



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

February 3, 2020
7:30 p.m. *New Time*

Dwight A. Clark, President of Council, Presiding
Roll Call
Pledge of Allegiance led by Lydia DeGeorge, Councilwoman of Ward 2

Reading of Minutes – Special Meeting of Council held January 27, 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 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. (First Reading).

FINANCE AND CLAIMS-Mr. Tadych

Ordinance No. 20-07 amending and repealing certain sections of Ordinance No. 16-32, and declaring an emergency. (Second Reading and Consideration for Adoption) (First Reading January 27, 2020).

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

Motion to grant an extension of thirty days, from February 3, 2020 to March 4, 2020, to the City Planning Commission for review of the Bay Village Library Project.

Motion to advertise for a Request for Qualifications for the Cahoon Memorial Park Public Access Study.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mrs. Stainbrook (Ms. Maier in Mrs. Stainbrook's absence).

Ordinance to enter into an agreement with LaFarge Great Lakes for street resurfacing material and services, and declaring an emergency.

Ordinance to enter into an agreement with Area Aggregates, LLC for street resurfacing material and services, and declaring an emergency.

Ordinance to enter into an agreement with Kokosing Materials, Inc. for street resurfacing material, and services, and declaring an emergency.

Ordinance to enter into an agreement with McConnell Ready Mix for street resurfacing material and services, and declaring an emergency.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Mr. Kelly

MISCELLANEOUS

ADJOURNMENT

Procedure

Section 2.14 - Effective Date
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.

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. 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 8:24 p.m.
President of Council Dwight A. Clark, presiding

January 27, 2020

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, Director of Community Services Selig, Human Resource Director Demaline, Building Director Tuck-Macalla.

AUDIENCE

Amanda and Gary Sebrosky, Clare Banasiak.

President of Council Clark called the meeting to order at 8:24 p.m. with roll call and the Pledge of Allegiance led by David L. Tadych, Vice President of Council and Councilman, Ward 1.

Motion by Tadych to dispense with the reading and approve the Minutes of the Special Meeting of Council held January 13, 2020, as prepared and distributed.

Motion passed 7-0.

Motion by Tadych to dispense with the reading and approve the Minutes of the Cahoon Memorial Park Trustees meeting held January 13, 2020, as prepared and distributed.

Motion passed 8-0.

Motion by Tadych to dispense with the reading and approve the Minutes of the Special Meeting of Council held January 15, 2020, as prepared and distributed.

Motion passed 7-0.

Motion by Tadych to dispense with the reading and approve the Minutes of the Cahoon Memorial Park Trustees meeting held January 15, 2020, as prepared and distributed.

Motion passed 8-0.

Motion by Tadych to acknowledge receipt of December 2019 Financial Reports of the City of Bay Village, Ohio prepared by Finance Director Renee Mahoney.

Motion passed 7-0.

Special Meeting of Council
January 14, 2020

Ms. DeGeorge read **Ordinance 20-01** amending Section 111.01 of the Codified Ordinances of the City of Bay Village regarding time and place of Council meetings, and declaring an emergency, and moved for adoption. (Second Reading and Consideration for Adoption) (First Reading January 13, 2020).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-01.

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. 20-01, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read **Ordinance 20-06** repealing certain sections of Ordinance No. 14-115 establishing fees for Outside Legal 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. 20-06.

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. 20-06, an emergency measure, by a vote of 7-0.

Special Meeting of Council
January 14, 2020

Mr. Tadych introduced and read **Ordinance No. 20-07** amending and repealing certain sections of Ordinance No. 16-32, and declaring an emergency. ***Tadych*** (First Reading).

Mr. Barbour announced that Ordinance No. 20-07 is placed on first reading.

Ms. Maier read **Ordinance 20-04** authorizing the Mayor to enter into an agreement with Chagrin Valley Engineering, Ltd. for surveying and engineering services for the Cahoon Basin Trail, and declaring an emergency, and moved for adoption. (Second Reading and Consideration for Adoption) (First Reading January 13, 2020).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-04.

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. 20-04, an emergency measure, by a vote of 7-0.

Motion by Stainbrook to advertise for bids for the 2020 Pavement Maintenance Program.

Motion passed 7-0.

Announcements/ Audience/Miscellaneous

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session regarding Pending Litigation.

Roll Call Vote: Yeas – Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Kelly. Nays – None.

Motion passed 7-0.

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

Special Meeting of Council
January 14, 2020

Council reconvened in an open meeting at 9:21 p.m. Present were: Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, and Winzig.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 9:23 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**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**

WHEREAS, the City of Bay Village and the Bay Village City School District desire to enter into an agreement for the hiring and use of a School Resource Officer, and

WHEREAS, the City of Bay Village and the Bay Village City School District shall share all costs associated with the School Resource Officer, and

WHEREAS, the City of Bay Village and the Bay Village City School District have previously entered into an agreement for a part-time School Resource Officer as authorized by this council, and

WHEREAS, the part-time position of School Resource Officer has remained unfilled, and

WHEREAS, the City of Bay Village and the Bay Village City School District desire to enter into a new agreement for a full-time School Resource Officer;

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

SECTION 1. That the Mayor be and he is hereby authorized to enter into a Memorandum of Understanding with the Bay Village City School District establishing and delineating the mission of the School Resource Officer Program for a full-time School Resource Officer, as more fully set forth in the Memorandum of Understanding on file with the City of Bay Village with such revisions which may be approved by the Mayor and the Director of Law.

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, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

Ordinance – School Resource Officer MOU.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

013020jt

AN ORDINANCE
**AMENDING AND REPEALING CERTAIN SECTIONS OF ORDINANCE 16-32,
AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Bay Village annually provides a budget which is approved by Council and is subject to certain State bidding limitations; and

WHEREAS, the Finance Director may approve expenditures submitted by the department directors or as directed by Council within amounts appropriated by Council; and

WHEREAS, Council shall approve personal services contracts that are in excess of Twenty-Five Thousand Dollars (\$25,000.00) provided that the funds have been appropriated by Council;

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

SECTION 1. That Section 2 of Ordinance 16-32 is hereby repealed.

SECTION 2. That existing Section 3 of Ordinance 16-32 is hereby amended to read as follows: “Any personal services contract that exceeds Twenty-Five Thousand Dollars (\$25,000.00) and previously appropriated shall be submitted to Council for specific approval.”

SECTION 3. 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 4. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, 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

011720 jt

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AREA
AGGREGATES, LLC FOR STREET RESURFACING MATERIAL AND SERVICES,
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 Area Aggregates, LLC, 4755 South High Street, Columbus, Ohio 43207, for the purchasing of certain street resurfacing materials and services for the period of one year. The prices are as follows:

AGGREGATE AND OTHER GRANULAR MATERIAL FOR ROAD MAINTENANCE

		<u>Delivery to Locations Within City Limits</u>
#10 Limestone	Per Ton	\$18.05
#304 Limestone	Per Ton	\$17.55
#411 Limestone	Per Ton	\$17.80

Deliveries to be made in 15 ton minimum loads and 25 ton maximum loads.

The bid of said Company is hereby determined to be the lowest and best bid received for these items after advertising according to law. The agreement shall be in a form approved by the Director of Law, and the Director of Finance is hereby authorized and directed to pay said contract price from funds appropriated for the purpose.

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 immediately necessary to provide road surface treatments, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

Ordinance – AREA Aggregates

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

013020jt

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LAFARGE
GREAT LAKES FOR STREET RESURFACING MATERIAL AND SERVICES,
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 LaFarge Great Lakes, 8700 Bryn Mawr Avenue, Chicago, IL 60631, for the purchasing of certain street resurfacing materials and services for the period of one year. The prices are as follows:

AGGREGATE AND OTHER GRANULAR MATERIAL FOR ROAD MAINTENANCE

		<u>Delivery to Locations Within City Limits</u>
#1 Limestone	Per Ton	\$21.00
#57 Limestone	Per Ton	\$21.95
#8 Limestone	Per Ton	\$21.40

Deliveries to be made in 15 ton minimum loads and 25 ton maximum loads.

The bid of said Company is hereby determined to be the lowest and best bid received for these items after advertising according to law. The agreement shall be in a form approved by the Director of Law, and the Director of Finance is hereby authorized and directed to pay said contract price from funds appropriated for the purpose.

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 immediately necessary to provide road surface treatments, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

Ordinance – LaFarge Great Lakes

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

013020jt

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
KOKOSING MATERIALS, INC. FOR STREET RESURFACING MATERIAL AND
SERVICES, 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 Kokosing Materials, Inc., P. O. Box 334, Fredericktown, Ohio, 43019, for the purchasing of street resurfacing materials and services for the period of one year. The prices are as follows:

ASPHALT (PATCHING) MATERIALS FOR ROAD MAINTENANCE

Type 301 – material at Batching Plant	\$54.00/Ton
Type 448 – material at Batching Plant	\$65.25/Ton

The bid of said Company being hereby determined to be the lowest and best bid received after advertising according to law. The agreement shall be in a form approved by the Director of Law, and the Director of Finance is hereby authorized and directed to pay said contract price from funds appropriated for the purpose.

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 immediately necessary to provide road surface treatments, 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

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
MCCONNELL READY MIX FOR THE FURNISHING OF READY MIX CONCRETE,
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 McConnell Ready Mix, 37540 Butternut Ridge Rd., North Ridgeville, Ohio 44039, for the furnishing of ready mix concrete for various streets within the City of Bay Village for the period of one year. The prices are as follows:

1-3-5 mixture (4.5 sacks cement)		\$102.00 Cu Yard
Class C (O.D.O.T. specs)		\$114.00 Cu Yard
Added cost for residential fiber (1 lb. per yard)		\$5.00 Yard
Added cost for commercial fiber (1.5 lb. per yard)		\$10.00 Yard
Added cost for Hi Early strength concrete		\$6.00 Cu Yard
LSM concrete (100)		\$84.00 Cu Yard
Added cost for loads below minimum	1-1.75 yards	\$100.00
	2-3.75 yards	\$80.00
	4-5.75 yards	\$65.00
	6-6.75 yards	\$50.00

Additional costs for multiple stops and/or demurrage time: no charge per additional stop; \$90.00/hour demurrage time.

Normal delivery hours: 7:00 A.M. to 4:00 P.M.

Additional cost for delivery other than regular business hours: \$10.00 truck fuel surcharge

Additional cost for delivery on Saturday: \$50.00/load

Additional stop charge: no charge per stop

The bid of said Company being hereby determined to be the lowest and best bid received after advertising according to law. The agreement shall be in a form approved by the Director of Law, and the Director of Finance is hereby authorized and directed to pay said contract price from funds appropriated for the purpose.

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 immediately necessary to provide ready mix concrete for road surface treatments, 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

013120jt