AGENDA

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

Date: September 17, 2018
Time: 7:30 p.m.

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Parking prohibition on specific section of Walmar Drive.

Sidewalk Replacement Notice for Permanent Parcel No. 204-16-031, Wolf Road.

Fiscal Year 2017 Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant.

Agreement between Cuyahoga County and City of Bay Village for Local Match Funds for the FY2017 Assistance to Firefighters Grant.

FINANCE & CLAIMS COMMITTEE-Tadych

August 2018 Financial Reports.

Annual Request for Property Tax Advances from Cuyahoga County Fiscal Officer.

Amended Appropriation Ordinance.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Stainbrook

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

Bradley Park Playground Renovation.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

AUDIENCE

MISCELLANEOUS
CAHOON MEMORIAL PARK TRUSTEES

Motion to grant permission to the Bay Village Kiwanis Club to hold their annual Christmas Tree Sale in Cahoon Memorial Park, near the Gazebo area, beginning November 18, 2018 and ending December 15, 2018, pending acknowledgement of receipt of insurance.
City of Bay Village

Council Minutes, Committee Session  
David L. Tadych, Vice President of Council, presiding  
September 4, 2018  
Conference Room 7:30 p.m.

Vice President of Council Tadych called the meeting called to order in the Conference Room of Bay Village City Hall at 7:30 p.m.

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

Excused: Mr. Clark.

Also Present: Law Director Barbour, Finance Director Mahoney, Director of Public Service and Properties Liskovec, Fire Chief Lyons, Police Lieutenant Palmer, Community Services Director Selig, Chief Building Official Vogel (SAFEbuilt, Inc.), Kris Oswald of Bailey Communications.

AUDIENCE

The following audience members signed in this evening: Richard Fink, Clifton Bennet, Denny Wendell.

ANNOUNCEMENTS

Metroparks Master Plan Update

Mayor Koomar advised that the Cleveland Metroparks are in the process of updating their Master Plan for the Huntington Reservation, and other reservations. On September 12, 2018, from 5:30 p.m. to 7:00 p.m., an open session will be held at the Lake Erie Science Center, 28728 Wolf Road to view the Metroparks Master Plan. Mayor Koomar encouraged participation by the residents. The Metroparks are looking to invest in more trails, as well as updating their pavilions and restrooms. Mr. Winzig noted that Metroparks representatives gave a presentation of their plan to BAYarts recently and opened up the meeting for additional ideas from the group present. It is a combination of their vision and any other viable ideas are acceptable.

Library Update

Mayor Koomar reported that there will be additional public input sessions for the new Bay Village Branch of the Cuyahoga County Library. The first session will be Wednesday, September 12 from 6:30 p.m. to 8:30 p.m. at the Dwyer Memorial Senior Center. The next public session will be from 6:30 p.m. to 8:30 p.m. on October 24 at the Dwyer Center. A student session will be held on Thursday, October 11, at the Library from 4:30 p.m. to 6:30 p.m. A Capstone Session will be held on Tuesday, November 13 from 6:30 p.m. to 8:30 p.m. at the Dwyer Memorial Center. Registration is required for all sessions.
Mrs. DeGeorge stated that she read that this will be a facilitated event, which sounds different than the last event when attendees went from table to table. Mayor Koomar stated that their consultant, Sally Parker. Ms. Maier stated that Sally Parker will be leading the group, trying to developing client criteria for the building. The event will function more like a focus group.

Mr. Winzig noted that Ms. Parker stated that one of the goals they have is to try to determine where the community is on the continuum from extreme traditional architecture to the other end of extreme contemporary architect. They will have visuals and reference material, as well as conversation to try to gauge where that will be and lock down information to give their design recommendations to the architects.

**Property Tax Appeals for Cuyahoga County**

The opportunity for residents to file a property tax appeal to Cuyahoga County has been extended two weeks, with a deadline of Friday, Sept. 14.

Filing informal disputes can be done in person at the county administration building at 2079 East 9th Street in Cleveland or online or by calling (216) 443-4663, a county spokeswoman said Thursday. Further information can be obtained by following this link: [https://bor.cuyahogacounty.us](https://bor.cuyahogacounty.us)

The Mayor noted that the west side Mayors advocated with County Councilwoman Nan Baker (District 1) to hold a session at Rocky River recently. There were 17 representatives on hand from the County Auditor’s Office which allowed the process to move smoothly.

Senator Matt Dolan requested information from the City of Bay Village regarding Bay’s revenue stream. In 2008, from the Local Government Fund, and Estate Taxes, the City received about $1.6 million used predominately for capital projects, road programs, sewers, etc. Last year, from those two sources, the revenue was $309,000. The last time the County did a deep dive in the property tax was 2012, right after the mortgage crisis and the economy and market drop, and real estate revenues dropped $1 million per year. The City has been going in the wrong revenue direction for a while. Some of the evaluations are higher than expected, hence the appeal process.

Director of Finance Mahoney added that the fiscal officers put out a property tax calculator on their website: fiscalofficer.cuyahogacounty.us. Click on real property, and then property tax estimator. The answer is generally a 2.71% raise. It also allows for homestead exemptions adjustments. It also takes into account House Bill 920 for the schools.

**Coastal Management Grant**

Mayor Koomar stated that a Costal Management Grant was awarded to the City to take a path under the Lake Road Bridge out to Lake Erie that will be created by the Ohio Department of Natural Resources next spring and summer. The grant also includes two mid-section cross walks on Lake Road, one west of Cahoon Road to connect the soccer fields and the walking trail area, and one just west of Columbia Road for Columbia Road Beach. Both were approved for a 50% grant.
Kathryn Kerber, Administrative Project Leader, is working to finish the District One Public Works Integrating Committee (DOPWIC) Grant Application and will attend a Council meeting toward the end of this month to share detailed spreadsheets of where all the grants are as far as applications, completed, in progress and declined. One Clean Ohio Grant application is pending for the area south from the bridge back towards the parking area and sledding hill. It will be decided this fall.

**Successful Audit Results**

Mayor Koomar expressed kudos to the Finance Department staff for the Auditor’s Unqualified Report for 2017. Mayor Koomar noted that to receive this report is positive for the City’s Bond rating, allowing for the issuance of debt at a lower interest rate.

Finance Director Mahoney stated that the City also received the Auditor of State Award for the fifth straight year which means there were no material citations, weaknesses, deficiencies, and all requirements are complete. Mrs. Mahoney credited her staff for their excellent work. An opportunity for Council to meet with the auditors for a post-audit conference will be held sometime in the fall.

**School Security**

The Mayor advised that the Police Chief, the new Superintendent of Schools Jody Hausmann, and the Police Department detectives have been in discussion with the personnel at the schools on various components of security, walking through ideas on what can be done further and better, and answering questions from the staff. Detective Kevin Krolkosky will retire next June, and his replacement, Patrolman Ed Chapman, has been selected. Patrolman Chapman has been in attendance at these meetings, and has also been tag teamed on a national conference. It is hoped to have a long transition process with Detective Krolkosky, and in the winter, Patrolman Chapman will spend more time with Detective Krolkosky. Both will be in attendance at all of these meetings.

St. Raphael’s Elementary School has also been included in these security meetings and recently went through a mock drill. St. Raphael’s School students are also included in the services of Bay Family Services. The staff is very appreciative of the City’s efforts. Mr. Tadych noted that because of the City’s efforts, St. Raphael’s has made changes to the security in the school.

**Deer Control Survey**

A deer control survey has been circulated as part of the requirements of the Ohio Department of Natural Resources. The administration has been working very diligently on plans for the fall and winter months, and Chief Spaetzel will have an update for Council when he returns from vacation.

**Metroparks Comments**

Mr. Tadych stated that approximately ten years ago the Metroparks was considering not having parking on the north side and doing a walk over the trees in the parks and the reservation. He asked if the new plan is more sensible, and if the Mayor has seen the plan.
Mayor Koomar stated that what was presented to him was that they are trying to connect trails and not having people on the roads. There is a pinch point on Porter Creek Road where the trail ends. There may be an ability to lead people around to the underground walkway that currently exists, and provide better access to Vento’s Restaurant and BAYarts.

**COMMITTEE OF THE WHOLE**

**Chapter 1141 pertaining to Home Based Businesses.**

Law Director Barbour stated that this topic was discussed informally over the summer via email. It is thought to be useful to bring the topic to the Committee of the Whole to see if there is a desire among Council members to put the matter for consideration under the Planning, Zoning, Public Buildings and Grounds Committee for review and possible action. Mr. Barbour noted that there have been very few cases involving home businesses. Mr. Clifton Bennet’s case was very recently resolved, and there was a case in the 1990’s involving Dr. Tom Kelly. The ordinance has not been changed for fifty years, but has been looked at periodically. There are very few enforcement issues with the circumstances of home based businesses, according to Legal Counsel Ebert and the Building Department.

Mr. Barbour noted that most of the zoning or code violations are complaint based, with the exception of during the course of construction when required inspections reveal circumstances. The City then gets involved with enforcement. There are attempts made informally to abate the nuisance or the condition, to cause it to cease or have it rectified. That accelerates through a formal process and eventually, depending on the circumstances of each individual case, the City or the defendant can end up in Rocky River Municipal Court for a determination as to whether or not there is a violation. The home based business procedure would be the same as any other zoning type violation.

Mr. Barbour suggested that the home based business topic be brought to the Committee of the Whole for purposes of preliminary discussion to see what interest there is among all of Council, as to whether it should be left the way it is or looked at further.

Mr. Tadych stated that it may take further discussion and is not anything that can be determined this evening. Mr. Barbour responded that if Council decides to undertake the matter it should be something that is an ongoing because there are more layers of complexity than those easily evident.

Ms. Maier stated that the first one would be the bed and breakfast vacation rentals. They are becoming an issue for many communities. During the Republican National Convention you could see people advertising their homes. Our economy has changed and it might be best to look at the practice of people renting out their homes and be more proactive on this matter. Ms. Maier has spoken with President of Council Clark as to whether this matter should lie with the Planning and Zoning Committee, or with the Committee of the Whole.

Mr. Tadych suggested being more open with the matter if it will be done, or needs to be done.
Mr. Barbour stated that there are two components to the reference stated by Ms. Maier. There is the home based business which is having a business out of your home, e.g., dog walking, physician’s office, and the second component, temporary rentals. The City of Rocky River recently changed their ordinance regarding temporary rentals. During their discussions, they referred to the rentals as Airbnb. Mayor Koomar noted that the rentals must be a minimum number of days and has a different feel to it, requiring Building Department enforcement. The City of Bay Village has had issues with a few that were on Lake Road that suggested parking in Cahoon Memorial Park overnight. There were police complaints and some were shut down because our ordinances do not permit the rentals. A long term corporate rental is totally different. There are many layers to review to find out what works best for the City of Bay Village.

Mr. Barbour commented that the City of Rocky River actually prescribed zoning classifications. Their city does have more zoning classifications than Bay Village, and there are restrictions in certain areas.

Mrs. Stainbrook asked what the property owner is cited for when someone complains about their property being rented. Mr. Barbour stated that there would be the need to discover that the property was, in fact, being rented as an Airbnb. Evidence will be required. There is a difference than just citing someone for a noise violation on a complaint. Mayor Koomar stated that you can actually find these on the most frequently visited Airbnb websites and actually find the home being advertised as such. In that case it would be a friendly reminder that this is in violation of our ordinances. Mr. Barbour noted a case in Bay Village where there was partying taking place which drew the attention to the authorities.

Mr. Tadych noted an incident in his ward in the past when twenty people were living in one house that were working at a restaurant by the railroad tracks. The City had to stop the use of the home in this matter because there were too many people living in the home. These issues come up all the time and Airbnb may make it worse.

Ms. DeGeorge stated that beside the housing and the Airbnb, there are other things that fall to the Home Based Businesses that she encourages the Council review, and specify that the ordinance be less vague. Everything will be subject to interpretation at some point, but the ordinance is very vague. She asked if anybody that had a business with the old ordinance would be starting fresh with a new ordinance. Mr. Barbour stated that if the new ordinance permitted the home based business they would be allow to continue.

Mrs. Stainbrook asked the situation if the home based business has not even been identified, and new legislation is passed, and the business becomes in violation and there is a complaint. Mr. Barbour stated that they have to have notice somehow. The City does not have the resources to seek these out, although some are more obvious than others, e.g., a boat in the front yard.

Mr. Tadych asked if the City has the resources to look at the homes that are being rented and declare those safe for rental. Do we have the resources to inspect?
Mayor Koomar stated that SAFEbuilt is responsible for all rental inspections. These usually begin in the spring.

Mr. Tadych commented that those inspections are for longer period of time rentals. He asked what the process will be for inspection for shorter term rentals, noting that they should be safe for people renting the homes.

Mr. Barbour stated that they potentially would have to be inspected after each occupancy, or more periodically, because they are being used and vacated more often. There could be some related issues.

Mayor Koomar stated that the City of Rocky River minimum rental is thirty days, with alleviates some of those concerns.

Mr. Winzig advised that there is sample legislation on the internet for Airbnb management by cities. Mr. Winzig would encourage the Planning and Zoning Committee to look at the current legislation for home based businesses. It is dated and it doesn’t recognize the economy. Over the summer, Mr. Winzig did quite a bit of research and distributed it to a few people on Council. There were terrific studies done on home based businesses, how businesses can register within the city for different types of businesses to be able to collect RITA tax when appropriate. In reading the literature, it was noted that a number of cities were encouraging people to start and own home based businesses. There are a number of trickle down incentives, such as keeping money local, shopping local, and employing local personnel. There are a lot of positives involved and it would be good for the Council to review and update that ordinance.

Mrs. Stainbrook and Mr. Tadych stated that they would like to see this reviewed at the level of the Committee of the Whole.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Ohio Law Enforcement Body Armor Program.

Mr. Mace advised that Police Chief Spaetzel has requested permission to apply for a grant through the Ohio Attorney General’s Office, and the Ohio Bureau of Workers’ Compensation.

Lieutenant Mark Palmer of the Bay Village Police Department commented that the department has a good offer from the State of Ohio. The Workers’ Compensation Bureau has money that they are willing to grant for the purchase of vests. They will pay 75% of the cost of the purchase of vests between August of 2018 and June of 2019. As of January 1, the department can purchase seven vests at a cost of $1,300 total for the seven to the City and the remaining $3,800 paid by the Bureau of Workers’ Compensation. The federal level grant only pays 50% of the cost of the vests.

Mr. Mace stated that the information provided by Chief Spaetzel is requesting the appropriation of $7,000 in the 2019 Budget, and the cost of the City share would be $1,750.
Amendments to Codified Ordinance Subsection 313.03(c) (5) regarding Right Turn on Red provisions at certain intersections within the City of Bay Village.

Mr. Mace advised that Police Chief Spaetzel has requested a No Turn on Red (NTOR) sign be placed for westbound Wolf Road traffic at the Bay High School entrance drive. The Police Department has observed that this intersection does not have signage preventing cars from turning on red into the school drive when the pedestrian lights are activated and students are in the crosswalks. There is a traffic signal at the intersection of Wolf Road and the entrance drive to Bay High School. This drive is one-way entrance only. The traffic light only activates when the pedestrian button is activated to allow pedestrians to cross. Those waiting to turn right into the high school must yield to pedestrians. The no turning on red provision would ensure no vehicle would attempt to turn while pedestrians are crossing.

Mr. Mace commented that the legislation to provide the signage and restriction includes an addition of several more intersections than the original ordinance providing no turning on red at specific intersections. The time frame of the original 7:30 a.m. to 4:30 p.m. has been changed to 7 a.m. to 9 a.m. and 2 p.m. to 4 p.m. for all the designated no turning on red intersections with the exception of the west high of Bay High School, which prohibits turning on red at all times. Additional intersections have been added to those intersections originally so designated.

FINANCE & CLAIMS COMMITTEE-Tadych

July 2018 Financial Reports.

Mr. Winzig noted receipt by Council of the July financial reports prepared by Finance Director Mahoney. Everything seems to be in order. Finance Director Mahoney stated that expenditures versus appropriations are at approximately 58% of funds used at this point in the year, and that is where the finances are setting at this point. Mr. Winzig noted that a few things are trending ahead but that is due to encumbrances.

Mr. Tadych noted that the Health Insurance expenditures are looking favorable for the City.

Amended Appropriation Ordinance.

Mr. Mace will introduce an Amended Appropriation Ordinance at the regular meeting of Council this evening. He deferred to Finance Director Mahoney, who reviewed her overview memorandum to Council dated August 22, 2018 which outlines the need to amend the ordinance.

New Server System

The first adjustment to the original budget is the necessity of replacing the City server. The original budget of $73,965 was based on November, 2016 information. Bids received resulted in a low bid from Bailey Communications in the amount of $97,177.85, which is $23,212.85 over the original budgeted amount for the project. The second, higher bid was $173,539.00 from BPI Information Systems. Council is requested to increase the appropriation from Fund 240,
Equipment Replacement by $24,000 to allow for the purchase. There is sufficient fund balance in Fund 240 to allow for the increase.

Kris Oswald of Bailey Communications explained that the higher bidder, BPI Information Systems, proposed a piece of equipment, a 990 Barracuda that brought the price up so high. Mr. Oswald explained that Bailey’s bid included a 690 Barracuda that is adequate for the City’s needs. The software and hardware maintenance rules for the System 990 is much higher than the System 690. The System 690 will take care of the City for years to come, with the City only utilizing about 30% for the beginning and should take the City well into the next server replacement in eight to ten years. The original server was installed by Bailey Communications ten years ago.

Mr. Oswald stated that the Police Department server was installed three or four years ago. When the Police Department server is ready to be upgraded, at the 10-year life point, it will be rehosted on the City hardware. The Law Enforcement Data System requires a special certification for the communications worker, or the presence of a police officer, due to the sensitive information contained therein. The ability to roll that system over to the City’s server system in the future represents a considerable cost savings.

Mr. Tadych asked if it would seem logical to swing the Police Department server now and not bear separate maintenance charges. Mr. Oswald stated that this could be done, but the hardware was expensive. Mr. Tadych asked if it is saleable. Mr. Oswald stated that the amount of money invested would not be recouped if the equipment were sold. Mr. Tadych asked if money would be saved in the overall picture. Mr. Oswald stated that it would probably be a wash. Mr. Tadych asked that Mr. Oswald check on the possibility of savings. The equipment is all in the same physical location.

Mrs. Mahoney asked Mr. Oswald to comment on the increased efficiency with emails that will be realized with the new server. Mr. Oswald stated that the existing system is a 2007 and part of that new server is getting the system up to a 2016, with Webmail that will look and feel like Outlook but will be more manageable when retrieving email through cell phones.

Mr. Winzig asked if the license count of 145 is adequate. Mr. Oswald stated it is adequate with actually less licenses being used. Mr. Winzig stated that there is some talk on line about Microsoft Exchange 2018, and asked if it takes some time for it to prove itself on the marketplace before making that purchase. Mr. Oswald agreed, stating that he has been moving people lately to Exchange 2013, and Exchange 2016. He just did the City of Westlake a year and a half ago to Exchange 2013, and looking to going Exchange 2016 there as well.

Mr. Winzig asked if there is validity in going to the Amazon site with the specifications to see if money can be saved. Mr. Oswald stated that the purchases are through the Bailey Communications and the manufacturers work through distribution, and Bailey is a reseller and buys through distribution. It is all registered Microsoft, Cisco, and HP equipment.

Mr. Winzig stated that this is good information because you can find less expensive prices on the internet, with disclaimers about what may not be included. While this bid from Bailey
Communications is a hard price list it is going through an appropriate reseller. Mr. Oswald noted that one of the School Districts they serve purchased through Amazon and it was learned that the equipment they purchased for $30,000, without the ability of a refund, was counterfeit.

Mr. Winzig asked if the new Server will be a big change for the employees. Mr. Oswald stated that the user experience will be as though nothing changed. The response time will be faster, because of newer hardware. The only difference will be in Webmail, which will be an Outlook type experience.

Mayor Koomar stated that one of the goals in putting this in place is to upgrade the accounting system which is very outdated. This creates an opportunity to move this forward and increase productivity. A new payroll system is being purchased which will reduce the amount of time for processing payroll every two weeks.

**Scoring Signs at Coulton Tennis Courts**

After completion of the tennis court resurfacing, Tom Coulton requested the City to purchase scoring signs and an additional bench to complete the courts. The cost of these signs and bench were approximately $2,000, and that amount was sent to the City through The Bay Village Foundation. Originally the City appropriated $21,000 to be spent from Fund 238, Tennis Court Maintenance, but with the additional expense Council would need to appropriate an additional $2,000, included in this evening’s appropriation ordinance.

**NOPEC Reimbursable Energy Efficiency Grant**

Director of Public Service and Properties Liskovec has requested an appropriation of $19,685 from the Municipal Building Improvements Fund 495 which will be returned to the fund once expenditures are completed and submitted for reimbursement.

**Committee Room Projector, Whiteboard and Computer**

The 2018 Budget included $2,000 to allow for the purchase of equipment that will be used to make presentations in the Conference Room. A revised project amount totals $7,487.11 and Mrs. Mahoney is asking for an increase of $5,500 from Fund 240 to allow this project to move forward.

Mayor Koomar added that there were also problems incurred in creating new offices in City Hall when asbestos was discovered. Funds for abatement will be used from the account. The Mayor noted the need for the new offices to protect sensitive Finance Department information.

Director Liskovec added that there are certain time frames and references in construction where asbestos was a wall building material. Due to the age of the City Hall building, Mr. Liskovec stated that the Service Department wanted to be sure they did their due diligence, and discovered asbestos in the flooring and the glue for the flooring. This needed to be abated before construction began.
Mr. Tadych asked about the area adjacent to the Women’s Restroom, behind the Conference Room, and the Council Chambers.

Director Liskovec stated that the kitchenette area, the women’s restroom, and the Council Chambers were inspected. There are questions into the inspecting company about the conference room area, but the kitchenette and the women’s restroom came back clear. The Council Chambers came back with a report of asbestos and lead. Mrs. Mahoney stated that this is fine, unless the area has been disturbed. Mr. Tadych stated that it has been disturbed in the area that is cracking through. This is concerning for the residents who come to our meetings, and the staff that comes to the meetings. Mr. Liskovec stated that as long as it is not physically interacted and doesn’t become airborne it is not a problem. Mr. Tadych asked if we could fix it.

Mr. Liskovec stated that the first question is what is causing it. Earlier this year the staff discovered that the flashing above the windows had rotted through and allowing moisture to infiltrate the building envelope, circulating down through the wall space and creating an issue on one wall. They have since repaired the flashing and applied new caulk, and they have not seen any new evidence of water infiltration in the area. The procedure is to obtain a clean surface before repairs. The procedure for dealing with asbestos is the same as lead. They wet the material down which prevents it from becoming airborne. They will be looking at those next steps.

Mayor Koomar noted that the Council Chambers wall needs to be fixed. As far as the kitchenette is concerned, they will take out the singular wall so that people can walk through the restroom area for access to the kitchenette when there are meetings being held in the conference room.

Mr. Liskovec will provide further information at the next committee meeting of Council.

Queenswood Project

Finance Director Mahoney reported that right-of-way is being obtained from four homeowners for the Queenswood Bridge Project. The expected cost for the four is $84,280. Mrs. Mahoney stated that money will be advanced from the Infrastructure Improvement Fund to the General Capital Fund and expensed part of the cost out of the General Capital Fund. The plan is to take debt out in 2019 for the project to include those costs and repay the Infrastructure Fund. Mr. Tadych asked if this includes the cost of trees that will be removed and replaced in the four houses by the bridge. Mr. Liskovec stated that it does include the cost of the trees.

Mr. Tadych complimented Mr. Liskovec on his work regarding the trees. He noted that the residents value their property and the properties are well treed. Mr. Liskovec stated that the appraiser looked at those parcels to determine what the fair market value would be for the easements required for the bridge.

Ms. Maier asked if landscaping is included in the Queenswood Project. Mr. Liskovec stated that a plan was submitted with the final tracings that includes in excess of 40 trees.
Mrs. Stainbrook stated that an excellent job was done by Mr. Liskovec, given his horticulture background.

Mr. Tadych stated that the residents are terribly concerned and Mr. Liskovec has alleviated those concerns.

Mr. Winzig asked the diameter of a medium to large tree. Mr. Liskovec estimated that it would begin as small as an 18 inch diameter and range up to a 32 inch diameter.

Mr. Tadych stated that they do not want to plant a tree that isn’t viable for life and larger diameter trees are far more limited as a successful transplant. The watering is going to be a significant problem.

Mr. Liskovec stated that the residents have been presented with the value amount of their property and have thirty days to agree, attest, appeal, or ask for other considerations. It has been the City’s goal to work with the residents and have all this completed before the final submission date of October 1, 2018. If there should be an impasse, there are steps that can be taken to continue the project.

The project will go out to bid in December or January. Tree clearing must be done before April due to the Indiana Bat Migration

**Tax Rate Resolution.**

**Mr. Mace** will introduce the annual resolution that accepts the amounts and rates determined by the County Budget Commission, authorizing the necessary tax levies and certifying them to the County Fiscal Officer.

Finance Director Mahoney advised that City Council approved the tax budget in July. This is the step necessary to approve the numbers. The millages have not changed. Mr. Tadych noted that the City still has approved millage that is not applied.

**Disbursement of Municipal Income Tax Funds.**

**Mr. Mace** will introduce an ordinance this evening amending Codified Ordinance 181.36 (b) which allocates the revenue of municipal income tax funds. The allocation of 98% to the General Fund, and 2% to the Accrued Benefits Fund will be changed to 94% to the General Fund, 4% to the Capital Projects Fund, and 2% to the Accrued Benefits Fund.

Finance Director Mahoney stated that the money that will be sent to the Capital Projects Fund will be for repair or replacement of equipment. Mayor Koomar stated that a portion of the funds, in the past, were allocated to the Equipment Replacement Fund. When the economy hit a low point in 2008 and 2009 the General Reserve Fund in the amount of $1.5 million was used to the point of a balance of less than $1.00. The City also held back on capital items and reallocated the municipal income tax receipts. Over the past years since that time, the General Reserve Fund has been building revenue. Last year transfers were made from the General Reserve Fund into
the Equipment Replacement Fund. From a budgeting standpoint, it is comfortable to have the 4% coming back into the Equipment Replacement Fund, which will now be known as the Capital Projects Fund.

Mr. Tadych noted that the transfers were made because there is only a certain amount of money that can be retained in the General Reserve Fund.

Mayor Koomar stated that the 4% to be allocated to the Capital Projects Fund is about $250,000 per year.

Mr. Mace asked if the Capital Projects Fund is currently in existence. Mrs. Mahoney stated that it is in existence as Fund 400. She stated that the Equipment Replacement Fund was a Special Revenue Fund. A Special Revenue Fund needs a dedicated revenue source for a dedicated expense. The Equipment Replacement Fund was not a true Special Revenue Fund, which is why they will eventually dispose of the Equipment Replacement Fund, and replace it with the Capital Projects Fund.

Mayor Koomar asked if the ordinance can be amended by reading to make the change retroactive to January 1, 2018. Mr. Tadych asked Law Director Barbour if this action would be within the law and Mr. Barbour expressed agreement with the proposal for amendment by reading.

**Sale of Personal Property.**

Mr. Winzig will introduce an ordinance this evening enacting revised Codified Section 125.29, Sale of Personal Property.

Law Director Barbour advised that there are three components to the ordinance. One component is increasing the amount of discretion granted to the respective Director. The second component is creating authority to sell obsolete or no longer needed personal property via Internet auction, which has gotten much more popular. Currently our ordinance is silent on Internet sales. The third component is permitting the respective Director to dispose of obsolete or unused equipment that has nominal or no value.

Mr. Barbour explained that because Bay Village is a Charter city, it can enact legislation that is different than the state statute which is Chapter 721.15, which is what has been done by most Charter cities. In looking at the first component, which is the amount under which you have to seek authority of Council, the City of Bay Village amount is set at $5,000. Many communities have no limit; other communities have the $5,000, and some have less. Mr. Barbour noted that even though these goods are obsolete, the way the ordinance is written at $5,000 estimated value, that can be difficult to determine and sometimes the value is higher. A way to streamline that component of the legislation is being sought, and it was the idea to ask Council if they wanted to raise the threshold to $10,000.

Mr. Barbour stated further that it has gotten more and more common to let municipalities and other governmental entities to dispose of obsolete property on the Internet. Most municipalities
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have adopted their own language that permits that type of sale. It would make sense to enact an ordinance that permits the City to use the Internet to dispose of property.

Mr. Winzig asked who would be responsible to manage the Internet sales. Mr. Barbour stated that the Director whose equipment is being sold would be responsible for all aspects of the Internet sales.

Mr. Winzig stated that Item (b) of the proposed ordinance states that personal property with “minimal or no value.” This leaves it open that the Director could determine that something had “minimal or no value” when possibly it did. Mr. Barbour stated that the question would be how much discretion will be given to the Directors. Mayor Koomar presented an example of old batting helmets used by the Recreation Department which may no longer be safe and should not be sold to another party for reuse.

Mr. Winzig noted that there is a large spread between $10,000 and zero. There is quite a bit of discretion that the Mayor will have to manage with the Directors. Mr. Barbour noted that he was surprised to learn that the City of Upper Arlington has no value limit set.

Mrs. Mahoney stated that there have been instances when Mr. Liskovec, or Fleet Manager White did not think the value would be $5,000, and the vehicle was sold for more than $5,000. Approval of Council had to be sought after the sale.

Mr. Tadych stated that he honestly thinks the $5,000 is a good number. The City of Mayfield Heights and the City of Westlake have a $1,000 limit. The amount of $5,000 is more than sufficient. It is not a time consuming endeavor to approve items over $5,000. Mr. Tadych stated he would like to keep the number at $5,000. The ordinance will be amended by reading this evening to keep the $5,000 threshold.

Mr. Tadych stated that he discussed with Mr. Liskovec the condition of the vehicles to be sold. Mr. Liskovec informed Mr. Tadych that some of those vehicles do not even run. Mr. Liskovec stated that sending a vehicle to auction may not always have the audience needed to get the true value. They try to strike a balance as to where a vehicle will be sold, based on the vehicle being sold.

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

**Ms. Maier** will introduce a motion at the Regular Meeting of Council this evening to remove the Small Cell Legislation off the list of Matters Pending before Council Committee.

**Lease Agreement with Village Bike Co-op for portion of Community House Building.**

Mr. Barbour advised that this basically the same lease that has always been in place with some minor tweaks to the language. The lease is for two years, and the rent is in the form of their share of their utilities which is approximately 36%. 
Mr. Winzig stated that the former lease agreement had the Village Bicycle Co-op responsible for part of the water bill. Mr. Barbour stated that they were not using water, so it was determined not to be included in the new lease.

Mayor Koomar noted that what the Village Bicycle Co-op does is very beneficial to the Community. Bicycles can be purchased and donated back for use by other children or adults.

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

_Ohio Public Works Commission (OPWC) Grant Application for Sunset Area Improvements._

Mrs. Stainbrook will introduce a resolution at the Regular Meeting of Council this evening authorizing the preparation and submission of an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs. Mrs. Stainbrook explained that this is the grant known as the District One Public Works Integrating Committee (DOPWIC) Grant and the application is for the capital improvements to the roads and sewers in the Sunset Area.

Mayor Koomar stated that Director of Public Service and Properties Liskovec worked while on his vacation with Administrative Project Leader Kerber on the application. Information required has been received from CT Consultants, and feedback has come in from the County Planning Commission. A letter from Jeff Foster of the Sunset Homeowners Association has been received for support to be submitted as part of the grant application. The deadline for submission is September 21, 2018.

Director Liskovec stated that preliminary rankings are announced in November, A time for appeals follows, and final awards will be announced in mid-January of 2019.

**Huntington Lift Station Pump and Motor Assembly.**

Director of Public Service and Properties Liskovec stated that in 2017 that put together for the 2022 budget funding to purchase a new pump for the Huntington Lift Station. The life of one of the existing three pumps is 40 years old and has been rebuilt several times.

Mrs. Stainbrook will introduce a motion this evening to advertise for bids for a new pump for the Huntington Lift Station.

**Columbia Road Culvert.**

A motion will be introduced by Mrs. Stainbrook this evening to advertise for bids for the Columbia Road Culvert. Director Liskovec stated that he would like to have the ability to move forward with the advertisement for bids once the engineering and all components of preparation are completed.
County 50/50 Road Program.
Mrs. Stainbrook will introduce a Resolution at the Regular Meeting of Council this evening to apply with Cuyahoga County for the 50-50 Road Resurfacing Program, specifically for Bradley Road, from Wolf Road north to the railroad tracks.

Mayor Koomar stated that the County representative has looked at Bradley Road and feels that it would be a good candidate for this 50% participation program.

Mr. Tadych asked the logic for this decision. Mr. Liskovec stated that it is based on how the winter treated that northerly section of Bradley Road. A deterioration of pavement and structure has occurred along the edges of the roadway. The County has funneled money from the increase in License Taxes back into their 50-50 Program for the 2019 season it was thought that Bradley Road would be a good fit.

Mr. Tadych asked the expected participation in funds from the City of Bay Village for 50% of the project. Mr. Liskovec stated that Bradley Road was repaved in 2000 with the County as an 80-20% program, from the railroad tracks to Lake Road at a cost of $400,000. The section now under consideration is about one-third of that total length. Mr. Liskovec speculated that the section of Bradley Road now being resurfaced as part of the 50-50% participation program would mean about $80,000 to $100,000.

Mayor Koomar stated that former Service Director Sears reviewed this when he was here and looking at the edges of the road thought the project made sense.

Mr. Tadych stated that his problem with it is that the edges aren’t as important as some of the other residential streets in the City. He would rather take that $80,000 to $100,000 and put it toward a street that needs to be done now, not in a year or two years. If we have that money for next year we should spend on some of the streets that are not in the program right now. Streets are so bad, people are having such a rough time, and the money needs to go elsewhere. Mr. Tadych noted that he drove Bradley Road three times today and recognizes that it may be a problem in two years, but would rather see the money go to some residential street that needs some attention now.

Mayor Koomar stated that it is not known if the application for the funds will be successful, but we would like to bid for it to see if it can be obtained. It is hard to pass up $100,000 of funding if it is accepted, A decision to appropriate for it or not can be made if accepted.

Mr. Winzig asked if the application is specific for Bradley Road. Mayor Koomar stated that it has to be a county road. Mr. Tadych stated that the other county roads are not too bad. Columbia Road doesn’t seem too bad south of Wolf Road. He does not think that just because we are getting free money we are doing justice to the people in the City.

Mayor Koomar said that another winter for Bradley Road will show even more wear and tear. Mr. Tadych stated that he understands that but there are streets that are now suffering that have gotten through last winter and are a problem for this winter coming up.
Committee Meeting of Council  
September 4, 2018

Mayor Koomar reiterated that it would be nice to have the option of expending funds on it or not. Mr. Tadych stated that we could even do something with the Sunset Area on a temporary basis with $100,000.

Mayor Koomar stated that if the DOPWIC Grant is not successful, we already have engineering estimates that are in the fall capital budget as a placeholder for Sunset for a temporary overlay.

Ms. Maier noted that when deterioration reaches a certain point, the road can go very quickly. Mr. Tadych suggested that crack sealing this fall or even next spring might help. Mayor Koomar would like to be able to have the option of securing the funds through the 50-50% participation program by submitting the application.

**Lake Road Crack Sealing.**

**Director of Public Service and Properties Liskovec** stated that in an effort to maintain the City roads in the best possible condition, the Crack Sealing Program is recommended on Lake Road from Columbia Road to Rocky River this year. An estimate has been received from Chagrin Valley Engineering to mill and fill approximately 17,000 square feet of deteriorating surface in that portion of Lake Road in early October. A commitment from the Ohio Department of Natural Resources has not been received regarding resurfacing that area.

Mayor Koomar stated that he has a meeting with the Ohio Department of Transportation scheduled in the next two weeks. He noted that the 17,000 square feet of Lake Road from Columbia to the Rocky River border includes bike lanes and it is felt that something needs to be done to improve the roadway. There are also some bigger sections, Clague to the Rocky River border where we would like to do the repaving,

Mr. Liskovec stated that another portion of Lake Road, from Longbeach Parkway to Avon Lake is tentatively scheduled for crack sealing in 2019. Mayor Koomar commented that this is the newest section of Lake Road and it is recommended to do crack sealing this year.

**RECREATION & PARKS IMPROVEMENT COMMITTEE - Winzig**

**Scoring Signs and Bench Addition to Coulton Tennis Courts at Bradley Road Park.**

Mr. Winzig advised that Finance Director Mahoney has presented the appropriation for the funds provided by Mr. Coulton for the tennis court signage and the bench at the Coulton Courts in Bradley Road Park.

**Report of Walker Road Park Ad Hoc Committee Meeting held August 28, 2018**

A meeting was held with the Walker Road Park Ad Hoc Committee with good representation from the team in Avon Lake as well as the Bay Village representatives. Service Director Liskovec has been working with the Avon Lake Service Director in looking at the entire drainage system for Chardon Place and Hunt Club, residential developments in Avon Lake, all the way through and along the western border, and into the basin to be sure that was operating
Committee Meeting of Council  
September 4, 2018

properly. It does seem to be operating properly now that it has been adjusted. The second question was, in the event of a substantial rainfall, what happens to the water in the retention pond, and what needs to be done. There is a recommendation to create a spillway, where, after the water reaches a certain height, that water can naturally drain. Part of the engineering study is looking at where that might go and how much volume it can take.

The third part of the project is the builder Bucky Kopf is now meeting with his Avon Lake team and he has plans to develop the northern portion of the area abutting Walker Road Park for residential use. Part of that development should be some sort of retention waterway and how will that entire system work.

Mr. Winzig stated that he believes it was a very good meeting. There was dialogue with a few residents. The project cost is estimated to be about $500,000. There is also a way to offset some of that cost with possible removal of dirt from the site to another area in Cleveland. The Service Director from Avon Lake commented that he is planning to put their portion of the project in their 2019 Budget. By this fall, we will have an opportunity to see if we would do that as well.

Mayor Koomar stated that Ms. Maier had made the administration aware of contact information of representatives working on a Clark Field Project, just south of I-490 and east of I-71. They need clean dirt for their project. It would be good to have them come in and take it away.

Mayor Koomar noted also that Hydrosphere Engineering is a firm that looked at the Kopf property earlier this year and had them cease dumping. When Hydrosphere looked at the retention pond given the changes in rainfall that we are having now, they were asked their recommendations as to how the retention pond should be sized. Their recommendation was the spillway and have it set for a 100-year flood. The Mayor noted that he is not aware of anytime through the years he has been with the City that the retention pond has crested, or anything close to it, but we want to make sure we do the project right. The current developments are putting in large retention basins that will take the water that will eventually flow north. The whole idea is if you have enough retention that the water will slowly migrate down, it will not negatively affect the Walker Road Park retention basin. Avon Lake Service Director Joe Reitz was great to work with when meeting with him regarding the developments in Avon Lake.

A follow-up meeting of the Walker Road Park Ad Hoc meeting will be held in the near future.

Mr. Tadych noted that the one question he had at the meeting was how much an inch of water in the retention basin meant in terms of water volume. After the meeting, Hydrosphere Engineering advised Mr. Tadych that one inch of water represents 364,500 gallons of water. We have nine inches to crest, and this adjustment will help that problem.

Mayor Koomar commented that there is a low section in the retention pond. The section to the north that goes towards the parking lot is the lower section.

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

**City Computer Server System, Review of Bids.**
Ms. DeGeorge will present a resolution authorizing the purchase of a Computer Server System for the City of Bay Village. Mr. Kris Oswald of Bailey Communications spoke earlier in the meeting in review of the bids.

Northeast Ohio Public Energy Council (NOPEC) Reimbursement Program.

Ms. DeGeorge reported that an appropriation ordinance to be introduced this evening will include funds from a Northeast Ohio Public Energy Council (NOPEC) award received by the City. The money will be used toward new LED lighting which will reduce electric consumption.

Disposal of unwanted/obsolete equipment from fleet inventory.

Ms. DeGeorge will present a motion to send five vehicles to auction that are no longer usable by the Service Department.

Mr. Tadych stated that it would be good to see a potential auction value of the vehicles to be sold when the list is prepared.

AUDIENCE

There were no comments from the audience this evening.

MISCELLANEOUS

Mr. Winzig stated that Council has received information about environmental grant workshops. Mayor Koomar stated that Kathryn Kerber will be attending those informational gathering opportunities.

There being no further discussion, the meeting adjourned at 9:12 p.m.

______________________________   ____________________________
David L. Tadych, Vice President of Council          Joan Kemper, Clerk of Council
OVERVIEW

1. Action Requested
Complaint made by resident about vehicles parking on the curved section of Walmar, creating bottleneck of one lane in an area with limited sight distance. This occurs most often when there are many attendees of events occurring in Bradley Park. Request “No Parking Between Signs” posted on the west side of Walmar, starting just south of 520 Walmar and extending approximately 210 feet southward.

2. Previous Action
Lt. Calvin E. Holliday of the Bay Village Police Department viewed the area and determined the complaint to be valid.

3. Background/Justification for Current Action
Lt. Calvin E. Holliday discussed the topic with Chief Mark A. Spaetzel, who agreed that this is a public safety issue that needs City Council approval.

4. Financial Impact
There is limited financial impact for the costs of posts, signs and installation.

5. Affected Parties
Residents of the area and those who traverse the street

6. Implementation Plan
If council approves the additional of the no parking signs, signs will be created and placed as soon as service is able.

7. High-Level Timeline/Schedule
Installation within 2-3 weeks of passage.
# APPROVAL AND AUTHORITY TO PROCEED

We approve the project as described above, and authorize the team to proceed.

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Spaetzel</td>
<td>Chief of Police</td>
<td>08-24-18</td>
</tr>
</tbody>
</table>

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Approved By ______________________  Date ___________
RESOLUTION NO. 18-3
INTRODUCED BY: Mr. Mace

A RESOLUTION
AUTHORIZING THE FILING OF AN APPLICATION AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE 2017 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the purpose of the 2017 Assistance to Firefighters Grant Program is to award one-year grants directly to fire departments of a State to enhance their abilities with respect to fire and fire-related hazards; and

WHEREAS, the funds received through this grant will be used to replace the Self-Contained Breathing Apparatus (SCBA) and associated Equipment; and

WHEREAS, funding for the purchase of this equipment is available through the Federal Emergency Management Agency’s U.S. Fire Administration 2017 Assistance to Firefighters’ Grant Program by a cost-share equal to 5% (maximum $12,000) of the total project cost not to exceed $240,000; and

WHEREAS, the deadline for the 2017 application for said grant is February 2, 2017;

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

SECTION 1. That Council hereby authorizes the filing of an application for and, if awarded, to enter into an agreement with the Federal Emergency Management Agency to administer the 2017 Assistance to Firefighters Grant, and that the Mayor is authorized to sign said agreement.

SECTION 2. That the Mayor hereby requests the Federal Emergency Management Agency to consider and fund its application project.

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 committees 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 reason that it is immediately necessary to file said application in a timely manner, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: January 22, 2018

[Signature]
President of Council
Joanie and Kathryn,

Can you please prepare a resolution for 2 blocks of sidewalk replacement located at P.P. 204-16-031. Wolf Rd.

Hopefully this is all you need.

Thanks,

Bob Lyons

Property Maintenance Inspector
Ph. 440-899-3481
Fax 440-871-5751
blyons@cityofbayvillage.com
Mr. Christopher Lyons  
Bay Village Fire Department  
28100 Wolf Road  
Bay Village, Ohio  44140-2023

Re: Award No.EMW-2017-FO-04197

Dear Mr. Lyons:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2017 Assistance to Firefighters Grant has been approved in the amount of $137,048.00. As a condition of this award, you are required to contribute a cost match in the amount of $6,852.00 of non-Federal funds, or 5 percent of the Federal contribution of $137,048.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2017 Assistance to Firefighters Grant Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov). As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at https://www.sam.gov/portal/public/SAM/. It is your entity’s responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

**Step 1:** Please go to https://portal.fema.gov to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says Update 1199A in the Action column. Click this link. This link will take you to the SF-1199A, Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and keep the original form in your grant files. Once approved you will be able to request payments online.

If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.
Sincerely,

[Signature]

Thomas George DiNanno
GPD Assistant Administrator
Summary Award Memo

INSTRUMENT: GRANT
AGREEMENT NUMBER: EMW-2017-FO-04197
GRANTEE: Bay Village Fire Department
DUNS NUMBER: 144988107
AMOUNT: $143,900.00, Operations and Safety

Project Description

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

Period of Performance

27-AUG-18 to 26-AUG-19

Amount Awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

<table>
<thead>
<tr>
<th>Object Class</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
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<tr>
<td>Fringe Benefits</td>
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<td>Travel</td>
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<td>Equipment</td>
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<td>Supplies</td>
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<td>Construction</td>
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<tr>
<td>Other</td>
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<tr>
<td>Indirect Charges</td>
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<tr>
<td>State Taxes</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$143,900.00</strong></td>
</tr>
</tbody>
</table>

NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)
The Program Office has made the following reductions to your grant:
Funding is not approved for the items requested under the Equipment activity.
Funding is not approved for the grant-writer's fee.
Therefore, they have recommended the award at this level:
Total budget $143,900
Federal share $137,048
Applicant share $6,852

If you have any questions about your award package, please contact your GPD Grants Management Specialist: Sharon Cargo at Sharon.Cargo@fema.dhs.gov.
FEMA Officials

**Program Officer:** The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

**Grants Assistance Officer:** The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

**Grants Operations POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

**ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)**
AGREEMENT ARTICLES

ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - Operations and Safety

GRANTEE: Bay Village Fire Department

PROGRAM: Operations and Safety

AGREEMENT NUMBER: EMW-2017-FO-04197

TABLE OF CONTENTS

The FY 2017 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2017. The DHS financial assistance awards terms and conditions flow down to subrecipients, unless a particular award term or condition specifically indicates otherwise.

Article I. Assurances, Administrative Requirements, Cost Principles, and Audit Requirements

DHS financial assistance recipients must complete either the OMB Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at 2 C.F.R. Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article II. DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.

2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.

3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

5. If, during the past three years, recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the DHS Office of Civil Rights and Civil
6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

Article III. Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to firegrants@dhs.gov.

Article IV. Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article V. Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article VI. Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (Title 42 U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article VII. Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

Article VIII. Animal Welfare Act of 1966

Where applicable, recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

Article IX. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

Article X. Civil Rights Act of 1964 - Title VI

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.
Article XI. Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units, i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) be designed and constructed with certain accessible features. (See 24 C.F.R. § 100.201.)

Article XII. Contract Provisions for Non-federal Entity Contracts under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the recipient under the Federal award must contain provisions as required by Appendix II of 2 C.F.R. Part 200, Contract Provisions for Non-Federal Entity Contracts Under Federal Awards, including but not limited to the following:

a. Contracts for more than the simplified acquisition threshold set at $150,000.

All recipients who have contracts exceeding the acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

b. Contracts in excess of $10,000.

All recipients that have contracts exceeding $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Article XIII. Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XIV. Debarment and Suspension

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XV. Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article XVI. Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.), which requires all organizations receiving grants from any federal agency agree to maintain a drug-free workplace. You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 C.F.R part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101-8107).

Article XVII. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XVIII. Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX
All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

**Article XIX. Energy Policy and Conservation Act**

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued with this Act.

**Article XX. Environmental Planning and Historic Preservation Screening**

AFG funded activities that may require an EHP review, involving the installation or requiring renovations to facilities, including but not limited to air compressor/fill station/cascade system (Fixed) for filling SCBA, air improvement systems, alarm systems, antennas, gear dryer, generators (Fixed), permanently mounted signs, renovations to facilities, sprinklers, vehicle exhaust systems (fixed) or washer/extractors are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to our Department of Homeland Security/Federal Emergency Management Agency website at: https://www.fema.gov/library/viewRecord.do?id=6906. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

**Article XXI. False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of 31 U.S.C. § 3729-3733 which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.)

**Article XXII. Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

**Article XXIII. Federal Leadership on Reducing Text Messaging while Driving**

All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

**Article XXIV. Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.

**Article XXV. Hotel and Motel Fire Safety Act of 1990**


**Article XXVI. Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov.
Article XXVII. **Lobbying Prohibitions**

All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action concerning the award or renewal.

Article XXVIII. **National Environmental Policy Act**

All recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXIX. **Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. All recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participation of faith-based organizations in individual DHS programs.

Article XXX. **Non-supplanting Requirement**

All recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXXI. **Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article XXXII. **Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act; Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article XXXIII. **Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than $150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XXXIV. **Procurement of Recovered Materials**

All recipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXXV. **Protection of Human Subjects**

Where applicable, recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The
use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

Article XXXVI. Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XXXVII. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds $10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXVIII. Reporting Subawards and Executive Compensation

All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXIX. SAFECOM

All recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XL. Terrorist Financing

All recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XLI. Trafficking Victims Protection Act of 2000

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) as amended by 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference in the award terms and conditions.

Article XLII. Universal Identifier and System of Award Management (SAM)

All recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference in the terms and conditions.

Article XLIII. USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c.

Article XLIV. Use of DHS Seal, Logo and Flags

All recipients must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XLV. Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.
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<tr>
<th>1a. AGREEMENT NO.</th>
<th>2. AMENDMENT NO.</th>
<th>3. RECIPIENT NO.</th>
<th>4. TYPE OF ACTION</th>
<th>5. CONTROL NO.</th>
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<td>0</td>
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<td>AWARD</td>
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<tr>
<th>6. RECIPIENT NAME AND ADDRESS</th>
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<tbody>
<tr>
<td>Bay Village Fire Department</td>
</tr>
<tr>
<td>28100 Wolf Road</td>
</tr>
<tr>
<td>Bay Village</td>
</tr>
<tr>
<td>Ohio, 44140-2023</td>
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<tr>
<th>7. ISSUING OFFICE AND ADDRESS</th>
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<tbody>
<tr>
<td>Grant Programs Directorate</td>
</tr>
<tr>
<td>500 C Street, S.W.</td>
</tr>
<tr>
<td>Washington DC, 20528-7000</td>
</tr>
<tr>
<td>POC: Andrea Day</td>
</tr>
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<tr>
<th>8. PAYMENT OFFICE AND ADDRESS</th>
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<tbody>
<tr>
<td>FEMA, Financial Services Branch</td>
</tr>
<tr>
<td>500 C Street, S.W., Room 723</td>
</tr>
<tr>
<td>Washington DC, 20472</td>
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<table>
<thead>
<tr>
<th>9. NAME OF RECIPIENT PROJECT OFFICER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Lyons</td>
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</table>

<table>
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<tr>
<th>10. NAME OF PROJECT COORDINATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catherine Patterson</td>
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<th>11. EFFECTIVE DATE OF THIS ACTION</th>
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<td>27-AUG-18</td>
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<th>12. METHOD OF PAYMENT</th>
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<td>SF-270</td>
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<th>13. ASSISTANCE ARRANGEMENT</th>
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<td>Cost Sharing</td>
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<th>14. PERFORMANCE PERIOD</th>
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<th>15. DESCRIPTION OF ACTION</th>
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<td>a. (Indicate funding data for awards or financial changes)</td>
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<tr>
<td>PROGRAM NAME ACRONYM</td>
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<tr>
<td>---------------------</td>
</tr>
<tr>
<td>AFG</td>
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<tr>
<td>TOTALS</td>
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</table>

| b. To describe changes other than funding data or financial changes, attach schedule and check here. |
| N/A |

| 16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) |
| Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records. |

| 16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN |
| This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above. |

<table>
<thead>
<tr>
<th>17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)</th>
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<tr>
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<tr>
<th>18. FEMA SIGNATORY OFFICIAL (Name and Title)</th>
</tr>
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<tbody>
<tr>
<td>Andrea Day</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE</th>
<th>DATE</th>
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<tbody>
<tr>
<td>N/A</td>
<td>21-AUG-18</td>
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OVERVIEW

1. Action Requested
   Appropriate funds to make the purchases associated with the FY2017 FEMA Assistance to Firefighters Grant award.

2. Previous Action
   Council approved application for this Grant on 2018-01-29 via Resolution 18-3.

3. Background/Justification for Current Action
   FEMA announced that we were awarded funding on 2018-09-07.

4. Financial Impact
   FEMA grant award totals $137,048.00. It is a reimbursement grant, which means that we must spend the funds first and request reimbursement from FEMA. City share of the grant is $6,852.00

5. Affected Parties

6. Implementation Plan
   The Fire Department will have the grant fully implemented within the grant performance period of 1 year, likely sooner, as the equipment being purchased through this grant needs to be in service by 2019.

7. High-Level Timeline/Schedule
   We would like to get quotes and proceed with purchasing as soon as practical.
OVERVIEW

1. Action Requested
   Approve an Agreement with Cuyahoga County to accept funding from the Cuyahoga County Department of Public Safety and Justice Services to cover the City share of the FY2017 FEMA Assistance to Firefighters Grant award ($6,852.00)

2. Previous Action

3. Background/Justification for Current Action

4. Financial Impact
   The local matching funds available from the County will save the City $6,852.00

5. Affected Parties

6. Implementation Plan
   Process will be implemented according to the attached email.

7. High-Level Timeline/Schedule
AGREEMENT
between
CUYAHOGA COUNTY
and
CITY OF BAY VILLAGE
for
FY2017 ASSISTANCE TO FIREFIGHTERS GRANT
LOCAL MATCH FUNDS

THIS AGREEMENT entered into and effective this December 1, 2018, by and between the County of Cuyahoga, Ohio a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof, on behalf of the Department of Public Safety and Justice Services (the “COUNTY”), and the City of Bay Village, on behalf of the City of Bay Village Fire Department (hereinafter called the “CITY”) a municipality and a political subdivision of the State of Ohio located at 28100 Wolf Road. Bay Village, OH 44140, pursuant to the authority of Ordinance.

RECITALS:

WHEREAS, the COUNTY has allocated funding to the Department of Public Safety and Justice Services to assist Cuyahoga County communities in securing federal funds by providing local non-federal matching funds for State and Federal public safety initiatives that will enhance community capabilities and for public safety organizations within Cuyahoga County; and

WHEREAS the Federal Emergency Management Agency (FEMA) has awarded the FY2017 Assistance to Firefighters Grant (hereinafter called the “FY17 AFG”) to the CITY for the purpose of funding the Operations and Safety Program, which provides Personal Protective Equipment for the CITY’S fire services (the “Program”); and

WHEREAS, the purpose of this agreement is for the COUNTY to provide the local non-federal matching funds to the CITY for execution of the Program: and

WHEREAS, this Agreement includes the following documents which are incorporated in this Agreement as fully rewritten herein:

- FY 2017 Assistance to Firefighters Grants Notice of Funding Opportunity (Attachment I)
- FY 2017 Assistance to Firefighters Grant Award to CITY (Attachment II)
• Financial Report (Exhibit A);

WHEREAS, it is necessary that the COUNTY and the CITY enter into an agreement in order to carry out the Operations and Safety Program set forth in Attachment I and Attachment II.

NOW, THEREFORE, the parties hereby agree as follows:

I. SCOPE OF SERVICE
   A. The CITY shall comply with the requirements set forth in Attachment I and Attachment II, during the period from December 1, 2018 through and including October 31, 2019, or as amended by approved formal request for a grant period change, program modification or grant extension. Any changes in, or deviations from the requirements in Attachment I and Attachment II must be set forth in writing and approved by the Federal Emergency Management Agency and the COUNTY prior to implementation.
   B. The COUNTY agrees to match a certain percentage of the CITY’s contribution to the implementation of the Program, as further described in Attachment II and the provisions of this Agreement (the “Match”).

II. COMPENSATION
   A. REIMBURSEMENT
      1. The COUNTY shall reimburse the CITY for expenses allowable under the FY16 AFG that have been incurred by the CITY during the implementation of the Program. The COUNTY agrees to reimburse the CITY for such expenses only out of funds allocated to match State or Federal awards in Cuyahoga County, which in no event shall exceed Six Thousand Eight Hundred Fifty-Two Dollars ($6,852.00).
      2. Reimbursement will occur after the COUNTY has received the financial report (Exhibit A), copies of invoices and copies of proof of payment signed by the CITY indicating approval and acceptance of goods and/or services. In no event shall any expenditure by the CITY be reimbursed unless said expenditure is included in the financial report and proper documentation is submitted by the CITY and approved by the COUNTY. Following approval of the amount requested for reimbursement, the COUNTY shall issue a warrant to the CITY for the total Match percentage of an approved invoice within thirty (30) business days.
      3. The CITY may submit reimbursement request forms once the goods and/or services are received, invoiced, and paid by the CITY.
      4. The COUNTY may withhold reimbursements if the CITY has been found and notified of non-compliance status with federal, state and/or COUNTY requirements, regulations and/or conditions set forth in this Agreement.
      5. The CITY is responsible for returning any funds that they have liquidated but remain unobligated by the CITY. Deobligation of funds will decrease the federal portion of the grant and the amount of the COUNTY’s cost share Match obligation to the CITY.
      6. Reimbursement payment requests shall only be for obligations that were incurred within the active period of performance of the FY17 AFG award. The CITY’s request will contain clear and specific information certifying that the liquidation of
federal and/or match funds is reimbursement for an obligation properly incurred during the active period of performance.

7. All FY17 AFG Match funding requests made to the COUNTY will be processed and provided only for goods and/or services already received and paid for by the CITY. All FY17 AFG Match fund requests for reimbursement submitted to the COUNTY must include appropriate proof that the CITY has received that portion of Match funded deliverables proportionally offset by the CITY’s receipt of an equivalent federal portion of deliverables procured and received during the performance period and for which FEMA has already reimbursed the recipient.

III. AUDITS

A. Access to records
To the extent permitted by law, the COUNTY and the Federal Emergency Management authorized representatives shall have access during business hours for the purpose of audit and examination of any books, papers, program site, staff, clients, and records of the CITY that are pertinent to the FY17 AFG. The COUNTY shall provide the CITY with two (2) days advance written notice of the intent to audit.

B. Final Audit

1. Final audit of the FY17 AFG shall be made by the Auditor of the State at each level of local government in accordance with standard time schedules. The CITY agrees to cooperate with Federal, State, and local auditing requirements and comply with standards, procedures, and reasonable schedules whether the audit be general, full-scope, financial, compliance, performance, total entity, or other, in accordance with Federal Government Accountability Office (GAO) reporting standards, Grant Conditions GA-110-SC-85, JA/JJ 110-SC-75-1, and the applicable requirements of Federal Office of Management and Budget (OMB) circulars A-27, A-87, A-102, A-110, and A-133. The COUNTY shall provide the CITY with two (2) days advance written notice of the intent to audit.

2. In the event of a state and/or federal audit of COUNTY records concerning this grant project, the COUNTY will provide the CITY with a copy of findings for recovery related to the CITY’s expenditures under this Agreement, so that the CITY shall have an opportunity to submit a written response to said findings. The CITY shall be liable to the COUNTY for the return of all unexpended funds or disallowed expenditures as a result of an audit finding. The CITY shall be liable to the COUNTY for findings of recovery made as the result of a state or federal audit.

IV. REPORTING REQUIREMENTS

A. Financial Reports
The CITY shall furnish to the COUNTY the financial report (Exhibit A) accompanied with back-up documentation describing the expenditure of funds for any and all reimbursement requests submitted to the COUNTY.

V. NOTICES
Any reports, notices, invoices or communications required in this Agreement shall be sufficient if sent by the parties via United States Mail, postage paid, to the addresses noted below:

CITY: City of Bay Village  
Attn: Fire Chief Christopher Lyons  
28100 Wolf Road  
Bay Village, OH 44140

COUNTY: Cuyahoga County Department of Public Safety and Justice Services  
Attn: Dennis Waina, Program Officer  
2079 East Ninth Street, Suite 5-200 Cleveland, Ohio 44115

or at such other address as the COUNTY may have designated by written notice to the CITY.

VI. TERMINATION
A. This Agreement shall terminate on the expiration date stated below, provided that termination does not affect the COUNTY’s obligation to pay the CITY for pending purchases or the COUNTY’s obligation to fulfill the COUNTY’s requirements as described in the grant conditions. This Agreement will not be terminated by either party without cause.
B. In the event the FEMA disapproves the grant award, or for any reason reduces, or discontinues the grant of funds thereby causing the CITY to receive a lesser amount of funds than specified by this Agreement, then the COUNTY reserves the right to reduce, or cancel this Agreement.
C. This Agreement may be terminated for failure to meet the terms of this Agreement, or the failure of the Program to meet its service/grant objectives and obligations. The COUNTY will notify the CITY in writing when corrective action is required. The CITY will commence the recommended corrective action(s) within thirty (30) days after notice. Failure to commence corrective action may result in a delay, or disallowed reimbursement, and the termination of the Agreement.

VII. TERM
This Agreement will be effective on December 1, 2018, and unless sooner terminated under the terms of this Agreement, will terminate on October 31, 2019.

VIII. NON-DISCRIMINATION
The CITY agrees to provide the Program services without discrimination on account of race, sex, color, religion, national origin, age, occupation, physical or mental disability, or veteran status, to the extent required by law. The parties agree that discrimination and affirmative action clauses contained in Executive Order 11246, as amended by Executive Order 11375, relative to Equal Employment Opportunity for all persons without regard to race, color, religion, sex or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor in Title 41, Part 60 or the Code of Federal Regulations, are incorporated into this Agreement to the extent binding upon the CITY.
IX. COMPLIANCE WITH THE LAW
Performance under this Agreement shall be in compliance with all applicable Federal, State, County and City laws, regulations, circulars, rules, and ordinances.

X. PROTECTION OF CONFIDENTIAL INFORMATION
This Agreement including the attachment(s) and exhibit(s) may contain confidential information that should not be disclosed. Any party reviewing requests for information concerning this Agreement under the Ohio Public Records Law or the Freedom of Information Act must consult with the Cuyahoga COUNTY Prosecutors Office before releasing or reproducing confidential information. This section is not meant to encourage non-compliance with the Ohio Public Records Law.

XI ENTIRE AGREEMENT
This Agreement constitutes the full and complete understanding between the parties concerning the non-federal local matching funds. This Agreement shall not be amended except by a written instrument signed by both parties in accordance with the law.

XII. MISCELLAEOUS
A. Assignment. The CITY shall not delegate, assign, sublet or transfer its duties or interest in this Agreement without the written consent of the other party.

B. Governing Law and Jurisdiction. This Agreement shall be governed by and construed under the laws of the State of Ohio without regard to conflicts of law provisions. The parties agree that the state and federal courts sitting in Ohio will have exclusive jurisdiction over any claim arising out of this Agreement, and each party consents to the exclusive jurisdiction of such courts. The CITY hereby agrees not to challenge any provision in this Agreement, including this Governing Law and Jurisdiction section, and not to attempt to remove any legal action outside of Cuyahoga County for any reason.

C. No Apparent Authority/Proper Approvals. The CITY recognizes and agrees that no public official or employee of Cuyahoga County may be deemed to have apparent authority to bind the County to any contractual obligations not properly authorized pursuant to the County Code.

D. Applicable County Ordinances. All COUNTY contracts/agreements, including this Agreement, are subject to the Cuyahoga County Code including, but not limited to, Title 4 pertaining to Cuyahoga County Ethics and the Inspector General, and Title 5 pertaining to Cuyahoga County Contracting and Purchasing Procedures. The County Code is available on the County Council’s web site at http://council.cuyahogacounty.us/.

E. Counterparts and Facsimile/Electronic Execution. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of which, taken together, shall constitute one and the same instrument. Delivery of an executed counterpart of a signature page of this Agreement (and each amendment, modification and waiver in respect of it) by facsimile or other electronic transmission,
including email, shall be as effective as delivery of a manually executed original counterpart of each such instrument.

F. **Severability.** If any provision of this Agreement is invalid or unenforceable for any reason, this Agreement shall be divisible as to such provision and the remainder of this Agreement shall be and remain valid and binding as though such provision was not included.

G. **Public Records.** All parties hereto acknowledge that COUNTY is a political subdivision in the State of Ohio and as such is subject the Ohio Revised Code and other law related to the keeping and access to Public Records, including any and all applicable Sunshine Laws, open meeting requirements, and retention schedules effecting any and all manner of communication with the COUNTY and any and all documents in any format or media.

H. **BY ENTERING INTO THIS AGREEMENT, THE CITY AGREES ON BEHALF OF THE CONTRACTING, OR SUBMITTING BUSINESS ENTITY, ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, SUBGRANTEES, AGENTS, OR ASSIGNS, TO CONDUCT THIS TRANSACTION BY ELECTRONIC MEANS BY AGREEING THAT ALL DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. THE CITY ALSO AGREES ON BEHALF OF THE AFOREMENTIONED ENTITIES AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.

(Signature Page to Follow)
IN WITNESS WHEREOF, the COUNTY and the CITY have executed and delivered this Agreement as of the date first above written.

CITY OF BAY VILLAGE

_____________________________  _______________
Authorized Signature    Date

_____________________________
Print Name

COUNTY OF CUYAHOGA, OHIO

______________________________ _______________
Armond Budish, County Executive  Date

The legal form and correctness
Of this Contract is hereby approved:
Law Department
County of Cuyahoga, Ohio
Director of Law

By: ____________________________
   Assistant Director of Law

Name: __________________________

Date: ___________________________
OVERVIEW

1. Action Requested
   Appropriate funds to make the purchases associated with the FY2017 FEMA Assistance to Firefighters Grant award.

2. Previous Action
   Council approved application for this Grant on 2018-01-29 via Resolution 18-3.

3. Background/Justification for Current Action
   FEMA announced that we were awarded funding on 2018-09-07.

4. Financial Impact
   FEMA grant award totals $137,048.00. It is a reimbursement grant, which means that we must spend the funds first and request reimbursement from FEMA. City share of the grant is $6,852.00

5. Affected Parties

6. Implementation Plan
   The Fire Department will have the grant fully implemented within the grant performance period of 1 year, likely sooner, as the equipment being purchased through this grant needs to be in service by 2019.

7. High-Level Timeline/Schedule
   We would like to get quotes and proceed with purchasing as soon as practical.
CITY OF BAY VILLAGE
AGENDA REQUEST
SEPTEMBER 11, 2018

OVERVIEW

1. Action Requested
   Appropriate $8,000 to allow for purchase and installation of Phase I of Bradley Park Playground.

2. Previous Action
   Council appropriated $20,000 in 2018 Budget

3. Background/Justification for Current Action
   - The Drumms have raised $4,484 in fundraising to date.
   - Total cost of Phase I is $32,307. To move forward with Phase I necessary to appropriate additional $8,000.
   - Hoping installation of Phase I will spark more fundraising interest for Phases II and III.

4. Financial Impact
   - Suggest appropriating additional money from Fund 490 – Public Improvements where original $20,000 was appropriated.

5. Affected Parties
   - Neighborhood around Bradley Park

6. Implementation Plan
   - City Service employees will plan to install after leaf season.
   - Finance will submit $27,823 to Bay Village Foundation where the fundraising funds currently are maintained and the Village Foundation will execute purchase of equipment from Playworld.

7. High-Level Timeline/Schedule
   - Equipment to be ordered as soon as appropriation approved
   - Installation to be completed in early December
<table>
<thead>
<tr>
<th>Item Code</th>
<th>Description</th>
<th>Qty</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ZZXX0151</td>
<td>SPINAMI</td>
<td>1.0 Unit</td>
<td>$4,457.00</td>
<td>$4,457.00</td>
</tr>
<tr>
<td>ZZXX0349</td>
<td>UNITY SPINR - W/ 2 ACCESSIBLE SEATS</td>
<td>1.0 Unit</td>
<td>$8,621.00</td>
<td>$8,621.00</td>
</tr>
<tr>
<td>ZZXX0465</td>
<td>PLAYWEB LITE</td>
<td>1.0 Unit</td>
<td>$12,870.00</td>
<td>$12,870.00</td>
</tr>
<tr>
<td>ZZXX0468</td>
<td>PLAYWEB LITE - IN GROUND MOUNT KIT</td>
<td>1.0 Unit</td>
<td>$246.00</td>
<td>$246.00</td>
</tr>
<tr>
<td>Freight</td>
<td>Shipping Charges are estimated and are subject to actual shipping charges incurred at time of shipment.</td>
<td>1.0 Unit</td>
<td>$1,400.00</td>
<td>$1,400.00</td>
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<tr>
<td>Installation Charges</td>
<td>Installation Charges for Supervisor</td>
<td>1.0 Unit</td>
<td>$1,250.00</td>
<td>$1,250.00</td>
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<tr>
<td>Customer Discount</td>
<td>Customer Discounts</td>
<td>1.0 Unit</td>
<td>$-3,265.00</td>
<td>$-3,265.00</td>
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<tr>
<td>ZZXX0197</td>
<td>TEETER TUNNEL SEE-SAW W/ PERF TOP RETROFIT</td>
<td>1.0 Unit</td>
<td>$6,728.00</td>
<td>$6,728.00</td>
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</tbody>
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Subtotal: $32,307.00
Total: $32,307.00
To make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2018
as previously appropriated in annual appropriations 17-96, 18-5, 25, 18-30, 49, 57 and 18-66.

NOW, THEREFORE, be it ordained by the Council of the City of Bay Village, State of Ohio:

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2018, the following sums are hereby set aside and appropriated from the funds herein specified as follows:

Section 2: That there be appropriated, transferred, and advanced from the following funds, as further detailed in the Schedules attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein:

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>General Fund - 100</th>
<th>Special Revenue Fund Group - 200</th>
<th>Debt Service Fund Group - 300</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total General Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td></td>
<td>$ 12,319,837</td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td></td>
<td>$ 12,319,837</td>
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<td></td>
</tr>
<tr>
<td>100</td>
<td></td>
<td>$ 12,319,837</td>
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<td></td>
</tr>
</tbody>
</table>

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO. 18-
By: Mr. Tadych
<table>
<thead>
<tr>
<th>Capital Project Fund Group - 400</th>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
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<tbody>
<tr>
<td>400 General Capital Improvement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>859,001</td>
<td>-</td>
<td>859,001</td>
</tr>
<tr>
<td>480 Walker Road Park</td>
<td>-</td>
<td>220</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>220</td>
</tr>
<tr>
<td>490 Public Improvement</td>
<td>-</td>
<td>-</td>
<td>52,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>52,000</td>
</tr>
<tr>
<td>494 Infrastructure Improvements</td>
<td>-</td>
<td>-</td>
<td>86,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>194,630</td>
</tr>
<tr>
<td>495 Municipal Building Improvements</td>
<td>-</td>
<td>-</td>
<td>91,500</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>111,185</td>
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<tr>
<td>496 Public Building Roof Improvements</td>
<td>-</td>
<td>26,624</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>26,624</td>
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<tr>
<td>400 Total Capital Project Fund Group</td>
<td>$-</td>
<td>$46,529</td>
<td>$1,088,501</td>
<td>-</td>
<td>$108,630</td>
<td>$1,243,660</td>
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</table>

<table>
<thead>
<tr>
<th>Enterprise Fund Group - 500</th>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>520 Pool</td>
<td>$231,730</td>
<td>$131,600</td>
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<td>-</td>
<td>398,330</td>
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<tr>
<td>580 Sewer</td>
<td>$899,565</td>
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<td>-</td>
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<td>2,481,858</td>
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<tr>
<td>500 Total Enterprise Fund Group</td>
<td>$1,131,295</td>
<td>$1,591,393</td>
<td>$157,500</td>
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<td>-</td>
<td>-</td>
<td>2,880,188</td>
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<table>
<thead>
<tr>
<th>Internal Service Fund Group - 600</th>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>600 Health Insurance</td>
<td>$1,339,700</td>
<td>$-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1,339,700</td>
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<tr>
<td>601 General Insurance</td>
<td>$173,100</td>
<td>$-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>173,100</td>
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<tr>
<td>602 Workers Compensation</td>
<td>$109,020</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>109,020</td>
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<tr>
<td>600 Total Internal Service Fund Group</td>
<td>$1,448,820</td>
<td>$173,100</td>
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<td>-</td>
<td>1,621,820</td>
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<table>
<thead>
<tr>
<th>Trust Fund Group - 800</th>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>801 Unclaimed Monies</td>
<td>$2,000</td>
<td>$-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2,000</td>
</tr>
<tr>
<td>820 Cahoon Memorial</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>830 Cahoon Library</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>840 Waldeck</td>
<td>$6,200</td>
<td>$-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6,200</td>
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<tr>
<td>860 Owyer</td>
<td>$5,000</td>
<td>$-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
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<tr>
<td>800 Total Trust Fund Group</td>
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<td>$13,200</td>
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<td>13,200</td>
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<table>
<thead>
<tr>
<th>Deposit Fund Group - 900</th>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>930 Building Deposits</td>
<td>$-</td>
<td>$30,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>30,000</td>
</tr>
<tr>
<td>931 Security Deposits</td>
<td>$-</td>
<td>$22,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>22,000</td>
</tr>
<tr>
<td>900 Total Deposit Fund Group</td>
<td>$-</td>
<td>$52,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>52,000</td>
</tr>
<tr>
<td>Grand Total All Funds</td>
<td>$13,420,885</td>
<td>$11,880,615</td>
<td>$2,373,197</td>
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<td>$1,096,303</td>
<td>$28,771,000</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Itemized list of Transfers and Advances by Fund</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund to Parks and Recreation</td>
<td>$400,000</td>
<td></td>
</tr>
<tr>
<td>General Fund to Community Gym</td>
<td>$8,812</td>
<td></td>
</tr>
<tr>
<td>General Fund to Street Construction</td>
<td>$425,000</td>
<td></td>
</tr>
<tr>
<td>General Fund to Bay Family Services</td>
<td>$46,361</td>
<td></td>
</tr>
<tr>
<td>General Fund to Fire Pension</td>
<td>$100,000</td>
<td></td>
</tr>
<tr>
<td>General Fund to Grants Fund</td>
<td>$7,500</td>
<td></td>
</tr>
<tr>
<td>Total Transfers</td>
<td>$987,673</td>
<td></td>
</tr>
<tr>
<td>Infrastructure Improvement to General Capital</td>
<td>$108,630</td>
<td></td>
</tr>
<tr>
<td>Total Advances and Advance Repayments</td>
<td>$108,630</td>
<td></td>
</tr>
<tr>
<td>Total Transfers and Advances</td>
<td>$1,096,303</td>
<td></td>
</tr>
</tbody>
</table>
Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2018 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund). For any Capital Project Funds (400 Series) the appropriation herein approved shall lapse only upon completion of all specified projects; therefore, any appropriation balance unexpended at the end of the fiscal year shall be carried forward to subsequent fiscal years.

Section 5: That 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 any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

Section 6: 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 reason that it is necessary for the current operation of the City, and therefore shall take effect immediately upon its enactment and approval by the Mayor.

PASSED:

__________________________________________________________________________

PRESIDENT OF COUNCIL

__________________________________________________________________________

CLERK OF COUNCIL

__________________________________________________________________________

MAYOR

__________________________________________________________________________

DATE
## EXHIBIT "A"

### SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND

<table>
<thead>
<tr>
<th>Department</th>
<th>Personal Equipment Service</th>
<th>Other</th>
<th>Equipment Replacement</th>
<th>Transfers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>$64,400.00</td>
<td>$13,850.00</td>
<td>$5,058.00</td>
<td>-</td>
<td>$83,308.00</td>
</tr>
<tr>
<td>Clerk of Council</td>
<td>$58,230.00</td>
<td>$875.00</td>
<td>-</td>
<td>-</td>
<td>$59,105.00</td>
</tr>
<tr>
<td>Mayor</td>
<td>$243,200.00</td>
<td>$10,000.00</td>
<td>$1,000.00</td>
<td>-</td>
<td>$254,200.00</td>
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<tr>
<td>Law</td>
<td>$156,783.00</td>
<td>$92,950.00</td>
<td>-</td>
<td>-</td>
<td>$249,733.00</td>
</tr>
<tr>
<td>Finance</td>
<td>$247,500.00</td>
<td>$29,450.00</td>
<td>$1,200.00</td>
<td>-</td>
<td>$278,150.00</td>
</tr>
<tr>
<td>Taxation</td>
<td>-</td>
<td>192,000.00</td>
<td>-</td>
<td>-</td>
<td>192,000.00</td>
</tr>
<tr>
<td>General Administration</td>
<td>$209,585.00</td>
<td>$499,082.00</td>
<td>$5,500.00</td>
<td>987,673.00</td>
<td>$1,701,840.00</td>
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<tr>
<td>Civil Service</td>
<td>-</td>
<td>$20,150.00</td>
<td>-</td>
<td>-</td>
<td>$20,150.00</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>$5,200.00</td>
<td>800.00</td>
<td>-</td>
<td>-</td>
<td>6,000.00</td>
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<tr>
<td>Zoning Board of Appeals</td>
<td>$2,600.00</td>
<td>700.00</td>
<td>-</td>
<td>-</td>
<td>3,300.00</td>
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<tr>
<td>Police</td>
<td>$1,849,176.00</td>
<td>$2,118,438.00</td>
<td>$25,500.00</td>
<td>-</td>
<td>3,993,114.00</td>
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<tr>
<td>Fire</td>
<td>$1,394,540.00</td>
<td>$104,000.00</td>
<td>$14,000.00</td>
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<td>1,512,540.00</td>
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<tr>
<td>Central Dispatch</td>
<td>-</td>
<td>128,000.00</td>
<td>-</td>
<td>-</td>
<td>128,000.00</td>
</tr>
<tr>
<td>Building</td>
<td>$165,400.00</td>
<td>$190,700.00</td>
<td>$20,000.00</td>
<td>-</td>
<td>356,100.00</td>
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<tr>
<td>Architecture Board of Review</td>
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<td>25.00</td>
<td>-</td>
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<td>25.00</td>
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<tr>
<td>Community Services</td>
<td>$259,533.00</td>
<td>$17,700.00</td>
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<td>277,233.00</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$7,483,586.00</strong></td>
<td><strong>$3,776,320.00</strong></td>
<td><strong>$72,258.00</strong></td>
<td><strong>$987,673.00</strong></td>
<td><strong>$12,319,837.00</strong></td>
</tr>
<tr>
<td>Fund</td>
<td>Description</td>
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<td>Equipment Replacement (240)</td>
<td>Computer Replacements (Including City Wide Server)</td>
<td>137,765.00</td>
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<td></td>
<td>Community Service-Dodge Caravan</td>
<td>30,000.00</td>
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<td></td>
<td>Fire - Completion of Ambulance</td>
<td>15,050.00</td>
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<td></td>
<td>Police - Cars 1152 and 1191</td>
<td>83,000.00</td>
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<td></td>
<td>Police - CAD/RMS System</td>
<td>14,575.00</td>
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<td></td>
<td>Service - Pick up Truck-2</td>
<td>62,000.00</td>
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<td></td>
<td>Service - Super Duty Dump</td>
<td>65,000.00</td>
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<td></td>
<td>Service - Asphalt Hauler</td>
<td>35,000.00</td>
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<td>Service - Five Ton Dump-2</td>
<td>350,000.00</td>
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<td>Service - Compact Tractor</td>
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<td>Total Equipment Replacement</td>
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<td>832,390.00</td>
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<td>(240)</td>
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<tr>
<td>Tennis Court Maintenance (238)</td>
<td>Bradley Tennis Courts</td>
<td>23,000.00</td>
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<tr>
<td>Total Tennis Court Maintenance(238)</td>
<td></td>
<td>23,000.00</td>
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<td>Lake Road Resurfacing</td>
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<td>General Capital (400)</td>
<td>Street Improvements</td>
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<td></td>
<td>Queenswood Bridge</td>
<td>108,630.00</td>
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<td>Total General Capital (400)</td>
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<td>Public Improvements (490)</td>
<td>Bradley Tennis Courts</td>
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<td>Bradley Park Playground</td>
<td>28,000.00</td>
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<td>Total Public Improvements (490)</td>
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<td>Infrastructure Improvements</td>
<td>Columbia Culvert</td>
<td>86,000.00</td>
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<td>(494)</td>
<td>Advance to General Capital</td>
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<td>Total Infrastructure Improvements (494)</td>
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<td>Municipal Building Improvements (495)</td>
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<td>NOPEC Energy Reimburseable Grant</td>
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<td>Deyer Portico Pillars</td>
<td>20,000.00</td>
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<td></td>
<td>Fire Building Renovation</td>
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<td>Police Information Technology Room</td>
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<td>Total Public Building Roof Improvements (496)</td>
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<td>Pool (520)</td>
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<td>Total Sewer (580)</td>
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<td>GRAND TOTAL</td>
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<td>2,202,706.00</td>
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</table>

Total amount appropriated by fund may not be exceeded.
Please add to the agenda the Kiwanis’ request to use Cahoon Park for Christmas tree sales. The dates needed will be 11/18/18 through 12/15/18.

The Kiwanis will donate a 10 foot Fraser Fir for the gazebo as in the past.

If there are any questions regarding this request, please contact Russ Bauknecht at russbauknecht@gmail.com.

Thank you.

Sue Kohl
Administrative Assistant to Mayor Koomar
City of Bay Village
(440) 899-3416