

City of Bay Village

Council Minutes, Committee Session
Dwight A. Clark, President of Council, presiding

January 27, 2020
Conference Room

President of Council Clark called the meeting called to order in the Conference Room of Bay Village City Hall at 7:30 p.m.

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

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

AUDIENCE

Clare Banasiak, Amanda and Gary Sebrosky, Carl Gonzalez, Tommy Salman, Julie Salman, Barb Piccirilli, Bob Piccirilli.

ANNOUNCEMENTS

Mayor Koomar advised that a majority of electricity outages addressed by Karen Kirsh of First Energy during her presentation to Council were tree related outages. Two of the outages were caused by vehicle accidents, and two were lightning strikes. Trucks are on site at the Metroparks property where tree trimming is underway. The Mayor will present further information as it becomes available.

The State of the City address will be held on Wednesday, February 26, 2020 at 11 a.m., at the Dwyer Memorial Center.

A recommendation of the Programming Committee of the Northeast Ohio Areawide Coordinating Agency (NOACA), is that Bay Village be on the list for the latest Transportation for Livable Communities Initiative (TLCI) grant item. The committee recommended a little over \$100,000 for the east side of the path for the bridge to the Dwyer Memorial Center. The funding is 100% of the project. Confirmation should be received in March.

Mr. Clark asked the timing to start the project when confirmation is received. Mayor Koomar stated that he would think it would be a 2021 year project. An application will be submitted through Clean Ohio to connect from the bridge to the other side of the path. Ms. Maier noted that the due date for the application is March 2.

The Mayor stated that the section they envision potentially going farther south towards Wolf Road at the library location will be held until the library construction plays out and before the trails are finalized.

Mr. Clark suggested having a representative from the Cleveland Metroparks present to Council later this winter or in the spring to talk about their projects. Mr. Tadych noted that the original program they reviewed will not be done. Mr. Clark stated this included the renovations to the concession stand and the entire surrounding area.

Mayor Koomar commented that arrangements are being made for an offsite Council Planning Session to be held on May 11, 2020 at the BAYarts facility.

Bay Village Bicycle Cooperative presentation to Council.

Mr. Bob Piccirilli, representing the Bay Village Bicycle Cooperative, presented information to Council about the Cooperative's "Fix it Forward" program.

The Village Bicycle Cooperative was started in 2012 by Jennifer Smillie, the president of the organization for almost seven years. Ms. Smillie was the true visionary of the project, and she moved forward to start the Cooperative knowing that Cooperatives do not succeed in towns like Bay Village. They succeed on college campuses and in big cities. The Bay Village Bicycle Cooperative has been in Bay for eight years at this point, as a testament to the fact that they have done a good job.

The Bay Village Bicycle Cooperative started out in the building that is now occupied by Pizza Hut. At that time the building had no heat or lights. In May of 2012, the Cooperative moved to the Community House ground floor with a very nice arrangement with the City which has worked out extremely well. They have also had a wonderful partnership with Fairview Cycle that has allowed them to purchase parts slightly above cost. This has kept the costs for the Cooperative down and enabled them to operate in the black. The Bay Village Bicycle Cooperative is a 501c3 entity and has about twelve unpaid volunteers.

The mission of the Bay Village Bicycle Cooperative is to educate, advocate and create. They want to educate people about bicycle safety. They received an Ohio grant for helmets, and distributed close to 100 helmets over the years. They participate in the annual Touch-a-Truck event where they discuss safety. The second part of the mission of education is related to bicycle mechanics and repair. The volunteers teach people how to tune up their bicycles. The Cooperative advocates to make communities bike friendly, working with organizations like Bike Cleveland and NOACA for safer streets, and educating cyclists on how to ride safely, following the rules of the road.

The third part of their mission is to create, which leads to refurbishing old bicycles for sale or donation. They cannibalize bikes for parts, and any bike that is not used for sale or donation goes into steel recycling.

The goal of the Fix it Forward program is to donate safe, totally refurbished bicycles to people in need. Children's bikes are typically donated around Christmas time. Adult bicycles, called necessity bikes, are donated to folks who have no other means of transportation, mainly people who cannot afford a bus pass to get to work. Mr. Piccirilli noted that these people are very grateful to

receive these necessity bikes to get them from their home to work. He noted these bikes have to be well prepared to ride over curbs and potholes through main streets.

Bryce's Bike Shop assisted with the start up, and Barb Piccirilli, who volunteers with the Salvation Army, was instrumental in the annual donation of bikes to the Salvation Army at Christmas time. They have donated 450 bicycles since 2013 to people who need good bikes. At about \$80 per bike, this is a movement of \$36,000 of bicycles from the Bicycle Cooperative to folks in need. The highest year of donation was 2015, when 92 bicycles were donated to various causes, including the Salvation Army, West Side Catholic Center, St. Elizabeth Church, Marion C. Seltzer Elementary School, Cleveland Metropolitan Housing Authority, Westlake Police Department, and individual concerns.

In 2019, 124 bicycles were sold, due to increased open-shop time with an emphasis on marketing. Donated bicycles were 72 in number, 40 of which were the Salvation Army donation which was highlighted in an article in the *Westlake/BayVillage Observer*. The relationship with the Salvation Army originated through Barb Piccirilli, who volunteers at the Salvation Army. The Bicycle Cooperative has donated to them every year, starting initially with their Lieutenant JR who was in charge for a very long time, and now with Major Enessta. They have coordinated their bicycle donations with their annual toy drive. The program is a tribute to the people in Bay Village, Westlake, Avon Lake and Avon who donate bicycles.

Revenue generated is \$4,000 to \$6,000 per year, with \$10,000 revenue in 2019, which pays for parts for bicycles and rent at the Community House. Space at the Community House has been lost this year due to the move of the Recreation Department to the Community House. Mayor Koomar and Recreation Director Enovitch have helped the Cooperative to regain space at BAYarts for inventory. In January of 2019, there were 134 bikes in inventory. At this time there are 45 bikes in inventory. There are 25 bicycles ready for sale this March, and in April there will be 70 bikes on the floor ready for sale.

Mr. Piccirilli ended his presentation by noting that the volunteers of the Bay Village Bicycle Cooperative have had a lot of fun over the last seven years and are looking forward to more good years in the future.

Mr. Clark thanked Mr. Piccirilli for his presentation this evening, and for the work of the volunteers who make the Bay Village Bicycle Cooperative a success. He noted the grass roots efforts which started the Cooperative in Bay Village, a regional program without peer in this west side area. Mr. Clark asked Carl Gonzalez, also present this evening on behalf of the Bicycle Cooperative, and Bob and Barb Piccirilli to give Council's best wishes to the Bay Village Bicycle Cooperative.

Jennifer Demaline, Human Resource Director – Health Care Summary.

Ms. Jennifer Demaline, Human Resource Director, addressed City Council regarding health care for Bay Village City employees. The City of Bay Village purchases their health care through the Jefferson Health Plan, beginning in 2016. Medical Mutual is the City's TPA (Third Party Administrator). Jefferson Health Plan is a consortium that serves public entities, with their core

business based out of Steubenville, Ohio. Since 2016, the City has seen savings on the stop loss side of the program, which Jefferson Health Care refers to as the Large Claim Reimbursement Program. The City of Bay Village Stop Loss program is \$75,000, which means that any single number or claims on the health plan that exceed \$75,000 or higher is reimbursable by the Jefferson Health Care Plan.

Data was provided to Council in the form of a Health Care Analysis, a copy of which is attached to these minutes for reference. Since Jefferson Health Care initially began with a school district, their information is based on a school-year ending date of June 30.

The beginning balance for 2020 is reflected in the 12/31/19 balance of \$61,009.41 in reserves. The Jefferson Health Plan acts and looks like a totally funded product. When they give the City the rates for the year, they factor in a total claims number of \$1.5 million for the year, broken down into twelve months' worth of payments to the Jefferson Health Plan. Jefferson Health Plan then pays the City claims to Medical Mutual out of that money, and whatever is left is the Reserve Funds. From July 1, 2019 to December 31, 2019, City payments totaled \$773,352.89.

Mr. Clark asked the gap in time from the time that the City pays out for large claims that have hit the stop loss amount until the reimbursement over the stop loss limit is received. Ms. Demaline stated that when the claim first goes over to stop loss it takes a month or two for Jefferson Health Plan to catch up and once that member is flagged the payments will be about a month in arrears. Mr. Winzig clarified that the City pays the claim, and Jefferson Health Plan reimburses.

Claims paid out from July 1, 2019 through December 31, 2019 totaled \$516,301.61, Administrative Fees \$11,259.70, Large Claim Reimbursement Insurance, \$147,401.60, and TPA Fees of \$26,694.64. Total Expenditures were \$701,657.55. If this were to be multiplied for the next six months, the forecast for expenditures would be \$1.4 million, trending below the City Payments for the year as of the period ending June 30, 2019. Currently there is \$165,485.52 in reserves with the Jefferson Health Plan. Claims are paid to Jefferson Health Plan monthly.

Employees on the plan ending 12/31/19 averaged 23.33 single coverage and 73.67 family coverage, totaling 97 employees on the plan. Total lives covered is shown as 274, an increase of 3.01% over 2018. The Opt-out incentive came about in contract negotiations in 2016. Employees eligible for the family plan who choose not to take the City's plan and sign with a spouse's plan or another offering such as a veteran's plan, are eligible for a \$250 per month incentive for the family plan, or \$100 per month for a single plan. In 2020, fourteen employees have opted out on the family plan, and one single person has opted out for the single plan.

Also in 2020, the City implemented a tobacco surcharge. If an employee, a spouse or any family member on the plan is a tobacco user, they have to pay a surcharge of an additional \$50 per month along with their health care premium. Currently there are eight people on the health care plan that are paying that surcharge along with their health care premium.

There is also a spousal surcharge. If an employee is enrolled in the family plan and the spouse has group health care coverage through their employer, and the employee still chooses to stay on the

City of Bay Village plan, they pay an additional surcharge of \$75 per month. Twenty-six employees have taken advantage of the spousal surcharge. Three employees have left the plan because of these surcharges. Total income from the tobacco surcharge and the spousal surcharge totals \$4,800 annually on the tobacco line, and \$23,400 on the spousal surcharge. These amounts are not shown on the analysis presented.

The Wellness Program started in 2016 and has grown every year, and is now offered to spouses as well as employees. Currently there are 44 employees and 18 spouses on the Wellness Program for 2020, an increase of 7 employees for 2020. Employees are offered \$30.00 off their premium contributions as a monthly incentive to participate in the Wellness Program, with an additional \$15.00 per month premium discount if the spouse is enrolled.

The City has 107 full time employees, with 94 enrolled in health care, and 44 enrolled in the Wellness Program.

The Jefferson Health Plan changed their benefits provider, now going through RX Benefits, a consortium purchasing pharmacy benefits through another consortium, which should be a twenty percent savings.

There has been a change in the Disease Management Program. The Jefferson Health Plan was managed by Medical Mutual, and now has been brought to a different vendor with a substantial savings. Employees who qualify receive free supplies for their disease management.

Mr. Clark stated that it is never easy to move the health care platform in bargaining situations. Mr. Clark applauded the work that Ms. Demaline and the administration have done on that front. He asked Council if they think there are things that can be done to augment or refine the data presented to make it easier to read, he would encourage reaching out to Ms. Demaline and Finance Director Mahoney.

Mr. Clark noted that there is a six-month notice required to opt out of the Jefferson Health Plan, with notification required by June 30. If there is a need to look at another third party administrator that would have to be done in the winter months. Ms. Demaline was thanked for her presentation this evening.

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-DeGeorge, Tadych, Maier.

Amendment to Section 111.01 of the Codified Ordinances of the City of Bay Village regarding time and place of Council meetings. (First Reading January 13, 2020).

Ms. DeGeorge will present, for second and final reading this evening, an amendment to Section 111.01 of the Codified Ordinances of the City of Bay Village setting the time and place of Regular Council meetings. This has been discussed by Council, with the suggestion to move the

starting time of Regular Council meetings to 7:30 p.m., as opposed to the existing time of 8:00 p.m. Ms. DeGeorge will move for adoption of the ordinance at the Special Meeting of Council this evening.

School Resource Officer Agreement.

Mayor Koomar advised that in talking with the schools regarding the contract, they are at the same cost-sharing percentages of 70% Schools, 30% City, which equates to 180 school days with two administrative dates built in for training. The percentages represent the time the schools are using the officer. Contract language is being worked through. Because this is a full time position it is covered under the Collective Bargaining Agreement. Core hours for the school are being clarified, as well as looking at overtime for other events with the understanding that is an overtime rate that is covered by the Collective Bargaining Agreement. The City will apply for the grant dollars and the schools wanted assurance that the City would make the application. There will be further discussion with the Schools this week to be sure everyone is in agreement on the language of the contract. The Mayor looks forward to bringing this to Council the week of February 3, 2020 for review.

Mr. Winzig asked if the 70% Schools/30% City participation in the contract will continue on year after year, once the employee is hired.

Mr. Barbour responded that a three-year agreement for part time was executed. The three-year agreement for full time is being worked on now. Beyond three years there has not been an agreement as yet.

Mr. Tadych stated that it could be a learning experience for both parties.

Mr. Clark asked if it is the hope that the School Resource Officer would be in place by the beginning of the next school year. Chief Spaetzel replied that it is the plan to have the officer in place by the new school year.

FINANCE & CLAIMS COMMITTEE-Tadych, Winzig, Kelly, Clark.

Acknowledgement of December Financial Reports.

Mr. Tadych will move to acknowledge receipt of the December Financial Reports of the City of Bay Village at the Special Meeting of Council this evening. The reports were received earlier this month and were reviewed by the Finance Committee.

Repeal of Ordinance No. 14-115, Outside Legal Services.

The Finance Committee met on January 13, 2020 and discussed outside legal services. Law Director Barbour advised that he could manage the outside legal services through his budget process of having an amount budgeted for outside legal, and he would like permission to distribute the funds as needed and not be restricted by a contract. Mr. Tadych stated that an

ordinance to repeal certain sections of Ordinance No. 14-115 will be presented for adoption this evening at the Special Meeting of Council.

Ms. Maier stated that the Whereas Clause in the original ordinance refers to the firm of Seeley, Savidge and Ebert, and asked if this needs to be changed.

Law Director Barbour stated that the Whereas Clauses are not law. The law in an ordinance is in the sections of the ordinance, after it states, "Now it be ordained" or resolved, followed by the sections. Whereas Clauses are terms are explanatory, are precludes or stated reasons as to why something is being done.

Mr. Clark stated that the ordinance as written is substantively correct and will be read and moved for adoption this evening.

Amendment and repeal of certain sections of Ordinance No. 16-32, entitled "Approving Certain Capital Expenditures and Personal Services Contracts previously approved by budget that exceed Twenty Thousand Dollars, and declaring an emergency."

Mr. Tadych clarified his statement made at the Finance Committee meeting of January 13, 2020 regarding Capital expenditures. He stated at the January 13, 2020 Finance Committee meeting that the State was moving to \$100,000 in the requirement of bidding for Capital purchases. This is incorrect; the amount is staying at \$50,000.

Tonight there is a repeal of certain sections of Ordinance No. 16-32 for Capital Expenditures in regard to Personal Services Contracts. The ordinance drafted will move from \$25,000 to \$50,000 on the Capital Expenditures, and increasing Personal Services to \$25,000.

Mr. Clark asked if it should be identified in the ordinance that the Capital Equipment and Public Improvement Projects will be subject to levels as set by Ohio Revised Code. Ms. Maier noted that the City of Bay Village, as a public entity, has to abide by the levels set by the Ohio Revised Code.

Mr. Clark stated that the Ordinance will be placed on first reading this evening. Mr. Barbour noted that the first Whereas Clause states that the City of Bay Village annually provides a budget which is approved by Council and is subject to certain state bidding limitations.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier, DeGeorge, Stainbrook.

Approval to enter into contract with Chagrin Valley Engineering for design services for the Clean Ohio Trails Project through the Cahoon Basin (First Reading January 13, 2020).

Ms. Maier will present for second reading and consideration for adoption an Ordinance granting approval to enter into contract with Chagrin Valley Engineering for design services for the Clean Ohio Trails Project through the Cahoon Basin. The contract amount is \$39,604.00.

A Planning, Zoning & Public Grounds and Buildings Committee meeting will be held on Wednesday, February 19, 2020 at 6:30 p.m. The meeting will be a work session for the proposed Zoning Overlay Project.

Mr. Clark noted that there had been plans mentioned by Mayor Koomar of having Jason Russell of Concord Consulting in to the Council Meeting of February 3, 2020. He asked if that is still the intent of the Mayor. Mayor Koomar stated that he will check with Mr. Russell, who would like to gather all public input prior to addressing Council again. The Mayor stated further that a Zoning Overlay public meeting was held last Thursday and at one point there were more than 55 people present. Mayor Koomar will follow up with Mr. Russell.

Ms. Maier commented that Mr. Russell did confirm that he is available to do a work session with the City Planning Commission on Wednesday, February 5, 2020, provided that there are no other materials for that meeting.

**PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-
Stainbrook, Maier, Kelly.**

2020 Pavement Maintenance Program.

Mrs. Stainbrook stated that the 2020 Pavement Maintenance and Resurfacing Program has a budget this year of \$750,000, and information has been provided to Council of the base bids and alternate bids, as well as the streets included in the project. The entire project is estimated at \$787,270.00. In addition to the Street Improvement Budget of \$750,000, there is also \$50,000 set aside for Reclamite, which helps maintain streets that were paved, and \$65,000 for the Crack Seal Program. The 2020 Pavement Maintenance and Resurfacing Program includes Knickerbocker, Rexford, and Aberdeen, with alternate bids for Kenilworth and Oakmoor.

Director of Public Service and Properties Liskovec stated that the budget unit price is \$17.00 per square yard and feels confident that this is a solid number. Recommendations will be presented at the February 3, 2020 meeting for street maintenance material bids opened on January 24, 2020. The numbers are consistent from last year, which is encouraging moving forward.

Results of bids for the Pavement Maintenance and Resurfacing Program will be a reflection of where the market is at the time. Mrs. Stainbrook will move to grant permission to advertise for bids for the 2020 Pavement Maintenance and Resurfacing Program at the Special Meeting of Council this evening.

Mr. Winzig asked if the Reclamite and Crack Seal Programs are included in the \$750,000 budget. Mrs. Stainbrook stated that the Reclamite and Crack Seal Programs have separate funding budgets. Mr. Winzig asked if the Sunset Area Paving is going to be as part of this bidding. Mr. Liskovec stated that City Engineer Don Bierut is reviewing the numbers used for Sunset last summer. The numbers will be updated to reflect the current market. Now that the utilities contract is set for Sunset, they will continue that review of the Sunset paving numbers

before advertising for bids for the Sunset repaving which should be ready in the near future. The advertisement for bids for that project will be done along with the Long Beach Area, which will be a separate project as well.

Mrs. Stainbrook noted that bidding early in the season helps to attain good bids from contractors and getting our people scheduled to have these projects ready to start when the weather breaks.

Mr. Clark asked the Mayor if there is possible county partnership on Bradley Road and Wolf Road for resurfacing. Mayor Koomar stated that the 50%/50% application with the county just came in last week, and City Engineer Don Bierut will review the application submitted two years ago to update the numbers and bring to Council for approval for resubmission to the county.

RECREATION & PARKS IMPROVEMENT COMMITTEE-Winzig, DeGeorge, Tadych.

Mr. Winzig had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Kelly, Stainbrook, Winzig.

Mr. Kelly had no report this evening.

MISCELLANEOUS

Mr. Clark asked Law Director Barbour if there are any comments regarding a potential litigation situation. Mr. Barbour stated that he would suggest that Council convene to Executive Session later this evening on pending or imminent litigation. Mr. Tadych will be asked to make an oral motion toward the end of the Special Meeting of Council this evening to convene to Executive Session for an update on this situation.

AUDIENCE

There were no comments from the audience this evening.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 8:20 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council