



City of Bay Village

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February 20, 2020

A Special Meeting of the Bay Village City Council will be held on **February 24, 2020 at 7:30 p.m., following the Committee Meeting at 7:00 p.m.**, in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. Roll Call; Pledge of Allegiance led by Peter J. Winzig, Councilman of Ward 4.
2. **Motion** to approve the Minutes of the Special Meeting of Council held February 10, 2020.
Stainbrook
3. **Ordinance** amending Codified Ordinance Section 129.02 regarding Division of Police; Members, and declaring an emergency. ***DeGeorge*** (First Reading)
4. **Ordinance** 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. ***Maier*** (First Reading)
5. **Ordinance** authorizing the Mayor to enter into an agreement with Chagrin Valley Paving for the 2020 Asphalt Resurfacing Contract, and declaring an emergency. ***Stainbrook***
6. Announcements/ Audience/Miscellaneous
7. Adjournment

Dwight A. Clark
President of Council

Charter Reference 2.11

C.O. 111.10 - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ...at least 24 hours before any meeting of Council at which action...is contemplated.

Roll call on inclusion of the emergency clause:

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency provisions. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 7:30 p.m. However, Council generally meets informally at 7:00 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 8:34 p.m.
President of Council Dwight A. Clark, presiding

February 10, 2020

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

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

AUDIENCE

There were no audience members present, other than the Directors listed above.

President of Council Clark called the meeting to order at 8:34 p.m. with roll call and the Pledge of Allegiance led by Sara Byrnes Maier, Councilwoman, Ward 3.

Motion by Tadych to dispense with the reading and approve the Minutes of the Regular Meeting of Council held February 3, as prepared and distributed.

Motion passed 6-0 and 1 abstention by Councilwoman Stainbrook.

Ms. DeGeorge read **Ordinance 20-08** authorizing the Mayor to execute a Memorandum of Understanding with the Bay Village City School District for the provision of a Full-Time School Resource Officer, and declaring an emergency, and moved for adoption. (Second Reading and Consideration for Adoption) (First Reading February 3, 2020).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-08.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

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Mr. Barbour announced adoption of Ordinance No. 20-08, an emergency measure, by a vote of 7-0.

Mr. Clark thanked the Council for supporting this most important initiative in partnership between the Bay Village Board of Education and the City of Bay Village.

Ms. DeGeorge introduced and read **Ordinance No. 20-09** authorizing the Mayor to enter into a Professional Services Agreement with the Bay Village School District and McKeon Education Group, Incorporated, to provide Prevention and Intervention Services, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-09.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Winzig commented that Council talked earlier about the importance of the infrastructure of the city. We should consider this human infrastructure, most importantly our children. This program has been around a long time, as the Police Chief said, it is outstanding, and money well spent. We should understand how important it is and continue the program.

Mr. Barbour announced adoption of Ordinance No. 20-09, an emergency measure, by a vote of 7-0.

Ms. DeGeorge introduced and read **Resolution No. 20-10** authorizing the filing of a grant application with the U.S. Department of Justice, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 20-10.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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Yeas – Kelly, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.
Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas – Kelly, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.
Nays – None.

Roll Call on Adoption:

Yeas– Kelly, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.
Nays –None.

Mr. Barbour announced adoption of Resolution No. 20-10, an emergency measure, by a vote of 7-0.

Ms. DeGeorge introduced and read, by title only, **Resolution No. 20-11** authorizing the filing of a grant application with the Ohio Department of Transportation and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 20-11.

Roll Call on Suspension of the Charter Rules:

Yeas-Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Kelly.
Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Kelly.
Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas – Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Kelly.
Nays – None.

Roll Call on Adoption:

Yeas–Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Kelly.
Nays –None.

Mr. Barbour announced adoption of Resolution No. 20-11, an emergency measure, by a vote of 7-0.

Mr. Tadych read **Ordinance 20-07** amending and repealing certain sections of Ordinance No. 16-32, and declaring an emergency, and moved for adoption. (Third Reading and Consideration for Adoption.) (First Reading January 27, 2020). (Second Reading February 3, 2020).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-07.

Roll Call on Suspension of the Charter Rules:

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

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –Kelly, Maier, Clark.

Nays - Stainbrook, Tadych, Winzig, DeGeorge.

Roll Call on Adoption:

Yeas–Kelly, Maier, Clark.

Nays- Stainbrook, Tadych, Winzig, DeGeorge.

Mr. Barbour stated Ordinance No. 20-07 is not adopted.

Mr. Clark stated that this ordinance has been discussed for three meetings and this is the first time he has heard people say “no.” He asked the reasons for that vote for those Council members that did vote against, considering the time and energy that has been put into this ordinance.

Mr. Tadych stated that personally he thinks the existing ordinance has served us well. As he said in the Finance Committee meeting, he would like to have increased it \$5,000.

Mr. Winzig stated that he hoped this would get discussed in the Finance Committee. Whenever we had a chance to discuss it, it was only a one or two minute conversation and he had hoped it would be discussed before it came to Council for a vote.

Ms. DeGeorge stated that this was discussed in Executive Session and she was fine from the beginning with the way it stands now. It is plain and simple for me, I am happy the way it is. Unless we see a repeated pattern where it needs to be changed, I am okay how it stands.

Mrs. Stainbrook stated that the Ohio Revised Code is \$50,000 standard, but, I think the existing ordinance has served us well. Fifty thousand is really high for me.

Mr. Clark stated that it would have been nice to know this ahead of time before going through the three votes, but he certainly respects the wills of the Council members and the votes that go with it.

Motion by **Tadych** to acknowledge receipt of the January 2020 Financial Reports of the City of Bay Village, Ohio prepared by Finance Director Renee Mahoney.

Motion carried 7-0.

Motion by **Maier** to approve the request of St. Raphael’s Church for the installation of a sign spelling out “St. Raphael Mardi Gras” on the front lawn of the church, along Dover Center Road, in two foot high letters, for two days, February 21 and February 22,. 2020.

Motion carried 7-0.

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Mrs. Stainbrook introduced and read **Ordinance No. 20-12** to enter into an agreement with LaFarge Great Lakes for street resurfacing material and services, and declaring an emergency, and moved for adoption. There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-12.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-12, an emergency measure, by a vote of 7-0.

Mrs. Stainbrook introduced and read **Ordinance No. 20-13** to enter into an agreement with Area Aggregates, LLC for street resurfacing material and services, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-13.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-13, an emergency measure, by a vote of 7-0.

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Mrs. Stainbrook introduced and read **Ordinance No. 20-14** to enter into an agreement with Kokosing Materials, Inc. for street resurfacing material, and services, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-14.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-14, an emergency measure, by a vote of 7-0.

Mrs. Stainbrook introduced and read **Ordinance No. 20-15** to enter into an agreement with McConnell Ready Mix for street resurfacing material and services, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-15.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-15, an emergency measure, by a vote of 7-0.

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Mrs. Stainbrook introduced and read **Resolution No. 20-16** authorizing the filing of an application with the Cuyahoga County Department of Public Works for a Road Resurfacing Cost Sharing Program, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 20-16.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-16, an emergency measure, by a vote of 7-0.

Motion by **Stainbrook** to authorize the Director of Public Service and Properties to advertise for bids for the Longbeach Pavement Maintenance Project.

Motion carried 7-0.

Mrs. Stainbrook introduced and read **Ordinance 20-17** authorizing Change Order No. 1 to the contract with TriMor Corporation to perform necessary water line work in accordance with Project Alternate 3, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-17.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

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Nays –None.

Mr. Barbour announced adoption of Ordinance No. 20-17, an emergency measure, by a vote of 7-0.

Motion by Stainbrook to advertise for bids for the Sunset Area Paving Project.

Motion carried 7-0.

Mr. Winzig introduced and read **Resolution No. 20-18** authorizing the filing of a grant application with the Ohio Department of Natural Resources, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 20-18.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays –None.

Mr. Barbour announced adoption of Resolution No. 20-18, an emergency measure, by a vote of 7-0.

Mr. Winzig introduced and read **Resolution No. 20-19** authorizing the filing of a grant application with the Ohio Department of Natural Resources and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 20-19.

Roll Call on Suspension of the Charter Rules:

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

Nays- None.

Roll Call on Suspension of the Council Rules:

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

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

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Yeas - Tadych, Winzig, Clark, DeGeorge, Kelly, Maier, Stainbrook.
Nays – None.

Roll Call on Adoption:

Yeas- Tadych, Winzig, Clark, DeGeorge, Kelly, Maier, Stainbrook.
Nays –None.

Mr. Barbour announced adoption of Resolution No. 20-19, an emergency measure, by a vote of 7-0.

Mr. Winzig introduced and read **Resolution No. 20-20, amending by reading to correct a misspelling of the name of Amanda Sebrosky**, accepting a donation of \$500 for the construction of a Chimney Swift Bird House at Walker Road Park, and declaring an emergency, and moved for adoption.

Mr. Winzig noted that Mr. and Mrs. Gary Sebrosky presented this idea to Council a number of months ago. They did a very thorough job presenting both the idea and then supported it with personal funding. Recreation Director Enovitch and Service Director Liskovec went forward to arrange construction and location, clearing it with the City of Avon Lake. The entire project has been completed.

Mr. Tadych asked if the \$500 donation will only provide for the building of one Chimney Swift Bird House. He was informed that the donation of \$500 will only provide for one Chimney Swift Bird House.

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

Roll Call on Suspension of the Charter Rules:

Yeas- Winzig, Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych.
Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas – Winzig, Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych.
Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas - Winzig, Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych.
Nays – None.

Roll Call on Adoption:

Yeas- Winzig, Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych.
Nays –None.

Mr. Barbour announced adoption of Resolution No. 20-20, as amended by reading, an emergency measure, by a vote of 7-0.

ANNOUNCEMENTS

There were no further announcements this evening.

AUDIENCE

There were no comments from the audience this evening.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session at 9:01 p.m. regarding Lease of Real Property.

Roll Call Vote:

Yeas –Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.
Nays – None.

Motion carried 7-0.

Also in attendance in Executive Session were Mayor Koomar and Law Director Barbour.

Council reconvened in an open meeting at 9:40 p.m. Present were: Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, and Winzig.

ADJOURNMENT

There being no further discussion or matters to come before the Council this evening, the meeting adjourned at 9:42 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO.:
INTRODUCED BY:

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

ORDINANCE NO.
INTRODUCED BY:

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

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
CHAGRIN VALLEY PAVING FOR THE 2020 ASPHALT RESURFACING
CONTRACT, AND DECLARING AN EMERGENCY.**

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

SECTION 1. That the Mayor is hereby authorized to enter into an agreement with Chagrin Valley Paving, 17290 Munn Road, Chagrin Falls, Ohio 44023, for the Asphalt Resurfacing Contract of the 2020 Pavement Maintenance and Resurfacing Program, in accordance with plans and specifications issued, it being hereby determined that the bid of said company is the lowest and best bid received after advertising according to law. The total awarded Base Bid price is Five Hundred Thirty-Three Thousand, Three Hundred Seventy-Eight Dollars (\$533,378.00), the awarded price for Alternate #1 is One Hundred Forty-Two Thousand, Five Hundred Six Dollars (\$142,506.00), and the awarded price for Alternate #2 is Fifty-Eight Thousand, Four Hundred Fifty-Nine Dollars (\$58,459.00), for a total contract amount of Seven Hundred Thirty-Four Thousand, Three Hundred Forty-Three Dollars (\$734,343.00).

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 to ensure that construction will take place during the 2020 construction season, 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

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