Agenda, Bay Village City Council  
Regular Meeting, Council Chambers  
November 19, 2018  
8:00 p.m.

Dwight A. Clark, President of Council, Presiding  
Roll Call  
Pledge of Allegiance led by David L. Tadych, Councilman, Ward 1 and Vice President of Council

Reading of Minutes – Regular Meeting of Council held November 5, 2018

ANNOUNCEMENTS

REPORTS

Mayor Koomar  
Director of Law Barbour  
Director of Finance Mahoney  
Director of Recreation Enovitch  
Director of Public Service and Properties Liskovec  
Human Resources Director Demaline  
Director of Community Services Selig  
Police Chief Spaetzel  
Fire Chief Lyons  
Chief Building Official Steve Vogel

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Mace

FINANCE AND CLAIMS-Mr. Tadych

Ordinance 18-92 amending Codified Ordinance Chapter 921.05 regarding sewer penalties for late payment and declaring an emergency. (Second Reading) (First Reading – November 5, 2018).

Motion to acknowledge receipt of October 2018 Financial Reports of the City of Bay Village, as prepared by Finance Director Mahoney.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mrs. Stainbrook

Page 1 of 3
PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE – Ms. Maier

Ordinance enacting new Chapter 925, entitled, “Grease Interceptors, Installation and Disposal of Waste” of the Streets and Public Service Code, and declaring an emergency. (First Reading).

Motion to advertise for Letters of Interest for Engineering Services for the Ashton Lane Bridge Replacement.

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Winzig

Resolution authorizing the filing of a Coastal Management Assistance Grant Application and execution of contracts as required, and declaring an emergency.

Resolution authorizing the filing of a Community Development Supplemental Grant Application, and declaring an emergency.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Ms. DeGeorge

Ordinance No. 18-85 authorizing the Mayor to enter into an agreement with the District Advisory Council of the Cuyahoga County General Health District to provide Public Health Services for the City of Bay Village during the calendar years 2019 and 2020, and declaring an emergency. (Second Reading October 15, 2018) (First Reading October 8, 2018).

MISCELLANEOUS

Motion to adjourn to Executive Session regarding Contracts: Rocky River Waste Water Treatment Plant Operating Agreement; Engineering, Architecture, and Building Services. Personnel: Collective Bargaining Agreements with AFSCME, Firefighters, and Fraternal Order of Police; Law – Prosecutor.

ADJOURNMENT
November 19, 2018
Agenda
Regular Meeting of Council

Procedure

Section 2.14  - Effective Date
C.O. 111.10  - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ... at least 24 hours before any meeting of Council at which action... is contemplated.

Roll call on inclusion of the emergency.

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.
CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
November 5, 2018
Council Chambers 8:09 p.m.
Dwight A. Clark, President of Council, presiding

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

Excused:           Mr. Winzig

Also Present:  Law Director Barbour, Finance Director Mahoney, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Community Services Director Selig, Director of Public Service and Properties Liskovec.

AUDIENCE

The following audience members signed in this evening: Tommy Flanagan, Jonah Reyes, Tom Kelly, Clare Banasiak, and Jeff Gallatin.

Mr. Clark called this Special Meeting of Council to order at 8:09 p.m. with roll call and Pledge of Allegiance led by Tommy Flanagan and Jonah Reyes, St. Ignatius High School students and residents of the City of Bay Village.

Motion by Tadych to dispense with the reading of the minutes of the Special Meeting of Council held October 29, 2018, and approve the minutes as prepared and distributed.

Motion carried 6-0.

Motion by Tadych to dispense with the reading of the minutes of the Cahoon Memorial Park Trustees Meeting held October 29, 2018, and approve the minutes as prepared and distributed.

Motion carried 7-0.

ANNOUNCEMENTS

Mayor Koomar advised that Cuyahoga County is moving away from Ready/Notify to a new system known as Code Red. Code Red has more functionality and flexibility. More details regarding the system will be available soon. Ready/Notify has been a good system for Bay Village, but other cities are starting to have problems when they send messages. Recently, when there was a power outage, there were issues when sending a message. A mid-winter installation date for Red Code is anticipated. All of the contact information with Ready/Notify will be transferred to Red Code.

A meeting was held with Partners Environmental and the Environmental Protection Agency relative to the soccer fields. The meeting was positive, and the City will work with Partners Environmental to move forward on the Environmental Protection Agency’s Rule 13F which will
give the City the ability to do exploratory work in the park. A meeting with the Bay Soccer Club and other groups was held this week, to get a sense of their preferences if the City were to grade the fields, making sure we have the public input piece from those groups. Partners Environmental is going to work on that and come back to the City. It will be necessary to have this matter on an agenda for the Cahoon Memorial Park Trustees before even going to the Environmental Protection Agency with the test digs to make sure everyone is on board with their designs. The idea is to flow the water in one direction to make sure it drains, and provide a better playing surface for the spring and fall sports. The Limited Scope Contract has been used to do some of this work, and when an update on Rule 13F is received, a slight appropriation of funds may be necessary to continue the work.

Mayor Koomar continued, noting that one of the things they were able to do at the meeting is to not only look at the grading of the field to incorporate this into the exploratory work, but determine where a path may go between the Metroparks, Cahoon Memorial Park, the pool, and the library. Given the information they have sent back relative to the landfill, it would be prudent to do some work around the Cahoon Shed that is planned for expansion using our State Capital Budget dollars. That will be rolled into the planning to make sure due diligence is done before starting any work.

The City was notified on Friday afternoon, November 2, 2018 that a Clean Ohio Trails Grant has been awarded for the Cahoon Basin Trail that will run south from the Lake Road Bridge back to the Community House parking lot. The grant is in excess of $360,000. An in-kind match from the City in the amount of $68,000 and $125,000 in funds on the part of the City is required for the grant.

Mr. Clark asked if there is a timeline in which the City needs to act to retain the grant. Mayor Koomar stated that the time is 15 months from the signing of the contract. We are looking to spread this out in the Capital Budget. The Mayor stated that he inquired today if there was any opportunity with the Coastal Management Act Grant (CMAG) trail going north, for any synergies when doing that work.

Mr. Clark noted that the combination of this grant received on Friday, November 2, and with what we have with the soccer shed should be a great improvement to what is at Cahoon Memorial Park.

Mayor Koomar stated the State Capital Budget funding is $225,000, the Clean Ohio Trails Grant is $360,000, and the CMAG is $70,000.

Law Director Barbour had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch stated that football season has just been completed for the Little Rockets, ages 5 through 12, who had a good season, and are building the foundation for the future.
Mr. Clark noted that this is the fifth straight year of success for the Bay High Rockets varsity football team, with Coach Rutt doing a great job at the high school.

**Director of Public Service and Properties Liskovec** reported meeting with the Cuyahoga County Department of Public Works for maintenance cleaning on the sewer interceptor. The City of Bay Village did the first phase, which was from Wolf Road through Glen Park to Lake Road. One of the major findings of this particular cleaning was the excessive amount of wipes that were pulled out of the sewer. Mayor Koomar noted that there is no such thing as a disposable wipe. The interceptor was last cleaned in 2011. Re-cleaning will be done on a maintenance cycle every seven to eight years.

Mayor Koomar noted that in the past C&K Industrial was used for this work. The county was a great option this year as they work on a time and materials contract. More progress than anticipated was made.

Mr. Clark asked if a report or summary of what they found is filed with the City. Mr. Liskovec stated that they would submit a report if they had to actually extract material. The wipes came out with their cleaning equipment as opposed to a vacuum system. There has been no report received but Mr. Liskovec will keep Mr. Clark informed.

The next area to be cleaned will be from The Lake Erie Nature Center, working back toward Glen Park. With the curve at Glen Park, there is more probability for settling, which is why that section at Glen Park from Wolf Road to Lake Road was done first.

Mayor Koomar commented that flow meters are installed at the Glen Park area to monitor the flow which will contribute to the information needed for Capital planning for sewers.

Mrs. Stainbrook asked if there is an opportunity for communication to residents regarding the impact of wipes on the sewer system. When Council toured the pump stations, it was brought to the attention of Council that this is a huge issue nationwide. Mr. Liskovec stated that this communication is in the works.

Mayor Koomar noted that Phase 2 of cleaning will be from Glen Park to the Rocky River Wastewater Treatment Plant. With the time and materials contract, more work can be done than with a fixed contract. Last year, C&K Industrial was chosen for the Lake Road Interceptor because it hadn’t been done for a while and the county couldn’t guarantee that they could get through the project. Since it had not been done for decades, we wanted to make sure we had it done. Now that it was cleaned, we had an opportunity to give the county a try and it worked out very well.

Mr. Tadych asked Mr. Liskovec how many phases there are in order to get through the City. Mr. Liskovec stated that will be determined based on the completion of Phase 1 and Phase 2. Phase 3 would be to the Rocky River Wastewater Treatment Plant. A total of five phases will compete
the City. Mr. Clark asked the diameter of the interceptor, and Mr. Liskovec stated that it is six feet in diameter.

Mr. Liskovec stated that flow monitors have been installed to gather data relative to the flow to the Rocky River Wastewater Treatment Plant. The monitors will be in place a minimum of four months.

A contractor has addressed tree root issues in the main lines. The lines have been opened, and this is a recurring situation that needs to be taken care of every three to four years. An herbicide kills the end of the roots.

The Service Department has completed the Dwyer Memorial Center column repair project.

Leaf Season is in its second week.

Ms. DeGeorge asked if the Service Department has received many calls of flooded basements during the recent heavy rains. Mr. Liskovec stated that three calls were received. Mr. Tadych stated that three years ago the flooding was a major issue and now it has gotten down to near nothing. It is hoped that it will stay that way. Mr. Clark commented that the sewer cleanings contribute to this as well.

**Director of Community Services Selig** announced that many projects are underway as the holiday season approaches. Historically, for about ten years, the Community Services Department ran the Adopt-a-Family Program. The numbers of families to be adopted has been slowly decreasing, and a new program will be instituted by the staff of the Community Services Department this year. The staff will adopt the Westerly School, with the idea to provide school supplies for the students so that the teachers don’t have to pay out of pocket to buy supplies. Across the country, teachers spend about $500 each of their own money for room supplies. Mrs. Selig has met with the Superintendent of Schools and the Principal and they are on board with this project. They will provide a list of items needed. Also, specific students will be supported that may have financial difficulties.

Mr. Clark stated that the pilot programs the Community Services Department has initiated have had great results.

Mr. Clark noted that the support columns at the Dwyer Memorial Center look much better now that the repairs have been completed. The new wall that will be installed will make a huge difference, replacing the old divider in the Dwyer Center.

**Police Chief Spaetzel** had no report this evening.

**Fire Chief Lyons** stated that the Fire Department will exceed their run calls this year by about 15% as compared to last year. The mutual aid run volume is slightly down.

**ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Mace**
Mr. Mace read Ordinance 18-88 authorizing the Mayor to enter into an Agreement with the United States Department of Agriculture to provide Wildlife Services, and declaring an emergency, and moved for adoption. (First Reading October 29, 2018).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-88.

Roll Call on Suspension of the Charter Rules:
  Yeas- Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych.
  Nays- None.

Roll Call on Suspension of the Council Rules:
  Yeas –Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych
  Nays –None.

Roll Call on Inclusion of the Emergency Clause:
  Yeas – Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych
  Nays – None.

Roll Call on Adoption:
  Yeas– Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych
  Nays –None.

Mr. Barbour announced adoption of Ordinance No. 18-88, an emergency measure, with a vote of 6-0.

FINANCE AND CLAIMS-Mr. Tadych

Mr. Tadych read Ordinance 18-86 authorizing the Mayor to enter into a one year contract with the Jefferson Group to provide administrative services for the City’s Health and Hospitalization Plan, and declaring an emergency, and moved for adoption. (First Reading October 15, 2018) (Second Reading October 29, 2018).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-86.

Roll Call on Suspension of the Charter Rules:
  Yeas- DeGeorge, Mace, Maier, Stainbrook, Tadych, Clark
  Nays- None.

Roll Call on Suspension of the Council Rules:
  Yeas –DeGeorge, Mace, Maier, Stainbrook, Tadych, Clark
  Nays –None.

Roll Call on Inclusion of the Emergency Clause:
  Yeas – DeGeorge, Mace, Maier, Stainbrook, Tadych, Clark
  Nays – None.

Roll Call on Adoption:
  Yeas– DeGeorge, Mace, Maier, Stainbrook, Tadych, Clark
Mr. Barbour announced adoption of Ordinance No. 18-86, an emergency measure, with a vote of 6-0.

Mr. Tadych read Ordinance 18-87 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 No. 17-96, 18-5, 18-25, 18-30, 18-49, 18-57, 18-66, 18-79 and 18-80, and declaring an emergency, and moved for adoption. (First Reading October 29, 2018).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-87.

Roll Call on Suspension of the Charter Rules:
- Yeas- Mace, Maier, Stainbrook, Tadych, Clark, DeGeorge
- Nays- None.

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

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

Roll Call on Adoption:
- Yeas– Mace, Maier, Stainbrook, Tadych, Clark, DeGeorge
- Nays –None.

Mr. Barbour announced adoption of Ordinance No. 18-87, an emergency measure, with a vote of 6-0.

Mr. Clark expressed appreciation to Police Chief Spaetzel on his work to bring the deer management project forward. The expectation is additional productivity on behalf of many residents in Bay Village.

Mr. Tadych introduced and read Ordinance 18-92 amending Codified Ordinance Chapter 921.05 regarding sewer penalties for late payment and declaring an emergency. (First Reading).

Mr. Barbour announced that Ordinance No. 18-92 is placed on first reading this evening.

Mr. Tadych encouraged all to exercise their right to vote on Tuesday, November 6, 2018.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE–Ms. Maier

Ms. Maier had no report this evening.
PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mrs. Stainbrook

Mrs. Stainbrook had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

There was no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Ms. DeGeorge

Ms. DeGeorge had no report this evening.

MISCELLANEOUS

There will not be a meeting of Bay Village City Council on Monday, November 12, 2018 in observance of the Veterans Day Holiday. The next Regular Meeting of Council will be held on Monday, November 19, 2018. The Bay Village City Hall will be closed on November 12.

Ms. Stainbrook announced that there will be a dedication of the Veterans Wall at the Dwyer Memorial Center on Saturday, November 10, 2018 at 11 a.m.

There being no further discussion, the meeting adjourned at 8:39 p.m.

Dwight A. Clark, President of Council               Joan Kemper, Clerk of Council
ORDINANCE NO. 18-92                                                          First Reading November 5, 2018
INTRODUCED BY: Mr. Tadych

AN ORDINANCE
AMENDING CODIFIED ORDINANCE CHAPTER 921.05
REGARDING SEWER PENALTIES FOR LATE PAYMENT
AND DECLARING AN EMERGENCY

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

SECTION 1. That Codified Ordinance Chapter 921.05 which presently reads as follows:

921.05 PENALTY FOR LATE PAYMENT.

All unpaid charges for Section 921.02 and 923.01 shall be certified by the Director of Finance to the Auditor of Cuyahoga County for collection as other municipal taxes. A penalty of ten percent of the delinquent amount shall be added to delinquent accounts, but in no event shall such penalty be less than $10.00. Should one or both of the charges in Section 921.01 or Section 923.01 not be paid, only one $10.00 late fee shall apply. An account shall be deemed delinquent if not paid by the end of the quarterly collection periods specified in Section 921.03 and Section 923.02. (Ord. 14-62. Passed 6-9-14.)

be and the same is amended to read:

921.05 PENALTY FOR LATE PAYMENT.

All unpaid charges for Section 921.02 and 923.01 shall be certified by the Director of Finance to the Auditor of Cuyahoga County for collection as other municipal taxes. A penalty of $25.00 shall be added to delinquent accounts. Should one or both of the charges in Section 921.01 or Section 923.01 not be paid, only one $25.00 penalty shall apply. An account shall be deemed delinquent if not paid by the end of the quarterly collection periods specified in Section 921.03 and Section 923.02.

and present 921.05 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.
ORDINANCE NO.
INTRODUCED BY:

ORDINANCE
ENACTING NEW CHAPTER 925 “GREASE INTERCEPTORS, INSTALLATION AND DISPOSAL OF WASTE” OF THE STREETS AND PUBLIC SERVICES CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bay Village is a party to a Multi-Jurisdictional Agreement among the Cities of Bay Village, Fairview Park, Rocky River, and Westlake, under which the Cities share joint use and obligations of the Rocky River Wastewater Treatment Plant; and

WHEREAS, the Rocky River Wastewater Treatment Plant has determined that regulation of fats, oil, and grease entering the wastewater system is needed to protect the sanitary sewer system and the environment and has requested that all member Cities enact specific legislation for that purpose; and

WHEREAS, this Council finds that enacting new Chapter 925 “Grease Interceptors, Installation and Disposal of Waste” of the Streets and Public Services Code of the Codified Ordinances of the City of Bay Village promotes the public health, safety, and welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Cuyahoga County, State of Ohio, that:

Section 1. New Chapter 925 “Grease Interceptors, Installation and Disposal of Waste” of the Streets and Public Services Code, of the Codified Ordinances of the City of Bay Village is enacted to read as follows:

“CHAPTER 925
GREASE INTERCEPTORS, INSTALLATION AND DISPOSAL OF WASTE

925.01 PURPOSE.

(a) The purpose of this article is the regulation of the collection and disposal of grease interceptor waste for the protection of the City sanitary sewer system and the environment.

(b) The objective of this ordinance is to reduce the operational and maintenance costs to the City of maintaining the sanitary sewer system by preventing the accumulation of grease within the collection system lines.

(c) This ordinance shall apply to the City of Bay Village and to persons outside the City who, by contract, agreement or otherwise with the City, are users of the City’s sanitary sewer.
925.02   DEFINITIONS.

(a) “BMP” means Best Management Practices.

(b) “City” means the City of Bay Village, Ohio.

(c) “Control Authority” means the City of Rocky River through a Multi-Jurisdictional Agreement among the Cities of Bay Village, Fairview Park, Rocky River, and Westlake, as duly adopted by their Councils and Mayors, with amendment thereof subject to the terms of said Agreement.

(d) “FOG” means Fats, Oils, and Grease.

(e) “FSE” means Food Service Establishment.

(f) “SOP” means Standard Operating Procedure.

(g) “WWTP” means the Rocky River Wastewater Treatment Plant.

925.03   ADMINISTRATION.

The City and/or Control Authority shall administer, implement, and enforce the provisions of this regulation. The City and/or Control Authority may contract with the Cuyahoga County Board of Health to conduct inspections and monitoring and to assist with enforcement actions.

925.04   ENFORCEMENT.

Any entity in violation of this Chapter who does not rectify the violation within a reasonable time period shall be penalized as provided in the State statute or as determined by the Director of Public Safety-Service and Council and shall not be less than the damage incurred to the collection system or the treatment system.

925.05   APPLICABILITY.

(a) Waste which contains grease shall be discharged into the sanitary sewer system only under the conditions of this ordinance. The following facilities shall discharge all waste from sinks, dishwashers, drains, and any other fixtures through which grease may be discharged, into an adequately sized, properly maintained and functioning grease interceptor before the discharge enters the sanitary sewer. The following facilities shall also provide a grease-interceptor(s) inlet-flow control-device inspection port and a grease-interceptor effluent monitoring port:

(b) Every commercial food-preparation and food-service facility, including but not limited to

(1) Bakeries, boardinghouses, butcher shops, cafes, clubhouses, commercial kitchens, delicatessens, ice-cream parlors, hospitals, restaurants, schools, soap factories, and similar facilities, especially where meat, poultry, seafood, dairy products or fried foods are prepared or served; and
(2) All shopping centers that have food-processing facilities; and

(3) All food courts; and

(4) All other facilities discharging grease in amounts that, in the opinion of the City and/or Cuyahoga County Board of Health, will, alone or in combination with other substances from the discharges of the same or other facilities, have a reasonable chance to inhibit the flow in the sanitary sewer; and

(5) All new areas of intensified use or dwelling, including, but not limited to adult day-care facilities, assisted-living facilities, convalescent homes, day nursing and childcare facilities, in which food preparation occurs, homes for the mentally challenged, hotels, maternity homes, motels in which there is a commercial food-preparation service, nursing homes, retirement and life-care communities and homes, and truck stops with commercial food service, shall be required to have grease interceptors. Modifications to existing facilities that do not add new buildings or new grease-generating activities are exempt from this requirement; and

(6) Interceptors shall not be required for single-family residences, duplexes, triplexes, quadplexes, or apartment complexes, unless the City and/or Control Authority first determines there are discharges from the property that may create problems in the sanitary sewer system. The determination shall be made based upon an investigation of the property and a comparison of the content and amount of discharge from the property with the discharges of other properties similar in size and use. Upon a determination that the discharges may create problems in the sanitary sewer system, the City and/or Control Authority may require the installation of a sufficiently sized grease interceptor to treat the discharges.

925.06 COMPLIANCE AND TIMELINE.

(a) On or after the effective date of the ordinance codified in this chapter, an existing facility (excepting those existing facilities described in Section 3 (a)(6) above) shall be required to install an approved, adequately sized, and properly operated and maintained grease interceptor when any of the following conditions exist:

(1) It is found by the City, Control Authority and/or Cuyahoga County Board of Health to be contributing grease in potential quantities sufficient to inhibit sanitary sewer flow or necessitate increased maintenance on the sanitary sewer collection system in order to keep impairments to the main line flow from occurring.

(2) It is remodeling the food preparation or kitchen waste plumbing facilities in such a manner to be subject to a permit issued by the City building department.

(3) Its interceptor allows a discharge of oil or grease in excess of 250 mg/l.

(4) It is required by this or other applicable Ordinance to maintain a grease interceptor and is found to be equipped with an undersized grease interceptor. Such a facility
shall, within 90 days of the effective date of this Ordinance, install an adequately sized grease interceptor in accordance with the specifications of this Ordinance.

(5) It is required by this or other applicable ordinances to maintain a grease interceptor and is found not to be equipped with a grease interceptor. Such a facility shall, within 60 days of the effective date of this Ordinance, install an adequately sized grease interceptor in accordance with the specifications of this Ordinance.

(b) New facilities required by this or other applicable ordinances to maintain a grease interceptor shall install such a unit prior to commencement of discharge to the sanitary sewer system.

(c) Any requests for extensions to installation dates must be made in writing to the City, and/or Control Authority and Cuyahoga County Board of Health, at least thirty (30) days in advance of the compliance date. The written request shall include the reasons for the facility’s failure or inability to comply with the compliance date set forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays. The City and/or Cuyahoga County Board of Health shall determine the date for compliance.

(d) Existing facilities required by this or other applicable ordinances to maintain a grease interceptor that demonstrate that the installation of a grease trap is not feasible may use bioremediation as an alternative. The City, and/or Control Authority and/or Cuyahoga County Board of Health will determine whether a facility may exercise this option for sanitary sewer maintenance. The bioremediation method and product must be approved by the City, and/or Control Authority and/or Cuyahoga County Board of Health in writing prior to use in the drainage system. In addition, the operator must maintain written documentation of a current contract with a bioremediation supplier approved through the City, and/or Control Authority and/or Cuyahoga County Board of Health.

925.07 DISCHARGE CRITERIA.

(a) Where oil and grease are a byproduct of food preparation and/or cleanup, reasonable efforts shall be made to separate waste oil and grease into a separate container for proper disposal. Except as contained in byproducts of food preparation and/or clean up, waste oil and grease shall not be discharged to any drains or grease interceptors. Such waste shall be placed in a container designed to hold such waste and either utilized by industry or disposed of at suitable locations.

(b) None of the following agents shall be placed directly into a grease interceptor, or into any drain that leads to the interceptor:

(1) Emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers, or any type of product that will liquefy grease interceptor wastes,

(2) Any substance that may cause excessive foaming in the sanitary sewer system, or
(3) Any substance capable of passing the solid or semi-solid contents of the grease interceptor to the sanitary sewer system.

(c) The influent to interceptors shall not exceed 140 degrees Fahrenheit (140° F). The temperature at the flow-control-device inspection port shall be considered equivalent to the temperature of the influent.

(d) Toilets, urinals, and other similar fixtures shall not discharge through a grease interceptor.

(e) Waste shall only enter the grease interceptor through the inlet-flow-control device.

(f) Where food-waste grinders are installed, the waste from such units shall discharge directly into the building drainage system without passing through a grease interceptor. Living quarters, as defined in Section (a)(6), are exempted from this requirement.

925.08 REQUIREMENTS FOR GREASE INTERCEPTORS AND TRAPS.

(a) The operator must apply for all necessary permits prior to installation of any grease trap or interceptor.

(b) The inspector assigned by the City and/or Control Authority will oversee the installation of the trap or interceptor.

(c) Grease traps shall be installed a minimum distance of ten (10) ft. from sinks and dishwashers to allow for adequate cooling of wastewater. Water temperatures must be less than 150 degrees Fahrenheit (150° F) prior to entering grease trap.

(d) Sample port. A sample port shall be installed on the effluent line of each grease trap. The port shall be a minimum of six (6) inches in diameter and be connected to the sewer line at a 90° degree angle to allow for sampling activities. The port shall be installed in such a manner as to be protected from storm water contamination and maintained in a safe and proper operating condition. The plug on the sample port must be easily removable.

925.09 INTERCEPTOR MAINTENANCE.

(a) It shall be unlawful for a grease or grit generator to allow grease or grit interceptor waste to be removed from his premises by a transporter who does not have all applicable Federal, State, or local permits or registrations, including any permit required by the Cuyahoga County Board of Health Waste Haulers.

(b) If a vacuum truck company is used to remove the grease from the interceptor or trap, the following information must be kept on file with the operator and submitted to the City, and/or Control Authority and/or Cuyahoga County Board of Health:

(1) The vacuum truck company name, address, and telephone number,

(2) The name of a primary and secondary contact person at the vacuum truck company,
(3) The Cuyahoga County Board of Health permit number,

(4) Be signed and dated by an authorized representative of the vacuum truck company indicating acceptance of the terms of the contract,

(5) The name, address, and telephone number of the disposal site,

(6) The signature of the facility representative present when the grease trap was cleaned.

(c) The vacuum truck company shall provide a Certificate of Insurance, Certificate of Assurance, and Certificate of Indemnification.

(d) Facilities are responsible for maintaining grease traps in continuous proper working condition. Further, facilities are responsible for inspecting, repairing, replacing, or installing apparatus and equipment as necessary to ensure proper operation and function of grease traps and compliance with discharge limitations at all times.

(e) Records of maintenance are required to be maintained on site for three (3) years. (90-day maintenance frequency assumes proper sizing and installation consistent with this guidance).

(f) The facility shall maintain adequate documentation that the grease interceptor is appropriately cleaned and inspected.

925.10 REQUIRED PUMPING FREQUENCY.

(a) Unless otherwise specified in writing by the City, and/or Control Authority and/or Cuyahoga County Board of Health each grease interceptor in active use shall be cleaned at least once every calendar quarter or more frequently as needed to prevent carry over of grease into the sanitary sewer system, unless it is demonstrated to the City, and/or Control Authority and/or Cuyahoga County Board of Health that the pumping frequency can be performed at greater intervals without impairment of the operation of the public sewer. Any grease generating facility desiring a schedule less frequent than quarterly shall submit a request to the City, and/or Control Authority and/or Cuyahoga County Board of Health.

(b) FSE’s are required to maintain on site copies of disposal manifests and invoices for a period of not less than three years. If these documents show greater than 25% of grease and solids, pumping frequency is to be increased to the extent required to maintain less than 25% solids. This increase in frequency is to occur within 14 days of notification by the disposal agent.

(c) The facility shall be responsible for providing such additional pumping as needed.

(d) All grease interceptors shall be maintained by the facility at the facility’s expense.

925.11 INTERCEPTOR MAINTENANCE LOG.
(a) All new and unregistered FSE’s must register with WWTP in written document form as a FOG discharger. The document should include the FSE size and type of establishment, and documents pertaining to interceptor cleaning, pumping, and maintenance logs.

(b) Every facility having a grease interceptor shall maintain an Interceptor Maintenance Log indicating each pumping for the previous three (3) years. This log shall include the date, time, amount pumped, hauler and disposal site, initials of individual recording the information, and shall be kept in a conspicuous location on the premises of the facility for inspection. Said log shall be made immediately available to any authorized inspector.

(c) All FSE’s shall develop and implement a BMP program. The BMP shall be designed to minimize FOG discharge into the sewer. The BMP shall include:

(1) Pumping frequency requirements,

(2) Manufacturer instructions,

(3) Records of inspection, hauling, and cleaning,

(4) SOP’s for staff on the proper handling of food wastes, cleaning, and grease disposal,

(5) Logs of training on above,

(6) The BMP shall be signed and dated by a responsible company official and reviewed annually.

925.12 FEES.

(a) The City, with the approval of City Council, has the option to establish permit fees under this ordinance.

(b) The fees for such permits shall be for a permit issued for a period of one (1) year. All permits will expire at 12:00 midnight on the date specified on the permit as determined by the City.

925.13 VIOLATION.

(a) It is unlawful for any person and/or facility to discharge into the sanitary sewer system in any manner that is in violation of this Ordinance, or of any condition set forth in this Ordinance. No person shall cause or permit the plugging or blocking of, or otherwise interfere with or permit the interference of the operation of a grease interceptor or the sanitary sewer system, including alteration or removal of any flow constricting devices so as to cause flow to rise above the design capacity of the interceptor.

(b) No person and/or facility shall discharge grease in excess of 250 mg/l to the sanitary sewer system.
(c) The Control Authority may suspend water or sewer service when such suspension is necessary, in the opinion of the Control Authority, in order to stop an actual or threatened discharge which:

(1) Presents or may present an imminent or substantial endangerment to the NPDES or health or welfare of persons or the environment;

(2) Causes or may cause stoppages or excessive maintenance to be required to prevent stoppages in the sanitary sewer collection system;

(3) Causes interference to the sanitary sewer system; or

(4) Causes the City and/or Control Authority to violate any condition of its NPDES or City Discharge Permit.

(d) Any person notified of a suspension of the water or sewer service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with a suspension order, the City and/or Control Authority may take such steps as deemed necessary, including immediate termination of water or sewer service, to prevent or minimize actual or threatened damage to the sanitary sewer system or sewer connection or endangerment to any individuals. The City and/or Control Authority shall reinstate the water or sewer service upon receipt of proof that such conditions causing the suspension have passed or been eliminated. A detailed written statement submitted by the facility describing the cause(s) of the harmful discharge and the measure(s) taken to prevent any future occurrence shall be submitted to the City and/or Control Authority within fifteen (15) days of the date of occurrence.

(e) Any person who violates any provision of this ordinance, or who shall fail to comply with any provision hereof, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than two thousand dollars ($2,000.00) for each violation and each day a violation continues, shall constitute a separate offense and shall be punished accordingly.

(f) In addition to any applicable fines or penalties, a violator shall be liable to the City and/or Control Authority for any expense, loss, or damage occasioned by the City and/or Control Authority for clean-up and proper disposal of said materials. The violator shall be further required to pay an administrative fee equal to one-half (1/2) of assessed clean-up costs.

(g) The City and/or Control Authority has the option to take additional action against any facility that has caused three (3) or more sanitary sewer blockages in one calendar year due to excess grease accumulation.

925.14 SEVERABILITY.

If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the remaining parts of this chapter. The governing body declares that it would have passed the remaining parts of this chapter if it had known that such part or parts thereof would be declared invalid.”
Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including O.R.C. Section 121.22.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this Ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

__________________________
PRESIDENT OF COUNCIL

__________________________
CLERK OF COUNCIL

APPROVED:

__________________________
MAYOR
RESOLUTION

AUTHORIZING THE FILING OF A COASTAL MANAGEMENT ASSISTANCE GRANT APPLICATION AND EXECUTION OF CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, Office of Coastal Management, administers financial assistance for coastal management purposes, through the Ohio Coastal Management Program, and;

WHEREAS, the City of Bay Village desires financial assistance under the Coastal Management Assistance Grants Program to conduct feasibility and engineering studies of Bay Point and the Columbia Beach Park stairs, and;

NOW, THEREFORE, be it resolved by the Council of the City of Bay Village, Ohio;

SECTION 1. That this Council approves filing an application for Coastal Management Assistance Grants financial assistance.

SECTION 2. That the Mayor or his designee is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance, and to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 3. That this Council does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Coastal Management Assistance Grants Program.

SECTION 4. That this Council hereby agrees to obligate $62,500.00 towards the proposed project from Fund 490, the Public Improvement Fund.

SECTION 5. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 6. 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 necessary to authorize the filing of 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:

___________________________
PRESIDENT OF COUNCIL

___________________________
CLERK OF COUNCIL

APPROVED:

___________________________
MAYOR

110618 kek

REQUIRED CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of resolution adopted by the Council of the City of Bay Village, Ohio held on the ____ day in the month of ______________, 2018, and that I am a duly authorized to execute this certificate.

___________________________  ______________________________
(original signature)  (title)
RESOLUTION NO.
INTRODUCED BY:

RESOLUTION
AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT APPLICATION, AND DECLARING AN EMERGENCY.

WHEREAS, Cuyahoga County is offering a Community Development Supplemental Grant up to $50,000 which would benefit the community by facilitating the renovation of the athletic courts at Reese Park; and;

WHEREAS, the City of Bay Village has prepared the application for submission with Cuyahoga County, and;

NOW, THEREFORE, be it resolved by the Council of the City of Bay Village, Ohio;

SECTION 1. That this Council hereby authorizes the application for and acceptance of a Community Development Supplemental Grant to facilitate the renovation of the athletic courts at Reese Park.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. 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 necessary to authorize the filing of 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:

__________________________________________
PRESIDENT OF COUNCIL

__________________________________________
CLERK OF COUNCIL

APPROVED:

__________________________________________
MAYOR

110618 kek
AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE
DISTRICT ADVISORY COUNCIL OF THE CUYAHOGA COUNTY GENERAL
HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES FOR THE CITY OF
BAY VILLAGE DURING THE CALENDAR YEARS 2019 AND 2020, AND
DECLARING AN EMERGENCY.

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

SECTION 1. That the Mayor is hereby authorized to enter into an agreement with the
District Advisory Council of the Cuyahoga County General Health District for providing public
health services to the City of Bay Village for and during the calendar year 2019 at a cost to the
City of Seventy Four Thousand One Hundred Eighty Six Dollars ($74,186.00) and during the
calendar year 2020 at a cost to the City of Eighty Five Thousand Two Hundred Ninety Eight
Dollars ($85,298.00). This sum the City hereby directs the Fiscal Officer of Cuyahoga County to
place to the credit of the District Health Fund of Cuyahoga County, and the Fiscal Officer of
Cuyahoga County is hereby authorized to deduct said sums in equal semi-annual installments of
Thirty Seven Thousand Ninety Three Dollars ($37,093.00) from the regular tax settlement to be
made for said City for the year 2019 and Forty Two Thousand Six Hundred Forty Nine Dollars
($42,649.00) from the regular tax settlement to be made for said City for the year 2020.

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

SECTION 3. That this Council finds and determines that all formal actions of this
Council concerning and relating to the passage of this ordinance were taken in an open meeting of
this Council, and that all deliberations of this Council and of any committee that resulted in those
formal actions were in meetings open to the public in compliance with law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure
immediately necessary for the preservation of the public peace, health, safety and welfare, and for
the further reason that it is immediately necessary to provide for public health services effective
January 1, 2019, in order to continue an uninterrupted public health program for the City,
wherefore this ordinance shall be in full force and take effect immediately upon its passage and
approval by the Mayor.

PASSED:

____________________________
PRESIDENT OF COUNCIL

____________________________
CLERK OF COUNCIL

APPROVED:

____________________________
MAYOR

100218 KEK