AGENDA

Agenda, Bay Village City Council                                          Date: April 23, 2018
Committee Meeting                                                          Time: 7:30 p.m.
Conference Room, Bay Village City Hall
David L. Tadych, Vice President of Council, Presiding

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

FINANCE & CLAIMS COMMITTEE-Tadych

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

Small Cell Facilities.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-
Stainbrook

Sunset Project Discussion.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

AUDIENCE

MISCELLANEOUS

Upcoming Committee Meetings.

CAHOON MEMORIAL PARK TRUSTEES
City of Bay Village

Council Minutes, Committee Session                                          April 16, 2018
Dwight A. Clark, President of Council, presiding                          Conference Room 7:30 p.m.

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 Ebert, Finance Director Mahoney, Director of Public Service and Properties Liskovec, Fire Chief Lyons, Director of Recreation Enovitch, Director of Community Services Selig, Chief Building Official of SAFEbuilt, Inc., Steve Vogel.

AUDIENCE

The following audience members signed in this evening: Denny Wendell, Clare Banasiak, Jeff Gallatin.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Submerged Land Lease Request for the residence at 31146 Lake Road.

Mr. Mace reported that he will introduce a resolution this evening to amend Resolution No. 16-60 granting a submerged land lease for the residence at 31146 Lake Road. The original resolution was to construct an erosion control structure. The revised resolution states that the submerged land lease is to construct an erosion structure described in Submerged Land Lease Application, SUB-2443-CU. This revision is the recommendation of the Ohio Department of Natural Resources (ODNR).

Law Director Ebert stated that this is a change in language requirement by the ODNR. The City of Bay Village has no interest in the property.

Mr. Winzig asked if the City of Bay Village is approving the structure. Mr. Ebert stated that ODNR approves the structure, and the City of Bay Village is stating that they have no use for the land.

Mr. Ebert provided historical data, noting that when the Cashelmara Condominiums were built they wanted the City to borrow money for their breakwall. The City put the cost on their tax duplicate, but had no interest in the design or guarantee. The breakwall failed five years later. The City has no interest in the type of breakwall.

Mrs. DeGeorge asked if there is any idea why the City’s approval is important to the Ohio Department of Natural Resources. Mr. Ebert stated that they require the approval only because the City doesn’t have any access. We get that more in a creek area where we need to have access
to remove debris. Mrs. DeGeorge noted that the ODNR is coming back a year later and changing the language. Mr. Ebert stated that this is because the property owner wanted their land lease changed from a breakwall to some type of structure. Mr. Winzig noted that he researched online and it said when there is a change in construction they have to reapply and part of the application requires the authorization from the City. Mr. Ebert noted that the structure may have a dock included.

Mayor Koomar reported that the City of Bay Village has had no Workers Compensation incidents for the first four and a half months of this year. He acknowledged the safety protocols put into place as a factor, and complimented the department directors for their work.

Mr. Mace reported that an Environment, Safety and Community Services Committee meeting will be held at 7 p.m. on Monday, May 7, 2018.

FINANCE & CLAIMS COMMITTEE-Tadych

Amended Appropriation Ordinance.

Mr. Tadych will present an Amended Appropriation Ordinance for first reading at the Regular Meeting of Council this evening. The Lake Road Sewer Correction Project will be removed from the budget, in the amount of $350,000, moving the project to 2019. The amount of $86,000 will be appropriated from Fund 494, Infrastructure Improvements to allow for engineering and geotechnical costs to determine the best plan for repairs to the Columbia Road culvert.

Finance Director Mahoney advised that the removal of the $350,000 for the Lake Road Sewer will also mean the City will borrow $750,000 for the roads projects to the City’s annual debt issuance, rather than $1,100,000 as originally planned. Revised debt sheets were provided to City Council.

Mayor Koomar added that one of the two sewer overflows is in the section between Douglas and Glen Park on Lake Road. Last fall, CT Consultants said that this is an area that needs to be upgraded. The City Sewer Department refilmed it again and additional modeling work will be done. Bramhall Engineering has looked at it, and the area will be filmed every three months for monitoring to make sure it is still functioning and there hasn’t been any significant change. The Mayor stated that more research on the area will be done because how the pipe is prepared could potentially work the weir into the solution and eliminate it, which would be a big win for the City. Rather than just replacing the pipe this will give us time to do some more engineering and modeling.

The Mayor noted that they have received a good price on flow meters to measure the true flow of the area to understand the capacity needs for a pipe. The meters can be rented on the open market, or purchased, but the county has a very affordable program which will be tried. Mr. Tadych stated that if they aren’t being rented they can be left in for as long as needed. In the past we have left them in for a very short period of time, once extending it to a period of six months gaining a lot more information. Director Liskovec stated that leaving the flow meters in longer gives a better sampling of data. The county has 54 different monitors in inventory.
Mrs. Stainbrook commented that the Mayor mentioned that there hasn’t been a change in the Lake Road situation. Mayor Koomar stated that it has just been refilmed and the Sewer Department has said they aren’t seeing changes. We will film every two to three months. He noted that they are doing the same thing with Bramhall on the Cahoon Aerial Sanitary Sewer. There has been continued erosion over there. A letter has been received from the Army Corps of Engineers regarding funding for that project. In the next 45 days we will receive confirmation one way or another, and start the process. The sewer will be photographed every month and sent to Bramhall Engineering for comparison purposes. If movement is seen we will try to take action.

The Mayor stated that Hydrosphere is working in Ward 1 in the Clague Road area. Three hundred and twenty-five homes have been tested. Part of the modeling is the surveys that were sent out to the residents. They will do the modeling and then look at the surveys and the feedback received from residents and see where they are in real life data. That will help confirm what they believe may be an issue. The Service Department has received back over 150 surveys from residents, which is considered an excellent response rate from the 350 sent. The residents were provided postage paid return envelopes for ease in returning the completed survey, and the front desk was notified of the contact information for any questions from residents. Mr. Tadych commented that he did not receive any phone calls regarding the survey.

The Mayor stated that he may have an update for Council on the Walker Road Retention Basin and the Kopf property at the Council meeting of April 23.

Mr. Tadych asked the Mayor to speak about the weir problem. Mayor Koomar stated that a weir goes down, and when you open a manhole there is a connector. There is a sanitary and a storm pipe. They were separate, and at one point somebody had gone in years ago, possibly the City with Michael Benza Engineering, and opened up both pipes. They don’t know if it was storm to sanitary, or sanitary to storm, but those are open and need to be closed. Hence, the flow meters to really get a handle on the true flow to determine which pipe is the issue. For sake of discussion, if it is the sanitary, you have to have a certain pitch and a certain size for a sanitary flow. You cannot oversize it, because at low water times it won’t flow properly. Is there potential there to change that base in the data we collect to figure out how we float that weir out? Without flow data it is hard to determine the problem. Part of that, from the overflow that is down by Glen Park and Lake, which is the larger overflow, we have two pump stations: Huntington and Long Beach. Now that those are automated there is the idea of potentially in higher water events can we shift to the Huntington Station and bypass that area down to Forestview before it turns to gravity, using the pump station to divert some of the flow more proactively. If we buy flow meters on a permanent basis we can make that happen using technology.

Mr. Tadych asked if the effort made a few years ago at Glen Park and Lake needs to re-studied. Mayor Koomar stated that is the section he is referencing, but that is the Long Beach Pump Station flow. Huntington bypasses that, but is there a way to look at that and measure that true flow and figure out if we really need to build a big pump station for $5 million. The Mayor would like to have more data before making that call.
Mr. Mace stated that for the appropriation ordinance to be presented to Council this evening, on Exhibit B, the Capital Projects total includes the Lake Road Sanitary Sewer. Mrs. Mahoney stated that will be corrected. Mr. Mace stated that in the General Capital 400 Fund the Lake Road Sanitary is included for $350,000. This will be amended by reading, and corrected for the next copy.

Mr. Clark asked Mayor Koomar for comments regarding the engineering fees of $86,000 for the Columbia Road culvert.

Mayor Koomar stated that Mr. Liskovec has the county coming in to walk the pipe again and do another inspection. It is the Bay Presbyterian Church’s concern because it is in close proximity to their foundation. The ordinance for the engineering contract can be put on reading and as soon as it is passed they would like to start the engineering which will take about 3 ½ months. If the engineering results are received back in July they could potentially bid for fall work. Mr. Clark suggested first reading this evening and adoption on April 23, 2018, since there will not be a Council meeting on April 30, 2018.

Mr. Winzig noted that on the bid from Bramhall Engineering there are a number of exceptions on the last page. He asked if any of those need to be included. Mr. Liskovec stated that they do not to be included; most of the items are post-design. Mr. Winzig asked if Item No. 11, Wetlands Investigation and Environmental Impact Studies, is something that the City needs to do. Mayor Koomar stated that probably not, but as you go forward and have a paper trail it provides full disclosure.

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

Ms. Maier had no report this evening.

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

Lake Road Bridge Replacement.

**Mrs. Stainbrook** stated that there will be a resolution presented this evening at the Regular Meeting of Council to begin the process for the Lake Road Bridge Replacement Project, which will occur in 2019. Many details are included in the resolution. Mrs. Stainbrook asked Director Liskovec about staging of equipment for the project. Mr. Liskovec stated that the initial conversation is that with the closure of the road, a section of the closed road will be used for staging. There will be an access road to the park service drive, located to the west. Lake Road will be closed for nine months. The Ohio Department of Transportation (ODOT) will set up the detour, and the detour route will be Columbia Road to I-90 to Route 83 in Avon. The Mayor noted that ODOT always use the state route. There will also be local detours. They also talked with them about posting something at Bassett Road, east bound. The Mayor and Mr. Liskovec will meet with ODOT representatives next week because of the concerns with the Columbia Road culvert.
Mr. Liskovec stated that the initial intent was to contract the project in January or February of 2019, with a potential start of March or April of 2019, subject to finalization of plans.

Mr. Mace noted that the project is 100% ODOT funding.

Mrs. DeGeorge asked if bike lanes are included. Mayor Koomar stated that there will be a five foot sidewalk on either side and six foot bike lanes added. There will also be a fourteen foot wide graded area underneath for a ten foot path. They have also added a railing underneath the area. Mr. Winzig asked if the path will be along the creek. Mayor Koomar stated that it will be whatever is directly underneath the bridge. The grant application results should be coming in in June and would provide a path from the bridge north. Another grant application would be from the bridge south and since we weren’t successful on the bridge we are routing it up to the parking lot near the sledding hill. It would be an ADA path down, which would serve us well when we do connect to the bridge. But we did not take it up the path by the sledding hill because the Service Department brings heavy equipment that way. In the winter time it is better to have gravel for traction for sledding. A lot of times the Cross Country teams use that and they prefer to have it natural for their purposes. They are also thinking of relocating an historic bridge for a fraction of the cost. The Northeast Ohio Areawide Coordinating Agency (NOACA) is looking at that possibility and would provide funding.

Mr. Winzig asked if there are any preliminary drawings on what the Mayor described. The Mayor stated that he will find the picture of the historic bridge. The trail is in concept phase and it comes back and zig-zags up, but he does not have any conceptual drawings.

Engineering Contract with Bramhall Engineering Company for Columbia Road Culvert.

Mrs. Stainbrook will present an ordinance this evening for an engineering contract with Bramhall Engineering Company for the Columbia Road culvert, in the amount of $70,500. Mr. Clark noted that the Finance Committee has been somewhat reticent to borrow for soft costs, so typically the Infrastructure Improvement Fund is used as opposed to borrowing for a long period of time. The ordinance will be placed on first reading this evening.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

Mr. Enovitch met with the resident who has volunteered to do the Garlic Mustard weed pull in Walker Road Park. They have discussed the activity that will take place in the area where the invasive plants are growing, and the resident is happy to be of assistance.

A Recreation & Parks Improvement Committee will be held on Wednesday, April 25 at 6:15 p.m. hosted by Recreation Director Enovitch at the Bayway Cabin. An agenda will be posted.

Mrs. DeGeorge asked if the agenda items will include discussion of Skate Park lighting. There was an event held last week where lighting was strung and powered with a generator. The event was very well attended and everyone was safe. There were some questions by residents that wanted to know how they could donate for the lighting. Mr. Lawrence Kuh spoke to the fact that there is a fund set up through the Bay Village Foundation for the skate park. He was under the
impression that there is a link on the City’s web site, but he has not been able to find it. He questioned whether a link could be added on the City’s web site or to the Village Foundation and what funds they have set up.

Mr. Tadych stated that those funds were primarily for the skate park and for the maintenance of the skate park. They were not primarily for electrifying.

Mrs. DeGeorge asked if a separate fund is needed for donations for lighting. Mayor Koomar stated that when the skate park was put in the Trustees had said that it wouldn’t be lighted. Before asking for money, the Mayor would like to have a discussion with the Trustees to make sure they are open to it. Mr. Winzig stated that the matter would be on the Recreation and Parks Improvement Committee meeting agenda for discussion.

Mr. Winzig noted that there was also some discussion about improvements to the concrete surface and he asked the folks there to put something in writing and send it to Council. It is nothing of urgency, but when using the park they found a few areas could be improved upon, and they felt the City could actually do the work. He asked them to write it up, explain it, and bring it to the Recreation and Parks Committee, who will bring it to the Trustees.

Mrs. DeGeorge reported that a resident contacted her who was not happy about the arrangement made with the City of Westlake for pool use in the summer. Mrs. DeGeorge addressed Recreation Director Enovitch and confirmed with him that he will track the number of Westlake residents who will use the pool. The resident also wanted Mrs. DeGeorge to follow up on a conversation she had with Mr. Enovitch about summer hours and opening the toddler area when school is in session, because so many residents have little ones and don’t want to wait until 3 p.m. to use the toddler pool. Mr. Enovitch stated that this year they should be fine. When the kids go back to school earlier the hope is there will be enough lifeguards to open up from the tumble bucket area over to the preschool area. The pool is mandated to have a certain number of lifeguards on duty and they will abide by those mandates. Mr. Winzig stated that this matter is also on the agenda for the Recreation and Parks Committee meeting of April 25, 2018 for discussion and recommendation for next year.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

A Services, Utilities and Equipment Committee meeting is scheduled for May 7, 2018 at 6:30 p.m., prior to the Environment, Safety and Community Services Committee meeting.

AUDIENCE

Dennis Wendell, Queenswood Drive, distributed a document entitled “Mid-20th Century Architecture and History Reconnaissance Survey, Cuyahoga County Urban County Communities” dated November, 2016. The Dover Bay Subdivision is a community of a 119 single family homes on the former Dover Bay Country Club site. Mr. Wendell explained he attended a recent Board of Zoning Appeals meeting where a resident requested that his lot be split. The lot is on the corner of Lake and Clague Road, and is part of the Dover Bay Subdivision, the historic Dover Bay mid-century modern development. Mr. Jack Norton,
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April 16, 2018

Chairman of the Board of Zoning Appeals, informed the resident that his lot is not large enough to produce two buildable lots. The resident was asking on behalf of developer David DiBenedetto, and Mr. Norton suggested that it could not be done, and if in the future the request is by Mr. DiBenedetto he should appear before the Board. The matter was tabled until April 19, 2018.

Mr. Wendell stated that as a resident of the Dover Bay Subdivision, they are not happy with any change in the neighborhood architecture. They do not want two story homes.

Mr. Ebert stated that he was contacted by the brother of the owner of the property and Mr. Ebert informed him that they are way under the required square footage for a lot split.

Mr. Wendell stated that the house across from his home on Queenswood Drive is also for sale, supposedly in bad shape, and there is talk of tearing it down and building a new home. They would build what they want to build, and the residents are not happy about this. Two of these teardown/rebuilds have already happened in this development.

Mr. Ebert recommended that Mr. Wendell attend the next Board of Zoning Appeals meeting, although noting that there was not an inclination at the last meeting to grant the lot split request.

Mr. Wendell stated that they are concerned about what is happening in every neighborhood in Bay Village where they built big houses next to one-and-a-half story houses, and ruin the character of the neighborhood. Mr. Ebert stated that if a person has the square footage on a lot to build they can build a house up to a height of 35 feet.

Mr. Wendell asked if they can have the Dover Bay area designated as an historical area. His understanding is that all of the residents in the district must sign on. That is never going to happen in any development. But, can restrictions be put on that area as far as square footage and height? Mr. Ebert asked if there is a Homeowners’ Association in the area, with deeds with deed restrictions. Mr. Wendell stated that they do not have a Homeowners’ Association.

Mr. Wendell explained that when these homes were built it was a new type of architecture called “contemporary” with 13 foot ceilings, floor to ceiling glass, with modular walls brought to the site. The majority of the people that Mr. Wendell knows in the development want a mid-century modern house, not only for the architectural details, but for senior citizens who want a one-story home without steps in Bay Village. They do not want homes that are not mid-century modern.

Mr. Tadych stated that Mr. Wendell and he discussed this and Mr. Tadych assured him that they cautioned the property owner at the meeting that, while it probably wasn’t going to go through, they should probably have the benefit of the full Board of Zoning Appeals membership present to vote. There were four of the seven members present at the meeting.

Mr. Wendell stated that he is just bringing it up because the residents do not like it. They see what is happening in other neighborhoods. He noted that he can touch a bump out on a new home on Forestview, built next to a one-story bungalow. The residents of Dover Bay are trying to do whatever they can to stop it now. It has been a concern of the people after two homes were
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built in the subdivision years ago, one on Lake Road, and one on Queenswood Drive. Mr. Wendell stated his understanding was that those were okay because they were on a slope, so their height wasn’t that big. If it is done on a flat lot, the home will be huge. The trend in Bay Village is bigger and better. They do not want bigger; they want a well sought-after, mid-century historic development.

Mr. Tadych noted that even if they do not allow the lot split, the home could be sold and a larger home put on the lot. It is only three lots from the larger homes being allowed on larger lots.

Mr. Wendell noted that the home is right on the corner and is the entry way to the Dover Bay development.

Mr. Ebert noted that he will not be at the April 19 Board of Zoning Appeals meeting due to being out of town, but he has given a verbal opinion on the lot split.

Mrs. Stainbrook stated that currently the City of Bay Village does not have legislative control over the residential home construction. She noted that if Mr. Wendell came into her neighborhood, traditional two-story homes, and wanted to build a modern, contemporary home there would not be anything that could be done to stop that construction.

Mr. Wendell stated that this discussion has been held on and off about what could be built in Bay Village. A majority of the homes that are new, at least in Ward 1, where they are tiny, bungalow lots, the homes are too big.

Mrs. Stainbrook stated that this would fall under Architectural Board of Review of residential structures, which the City of Bay Village does not have. They only have commercial review.

Mr. Wendell was thanked for his comments.

MISCELLANEOUS

Mayor Koomar advised that he visited Key Bank and updated the personnel of the Heritage Home Program. Year-to-date, Key Bank has closed six of the Heritage Home Program loans, and they have been getting multiple inquiries.

Mr. Clark asked if there have been calls regarding flooding due to the unprecedented amount of rain that has fallen over the last 36 hours. Director Liskovec stated that when he checked mid-day today there were none.

Mr. Tadych stated that prior to the major rainfall he had one call about basement flooding and he suggested the resident have the lines checked for tree roots. The City crews did go out promptly Monday morning and confirmed that it was tree roots.

Mr. Winzig received a call from a homeowner along the Walker Road Park area and they were concerned that the space between the pond and their property was taking on water. He
responded that he would let the Mayor know, and informed the resident that there is engineering work taking place in the Walker Road Park area with a report due in a few weeks.

Mr. Clark noted that the sewer cleaning done over the past few years has helped. The Mayor stated that now that the lines are clear they will be easier to clean and maintain. The cleaning will continue to be done on a pro-active basis, with work this summer on Long Beach working down Wolf Road, Glen Park, and Lake Road.

Mr. Winzig noted that the Ohio Municipal League bulletin received last week mentioned that the Small Cell Wireless Bill is going forward, and asked if there is anything that the City needs to do to be prepared. Mr. Ebert stated that they will be notified, and have a time period to turn in restrictions. Mayor Koomar noted that they have more latitude in historic areas for restrictions, and he has asked for sample legislation for Mr. Ebert to prepare and present to Council for reading.

Mr. Winzig asked if there will be a time that this issue can be explained to the residents, possibly through the Mayor’s newsletter. Mayor Koomar stated that he definitely can do that after the Bill is signed.

There being no further comments, the meeting adjourned at 8:17 p.m.

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Dwight A. Clark, President of Council          Joan Kemper, Clerk of Council
MATTERS PENDING BEFORE COUNCIL COMMITTEE
April 17, 2018

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

- Sunset Drive Area Storm Sewer and Road Improvements (5-12-08)
- Bruce/Russell/Douglas Sewer Improvements

Recreation and Parks Improvement- Winzig, Mace, Stainbrook

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

Finance & Claims-Tadych, Winzig, Mace, Clark

Services, Utilities & Equipment- DeGeorge, Maier, Tadych

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

- Monopoles (Council meeting of December 12, 2016)
- Elimination of Front-in Parking in front of stores on Dover Center Road

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

- Review of Codified Ordinance Chapter 505, Animal Control.