



City of Bay Village

350 Dover Center Road
Bay Village, Ohio 44140-2299

Phone: 440/871-2200
Fax: 440/871-5751

Agenda, Bay Village City Council Regular Meeting, Council Chambers

March 2, 2020
7:30 p.m. *New Time*

David L. Tadych, Vice President of Council, Presiding
Roll Call

Pledge of Allegiance led by Nancy W. Stainbrook, Council-at-large.

Reading of Minutes – Special Meeting of Council held February 24, 2020.
Cahoon Memorial Park Trustees Meeting held February 24, 2020.

ANNOUNCEMENTS

REPORTS

Mayor Koomar	Director of Community Services Selig
Director of Law Barbour	Police Chief Spaetzel
Director of Finance Mahoney	Fire Chief Lyons
Director of Recreation Enovitch	Director of Building Tuck-Macalla
Director of Public Service and Properties Liskovec	
Human Resources Director Demaline	

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Ms. DeGeorge

Ordinance 20-21 amending Codified Ordinance Section 129.02 regarding Division of Police; Members, and declaring an emergency. (Second Reading and Consideration for Adoption) (First Reading February 24, 2020).

Motion to confirm the appointment by Mayor Koomar of Debra Jesionowski to the Tree Commission for a three-year term expiring March 2, 2023.

FINANCE AND CLAIMS-Mr. Winzig

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE-Ms. Maier

Ordinance 20-22 authorizing the Mayor to enter into a Ground Lease Agreement with the Cuyahoga County Public Library for a parcel of real estate in Cahoon Memorial Park located at

27400 Wolf Road, and declaring an emergency. (Second Reading and Consideration for Adoption) (First Reading February 24, 2020).

Motion to confirm the reappointment of Kevin Krol to the Architectural Board of Review for a three-year term expiring March 2, 2023.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mrs. Stainbrook

Motion to authorize the Director of Public Service and Properties to advertise for bids for the Transfer Ramp Rehabilitation Project.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

Resolution accepting donation of office furniture for the Recreation Department offices, and declaring an emergency.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Mr. Kelly

MISCELLANEOUS

Motion to convene to Executive Session – Sale and Acquisition of Property.

ADJOURNMENT

City of Bay Village

Council Minutes, Special Meeting

February 24, 2020

Council Chambers 8:06 p.m.

Vice President of Council David L. Tadych, presiding

Present: Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig, Mayor Koomar.

Also Present: Law Director Barbour, Finance Director Mahoney, Police Lieutenant Palmer, Fire Chief Lyons, Director of Public Service and Properties Liskovec, Recreation Director Enovitch, Building Director Tuck-Macalla.

AUDIENCE

Clare Banasiak.

Vice President of Council Tadych called the meeting to order at 8:06 p.m. with roll call and the Pledge of Allegiance led by Peter J. Winzig, Councilman, Ward 4.

Motion by Stainbrook to dispense with the reading and approve the Minutes of the Special Meeting of Council held February 10, as prepared and distributed.

Motion passed 6-0.

Ms. DeGeorge introduced and read **Ordinance No. 20-21**, amending Codified Ordinance Section 129.02 regarding Division of Police; Members, and declaring an emergency.

Mr. Barbour announced that Ordinance No. 20-21 was placed on first reading.

ANNOUNCEMENTS

Mayor Koomar called upon Police Lieutenant Mark Palmer for a report on an incident that occurred in Bay Village last week.

Lieutenant Palmer stated that when arriving to the scene after an EMS call, the Police discovered that it was a tragic scene where someone lost their life. In addition to the loss of life, there were a lot of chemicals at the scene, either for making drugs or weapons. They do not know, at this point, until all the lab reports are released. It took several hours to clear the house of all the chemicals with the assistance of the Ohio Bureau of Criminal Investigation and the hazardous chemicals team. The next step was to call out the Westshore HAZMAT team. It was not a safe scene until all the chemicals were separated. The operation was smooth from the police and the federal stand point. People were evacuated and everything was quickly separated to make the area safe.

Mayor Koomar added that the Westshore Enforcement Bureau was on the scene. There were people assigned to each component. Patrolman Darren Ingham is on the Bomb Unit and with the

team members were on the scene working through an unknown situation as to how the substances could be dangerous. With the Fire Department was on standby, one device was detonated at the Service Garage.

Mrs. Stainbrook asked, from a public safety standpoint, if there is an ongoing investigation to determine intent.

Lieutenant Palmer stated that it must first be learned if this was an accidental death or suicide. Once it is determined what the chemicals are, they can move forward. If the chemicals were all inert, there is no need for investigation, other than into the actual devices that had to be blown up. The Police cannot move forward quickly due to the need to allow the family time to grieve. It will take several weeks to find out what the chemicals are and to receive the coroner's report.

Chief Lyons expressed kudos to the Bay Village Fire Department team, noting that the call initially came in as an emergency medical service (EMS) call. The responders quickly recognized that there were unusual circumstances and alerted the police department.

Mayor Koomar advised that on Sunday, February 23, 2020, the Fire Department was called to assist with a large fire in Rocky River. Seven agencies responded to the fire.

Chief Lyons stated that it was a very challenging fire at an unoccupied building under construction. There was a lot of property damage, and damage to fire department vehicles, none of which were Bay Village vehicles. Chief Lyons commented that there was great team work on the part of the west side fire departments.

Ms. Maier introduced and read **Ordinance No. 20-22** authorizing the Mayor to enter into a Ground Lease Agreement with the Cuyahoga County Public Library for a parcel of real estate in Cahoon Memorial Park located at 27400 Wolf Road, and declaring an emergency.

Mr. Barbour announced that Ordinance No. 20-22 is placed on first reading.

Mrs. Stainbrook introduced and read **Ordinance No. 20-23** authorizing the Mayor to enter into an agreement with Chagrin Valley Paving for the 2020 Asphalt Resurfacing Contract, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Tadych called for a vote on the motion for adoption of Ordinance No. 20-23.

Roll Call on Suspension of the Charter Rules:

Yeas-DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Special Meeting of Council
February 24, 2020

Nays – None.
Roll Call on Adoption:
Yeas– DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.
Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-23, an emergency measure, by a vote of 6-0.

ANNOUNCEMENTS

There were no further announcements this evening.

AUDIENCE

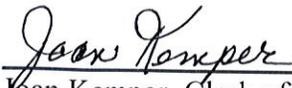
There were no comments from the audience this evening.

ADJOURNMENT

There being no further discussion or matters to come before the Council this evening, the meeting adjourned at 8:16 p.m.



David L. Tadych Vice President of Council



Joan Kemper, Clerk of Council

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

February 24, 2020
8:07 p.m.

Vice President of Council Tadych called the meeting called to order in the Conference Room of Bay Village City Hall at 8:07 p.m.

Present: DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig, Mayor Koomar.

Excused: Mr. Clark

Also Present: Law Director Barbour, Finance Director Mahoney, Police Lieutenant Palmer, Fire Chief Lyons, Director of Public Service and Properties Liskovec, Community Services Director Selig, Recreation Director Enovitch, Building Director Tuck-Macalla, Pat Thornton, architect, Sixmo, Inc.

AUDIENCE

Clare Banasiak, Conda Boyd.

Permission to hold 6th Annual Touch-a-Truck Event in Cahoon Memorial Park on Saturday, September 12, 2020, from Noon to 3:00 p.m.

MOTION by **Mr. Winzig** to approve the request of Police Chief Spaetzel to hold the 6th Annual Touch-a-Truck Event in Cahoon Memorial Park on Saturday, September 12, 2020 from Noon to 3 p.m.

Motion carried 7-0.

Library Land Lease Agreement.

Mr. Tadych commented that the Land Lease for the Bay Village Library was reviewed by the Council members this evening. The lease will be brought before the trustees in the future. Mr. Barbour asked if there is anything specific the trustees want Mr. Barbour to report back to the library legal counsel.

Ms. DeGeorge stated that Mr. Barbour was able to answer all the questions and provide the trustees with the path he would go under any specific circumstance.

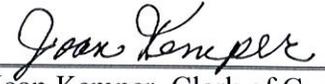
Mr. Kelly noted that it is an exciting commercial lease.

There being no further business to be brought before the Trustees this evening, the meeting adjourned at 8:09 p.m.

Minutes of a Meeting of
Cahoon Memorial Park Trustees
February 24, 2020



David L. Tadych, Vice President of Council



Joan Kemper, Clerk of Council

AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 129.02 REGARDING
DIVISION OF POLICE; MEMBERS,
AND DECLARING AN EMERGENCY

WHEREAS, the City of Bay Village and the Bay Village School District desire to enter into a Memorandum of Understanding concerning the use of a School Resource Officer; and

WHEREAS, the creation of the School Resource Officer position is likely to require the hiring of a new police officer by the City; and

WHEREAS, the current compliment of police officers permitted by ordinance in the City's Division of Police would need to be increased to permit additional hiring;

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 129.02 which presently reads as follows:

129.02 MEMBERS.

(a) The Division of Police shall consist of:

- (1) One Chief of Police;
- (2) Not more than two Lieutenants of Police,
- (3) Not more than four Sergeants of Police;
- (4) Not more than sixteen police officers;
- (5) Not more than seven deputy police officers;
- (6) Not more than two full-time and nine part-time dispatchers;
- (7) The hiring of the twenty-third police officer shall be contingent upon Council's prior approval by motion of the funding thereof.

(b) The Chief of Police may appoint not more than three members from the ranks to act as Detectives of Police.

(c) Whenever an anticipated vacancy or vacancies occur in the ranks of Chief of Police, Lieutenants or Sergeants of Police or police officers, the authorized number of members designated in subsection (a) hereof shall be increased by the number of such anticipated vacancies for only so long as such vacancy or vacancies continue. It is the intent of this subsection to provide for a temporary increase in complement of the Division in order that a new member begin training in anticipation of a vacancy in the Division, at which time the complement shall revert back to the number provided for under subsection (a) hereof.

(Ord. 15-54. Passed 6-29-15.)

be and the same is amended to read:

129.02 MEMBERS.

(a) The Division of Police shall consist of:

- (1) One Chief of Police;

- (2) Not more than two Lieutenants of Police,
- (3) Not more than four Sergeants of Police;
- (4) Not more than seventeen police officers;
- (5) Not more than seven deputy police officers;
- (6) Not more than two full-time and nine part-time dispatchers;

(b) The Chief of Police may appoint not more than three members from the ranks to act as Detectives of Police.

(c) Whenever an anticipated vacancy or vacancies occur in the ranks of Chief of Police, Lieutenants or Sergeants of Police or police officers, the authorized number of members designated in subsection (a) hereof shall be increased by the number of such anticipated vacancies for only so long as such vacancy or vacancies continue. It is the intent of this subsection to provide for a temporary increase in complement of the Division in order that a new member begin training in anticipation of a vacancy in the Division, at which time the complement shall revert back to the number provided for under subsection (a) hereof.
(Ord. 15-54. Passed 6-29-15.)

and present Section 129.02 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary for the daily operation of the Finance Department, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

022020 jt

AN ORDINANCE

**AUTHORIZING THE MAYOR TO ENTER INTO A GROUND LEASE WITH THE
CUYAHOGA COUNTY PUBLIC LIBRARY FOR A PARCEL OF REAL ESTATE IN
CAHOON MEMORIAL PARK LOCATED AT 27400 WOLF ROAD,
AND DECLARING AN EMERGENCY.**

WHEREAS, the Cuyahoga County Public Library operates a public library branch in Bay Village; and

WHEREAS, Cuyahoga County Public Library desires to construct a new public library branch in the City; and

WHEREAS, the City believes a new public library branch will be a benefit to the residents of the City; and

WHEREAS, the Cahoon Memorial Park is a desirable site for a public library branch; and

WHEREAS, the City requested a determination by the Cuyahoga County Probate Court whether the use of a portion of Cahoon Memorial Park as a public library branch is consistent with the language of and permitted under the Cahoon Will; and

WHEREAS, in Cuyahoga County Common Pleas, Probate Division, Case number 2017 ADV 225460, the Cuyahoga County Probate Court has found said use is consistent with and permitted by the Cahoon Will;

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Mayor be and is hereby authorized to enter into a Ground Lease Agreement on behalf of the City with the Cuyahoga County Public Library, a county library district and political subdivision of the State of Ohio, whose office is located at 2111 Snow Road, Parma, Ohio 44134 for the use of a parcel of land located in Cahoon Memorial Park and generally identified as 27400 Wolf Road, as more fully described in said Lease.

SECTION 2. That the term of said Lease shall be and is for an initial term of 40 years, and the initial term may be extended by the Tenant for two consecutive terms of 20 years each and a third term being 19 years, subject to all the terms and conditions of said Lease, for a total potential term of 99 years.

SECTION 3. That said Lease is subject to approval by the Cahoon Memorial Park Trustees.

SECTION 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of

Ordinance – Library Ground Lease

this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 5. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to execute said Ground Lease Agreement, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

022120 jt

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**ACCEPTING DONATION OF OFFICE FURNITURE FOR THE RECREATION
DEPARTMENT OFFICES, AND DECLARING AN EMERGENCY.**

WHEREAS, a donation of office furniture for the Recreation Department was donated to the City of Bay Village; and

WHEREAS, Codified Ordinance Section 103.05 specifies conditions and procedures regulating the acceptance of property and/or services by the City; and

WHEREAS, in compliance with said Section, the donor has provided Council with satisfactory assurance that they are making the donation free and clear of any restrictions, and that there are no encumbrances thereon;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Council hereby accepts from R.F. Coffin Enterprises, Inc., the donation of office furniture to the City of Bay Village and with a value in excess of \$100.00.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to comply with provisions of C.O. 103.05 in order that the donations may be accepted by the City, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR