City of Bay Village

Council Minutes, Special Meeting February 10, 2020
Council Chambers 8:34 p.m.
President of Council Dwight A. Clark, presiding

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

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Spaetzel, 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.

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:

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:

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.

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.

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.

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.

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:

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

Joan Kemper, Clerk of Council