

## AGENDA

Agenda, Bay Village City Council  
Committee Meeting  
Conference Room, Bay Village City Hall  
Dwight A. Clark, President of Council, Presiding

Date: January 13, 2020  
Time: 7:30 p.m.

### ANNOUNCEMENTS

Karen Kirsh, First Energy Corporation – Update on Projects.

### COMMITTEE OF THE WHOLE

Matters Pending under Council Committees

**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.

Fourth of July Fireworks Contract.

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

Cooperative Purchasing Agreements.

**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.

Temporary sign on St. Raphael Church Property.

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

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

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

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

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

Agenda  
January 13, 2020  
Conference Room

## **MISCELLANEOUS**

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.*

## **AUDIENCE**

## **ADJOURNMENT**

## **CAHOON MEMORIAL PARK TRUSTEES**

Bay High School request for Cross Country Meets on August 15, August 29, and October 17, 2020.\*

Cleveland Haunt Club request for use of Cahoon Memorial Park on Saturday, August 1, 2020 for a Halloween themed Flea Market.\*

Approval to hold Fourth of July Fireworks Display on July 4, 2020 in Cahoon Memorial Park, under contract with Ohio Pyro & Flame LLC.\*

\*Pending receipt of insurance

# 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

## Joan Kemper

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**From:** Kirsh, Karen E. <kekirsh@firstenergycorp.com>  
**Sent:** Thursday, January 09, 2020 4:06 PM  
**To:** Paul Koomar; Dwight Clark; Joan Kemper  
**Subject:** Permission to address council on Jan 13th

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mayor Koomar and Council President Clark,

Happy New Year! If possible, I'd like to update council about the work we are doing in cooperation with the Metroparks to improve reliability for the Wolf Rd PD and FD, and the Longbeach Pump Station, and also inform them of our partnership with the Lake Erie Nature and Science Center. It shouldn't take more than 10 minutes. If this is acceptable, please let me know what time you'd like me to arrive. Many thanks!

*Karen Kirsh*  
*Regional External Affairs*  
*FirstEnergy Service Company*  
*216-281-8007*

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**MATTERS PENDING BEFORE COUNCIL COMMITTEE**  
**January 1, 2020**

**Committee of the Whole**

- Sunset Area Improvements

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

**Finance & Claims-**Tadych, Winzig, Kelly, Clark

**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

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

- Bruce/Russell/Douglas Sewer Improvements

**Recreation and Parks Improvement-** Winzig, DeGeorge, Tadych

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

**Services, Utilities & Equipment-** Kelly, Stainbrook, Winzig

**OHIO PYRO & FLAME LLC**

31213 MANCHESTER LANE

BAY VILLAGE, OH 44140

Contract entered into this 26<sup>th</sup> day of December A.D. 2019 at (AM/PM) by and between Ohio Pyro & Flame llc. of Bay Village in the county of Cuyahoga and State of Ohio party of the first part and **City of Bay Village in the county of Cuyahoga** in the State of Ohio party of the second part, witness to:

The said party of the first part in consideration of the promises and agreements of said party of the second part herein set fourth hereby covenants and agrees to furnish one fireworks display on the agreed date **\_\_Saturday July 4, 2020\_\_** and time **9:45 PM**. The attached sheet describes the items in the display show and presents the total cost of display including insurance. A rain date will be agreeable with both parties, rain date **\_\_TBD\_\_**. In the event of inclement weather, the display will be rescheduled to the mutually agreed date and the party of the second part will secure the extension of the permit from the local authorities. Postponement fees are fifteen (15%) percent of the contract price. **The postponement fee will be waived and the paid deposit will be applied to the mutually agreed upon rain date in the event the decision to postpone is mutually agreed upon and the party of the first part is notified by the party of the second part within a minimum of twelve hours prior to display date.** Should the party of the second part elect to cancel the display there is a cancellation fee of twenty-five (25%) percent of the contract price. The party of the second part agrees to procure and furnish a suitable place to display the said fireworks in accordance with the current National Fire Protection Association codes 1123, 1124, and 1126. The party of the second part must also furnish police, fire and crowd security persons in securing adequate crowd control, auto parking and proper supervision of the danger zone, as secured by its agents until OHIO PYRO & FLAME LLC, advises that the security is no longer necessary. OHIO PYRO & FLAME LLC, reserve the right to terminate the display in the event that persons enter the secured danger zone and security is unable or unwilling to enforce the safety regulations.

In consideration where of said party of the second part hereby promises and agrees to pay the sum of **\$12,600.00** for the display show, on or before display date. Upon acceptance of this agreement a sum of which is equal or greater than 50% of total contract amount, will be due. A late fee of two percent (2%) will be charged after 10 days of display date.

OHIO PYRO & FLAME LLC, reserves the right to substitute shells of equal or greater value in the event a substitution is necessary.

In witness whereof, the said parties have hereunto set their hands to duplicates here of the day and year above written.

By \_\_\_\_\_ On behalf of OHIO PYRO & FLAME LLC

By \_\_\_\_\_ On behalf of company / Sponsor / Agent

# **CITY OF BAY VILLAGE AGENDA REQUEST JANUARY 6, 2020**

## **OVERVIEW**

### **1. Action Requested**

Approval to enter into contract with Chagrin Valley Engineering (CVE) for the trail design of the Cahoon River Basin Trail.

### **2. Previous Action**

Award of grant funding from the Clean Ohio Trails Fund and necessary appropriations made by council for project implementation in 2020.

### **3. Background/Justification for Current Action**

The City of Bay Village applied for funding through the Clean Ohio Trails Fund to install approximately 1100 feet of paved trail through the Cahoon River Basin and were awarded \$360,262 towards project costs estimated at \$543,886.

### **4. Financial Impact**

Expenditure of \$39,604 of total funds allotted for the project.

### **5. Implementation Plan**

Enter into agreement with CVE promptly upon council's approval.

### **6. High-Level Timeline/Schedule**

Design to take approximately 3 months.

January 7, 2020

City of Bay Village  
350 Dover Center Road  
Bay Village, Ohio 44140

Attention: Jon Liskovec  
Director of Public Services and Properties

Re: Cahoon Basin Trail  
Bay Village, Ohio

Dear Mr. Liskovec:

Chagrin Valley Engineering, Ltd. (CVE) is pleased to provide the attached surveying and engineering services proposal to prepare construction bid documents for the Cahoon Basin Trail. The trail will begin at the bench beneath the Lake Road bridge and end approximately 1,100 south at the parking area near the sledding hill.

### **Scope of Services**

1. Meet with Bay Village staff to confirm project schedule, design methodology and deliverables. Plans will be reviewed with city staff on a regular basis throughout the process.
2. Perform existing conditions survey of the project area, including trees, delineated wetlands, structures, etc.
3. Develop preliminary horizontal and vertical geometry of the trail and depict on the existing conditions plan. The project routing will incorporate the previously established wetland and archeological approvals.
4. Develop construction documents, including demolition plan, site plan, grading plan, utility plan, profile, cross sections stormwater pollution prevention plan, retaining wall details (if necessary), and standard details.
5. Develop detailed specifications for the project manual.
6. Bid assistance, including bid tabulation.
7. Construction administration assistance.

Our proposed scope does not include any soil investigations that may be necessary.



**Schedule**

As per discussions with staff, the following schedule is proposed:

Design & Engineering: January 2020 – March 2020  
Bid Package and Advertisement: April 2020 – May 2020  
Council Award: May 2020  
Construction: June 2020 - October 2020  
Close Out: November 2020 to December 2020

**Proposed Fee**

Our proposed fee is as follows:

Survey - \$3,500.00  
Design - \$36,104.00 (See Attachment A)  
Total Fee - \$39,604.00

Please note your acceptance of our proposal by signing below. Please provide a Purchase Order Number to our office at your earliest convenience.

Respectfully submitted,  
**Chagrin Valley Engineering, Ltd.**

A handwritten signature in black ink that reads "Dell Bierut".

Donald Bierut, PE, Partner

Enclosures

Proposal Acceptance:

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Jon Liskovec  
Director of Public Services and Properties

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Date

**ATTACHMENT A**

Description	Total
Construction cost from Engineering Design Group	\$329,126.65
Hydraulic Analysis and Floodplain Permitting*	-\$16,000.00
Revised Construction Cost	<b>\$313,126.65</b>
Contingency (15%)	\$46,969.00
Subtotal	<b>\$360,095.65</b>
General Conditions (5%)	\$18,004.78
Bonds and Insurances (3%)	\$10,802.87
Mobilization and Demobilization (2%)	\$7,201.91
Construction cost	<b>\$396,105.21</b>
CVE's contract with City	
Engineering cost	\$25,000.00
7.6% over \$250,001	\$11,103.92
Total Fee	<b>\$36,103.92</b>
*If necessary this is part of engineering	

# Proposed location of Cahoon Basin Trail



## Joan Kemper

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**From:** Joan Kemper  
**Sent:** Wednesday, January 08, 2020 10:09 AM  
**To:** 'Mark Cunningham'  
**Subject:** RE: St. Raphael Sign Request for City Council

Mark,

I will put it on the agenda for this Monday, January 13, 2020.

**From:** Mark Cunningham [mailto:mcunningham@saintraphaelparish.com]  
**Sent:** Wednesday, January 08, 2020 10:00 AM  
**To:** Joan Kemper <jkemper@cityofbayvillage.com>  
**Subject:** St. Raphael Sign Request for City Council

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Joan,

I have a sign request concerning a temporary sign on our St. Raphael Church property.

### **Request #1**

(The picture below is from a prior year; this year's sign will be similar, but the date will be Feb. 22nd.)

Dimensions: 36" x 72"

Placement: To be supported by temporary metal stakes, along Dover Center Road, in front of the church, not on the tree lawn area, but on the church lawn.

Duration: Feb 7<sup>th</sup> thru Feb 24<sup>th</sup>, 2020.



Blessings,

**Dcn. Mark A. Cunningham**

Stewardship Director  
St. Raphael Parish  
525 Dover Center Road  
Bay Village, OH 44140

440-871-1100 x7763

[mcunningham@saintraphaelparish.com](mailto:mcunningham@saintraphaelparish.com)

[www.SaintRaphaelParish.com](http://www.SaintRaphaelParish.com)

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

010920 jt

## Joan Kemper

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**From:** Mark Barbour  
**Sent:** Monday, December 30, 2019 10:01 AM  
**To:** Agendas  
**Subject:** FW: Cahoon Park use request  
**Attachments:** CHCbanner.jpg

FYI request for Cahoon Park for flea market August 1, preliminary information.

**From:** Jeff Hartz [mailto:jeff\_hartz@yahoo.com]  
**Sent:** Saturday, December 28, 2019 11:09 AM  
**To:** Mark Barbour; Sue Kohl; Mark Spaetzel  
**Subject:** Cahoon Park use request

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

**Mr. Barbour,**

I represent a non-profit organization that has held a family friendly event at the Community House for the past four years, and it is my understanding that building is no longer available for rental. We really like the location and parking situation, so would like to keep it there if possible. I have been communicating with Sue Kohl and she suggested I reach out to you to pursue use of Cahoon Park on Saturday August 1st.

A little background on myself, I am a 47 year resident of Bay Village having graduated from Bay High in 1984. I have volunteered for the Bay Village Auxiliary Police for 33 years and currently hold the rank of Captain and Commanding officer. I was chosen citizen of the year in Bay Village in 2015 for what reason I still don't understand :-). I am employed by the Avon Lake Police Department as an ACCSO and additionally work in home renovation. I tell you all this so you understand I am invested in the city of Bay Village and where I am coming from.

I am also President of a non-profit organization that was formed in 2015 called the Cleveland Haunt Club ID# 81-2968708. It is a group of Halloween and Haunted House enthusiasts that consists of 2,200 plus members online and 120 plus card carrying members that meets monthly at the American Legion 211 in Avon Lake. The group serves to share skills and interests as well as network with like minded people. It's members include an Avon Lake city councilman, employees of the State Attorney Generals office, journalists, people in the medical profession, private sector and so much more. I tell you this so you understand the quality of people involved.

The event we wish to hold on August 1st is a Halloween themed Flea Market and has taken place at that location four years previously with the cooperation of City Hall advertising it on the message board as well as the BVPD. Last year it had 45 vendors, 3 food trucks, a themed car show, themed characters for the kids such as Ghostbusters and an attendance of well over 500 attendees. It has brought numerous people to our city who would otherwise never see what a wonderful city we live in and enjoy. Attendees came from as far as Meadville, PA and Ann Arbor, MI and I received

many comments over the years what a beautiful location we chose. With all this in mind our organization would like to continue to hold our annual event in Bay Village.

I respectfully request the use of Cahoon Park on August 1st and look forward to working with you moving forward.

Jeff Hartz President  
Cleveland Haunt Club