



## City of Bay Village

350 Dover Center Road  
Bay Village, Ohio 44140-2299

Phone: 440/871-2200

Fax: 440/871-5751

January 9, 2020

A Special Meeting of the Bay Village City Council will be held on **Monday, January 13, 2020 at 8:00 p.m., following the Committee Meeting at 7:30 p.m.**, in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. Roll Call; Pledge of Allegiance led by Nancy Stainbrook, Councilwoman-at-large.
2. **Motion** to approve the Minutes of the Regular Meeting of Council held December 16, 2019. **\*Tadych\***
3. **Motion** to approve the Minutes of the Cahoon Memorial Park Trustees meeting held December 16, 2019. **\*Tadych\***
4. **Motion** to approve the Minutes of the Organizational Meeting of Council held January 2, 2020. **\*Tadych\***
5. **Ordinance** 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) **\*DeGeorge\***
6. **Ordinance** authorizing the Mayor to enter into an agreement with Ohio Pyro & Flame LLC. for the 2020 July 4<sup>th</sup> Fireworks Display, and declaring an emergency. **\*DeGeorge\***
7. **Resolution** authorizing the Finance Director to participate in various Cooperative Purchasing Programs, and declaring an emergency. **\*Tadych\***
8. **Ordinance** 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) **\*Maier\***
9. **Motion** 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. **\*Maier\***
10. **Resolution** 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. **\*Kelly\***

**11. Motion** 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. **\*Kelly\***

**12.** Announcements/ Audience/Miscellaneous

**13.** Adjournment

Dwight A. Clark  
President of Council

Charter Reference 2.11

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 clause:*

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 provisions. 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 8:00 p.m. However, Council generally meets informally at 7:30 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, Committee Session  
Dwight A. Clark, President of Council, presiding

December 16, 2019  
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, Mace, 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, Project Manager Kerber, Building Director Tuck-Macalla.

## AUDIENCE

Council-elect Thomas J. Kelly, Clare Banasiak, Amanda Sebrosky, Denny Wendell, Matt Spellman, Alex Kamczyc.

Mr. Clark asked for the report of the Public Improvements Committee to be the first item on the agenda this evening due to the need for the Director of Public Service to be excused early.

## **PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-** Stainbrook

Authorization to advertise for bids for road materials, specifically asphalt, concrete, and aggregates, for the 2020 Road Maintenance Program to be conducted by the Bay Village Service Department.

**Mrs. Stainbrook** will present a motion at the Regular Meeting of Council this evening to advertise for bids for materials to be used by the Service Department in their annual road maintenance program.

### Sunset Project Contract for Utility Construction.

**Mrs. Stainbrook** reported that five bids have been received for the utility portion of the Sunset Project. The lowest and best bid is in the amount of \$363,375. Mrs. Stainbrook noted that Council approved funding in the amount of \$517,000 for paving and utilities for the Sunset Project. Receipt of bids for the utility portion was previously unsuccessful due to the bidding environment, and the administration has reallocated \$110,000 through a combination of balance of funds remaining from 2019 programs and an additional appropriation of \$28,000 by Council. It is expected that the funding for paving and utilities to be just under \$600,000, but when the paving portion of the project comes forward the funding will have to be addressed further. The paving portion will be bid in early June.

A memorandum from Mr. Donald Bierut, PE, City Engineer, dated December 11, 2019 has been received by Council, advising that after publicly advertising for nearly three weeks, five contractors submitted bids. The advertised construction estimate was \$350,000.00. The “Lowest Responsive and Responsible Bidder” was Tri-Mor Corp. Their bid was within 10% of the advertised estimate, considered complete and provided all the information that was requested. Based on Mr. Bierut’s review of their bid, and a review of their references, it is his recommendation to award the contract to Tri-Mor Corp. for \$363,375.00. Their earliest start date is January 27, 2020, with 120 days to complete.

Mr. Winzig asked if the project total includes the alternate bids. Mr. Liskovec stated that the alternates are not included in the project total. The alternates are included as potential sub-projects based on what may be found when the ground is opened. There was not conclusive data to determine if an extra sanitary sewer is needed. The alternates amount to an additional \$95,000.

Mr. Tadych stated that he was present for the bid opening, and did not learn whether there was a 10% contingency. Mr. Liskovec stated that Mr. Bierut did not include a dedicated contingency, but in discussing with him the numbers and the estimate there is a small amount of padding, and Mr. Bierut did not feel it necessary to include a line item contingency. Mr. Bierut feels that the numbers that were put together for the engineer’s estimate are solid and will cover the cost of construction. Mr. Tadych noted that the bid numbers are higher than the estimated amount. Mrs. Stainbrook stated that the estimate was \$350,000 and the bid is \$363,375, not including alternates.

Mr. Clark stated that the bid of Tri-Mor for Alternate No. 2, in the amount of \$62,370 is substantially higher than the other bidders, and the project duration is longer for a firm that we have never done business with before. Mayor Koomar stated that the company is well known in the Cleveland area.

Mr. Clark noted that the overall cost bid by Trax Construction Co. is lower and the project completion time is lower. Trax does have experience in the City of Bay Village, having done the Cahoon Project. Mayor Koomar stated that the selection of Tri-Mor was also based on their reputation and having good crews.

Mr. Tadych commented on the large size of the bid packet, and the fact that he thought the 10% contingency was a significant item that needed to be addressed. There will be difficulty if the project goes higher.

Mr. Liskovec commented on experience with other projects where cooperation with Cleveland Water was involved. The timing of Tri-Mor is appropriate.

Mr. Liskovec was thanked for the information provided.

## ANNOUNCEMENTS

### Mayor Koomar

**Appointment** of Kendra Davitt to the Planning Commission, effective January 1, 2020, to fill the unexpired term of Thomas J. Kelly ending August 18, 2023.

### Reappointments –

Debbie Putnam to the Records Commission for a two-year term expiring December 31, 2021

Scott Bruno to the Board of Zoning Appeals for a five-year term expiring January 1, 2025.

Ann Kerka to the Parks and Recreation Commission for a four-year term expiring January 1, 2024.

## ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-

Mace

Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for water quality improvements and conservation of environment.

Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for the educational component of the program for water quality improvements and conservation of environment.

**Mr. Mace** advised that this evening at the Regular Meeting of Council he will introduce legislation to accept two Memorandums of Understanding (MOU) with the Cuyahoga Soil and Water Conservation District. The first MOU is technical assistance for water quality improvements and conservation of the environment and is an extension of one year on an existing one-year contract. The second MOU is with the same entity for the educational component of the program for water quality improvement and conservation of the environment. This is a new contract, one year in duration.

**Ms. Maier** asked if it has been determined what the focus for the educational programs might be, considering that the watershed plan has just been updated. Mayor Koomar stated that he does not believe that has yet been determined.

### Heritage Home Loan Program for 2020.

Mr. Mace stated that this is the extension of the program that the City of Bay Village has offered to residents for the past several years. Mr. Mace noted the contract price in the ordinance states that the cost to the City is not to exceed \$6,900. The letter to the City of Bay Village from the Cleveland Restoration Society states that the amount will be \$6,830 for 2019 and for 2020 the cost will be \$7,190. This includes the cost for one of the two informational mailings from the Mayor.

Mayor Koomar stated that the price was adjusted downward. The information for the Heritage Home Loan will be included in the Mayor's quarterly newsletter to residents. A meeting is

scheduled with the Cleveland Restoration Society in April. Property owners with homes that have turned 50 over the last several years will be included for mailing.

Mr. Clark noted that the Cleveland Restoration Society will attend a Council meeting on April 6, 2020, following a 6:30 p.m. public information meeting regarding the Heritage Home Loan program. The Mayor noted that Council will receive a year-end summary for 2019 in the very near future.

Ms. DeGeorge asked if there are other similar programs available to residents. Mayor Koomar stated that the only other program is a Help Program offered by Cuyahoga County through Key Bank. The Mayor related his experience with the Help Program in 2003 to upgrade his kitchen. There was always a cap on the market value of the property of \$250,000, which limits the use of the program. The Mayor has asked the county to adjust that cap for inflation over the years, but at this point that has not been done.

Finance Director Mahoney stated that the Heritage Home Loan Program considers the increase in value after the improvements are done, whereas the Help Loan only gives the equity in the home.

#### Community Development Supplemental Grant Application.

Mr. Mace stated that the application for the Community Development Supplemental Grant is an application for a grant up to \$50,000 to provide power assisted door openers at the Police Department main entrance, the restrooms at the Police Department and the Family Aquatic Center to make them more easily accessible.

#### **FINANCE & CLAIMS COMMITTEE-Tadych**

#### Annual Appropriation Ordinance for 2020. Final Reading of Ordinance at Regular Meeting of Council this evening.

**Mr. Tadych** advised that the 2020 Budget will be approved this evening and marks the first time the budget for the following year will be approved halfway into December prior to the new budget year. The final reading of the Annual Appropriation Ordinance is on the agenda for the Regular Meeting of Council this evening.

#### Amended Annual Appropriation Ordinance – Final Appropriations for 2019.

The Amended Annual Appropriation Ordinance which designates the final appropriations for year 2019 will be presented for adoption this evening. Mr. Tadych asked Finance Director Mahoney for her comments.

Director Mahoney stated that in October and November of 2019 Municipal Income Tax collections were \$269,000 more than October and November of 2018. In addition, Mrs. Mahoney budgeted a 3% increase in Municipal Income Tax collections, and there is a 6%

increase in income tax collections. A 13% increase in Property Tax collections was budgeted and there is actually a 14% increase in Property Tax collections. With that additional revenue, and the fact that departments stayed within their actual budgets, there was the need to make movement between departments, especially Fire and Police. In the Fire Department, vacation buy-backs were not considered when the 2019 Budget was approved. The amount of \$36,000 was taken from other departments where there was excess, e.g., an unused Building Inspector allocation. In the Police Department, there is an amount budgeted for a Police Sergeant for 2020, taken from the Police Department's Other line item and moved to the Police Department's Wages line item.

With the additional funds available, Mrs. Mahoney is suggesting the move of \$500,000 to the Infrastructure Improvement Fund. Mayor Koomar noted that the Federal EPA is going to update the Bay Village order from 2009. A new timeframe has been set for the Cahoon Project, and final flow metering will be placed in early winter for a period of four or five months to provide additional data. There are projects coming, and the allocation to the Infrastructure Fund will assist with these projects and contributions to the work at the Rocky River Wastewater Treatment Plant.

Mrs. Stainbrook stated that based on the EPA recommendations it will be necessary to have funds set aside to start developing sewer plans and programs to manage the infrastructure assets.

Mr. Clark noted that about \$600,000 to \$700,000 has been taken out of Infrastructure Improvements for the past six or seven years that has not been replenished.

Mr. Tadych stated that he personally would like to reduce the borrowing by one half million dollars in 2020. The budget put together is a tight budget, it is a good budget, and this extra money received through proper management should be reducing borrowing down to \$1 million rather than \$1.5 million.

Mayor Koomar stated that the liquidity from his viewpoint is important because sometimes advances need to be made to cover things.

Mr. Tadych stated that routinely we find the money when changes are made. The money has been found because our taxes and income are in better shape than we thought. Mr. Tadych stated further that he would really like to reduce the budget borrowing.

Mr. Mace stated that he does not know what the number came to this year for the gasoline tax because it was only one-half of the year for the increase, but that amount should always be earmarked for infrastructure. He noted that \$1.5 million in borrowing is the usual amount of borrowing, except for last year which was in excess.

Mr. Tadych stated that the idea of reducing the borrowing won't affect tonight's passage of the ordinance, but discussion could be brought forward in January to reduce the borrowing.

Mr. Clark stated that it becomes more philosophy than financial because we are in a relatively low borrowing environment. The fixed cost of bringing the issue to market would be the same whether it is \$1 million or \$1.5 million, so the economies of scale aren't as good. The question is how much can we invest of the additional amount.

Mr. Tadych stated that if there is thought about reducing it we can reduce it be \$250,000 rather than \$500,000.

Mr. Clark stated that we knew this surplus was going to be around for the last sixty days based on the numbers that came in. Mr. Tadych stated that we did not know the numbers they were going to be; we didn't know it was going to be as high as this surplus.

Mr. Clark stated that we have discussed the borrowing of \$1.5 million for the last three or four months.

Mr. Tadych stated that we did not know we would be blessed with the amount of extra money; we ought to do something to reduce our borrowing.

A Finance Committee meeting will be scheduled for a date in January to continue the discussion.

Mr. Clark noted that typical borrowing has been about \$1.2 million to \$1.7 million. We have a lot of wherewithal; we can certainly borrow a lot more and we continue in the borrowing program to buy down notes aggressively. We pay down about \$1.250 million every year, since we amortize our equipment and our streets debt quickly over five to seven years.

Mr. Clark stated that a decision does not have to be made this evening; it can be talked about to a greater extent at another time.

Regarding the Health Insurance Fund, Mrs. Mahoney stated that the first major matter is the transfer of funds and the second major item is the increase in budget for health care. The original budget was budgeted at a 6% increase and we are looking at about an 11% increase in costs. An appropriation increase of about \$270,000 is being requested to cover those costs. The way the health care report is presented the 11% increase is seen, but what is not reflected in the analysis is the true reflection of the reimbursement for large claims. Any claim over \$75,000 is reimbursed to the City. Council has to appropriate the expense side, and not the revenue side, so the revenue and the expense must be shown to get a true year-to-year report. Some of the funds are sitting in the reserve balance at Jefferson Health Care. What also is not reflected are the employee contributions. Historically, there has been quite a large balance in the reserve and we will end the year with \$800,000 in that fund. There is not a request for any more money to be allocated to the fund. Health care is paid out of the Health Insurance Fund. The departments are charged back for the cost of the health care for the employees in the department. The actual charge has been lowered back to the Police Department to try to use some of the health insurance money, which helps the General Fund Budget and reduces the number in the Health Insurance Fund because it is too high.

Mr. Clark stated that this is the one expense that is beyond our control. Anything that Mrs. Mahoney, the administration, and Mr. Tadych can do to clarify would be helpful.

**PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-**  
Maier

Request by Matt Spellman, Athletic/Activities Director, Bay High School, for placement of 4 ft. by 8 ft. sign on Bay Middle School property from December 2019 to mid-March 2020 for the Bay Rockets Fundraising Campaign.

**Mr. Matt Spellman, Athletic/Activities Director for Bay High School**, spoke on behalf of the Bay Rockets Fundraising Campaign. The campaign is geared to raise \$1.6 million for a new concession/restroom building on the south end of the Bay High School Stadium. In addition to the concession and restrooms, there will be a team room, a training room, and a Spirit Shop. There is currently a sign in the stadium 4' x 8' at the south end where the new building will be located, and the campaign committee would like to move the sign in front of the Bay Middle School to get more visibility of the actual mock drawing of the new building. The last four weeks of fund raising has generated approximately \$800,000, half-way to the goal. The move of the sign will increase awareness and visibility of the fundraising goal. The sign will be moved back to the Bay High School in the spring. Council received a picture of the sign in advance of tonight's meeting.

Mr. Clark thanked Mr. Spellman for the information he provided this evening. He noted the support given to other Bay Village institutions in similar endeavors and recommended support of this request.

**RECREATION & PARKS IMPROVEMENT COMMITTEE-** Winzig

**Mr. Winzig** had no report this evening.

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE-**DeGeorge

Website Development and Hosting proposal of CivicPlus.

**Ms. DeGeorge** called upon Project Manager Kathryn Kerber to report on her recommendations of CivicPlus as the new website developer and host for the City of Bay Village.

Ms. Kerber stated that Tonja Coffin, Assistant Recreation Director, and Councilman Peter Winzig, and she did a very thorough review of several providers. It was found that CivicPlus has many good features and is used by many neighboring communities who gave excellent recommendations about their service.

Mr. Winzig and Mr. Kerber demonstrated the web sites of the cities of Avon, Berea, and Hudson, developed and hosted by CivicPlus for the benefit of Council. Mr. Winzig pointed out the various features that are flexible and easy to use, noting that the programming is powerful and the software provides user capability to quickly find the information being sought.

Resident Denny Wendell discussed access to the websites by cellphone. Ms. Kerber stated that one of the features is that the website scales to any size screen size, and noted that an app is available. The features liked about CivicPlus were outlined in Ms. Kerber's report and recommendations as follows:

Features we liked about CivicPlus:

- The included training is the most extensive and the most flexible.
- CP analyzes use statistics of our current site to organize the new site. Statistics of the new site will be available for us to see and make adjustments as needed.
- Extensive options for online forms.
- Drag-and-drop functionality.
- Calendars are by department and automatically consolidated into a city-wide calendar.
- Notify Me – residents can customize updates they want to receive by city department and subject.
- Citizen Request Tracker
- ADA compliance guidelines surpass requirements, ongoing compliance scans are included.
- Integrates with other applications/software.
- Scales to any screen size, app available if we want it now or later.
- 24/7 emergency support
- Emergency notices can be created in advance and activated when needed.
- Additional modules that can be added later, like CivicRec for parks & rec, CivicClerk for agendas and meetings, and CivicHR for employee management
- Can opt-in to accept credit card payments with a small fee to the end customer, no fee to the city.

Optional Enhancements:

- Mobile app with push notifications, can be added later. The website is scalable for viewing on all devices without the app, so the main benefit is push notifications that the user can enable based on their preferences. One-time cost: \$5,500, annual \$1,950.
- Department Headers: In general, the layout, colors, and buttons for department pages will be the same as the main site. For an additional fee, a department can have customized colors and buttons for frequently-used features on their page. One-time cost: \$5,500, annual \$1,950 per department that wants this feature. We may want to leave this up to each department to decide if they want to pay for a personalized header from their budget.

Ms. Maier asked about the redesign being included after four years or more at no cost. Mayor Koomar stated that they will redesign at no cost after four years, refreshing and redesigning the wire frames.

Ms. DeGeorge said that Mr. Winzig had noted that the website will only be as good as the maintenance of the website. Ms. Kerber stated that the maintenance of the website will be easier. Ms. Kerber has asked department heads if they want to have a centralized person update, or someone in their department update. Everyone said they would like to have someone in their department handle their updates. CivicPlus is a provider that makes postings very easy with expiration dates set to drop old information off automatically.

Ms. Kerber was thanked for her presentation this evening. Ms. DeGeorge will present a resolution to enter into an agreement with CivicPlus. Mr. Winzig suggested passing the ordinance on one reading in order to save funds due to a price increase in January. Mayor Koomar noted that additional features will be added if the contract is signed prior to year-end, including 50 more pages of content migration with a street value of \$2,000, two extra seats for the Citizen Request Tracker to field incoming requests from residents through the website, and an additional day of implementation consultation. Ms. Kerber stated that this is over \$7,000 worth of extras that can be obtained by proceeding with one reading and approval this evening.

Mr. Winzig noted the features of the Citizen Request Tracker, allowing all departments to track the citizen request, when it came in, how it was addressed, and when the “ticket” was closed.

Mr. Clark stated that he does not favor approving legislation on one reading, but this project has been searched out for a long period of time. He looks at this as an outlier and an exception to the norm.

There being no further discussion, the meeting adjourned at 8:15 p.m.

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Dwight A. Clark, President of Council

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Joan Kemper, Clerk of Council

## CITY OF BAY VILLAGE

Council Minutes, Regular Meeting  
Council Chambers 8:00 p.m.

December 16, 2019

Dwight A. Clark, President of Council, presiding

Present: Clark, DeGeorge, Mace, 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, Building Director Tuck-Macalla.

### AUDIENCE

Council-elect Thomas J. Kelly, Clare Banasiak, Amanda Sebrosky, Jennie and Sam Mace, Steve Mace, Jo-Ann Castelli, Kevin Murray, Alex Kamczyc.

Mr. Clark called the Regular Meeting of Council to order at 8:20 p.m. in the Council Chambers of Bay Village City Hall, with the Pledge of Allegiance led by Ward 4 Councilman Peter J. Winzig.

Mr. Clark called for a reading of the minutes of the Regular Meeting of Council held December 2, 2019. Mr. Tadych **MOVED** to dispense with the reading and accept the minutes of the Regular Meeting of Council held December 2, 2019 as prepared and distributed.

**Motion carried 7-0.**

### ANNOUNCEMENTS

**Mayor Koomar** announced the appointment of Kendra Davitt to the Planning Commission, effective January 1, 2020, to fill the unexpired term of Thomas J. Kelly ending August 18, 2023.

Mayor Koomar commented that Law Director Barbour has recommended Mrs. Davitt to the Commission. Mrs. Davitt is a Ward One resident, has a Master's Degree in Public Administration, and is very interested in the Master Plan. Mrs. Davitt is the mother of young children which provides valuable insight into the use of the City parks.

The Mayor announced the following reappointments:

Debbie Putnam to the Records Commission for a two-year term expiring December 31, 2021.

Scott Bruno to the Board of Zoning Appeals for a five-year term expiring January 1, 2025.

Ann Kerka to the Parks and Recreation Commission for a four-year term expiring January 1, 2024.

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Mrs. Putnam was formerly with the Bay Schools and understands the importance of public records. The administration is pleased that Mrs. Putnam has agreed to be reappointed as the citizen member of the Records Commission for an additional term.

Mayor Koomar advised that Jason Russell of Concord Consulting presented at a public meeting held last week regarding a proposed zoning overlay. The feedback from the public has been very positive and the administration is reaching out for schedules and time with property owners and other stake holders. The next work session for the Planning Commission is on January 8 at 7:30 p.m. in the Council Chambers of Bay Village City Hall. The next public meeting will be held on January 23, 2019 at 7 p.m. at the Dwyer Memorial Center.

Mayor Koomar stated that he had an opportunity to attend the Santa event hosted last week by the Recreation Department. Photographs will be displayed at a future meeting. There was a huge turnout at the event, and Bay Village Police Officer Engle, and Officer Kitchen, stopped by and enjoyed making Christmas tree wreaths with the small children. The Mayor complimented both the Recreation Department and Police Department for their good work.

The Mayor stated that at the first meeting he attended as a DOPWIC appointee he was also nominated and subsequently elected to the Small Government Committee and the National Resources Assistance Council. There is funding there for nature conservancies and park systems to apply to take control and maintain green space. The first all-day meeting was held last Monday and was very positive.

**Mayor Koomar**  
**Proclamation for Councilman-at-large Marty Mace.**

The Mayor read the following Proclamation in honor of the end of the term of Councilman-at-large Marty Mace.

*In the City of Bay Village there dwells a man of good character, Marty Mace; and*

*WHEREAS, Marty is the loving husband of Jennie, who he met on a scuba diving trip to Cozumel and married in 2005, and is the proud father of Sara, Michelle and Sam, and grandfather to 4, who call him Grandpa Firetruck. Marty grew up in Brook Park and attended Midpark schools.*

*WHEREAS, Councilman-At-Large Mace leaves council following 4 years of dedicated service to the residents and City of Bay Village. His colleagues, staff and constituents who valued his professional expertise and exemplary leadership, not to mention friendship, will greatly miss his presence in City Hall. They sincerely thank him for his commitment to improving the lives of the citizens of our community; and*

*WHEREAS, Prior to becoming a councilman, Marty served for 13 years as a Lakewood Paramedic and retired from The City of Bay Village after 25 years as a Bay Village Fireman/Paramedic, where he was known to enjoy watching reruns of Law and Order in the*

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*evening with a cup of coffee in hand when it was quiet at the station. Marty was also appointed by Governor Voinovich to serve as a member of the Ohio EMS Board from 1998 – 2003; and*

*WHEREAS, Marty served as the Chairman of both the Recreation and Parks Improvement Committee and Environment, Safety and Community Services as well as serving on the Walker Road Park Committee, and as the Representative to the Citizens Parks and Recreation Commission; and*

*WHEREAS, Marty's expertise as a firefighter served him well as he championed the cause for the City's purchase of our new aerial fire truck through his work on the Environment, Safety and Community Services Committee; and*

*WHEREAS, Marty is to be commended for working diligently on updating several city ordinances which were both challenging and of importance to the general public protection of our City during his time as Chairman of the Environment, Safety and Community Services Committee; and*

*WHEREAS, Marty is always willing to help family and friends with whatever they may need, no questions asked. An avid sports fan, he enjoys coaching Sam's baseball team. Marty is also an excellent cook and enjoys working behind the scenes at St. Raphael's Lenten Fish Fry expertly frying up the fish. As an active member of the parish he also volunteers for art, library and lunch at St. Raphael School. At church services, Marty's young son, Sam, quite the singer, proudly sings out loud for all to enjoy; and*

*WHEREAS, with the relinquishing of his council duties Marty will have more time to indulge his love of golf and travel. As a certified scuba diver who has traveled to many places including the Caribbean, Mexico, Aruba, Belize, Curacao, Bonaire and Fiji, he can start planning more trips to exotic locations.*

*NOW THEREFORE, I, Paul A. Koomar, Mayor of the City of Bay Village, on behalf of the City Council and the residents of this community, do hereby extend the sincerest of thanks to Marty Mace for his 4 years of service to the City of Bay Village and wish him well in his future endeavors.*

*In witness whereof, I have set my hand  
and seal this 16<sup>th</sup> day of December 2019.*

*/s/ Paul A. Koomar*

*Paul A. Koomar, Mayor*

Mr. Clark stated, on behalf of City Council, that it has been the highest tribute to serve with Mr. Mace. One of the greatest distinctions in government is to serve as an ambassador for your local

government. Mr. Mace has done that professionally over the years, and Mr. Clark thanked Mr. Mace for his partnership.

## **REPORTS**

**Law Director Barbour** had no report this evening.

**Finance Director Mahoney** thanked the department heads for all their help, and the Finance Committee for a smooth budget process for year 2020.

**Recreation Director Enovitch** announced that 2020 Pool Passes are now available. They make an outstanding Christmas present. Gift cards are also available for sale and make a great stocking stuffer.

In the absence of **Director of Public Service and Properties Liskovec**, who was excused following the committee session this evening, Mayor Koomar stated that this is the last week of leaf pick up. Equipment is being transitioned over for the winter season. In regard to the Sunset utility project, information for the residents will be available after the pre-construction meeting which will provide timing and specifics.

**Human Resource Director Demaline** was absent this evening due to the recent loss of her father-in-law and surgery scheduled for her mother on Tuesday, December 17, 2019.

**Community Services Director Selig** had no report this evening.

**Police Chief Spaetzel** thanked Councilman Marty Mace for his service to the community the last four years, and particularly to the Police and Fire Departments.

**Fire Chief Lyons** thanked Councilman Marty Mace, noting that Mr. Mace retired from the Bay Village Fire Department prior to his time on Council. Chief Lyons thanked Mr. Mace for all his service and congratulated him on his successful service to the City of Bay Village.

**Building Director Tuck-Macalla** had no report this evening.

## **AUDIENCE**

There were no comments from the audience this evening.

## **COMMITTEE OF THE WHOLE**

### **ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Mr. Mace**

**Motion** by Mr. Mace to confirm the reappointment by Mayor Koomar of Debbie Putnam to the Records Commission for a two-year term expiring December 31, 2021.

**Motion carried 7-0.**

**Mr. Mace** introduced and read **Resolution No. 19-110** authorizing the Mayor to renew the Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District, 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. 19-110.

Roll Call on Suspension of the Charter Rules:

Yeas- Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas – Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays – None

Roll Call on Adoption:

Yeas– Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays –None.

Mr. Barbour announced adoption of Resolution No. 19-110, an emergency measure, by a vote of 7-0.

**Mr. Mace** introduced and read **Resolution No. 19-111** authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District, 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. 19-111.

Roll Call on Suspension of the Charter Rules:

Yeas- DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark.

Nays – None

Roll Call on Adoption:

Yeas– DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark.

Nays –None.

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Mr. Barbour announced adoption of Resolution No. 19-111, an emergency measure, by a vote of 7-0.

**Mr. Mace** introduced and read **Ordinance No. 19-112** authorizing continued participation in the Heritage Home Loan Program with the Cleveland Restoration Society, and declaring an emergency, and moved for adoption.

Mr. Clark commented that this program continues to be successful and seems to grow each year. It is nice to see that we are continuing a positive trend in the terms of what they do for the City, and for the expense associated with the program.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-112.

Roll Call on Suspension of the Charter Rules:

Yeas- Mace, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Mace, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –Mace, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.

Nays – None

Roll Call on Adoption:

Yeas– Mace, Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge.

Nays –None.

Mr. Barbour announced adoption of Ordinance 19-112, an emergency measure, by a vote of 7-0.

**Mr. Mace** introduced and read **Resolution No. 19-113**, authorizing the filing of a Community Development Supplemental Grant Application, 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. 19-113.

Roll Call on Suspension of the Charter Rules:

Yeas- Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace.

Nays – None

Roll Call on Adoption:

Yeas– Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace.  
Nays –None.

Mr. Barbour announced adoption of Resolution 19-113, an emergency measure, by a vote of 7-0.

**FINANCE AND CLAIMS-Mr. Tadych**

**Mr. Tadych** read, by title only, **Ordinance 19-109** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2020, and declaring an emergency, and moved for adoption. (Second Reading December 2, 2019) (First Reading November 25, 2019).

Mr. Tadych expressed appreciation to Finance Director Mahoney and her staff, and the members of the Finance Committee as well as the entire membership of Council for allowing the consideration for approval of this 2020 Budget by mid-December of 2019.

Mr. Clark stated that each year the clarity and the looking-forward projections of the City have been much more efficient. Mr. Clark thanked Chairman Tadych and the members of the Finance Committee, as well as the members of the administration for a very streamlined process.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-109.

Roll Call on Suspension of the Charter Rules:

Yeas- Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays – None

Roll Call on Adoption:

Yeas– Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays –None.

Mr. Barbour announced adoption of Ordinance 19-109, an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read **Ordinance No. 19-114** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2019, as previously appropriated in the Annual Appropriations 18-95, 19-07, 19-13, 19-27, 19-41, 19-59, 19-76, 19-91, 19-97, and 19-108, 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. 19-114.

Roll Call on Suspension of the Charter Rules:

Yeas- Tadych, Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Tadych, Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas –Tadych, Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook.

Nays – None

Roll Call on Adoption:

Yeas– Tadych, Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook.

Nays –None.

Mr. Barbour announced adoption of Ordinance 19-114, an emergency measure, by a vote of 7-0.

Mr. Tadych announced that a Finance Committee meeting will be held on January 6, 2019 at 6:30 p.m. to review the finances of the year 2019, and to discuss whether or not borrowing for 2020 can be reduced.

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

**Motion** by **Maier** to confirm the reappointment by Mayor Koomar of Scott Bruno to the Board of Zoning Appeals for a five-year term expiring January 1, 2025.

**Motion carried 7-0.**

**Motion** by **Maier** to confirm the appointment of Kendra Davitt to the Planning Commission, effective January 1, 2020, to fill the unexpired term of Thomas J. Kelly ending August 18, 2023.

**Motion carried 7-0.**

**Motion** by **Maier** to grant the request of Matt Spellman, Athletic/Activities Director, on behalf of the Home of the Rockets Committee, for placement of a fund raising sign at the Bay Middle School for a period of three months, from December 2019 to mid-March 2020.

Mr. Clark noted that Mr. Spellman attended the Committee Meeting of Council this evening to explain all of the details of this project.

**Motion carried 7-0.**

**PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mrs. Stainbrook**

**Mrs. Stainbrook** stated that she will introduce an ordinance for the Sunset Project. The project is broken out into utilities and paving. The ordinance being presented this evening is only for the utilities portion. Funding had to be increased based on the utilities project, but it will be getting started as early as the end of January, depending on passage of the ordinance this evening. This is a project that has been in the works for over 35 years, and we will now see it get started.

**Mrs. Stainbrook** introduced and read **Ordinance No. 19-115** authorizing an agreement with Tri-Mor Corporation for utility construction for the Sunset Project, and declaring an emergency, and moved for adoption.

Mr. Clark commented that this has been a long time coming, and it is nice to see that there were multiple bidders on the third time around.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-115.

Roll Call on Suspension of the Charter Rules:

Yeas- Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas – Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych.

Nays – None

Roll Call on Adoption:

Yeas– Winzig, Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych.

Nays –None.

Mr. Barbour announced adoption of Ordinance 19-115, an emergency measure, by a vote of 7-0.

**Motion** by **Stainbrook** authorizing the Director of Public Service and Properties to advertise for bids for road materials, specifically asphalt, concrete, and aggregates, for the 2020 Road Maintenance Program to be conducted by the Bay Village Service Department.

**Motion carried 7-0.**

**RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig**

**Motion** by **Winzig** to confirm the reappointment by Mayor Koomar of Ann Kerka to the Parks and Recreation Commission for a four-year term expiring January 1, 2024.

**Motion carried 7-0.**

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Ms. DeGeorge**

**Ms. DeGeorge** advised that Council has discussed adopting the following resolution on one reading due to cost savings and project longevity.

**Ms. DeGeorge** introduced and read **Resolution No. 19-116** authorizing the Mayor to enter into an agreement with CivicPlus for Website Development and Hosting, and declaring an emergency, and moved for adoption.

Mr. Clark thanked that this is legislation and implementation that is long overdue for many of us. He expressed appreciation to Kathryn Kerber, Project Manager, and the administration, as well as those Council members involved in this collaborative effort to move this forward.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 19-116.

Roll Call on Suspension of the Charter Rules:

Yeas- Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays- None.

Roll Call on Suspension of the Council Rules:

Yeas –Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays –None.

Roll Call on Inclusion of the Emergency Clause:

Yeas – Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays – None

Roll Call on Adoption:

Yeas– Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.

Nays –None.

Mr. Barbour announced adoption of Resolution 19-116, the final piece of legislation for 2019, an emergency measure, by a vote of 7-0.

**MISCELLANEOUS**

**Mr. Clark** announced that this is the last meeting of the 2019 year. He thanked everyone on Council for their great work on the legislative front, moving a number of things through. Mr. Clark thanked the administration for all the work on the Capital side. Next year will be an exciting year for everyone in Bay Village.

**Mayor Koomar** stated that he did speak with the library administration last week, and it is their intention to attend the January Architectural Board of Review meeting. It is hoped that this meeting will result in the finalization of comments of the Architectural Board of Review. The following week, on January 15, will be the potential to take the project back to the Planning

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Commission for approval. There is still concern on their part of the outdoor patio inclusion and trying to work through funding options. It is the intent of the City and the trustees to see that bid as an alternate to determine the true cost, but, otherwise, the plans are going well.

Mr. Clark stated that he presumes the Mayor has reminded the Library Board that the citizens of Bay Village pay about \$1 million per year into the County Library system.

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 Litigation – property, and Litigation – personnel.

**Roll Call Vote:**

Yeas -DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark.  
Nays – None.

**Motion carried 7-0.**

Also in attendance in Executive Session were Mayor Koomar, Law Director Barbour and Council-Elect Kelly.

Council reconvened in an open meeting at 9:43 p.m. Present were: Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, and Winzig.

Mr. Clark wished everyone a healthy and happy holiday season on behalf of the entire City of Bay Village.

There being no further discussion or matters to come before the Council this evening, the meeting adjourned at 9:44 p.m.

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Dwight A. Clark, President of Council

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Joan Kemper, Clerk of Council

## CITY OF BAY VILLAGE

### CAHOON MEMORIAL PARK TRUSTEES

December 16, 2019  
8:15 p.m.

President of Council Clark called the meeting called to order in the conference room of Bay Village City Hall at 8:15.

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

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Community Services Director Selig, Project Manager Kerber, Building Director Tuck-Macalla.

### AUDIENCE

Clare Banasiak, Councilman-elect Tom Kelly, Amanda Sebrosky, Denny Wendell, Matt Spellman, Alex Kamczyc.

**Motion** by Mr. Winzig, to grant approval of the renewal of a lease for a portion of the Community House for the Village Bicycle Cooperative for a period of one year. The Village Bicycle Cooperative has been a resident of the Community House for many years and are doing a great job. The location provides easy access and great storage.

Mr. Clark stated that in the past the City has allocated the Village Bicycle Cooperative share of the utilities of what they consume at the Community House. The space has changed because of the Recreation Department's equipment in the building.

Mayor Koomar stated that due to shortage of space, bicycles have been taken over to BAYarts, and on December 18 those bicycles will be delivered to various community groups. Mr. Clark noted that they are donating over 40 bicycles, and suggested that in the future someone from Village Bicycle address Council regarding their significant contributions to the City of Bay Village.

### **Motion carried 8-0.**

There being no further business to be brought before the Trustees this evening, the meeting adjourned at 8:18 p.m.

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Dwight A. Clark, President of Council

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Joan Kemper, Clerk of Council

# City of Bay Village

Council Minutes, Organizational Meeting  
Council Chambers, 8:00 p.m.

January 2, 2020

President of Council Dwight A. Clark, presiding

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

Others

Present: Law Director Barbour, Service Director Liskovec, Building Director Tuck-Macalla.

## AUDIENCE

The following individuals were also present this evening: Clare Banasiak.

President of Council Clark called the meeting to order in the Council Chambers with the Pledge of Allegiance and Roll Call at 8:00 p.m. It is a legal requirement of the Bay Village City Charter to meet for the purpose of organization at 8:00 p.m. on the first business day following January 1 of the year following a regular municipal election.

## ANNOUNCEMENTS

**Mayor Koomar** announced that a Planning Commission work session will be held on Wednesday, January 8, 2020, at 7:30 p.m. to discuss options for the Commercial District, and potential changes to the City of Bay Village Zoning Code relative to an overlay. An additional session will be held on Wednesday, January 15, 2020.

**Ms. Maier** noted a conflict created by the fact that the Architectural Board of Review also meets on January 8, 2020 at 7:30 p.m. Mayor Koomar stated that this has been discussed and it should not be a problem, since two different rooms will be used for the meetings.

Mr. Clark commented that hopefully the administration is working toward a date to start the library project. Building Director Tuck-Macalla is expecting to receive the project Mylar Blueprint soon. Mr. Clark noted the forthcoming decommissioning and demolition of the Bayway Cabin, and the potential of dealing with asbestos. Mayor Koomar stated that when the library plan goes through the Architectural Board of Review and back to the Planning Commission for approval, the land lease documents will be completed.

Mr. Clark welcomed newly-elected Councilman-at-large Thomas J. Kelly to Bay Village City Council. Mr. Kelly was administered the Oath of Office along with the re-elected members of Council at the Inauguration Ceremony held January 1, 2020, with many members of the Kelly family present to witness the event. Mr. Clark thanked Clerk of Council Joan Kemper for organizing and handling the logistics for the Inauguration which included the invocation by Reverend Jonathan McCleery of Bay United Methodist Church. Ms. Kemper expressed appreciation for the help of Boards and Commissions Secretary Kateri Vincent in all the preparations and work necessary to create the event.

**Mr. Clark** nominated Joan Kemper to serve as the City of Bay Village Clerk of Council. There were no other nominations.

**Motion** by Mr. Tadych to confirm the appointment of Joan Kemper as Clerk of Council of the City of Bay Village.

**Motion carried 7-0.**

The Clerk of Council announced that Certificates of Election have been received from the Cuyahoga County Board of Elections for the following Bay Village Public Officials duly elected November 5, 2019.

**Dwight A. Clark, President of Council**

**Thomas J. Kelly, Councilman-at-large**

**David L. Tadych, Councilman, Ward 1**

**Lydia DeGeorge, Councilman, Ward 2**

**Sara Byrnes Maier, Councilwoman, Ward 3**

**Peter J. Winzig, Councilman, Ward 4**

At 11:00 a.m. on Wednesday, January 1, 2020, Judge Brian Hagan of the Rocky River Municipal Court administered the Oath of Office to Council President Clark, Councilman-at-large Thomas J. Kelly, Ward 1 Councilman David L. Tadych, Ward 2 Councilwoman Lydia DeGeorge, Ward 3 Councilwoman Sara Byrnes Maier, and Ward 4 Councilman Peter J. Winzig, for their terms of office beginning January 1, 2020.

**Mr. Clark** nominated David L. Tadych for Vice President of Council. There were no other nominations.

**Motion** by **Stainbrook** to confirm the appointment of David L. Tadych as Vice President of Council.

**Motion carried 7-0.**

Clerk of Council Joan Kemper announced the following appointments by President of Council Clark to Council Committees:

	<u>Chair</u>	<u>Members</u>
Environment/Safety/Community Services	Lydia DeGeorge	David L. Tadych, Sara Byrnes Maier
Finance and Claims	David L. Tadych	Peter Winzig, Thomas Kelly, D. Clark
Planning, Zoning, Public Buildings and Grounds	Sara Maier	Lydia DeGeorge, Nancy Stainbrook
Public Improvements, Streets/Sewers/Drainage	Nancy Stainbrook	Sara Byrnes Maier, Thomas Kelly
Recreation and Park Improvements	Peter Winzig	Lydia DeGeorge, David L. Tadych
Services, Utilities and Equipment	Thomas J. Kelly	Nancy Stainbrook, Peter Winzig

**Motion** by **Tadych** to confirm appointments of the President of Council to Council Committees.

**Motion carried 7-0.**

**President of Council Clark** announced the following appointments of Council representatives to Boards and Commissions:

Planning Commission: Sara Byrnes Maier

Community Services Advisory Board: Nancy W. Stainbrook

Parks and Recreation Commission: Peter J. Winzig

Income Tax Board of Review: Tom Bechtel, Jim Strunk

Architectural Board of Review: Lydia DeGeorge

Tree Commission: Thomas J. Kelly

Walker Road Park Ad Hoc Committee: Peter J. Winzig, David L. Tadych, Thomas J. Kelly

Bay Family Services: Dwight A. Clark

**Motion** by Tadych to confirm the appointments by President Clark to Boards and Commissions.

**Motion carried 7-0.**

**Consideration of Change to Codified Ordinance Section 111.01 – Council Rules, Time and Place of Meetings.**

**Mayor Koomar** noted that the time of Council meetings in other cities range between 7:00 p.m. and 7:30 p.m.

Mr. Tadych stated that he has a problem with the change. If there is a sub-committee meeting in front of the Committee of the Whole meeting it may be difficult for those who are working to attend a 6:00 p.m. or 6:15 p.m. meeting.

Mr. Kelly stated that he would be supportive of change, even being more aggressive to move it back one hour. However, he understands the concerns raised by the Vice President of Council. Moving up one-half hour shouldn't really impact individuals. Seven o'clock is still well beyond the average work stop time, even for the Committee of the Whole meeting. If the members wanted to be involved in public comment, they would certainly have that opportunity in the main Council meeting. If there were a special circumstance, Council would find ways to accommodate them.

Mr. Clark stated that his original concern was that this was in the actual Charter itself, in which case it would have had to be taken to the ballot box, or wait until 2022 when there is a Charter Review Commission. But, Ms. Kemper aptly noted that this requirement was in the Code of Ordinances, and all that is required is Councilmanic action. If a change is made and it doesn't work out, it can be reversed by Council vote.

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Ms. Stainbrook stated that she likes the idea of moving the time. It is easier for people to get there at 7 p.m. for the committee meeting prior to the Regular Meeting. From a resident perspective, if they are thinking of coming to a Council meeting, they may be put off by the 8 p.m. hour thinking it is too late of a starting time. For Council, if there is an Executive Session following the meeting, the work is not finished until well beyond 10 p.m., making for a very long night.

Law Director Barbour noted that the Board of Zoning Appeals, Planning Commission, and Architectural Board of Review all meet at 7:30 p.m.

Mrs. Stainbrook stated that a lot of the organizations in the City use 7 p.m. to 7:30 p.m. as a starting time.

Mr. Clark noted that perhaps it is the time for change after 62 years. The next meeting of Council will address a change in time with the necessary legislation prepared by Mr. Barbour.

Ms. DeGeorge asked if there is anything to prohibit the Regular Meeting of Council beginning immediately after the Committee of the Whole meeting.

Mr. Barbour stated that the definite starting time must be posted prior to the meeting so the constituents know when actual voting will take place.

The next meeting of Council will be held on Monday, January 13. Mr. Clark expressed congratulations to the re-elected members of Council, and to newly elected Councilman-at-large Thomas J. Kelly.

There being no further business to discuss, the meeting was adjourned at 8:15 p.m.

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President of Council

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Clerk of Council

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**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.**

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

**SECTION 1.** That Codified Ordinance Section 111.01 which presently reads as follows:

**“111.01 Time and place of meetings.**

Regular meetings of the Council shall be held in the City Hall on the first and third Mondays of each and every month at 8:00 p.m. unless otherwise ordered by the Council. Should such date be a holiday, the regular meeting shall be held on the next succeeding business day.

(Ord. 57-40. Passed 4-5-57.)”

be and the same is hereby amended to read:

**“111.01 Time and place of meetings.**

Regular meetings of the Council shall be held in the City Hall on the first and third Mondays of each and every month at **7:30 p.m.** unless otherwise ordered by the Council. Should such date be a holiday, the regular meeting shall be held on the next succeeding business day.”

and present C.O. 111.01 is repealed.

**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.

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

Ordinance – Amending Time of Council Meetings

APPROVED:

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MAYOR

010320jt

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH  
OHIO PYRO & FLAME LLC. FOR THE 2020 JULY 4<sup>TH</sup> FIREWORKS DISPLAY,  
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 Ohio Pyro & Flame LLC. for the 2020 July 4<sup>th</sup> fireworks display which will be held in Cahoon Park. Said work is to be performed under contract at a cost not to exceed Twelve Thousand, Six Hundred Dollars (\$12,600.00).

**SECTION 2.** The Fire Chief is hereby authorized to permit pyrotechnical display of fireworks as part of the July 4 celebration upon Applicant obtaining a permit, paying any associated permit fee and providing an indemnity bond or proof of insurance coverage as required by ORC §3743.54 and as further approved by the City and the Law Director.

**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, and for the further reason that it is necessary to award said contract to ensure the fireworks display takes place in a timely manner during the Fourth of July celebration, 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

RESOLUTION NO.  
INTRODUCED BY:

**RESOLUTION**  
**AUTHORIZING THE FINANCE DIRECTOR TO PARTICIPATE IN VARIOUS  
COOPERATIVE PURCHASING PROGRAMS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Home Rule powers of the Ohio Constitution grant power to the City of Bay Village to participate in joint purchasing programs; and

**WHEREAS**, the Ohio Department of Administration (ODAS), Ohio Department of Transportation (ODOT), General Services Administration (GSA), U.S. Communities Government Purchasing Alliance, National Joint Powers Alliance (NJPA), National Institute of Government Purchases (NIGP), and any other governmental cooperative programs, are non-profit instruments of the government that assist local and state agencies in reducing costs of purchased goods through competitively solicited contracts; and

**WHEREAS**, the Council of the City of Bay Village desires to authorize the Finance Director to participate in these programs for the purchase of goods on behalf of the City of Bay Village for calendar year 2020.

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

**SECTION 1.** That Council, pursuant to the Home Rule authority granted to it by the Ohio Constitution, hereby authorizes the Finance Director to participate in governmental cooperative programs for the purchase of vehicles, machinery, materials, supplies, and other articles for the City of Bay Village for calendar year 2020.

**SECTION 2.** That Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 resolution 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 reasons stated in the preamble hereof, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

Resolution – Cooperative Purchasing Programs

APPROVED:

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MAYOR

120919 jt

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**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.**

**WHEREAS**, the City is in need of professional surveying and engineering services to prepare construction bid documents for the Cahoon Basin Trail project; and

**WHEREAS**, the City has received a proposal for that project from Chagrin Valley Engineering, Ltd., 22999 Forbes Road, Suite B, Cleveland, Ohio 44146, which has previously provided services on various city projects;

**NOW THEREFORE, 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 Chagrin Valley Engineering, Ltd. to proceed with the surveying and engineering services for the Cahoon Basin Trail project at a cost not to exceed Thirty-Nine Thousand, Six Hundred Four Dollars (\$39,604.00).

**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, property and safety, and for the further reason that it is immediately necessary to provide said services, 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

RESOLUTION NO.  
INTRODUCED BY:

**A RESOLUTION 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.**

**WHEREAS**, Revised Code §721.15 authorizes this Council to adopt a resolution to authorize the sale by internet auction of personal property owned by the City, including motor vehicles, and other personal property equipment 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 obsolete or unfit for the use for which they were acquired; and

**WHEREAS**, this Council wishes to adopt such a Resolution expressing its intent to sell the property by internet auction during the year 2020; and

**WHEREAS**, this Council has previously authorized the Service Director to enter into an agreement with GovDeals.com, Inc. to conduct such internet auction and wishes to continue the City's use of GovDeals.com, Inc. or similar online auction sites for the auction services; and

**WHEREAS**, this Council wishes to authorize the Clerk to advertise in a newspaper of general circulation a notice of intent to sell unneeded, obsolete or unfit municipal personal property by internet auction; and

**WHEREAS**, this Council further wishes to authorize the Clerk to post notice of the intent to sell unneeded, obsolete or unfit municipal personal property on the City's website throughout the year.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Bay Village:

**SECTION 1:** This Council adopts this Resolution for the purpose of expressing its intent to sell unneeded, obsolete or unfit personal property by internet auction. The internet auction shall be conducted by GovDeals.com, Inc. or similar online auction sites. Pursuant to Revised Code §721.15, the number of days for bidding on the property shall be no less than ten (10) days.

**SECTION 2:** Pursuant to Revised Code §721.15, the Clerk of Council is authorized and directed to publish notice of this Resolution in a newspaper of general circulation in the City of Hudson.

**SECTION 3:** This Council further authorizes and directs the Clerk to publish a notice of this Resolution on the City's website during the year 2020.

**SECTION 4.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 5.** That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

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