

DRAFT
MINUTES OF THE REGULAR MEETING OF COUNCIL
MAYFIELD VILLAGE, OHIO
Monday, May 18, 2020 – 7:00 p.m.
Immediately Following the Meeting of the
Mayfield Community Improvement Corporation
Videoconferenced in Main Conference Room-Mayfield Village Civic Center

Present in Main Conference Room: Council President Schutt and Mrs. Betsa. All other members of Council, Mayor Bodnar, Ron Wynne, Diane Wolgamuth, Law Director Coyne and John Marquart in attendance via ZOOM. The videoconferenced meeting can be accessed by going to <https://www.youtube.com/watch?v=bu-k4GYEyXQ>.

Council President Schutt stated, welcome to the Regular Meeting of Council. This meeting has been duly noticed and is being held in accordance with Ohio Revised Code Section 121.22 specific to recent amendments made in light of the current COVID-19 declared emergency (House Bill 197). Under the orders of Governor DeWine and the Director of Health of Ohio, and pursuant to Ordinance 2020-20, adopted March 16, 2020, Council is meeting remotely, via electronic means. Notice of this meeting was sent to the news media on May 8, 2020. The public was invited to view the meeting live by accessing the meeting through a link posted on the website. The public was also encouraged to view the meeting agenda and offer any comments or questions prior to 6:00 p.m. this evening to be read into the record and addressed at the meeting. Comments received in writing or electronically that were not received on time will be read into the record and addressed at the next meeting of Council.

Mayfield Village is conducting these proceedings in compliance with all applicable State Laws and regulations.

Mrs. Betsa, may I have a Roll Call?

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

Also Present: Mayor Bodnar, Mr. Wynne, Mr. Coyne, Mr. Marquart,
Ms. Wolgamuth and Mrs. Betsa

Mrs. Betsa stated, all other Department Heads are viewing this meeting virtually. Any reports were provided prior to this meeting to be read into the record.

Council President Schutt stated, please remain seated as I recite the Pledge of Allegiance.

Council President Schutt recited the Pledge of Allegiance to the Flag.

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CONSIDERATION OF MINUTES:

Regular Council Meeting – April 20, 2020

Mrs. Mills, seconded by Mr. Marquardt, made a motion to approve the minutes of the Regular Council Meeting of April 20, 2020 as written.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Minutes of April 20, 2020
		Meeting Approved as Written

Comments from Mayor Bodnar

Mayor Bodnar stated, thank you Council President. I have a little update tonight on everyone's least favorite subject, COVID-19. But before I do that, I just wanted to thank you Council President and everyone on Council, everyone in the Administration, all of our employees, especially Mrs. Betsa, for all of the work you have put in together to make this COVID-19 work and our meetings work. Everyone has been adaptable and flexible and has shown good humor throughout this. We all appreciate that. Because of that, we are moving forward in a good direction. A few shoutouts tonight to Ron Wynne for keeping such a great handle on our finances and keeping us well informed as to what we can look forward to over the next several months because of COVID-19, to our Administrator, Diane Wolgamuth who has just done an amazing job on keeping a handle and organizing and making sure that everything's running well. A shout-out to John Marquardt because he's really worked hard with businesses and kept a handle on that, kept our website updated on our businesses. And finally, to Jeff Thomas. He's there behind the scenes. We don't see him but really without him I don't think these meetings could run half as well as they do. So, thanks to all of you.

Now on to COVID-19. We all know we have an order in place in the Village that's cancelled our programming to June 15th and I am sure you all know that last Thursday the Governor indicated at his press conference that he was issuing an order allowing for some recreational programs to be open, some as soon as May 26th. That would include pools, day camps, softball, baseball, things like that. He indicated on Thursday that the final mandatory requirements and best practices would be issued and guidelines published by the end of Friday afternoon. Before that, I had met with Chief Matias, Chief Carcioppolo, our Recreation Director Shane McAvinew and our Administrator Diane Wolgamuth and we began to look at our policies and look at what we anticipated would be the requirements of opening those different programs and looked at them in terms of the pros and the cons and the extra training that will be involved and things of that nature so that we could be in a position to make the best decisions for Mayfield Village. We have not made those decisions yet.

Earlier this afternoon, everyone on Council should have received an e-mail. That e-mail will give you a link to a page on the Ohio website which will take you to all of the guidelines and the

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mandatory requirements and best practices for all of our different programs. We would love to have the input of everyone on Council. So, if you could, over the next two or three days, take a look at those guidelines and send me an e-mail or send Diane an email so that we have your input on these important issues that we are going to be deciding. We are also working with other local government officials. We respect the fact that everybody has to make the best decision for their community and we also want to be in a position where we respect and support our neighbors' decisions. If you are getting questions, please advise your constituents that as soon as we make the decisions, we will advise everybody as quickly as possibly so that everybody can make their plans.

With regard to opening this building and the Community Room, we still have the Governor's standing order limiting mass gatherings and saying that crowds of 10 people or more are not permitted. I expect that something will be coming from Columbus very soon saying something about that order because I think it's only in effect until a week from Friday. That should be changing soon. Again, we would love to have your input. We are facing some very important decisions now and so if you can give us your input by Wednesday or Thursday, we would love to have it. That's all I have for tonight. Thanks.

Comments from Council President Schutt

Thank you Mayor Bodnar and thank you for all you have done throughout the COVID-19 pandemic as well. We appreciate everything you have done.

We want to say Happy early Birthday to John Marrelli. His birthday is on May 29th.

Caucus scheduled for June 1st has been cancelled. The next regularly scheduled meeting for Council is on June 15th. Pending further guidance from Governor DeWine as to the number of individuals permitted to gather, the meeting may take place in person or continue virtually. The website will be updated with this information and a notification sent to the news media once we know.

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

Council President Schutt stated, there were no public comments submitted to Mrs. Betsa. As mentioned earlier, if there were any late submittals, they will be addressed at the next meeting of Council.

DEPARTMENT HEAD REPORTS:

Building Department – Reporting on behalf of Mr. Marrelli, Council President Schutt stated, Architectural Review Board met on Thursday, May 14th. The Board approved the front entry of the OMNI, the Skoda Minotti sign name change to Marcum, a patio enclosure on Hickory Hill and a porch enclosure on Lander.

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Mary Betsa (Council) – As everyone knows, Shred Day was cancelled this past Saturday. Shred Day will be held on Saturday, October 31st from 9:00-12:00 in the Civic Center parking lot.

Law Department – Mr. Coyne: Good evening everyone. As you recall about two Council meetings ago, the Administration and Council discussed the concept of possibly disbanding the Drainage and Infrastructure Committee and establishing a type of moral claims commission. I just wanted to report to Council that we are in the process of drafting that ordinance and we will hopefully be able to provide it to Council next month. It will create a commission to address moral claims as opposed to legal claims which would be claims in which the Village might not be legally technically responsible to pay but due to actions or inactions of the Village and even subject to immunity that the Village could give consideration to paying claims to address property damage or other claims that are suffered by residents of the Village. When we get that drafted and reviewed by Administration, we will share that with Council at an upcoming Council meeting.

On the agenda too, I just wanted to point out there's a Resolution for the Artis development and terminating the Development Agreement. We have had no progress with that project for over two years and we believe that the developer is not in compliance with the express terms of the Agreement so we are suggesting that that be terminated through that Resolution so if you have any questions, you can address those to me or Administration.

I wanted to make two comments too about the COVID-19 situation; address some practical issues. Any licenses or permits that are required to be renewed that were coming up for renewal during this period of time are given a grace period or an extension until June 16th, so it's a 90-day extension after March 16th or until December 20th depending upon when the emergency declaration is lifted so I just wanted to remind people of that. The tax deadline is officially put back to July 15, 2020.

Parks and Recreation: On behalf of Mr. McAviney, Council President Schutt reported, in your packet this past weekend, you received a report from Shane McAviney, Director of Parks and Recreation, providing an update on the Parkview Playground Improvements. If you have any questions regarding the memo, Mr. McAviney asked that you call or e-mail him directly.

Committee Reports:

- . Civil Service Commission – Mrs. Betsa reported, the Civil Service Commission met virtually this evening to discuss participating in the multi-city testing for entry level Firefighter. Communities involve Mayfield Heights, Highland Heights, South Euclid, Pepper Pike and Richmond Heights. The Commission reviewed the materials provided, amended their Rules to include multi-municipality or regional entry level testing procedures or processes and authorized Chairman DeBaggis to attend the special multi-city meeting at Lyndhurst Community Center on Wednesday, May 20th to vote on behalf of the Commission on actions taken during the meeting and to authorize Chairman DeBaggis to enter into the Joint Firefighter/Paramedic Entrance Exam 2020 Participation Agreement on behalf of Mayfield Village and the Civil Service Commission. Minutes of

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this meeting will be available by the end of the week. If anyone has any questions, feel free to contact me. Thank you.

Council President Schutt stated, thank you Mrs. Betsa.

OLD BUSINESS

- **Third Reading of Ordinance No. 2020-06**, 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 – March 16, 2020, Second Reading – April 20, 2020) (Administration)

Mrs. Mills, seconded by Mrs. Jurcisek, made a motion to enact Ordinance No. 2020-06.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: Jurcisek, Meyers Motion Carried
 Mills, Murphy, Ordinance Enacted
 Williams, Schutt
 NAYS: Marquardt

- **Third Reading of Ordinance No. 2020-07**, entitled, “An ordinance amending Codified Ordinance Chapter 1359 relating to the destruction and removal of trees.” Introduced by Mayor Bodnar. (First Reading – March 16, 2020, Second Reading – April 20, 2020) (Building Department)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to enact Ordinance No. 2020-07

Council President Schutt asked, discussion?

There was none.

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

- **Resolution No. 2020-18**, entitled, “A resolution amending the policy and procedure for qualifications-based selection for professional services.” Introduced by Mayor Bodnar. (First Reading – March 16, 2020; Second Reading – April 20, 2020) (Administration).

Mrs. Jurcisek, seconded by Mr. Williams, made a motion to enact Resolution No. 2020-18.

Council President Schutt asked, discussion?

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There was none.

ROLL CALL: AYES: Jurcisek, Meyers Motion Carried
 Mills, Murphy, Resolution Adopted
 Williams, Schutt
 NAYS: Marquardt

NEW BUSINESS

Council President Schutt stated, for all items on New Business, we will take a Roll Call since we are on video.

Motion to authorize the extension of the deadlines under the Development Agreement between Mayfield Village and Georgian Medical Arts II, LLC approved by Council through Resolution 2019-69 for Georgian Medical Arts II, LLC to apply to the Village for all necessary Site Plan, conditional use and area variance approvals required for the Development and the completion of a traffic study from sixty (60) days to ninety (90) days due to the COVID-19 Pandemic. (Administration)

Mrs. Mills, seconded by Mr. Marquardt, made a motion to authorize the extension of the deadlines under the Development Agreement between Mayfield Village and Georgian Medical Arts II, LLC approved by Council through Resolution 2019-69 for Georgian Medical Arts II, LLC to apply to the Village for all necessary Site Plan, conditional use and area variance approvals required for the Development and the completion of a traffic study from sixty (60) days to ninety (90) days due to the COVID-19 Pandemic. (Administration)

Council President Schutt asked, discussion? Any questions?

Mr. Murphy asked, are there other things related to the Development Agreement that they haven't complied with or they need more time on?

Mr. Coyne replied, there really is nothing. This was raised. I might add and I know that the Council Clerk notified everyone that the results will be certified May 20th so these dates will run from that date in time. The traffic study is a good example. There aren't many people traveling, so the traffic study would be inconclusive as it relates to the development of the property. In addition, due to the nature of the development that will locate there and the major hospital system that's dealing with issues related to the COVID-19 pandemic, that's going to take some time. So, the representative of the property owner just asked for some additional time. We thought it was prudent that we extend the time.

Mr. Murphy asked, so they're not late? This is just extending –

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Mr. Coyne replied, out of the gate the zoning change was approved by the voters. The date starts running 30 days after the certification. This is just pro-active because of some of the issues with COVID-19. For example, the traffic study. Also, it's a medical facility. The hospital systems that they are talking to are dealing with other pressing issues right now so they thought it would be important to be upfront and just extend the time.

Mr. Murphy stated, that's great. Did they ask for another 30 days? Is an extra 30 days enough?

Mr. Coyne replied, to be candid with you, we had that discussion with the Administration as well. We were wondering about that but that's what they requested. We are giving them what they requested. Certainly, if something comes up, we will entertain it, but it's up to Council to extend the timeframe.

Mr. Murphy said, thank you.

Council President Schutt asked, any other questions?

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Deadlines extended

. **Motion to approve 2019 Economic Development Incentive grant payment to Mars Electric in the amount of \$50,833. (Economic Development)**

Mrs. Mills, seconded by Mr. Williams, made a motion to approve 2019 Economic Development Incentive grant payment to Mars Electric in the amount of \$50,833. (Economic Development)

Council President Schutt asked, discussion? Any questions?

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Expenditure Authorized

. **Motion to declare 20 mobile radios, 27 portable radios and various accessories such as lapel microphones, chargers, mounts, pyramid vehicle repeaters, cables, etc. surplus and to sell them on Govdeals.com. (Fire Department)**

Mrs. Mills, seconded by Mr. Marquardt, made a motion to declare 20 mobile radios, 27 portable radios and various accessories such as lapel microphones, chargers, mounts, pyramid vehicle repeaters, cables, etc. surplus and to sell them on Govdeals.com. (Fire Department)

Council President Schutt asked, discussion?

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Mr. Wynne stated, in 2019, we purchased all new radios for the Fire Department through Motorola Solutions. They took an equal number of radios in trade on that purchase. These are just extra radios and pieces parts that we had in the station that the Chief would like to put on Govdeals and try to get as much money as possible for the Village. That's what we are asking for here.

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

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Surplus Declared
		Sale on Govdeals.com Approved

- **Motion to acknowledge receipt of financial reports for April 2020 and to approve of same as submitted. (Finance Department)**

Mrs. Mills, seconded by Mr. Marquardt, made a motion to acknowledge receipt of financial reports for April 2020 and to approve of same as submitted. (Finance Department)

Council President Schutt asked, discussion?

Mr. Wynne stated, yes. I just wanted to mention two things. The status report speaks for itself. We are well positioned to weather the challenges facing us right now because of our conservative budgeting approach. I also provided Council and the Mayor as well as the Department Heads with a memo describing some of the revenue-type items that are impacted by the current challenges. Again, I think we are in a good position to handle this. We did receive our final collections for May from a tax standpoint and those came in \$147,000 above our budget so they are still continuing to track nicely. I will just keep an eye on that on a regular basis and inform Council as changes arise.

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

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Financial Reports for
		April 2020 Acknowledged
		And Approved as Submitted

- **Motion to authorize expenditure in an amount not to exceed \$7,400 to James McKnight for project management services and lighting plan for the Parkview Playground Project. (Parks and Recreation)**

Mrs. Mills, seconded by Mrs. Jurcisek, made a motion to authorize expenditure in an amount not to exceed \$7,400 to James McKnight for project management services and lighting plan for the Parkview Playground Project. (Parks and Recreation)

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Council President Schutt asked, discussion?

Mr. Wynne stated, yes. I just wanted to mention the reason this is on the agenda this evening is we had initially signed an agreement with Mr. McKnight for about \$4,900 for his services. That agreement just included professional services. It did not include a provision for out of pocket expenses from the standpoint of making copies of plan documents and bid documents and so forth. This \$7,400 is not in addition to the \$4,900. It's in total. Because it came in over \$5,000, we wanted to put it forth to have Council's official approval on it. We do have a little bit additional in there just in the event of charges which might come in during the project.

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

There were none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Expenditure Authorized

- **Resolution No. 2020-23**, entitled, "An emergency resolution authorizing Mayfield Village to enter into a State/Local Project Agreement with the State of Ohio for the Land & Water Conservation Fund Program." Introduced by Mayor Bodnar. (Parks and Recreation).

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adopt Resolution No. 2020-23.

Council President Schutt asked, discussion?

Mr. Coyne stated, on behalf of the Parks and Rec Department, this resolution addresses the requirement that there be a resolution accepting the award for this project. This is part of the Land & Water Conservation Fund Program Grant which we receive which is kind of exciting for the Village. This is for the Parkview Playground Renovation Project. The Agreement is attached and the amount of Federal funds from the project received is \$227,978. As you can see by the program grant, there's additional funding as well. This is pretty exciting.

Council President Schutt asked, thank you Mr. Coyne. Any questions?

Mr. Williams stated, congratulations.

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

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- **Resolution No. 2020-24**, entitled, “An emergency resolution terminating the Development Agreement with Artis Senior Living of Mayfield, L.L.C.” Introduced by Mayor Bodnar. (Administration).

Mr. Williams, seconded by Mr. Meyers, made a motion to adopt Resolution No. 2020-24.

Council President Schutt asked, discussion? Any questions?

There were none.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Resolution Adopted

- **Resolution No. 2020-25**, entitled, “An emergency resolution authorizing Mayfield Village to enter into the Master Cooperative Agreement for Preventive Maintenance Services with Cuyahoga County and participating municipalities to participate in the Cuyahoga Countywide Preventive Maintenance Program.” Introduced by Mayor Bodnar. (Finance).

Mrs. Mills, seconded by Mr. Williams, made a motion to adopt Resolution No. 2020-25.

Council President Schutt asked, discussion?

Mr. Wynne stated, we have already been awarded \$41,150 as part of this agreement. What the County found out is that their legislation approving this agreement expired in 2019 so now they are asking all the municipalities who received awards this year to sign this Master Cooperative Agreement acknowledging their award for 2020, so that’s what this is all about.

Council President Schutt stated, thank you Mr. Wynne.

ROLL CALL: AYES: All

NAYS: None

Motion Carried

Resolution Adopted

ANY OTHER MATTER BEFORE COUNCIL

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

Mrs. Mills stated, I had a couple residents call me last week about power outages, one was in the Meadowood area and the other one was on Wilson Mills in the Kenwood area. I called Mrs. Wolgamuth and Doug Metzung and they are both aware of these. The one resident on Meadowood was very perturbed because he said this is an ongoing thing. I am sure that Doug and Diane will figure this all out for us. That’s it.

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Council President Schutt stated, thank you Mrs. Mills. Any other matters? Just a reminder that June Caucus is cancelled and Council will be on June 15th. We will let you know if it will be live or videoconferenced. Stay safe. Thanks for everything you do.

Mrs. Mills stated, wear your masks.

ADJOURNMENT

Mrs. Mills, seconded by Mr. Marquardt, made a motion to adjourn.

The meeting adjourned at 7:36 p.m. The next Regular Meeting of Council meeting is scheduled for Monday, June 15, 2020 at 7:00 p.m.