City of Bay Village

Council Minutes, Special Meeting January 13, 2020
Council Chambers 8:30 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, Director of Public Service and Properties Liskovec, Recreation Director Enovitch, Community Services Director Selig, Police Chief Spaetzel, Fire Chief Lyons, City Engineer Bierut, Building Director Tuck-Macalla.

AUDIENCE

Clare Banasiak.

President of Council Clark called the meeting to order at 8:30 p.m. with roll call and the Pledge of Allegiance led by Nancy Stainbrook, Councilwoman-at-large.

Motion by **Tadych** to dispense with the reading of the minutes of the Regular Meeting of Council held December 16, 2019, and approve the minutes as prepared and distributed.

Motion carried 6-0-1 Abstention (Mr. Kelly).

Motion by **Tadych** to dispense with the reading of the minutes of the meeting of the Cahoon Memorial Park Trustees held December 16, 2019, and approve the minutes as prepared and distributed.

Motion carried 7-0-1 Abstention (Mr. Kelly).

Motion by **Tadych** to dispense with the reading of the minutes of the Organizational Meeting of Council held January 2, 2020, and approve the minutes as prepared and distributed.

Motion carried 7-0.

Ms. DeGeorge introduced and read, by title only, **Ordinance No. 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. (First Reading)

Mr. Clark stated that this proposed change was discussed at length. He expressed appreciation to Clerk of Council Joan Kemper, Law Director Barbour, and the city administration for providing clarity on where this legislation falls within the City rules and regulations.

Mr. Barbour announced that Ordinance No. 20-01 is placed on first reading.

Ms. DeGeorge introduced and read **Ordinance No. 20-02** authorizing the Mayor to enter into an agreement with Ohio Pyro & Flame LLC. for the 2020 July 4th Fireworks Display, and declaring an emergency, and moved for adoption.

Mr. Winzig commented that Mr. Clark has informed Council that a portion of the cost of the fireworks is reimbursed by the Fireworks Fund, created by public donations. Mr. Clark stated that the City enters into the contract with the provider and the City is reimbursed for half of the cost by the Fireworks Fund that is held by the Bay Village Foundation. This has been the case for the past three years since the partnership has begun with resident Steve Ernst and his fireworks' organization, which has worked very well.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 20-02.

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. 20-02, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read, by title only, **Resolution No. 20-03** authorizing the Finance Director to participate in various Cooperative Purchasing Programs, 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. 20-03.

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. 20-03, an emergency measure, by a vote of 7-0.

Ms. Maier introduced and read **Ordinance No. 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. (First Reading)

Mr. Clark advised that he addressed with the administration the desire to place this ordinance on first reading, given the nature and size of the contract. It will be read on two readings in order to expedite the project.

Mr. Barbour announced that Ordinance No. 20-04 is placed on first reading.

Motion by **Maier** to approve a temporary sign, 36 inches by 72 inches, on the St. Raphael Church lawn, from February 7 through February 24, 2020, advertising the St. Raphael Mardi Gras on February 22, 2020.

Motion carried 7-0.

Mr. Kelly introduced and read **Resolution 20-05, amending by reading, to change the reference to the City of Hudson to the City of Bay Village,** expressing the Intent of the City of Bay Village in 2020 to sell by Internet auction personal property, including motor vehicles and other property referenced in Revised Code §721.15 with an estimated value in excess of $5,000.00 which are no longer needed for public use or are obsolete or unfit for the use for which they were acquired, and declaring an emergency, and moved for adoption.

Mr. Kelly asked Law Director Barbour if it is appropriate and necessary to read the entire resolution, or reference the fact that this in an annual proceeding that expresses future intent.

Mr. Barbour stated that the only real requirement under the Ohio Revised Code is that the title of the legislation be annunciated to the voting body. Typically, there is just an explanation of the various sections, without reading the entire ordinance, which is not a requirement.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 20-05.

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. 20-05, an emergency measure, as amended by reading, by a vote of 7-0.

Motion by **Kelly,** authorizing the Clerk of Council to act as designee for those elected officials who so choose to make that designation to attend required training in compliance with Sections 149.43 and 121.22 of the Ohio Revised Code.

Motion carried 7-0.

ANNOUNCEMENTS

Mayor Koomar stated that the agreement for the full time School Resource Officer states that the City will pay 30% and the School Board 70%, which aligns very closely with good benchmarks, such as the City of Rocky River, that fund an officer eight hours per day for the number of days children are in school.

Chief Spaetzel stated that the City has to hire a replacement for his position and in that process is looking at a whole group of new officers. When the School Resource Officer position is passed, there are costs that the City will bear such as training academy and field officer training time. Field training is sixteen weeks, and the academy is sixteen weeks. It generally takes about a year from hire to get the officer on the road.

AUDIENCE

Resident Clare Banasiak stated that she is looking forward to the starting time of City Council Regular Meetings at 7:30 p.m.

MISCELLANEOUS

Mr. Clark stated that Mayor Koomar and he are trying to schedule a date, time and place for the annual planning meeting, which is generally done off-site. Department heads, City Council and the administration attend these annual meetings.

There will not be a Council meeting on Monday, January 20, 2020 in observance of the Dr. Martin Luther King, Jr. holiday.

ADJOURNMENT

There being no further discussion or matters to come before the Council this evening, the

meeting adjourned at 8:45 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council