City of Bay Village

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

January 13, 2020
Conference Room

President of Council Clark called the meeting called to order in the Conference Room of Bay Village City Hall at 7:35 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 Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Community Services Director Selig, City Engineer Bierut, Building Director Tuck-Macalla.

AUDIENCE

Clare Banasiak, Jeff Hartz, Karen Kirsh, Denny Wendell, Alex Kamczyc.

ANNOUNCEMENTS

Mayor Koomar stated that a $750 sponsorship grant from NOPEC has been received and will be sent to the Bay Village Kiwanis Club in support of Bay Days.

A meeting was held last week with Grace Gallucci, Executive Director of the Northeast Ohio Areawide Coordinating Agency (NOACA), regarding the Transportation for Livable Communities Initiative (TLCI) grant and other manners of regional networking. The City of Bay Village is still in place for the possibility of receiving funds for trails around the bridge. Word should be received by March.

There is a Planning Commission meeting this Wednesday, January 15, 2020. Approval of the Bay Village branch of the Cuyahoga County Library is hopefully forthcoming through the Planning Commission. Mr. Jason Russell, Consultant, will be at the Planning Commission meeting regarding the proposed zoning overlay.

Karen Kirsh, First Energy Corporation – Update on Projects.

Ms. Karen Kirsh, First Energy Corporation, addressed City Council regarding electrical service to the City of Bay Village.

Mayor Koomar stated that discussions were held regarding the Metroparks properties and Ms. Kirsh has not only been helpful but very good to work with regarding these properties. The Mayor thanked Ms. Kirsh for her efforts.

Karen Kirsh stated that there have been issues with reliability as it relates to the Police Station and Fire Station, both on Wolf Road, and the Longbeach Pump Station. The problem stems from trees,

mostly from trees on the Metroparks property. First Energy does not have the right to trim the trees because they are not on their property. The Metroparks does not really care about the trees because it doesn't affect their power. First Energy has been looking at different options, with their new Engineer Manager who did a deep dive study and was able to pin down two sets of areas in the Metroparks where the biggest activity has occurred. The First Energy Forestry Manager has identified sixteen trees that he deems to be an immediate danger. They are dead, or dying, and those trees will be coming down. This should greatly improve reliability in that area.

Mr. Clark asked if the City Arborist would benefit from tag teaming on this effort. Mayor Koomar will discuss this with Service Director Liskovec.

Ms. Kirsh stated that when those trees are cleared, a supervisor from the First Energy Westlake Line Shop, a long-term, former lineman, will patrol the circuit to see if there are any other issues that can be identified.

Mr. Clark asked that Council be furnished with a written summary of the work when it is completed.

Ms. Maier asked when the work will be completed, and Ms. Kirsh stated that it should be completed by the end of this month.

Ms. Maier asked if the engineering study indicates a percentage of outages that were due to the trees, noting that there are other trees in the neighborhood as well. Ms. Kirsh will provide that information to Ms. Maier.

Ms. Kirsh stated that First Energy has been partnering with the Lake Erie Nature and Science Center, giving them $1,000 per year for operating expenses for the last three years. This year, the center has applied for a STEM Grant, and received an additional $1,000 for a program for fourth graders from many different school districts. The students visit the center and enjoy three rotating sessions about electricity and heat transfer. They learn how to build small circuits and identify the working parts of a circuit. First Energy is pleased to support that effort.

Karen Kirsh was thanked for her presentation this evening.

COMMITTEE OF THE WHOLE

Matters Pending under Council Committees

Committee of the Whole

- Sunset Area Improvements. Mr. Clark noted that this work will be starting soon.

City Engineer Don Bierut advised that they will be meeting with the contractor this week. The schedule for the utility work begins January 27, 2020. Information will be sent to the residents in the Sunset area

and City Council. Work is expected to be completed before the 120 days of completion quoted in the contract. The paving element of the work will be brought before City Council on January 27, 2020.

Mayor Koomar stated that the administration is trying to roll in the Sunset paving project with the City's annual paving program. Mr. Clark stated that there is more scale to it this way, and Council had talked about wanting to put more money into roads.

Environment, Safety & Community Services- DeGeorge, Tadych, Maier

No pending items.

Finance & Claims-Tadych, Winzig, Kelly, Clark

No pending items.

Planning, Zoning, Public Grounds & Buildings-Maier, DeGeorge, Stainbrook

- Review of Codified Ordinance No. 1373.01 Boat Storage
- Review of Codified Ordinance No. 1141.04 Home Based Business
- Review of Existing Zoning Code per Master Plan Recommendations (3-18-19)
- Tree Ordinance

Ms. Maier stated that there are issues that precede her time on Council, e.g., Boat Storage. Those issues will be addressed again, but the main item being reviewed presently is the existing zoning code through the Commercial Mixed-Use Zoning Overlay that Mr. Jason Russell is working on now. One of the things that will be discussed Wednesday at the Planning Commission meeting is the role of the community and vetting that out. Mr. Russell has prepared draft language that will be discussed with the Planning Commission on Wednesday, January 15, at 7:30 p.m. The matter will then come back to the Planning, Zoning, Public Grounds and Buildings Committee to make sure that it has Council's touch and that Council is on board with anything that goes back to the Planning Commission for further work. It is hoped to get that done before Council recess in June.

The Planning, Zoning, Public Grounds and Buildings Committee will also work on the tree ordinance that has been pending for a couple of years. The Planning and Zoning Committee did discuss it at the last meeting in November, but it will be looked at again after getting feedback from the Tree Commission.

Ms. Maier will be coming forward with dates for a schedule of meetings for the Planning and Zoning Committee during winter and spring.

Mayor Koomar noted that in addition to the Planning Commission meeting this Wednesday there is a public meeting on January 23 at 7 p.m. at the Dwyer Memorial Center.

Mr. Clark noted that the Village Bicycle Cooperative will be addressing Council on Monday, January 27, 2020. Jason Russell will address Council on February 3, 2020 regarding the Zoning Overlay.

Public Improvements, Streets, Sewers & Drainage-Stainbrook, Maier, Kelly

- Bruce/Russell/Douglas Sewer Improvements

Mrs. Stainbrook advised that in regard to the Bruce/Russell/Douglas Sewer Improvements, City Engineer Don Bierut is present this evening to talk about the Environmental Protection Agency (EPA) Sanitary Sewer Overflows (SSO's) of the City. She noted that it is difficult to talk about the Bruce/Russell/Douglas Sewer Improvements without talking about the SSO's. The EPA mandates are all related to what is known as inflow and infiltration issues. These result from pipes, gaskets and joints of sewers allowing outside water to get into areas where they are not supposed to be.

This causes capacity issues, relates to the interceptors, and the capacity creates flooding problems, hence the Bruce/Russell/Douglas issue. It is Mrs. Stainbrook's understanding that the first order of business is addressing the SSO's and then moving on to Bruce/Russell/Douglas. This all relates to the Rocky River Wastewater Treatment Plant and related bidding processes.

Engineer Don Bierut stated that he spent a great deal of time in 2019 studying the system. The findings of the EPA are from 2009. The EPA has been asked to renegotiate the findings, recognizing that the City has cleared up four out of the six overflows. At the same time, there will be eleven flow monitors installed throughout the City in areas that have been identified as possible problems where exact flow measurement is needed so that it can be modeled more closely. This will be done from March through June. The project is ongoing, but the end is coming.

Mrs. Stainbrook stated that another matter is longer term planning in terms of sewer maintenance which she has discussed with Director of Public Service and Properties Liskovec. Mr. Liskovec will address Council regarding longer term planning sometime in the near future.

Mr. Clark stated that many times Council representatives are asked questions by residents and it is difficult for them to answer if they do not have the updates and accurate information.

Mrs. Stainbrook stated that time spent by Director Liskovec or his team members is time well spent. The sewer infrastructure are literal assets to the City, and those assets need to be managed appropriately.

Mr. Clark stated that the number one topic is resident flooding. A lot of the work the City has done over the past decade does not get a lot of public accolades. It is helpful for the Council, as ambassadors for the City, to be able to share information.

Mrs. Stainbrook stated that there has been a major change in the way the City cleans the storm drains by Director Liskovec's team. It has significantly reduced the flooding.

Mr. Clark noted that almost $1 million was spent to clean the Lake Road Interceptor Sewer which resulted in the removal of over 300 tons of sediment.

Recreation and Parks Improvement- Winzig, DeGeorge, Tadych

- Renovations to Playground Equipment at Bradley Road Park (8-29-17)

Mr. Winzig stated that he met with Director Liskovec and Recreation Director Enovitch. Phase II equipment for the Bradley Road Park Playground has been purchased and will be staged by the end of the second quarter of this year. The purchase was made through state cooperative purchasing, resulting in considerable savings. The final stage will be done later in the spring and be in place sometime this summer.

Mr. Winzig noted that the resurfacing of the Reese Park Pickleball Courts will be done when weather permits, which will be followed by the renovation of the Reese Park Basketball Court as the last project for Reese Park.

Services, Utilities & Equipment- Kelly, Stainbrook, Winzig

No matters are pending at this time. The City trash contract expires in April of 2021, and it is hoped to have a representative of Republic Waste Management address Council sometime in the future. This is a large contract and affects how much the residents pay for this service.

Mayor Koomar stated that Council visited the recycling center about one year ago and found it very interesting. Another visit will be scheduled in the future.

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.

Ms. DeGeorge will introduce an ordinance amending Section 111.01 of the Codified Ordinances of the City of Bay Village to change the starting time of Regular Council meetings from 8:00 p.m. to 7:30 p.m.

Ms. DeGeorge asked if there is anything necessary to be done that relates to the timing of the Committee of the Whole meeting, since that meeting will begin a half hour earlier as well.

Law Director Barbour stated that the only meetings that are required to be set by ordinance are the Regular Council meetings, which take place on the first and third Monday, and the Organizational Meeting of Council which is held on January 2 at 8 p.m. in every even numbered

year. Every other meeting is a Special meeting at a date and time set by Council as they are scheduled.

The ordinance will be considered for adoption on Monday, January 27, 2020, following two readings, the first of which will occur this evening. Mr. Clark noted that the time of 7:30 p.m. matches up with all the Boards and Commission meetings which take place at 7:30 p.m.

Fourth of July Fireworks Contract.

Ms. DeGeorge will introduce an ordinance this evening authorizing the contract for the Fourth of July fireworks display. The annual contract has been in the amount of $11,000 for the past four years and has increased this year to $12,600. The City and the public fundraising all contribute to payment of the annual fireworks display.

Fire Chief Lyons stated that they have been able to hold the line on the price of fireworks for some time. There are factors, such as tariffs, that have gone into the increase. The fireworks company representative, Bay Village resident Steve Ernst, has done a wonderful job of presenting a beautiful display. Mr. Ernst represents several fireworks companies and uses manpower from all companies in a very efficient and cost saving manner.

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

Cooperative Purchasing Agreements.

Mr. Tadych stated that he will introduce a resolution this evening authorizing the Finance Director to participate in various government cooperative purchasing programs for equipment, vehicles, and supplies during the year 2020.

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 River Basin.

Ms. Maier will introduce an ordinance this evening authorizing the Mayor to enter into an agreement with Chagrin Valley Engineering for the Clean Ohio Trails Fund project for the Cahoon River Basin Trail. The engineering will be done by Chagrin Valley Engineering at a cost of $36,103.

Ms. Maier asked why this is being done by Chagrin Valley Engineering, with the answer most probably being expedience in getting the project done with construction this summer. Mayor Koomar stated that there is timing consideration with the grant.

Ms. Maier stated that this engineering is being done to get bid documents out for construction this summer.

Mr. Winzig stated that the report will help the City locate the trail. Mr. Bierut stated that the trail will be from under the bridge to near the sledding hill. They located the wetlands last year and had to have that approved by the Army Corps of Engineers. An archeological study was done in the area with nothing of interest found. Crews will do a preliminary layout after surveying the existing conditions and will hug the west side of the property as much as possible, avoiding the wetlands in the process.

Mr. Winzig stated that there is a possibility of having the trail traverse along the creek to match up with the bridge that will go over the creek. Mr. Bierut stated that there are riparian and wetland issues that will require further study before presenting options.

Temporary sign on St. Raphael Church Property.

Ms. Maier will move to approve the placement of the annual Mardi Gras sign on St. Raphael Church property for the period of February 7 through February 24, 2020.

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

Discussion with the U.S. Environmental Protection Agency regarding Sanitary Sewer Overflows (SSO)

Engineer Don Bierut advised that he has met with the County numerous times regarding Wolf Road asphalt and curb improvements, as well as the installation of handicap ramps. There is also the possibility of doing some pavement widening to allow bicycle facilities along the route and the County is willing to look at widening the section of Wolf between Dover Center to Forestview.

Mr. Bierut stated that the pavement rating for Lake Road is lower in-house than the Ohio Department of Transportation (ODOT) rating. The lower rating is better, and Mr. Bierut will meet with ODOT to review the differences. Mr. Bierut noted that there is not enough money for all the projects throughout the whole area.

Ashton Road Bridge Replacement has been through preliminary design with information sent to FEMA for their coordination. They have raised questions and may need further information. The project has been pushed back to Fiscal Year 2022, which is actually July of 2021.

The Rose Hill Museum project is complete. Construction is finalized and the area has been seeded and strawed. Mr. Liskovec and Mr. Bierut will set up a system to monitor what is there today and what may transpire in the next two to three years.

Mrs. Stainbrook complimented the work of the vendor on the Rose Hill project, from the planning standpoint to execution.

Mr. Clark suggested sending a letter to the Bay Village Historical Society regarding the completion of the project to share with their membership. The Mayor stated that he has attended the Historical Society meetings to provide updates.

Documents are being finalized with the architect for the Cahoon Memorial Park soccer field restrooms, working with his estimates to be sure that plans are in place for what will be built. The bidding environment is causing concern at this time, but the goal is to go forward at the next meeting of Council.

There has been discussion about the soccer fields after going through the field study with Partner Environmentals concerning landfill limits. Work is being done to fill and regrade the fields. Director Liskovec has been working with the City of Avon Lake to get the fill material, which requires environmental testing and soil borings.

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

Mr. Winzig stated that he has no comments specific from a legislative standpoint. He called upon Recreation Director Enovitch to comment on the move in progress from the Bayway Cabin to the Community House.

Mr. Enovitch stated that the Service Department is finishing their work at the Community House. Partitions will be installed the last week of January. The Recreation Department is in the process of moving things to the lower floor for storage. Mr. Enovitch complimented the work of the Service Department in their assistance with the building preparations and the move, which will be complete by the end of January.

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

Approval to dispose of surplus or unwanted inventory via Internet auctions or other means.

Mr. Kelly will introduce a resolution this evening announcing the intent of the City to dispose of surplus or unwanted inventory at Internet auctions or other means. Council has been provided with a copy of the resolution, and Mr. Kelly offered clarification if needed.

Law Director Barbour stated that if the value of the property is $5,000 or more, the Ohio Revised Code requires the passage of a resolution indicating the intent at some point in 2020 to potentially advertise for unwanted or unneeded City property. The department director will still have to come back to Council for permission to advertise and sell, but the requirement for intent has to be passed and published in a newspaper of general circulation in the City. This procedure must be followed annually.

MISCELLANEOUS

Mr. Clark announced that the next meeting of Bay Village City Council will be Monday, January 27, followed with a Regular Meeting on Monday, February 3, 2020.

Requirement of elected officials, or appropriate designee, to attend training in accordance with Ohio Revised Code Section 149.43 and 121.22.

Ohio Revised Code Section 109.43(B) provides that: *The attorney general shall develop, provide, and certify training programs and seminars for all elected officials or their appropriate designees, and for all future officials who choose to satisfy the training requirement before taking office, in order to enhance the officials' knowledge of the duty to provide access to public records as required by section 149.43 of the Revised Code and to enhance their knowledge of the open meetings laws set forth in section 121.22* of the Revised Code. *The training shall be three hours for every term of office for which the elected official or future official was appointed or elected to the public office involved.*

Mr. Kelly will make a motion at the Special Meeting of Council this evening to authorize the Clerk of Council to act as designee for those elected officials who chose to make that designation to attend required training in compliance with Sections 149.43 and 121.22 of the Ohio Revised Code.

Ms. DeGeorge reported that there was an Architectural Board of Review meeting held Wednesday, January 8, 2020 with the architect from the new library in attendance. He did mention the three memorial trees on the site, and stated that they felt that the trees are probably at the end of their lives and would be coming down anyway. Ms. DeGeorge asked if there is a timeline for the construction.

Mayor Koomar stated that as soon as approval is received from the Planning Commission for the library construction they will begin working on the land lease. Mr. Winzig and the Mayor have met with the husband of the woman for whom the memorial trees were planted. At one point he was thinking he would like to take the wood and have it milled and made into some type of outdoor piece.

Ms. DeGeorge stated that her question is who will let the husband know when the trees are coming down so he can look at it himself. She does not want the trees taken down and spirited away without his knowledge.

Mayor Koomar stated that when they are looking at the land lease they will connect with the husband. He thanked Ms. DeGeorge for her comments and reminder.

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