January 11, 2019

A Special Meeting of the Bay Village City Council will be held on **Monday, January 14, 2019** at 8:00 p.m., following the Committee Meeting of Council at 7:30 p.m., in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. **Roll Call; Pledge of Allegiance led by Nancy Stainbrook, Councilwoman-at-large.**

2. **Motion** to approve the Minutes of Regular Meeting of Council held January 7, 2019. **Tadych**

3. **Motion** to approve the minutes of the Cahoon Memorial Park Trustees meeting held January 7, 2019. **Tadych**

4. **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. **Tadych**

5. **Ordinance 19-2** 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. **Tadych** (First Reading – January 7, 2019)

6. **Motion** to acknowledge receipt of December 2018 Year End Financial Statements of the City of Bay Village prepared and submitted by Renee Mahoney, Director of Finance. **Tadych**

7. **Ordinance 19-3** 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. **Stainbrook** (First Reading – January 7, 2019)

8. **Motion** to authorize the Director of Public Service and Properties to advertise for bids for the 2019 Road Improvement Program. **Stainbrook**

9. **Motion** to confirm the reappointment by Mayor Koomar of Colby Sattler to the Tree Commission for a three year term expiring January 1, 2022. **Tadych**

10. **Motion** to confirm the reappointment by Mayor Koomar of David Patzwahl to the Tree Commission for a three year term expiring January 1, 2022. **Tadych**

11. **Motion** to confirm the reappointment by Mayor Koomar of Barry Tyo to the Board of Zoning Appeals for a five year term expiring January 1, 2024. **Maier**
Agenda
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12. Motion to confirm the reappointment by Mayor Koomar of Gregory Ernst to the Architectural Board of Review for a three year term expiring January 1, 2022.*DeGeorge*

13. Motion to approve the installation of a total of eight pole banners, approximately 33 inches by 60 inches in size, four at the intersections of Wolf Road and Dover Center Road, and four at the intersection of Wolf Road and Cahoon Road, to promote community spirit for the annual Snoball Run, sponsored by the Bay Rockets Association, to be held at Bay High School on Saturday, February 16, 2019.*Maier*

14. Announcements/Audience/Miscellaneous

15. Adjournment

Dwight A. Clark
President of Council

Charter Reference 2.11
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 clause:

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 provisions. 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 January 7, 2019
Council Chambers 8:45 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, Recreation Director Enovitch, Building Director Eric Tuck-Macalla.

Mr. Clark called this Regular Meeting of Council to order at 8:45 p.m. with roll call and Pledge of Allegiance led by Councilman-at-large Marty Mace.

Motion by Tadych to dispense with the reading of the minutes of the Regular Meeting of Council held December 17, 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 meeting of the Cahoon Memorial Park Trustees held December 17, 2018, and approve the minutes as prepared and distributed.

Motion carried 8-0.

AUDIENCE

The following audience members signed in this evening: Thomas J. Kelly, Gary and Amanda Sebrosky.

There were no comments from the audience this evening.

ANNOUNCEMENTS

Mayor Paul Koomar advised that at the end of last year House Bill No. 51 was passed regarding mitigation of coastal erosion. Private property owners can join together and create a Special Improvement District (SID). The SID can implement public improvement projects to benefit the SID. Multiple property owners along the coastal erosion lines that may want to do a project will find this program helpful. Once the City and the SID have approved a project plan the City can levy the members’ payments over thirty years to pay for the improvement. More detail is forthcoming after further research and review by the Law Director. The Mayor noted that this is another option for lakeside property owners.

Mr. Clark asked if this opportunity would include the Lakeside Cemetery property. Mayor Koomar stated that it potentially could include the cemetery property.
REPORTS

Law Director Barbour had no report this evening.

Finance Director Mahoney reported closing out the 2018 financial reports of the City of Bay Village with copies to be distributed to Council in their distribution packets the weekend of January 12, 2019.

Recreation Director Enovitch had no report this evening.

Director of Public Service and Properties Liskovec had no report this evening.

Community Services Director Selig reported that a new Activities Manager began today at the Dwyer Memorial Center. A Bay Village resident and front desk volunteer, Jennifer Ruese, was hired for the position. Another resident, Vickie Sprague, is working part time, scheduled for 40 hours per month, helping with the BV60 activities. Mrs. Sprague has volunteered to this point, really helping to grow the BV60 program.

Mr. Clark stated that at some time in the future Council would encourage the attendance of these staff members to a City Council Meeting to welcome them to the City. He complimented their work with the activities that Ms. Selig has worked so diligently to incorporate for the Bay Village residents at the Community Services Department.

Police Chief Spaetzel had no report this evening.

Fire Chief Lyons had no report this evening.

Building Director Tuck-Macalla had no report this evening.

FINANCE AND CLAIMS-Mr. Tadych

Mr. Tadych announced that 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, will be removed from the agenda this evening for further review.

Mr. Tadych introduced and read Ordinance 19-01 amending Ordinance 18-58 relating to the establishment of a Grant Fund, and declaring an emergency, and moved for adoption.

Mr. Mace asked if there will be individual enumeration of the specific grants in the Grant Fund, 299. Finance Director Mahoney stated that there will be individual enumeration of the specific grants in the fund. At the present time, there is only one grant in the fund. The fund will be used mainly when it is a requirement to have separate accounting for a specific grant. The Police Department grant is in the fund at this time.
There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-01.

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. 19-01, an emergency measure, with a vote of 7-0.

Mr. Tadych introduced and read Ordinance 19-02 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, requesting that the ordinance be placed on first reading.

Mr. Barbour announced that Ordinance 19-02 is placed on first reading.

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 introduced and read, by title only, Ordinance No. 19-03 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, and requested that this ordinance be placed on first reading.

Mr. Barbour announced that Ordinance No. 19-03 is placed on first reading.

Motion by Stainbrook to authorize the Director of Public Service and Properties to advertise for bids for bulk road materials, including concrete, asphalt, and aggregate.
Director of Public Service Liskovec stated that these bids are to obtain prices for the products the Service Department uses for internal repairs on road surfaces, separate from the 2019 Road Improvement Project.

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

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 18-107.

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. 18-107, an emergency measure, with a vote of 7-0. Mr. Clark expressed appreciation to Building Director Tuck-Macalla and Law Director Barbour for helping to move this legislation through City Council.

MISCELLANEOUS

A Finance Committee meeting will be held Monday, January 14, 2019 at 6:45 p.m.

Mr. Clark stated that all members of Council received a list of Matters Pending before Council Committee as of January 1, 2019. Mr. Clark stated that he would like to move these matters forward to completion in 2019, noting that he understands that it may be a little difficult with some of the major Capital Improvements such as Bruce/Russell/Douglas. In the spirit of efficient government, Mr. Clark would like to see items completed and off the list.
In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych MOVEd to convene to Executive Session regarding Contracts: Cleveland Water Department, and Personnel: Police Department, Building Department.

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

Motion passed 7-0.

Also in attendance in Executive Session were Mayor Koomar, Law Director Barbour, Finance Director Mahoney, Building Director Tuck-Macalla, Police Chief Spaetzel, and Service Director Liskovec.

Council reconvened in an open meeting at 9:37 p.m. Present were: Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, and Winzig.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 9:41 p.m.

ADJOURNMENT

____________________________________               __________________________
Dwight A. Clark, President of Council   Joan Kemper, Clerk of Council
President of Council Clark called the meeting to order at 8:35 p.m. in the Conference Room of Bay Village City Hall.

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, Fire Chief Lyons, Police Chief Spaetzel, Recreation Director Enovitch, Community Services Director Selig, Administrative Project Leader Kerber, Building Director Eric Tuck-Macalla.

AUDIENCE

Clare Banasiak, Thomas J. Kelly, Gary and Amanda Sebrosky, Tara Wendell.

Approval for Bay High School to host Cross Country Meets through Cahoon Memorial Park, pending receipt of insurance, on the following dates: August 10, 2019, August 24, 2019, and October 12, 2019.

Mr. Winzig stated that the approval for the Bay High School to host Cross Country Meets through Cahoon Memorial Park is for meets that are held annually and run quite smoothly, given pre-notification to the City for security and traffic control.

Mr. Clark asked if there would be interference with any potential construction in the park. Mr. Winzig stated that the course typically goes along the west side of Cahoon Road, down across the parking lot and around the shed, and there should not be interference with any projects. Mayor Koomar stated that pending projects will be walked with Chagrin Valley Engineering. There will be no effect to the sledding hill area and there will be space for the runs.

Motion carried 8-0.

Meeting adjourned at 8:38 p.m.
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  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
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