Agenda, Bay Village City Council  
Regular Meeting, Council Chambers  

January 7, 2019  
8:00 p.m.  

Dwight A. Clark, President of Council, Presiding  
Roll Call  
Pledge of Allegiance led by Marty Mace, Councilman-at-large  

Reading of Minutes – Regular Meeting of Council held December 17, 2018  
Cahoon Memorial Park Trustees Meeting held December 17, 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 Demalone  

Director of Community Services Selig  
Police Chief Spaetzel  
Fire Chief Lyons  
Building Director Tuck-Macalla  

AUDIENCE  

COMMUNICATIONS  

COMMITTEE OF THE WHOLE  

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Mr. Mace  

FINANCE AND CLAIMS-Mr. Tadych  

Resolution adopting updated policies governing credit card use by employees and officials of the City of Bay Village, amending Resolutions 04-153 and 10-123, and declaring an emergency.  

Ordinance amending Ordinance 18-58 relating to the establishment of a Grant Fund, and declaring an emergency.  

Ordinance amending Chapter 125 of the Codified Ordinances by enacting Section 125.61 relating to the establishment of an Employee FSA Fund, and declaring an emergency.  

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE-Ms. Maier
January 7, 2019
Agenda
Regular Meeting of Council

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

Ordinance authorizing the Mayor to enter into an agreement with the Cuyahoga County Board of Health to provide Phase II Stormwater Services to the City of Bay Village during Calendar Years 2019 through 2021, and declaring an emergency.

Motion to authorize the Director of Public Service and Properties to advertise for bids for bulk road materials, including concrete, asphalt, and aggregate.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Ms. DeGeorge

Ordinance No. 18-107 enacting Codified Ordinance Section 1310.01 (B) Registration/Licensing of Contractors, and declaring an emergency. (Second Reading December 17, 2018) (First Reading December 3, 2018).

MISCELLANEOUS

Motion to convene to Executive Session regarding Contracts: Cleveland Water Department, and Personnel: Police Department, Building Department.

ADJOURNMENT
January 7, 2019
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  December 17, 2018
Council Chambers 8:00 p.m.
Dwight A. Clark, President of Council, presiding

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

Also Present: Law Director Barbour, Finance Director Mahoney, Community Services Director Selig, Director of Public Service and Properties Liskovec, Police Chief Spaetzel, Fire Chief Lyons, Human Resource Director Demaline, Building Director Eric Tuck-Macalla.

Mr. Clark called this Regular Meeting of Council to order at 8:00 p.m. with roll call and Pledge of Allegiance led by Ward 4 Councilman Peter J. Winzig.

Motion by Tadych to dispense with the reading of the minutes of the Regular Meeting of Council held December 3, 2018, and approve the minutes as prepared and distributed.

Motion carried 7-0.

Motion by Tadych to dispense with the reading of the minutes of the Cahoon Memorial Park Trustees meeting held December 3, 2018, and approve the minutes as prepared and distributed.

Motion carried 8-0.

AUDIENCE

The following audience members signed in this evening: Pam Ebert, Tom Jelepis, Bob Kloepfer, Nancy Heaton, Steve Hildebrandt, Paul Vincent, Jeff Gallatin, Gary and Amanda Sebrosky, Cappi Mercer, Sam Gmetro, Linda J. Harris, Cheryl Gardiner, Jean Cundey, Sue Kohl, Brian Cruse, Karen Donnelly, Scott Pohlkamp, Janis Fisk, Don Zwilling, Nancy Clark, Clete Miller, Mike Young, Tony Dostal, Ed Smith, Tara Wendell, Denny Wendell.

ANNOUNCEMENTS

Mayor Koomar called forth Gary Ebert, Special Counsel, and presented the following Proclamation:

In the City of Bay Village there dwells an avid baseball fan, one Gary Ebert, who served the City honorably as the Bay Village Law Director for 32 years; and

WHEREAS, Gary started playing baseball as a young child, encouraged by his father, he played throughout his high school years, and upon graduation had an offer to play with the Cincinnati Reds; and
WHEREAS, Gary spent his summer months during high school and college playing in a semi-pro league sponsored by the Soldiers and Sailors Home in Sandusky where his father was honored with a sign for starting baseball in Sandusky; and

WHEREAS, Gary attended Kent State on a scholarship and played with Yankees great Thurman Munson. Ashland University enticed Gary away from Kent State with a baseball scholarship, which gave him the opportunity to play with Chicago Cubs great Ken Kravec; and

WHEREAS, Gary met his wife Pamela during his sophomore year of college and they began their dating life on the baseball fields of Ohio where she would sit in the bleachers cheering on her favorite second baseman; and

WHEREAS, Gary’s plan to marry Pamela at second base didn’t hit a home run with her as she was tired of the travelling, so she gave Gary an ultimatum; choose her or baseball. We all know how that went down. Good choice Gary!; and

WHEREAS, Gary then went on to attend Law School and married Pamela, which was followed by a move from Sandusky to Cleveland, and starting a family; and

WHEREAS, Gary’s love of baseball was kept alive when son Brian displayed a talent for the sport, and with Gary’s encouragement he became a talented pitcher for St. Ignatius. Brian was on the mound when St. Ignatius won their only state championship in Brian’s senior year. It was a proud moment for Gary; and

WHEREAS, Gary enjoyed watching Brian play baseball at Elon University and was fortunate to be able to spend time with his friend Eric Wedge, former Manager of the Cleveland Indians, visiting their spring training facility in both Florida and Arizona; and

WHEREAS, the baseball gene continues to be passed down to the next generation as Gary’s oldest grandson, Ronan, has shown a promising aptitude for the sport. This past summer the family was able to witness Ronan’s Little League team, the New Albany Eagles, win the state championship in Ohio and advance on to the regionals in Indianapolis. Another proud moment; and

WHEREAS, the plaque will read as follows: Ebert Field - In recognition and appreciation of his 36 years of meritorious service to the City of Bay Village, this baseball field is hereby dedicated to Gary A. Ebert, player, coach, and lifelong fan of the sport. His public service spanned four decades during which time he served as Councilman, Law Director, Acting Mayor and Cahoon Park Trustee, from January 1, 1982 through December 31, 2018. He will forever be
Minutes of Regular Meeting  
Bay Village City Council  
December 17, 2018  

remembered for his dedication and outstanding contributions to the City of Bay Village.

NOW THEREFORE, I, Paul A. Koomar, Mayor of the City of Bay Village, on behalf of the City Council and the Administration of the Bay Village community, extend the sincerest of congratulations to Gary Ebert on this occasion, the dedication of Ebert Field.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17th day of December, 2018.

/s/ Paul A. Koomar, Mayor

The many family members and friends present offered their best wishes and congratulations to Gary Ebert with a hearty round of applause.

Mr. Ebert thanked the many people present, with special recognition to past associates, and stated that his heart is here in Bay Village and always will be here. He will still devote his time and efforts when needed for Bay Village. He thanked his wife, Pamela, for her support through the years.

Nancy Heaton, Executive Director  
BAYarts, Inc.  
Update on Huntington Playhouse Renovation

Councilman Winzig introduced Nancy Heaton, Executive Director of BAYarts, Inc. Mr. Winzig stated that he has had the pleasure of working together with Nancy Heaton for over ten years. He stated that together they have taken on some very unusual projects that people have said would never happen. Months and years later, it magically happens and makes the campus a marvelous part of Bay Village. Mr. Winzig stated that it gives him honor and pleasure to introduce Nancy Heaton this evening.

Nancy Heaton stated that Mr. Gary Ebert has been on the BAYarts, Inc. board since she has been the Executive Director, going on the thirteenth year, and he has been a big part of not only their financial success but a great mentor and advisor to Ms. Heaton.

Ms. Heaton stated that they are very excited about what is happening with the Huntington Playhouse. Mr. Winzig has been their project manager at BAYarts on all their development projects, working very well with the Metroparks. A section of the Huntington Playhouse building will open January 7 for classes and events. Ms. Heaton stated that BAYarts is not funded by the City, but the City and officials have been very supportive of their efforts. They have been recommended by the City for state funding for the Fuller House renovation, and now the Huntington Playhouse. When the playhouse was getting ready to close, many people in the City asked BAYarts to save the building. They were willing to make that commitment knowing that they needed more space for BAYarts activities. The condition of the building is not good. They have been able to raise some of the funds for renovation, and will start a Capital campaign in January. Ms. Heaton asked everyone to come and visit BAYarts, and to be their ambassador.
in these efforts.

BAYarts will be the home for the Tuesday Night Bridge Group starting next winter. They are also working with the Village Bicycle Coop. Assistant to the Mayor, Sue Kohl, was recognized by Ms. Heaton as someone who has been very helpful with the market sponsored by BAYarts, Inc.

Ms. Heaton stated that BAYarts is in the center of town, and when she first started her work there she had this idea of it being a piazza, where people could meet and hang out, whether they come for art classes or free concerts. It is a place to meet people, be engaged, and enjoy an important part of our community. After this year the center will be celebrating its 70th year, and it is hoped it will keep going for another 100 years.

Ms. Heaton thanked everyone for their support.

Mr. Clark stated that BAYarts is one of the great cultural gems in Bay Village and it will continue to succeed. It has come a long way in the last ten years through the efforts of Ms. Heaton, the board, Mr. Ebert, and Mr. Winzig.

Mayor Koomar announced the appointment of Eric Tuck-Macalla as the Building Director of the City of Bay Village effective December 17, 2018. The Mayor stated that the administration is looking forward to working with Mr. Tuck-Macalla. Mr. Clark stated that Mr. Macalla and his wife are residents of the City of Bay Village, and having someone in that position is something that has been needed for some time. Mr. Clark welcomed Mr. Tuck-Macalla as part of the team.

REPORTS

Law Director Barbour had no report this evening.

Finance Director Mahoney had no report this evening. Mr. Clark announced that Finance Director Mahoney is finishing her sixth year with the City of Bay Village.

Recreation Director Enovitch is excused due to recovering from knee surgery last week.

Director of Public Service and Properties Liskovec reported that the Service Department is doing their last push through the City for leaf collection. They are also providing a link on the website to access the actual map location and provide a visual for residents as to where the crew is working. They continue to work from east to west through the City.

Mr. Clark complimented Mr. Liskovec on the work that was done to create the commemorative plaque for Mr. Ebert. Mr. Clark thanked Councilman Tadych and the rest of Council for the wording on the plaque, noting that it is important to have the wording correct in order to be a fitting remembrance of the work Mr. Ebert has done for the City.

Community Services Director Selig is excused this evening, enjoying her role as a new, first-
time grandmother.

**Police Chief Spaetzel** stated that four days of deer culling has been completed with the result of 17 deer culled. Culling will resume in January to finish the eight remaining tags for the season. An additional five deer were culled in Walker Road Park. Culling was conducted at the Huntington Pump House, Cahoon Memorial Park, Service Department and the paper street south of East Oakland along the railroad tracks.

**Fire Chief Lyons** had no report this evening.

**AUDIENCE**

Linda Harris, Kenilworth Road, stated that she is present this evening because she wants the Council to all be aware that the Mayor has informed the Tuesday evening Bridge Club that they are being evicted from the Senior Center after playing Bridge there for over twenty years. Mr. Winzig has been helpful in facilitating at least a temporary option for them to keep playing. It is important that the activity be part of the Senior Center activities. The Bridge Club has been in the newsletter and promoted at the Senior Center. This is how many people have found this particular group and they need to be considered part of the Senior Center activity and listed in their newsletter. If they have to live with the choice they are given now as a place to play, it may require some card tables they do not have because they are not accustomed to having Bridge players there (BAYarts). Ms. Harris asked for the City’s support in providing those tables. Ms. Harris stated further that she has talked to so many people who found their way to the Senior Center because they saw there was a Bridge group. While they do not feel there is a legitimate reason why they cannot continue to do this and find a way to work it out, they would like to have it on the record and do not consider it a dead issue.

Mr. Clark thanked Ms. Harris for her comments.

**COMMITTEE OF THE WHOLE**

**Motion** by **Tadych** to confirm the appointment by Mayor Koomar of Eric Tuck-Macalla, Ward 1 resident, as the Building Director of the City of Bay Village effective December 17, 2018.

**Motion passed 7-0.**

**ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Mr. Mace**

**Mr. Mace** advised that he will be holding an Environment, Safety and Community Services Committee meeting in January, 2019, toward the middle of the month where they will be looking further at fence regulations in the City. A date for the meeting will be announced in the near future.

**FINANCE AND CLAIMS-Mr. Tadych**
Mr. Tadych read, by title only, Ordinance 18-95 to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2019 and declaring an emergency, and moved for adoption. (Second Reading December 3, 2018) (First Reading November 26, 2018)

Mr. Clark extended appreciation to Finance Director Renee Mahoney for her leadership as Finance Director, Mr. Tadych for his role as Chairman of the Finance Committee and the rest of the Finance Committee membership and the administration for working through a relatively seamless process in completing this budget before the end of the year.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-95.

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

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

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

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

Mr. Barbour announced adoption of Ordinance No. 18-95, an emergency measure, with a vote of 7-0.

Mr. Tadych read, by title only, Ordinance 18-96 providing the range of compensation of the Director of Law and Prosecutor commencing January 1, 2019, and thereafter, and moved for adoption. (Second Reading December 3, 2018) (First Reading November 26, 2018)

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-96.

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

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

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

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

Mr. Barbour announced adoption of Ordinance No. 18-96, an emergency measure, with a vote of 7-0.

Mr. Tadych introduced and read, by title only, Ordinance 18-108 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, 18-25, 18-30, 18-49, 18-57, 18-66, 18-79, 18-80, 18-87 and 18-100 and declaring an emergency, and moved for adoption.

Mr. Clark advised that this ordinance has been discussed and articulated in the Council Committee meeting this evening. Mr. Tadych stated that the Finance Committee reviewed the nine appropriation amendments in this last appropriation package of 2018.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-108.

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

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

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

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

Mr. Barbour announced adoption of Ordinance No. 18-108, an emergency measure, with a vote of 7-0.

Mr. Tadych introduced and read, by title only, Ordinance 18-109 authorizing the Mayor to enter into a Labor Agreement with the Ohio Patrolmen’s Benevolent Association, and declaring an emergency.

Mr. Clark thanked everyone for their participation in reaching an accord that was amenable and mutually acceptable before the end of the year.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-109.

Roll Call on Suspension of the Charter Rules:
Yeas- Maier, Stainbrook, Tadych, Winzig, Clark, DeGeorge, Mace
Minutes of Regular Meeting  
Bay Village City Council  
December 17, 2018

Nays- None.

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

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

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

Mr. Barbour announced adoption of Ordinance 18-109, an emergency measure, with a vote of 7-0.

Mr. Tadych introduced and read, by title only, Ordinance 18-110 authorizing the Mayor to enter into a Labor Agreement with the Ohio Patrolmen’s Benevolent Association (Sergeants and Lieutenants), and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-110.

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

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

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

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

Mr. Barbour announced adoption of Ordinance 18-110, an emergency measure, with a vote of 7-0.

Mr. Tadych introduced and read, by title only, Ordinance 18-111 authorizing the Mayor to enter into a Labor Agreement with the International Association of Fire Fighters, Local 1144, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-111.

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

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

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

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

Mr. Barbour announced adoption of Ordinance 18-111, an emergency measure, with a vote of 7-0.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE-Ms. Maier

Ms. Maier had no report this evening.

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

Mrs. Stainbrook read, by title only, Ordinance No. 18-102 authorizing the Mayor to enter into a contract with Sixmo, Inc. and declaring an emergency, and moved for adoption. (Second Reading) (First Reading December 3, 2018)

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 18-106.

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

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

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

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

Mr. Barbour announced adoption of Ordinance No. 18-102, an emergency measure, with a vote of 7-0.
Mrs. Stainbrook read, by title only, Ordinance No. 18-103 authorizing the Mayor to enter into a contract with Chagrin Valley Engineering, Ltd., establishing related compensation, and declaring an emergency, and moved for adoption. (Second Reading) (First Reading December 3, 2018)

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 18-103.

Mr. Clark stated that the ordinance will provide a wide band of services including infrastructure, sewers, and the Rocky River Wastewater Treatment Plant.

Roll Call on Suspension of the Charter Rules:
   Yeas- Clark, DeGeorge, Mace, Maier, Stainbrook, Winzig
   Nays- Tadych

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

Roll Call on Inclusion of the Emergency Clause:
   Yeas – Clark, DeGeorge, Mace, Maier, Stainbrook, Winzig
   Nays – Tadych

Roll Call on Adoption:
   Yeas– Clark, DeGeorge, Mace, Maier, Stainbrook, Winzig
   Nays – Tadych

Mr. Barbour announced adoption of Ordinance No. 18-103, an emergency measure, with a vote of 6-1.

Mrs. Stainbrook introduced and read, by title only, Ordinance 18-112 authorizing the Mayor to make an application and enter into agreements with the Ohio Department of Transportation State Infrastructure Bank to complete the Columbia Road Culvert Repairs, authorizing the execution of all documents necessary to effectuate the same, and declaring an emergency.

Mr. Clark commented that there has been a lot of heavy lifting on this project, when it was first identified to be problematic in the first part of the year. It is important that this move forward, with the state providing three percent fixed rate financing for ten years. The City has the capacity, but chose not to deplete the Infrastructure Improvement Fund by paying for it out of reserves.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-112.

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

Roll Call on Suspension of the Council Rules:
Minutes of Regular Meeting
Bay Village City Council
December 17, 2018

Yeas – DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark
Nays – None.

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

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

Mr. Barbour announced adoption of Ordinance No. 18-112, an emergency measure, with a vote of 7-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Winzig

Mr. Winzig had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Ms. DeGeorge

Ms. DeGeorge read, by title only, Ordinance No. 18-107 enacting Codified Ordinance Section 1310.01 (B) Registration/Licensing of Contractors, and declaring an emergency. (Second Reading) (First Reading December 3, 2018).

Mr. Clark announced that Ordinance No. 18-107 is placed on second reading.

Ms. DeGeorge introduced and read, Resolution 18-113 authorizing the purchase of a Service Department Vehicle Equipment Package, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 18-113.

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

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

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

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

Mr. Barbour announced adoption of Resolution 18-113, an emergency measure, with a vote of 7-0.
Ms. DeGeorge introduced and read Resolution No. 18-114 authorizing the purchase of a replacement pump for the Huntington Lift Station, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 18-114.

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

Mr. Barbour announced adoption of Resolution No. 18-114, an emergency measure, with a vote of 7-0.

MISCELLANEOUS

Mrs. Stainbrook commented that the recent transition to the City’s new email went very well.

Mr. Clark advised that barring something unforeseen tonight’s meeting will be the final Council meeting of 2018. He thanked Council for their work this year, the collaboration and partnership, while working in tandem with the administration. Mr. Clark noted that this is the reason why Bay Village is an important city in northeast Ohio. The people that are in the audience and the ones that sit in the dais make it that way.

Mr. Clark extended wishes for a wonderful Christmas and holiday season. Looking forward to a great New Year in 2019, Mr. Clark adjourned this meeting of Bay Village City Council at 8:43 p.m.

Dwight A. Clark, President of Council                     Joan Kemper, Clerk of Council
President of Council Clark called the meeting to order at 7:57 p.m. in the Conference Room of Bay Village City Hall.

Also Present: Law Director Barbour, Finance Director Mahoney, Director of Public Service and Properties Liskovec, Fire Chief Lyons, Police Chief Spaetzel, Human Resource Director Demaline, Building Director (12-17-18) Eric Tuck-Macalla.

AUDIENCE

Clare Banasiak, Jeff Galatin, Cappi Mercer, Gary and Amanda Sebrosky, Sam Gmetro, Tara Wendell.

Approval of Partners Environmental Contract for work to be done in Cahoon Memorial Park.

Mr. Winzig explained that the City administration has been working with Partners Environmental in regard to the Cahoon Memorial Park Project. This is a proposal to provide, not only the analysis of what is currently in the ground through some test digs, but also the detail necessary for the application for the grant, and also, the equipment and materials to do those test digs. This is the next step in this project.

Mr. Winzig MOVED to approve the work to be done in Cahoon Memorial Park through the contract with Partners Environmental.

Mayor Koomar stated that Partners Environmental representatives will attend a meeting in January to provide the Trustees with a review of the project before doing any actual digging. Preliminary field layouts will be provided before that time.

Mr. Clark credited Mr. Mace for advising that this contract, approved by City Council, must also be approved by the Cahoon Memorial Park Trustees.

There being no further comments or questions, Mr. Clark called for a vote on the motion put forth by Mr. Winzig to approve the work to be done in Cahoon Memorial Park through the contract with Partners Environmental.

Motion carried 8-0.

Meeting adjourned at 7:59 p.m.

Dwight A. Clark, President of Council  Joan Kemper, Clerk of Council
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
ADOPTING UPDATED POLICIES GOVERNING CREDIT CARD USE BY
EMPLOYEES AND OFFICIALS OF THE CITY OF BAY VILLAGE, AMENDING
RESOLUTIONS 04-153 AND 10-123 AND DECLARING AN EMERGENCY.

WHEREAS, Council passed Resolution No. 04-153 adopting Policies Governing the Use of Cell Phones, Credit Cards, and Travel Expenses by Employees and Officials of the City of Bay Village dated December 20, 2004, and passed Resolution No. 10-123 amending Resolution No. 04-153 and adopting the updated policy dated November 1, 2010; and

WHEREAS, at the recommendation of the Finance Director, the credit card policy provisions of said policy should be further updated; and

WHEREAS, the policy as amended is available for review at City Hall.

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

SECTION 1. That the updated Credit Card Policy with a revision date of October, 2018, is adopted as a proper public purpose.

SECTION 2. Resolutions 04-153 and 10-123 are hereby amended with regard to the credit card policy.

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

SECTION 4. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, 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
010219 kek
ORDINANCE NO.
INTRODUCED BY:

ORDINANCE
AMENDING ORDINANCE 18-58 RELATING TO THE ESTABLISHMENT OF A
GRANT FUND, AND DECLARING AN EMERGENCY

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

SECTION 1. That Section 1 of Ordinance 18-58 passed on July 10, 2018 is hereby
amended to read as follows:

That Chapter 125 of the Codified Ordinances of the City of Bay Village is hereby amended
by enacting new Section 125.60 which shall read as follows:

“125.60 GRANT FUND.
There is hereby established under Ohio R.C. 5705.12, and subject to the approval of the
Bureau of Inspection and Supervision of Public Offices of the State of Ohio, Grant Fund (299).
Such Fund shall be used to account for grant monies.”

SECTION 2. The Director of Finance is hereby instructed to forward a certified copy
of this ordinance to the Bureau of Inspection and Supervision of Public Offices of the State of
Ohio for approval of same.

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,
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
010319 kek
ORDINANCE NO.
INTRODUCED BY:

ORDINANCE
AMENDING CHAPTER 125 OF THE CODIFIED ORDINANCES BY ENACTING
SECTION 125.61 RELATING TO THE ESTABLISHMENT OF AN EMPLOYEE FSA
FUND, AND DECLARING AN EMERGENCY

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

SECTION 1. That Chapter 125 of the Codified Ordinances of the City of Bay Village
is hereby amended by enacting new Section 125.61 which shall read as follows:

“125.61 EMPLOYEE FSA FUND.
There is hereby established under Ohio R.C. 5705.12, and subject to the approval of the
Bureau of Inspection and Supervision of Public Offices of the State of Ohio, Employee FSA Fund
(920). Such Fund shall be used to account for employee FSA monies.”

SECTION 2. The Director of Finance is hereby instructed to forward a certified copy
of this ordinance to the Bureau of Inspection and Supervision of Public Offices of the State of
Ohio for approval of same.

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,
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
010319 kek
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE
CUYAHOGA COUNTY BOARD OF HEALTH TO PROVIDE PHASE II
STORMWATER SERVICES TO THE CITY OF BAY VILLAGE DURING CALENDAR
YEARS 2019 THROUGH 2021, AND DECLARING AN EMERGENCY.

WHEREAS, The Cuyahoga County Board of Health (CCBH) maintains a Stormwater Program that assists the City in meeting the Ohio EPA’s Phase II Stormwater requirements, and;

WHEREAS, the previous Memorandum of Understanding between CCBH and the City for participation in the Stormwater Program expired on December 31, 2018, and the City would like to continue its participation in the program;

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

SECTION 1. That the Mayor is hereby authorized to enter into a Memorandum of Understanding with the Cuyahoga County Board of Health to provide Phase II Stormwater services to the City of Bay Village for and during the calendar years 2019 through 2021 at a cost to the City of Five Thousand Six Hundred Twenty-Two Dollars ($5,622.00) for calendar year 2019, Five Thousand Six Hundred Twenty-Two Dollars ($5,622.00) for calendar year 2020, and Five Thousand Six Hundred Twenty-Two Dollars ($5,622.00) for calendar year 2021 for a total compensation of $16,866.00.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

____________________________
PRESIDENT OF COUNCIL

____________________________
CLERK OF COUNCIL

APPROVED:

____________________________
MAYOR
010219 KEK
ORDINANCE ENACTING REVISED CODIFIED ORDINANCE SECTION 1310.01(B) REGISTRATION/LICENSESING OF CONTRACTORS, AND DECLARING AN EMERGENCY

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

SECTION 1. That Codified Ordinance Chapter 1310 - Registration/Licensing of Contractors, Section 1310.01 - Registration requirement, Subsection (b), which presently reads as follows:

“(b) No provision of this chapter shall be interpreted to require that a person, firm or corporation who is an owner or lessee of premises shall be registered to perform work upon such premises owned by such person, firm or corporation. Persons employed by the owner of the property in the capacity of a Building Custodian shall not be required to register or be otherwise subject to any provision of this chapter.”

is hereby amended by enacting revised Subsection 1310.01(b) to read as follows:

“(b) The provisions of this chapter shall not apply to:

1) a person, firm or corporation who is an owner or lessee of non-residential premises for the performance of work upon such premises
2) persons employed by the owner or lessee of non-residential premises in the capacity of a building custodian for such premises
3) an individual owner-occupant of residential premises for the performance of work upon such premises.”

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 resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, 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
112918 kek