AGENDA

Agenda, Bay Village City Council                                      Date: September 24, 2018
Committee Meeting                                                 Time: 7:30 p.m.
Conference Room, Bay Village City Hall                          Dwight Clark, President of Council, Presiding

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Deer Management Plan.

FINANCE & CLAIMS COMMITTEE-Tadych

Amended Appropriation Ordinance.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-
Stainbrook

Queenswood Bridge Replacement Project.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

Laura Sherman, Sustainable Energy Services.

AUDIENCE

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES
City of Bay Village

Council Minutes, Committee Session          September 17, 2018
Dwight A. Clark President of Council, presiding           Conference Room 7:30 p.m.

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

Present:               Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Mayor Koomar
Also Present:     Law Director Barbour, Finance Director Mahoney, Director of Public Service and Properties Liskovec, Recreation Director Enovitch, Fire Chief Lyons.

AUDIENCE

The following audience members signed in this evening: Jeff Gallatin, Andrew and Peggy Drumm, Suzanne Graham, Denny Wendell, Tara Wendell, Clare Banasiak.

ANNOUNCEMENTS

Mayor Koomar announced the Bay Village Homecoming Parade will be held this Friday, September 21, 2018, kicking off at 5:30 p.m. from the corner of Wolf Road and Cahoon Road, and proceeding west to Bay High School.

Superintendent of Schools Jodie Hausmann will be invited to a Bay Village City Council meeting in the very near future.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Parking prohibition on specific section of Walmar Drive.

Mr. Mace advised that the Police Department has submitted a request for a parking prohibition on Walmar Drive, just south of 520 Walmar and extending southward approximately 210 feet. There have been complaints by residents that it is very difficult to navigate the area with limited sight distance in the area of the curve, especially when there are activities in Bradley Park. It is requested that no parking signs be created and posted accordingly. Police Lieutenant Holliday viewed the area and felt that the condition warrants the signs.

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

Mr. Mace advised that Property Maintenance Inspector Bob Lyons has requested that a notice be sent to the property owner of Permanent Parcel No. 204-16-031 on Wolf Road for sidewalk replacement by the owner or by the City at the owner’s expense. Director Liskovec stated that it is two sidewalk blocks on a vacant parcel that are in need of replacement. The owner of the property has not responded to previous notices.
Fiscal Year 2017 Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant.

Mr. Mace reported notification received by Fire Chief Lyons from the Department of Homeland Security, Federal Emergency Management Agency, that the City of Bay Village has been awarded the Assistance to Firefighters Grant.

Chief Lyons stated that the Fire Department is very happy to announce the award of this grant. The total grant is $143,900, with the federal share of $137,048, and the City share being $6,852. The funds will be used for the replacement of 22 Breathing Apparatus Units, which date back to 2003 and are in need of replacement. The models and tanks are the same size as the old tanks, but hold 45 minutes of air as compared to the 30 minutes of air in the existing tanks.

Mr. Clark asked the disposition of the existing units. Chief Lyons stated that some parts can be repurposed. Other parts are required by law to be destroyed.

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

Mr. Mace reported that he will introduce an ordinance this evening authorizing an agreement between Cuyahoga County and the City of Bay Village for payment of the $6,852 in local match funds for the Assistance to Firefighters Grant.

Chief Lyons explained that for the last two years the Department of Justice Services has established a small amount of money that they have set aside to support local communities applying for these grants. Chief Lyons contacted them and will complete the necessary paperwork to be successful in receiving these matching funds.

Mr. Mace commented that this is probably the most expensive part of protective personal gear for the firefighters. The $150,000 in grant dollars is very much appreciated.

FINANCE & CLAIMS COMMITTEE-Tadych

August 2018 Financial Reports.

Mr. Tadych will present a motion this evening to accept the financial reports of the City of Bay Village for the month of August, 2018. Mr. Tadych noted that the cost of health services for City employees is going down, at just a little over 6% higher than last year. The previous month the claims were 10% plus higher than last year. Municipal Income Tax receipts are up over 8% over the same time last year, in an amount of $340,000. A Finance Committee meeting will be held upon the release of the September financial reports.

Annual Request for Property Tax Advances from Cuyahoga County Fiscal Officer.
Mr. Tadych will introduce a resolution this evening to request that property tax receipts be received from the Cuyahoga County Fiscal Officer monthly instead of semi-annually, as requested by Finance Director Mahoney.

Amended Appropriation Ordinance.

Mr. Tadych will introduce an Amended Appropriation Ordinance, to allow for the appropriation of funds in the amount of $8,000 for playground equipment for Bradley Park playground, and $143,000 for the purchase of the protective breathing apparatus which will be offset by the grant received from the Department of Homeland Security and the Cuyahoga County Department of Justice Services.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

Ms. Maier stated that the Planning, Zoning, Public Grounds and Buildings Committee will schedule a meeting of their committee in October, on a date to be announced.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Stainbrook

Mrs. Stainbrook had no report this evening.

Mr. Clark has spoken with the Mayor regarding the DOPWIC application for the Sunset Project, which is due this Friday, September 21, 2018. Mayor Koomar stated that they are working through the application. They have been trying to score with the different components of the application, one being health and safety. The two suburbs that scored the highest on that last year had two fire hydrants that did not rate, and water main breaks that were more frequent than monthly. The administration has been trying to find data related to the Rocky River Wastewater Treatment Plant and upstream and downstream flows. Mayor Koomar stated that Kathryn Kerber, Administrative Project Leader, has done a real nice job of networking with the state and local DOPWIC officials to position the City as best as possible. Applying for grant dollars with a combination of loans can affect the score slightly. Applying just for loan dollars can actually increase the score. The goal is to get on their radar and make sure that the City will receive either one or the other. It would be great to get $500,000 to $800,000 to offset the project, but an interest free loan for a period of thirty years as compared to a minimum of 3.5% interest rate would be a savings of $2.1 million in interest, and over twenty years would be $4.3 million. The Mayor noted that the 3.5% interest rate is rising. In applying for a straight-out grant the score drops. The goal is to make a successful application and Council can take into account the savings.

Mr. Clark stated that regardless of grants or loans, the City share will have to cover the residents’ share, or at least the construction and carrying costs, during the 18 to 24 months, and the additional time it takes for those to go on to the tax duplicate.
Mr. Clark stated that he appreciates the work the administration has done. Mayor Koomar commented that Ms. Kerber will hand deliver the grant application on Thursday morning, September 20.

Mrs. Stainbrook commented that the work is being done in an effort to decrease the cost of the total project. Mayor Koomar added that if the City were to go the grant route and were unsuccessful, they would be unsuccessful on the loan side and would have to wait another year. The fact that it is a fully engineered project bodes in the favor of the City.

Mr. Clark stated that the application will state the fact that in regard to the City’s portion, we have the ability to move forward.

**RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig**

Bradley Park Playground Renovation.

**Mr. Winzig** advised that they have been working to find a way to move the Bradley Park Playground Renovation forward. There have been a number of meetings and initiatives between Recreation Director Enovitch, Service Director Liskovec, Mr. and Mrs. Drumm, and Finance Director Mahoney.

Recreation Director Enovitch stated that there is $20,000 appropriated for Phase 1 of the Bradley Playground Project. The Drumms have raised approximately $4,500. An additional $8,000 is needed to begin Phase 1, which will build momentum and encourage the fund raising for the entire project. Work is being done in-house with Service Department employees. The equipment will be purchased as soon as possible with a build-out of late fall or early winter, building momentum for 2019 fund raising for Phase 2.

Mr. Winzig stated that when looking for ways to save on costs, Mr. Liskovec’s team stepped forward and said they could do part of the installation and the preparatory work on the grounds. The timing and pricing looks good, and Mr. and Mrs. Drumm were able to raise about $4,500 toward the Phase 1 pocket. Mr. Winzig stated that things are lining up nicely and it compliments everyone involved. Approval is sought for the additional $8,000 to get Phase 1 up and running.

Mr. Liskovec asked everyone to be mindful that the work will begin after leaf season is completed.

Pricing has also been received on seating and benches. Community organizations have expressed interest in possible support.

Mr. Winzig thanked everyone involved in moving this project forward.

Ms. Maier asked if doing the installation ourselves affects the warranty. Mr. Winzig stated that the vendor will have a supervisor on site which helps to carry over the warranty.
Mr. Clark commented that this Bradley Road Playground Project extends the work that the City has done with Reese Park, which was funded by a grant, Play-in-Bay renovation which was done last year, and the Walking Trail. Now we have something on the western front of the City, and approval is recommended for the appropriation this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

Mrs. DeGeorge had no report this evening.

Mr. Clark stated that the electricity aggregation contract that the City has with First Energy Solutions ends next year. He asked if the bankruptcy by First Energy Solutions this past March has any effect on the contract when going forward with the bid process.

Law Director Barbour stated that the contract stays in place under the bankruptcy. There was open bidding for the contract, and the only bidder was a company known as Exelon. They have some subsidiaries, one of which is Constellation, and that is who the residents are starting to get letters from if they are part of the First Energy Solutions aggregation. The service will not be affected between now and the expiration of the contract. First Energy Solutions contacted the City to renew the contract with them, but the question is who would assume new contracts. The existing contracts are assumed by the bidder.

Mayor Koomar stated that the administration has been working with a firm that looks at both the aggregation and the options for electricity and gas. They will be asked to attend a Council meeting this fall. They would put a Request for Proposals together for the City to get the best option. They have talked to other cities that use their services including Avon and Elyria. Mr. Barbour has checked those references which came back very favorably. From a customer service perspective, their firm would be a great asset to the City. The Mayor stated further that NOPEC would be able to bid on the contract as well.

Mr. Tadych commented that there were many presentations on the last contract as well.

Mr. Barbour commented that the firm of which the Mayor spoke would be able to break down the services offered even further. They have no personal interest about which company to choose for an aggregation contract. The people spoken to in the other communities that use their services had nothing but great things to say. The regulatory environment that we are dealing in with utilities really requires that something be in place by late spring because there are notifications that must go out and the utilities must comply.

The Mayor noted that Mrs. DeGeorge will be holding a Services, Utilities and Equipment Committee meeting in the near future. The Mayor stated that it is hoped that by working through the Services and Utilities Committee there would be good direction by the holidays.

Mrs. DeGeorge stated that the Services and Utilities Committee will also have something on the Republic Waste contract concerning the recycling and contract approval. Also, they have not forgotten the issues that came up over the summer with residents about poles needing replacing,
Committee Meeting of Council  
September 17, 2018

wires down, and digging without notice. There is only a small amount of information from other cities, but the Services and Utilities Committee will address these matters.

AUDIENCE

There were no comments from the audience this evening.

MISCELLANEOUS

Metroparks Public Meeting

Mayor Koomar briefed Council concerning the two public meetings held this week. A meeting was held with the Metroparks regarding the Huntington Reservation, which was well attended by approximately sixty residents. It was a nice overview, with conceptual ideas presented. Several comments from residents have been received that they were hopeful that along the lakefront there would be a casual dining option. They were encouraged to submit that to the Metroparks. The interest is in something along the lines of Sweetwater Landing, somewhat seasonal, but something that might be an option in addition to the concession stands.

The Mayor noted that it is great to see the investment by the Metroparks in the Huntington Reservation and other area reservations.

Library Public Meeting

A public meeting was also held this week concerning the new library. Many folks attended who were interested in the exterior architecture. Thoughts have been received from residents who favor totally traditional. Some attendees enjoyed the design of the library as submitted. The goal of the group is to find the balance between historic and functional. The dialogue at the meeting was very helpful.

Mr. Clark noted that there is a request for proposals for architects. Mayor Koomar stated that the library board is conducting interviews with architectural firms.

Tree Commission

Mr. Tadych stated that the Tree Commission met on Tuesday, September 11, 2018. The commission is in the process of what street they would like to plant with trees in the fall. They generally do a small planting in the spring, and in the fall, and choose a particular street that needs some help. Additional funding of $5,000 was contributed by the City this year for plantings, as well as $5,000 the year before. A small growth in the budget is much appreciated and helps the goal of the Tree Commission significantly.

Mr. Tadych stated that the Tree Commission is twenty years old. It existed prior to the first of the twentieth year as a reporting group to the Mayor. The Tree Commission will celebrate an anniversary the first of next year.
A flag in commemoration of Bay Village being named a tree city for the twentieth consecutive year has been received and is hung in the Council Chambers. The flag honors the Tree Commission and the City in their efforts to maintain nice trees.

Mrs. DeGeorge asked how and when the Tree Commission will decide on the street to be chosen for plantings, and how this has been determined in the past.

Mr. Tadych stated that they look at the street, the needs, and the size of the tree lawns, to make their recommendation.

Mayor Koomar noted that there are shallow sewers in certain streets of which they must be cognizant before planting trees.

There being no further discussion, the meeting adjourned at 8:02 p.m.

Dwight A. Clark, President of Council  Joan Kemper, Clerk of Council
Please add Deer Management plan under Environment and Safety.

Paul A. Koomar
Mayor
City of Bay Village
440-899-3415
350 Dover Center Road
Bay Village, Ohio 44140
OVERVIEW

1. **Action Requested**
   Additional $7,000 added to appropriation ordinance as documented below.

2. **Previous Action**
   Previously Council approved $84,280 for right of way acquisition in relation to the Queenswood Bridge project.

3. **Detail of Changes**
   Part of the Queenswood project includes acquiring right of way access from four homeowners. Originally was estimated expenditure for all four properties was $84,280. New amount is $7,000 higher totaling $91,280. Following the same procedure that was executed for the payment of the real estate professionals I am proposing an advance of this amount from the Infrastructure Improvement Fund to the General Capital Fund to allow for this payment. In 2019 it is anticipated to obtain financing through the City’s annual debt program to allow for the City portion of the project at which point the Infrastructure Improvement Fund will be repaid.
LEGAL DESCRIPTION-SH

EXHIBIT A

PARCEL 204-24-019-SH
CUY-QUEEN-00.21
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO

An exclusive perpetual easement for public highway and road purposes, including but not limited
to any utility construction, relocation and/or utility maintenance work deemed appropriate by the
City of Bay Village, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/owner, for himself and his heirs, executors, administrators, successors and assigns,
reserve all existing rights of ingress and egress to and from any residual area (as used herein, the
expression "Grantor/Owner" includes the plural, and words in the masculine include the
feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Bay Village and being part of Original Dover Township Lot 90, County of
Cuyahoga, State of Ohio, also known as part of Sublot No. 92 in the Dover Bay Subdivision as
shown by the subdivision plat recorded in Volume 166, Page 20 and conveyed to James R.
Chiara and Beverly J. Chiara by deed dated July 17, 1989 and recorded in AFN #00764905 of
Cuyahoga County Records and more particularly bounded and described as follows:

Commencing for reference at a concrete monument found (broken) at a point of tangency in the
Queenswood Drive (50 feet wide) northern right of way at station 9+67.30, 25.00 feet left of the
Queenswood Drive centerline of right of way; thence, along the Queenswood Drive northern
right of way line South 73 degrees 52 minutes 33 seconds East 178.40 feet to Station 11+43.70,
25.00 feet left of Queenswood Drive centerline of right of way and the TRUE POINT OF
BEGINNING of the parcel herein described;

1. Thence, along a line parallel with the eastern property line of Sublot No. 92 in said
   subdivision North 14 degrees 26 minutes 12 seconds East, 60.00 feet to Station 11+43.93,
   84.97 feet left of Queenswood Drive centerline of right of way;

2. Thence, along a line parallel with the Queenswood Drive centerline of right of way South
   73 degrees 52 minutes 16 seconds East, 10.00 feet to the eastern property line of said
   Sublot at Station 11+53.93; 84.97 feet left of Queenswood Drive centerline of right of way;

3. Thence, along the eastern property line in said Sublot South 14 degrees 26 minutes 12
   seconds West, 60.00 feet to the Queenswood Drive northern right of way at Station
   11+55.70, 25.00 feet left of Queenswood Drive centerline of right of way;

4. Thence, along the Queenswood Drive northern right of way line North 73 degrees 52
   minutes 33 seconds West, 10.00 feet to the TRUE POINT OF BEGINNING and
EXHIBIT A

enclosing an area of 0.0138 acres, more or less, and is from Cuyahoga County Auditor’s Parcel No. 204-24-019.

The above described parcel overlaps 0.0138 acres of an easement for ditch maintenance as shown on the Dover Bay Subdivision and recorded in Volume 166, Page 20 of the Cuyahoga County Records.

Bearings for the above descriptions are based upon the Ohio State Plane Coordinates System, North Zone, NAD83 (Comer)(Mol).

The stations referred to herein are from Queenswood Drive over Sperry Creek Bridge Replacement Plans CUY-QUEEN-00.21.

This description was prepared and reviewed under the supervision of Scott A. Horan, P.S., Registered Surveyor No. 8678 and based upon a survey by Euthenics, Inc. for the City of Bay Village between December 2017 and January 2018.
LEGAL DESCRIPTION-T

EXHIBIT A

LPA RX 887 T

PID 193480
PARCEL 204-24-019-T
CTY-RTE-SEC CUY-QUEEN-00.21
Version Date 5/17/18

PARCEL 204-24-019-T
CUY-QUEEN-00.21

TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE ROADWAY SLOPES AND CHANNEL
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF BAY VILLAGE, CUYAHOGA COUNTY, OHIO

[Surveyor's description of the premises follows]

Situated in the City of Bay Village and being part of Original Dover Township Lot 90, County of Cuyahoga, State of Ohio; also known as part of Sublot No. 92 in Dover Bay Subdivision as shown by the subdivision plat recorded in Volume 166, Page 20 and conveyed to James R. Chiara and Beverly J. Chiara by deed dated July 17, 1989 and recorded in AFN #00764905 of Cuyahoga County Records and more particularly bounded and described as follows:

Commencing for reference at the southeast corner of Sublot No. 92 of said subdivision at Station 11+55.70, 25.00 feet left of Queenswood Drive (50 feet wide) centerline of right of way; thence, along the Queenswood Drive northern right of way line North 73 degrees 52 minutes 33 seconds West, 10.00 feet to the southeast corner of a highway easement conveyed to the City of Bay Village at Station 11+45.70, 25.00 feet left of Queenswood Drive centerline of right of way and the TRUE POINT OF BEGINNING of the parcel herein described;

1. Thence, continuing along the Queenswood Drive northern right of way line North 73 degrees 52 minutes 33 seconds West, 109.20 feet to Station 10+36.50, 25.00 feet left of Queenswood Drive centerline of right of way;

2. Thence, North 16 degrees 07 minutes 27 seconds East, 5.00 feet to Station 10+36.50, 30.00 feet left of Queenswood Drive centerline of right of way;

3. Thence, North 34 degrees 18 minutes 48 seconds East, 36.84 feet to Station 10+48.00, 65.00 feet left of Queenswood Drive centerline of right of way;

4. Thence, South 85 degrees 36 minutes 52 seconds East, 78.64 feet to Station 11+25.00, 81.00 feet left of Queenswood Drive centerline of right of way;

5. Thence, North 85 degrees 10 minutes 16 seconds East, 30.76 feet to the eastern property line of said Sublot at Station 11+53.73, 92.00 feet left of Queenswood Drive centerline of right of way:
EXHIBIT A

6. Thence, along the eastern property line of said Sublot South 14 degrees 26 minutes 12 seconds West, a distance of 7.03 feet to the northeast corner of said highway easement at Station 11+53.93, 84.97 feet left of Queenswood Drive centerline of right of way;

7. Thence, along the northern line of said highway easement North 73 degrees 52 minutes 33 seconds West, 10.00 feet to the northwest corner of said highway easement at Station 11+43.93, 84.97 feet left of Queenswood Drive centerline of right of way;

8. Thence, along the western line of said highway easement South 14 degrees 26 minutes 12 seconds West, 60.00 feet the TRUE POINT OF BEGINNING and enclosing an area of 0.1191 acres, more or less, and is from Cuyahoga County Auditor's Parcel No. 204-24-019.

The above described parcel overlaps 0.0285 acres of an easement for ditch maintenance as shown on the Dover Subdivision and recorded in Volume 166, Page 20 of the Cuyahoga County Records.

Bearings for the above descriptions are based upon the Ohio State Plane Coordinates System, North Zone. NAD83 (Conus)(Mol).

The stations referred to herein are from Queenswood Drive over Sperry Creek Bridge Replacement Plans CUY-QUEEN-00.21.

This description was prepared and reviewed under the supervision of Scott A. Horan, P.S., Registered Surveyor No. 8678 and based upon a survey by Euthenics, Inc. for the City of Bay Village between December 2017 and January 2018.
I got the attachment from Mark as a hard copy, I’m not sure where the page numbers came from.

Best regards,
Kathryn

kkerber@cityofbayvillage.com

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Thank you Kathryn. The page numbers at the bottom start with page 9 and go up to 29. Yet, I only have 9 through 14 – I just know someone will ask if I left some pages out. What do you suggest?

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This attachment goes with the resolution.

Best regards,
Kathryn

kkerber@cityofbayvillage.com
To: Agendas <Agendas@cityofbayvillage.com>
Subject: Queenswood Resolution

Please see the attached.

Best regards,
Kathryn

Kathryn E. Kerber
Administrative Project Leader

City of Bay Village
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