

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

**Tuesday, January 18, 2022 – 7:00 p.m.**

**Mayfield Village Civic Hall-Mayfield Village Civic Center**

The Council of Mayfield Village met in Regular Session on Tuesday, January 18, 2022 at Mayfield Village Reserve Hall. 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,  
Chief Carcioppolo, Chief Matias, Mr. Cappello,  
Mr. Marquart, Mr. McAviney, Mr. Russell,  
Mr. Sipos, Ms. Wolgamuth and Mrs. Betsa

Absent: None

The Pledge of Allegiance to the Flag was given.

## **CONSIDERATION OF MINUTES:**

### **Regular Council Meeting – December 20, 2021**

Mr. Marquardt, seconded by Mr. Murphy, made a motion to approve the Minutes of the Regular Council Meeting of December 20, 2021.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Minutes of December 20, 2021  
Meeting Approved as Written

### **Special Council Meeting – January 3, 2022**

Mr. Williams, seconded by Mr. Marquardt, made a motion to approve the Minutes of the Special Council Meeting of January 3, 2022.

Council President Schutt asked, any discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Minutes of January 3, 2022  
Meeting Approved as Written

**Comments from Mayor Bodnar**

Thank you, Council President. I have a couple of comments tonight. First, thanks go out to our Service Department and Scott Sipos for an amazing job in keeping the roads clean yesterday. Also, kudos go out to Shane McAviney for putting out this great annual report for the Service Department. We appreciate all you do. Thank you.

Council President Schutt stated, thank you, Mayor Bodnar.

**Comments From Council President Schutt**

Council President Schutt stated, I would like to echo the Mayor's comments too about the Service Department keeping up with the snow we received Sunday night into Monday. We appreciate all the hard work in keeping up with the snow. I hope everybody enjoyed their Martin Luther King, Jr. Day. Also, our next Regular Meeting of Council is Monday, February 21, 2022.

**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. If anyone is here this evening to make any comments on the appeal for Mr. and Mrs. Boyle, we will address those when we get to that item on the agenda.

John Michalko  
6852 Wilson Mills

I just wanted to extend compliments to the Service Department like the Mayor and Council President was saying. Scott, you guys did an amazing job. Based on my previous work experiences, nobody can hold a candle to you. Some people we could be really appreciative of are our service and safety forces because they have to be out constantly going up and down streets. From my previous experience, I really appreciate it because I had to deal with it in the City of Cleveland.

Council President Schutt stated, thank you, Mr. Michalko. Are there any other comments?

There were none.

**Department Head Reports:**

**Clerk of Council – Mrs. Betsa** – I am glad to report that training sessions have started back up again. The Northeast Ohio City Council Association will hold their Annual Meeting and Election of Board of Directors on Thursday, February 17<sup>th</sup> in Independence. There will also be discussions led by the Urban League of Greater Cleveland. Of most interest is the 2022 Municipal Officials' Training Seminars being held by the Ohio Municipal League on March 5<sup>th</sup>, 12<sup>th</sup> or 26<sup>th</sup>. The seminar on the 26<sup>th</sup> will be held in Independence. That is on a Saturday. It is a full-day agenda. Topics include Home Rule, Open Meetings, Finances, Bidding and Economic Development. I will send this off to everyone. If anyone would like to attend, please let me know and I will register you. Thank you.

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

**Parks and Recreation – Mr. McAvinew** – I have a brief report. With the snowstorm this time, we did have our snow plow companies have a bit of a challenging two days for them. I received a lot of phone calls. If the calls are on the weekends or evenings outside of the regular office hours, please call dispatch. Dispatch has the contact numbers for the snow plow companies. If they call the Parks and Recreation office like they did yesterday when we were closed, I was not able to get back with them. One gentleman called 13 times and left messages. If he would have called dispatch, they would have been able to address it. Dispatch also has my phone number. I want to make sure everyone's driveway gets handled, but the best way is to call dispatch. They do a great job. I talked to the dispatchers today and we went through the whole process. Outside of that, most people seem very happy with the program. If there are calls or concerns, we address them as they come in. If anyone has an issue with their contractor, I would like them to call me and I will call the contractor and work through the issue with them. Reporting on Parks and Recreation, our brochure is going to be coming out shortly. In the next month toward the end of February, you will have it in your mailbox with all of the programs and special events. We are doing a combined entertainment/community brochure, plus a flier, so there will be two mailings going out. Thank you.

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

**Service Department – Mr. Sipos** – I have no report, but I just wanted to thank everyone for their positive comments. This was a great test for our new employees. They did a great job.

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

**OLD BUSINESS**

- **Third Reading of Ordinance No. 2021-14**, entitled, “An Ordinance enacting Chapter 1175 Beta Core Commercial District Overlay and revising the zone map of Mayfield Village so as to overlay the Beta Core Commercial District over certain properties located on Beta Drive in Mayfield Village.” Introduced by Mayor Bodnar. (Administration) (First Reading – October 18, 2021; Amended November 15, 2021 - Second Reading – November 15, 2021; Amended December 6, 2021 – Second Reading – December 6, 2021; Kept on Second Reading December 20, 2021)

Mr. Murphy, seconded by Mr. Williams, made a motion to enact Ordinance No. 2021-14.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	Arndt, Juncisek Meyers, Murphy Williams, Schutt	Motion Carried Ordinance 2021-14 Enacted
NAYS:	Marquardt	

- **Third Reading of Ordinance No. 2021-17**, entitled, “An Ordinance repealing Mayfield Village Codified Ordinance Chapter 975 Tool and Equipment Lending Program in its entirety.” Introduced by Mayor Bodnar. (Service Department) (First Reading – November 15, 2021; Second Reading – December 20, 2021)

Mr. Marquardt, seconded by Mr. Murphy, made a motion to enact Ordinance No. 2021-17.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Ordinance 2021-17 Enacted

- **Second Reading of Ordinance No. 2021-18**, entitled, “An ordinance enacting Mayfield Village Codified Ordinance Chapter 1187 Solar Energy Systems.” Introduced by Mayor Bodnar (Administration) (First Reading – December 20, 2021)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Ordinance 2021-18 will move to Third Read at our meeting on February 21<sup>st</sup>.

**NEW BUSINESS**

**Appeal of Daniel and Shelley Boyle of recommendation of Board of Zoning Appeals dated December 14, 2021 denying their request for an 88 square foot variance from Section 1157.06(a)(3) to allow for construction of an additional 160 square foot rear yard shed/studio structure with the existing 120 sq. ft. rear yard shed to remain.**

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

Allison Wickham  
6751 Walnut Drive

Shelley and Daniel's property is right behind mine. I am just here in support of them. The shed is very nice. It's up against their house. It's not destructive. I don't understand why the change was made by the city for the structure. I just thought I would come and show my support in getting the variance granted.

Council President Schutt stated, thank you.

Morgan McAligen  
6747 Thornapple

I live across the street on Thornapple from them. We have never had any issues with them since moving in. We are here to show our support. We have no issue with it.

Council President Schutt stated, thank you.

William Henry

I am the next door neighbor to Dan and Shelley. I have seen the structure. It's pleasing. It's not interfering with visual or anything. I think they did a good job. I am here to support them. Thank you.

Council President Schutt stated, thank you.

Shelley and Daniel Boyle  
6750 Thornapple

We moved in last April. We have several letters from other neighbors who could not be here tonight. [Letters were presented to Council Clerk Betsa for the record]. I would like to thank the Council for your attention this evening. I would like to especially thank my neighbors for coming. Is there any questions that I can answer?

Mrs. Jurcisek asked, you currently are using the shed that you have at the back of the property as well, is that correct?

Mr. Boyle replied, yes. That's for storage. The studio is a totally different design. It won't be used for storage.

Mr. Arndt stated, I would like to say something.

Council President Schutt stated, go ahead.

Mr. Arndt stated, I had the pleasure of meeting the Boyles after they first moved in. I saw them in late summer/late fall. I saw the structure. It's well put together. It's not an eyesore. I support you in what you have done. I don't see an issue here with the art studio whatsoever. You set it up very nice.

Mr. Boyle asked, is there anything else you would like me to clarify?

Council President Schutt stated, no. I would just like to state for the record that I went over to the Boyles' residence today to look at it because I knew it was on the agenda tonight and that we might be possibly voting on this. It's definitely up for discussion at a minimum for tonight. I also wanted the public record to validate that they purchased their home early in 2021 and based on our conversation you mentioned that you did not realize you needed a permit, correct?

Mr. Boyle replied, no. Our understanding at that time was that since it was not a permanent structure it was not required.

Council President Schutt stated, okay. And also, in reading the Minutes from the meeting they mentioned that abstract painting can get messy at times.

Mr. Boyle replied, yes.

Council President Schutt asked, and also you mentioned that it would be for personal use and not for any business and you wouldn't have clients coming in?

Mr. Boyle replied, correct.

Council President Schutt stated, I agree with Councilman Arndt's comments as well that it is a nice structure. It's up against the house. You can't even see it in the street. Certainly, I don't have any issues with that piece of it. If you were to remove one of the structures, which one would be removed then?

Mr. Boyle replied, we would have to take down the storage shed.

Council President Schutt stated, okay. So the one in the rear part of the property?

Mr. Boyle replied, yes.

Council President Schutt asked, and then what would you do with the items in the shed if they were removed?

Mr. Boyle replied, they would have to be piled and tarped.

Council President Schutt asked, I'm sorry, what was that?

Mr. Boyle replied, they would have to be piled up in the back of the property and tarped.

Mrs. Boyle replied, we don't have a place to store our lawnmower, bicycles and all that. We would have to tarp it. Our cars need to be in the garage. It's a small two-car garage.

Council President Schutt stated, yes. I saw your garage today and I agree. It would be challenging to put stuff from the shed in there plus two cars.

Council President Schutt stated, that's all the questions I have. Thank you for your time today. I am just wondering if anyone else on Council has comments or questions.

Mrs. Jursisek stated, I do. I just wanted to reiterate what Council President Schutt and Councilman Arndt had said as well. I saw your structure as well and I think it's tastefully done. It compliments the property. It's a testament that the neighbors have shown up here on your behalf as well. I know you haven't even been in your residence a year and you have made significant improvements on the outside. It's a testament that you have taken care of your property and have corrected things that you were not expecting when you first moved in as well.

Mr. Boyle stated, yes, we have had some challenges.

Mrs. Jursisek stated, right. To put it mildly, yes. And again, reiterating that this is for personal use too.

Mrs. Boyle stated, just to let you know, we had water issues in the basement where we had broken tiles on the outside of the house that we did not know about. That's was not told to us when we moved in. We ended up with black mold and water issues. We couldn't get anybody to take care

of it. We found out what was broken in September. The people who were going to fix it were all booked up. They couldn't fix it until November. We finally got it fixed in November and then we started working on trying to figure out what to do with the shed at that time.

Mr. Boyle stated, basically our focus was on large things like that that we were trying to take care of.

Mrs. Juncisek stated, thank you.

Council President Schutt asked, are there any other comments or questions?

Mr. Murphy stated, I have a couple of comments, not to the Boyles, but just in general or maybe to Mr. Russell and Diane. A couple of things as I read the Minutes from the meeting and I read the Planning and Zoning Code, it was alluded to in the Minutes, there's not a fine line. There's definitely a gray area when it's related to this situation. In the Minutes, there was talk about they are limiting it to 192 square feet because it's used for a tool shed or storage. That's not the case. They are not using it for a shed or storage. But, there's nothing in the Code that talks about anything other than a vehicle or tool shed or storage. There's not a catchall. Unfortunately, shame on us for not having a catchall. Like Mr. Michalko said in the Minutes, its from 1994, so we definitely need to take a look at this and update it. The other thing is that I can't decipher and it was kind of ambiguous in the Minutes, it doesn't say you can only have one accessory building or if you could have multiple accessory buildings. The group put 192 square feet on the total of the buildings. It could be read and it could be interpreted as 192 square feet per building. It's alluded to in the Minutes. Ten buildings of 192 square feet each doesn't make sense, but it's not clear. I don't know if I can rely on that. Also, having the support that they have with the neighbors for them is a testament to their case tonight. Thank you.

Council President Schutt stated, thank you Councilman Murphy. Any other comments or questions.

Mr. Murphy stated, I have one other question. Diane, what happens with this voting power? Whether it goes one way or the other, can you explain the process then of what happens? Does it go back to Board of Appeals? How does that work?

Ms. Calta replied, sure. The options for Council tonight is to make a decision based on the record that you have been provided with or you can schedule a brief hearing before Council which would be a hearing similar to what took place before the Board of Zoning Appeals but instead it would be before Council. If you are able to make a decision based upon what you know from the record and here tonight, you can affirm the decision of the Board of Zoning Appeals or you can modify or reverse it. You have the option. If you modify or reverse it, you need 5 votes. If you affirm it, you only need 4.

Mr. Murphy asked, what happens if we have a hearing? Would that be next month? So we could vote on it tonight or we could have a hearing next month?



Ms. Calta replied, you would schedule a brief hearing if you feel that there is any additional information that you would like to see or if you need a legal opinion or something like that. That's why we recommend having a hearing. If I can very quickly, fortunately or unfortunately I have worked with this Code section before. I think it's always been interpreted not limited to structures. It's looked at by the square footage. You could meet the square footage and you have five structures. It's not limited to one structure. It's all of the structures. I do agree that the terminology could be improved since 1994.

Mr. Meyers asked, was there ever a permit issued for this building?

Mr. Boyle replied, as we said, we weren't aware that it was required. We came to the Building Commissioner to ask what was necessary. His recommendation was to take it to Board of Zoning Appeals.

Mrs. Boyle replied, I bought this for his anniversary gift. I did not know it was required. The neighbors told me that if it was movable, it wouldn't be needed. We found out and looked into it after we got our water problems fixed. That's when we found out.

Mr. Boyle stated, we brought it to the Village.

Mrs. Boyle stated, we were trying to make things right.

Council President Schutt stated, thank you. Are there any other comments or questions?

Mr. Williams asked, why did you bring it to the Village?

Mrs. Boyle replied, because we needed to know if we needed a permit. I don't think it's right not to. When we did our driveway or had the water issues, we needed permits to get all that stuff done. The Building Department answered our questions to make sure it is done correctly. I would rather do it correctly when it comes to a lot of different things.

Mr. Williams asked, but you put it up without asking?

Mrs. Boyle replied, it was fabricated.

Mr. Boyle stated, right, this was shipped to us.

Mrs. Boyle stated, right. It was fabricated. It was brought in. I was happy when I bought it because we have a place for his paintings. We moved here from a four-story house. We downsized. My husband had a heart attack. I am not doing as good as I am able to with steps. We needed to downsize. I have lived in Mayfield Village on Lander. My parents lived there. We moved back down to the same street. I love Mayfield Village. Another thing is the sidewalks. You did them. Usually you can't get down the street. It's amazing. I love the Village. I grew up

here. My Dad was with the Historical Society. He did a lot of work up to his death. Two weeks before he died, he was at that House all the time working there. He loved Mayfield Village.

Mr. Williams stated, that's the end of my questions.

Council President Schutt asked, are there any other questions or comments from Council? Mr. Boyle do you have any other last comments as well? Is there anything else that you wanted to state?

Mr. Boyle stated, again, we thank you for your time and certainly we are doing this to improve the property.

Mrs. Boyle stated, I really don't want to offend anybody. I am just trying to make it right.

Council President Schutt stated, thank you. At this point, based on what Ms. Calta said earlier, Council has three options at this point in time. We could either vote on it tonight. We can push it to next month's meeting or we can schedule a hearing in front of Council.

Mrs. Juncisek stated, I am okay to vote on it tonight.

Mr. Arndt stated, I will second that.

Mrs. Juncisek stated, speaking to what Ms. Calta has said before, I don't know if we will get any additional information outside of what we have read and what we have heard tonight.

Ms. Calta stated, if you wanted to make a motion and then second that motion, you can.

. **Motion to approve the appeal and reverse the decision of the Board of Zoning Appeals of the request for variance of Daniel and Shelley Boyle.**

Mrs. Juncisek, seconded by Mr. Arndt, made a motion to approve the appeal and reverse the decision of the Board of Zoning Appeals of the request for variance of Daniel and Shelley Boyle.

Council President Schutt asked, discussion?

Mr. Williams stated, I missed this meeting and I am just reading this recently. The reason for the denial if I am reading this correctly is because it sets a precedent, meaning that anyone in the Village could add additional structures at their house. You could have something in the front of the house which probably could be permitted. I just wanted to make sure I understood the reason the Board denied it.

Mr. Murphy stated, if I am understanding it correctly, I think it was setting a precedent of over 192 square feet for a total of accessory structures on their property.

Council President Schutt stated, that's how I read it too.

Ms. Calta stated, if I may add something. I did not attend the meeting. But a couple of things to point out, I think that the Board looked at applying the practical difficulty standard. On the precedent, that's a very common question that I have had. Variances, because they are not to be based upon unique circumstances do not set a precedent from a legal perspective. Just keep that in mind. Every variance might be different based upon facts and circumstances and should not be looked at as a precedent for any other variance.

Mrs. Juncisek stated, so you are saying a case by case basis then in other words?

Ms. Calta replied, that's correct.

Mrs. Juncisek stated, okay. I agree with what Councilman Murphy had said earlier that the ordinance dated back to 1994. There's a sense of vagueness to it that maybe we would need to look at for the future. It can be interpreted numerous ways.

Mr. Williams stated, this would have been turned down by the Board based on the specifications. If they would have requested it before putting it up, it would have been turned down.

Council President Schutt stated, they still could have applied for a variance on that. It would exceed the 192 square feet, but they could have.

Mr. Williams stated, it would have been denied.

Council President Schutt stated, right, and then they could still then ask for a variance.

Mrs. Juncisek stated, I think it should also be noted that when reading the Minutes, it looks like two individuals from the Committee were also not present during that whole thing as well.

Mr. Murphy stated, and it was a split decision.

Council President Schutt stated, correct. And then I also agree on not setting a precedent on the fact that any variances would have to come back for our approval.

Mr. Murphy asked, so before we vote, Ms. Calta, can you go over again what a yes versus no response is in regards to this?

Ms. Calta replied, the motion that you have pending before you is to affirm their appeal. You would be reversing the decision of the Board of Zoning Appeals. The Board of Zoning Appeals denied the variance, which means you would be granting the variance. It won't go back to BZA. It won't go any further, except for them submitting to the Building Department for a permit.

Mr. Murphy asked, that's a vote of yes?

Ms. Calta replied, correct.

Mr. Murphy stated, thank you.

Council President Schutt asked, are there any other comments or discussion?

There was none.

ROLL CALL: AYES:	Arndt, Juncisek, Marquardt, Murphy Williams, Schutt	Motion Carried Appeal Approved BZA Decision Reversed
NAYS:	Meyers	

Council President Schutt stated, the motion passes 6-1. Congratulations Mr. and Mrs. Boyle.

- **Motion to authorize expenditure in the amount not to exceed \$36,000 to Anthony Carbone for Building Inspector services for 2022.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount not to exceed \$36,000 to Anthony Carbone for Building Inspector services for 2022.

Council President Schutt asked, discussion?

There was none.

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

- **Motion to authorize expenditure in an amount not to exceed \$15,000 to Konica Minolta Business Solutions (All Covered) for 2022 Monthly Data Recovery Backups and miscellaneous IT services.**

Mrs. Juncisek, seconded by Mr. Marquardt, made a motion to authorize expenditure in an amount not to exceed \$15,000 to Konica Minolta Business Solutions (All Covered) for 2022 Monthly Data Recovery Backups and miscellaneous IT services.

Council President Schutt asked, discussion?

There was none.

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

**Motion to authorize expenditure in the amount of \$6,000 to Cuyahoga Soil and Water Conservation District for the Public Involvement/Public Education (PIPE) Program continuation of services for 2022.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$6,000 to Cuyahoga Soil and Water Conservation District for the Public Involvement/Public Education (PIPE) Program continuation of services for 2022.

Council President Schutt asked, discussion?

There was none.

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

**Motion to acknowledge receipt of financial reports for December, 2021 and to approve of same as submitted.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to acknowledge receipt of financial reports for December, 2021 and to approve of same as submitted.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES:	All	Motion Carried
NAYS:	None	Financial Reports for December, 2021 Acknowledged And Approved as Submitted

**Motion to authorize expenditure in the amount of \$18,996 to Everstream for annual internet and fiber ring maintenance services (year 5 of 5-year Agreement).**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$18,996 to Everstream for annual internet and fiber ring maintenance services (year 5 of 5-year Agreement).

Council President Schutt asked, discussion?

There was none.

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

- **Motion to authorize expenditure in the amount of \$13,800 to Stryker for 2022 Annual Service Agreement for AED's.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$13,800 to Stryker for 2022 Annual Service Agreement for AED's.

Council President Schutt asked, discussion?

There was none.

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

- **Motion to authorize expenditure in the amount of \$10,100 to Cleveland Division of Water for 2022 Annual Hydrant Fee.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$10,100 to Cleveland Division of Water for 2022 Annual Hydrant Fee.

Council President Schutt asked, discussion?

There was none.

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

- **Motion to authorize additional expenditure in an amount not to exceed \$52,500 to Amanda Slutsky dba Rookie Sports Club to collaborate with the Parks and Recreation Department to provide recreational programming from January 1, 2022 through December 31, 2022. (pass-through)**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize additional expenditure in an amount not to exceed \$52,500 to Amanda Slutsky dba Rookie Sports Club to collaborate with the Parks and Recreation Department to provide recreational programming from January 1, 2022 through December 31, 2022. (pass-through)

Council President Schutt asked, discussion?

There was none.

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

- . **Motion to authorize expenditure in the amount of \$11,781.00 to Ohio Geese Control for geese control at soccer fields, softball fields, bocce courts, tennis courts, parking lot and Grove for 2022.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$11,781.00 to Ohio Geese Control for geese control at soccer fields, softball fields, bocce courts, tennis courts, parking lot and Grove for 2022.

Council President Schutt asked, discussion?

There was none.

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

- . **Motion to authorize expenditure in the amount of \$12,750.96 to TAC Management Co. for CAD System Maintenance in 2022.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$12,750.96 to TAC Management Co. for CAD System Maintenance in 2022.

Council President Schutt asked, discussion?

There was none.

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

- . **Motion to authorize expenditure in the amount of \$29,450 to Suburban Police Anti-Crime Network (SPAN) in payment of 2022 contribution.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$29,450 to Suburban Police Anti-Crime Network (SPAN) in payment of 2022 contribution.

Council President Schutt asked, discussion?

There was none.

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

- **Motion to approve renewal of cleaning services at the Police Department and to authorize expenditure in the amount of \$11,940 to City Wide for 2022.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to approve renewal of cleaning services at the Police Department and to authorize expenditure in the amount of \$11,940 to City Wide for 2022.

Council President Schutt asked, discussion?

There was none.

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

- **Motion to authorize expenditure in the amount of \$14,880 to Agile Network Builders, LLC for back-up connectivity in the dispatch center.**

Mr. Marquardt, seconded by Mrs. Juncisek, made a motion to authorize expenditure in the amount of \$14,880 to Agile Network Builders, LLC for back-up connectivity in the dispatch center.

Council President Schutt asked, discussion?

There was none.

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

- **First Reading of Ordinance No. 2022-01**, entitled, "An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2022 to December 31, 2022 and declaring an emergency." Introduced by Mayor Bodnar. (Read in title only)

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Ordinance 2022-01 will move to Second Read at our February meeting.



- **First Reading of Resolution No. 2022-01**, entitled, “An emergency resolution expressing the intent of the Village of Mayfield in 2022 to sell by internet auction personal property referenced in Revised Code §721.15 which are no longer needed for public use or are obsolete or unfit for the use for which they were acquired.” Introduced by Mayor Bodnar.

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring a Resolution to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Resolution No. 2022-01.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Resolution Adopted

- **First Reading of Resolution No. 2022-02**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2021.” Introduced by Mayor Bodnar. (Read in title only).

Council President Schutt asked, discussion?

There was none.

Council President Schutt stated, Resolution No. 2022-02 will move to Second Read at our February meeting.

- **First Reading of Resolution No. 2022-03**, entitled, “An emergency resolution authorizing Mayfield Village to expend an amount not to exceed \$50,520 to American Benefits Group to fund the 2022 Flexible Spending Accounts for eligible Mayfield Village employees.” Introduced by Mayor Bodnar.

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring a Resolution to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Resolution No. 2022-03.

Council President Schutt asked, discussion?

Mr. Wynne stated, just a reminder that these are voluntary elections by the employees taken out of their paychecks for their flexible spending accounts for medical expenses during the year. The Village is reimbursed throughout the year via payroll deductions.

Council President Schutt stated, thank you Mr. Wynne. Any other comments or discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Resolution Adopted

- **First Reading of Resolution No. 2022-04**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Memorandum of Understanding with the Cuyahoga County Board of Health for authority and consent to provide Phase II Stormwater Services in 2022-2025.” Introduced by Mayor Bodnar

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring a Resolution to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Resolution No. 2022-04.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Resolution Adopted

- **First Reading of Resolution No. 2022-05**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for providing technical assistance in implementing soil and water conservation measures and authorizing Mayfield Village to expend funds in an amount not to exceed \$13,000 to the Cuyahoga Soil and Water Conservation District.” Introduced by Mayor Bodnar

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring a Resolution to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Resolution No. 2022-05.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Resolution Adopted

- **First Reading of Resolution No. 2022-06**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resources.” Introduced by Mayor Bodnar

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to suspend the rules of Council requiring a Resolution to be read on three separate occasions.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Rules Suspended

Mr. Murphy, seconded by Mrs. Juncisek, made a motion to enact Resolution No. 2022-06.

Council President Schutt asked, discussion?

There was none.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Resolution Adopted

**ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL**

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

Mayor Bodnar stated, I just wanted to thank John Marquart for the presentation tonight. You were very thorough. You were clear in the presentation. I think you responded appropriately and professionally very well to the questions and comments that were put before you. I appreciate all of the work that you have done.

Mr. Marquart stated, thank you Mayor.

Council President Schutt stated, thank you Mayor. Are there any other matters to come before Council?

There were none.

**ADJOURNMENT**

Mr. Murphy, seconded by Mr. Marquardt, made a motion to adjourn.

ROLL CALL: AYES: All  
NAYS: None

Motion Carried  
Meeting Adjourned

The meeting adjourned at 7:50 p.m. The next Regular meeting of Council will be on Monday, February 21, 2022 at 7:00 p.m. in Civic Hall at the Mayfield Village Civic Center.



STEPHEN SCHUTT, COUNCIL PRESIDENT



BRENDA T. BODNAR, MAYOR



MARY E. BETSA, MMC, CLERK OF COUNCIL

Stephen Schutt,  
Council President/At-Large  
Bill Marquardt, Ward 1  
Mark Arndt, Ward 2  
Dennis Murphy, Ward 3  
George Williams, Ward 4  
Jennifer Jurcisek, At-Large/Pro-Tem  
Allen Meyers, At-Large  
Mary E. Betsa, MMC, Clerk of Council  
440-461-0862 – 440-461-0552(F)  
[mbetsa@mayfieldvillage.com](mailto:mbetsa@mayfieldvillage.com)

**AGENDA**  
**REGULAR MEETING OF COUNCIL**  
**MAYFIELD VILLAGE, OHIO**  
**Tuesday, January 18, 2022 – 7:00 p.m.**  
Old Village Reserve Hall - Mayfield Village Civic Center  
6622 Wilson Mills Road, Mayfield Village, Ohio 44124

Diane Wolgamuth (Administration)  
Daniel Russell (Building)  
• Planning and Zoning  
Mary Betsa (Council)  
Tom Cappello (Engineer)  
Ronald Wynne (Finance)  
Chief Eugene Carcioppolo (Fire)  
Diane A. Calta (Law)  
Shane McAviney (Parks & Recreation)  
• Commission on Aging  
• Parks and Recreation Board  
• Senior Services  
Chief Paul Matias (Police)  
Scott Sipos (Service)

## **OLD BUSINESS**

- **Third Reading of Ordinance No. 2021-14**, entitled, “An Ordinance enacting Chapter 1175 Beta Core Commercial District Overlay and revising the zone map of Mayfield Village so as to overlay the Beta Core Commercial District over certain properties located on Beta Drive in Mayfield Village.” Introduced by Mayor Bodnar. (Administration) (First Reading – October 18, 2021; Amended November 15, 2021 - Second Reading – November 15, 2021; Amended December 6, 2021 – Second Reading – December 6, 2021; Kept on Second Reading December 20, 2021)
- **Third Reading of Ordinance No. 2021-17**, entitled, “An Ordinance repealing Mayfield Village Codified Ordinance Chapter 975 Tool and Equipment Lending Program in its entirety.” Introduced by Mayor Bodnar. (Service Department) (First Reading – November 15, 2021; Second Reading – December 20, 2021)
- **Second Reading of Ordinance No. 2021-18**, entitled, “An ordinance enacting Mayfield Village Codified Ordinance Chapter 1187 Solar Energy Systems.” Introduced by Mayor Bodnar (Administration) (First Reading – December 20, 2021)

## **NEW BUSINESS**

- **Appeal of Daniel and Shelley Boyle of recommendation of Board of Zoning Appeals dated December 14, 2021 denying their request for an 88 square foot variance from Section 1157.06(a)(3) to allow for construction of an additional 160 square foot rear yard shed/studio structure with the existing 120 sq. ft. rear yard shed to remain.**
  - C.O. 1105.02(d) in part states: After the Board has rendered its decision on a particular case, any interested party may appeal the decision of the Board to Council within ten days of receiving notice of such decision, or approval of the minutes at which such action was determined, whichever is the earlier. Council may review the transcript and minutes of the Board hearing, or have a rehearing in front of Council, and may affirm the decision of the Board of Zoning Appeals, or, with a two-thirds majority vote, modify or reverse the decision.
- **Motion to authorize expenditure in the amount not to exceed \$36,000 to Anthony Carbone for Building Inspector services for 2022. (Administration)**
- **Motion to authorize expenditure in an amount not to exceed \$15,000 to Konica Minolta Business Solutions (All Covered) for 2022 Monthly Data Recovery Backups and miscellaneous IT services. (Administration)**
- **Motion to authorize expenditure in the amount of \$6,000 to Cuyahoga Soil and Water Conservation District for the Public Involvement/Public Education (PIPE) Program continuation of services for 2022. (Administration)**

- **Motion to acknowledge receipt of financial reports for December, 2021 and to approve of same as submitted. (Finance Department)**
- **Motion to authorize expenditure in the amount of \$18,996 to Everstream for annual internet and fiber ring maintenance services (year 5 of 5 year Agreement). (Finance Department)**
- **Motion to authorize expenditure in the amount of \$13,800 to Stryker for 2022 Annual Service Agreement for AED's. (Fire Department)**
- **Motion to authorize expenditure in the amount of \$10,100 to Cleveland Division of Water for 2022 Annual Hydrant Fee. (Fire Department)**
- **Motion to authorize additional expenditure in an amount not to exceed \$52,500 to Amanda Slutsky dba Rookie Sports Club to collaborate with the Parks and Recreation Department to provide recreational programming from January 1, 2022 through December 31, 2022. (pass-through) (Parks and Recreation)**
- **Motion to authorize expenditure in the amount of \$11,781.00 to Ohio Geese Control for geese control at soccer fields, softball fields, bocce courts, tennis courts, parking lot and Grove for 2022. (Parks and Recreation)**
- **Motion to authorize expenditure in the amount of \$12,750.96 to TAC Management Co. for CAD System Maintenance in 2022. (Police Department)**
- **Motion to authorize expenditure in the amount of \$29,450 to Suburban Police Anti-Crime Network (SPAN) in payment of 2022 contribution. (Police Department)**
- **Motion to approve renewal of cleaning services at the Police Department and to authorize expenditure in the amount of \$11,940 to City Wide for 2022. (Police Department)**
- **Motion to authorize expenditure in the amount of \$14,880 to Agile Network Builders, LLC for back-up connectivity in the dispatch center. (Police Department)**
- **First Reading of Ordinance No. 2022-01, entitled, "An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2022 to December 31, 2022 and declaring an emergency." Introduced by Mayor Bodnar. (Read in title only) (Finance Department)**
- **First Reading of Resolution No. 2022-01, entitled, "An emergency resolution expressing the intent of the Village of Mayfield in 2022 to sell by internet auction personal property referenced in Revised Code §721.15 which are no longer needed for public use or are obsolete or unfit for the use for which they were acquired." Introduced by Mayor Bodnar (Administration).**

- **First Reading of Resolution No. 2022-02**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2021.” Introduced by Mayor Bodnar. (Read in title only) (Finance Department).
- **First Reading of Resolution No. 2022-03**, entitled, “An emergency resolution authorizing Mayfield Village to expend an amount not to exceed \$50,520 to American Benefits Group to fund the 2022 Flexible Spending Accounts for eligible Mayfield Village employees.” Introduced by Mayor Bodnar (Administration)
- **First Reading of Resolution No. 2022-04**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Memorandum of Understanding with the Cuyahoga County Board of Health for authority and consent to provide Phase II Stormwater Services in 2022-2025.” Introduced by Mayor Bodnar (Administration)
- **First Reading of Resolution No. 2022-05**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for providing technical assistance in implementing soil and water conservation measures and authorizing Mayfield Village to expend funds in an amount not to exceed \$13,000 to the Cuyahoga Soil and Water Conservation District.” Introduced by Mayor Bodnar (Administration)
- **First Reading of Resolution No. 2022-06**, entitled, “An emergency resolution authorizing Mayfield Village to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resources.” Introduced by Mayor Bodnar (Administration)

#### **ANY OTHER MATTER THAT MAY COME BEFORE COUNCIL**

#### **CLOSING COMMENTS**

#### **ADJOURNMENT**

SS/mb