October 4, 2017

A Special Meeting of the Bay Village City Council will be held on Monday, October 9, 2017 at 8:00 p.m., following the 7:30 p.m. Committee Meeting of Council, 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 Ward 1 Councilman David L. Tadych.

2. Motion to approve the Minutes of Regular Meeting of Council held October 2, 2017.*Tadych*

3. Motion to approve the Minutes of the Cahoon Memorial Park Trustees held October 2, 2017.*Tadych*

4. Announcements/Audience/Miscellaneous

5. Motion to acknowledge receipt of September 2017 Financial Reports of the City of Bay Village prepared by Finance Director Renee Mahoney.*Tadych*

6. Ordinance authorizing the Mayor to enter into an agreement with the District Advisory Council of the Cuyahoga County General Health District to provide Public Health Services for the City of Bay Village during the Calendar Year 2018, and declaring an emergency.*Vincent*

7. Resolution approving the adoption of the 2017-2022 Countywide All Natural Hazards Mitigation Plan for Cuyahoga County, and declaring an emergency.*Vincent*

8. Ordinance amending Section 1141.04 of the Codified Ordinances of the City of Bay Village regarding First Residence District/Accessory Buildings, Structures and Uses, and declaring an emergency.(First Reading)*Lieske*

9. Ordinance authorizing the Mayor to enter into an agreement with Specialized Construction, Inc. for the 2017 Pavement Crack Seal of areas on Wolf Road and Lake Road, and declaring an emergency.*Henderson*

10. Adjournment

Dwight Clark, President of Council

Charter Reference 2.11
CITY OF BAY VILLAGE

Council Minutes, Regular Meeting  
Council Chambers 8:20 p.m.  
October 2, 2017

Dwight Clark, President of Council, presiding

Present: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Mayor Koomar

Also Present: Law Director Ebert, Finance Director Mahoney, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Interim Director of Public Service and Properties Liskovec, Director of Community Services Selig, Chief Building Official of SAFEbuilt, Inc., Steve Vogel.

AUDIENCE

The following audience members signed in this evening: Suzanne Graham, Cheryll McCarty, Lydia DeGeorge, Tom Kelly, Sara Byrnes Maier, Claire Banasiak, Al Kruzer, Joe Krall, Peter Winzig, Bill Selong, Susan Murnane, Dennis Driscoll, Dave Barker.

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 Councilwoman-at-large Nancy Stainbrook.

Mr. Clark called for a moment of silence in deference for those who have suffered the tragedy in Las Vegas.

Following the roll call, Mr. Clark called for a reading of the minutes of the Regular Meeting of Council held September 18, 2017. Mr. Tadych MOVED to dispense with the reading and accept the minutes of the Regular Meeting of Council held September 18, 2017 as prepared and distributed. Motion carried 7-0.

ANNOUNCEMENTS

Mayor Koomar announced the appointment of Carryeanne Smitley, LSW, to the Community Services Advisory Board for a three year term expiring October 2, 2020. The Mayor stated that Ms. Smitley is a social worker at the Knickerbocker Apartments. The Mayor has been at the Knickerbocker Apartments frequently working to connect with the residents. Community Services Director Selig had the good idea of having the foodbank operate out of the Knickerbocker Apartments which makes that service more accessible to the Knickerbocker residents. He noted that they have been working with Ms. Smitley on improving the Paratransit schedule for some of the residents that need special transportation for appointments, especially on the weekends. Community Services Director Selig has been wanting to further connect with Ms. Smitley and it was thought that to have her on the Advisory Board would be the best way to accomplish that connection.
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Community Services Director Selig stated that Ms. Smitley has a wealth of experience and her service will be beneficial to all of the seniors in Bay Village.

REPORTS

Mayor Koomar reported that Finance Specialist Jim Milton has begun employment today with the City of Bay Village. Mr. Milton has a great deal of experience with the State Auditor’s office.

The Mayor advised that the administration has been continuing their work with the City of Avon Lake to improve the retention basin situation at Walker Road Park.

Mr. Mark Atkins began his employment with the City of Bay Village on September 25 as the Animal Control Officer.

The Dwyer Memorial Center generator is being installed this week.

C&K Industrial Services has completed interceptor cleaning.

The printer had some errors on the schedule for bulk pick-up dates by Republic Waste Management. A new mailer will be sent out in the beginning of January at no expense to the City. Dates for the remainder of the year for bulk pick-ups are listed in the City newsletter. Yard waste pick-up has been extended to Tuesday, December 5, 2017. That will be the last yard waste pick-up for the year. The first Tuesday in December will be the last yard-waste pick-up every year, which has been added to the contract at no additional cost.

Law Director Ebert had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch advised that Pre-School Playtime will resume at the Community Gym from 10 a.m. to 12:30 p.m., Mondays through Fridays. Men’s Hoops will begin at the Community Gym on Friday mornings from 6:15 a.m. to 8 a.m.

Mr. Clark noted that on December 2, 2017, the final bond installment for the Community Gym will be paid by the City. After 15 years, the Community Gym is owned free and clear of debt.

Interim Director of Public Service and Properties Liskovic advised that there was a weir in the outflow structure of the Avon Lake Hunt Club that flows into the City of Bay Village retention basin in Walker Road Park. At some point in time, the weir was placed at a higher level which allowed the basins in The Hunt Club to maintain more water than they should have maintained, therefore having less capacity in the basins. The weir has been dropped down to the original plan design which is nine inches, thus creating more capacity within the basins and preventing any other breaches similar to what happened in 2015. Engineering is being reviewed along the city border lines, and Avon Lake has also engaged a firm which is studying the
dynamics between the proposed development of Hunt Club and the City of Bay Village retention basin to make sure things are flowing as designed.

Osborn Road construction is slated to start October 4 for replacement of the damaged storm sewer. Any paving adjustments will be done at that time, including new aprons for the residents that are affected by the storm sewer replacement.

Mr. Liskovic stated that the County was engaged last week to do culvert inspection on Columbia Road. The results came back indicating structural deficiencies. The City worked with the Ohio Department of Transportation (ODOT) for a temporary solution, with the need to close down Columbia Road for a short period of time. ODOT provided additional steel plating to make the road passable. A report is expected from the county by the end of this week.

The situation at the Columbia Road culvert came to light earlier in the spring when the administration of the Bay Presbyterian Church approached Mr. Liskovic in regard to settling on their grounds. Photographs taken at that time showed some concerns. The church had their section inspected with some deficiencies noted for correction. There are speculations that the culvert structure is at least 100 years old and has been added to during the years. A review will indicate whether a total overhaul is needed.

Mayor Koomar stated that when this situation came to light it was learned that there is a standard that governs most of the roads and culverts in Bay Village and includes inspection by the county, including Wolf Road, Bassett Road, Ashton Lane, and Lake Road. Lake Road is a state responsibility. This particular culvert on Columbia Road is under ten feet in diameter, which falls under the responsibility of Bay Village. The City has no records that it was ever inspected. Mr. Liskovic searched the records and found two culverts that needed to be inspected. The others passed with flying colors, but Columbia Road obviously failed. Mayor Koomar thanked Mr. Liskovic for the proactive work on his part.

Mr. Tadych asked if the effort will be combined with the church section. Mr. Liskovic stated that there will be a discussion with them in regard to partnering where the two culverts come together to make the transition appropriate. Mr. Koomar stated that it is one pipe that cuts and angles over and opens up a large amount, then narrowing down to six feet. One of the discussions with ODOT is going to address the fact that Columbia Road is a state route and question whether there could be partnering with them on the whole project. We are in the process of checking to see what easements we might have on the church property.

Mr. Henderson thanked Mr. Liskovic for the update on the Hunt Club. He asked if the work that the City of Avon Lake is doing from an engineering standpoint for the extension of Hunt Club is also going to look at the area north of the soccer fields where there have been some concerns in the past. Mr. Liskovic stated that they are going to look at the whole area, based on the original design and calculations. There are some preliminary survey results back but those need to be correlated again with the actual calculations and reviews to model the area as a whole.
Mr. Liskovic stated that looking at the Transportation to Livable Communities Initiative (TLCI) funding for Cahoon Creek Bridge, with the Metroparks, they noticed a significant increase in bank erosion, especially as it relates to our forced main as it runs through the area. We will be exploring what we need to do to shore that up with the breakwall in the area. An appointment has been made with the United States Army Corps of Engineers to review that issue.

The Mayor added that the Army Corps of Engineers had another meeting that the Mayor and Mr. Liskovic attended regarding erosion control work. It is not known whether or not this would qualify, but in the spirit of leveraging relationships they thought that by having the team come out and look at the area there might be some assistance, at least partially, to solve the issue. When we looked at placement for the bridge it was obvious that there had been some recent erosion and that supports the forced sanitary line, one of them at the Huntington/Long Beach Station. Bramhall Engineering was called to come out and look at the situation.

Mr. Tadych stated that a resident on Conover Drive has complained about a significant amount of erosion at the creek before it gets to Columbia Road and they wondered if something was going on. Soon after, Columbia Road was closed. Mr. Tadych asked if there could be some significant factor on Columbia Road that needs to be looked at. Mr. Liskovic stated that there could be some factors upstream that need to be investigated.

Mayor Koomar stated that with the increase in intensity of storms, if you look at the end of the pipe where it comes out near the parking lot on the west side of Columbia, that is a smaller section, there are spots in there that are almost larger than ten feet, the ODOT standard. The question would be as to when you angle it and shorten up and increase the flow, does that affect part of the design of the Columbia Road culvert.

Mr. Liskovic reported that the final, revised flow and strength numbers are back from the Rocky River Wastewater Treatment Plant. Carryanne Rosemark, administrator of the Rocky River Wastewater Treatment Plant, has expressed that she wants to review the numbers one last final time, but there does to be more of a decrease in input from the City of Bay Village than initially suspected.

Mr. Clark noted that there is high confidence that Bay Village will see a small reduction. Mayor Koomar agreed, noting that the initial numbers came back as a one percent decrease for Bay Village. There were some anomalies and the City administration worked hard with Ms. Rosemark every step of the way about what Bay Village was contributing in the system. The final revised numbers that they are still reviewing now indicate a four percent decrease in the Bay Village flow, which translates to $150,000 per year under our $1 million per year contribution to the Rocky River Wastewater Treatment Plant. Mayor Koomar noted that during the study the City held back on work that might have affected the study such as fire hydrant flushing and sanitary sewer flushing. Doing those exercises during a test period loads pressurized, clean water into the system which indicates a higher input. Mr. Clark expressed kudos to the administration for these efforts.
Mr. Clark addressed Mr. Liskovic stating that he gives him credit for all of the different projects that the Service Department is balancing with workflow and responsibility. Mr. Clark stated that the City Council appreciates the feedback on all of these projects.

Mayor Koomar cited the work of Sewer Supervisor Rick Kuznik, noting the great relationship he has with Carryanne Rosemark of the Rocky River Wastewater Treatment Plant. When the sewer team was scheduled for a project, Mr. Kuznik would call Ms. Rosemark and let her know what they were doing and how long the project would last. While the agreement does not include adjustments like that, Ms. Rosemark had the support of the management committee from all the contributing cities to permit this communication.

Mr. Henderson asked if the dollars are going down by four percent, or our percentage is going down. Mrs. Mahoney stated that the City of Bay Village percentage of the whole is going down. Mr. Henderson noted that this is material. Mr. Clark stated that the current Bay Village contribution is 24.8%, and the final report should reduce that to 20.9%.

Director of Community Services Selig reported that the generator for the Dwyer Memorial Center installation should be finished this week. The power in the building will be disconnected for a short period of time for the installation process.

The Community Services Department is still working on their Strategic Plan, with five different focus groups being organized. Two groups of participants, ages fifty to seventy, two groups ages 71 and over, and one blended group of the different age groups are being formed. It is hoped to have these in place by the end of October.

Mrs. Selig introduced the 2017 Season of the Holiday Caring and Sharing Program of the Dwyer Memorial Center. Mrs. Selig and her staff are accepting the names of families in need from Bay Family Services and Pastors of the churches in Bay Village.

Window replacements at the Dwyer Memorial Center will be completed this year.

Police Chief Spaetzel reported the following results of the Deer Survey, which closed on September 25, 2017.

Respondents  1,465
72% of respondents felt that the deer population in the City was increasing.
65% of respondents would like to see the deer population decrease.
59% feel that the City should be doing more to manage the deer population.
94% have seen deer on their property.
88% have had some type of deer issue. (Landscape damage; deer/vehicle near incidents)
76% have some level of concern about deer/vehicle accidents.
31% feel no lethal control should be used.
20% feel other methods should be used, including relocation, contraception, sterilization.
44% of those who prefer lethal action suggest sharpshooting by the City.
33% of those who prefer lethal action suggestion bow and arrow culling.
Most of the survey respondents used some type of repellent to mitigate damage to landscape. Only twenty percent of respondents have contacted someone in an official capacity about the deer issues.

An area for comments is included in the survey. A total of 575 comments were received, which proved very interesting, and will be shared in an Environment, Safety and Community Services Committee meeting.

Chief Spaetzel stated that moving forward he sees this as a seven-step process, the first to be accessing the extent of the problem. The survey was one part and the other part will be reviewing historical data that the Police and Service Department have collected. Input from the public will also be important. An aerial deer count will be done in the winter of 2018. With the Animal Control Officer now in place there will be an educational piece offered to the residents. Goals for deer management will be identified and Council will have an opportunity to create ordinances that will effectively implement the Deer Management Plan. From that, policies and procedures will be built within the Police Department to implement those changes in the revised code and City ordinances, and continually review them moving forward. The Chief noted it is an ambitious plan but they are progressing. Discussions have been held with Councilman Vincent about setting up a public meeting very soon.

Mr. Henderson stated that he is glad to see that the administration ran with the Resolution that the Council put together about this topic. It is great that nearly seven out of ten people surveyed did not oppose culling, which is the most common method used by the cities around us. Mr. Henderson stated that he is hopeful that because the Police Department has a good plan that will take some time to flush out on deer, that the deer legislation will not be coupled with dog legislation. He would like to see the dog legislation move forward at a fast pace and not be hampered by the complexities of the deer legislation, if possible.

An Environment, Safety and Community Services Committee meeting will be held on Monday, October 16, at 6:30 p.m. in the Council Chambers of City Hall with the agenda item as Deer Management.

Fire Chief Lyons reported a structure fire on Thursday, September 28, 2017 at a home on Wolf Road near Lake Forest Drive during the early morning hours. The residents were able to get out safely and the firefighters were able to confine the fire to the basement. The homeowners are alive today because they had working smoke detectors. They were sleeping when the fire broke out at 5 a.m., and if they had not had those smoke detectors they would have been overcome by the smoke and lost their lives. Chief Lyons acknowledged the good job of the Bay Village Firefighters and the help of Mutual Aid partners. The cities of Avon Lake, Westlake, Rocky River, Fairview Park and North Olmsted all responded to the fire as well.
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A new firefighter is being hired this week to replace retired Firefighter Joe Seifert who served more than thirty years. Chief Lyons expressed appreciation to the dedicated Bay Village Civil Service Commission for their work in providing the candidates for the position.

There will be a planned power outage from 8 a.m. to 2:30 p.m. on October 5, 2017 in the vicinity of Apple Blossom, Timberlane, Salem, Tanglewood, and Winsor Drives. The residents affected will be notified by the Illuminating Company via telephone.

The new ambulance will be delivered in February of 2018.

Mr. Tadych stated that it is very important that batteries in smoke detectors be checked, noting that the homeowner with the fire had just replaced their batteries one month before the fire. Mayor Koomar stated that he invited the residents who experienced the fire to come in and share their experience and the importance of the smoke alarms. Mr. Tadych noted that the residents are looking for a rental home in Bay Village to live in for the next six or seven months. If anyone knows of a rental available, please contact the Mayor or Mr. Tadych.

Chief Building Official Vogel stated that the owners of the Knickerbocker Apartments are proposing a multi-million dollar interior and exterior renovation. Mr. Vogel met with the architects and contractors on September 21, 2017 to review City of Bay Village Code requirements. Their first meeting will be with the Planning Commission on Wednesday, October 4 at 7:30 p.m. This will be a pre-submission hearing to hear of the requirements of the Planning Commission related to this project.

St. Raphael’s Church is adding a pitch roof over a flat roof and will seek final approval on Wednesday, October 4, 2017 from the City Planning Commission.

AUDIENCE

Mr. Bill Selong, 30924 Arlington Circle stated that regarding the Knickerbocker Apartment renovation, he had the opportunity to speak with many of the residents there. Many of those residents, while they are excited and enthused about the changes that are coming, they are also very anxious about the transition period that will take place. Mr. Selong suggested that the Fire Chief or Building Department, in addition to all the structural things they are going to do there, need a plan, because this is one of the few times that we are going to have a major project going on in the City where the people will still be living there. There needs to be accommodations made so that folks are safe. There will be tools and construction equipment on site. The residents are concerned about being moved from one apartment to the other, then back. It will be done in a graduated type of way from the top floor to the bottom. It is going to be a little more involvement than the Building Department, it is going to be the safety of the residents while the construction is going on and some effort to make them a little less anxious. We’ve all done projects where we are staying in our home. This is a little different, these folks aren’t used to that kind of interruption in their daily routine. It needs to be something more than just the typical Planning Commission approval as they get further into the execution of the project.
Mayor Koomar stated that when he visits the Knickerbocker Apartments on a monthly basis, they have expressed that concern. The administrators may not have all of the knowledge and information, and that may add to the concerns. There will be a two-hour resident meeting in October with the architect and planners to try to answer all of those questions. Mayor Koomar and Community Services Director Selig will be in attendance. The idea is to listen to what they say and there may be some additional follow up. We are trying to be out in front of it and educate the residents. Sometimes the hardest thing is to get them to come down to a meeting.

Mr. Selong stated that his hope is that the City will have a strong role in the project. He recalled that effort when the Middle School was constructed. There were safety concerns at that time, but the building was not occupied during construction. This is unique to what Bay Village has done in the past, renovating something while people are still residing there.

Mayor Koomar stated that part of the residents’ meeting is that there could be some exceptions to the rule and when possible to make necessary accommodations. Mr. Tadych asked if the residents are being informed as to what is going on. Mayor Koomar stated that he has talked to the chairperson of the project and they have scheduled this meeting to start the information and education portion of the process for the residents.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Vincent

Motion by Vincent to confirm the appointment of Carryeanne Smitley, LSW, to the Community Services Advisory Board for a three year term expiring October 2, 2020.

Motion carried 7-0.

Motion by Vincent to add “Review of Codified Ordinance Chapter 505, Animal Control,” to the Matters Pending before Council Committee List.

Motion carried 7-0.

FINANCE AND CLAIMS- Mr. Clark

Mr. Tadych read, by title only, Ordinance 17-74 amending Section 1 of Ordinance 17-57 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2017 and thereafter, and declaring an emergency*Second Reading* (First Reading September 18, 2017).

Mr. Clark stated that Ordinance No. 17-74 is moved to second reading.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE – Mrs. Lieske

Mrs. Lieske introduced and read Resolution No. 17-75 approving use by Kevin and Amy Davey
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of submerged lands of Lake Erie for shoreline improvements 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. 17-75.

Roll Call on Suspension of the Charter Rules:
   Yeas- Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
   Nays -None  
Roll Call on Suspension of the Council Rules:
   Yeas – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
   Nays – None.  
Roll Call on Inclusion of the Emergency Clause:
   Yeas – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
   Nays – None.  
Roll Call on Adoption:
   Yeas–Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
   Nays–None.

Mr. Clark announced adoption of Resolution No. 17-75, an emergency measure, by a vote of 7-0.

Mrs. Lieske introduce and read Resolution No. 17-76 authorizing the filing of a Transportation for Livable Communities Initiative Project Implementation Grant Application, and declaring an emergency, and moved for adoption.

Mayor Koomar stated that the Metroparks has been very gracious with assistance and help with a very tight timeline of about thirty days to turn this around with the required documents. Sean McDermott and Sara Maier of Metroparks have stepped up to assist in the process. The Connectivity Study was a planning piece that was applied for last year and now this is for implementation funds. The Northeast Ohio Areawide Coordinating Agency (NOACA) has done the study which put us in a good position with our other partners, the Metroparks, Ohio Department of Transportation and the library. We have received six letters of support from community organizations. The Metroparks has recommended that the City has a small match to show support and will put us in a better position for the grant.

Mr. Clark added that when Grace Gallucci of NOACA spoke at a Council meeting this summer it was learned that this is exactly the type of partnership we are looking to achieve. If an equity contribution helps our cause, this is something that should be done.

Mayor Koomar stated that there will be news on the grant application sometime in the spring of 2018. The formal support of Council is one of the key factors in being successful.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 17-76.
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Roll Call on Suspension of the Charter Rules:
- Yeas- Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
- Nays -None

Roll Call on Suspension of the Council Rules:
- Yeas – Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
- Nays – None.

Roll Call on Inclusion of the Emergency Clause:
- Yeas – Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
- Nays – None.

Roll Call on Adoption:
- Yeas–Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark
- Nays–None.

Mr. Clark announced adoption of Resolution No. 17-76, an emergency measure, by a vote of 7-0.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Henderson

Mr. Henderson had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Mace

Mr. Mace had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Tadych

Mr. Tadych had no report this evening.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych MOVED to convene to Executive Session regarding Litigation: Edward Pavicic.

Roll Call Vote: Yeas-Lieske, Mace, Stainbrook, Tadych, Vincent, Clark, Henderson. Nays – None. Motion passed 7-0.

Also present in Executive Session were Mayor Koomar and Law Director Ebert.

Council reconvened in an open meeting at 9:15 p.m. Present were: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 9:19 p.m.
President of Council Clark called the meeting to order at 8:10 p.m. in the Conference Room of Bay Village City Hall.

Present: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Mayor Koomar

Also Present: Law Director Ebert, Finance Director Mahoney, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Interim Director of Public Service and Properties Liskovec, Director of Community Services Selig, Chief Building Official of SAFEbuilt, Inc., Steve Vogel.

AUDIENCE

The following audience members signed in this evening: Suzanne Graham, Cheryll McCarty, Lydia DeGeorge, Tom Kelly, Sara Byrnes Maier, Claire Banasiak, Al Kruzer, Joe Krall, Peter Winzig, Bill Selong, Susan Murnane, Dennis Driscoll, Dave Barker.

Motion by Mace to grant permission to the Bay Village Kiwanis for the sale of Christmas trees from Saturday, November 18, 2017 to Saturday, December 16, 2017 in the Gazebo area of Cahoon Memorial Park.

Motion carried 8-0.

Motion by Mace to grant authorization to Dan Geib, 25760 Lake Road, for use of the access road west of the Bay Boat Club for barge loading.

Motion carried 8-0.

Meeting adjourned at 8:15 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council
AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
THE DISTRICT ADVISORY COUNCIL OF THE CUYAHOGA COUNTY
GENERAL HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES
FOR THE CITY OF BAY VILLAGE DURING THE CALENDAR YEAR 2018,
AND DECLARING AN EMERGENCY.

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

SECTION 1. That the Mayor hereby authorized to enter into an agreement with
the District Advisory Council of the Cuyahoga County General Health District for providing public
health services to the City of Bay Village for and during the calendar year 2018 at a cost to the
City of Sixty Four Thousand Four Hundred Eighty Two Dollars ($64,482.00). This sum the City
hereby directs the Fiscal Officer of Cuyahoga County to place to the credit of the District Health
Fund of Cuyahoga County, and the Fiscal Officer of Cuyahoga County is hereby authorized to
deduct said sum of Sixty Four Thousand Four Hundred Eighty Two Dollars ($64,482.00) in equal
semi-annual installments of Thirty Two Thousand Two Hundred Forty One Dollars ($32,241.00)
from the regular tax settlement to be made for said City for the year 2018.

SECTION 2. That the Clerk of Council is hereby directed to forward a certified
copy of this ordinance to the Cuyahoga County Fiscal Officer.

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 immediately necessary to provide for public health services effective
January 1, 2018, in order to continue an uninterrupted public health program for the City,
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

10-5-17 LL
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
APPROVING THE ADOPTION OF THE 2017-2022 COUNTYWIDE ALL NATURAL HAZARDS MITIGATION PLAN FOR CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY

WHEREAS, the City of Bay Village, Cuyahoga County, Ohio is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the City of Bay Village acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan has been developed by the Cuyahoga County Office of Emergency Management in cooperation with other county departments, and officials and citizens of the City of Bay Village, and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan, and

WHEREAS, the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by both natural hazards that face the County and its municipal governments,

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

SECTION 1. The Cuyahoga County 2017-2022 All-Hazards Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the City of Bay Village and

SECTION 2. The respective officials and agencies identified in the implementation strategy of the Cuyahoga County 2017-2022 All-Hazards Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

SECTION 3. 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 4. 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:

__________________________
PRESIDENT OF COUNCIL

__________________________
CLERK OF COUNCIL

APPROVED:

__________________________
MAYOR

10-5-17 LL
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING SECTION 1141.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE REGARDING FIRST RESIDENCE DISTRICT/ACCESSORY BUILDINGS, STRUCTURES AND USES, AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 1141.04 which presently reads as follows:

1141.04 ACCESSORY BUILDINGS, STRUCTURES AND USES.
The following accessory buildings, structures and uses are permitted on a lot in a First Residence District.

(A.1) Air conditioners, as governed by C.O. Chapter 1359.
(A.2) Swimming pools, as governed by C.O. Chapter 1349.
(Ord. 71-80. Passed 6-7-71.)
(B) (EDITOR'S NOTE: This subsection was repealed by Ordinance 73-146, passed December 17, 1973. See Chapter 1163 for fence regulations.)
(C) Beach house or boat house not used for human habitation and so located that no part of such structure projects above the grade of the lot at the street line.
(D) In a dwelling or apartment used by a physician, surgeon or dentist as a private residence: office of such physician, surgeon or dentist, provided, however, that no window display or sign shall be used to advertise such use other than a sign permitted by C. O. 1179.10(B)1).
(Ord. 76-62. Passed 6-7-76.)
(E) In a dwelling or apartment used by a person as a private residence: a customary home occupation carried on by such person, provided, however, that no person other than members of the household shall be employed in connection therewith, and provided also, however, that no window display or sign shall be used to advertise such occupation.
(Ord. 54-42. Passed 4-9-54, Art. V, §4.)
(F) In a dwelling or apartment occupied as a private residence: rooms may be rented, provided, however, that no window display or sign is used to advertise such use. Not more than two rooms per residence may be so rented and not more than two persons per residence, other than the principal occupant's family, shall be permitted to occupy such premises.
(Ord. 61-201. Passed 12-4-61.)
(G) On a lot occupied by an apartment house: community garage.
(H) Off-street parking spaces as required by Chapter 1191.
(Ord. 54-42. Passed 4-29-54, Art. V, §4.)
(I) Signs as governed by C.O. Chapter 1179.
(Ord. 76-62. Passed 6-7-76.)
(J) Any building, structure or use customarily accessory or incidental to a permitted use, on special permit.
(Ord. 54-42. Passed 4-29-54, Art. V, §4.)
be and the same is hereby amended to read:

**1141.04 ACCESSORY BUILDINGS, STRUCTURES AND USES.**

The following accessory buildings, structures and uses are permitted on a lot in a First Residence District.

(A.1) Air conditioners, as governed by C.O. Chapter **1359**.

(A.2) Swimming pools, as governed by C.O. Chapter **1349**.

(Ord. 71-80. Passed 6-7-71.)

(B) EDITOR'S NOTE: This subsection was repealed by Ordinance 73-146, passed December 17, 1973. See Chapter **1163** for fence regulations.

(C) Beach house or boat house not used for human habitation and so located that no part of such structure projects above the grade of the lot at the street line.

(D) In a dwelling or apartment used by a physician, surgeon or dentist as a private residence: office of such physician, surgeon or dentist, provided, however, that no window display or sign shall be used to advertise such use other than a sign permitted by C. O. **1179.10**(B.1).

(Ord. 76-62. Passed 6-7-76.)

(E) In a dwelling or apartment used by a person as a private residence: a customary home occupation carried on by such person, provided, however, that no person other than members of the household shall be employed in connection therewith, and provided also, however, that no window display or sign shall be used to advertise such occupation.

(Ord. 54-42. Passed 4-9-54, Art. V, §4.)

(F) In a dwelling or apartment occupied as a private residence: rooms may be rented, provided, however, that no window display or sign is used to advertise such use. Not more than two rooms per residence may be so rented and not more than two persons per residence, other than the principal occupant's family, shall be permitted to occupy such premises.

(Ord. 61-201. Passed 12-4-61.)

(G) On a lot occupied by an apartment house: community garage.

(H) Off-street parking spaces as required by Chapter **1191**.

(Ord. 54-42. Passed 4-29-54, Art. V, §4.)

(I) Signs as governed by C.O. Chapter **1179**.

(Ord. 76-62. Passed 6-7-76.)

(J) Any building, structure or use customarily accessory or incidental to a permitted use, including basketball courts, ice skating rinks, playground equipment, including all illumination, on special permit per the following conditions:

Recreational Courts. The term “recreational courts” means the surface area and permanent installation of structures, recreation equipment and appurtenants thereto, used in conjunction with recreation activities including tennis, basketball and any other similar recreational uses. Recreational courts shall not be used for go carts, motorcycles or other motorized vehicles.

(1) Recreational courts shall be constructed at grade level and be comprised of clay, grass, asphalt, concrete or other similar hard surface material;

(2) Recreational courts shall only be located in the rear yard;

(3) Recreational courts, fences and appurtenances shall conform to the setback requirements as set forth in Section **1149.01** of this Zoning Code;
(4) Fencing of the recreational courts shall comply with Chapter 1163, Fence Regulations;
(5) No floodlights, light poles or lighting of courts is permitted;
(6) The total recreational court area plus all other accessory uses on property shall not exceed the maximum percent of lot coverage as permitted in Section 1149.02 of this Zoning Code; and
(7) A building permit shall be required as set forth in Chapters 1303 and 1305 of the Building Code prior to the installation of any recreational court.

This Section shall not apply to any buildings, structures or uses erected prior to the effective date of this ordinance.

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:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

10-5-17 LL
AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
SPECIALIZED CONSTRUCTION, INC. FOR THE
2017 PAVEMENT CRACK SEAL OF AREAS ON WOLF ROAD AND LAKE ROAD
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 Specialized Construction, Inc., 711 Harvard Avenue, Cuyahoga Heights, Ohio 44105, to crack seal the said roads in accordance with the plans and specifications at a total bid price not to exceed Forty Nine Thousand, Six Hundred Dollars ($49,600.00) and payment shall be made from the Street Maintenance and Repair Fund (270.310.55430).

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, and to ensure that said project moves forward expeditiously, wherefore this ordinance 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

10-5-17 LL