditor of State's office will start working on the 2023 audit. If you haven't already you will be receiving the Fraud Questionnaire that they send out to all Council members. It will be e-mailed to Council.

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

There were none.

There being no further matters, the meeting concluded at 7:20 p.m.

Respectfully submitted,

Mary E. Betsa, MMC
Clerk of Council