Agenda, Bay Village City Council
Regular Meeting, Council Chambers
March 18, 2019
8:00 p.m.

Dwight A. Clark, President of Council, Presiding
Roll Call
Pledge of Allegiance led by Nancy Stainbrook, Councilwoman-at-large

Reading of Minutes – Regular Meeting of Council held March 4, 2019.
Cahoon Memorial Park Trustees meeting held March 4, 2019

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
Director of Building Eric-Tuck Macalla

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Mr. Mace

FINANCE AND CLAIMS-Mr. Tadych

Motion to acknowledge receipt of February 2019 City of Bay Village Financial Reports as prepared by Renee Mahoney, Director of Finance.

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

Motion to advertise for bids for Phase I of the Rosehill Museum Project (slope stabilization).

Motion to add the matter of Vacant Homes to the Matters Pending before Council Committee.
March 18, 2019
Agenda
Regular Meeting of Council

Motion to add the matter of Review of Existing Zoning Code per Master Plan Recommendations to the Matters Pending before Council Committee.

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

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Ms. DeGeorge

MISCELLANEOUS

ADJOURNMENT
March 18, 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

CAHOON MEMORIAL PARK TRUSTEES

President of Council Clark called the meeting to order at 8:00 p.m. in the Conference Room of Bay Village City Hall.

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

Excused: Mrs. Stainbrook

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

AUDIENCE

Tara Wendell.

CAHOON MEMORIAL PARK TRUSTEES

Motion by Winzig to approve the use of Cahoon Memorial Park for the Community Shredding Day and Habitat for Humanity pick-up to be held Saturday, April 27, 2019 from 9 a.m. to 12 Noon, sponsored by the Bay Village Green Team. (Habitat for Humanity Pick up will end at 3 p.m.) The event will be held in the Bay Village Police Department parking lot.

Mr. Clark commented that this event is being paid for by the Green Team, which is an example of the work by one of the wonderful volunteer organizations in the City.

There being no further comments or questions, Mr. Clark called for a vote of the Trustees.

Motion carried 7-0.

Motion by Winzig to approve the 5th Annual Touch-a-Truck Event in Cahoon Memorial Park on Saturday, September 14, 2019 from Noon to 3:00 p.m., requested by Mark A. Spaetzel, Chief of Police, City of Bay Village. The event will be held in the Bay Village Police Department parking lot, and the Fire Station parking lot.

There being no further comments or questions, Mr. Clark called for a vote of the Trustees.

Motion carried 7-0.

Motion by Winzig to approve the use of Cahoon Memorial Park Fields and Facilities for the 41st Annual Bay Challenge Cup on Friday, August 30, 2019 and Saturday, August 31, 2019, pending receipt of insurance, requested by Erin Kupcak, Bay Soccer Club.
Minutes of a Meeting of
Cahoon Memorial Park Trustees
February 4, 2018

Mr. Winzig commented that this year marks the 50th Anniversary of the Bay Soccer Club. A recognition sign is under design by the soccer club and will be brought to the Trustees for approval in the near future.

Mr. Clark asked if there will be any Bay Challenge Cup activities on Labor Day, Monday, September 2. Mr. Winzig stated that most of the spring activities are on Saturdays, and depending where Easter falls and breaks, they pick it up on a weekday.*

There being no further comments or questions, Mr. Clark called for a vote of the Trustees.

**Motion carried 7-0.**

The meeting adjourned at 8:03 p.m.

*After the meeting, the Clerk of Council phoned Erin Kupcak of the Bay Soccer Club to see if there will be use of the fields on Monday, September 2, 2019. Ms. Kupcak stated that she is checking further with the coaching staff and will get back to the Clerk if Monday, September 2 will be requested.

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Dwight A. Clark, President of Council   Joan Kemper, Clerk of Council
CITY OF BAY VILLAGE

Council Minutes, Regular Meeting March 4, 2019
Council Chambers 8:05 p.m.
Dwight A. Clark, President of Council, presiding

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

Excused: Councilwoman-at-large Nancy Stainbrook.

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

Mr. Clark called this Regular Meeting of Council to order at 8:05 p.m. with roll call and Pledge of Allegiance led by Marty Mace, Councilman-at-large.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych MOVED to convene to Executive Session – Personnel: Emily Spivack, Squire Patton Boggs, regarding labor negotiations; School Resource Officer; Contracts: Cleveland Water Department, Library Lease, MARCS Radio.

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

Motion passed 6-0.

Also in attendance in Executive Session were Mayor Koomar, Law Director Barbour, Finance Director Mahoney, Human Resource Director Demaline, and Emily Spivack (Squire Patton Boggs).

Council reconvened in an open meeting at 9:01 p.m. Present were: Clark, DeGeorge, Mace, Maier, Tadych, and Winzig.

Motion by Tadych to dispense with the reading of the minutes of the Special Meeting of Council held February 25, 2019, 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 meeting of the Cahoon Memorial Park Trustees held February 25, 2019, and approve the minutes as prepared and distributed.

Motion carried 7-0.

AUDIENCE
There were no audience members present at this meeting of Council.

ANNOUNCEMENTS

There were no announcements this evening.

REPORTS

Law Director Barbour had no report this evening.

Finance Director Mahoney stated that assistance is available with Municipal Income Tax filing at North Ridgeville City Hall, provided by the Regional Income Tax Agency (R.I.T.A.) from 12 Noon to 7 p.m. on March 21, 2019, with no reservation necessary.

Recreation Director Enovitch reported that the Recreation Department basketball season has been completed with more than 600 youth participants, from Kindergarten through high school aged students. On Monday, March 11, when school will not be in session due to a brief spring break, a shooting competition will be held, called “Two Balls”, in the Community Gym. Students are encouraged to participate. Mr. Clark noted that there is a short, mini-break in the school schedule because of the long distance in time to spring break.

Director of Public Service and Properties Liskovec stated that three pre-construction meetings will be held this week. The first meeting will be held Tuesday, March 5, 2019 regarding the Columbia Road Culvert. More specifics regarding the construction schedule will be presented at that meeting. On Thursday, March 7, a meeting will be held regarding the Queenswood Bridge Project at the Ohio Department of Transportation, District 12 office. On Friday, March 8, a meeting will be held at the Ohio Department of Transportation, District 12 office, regarding the Lake Road Bridge Project.

Human Resource Director Demaline had no report this evening.

Director of Community Services Selig had no report this evening.

Fire Chief Lyons had no report this evening.

Building Director Tuck-Macalla had no report this evening.

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Mr. Mace

Mr. Mace read Ordinance No. 19-12 amending Chapter 333 of the Codified Ordinances of the City of Bay Village by amending Section 333.11 relating to texting while driving, and declaring an emergency, and moved for adoption. (First Reading – February 11, 2019) (Second Reading – February 25, 2019).
Mr. Mace commented that this legislation has been thoroughly reviewed by the Environment and Safety Committee, and is brought forward by unanimous decision.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-12.

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

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

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

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

Mr. Barbour announced adoption of Ordinance No. 19-12, an emergency measure, with a vote of 6-0.

Mr. Mace introduced and read Resolution 19-23 approving use by Michael and Susan Novak of submerged lands of Lake Erie for shoreline improvements, and declaring an emergency.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 19-23.

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

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

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

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

Mr. Barbour announced adoption of Resolution No. 19-23, an emergency measure, with a vote of 6-0.
FINANCE AND CLAIMS-Mr. Tadych

Mr. Tadych read Ordinance No. 19-13, amending by reading, to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2019, as previously appropriated in Ordinance 18-95 and 19-7, and declaring an emergency, and moved for adoption. (First Reading – February 11, 2019) (Second Reading – February 25, 2019).

Mr. Clark thanked the Finance Committee and the administration for putting this Capital Budget Appropriation together. He noted that this is a very “heavy-lifting” year, inclusive of existing City monies available, outside borrowings, and what is being financed with the annual note program. The City will fund about $7 million worth of Capital expenditures, which is a record for the City.

Procedurally, clarification is necessary of the concept of whether to include the Alternate Bids 1 and 2 for Parkside Drive in this ordinance, which will require an amendment of the ordinance. Mr. Clark opened this matter for discussion. The base bid plus the Alternate Bid 1 came out to $671,000, a little under $700,000. There is an excess of about $8,500 currently in the fund, but if Alternate Bid 1 is included the difference would be about $30,000 more than what is on the table this evening.

Mayor Koomar commented that given the $8,000 carry-over, he believes the amount of $31,000 would cover the difference.

Mr. Winzing asked if part of this would be holding off on Alternate No. 3.

Mr. Clark stated that Alternate No. 3 would not be included because of the fact that the road is only used for emergency vehicles. Mr. Liskovec would like to do some additional work to see if something similar to what was proposed for Sunset Drive would be considered for the road.

Mr. Mace stated that he thought a majority opinion was expressed in the Committee session held this evening that the entirety of Parkside Drive should be done instead of in a piecemeal way. The ordinance should be amended to read that both Alternate Bids 1 and 2 be included in the contract.

Mr. Clark noted that changes affect this ordinance and also the ordinance to be introduced under the Public Improvements, Streets, Sewers and Drainage Committee this evening, awarding the 2019 Asphalt Resurfacing Contract to Chagrin Valley Paving Company. If there will be a change, the numbers in the Amended Appropriation Ordinance will need to be revised.

Finance Director Mahoney suggested that if this is the course of action she would suggest taking the money from the Infrastructure Improvement Fund, knowing that Council would not want to increase the projected amount of 2019 note debt. The amount of $400,000 is under consideration from the Street Improvements Fund, and Mrs. Mahoney expressed that no further money should be taken from that fund. She recommended increasing Fund 494, Infrastructure Improvement Fund, by the $31,000 needed for the inclusion of the entirety of Parkside Drive.
Mr. Clark asked Mr. Tadych if he is good with the recommendation of Mrs. Mahoney. Mr. Tadych expressed agreement.

Mrs. Mahoney stated that the amount of $57,800 would be added to the Amended Appropriation Ordinance, as payment out of the Infrastructure Improvement Fund No. 240 to include Alternate Bids Nos. 1 and 2. The $57,800 is an accumulation of $31,000 added to the $26,800 that is in the fund.

Mr. Clark summarized the amendment by reading to Ordinance No. 19-13 to include an additional placeholder for funds coming out of the Infrastructure Improvement Fund, as noted by the Finance Director and validated by the Finance Committee Chair, for the amount of the Capital project for the entirety of Parkside Drive, outside of the Alternate Bid 3 region, and called for additional questions or comments.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-13.

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

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

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

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

Mr. Barbour announced adoption of Ordinance No. 19-13, as amended by reading, an emergency measure, with a vote of 6-0.

Mr. Tadych read Ordinance No. 19-14 amending Section 2 of Ordinance No. 18-20 regarding rates of compensation for the Officers and Employees of the General Administration Department and those Employees of the City not covered by separate labor contract for the Calendar Year 2019, and moved for adoption. (First Reading – February 11, 2019) (Second Reading – February 25, 2019).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-14.

Roll Call on Suspension of the Charter Rules:
   Yeas- Maier, Tadych, Winzig, Clark, DeGeorge, Mace.
Minutes of Regular Meeting  
Bay Village City Council  
March 4, 2019

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

Mr. Barbour announced adoption of Ordinance No. 19-14, an emergency measure, with a vote of 5-1.

Motion by Tadych to authorize the Finance Director to advertise for Requests for Information for a new accounting software package for the Bay Village Finance Department.

Motion passed 6-0.

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

The Motion to advertise for bids for Phase 1 of the Rosehill Museum Project (slope stabilization) will be delayed until the Regular Meeting of Council to be held March 18, 2019.

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

Ms. Maier read and introduced Ordinance No. 19-24, amending by reading to include Alternate No. 2 in the amount of $141,080 as well as Alternate No. 1 for $67,412, for a total of Section 1 in the amount of $739,034, authorizing the Mayor to enter into an agreement with Chagrin Valley Paving for the 2019 Asphalt Resurfacing Contract, and declaring an emergency.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-24.

Roll Call on Suspension of the Charter Rules:  
Yeas- Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays- None.
Roll Call on Suspension of the Council Rules:  
Yeas –Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays –None.
Roll Call on Inclusion of the Emergency Clause:  
Yeas – Tadych, Winzig, Clark, DeGeorge, Mace, Maier.  
Nays – None.
Minutes of Regular Meeting
Bay Village City Council
March 4, 2019

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

Mr. Barbour announced adoption of Ordinance No. 19-24, as amended by reading, an emergency measure, with a vote of 6-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

Mr. Winzig had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Ms. DeGeorge

Ms. DeGeorge had no report this evening.

MISCELLANEOUS

Mr. Clark publicly acknowledged the recent passing of Mr. Jack Zisko, the long-time lead mechanic of the Bay Village Service Department, and a beloved Bay Village resident. Mr. Zisko’s wife, Susan, worked in the Community Services Department for a number of years as well. Mr. Clark noted that Mr. Zisko was a legendary softball player in Bay Village, hitting home runs at what is now Ebert Field, over Lake Road. Mr. Zisko was a good man, and certainly will be remembered. Mr. Tadych noted that he was one of the residents of Bay Village who has lived in Cahoon Park. Mr. Clark stated that Mr. and Mrs. Zisko lived in the library house, adjacent to the skate park.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 9:26 p.m.

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Dwight A. Clark, President of Council   Joan Kemper, Clerk of Council