AGENDA

Agenda, Bay Village City Council                                  Date:  July 8, 2019
Committee Meeting                                                  Time:  6:00 p.m.
Conference Room, Bay Village City Hall                        Dwight A. Clark, President of Council, Presiding

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Removal of Review of Codified Ordinance No. 1163.05 Fence Regulations from Matters Pending before Council.

Healthy Urban Tree Canopy Grant Program.

FINANCE & CLAIMS COMMITTEE-Tadych

June 2019 Financial Statements of the City of Bay Village.


Financial System Purchase Approval.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

Removal of Vacant Homes from Matters Pending before Council.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-
Stainbrook

Rose Hill Museum Slope Stabilization.

Sunset Area Utilities Improvements.

Sunset Area Roadway Improvements.

Recommendation for Award of Contract for Lake Road Crosswalk Installations.

Ashton Lane Bridge Replacement.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

Recommendation for Award of Contract for Reese Park Tennis/Pickle Ball Courts Renovation.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge
MISCELLANEOUS

AUDIENCE

CAHOON MEMORIAL PARK TRUSTEES
City of Bay Village

Council Minutes, Committee Session       June 24, 2019
Dwight A. Clark, President of Council, presiding       Conference Room

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

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

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

AUDIENCE

Claire Banasiak, Susan Murnane, Tom Kelly, Sylvia Milhoan, Roberta Dalton, Nancy Jones, Joyce Eldred, Mary and Bill Bennett, Mary Slaman, Larry Bennet, Greg Baeppler, Lynn Cartellone, Tara and Denny Wendell, Virginia Nord.

ANNOUNCEMENTS

Mayor Koomar stated that due to the excessive rainfall this spring, all the rides for Bay Days will be moved to the parking lot of the Community House. The ground is not stable enough for the rides. Parking will be limited this year.

The Mayor stated that he had some conversations last week with Tracy Strobel from Cuyahoga County Public Library. They are moving closer with the plans, and the Council, administration and Cahoon Memorial Park Trustees will want to review to make sure it is going in the same direction we’ve all seen. Building Director Tuck-Macalla will look at the plans as well. There has been a lot of contact with the library architects, and the submission to the Planning Commission will most probably be August 7, 2019.

Mayor Koomar referred to the previous conversation on construction inspection on projects in the City. There have not been a lot of inspection services recently. The last one was the Osborn Drive sewer replacement, and that inspection was done in-house by Infrastructure Manager Curtis Krakowski. The engineering with Chagrin Valley Engineering for the Sunset Area project also includes inspection services. For the Columbia Road Culvert project, engineering services are factored into the loan for the project, and having experienced eyes on the project is very important.

Director of Public Service and Properties Liskovec stated that the Bay Presbyterian Church built a structure near the culvert and the area was exposed. There was need for action to make the area safe for construction services. Having an observer on site is crucial, because they understand what they are looking at and what needs to be done, as well as being able to relay that information back to Mr. Liskovec and Engineer Don Bierut.
The Mayor commented that in addition to the City inspector on the scene, there was a retired inspector from Walton Hills, and by their action they were able to bring up some pumps that due to the recent rain flow would adequately divert flow which could have backed up water. Mr. Dan Galli, before his employment as Director of Public Service, would do inspection services on the roads program. The roads program inspection is now done in-house with Infrastructure Manager Krakowski, which is valuable due to knowing the different types of asphalt and the timing of the pouring in order to make the asphalt last without breaking down later. The Mayor stated that the construction inspection services in 2008 paid to Mr. Galli was a little over $30,000 and in 2009, was just over $50,000.

Carol Cole, Bradley Road, asked if the Recreation Department building (Bayway Cabin) will be torn down for construction of the library. Ms. Cole asked why the new library could not have been located north of the Dwyer Memorial Center. Mr. Clark stated that this is something that has been decided for almost two years. Mayor Koomar stated that the Bayway Cabin is an older building and was moved to its present location in the 1950’s after being donated by the Board of Education. Part of the requirement for the library is to provide three and one-half acres for the building and parking. The area at the Dwyer Center did not have the acreage needed.

Ebert Field Dedication Ceremony at Ebert Field, Dover Center Road.

Mr. Clark stated that a dedication of the Dover 1 Baseball Field was held at 6 p.m. this evening and the field is now known as Ebert Field, in tribute to former Law Director, member of Council and acting Mayor Gary Ebert. A bronze plaque is placed at the site, and the dedication ceremony was attended by City officials, employees, family and friends of Gary Ebert to commemorate the 40 years of service that Gary Ebert has given to the City of Bay Village and the sport of baseball.

Reappointment of Stewart Watterson to a four-year term to the Parks and Recreation Commission ending June 30, 2023.

Mayor Koomar announced the reappointment of Stewart Watterson to a four-year term to the Parks and Recreation Commission. Mr. Watterson has been a member of the Parks and Recreation Commission since 2011. He has been very active with the Bay Men’s Club baseball program and is an asset to the Parks and Recreation Commission.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Submerged Land Lease, 23528 Lake Road.

Mr. Mace will present a resolution for a submerged land lease at the Special Meeting of Council this evening for Hayden and Rachel Stafford, 23528 Lake Road. Plans for construction have been submitted to the City and all seems to be in order and consistent with improvements seen in the past.
New Fire Apparatus.

Mr. Mace reported that a meeting of the Environment, Safety, and Community Services Committee was held this evening. The Ladder Committee of the Fire Department has recommended the purchase of a new fire truck. The administration agrees with the recommendation, and an ordinance authorizing the purchase will be presented to Council this evening.

Mayor Koomar noted that the truck is a demo unit that has significant savings attached. Mr. Clark confirmed that the new truck is at, or below, the price set for the 2019 borrowing program. Mayor Koomar stated that it was budgeted for a lesser unit, but with the savings associated with the demo model a larger unit than planned is being purchased. The ordinance will be moved for adoption this evening in the interest of not losing the opportunity to purchase the demo model. Mr. Mace noted that timing is important since the manufacturer did lower the price for the City and the opportunity could be lost once the price point becomes known to other interested departments.

Mr. Clark reiterated Mr. Tadych’s comments in the committee meeting stating that Council does not know enough about fire units and apparatus to be educated to make that decision. The fact that the administration, Fire Chief, and the committee are all in favor of the purchase, it will be approved this evening.

Mr. Mace advised that Ordinance No. 19-50, amending Chapter 1163 of the Codified Ordinances of the City of Bay Village regarding fence regulations is on third reading this evening.

**FINANCE & CLAIMS COMMITTEE-Tadych**

May 2019 Financial Statements of the City of Bay Village.

Mr. Tadych will present an ordinance for consideration of increasing the salaries of the members of Council for adoption this evening. The ordinance was read on June 3, 2019, and again on June 10, 2019.

Resolutions certifying unpaid property services which include grass cutting, tree removal, sewer rental, and sidewalk repair, will be presented for third reading and adoption this evening. This will enable Finance Director Mahoney to submit the charges to the Cuyahoga County Fiscal Officer for placement on the property owners’ tax duplicate.

Mr. Tadych will also move to accept the May 2019 Financial Statements of the City of Bay Village which were submitted to Council on June 5, 2019.

Mr. Clark noted that Finance Director Mahoney has provided the members of Council with a spreadsheet of the City’s Reserve Funds. Mr. Clark stated that after spending funds on various construction projects, the total Reserve Funds stand at approximately $9.5 million.
Committee Meeting of Council
June 24, 2019

The Finance Department is researching the purchase of a new finance software system, and Mr. Tadych will represent Council in these meetings. Mrs. Mahoney stated that proposals were received from three different vendors, with one vendor proposing two different solutions. The vendors and solutions are Tyler Technologies Munis System Solutions, Tyler Technologies Incode System Solutions, Software Solutions, and Civica CMI Authority Finance System.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

Enactment of Chapter 1375 relating to Vacant Buildings.

Ms. Maier will present an Ordinance this evening amending Part 13 of the Codified Ordinances of the City of Bay Village by enacting Chapter 1375 relating to vacant buildings. This matter has been discussed in the Planning, Zoning, Public Grounds and Buildings Committee and will add procedures for registering vacant buildings and managing these properties as they occur in the City.

Ms. Maier will also present for second reading and consideration of adoption this evening, Ordinance No. 19-60 amending Part 5 of the codified ordinances which will add regulations for the Lakeside Cemetery, as required by the Department of Commerce of the State of Ohio. Mr. Clark noted that the regulations are due to the state by July 19, 2019.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Stainbrook

2019 Sidewalk Correction Program.

Ms. Stainbrook will present a Resolution this evening ordering the repair of public sidewalks as recommended after inspection to be included in the 2019 Sidewalk Correction Program. This is an annual program which is conducted in different parts of the City each year. The list submitted for approval this evening includes properties in Ward 3 and part of Ward 4.

Director of Public Service and Properties Liskovec stated that Property Inspector Lyons conducts the assessment of the sidewalks.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

Removal of Prohibition of Smoking in City Parks from the Matters Pending before Council.

Mr. Winzig will move to remove the matter of “Prohibition of Smoking in City Parks” from the list of Matters Pending before Council, at the Special Meeting of Council this evening. Ordinance No. 19-43 was approved by Council on June 3, 2019, and signs are being placed by Recreation Director Enovitch.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

Browning-Ferris Industries of Ohio, Inc., Correction to Contract Dates.
Ms. DeGeorge will present an ordinance this evening which amends Ordinance No. 15-80 which contained typographical errors in the dates of the contract. The contract expires in 2021, with an option for three one-year term renewals of the contract.

Purchase of Service Department Equipment:
1) 2019 RAM 1500 Quad Cab 4x4 Pick-up truck (Truck No. 17)
2) 2019 RAM 1500 Crew Cab 4x4 Pick-up truck (Truck No. 93).

Ms. DeGeorge called upon Director of Public Service and Properties Liskovec for information concerning these purchases. Mr. Liskovec stated that one of the trucks, Truck No. 17, was carried over for replacement from last year. The other truck, Truck No. 83 was also approved for replacement in the budgeting process.

MISCELLANEOUS

Mr. Clark stated that bid information will be received by Council for the activity scheduled for 2019 for the Sunset area. Bids are due to be opened on July 5, 2019, with a recommendation to Council to follow. Director of Public Service and Properties Liskovec will also open bids for the Reese Park Tennis Court Renovation Program, and the crosswalks for Lake Road.

Mr. Clark stated that Council will meet in Special Session on Monday, July 8 at 6 p.m. to review the recommendations of Service Director Liskovec.

Mr. Clark noted that the road overlay program for 2019 was just completed in Ward 3 this past weekend. He noted that the work done was outstanding, and expressed kudos to Chagrin Valley Paving Company for their good work.

An audience member mentioned that she lives in the area and complimented the work of the contractor.

Mr. Tadych asked Law Director Barbour if the carnival workers for Bay Days have been advised of the new prohibition of smoking in the parks. Mr. Barbour will work with Mr. Dostal, the organizer of Bay Days to be sure that the carnival workers are advised.

Mr. Winzig stated that a specific area for smoking will be designated to accommodate those wishing to smoke in the park.

Mr. Winzig asked the status of the Ohio Department of Natural Resources for the Bradley Road Park Playground. Mr. Liskovec stated that results are due in early fall.

AUDIENCE

Carol Cole, Bradley Road, stated that she is assuming that the 6 ft. tall fencing all the way around the back yard is no longer under consideration. Ms. Cole stated that northern California requires that fencing for each yard. Ms. Cole stated that children can put their fingers through open fencing and a dog can bite them. Also, some dogs can jump over chain link fences. Deer
are eating her Hostas, no matter what she sprays on them, and she picked up over 100 piles of
deer defecation in one day. She does not want her grandchildren exposed to that. If the
neighbor’s dog sees her, it barks, and the owner feels obligated to take the dog inside. If she
would be behind a 6 ft. high fence, no-see-through area, it would not see her and not bark. Ms.
Cole asked if her backyard is her property, and not the City’s. You can’t see the backyard from
the street. She stated that she should be able, at her expense, to have a backyard that is quiet,
safe for her grandchildren, not filled with deer defecation.

**Virginia Nord, Lake Road,** stated that she is a new resident living on Lake Road, just down the
street from Columbia Park. Ms. Nord stated that it is beautiful here, she loves it, but there are a
couple of things she would like to have the community consider to have an ordinance about.
Absolutely no dumping on banks of Lake Erie. No. 2, all drain pipes in yard drains must be
open, at least free flowing to assist our watershed.

Mrs. Stainbrook stated that Virginia Nord has reached out to a couple of those on Council. Mrs.
Stainbrook would be interested in learning more about what ordinances we have that would
support the things Ms. Nord mentioned. She asked clarification as to what committee this would
be assigned, whether Environment and Safety, or attention by the Law Department to clarify
what ordinances exist. The Mayor and Mr. Tadych stated that they have also talked to Ms. Nord.

Mayor Koomar stated that he would have the Law Department and Building Department look
into this matter further and provide clarification.

**Mary Slaman,** stated that, for the record, she is against changing the fence regulations for the
reason of keeping the character and charm of the City, and to keep our families and children safe.
Ms. Slaman stated further that sixty years ago those on Council made Bay Village the way it is
today, and sixty years from now we will be looking back at today and being appreciative of those
who vote no.

**Greg Baeppler, Lake Road,** stated that, for the record, he is not in favor of changing the
ordinance. This ordinance calls for a five foot barricade. Already in the audience we are hearing
it has to be six feet high to keep the deer out. The purpose of these fences is not to keep the
animals out, it is for protection of property. It is a safety issue. An enclosed back yard is not a
safety issue. It give further anonymity, based on Police Department experience.

**Ms. DeGeorge** clarified that it is not a five foot barricade. It is a five foot high fence, with 75%
transparency. It is not solid.

Mr. Baeppler stated that once the genie is out of the bottle, you are not going to change it back.

Ms. DeGeorge stated that is not on our table. Based on what we have heard from this Council, it
is not going to happen with this Council either. This is for a five foot high fence with 75%
transparency. It is not a barrier.

Sylvia Milhoan, Canterbury Road, stated that she is opposed to changing the fence regulations.
Ms. Milhoan believes the change would take away the charm of the community. When her
neighbor’s dog sees her, he quiets down. She believes if her neighbor’s dog can’t see her he would start barking louder. As far as keeping the deer out, she stated she chose to live here close to the deer and all the trees.

Mr. Clark noted that this year was a successful year in terms of deer culling. Police Chief Spaetzel stated that working collectively with the Cleveland Metroparks, they have culled fifty deer, and they are working on the culling program for next year. They are not trying to get rid of the deer, but make it manageable for the home owners.

Mary Bennett, Lake Road, stated that everyone has valid points on both sides, but it is not individual. It is not because she doesn’t want deer poop, and you don’t want your dog jumping over. It can’t be individual, it has to be what is best for our City. We don’t allow trailers, and RV’s and junk cars on cinder blocks. What if there was enough of us that wanted to change that? We shouldn’t look at it as individuals, but what is best for the City.

Carolyn Mercer, Saddler Road, stated that she is against changing the ordinance for fences. On Saddler, they have beautiful back yards, and the view covers the entire block. There are a couple people with four foot fences around their perimeter, but if you changed that to make it higher it would adversely affect the appeal of the block. They moved to Bay Village for three primary reasons: the lake, the schools, and the trees. Fences affect the views of the lake.

Mr. Clark noted that today Cleveland.com reported that the cities of Rocky River and Bay Village were voted two of the top lakeside communities in which to live in the entire country.

Susan Murnane, Willoway Lane, stated that on the subject matter of Bay Village and Rocky River being the top communities, she would like to point out that Rocky River allows 6 ft. high fences. When you drive around Rocky River, you don’t see that many because people don’t want them. But, good fences make good neighbors. Fences serve many purposes, and individuals determine what those purposes are. Just because something is allowed, doesn’t mean that everybody is going to do it or want it. Fences serve to reduce community conflict. Conflict between neighbors, and that is good for the community as a whole.

Bill Bennett, Lake Road, stated that obviously there are many different opinions here. He asked if this should go on the ballot, and let the residents vote.

Mr. Clark stated that in his honest opinion that is the reason why Council is at the table now, to try to do what they think is best for the City, not just on fences, but on everything else they see. The last time there were issues on the ballot was 2010, for the development on the Cahoon Creek, and with the electricity aggregation. There were also Charter amendments voted down about six years ago. Mr. Clark deferred to Law Director Barbour for guidance as to what it would take to put something on the ballot.

Law Director Barbour stated that we are limited by the Charter about what can be put on the ballot. It would have to be a citizens’ initiative. The only thing that can go on the ballot from City Council is a zoning or land use change, which first needs an ordinance passed. Then it goes on the ballot and if it meets the requirement, it becomes active. Mr. Barbour stated that he does
not think there is any process for City Council to put something like this on the ballot. The citizens can do it according to the requirements of Section 12 of the Charter.

**Nancy Jones, Buchanen Drive,** stated that she if for keeping the fence height at 4 ft. Ms. Jones asked about the people constructing a fence in their yard that is 5 ft. and higher, and solid.

Mayor Koomar stated that a privacy screen can be used for a 32 ft. section. Mr. Barbour noted that property abutting commercial properties or the railroad are permitted to have 6 ft. high fences.

Ms. DeGeorge asked the audience to think of the middle school fence as an example of the fence that is up for consideration this evening in the fence ordinance. It is just a foot higher than what is currently allowed, and open.

Mr. Clark thanked everyone for their comments.

There being no further discussion, the meeting adjourned at 8:13 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council
MATTERS PENDING BEFORE COUNCIL COMMITTEE
July 1, 2019

Committee of the Whole

• Sunset Area Improvements

• Mr. Tadych will bring the Tree Ordinance to the Committee of the Whole.

Environment, Safety & Community Services - Mace, DeGeorge, Tadych

• Review of Codified Ordinance No. 1163.05 Fence Regulations.

Finance & Claims - Tadych, Winzig, Mace, Clark

Planning, Zoning, Public Grounds & Buildings - Maier, Winzig, Stainbrook

• Elimination of Front-in Parking in front of stores on Dover Center Road
• Review of Codified Ordinance No. 1373.01 Boat Storage
• Review of Codified Ordinance No. 1141.04 Home Based Business
• Vacant Homes (3-18-19)
• Review of Existing Zoning Code per Master Plan Recommendations (3-18-19)

Public Improvements, Streets, Sewers & Drainage - Stainbrook, DeGeorge, Maier

• Bruce/Russell/Douglas Sewer Improvements

Recreation and Parks Improvement - Winzig, Mace, Stainbrook

• Renovations to Playground Equipment at Bradley Road Park (8-29-17)

Services, Utilities & Equipment - DeGeorge, Maier, Tadych
Hello,
Attached please find a resolution authorizing an application for a county grant to assess and improve our tree canopy, and a printout of the County’s web page on the grant.

We just learned about this new grant yesterday and don’t have all of the details yet, but the application is due on July 29 and I wanted to get this to Council before break. I’ll attend a workshop on Monday about the grant and will have more information after that. Jon would possibly like to use the grant to complete the tree inventory, and then build on what’s learned during the inventory in successive rounds of funding.

The city match is only 5%, and it looks like awards will be in the $25,000-$50,000 range, so it’s potentially a nice benefit for the city without a lot of outlay on our part, and of course the City is quite vested in its trees.

Best regards,
Kathryn

Kathryn E. Kerber
Project Manager

City of Bay Village
350 Dover Center Road
Bay Village, Ohio 44140
440-899-3412
kkerber@cityofbayvillage.com
Cuyahoga County Executive Armond Budish has pledged $5 million over the next five years to plant thousands of trees across the region and increase Cuyahoga County’s tree canopy from 14 to 30 percent by 2040.

This will be accomplished through the Healthy Urban Tree Canopy Grant Program that will be jointly coordinated by the Cuyahoga County Department of Sustainability, the Cuyahoga County Planning Commission, and the Cuyahoga Soil & Water Conservation District. This is a competitive grant program that will encourage the strategies published in the Cuyahoga County Climate Change Action Plan to combat the deleterious effects of climate change and its impacts to residents.

The program goals are to:

- Protect existing tree canopy
- Expand tree canopy in areas that are vulnerable
- Establish new tree canopy

Applicant Workshop
The Cuyahoga County Planning Commission will accept applications for the Healthy Urban Tree Canopy Grant Program for the first round of funding in 2019. Interested applicants are encouraged to attend a free workshop ([https://treecanopy2019.eventbrite.com](https://treecanopy2019.eventbrite.com)) to learn about the grant methodology, evaluation criteria and eligibility requirements.

**Application Materials**

Applications for the 2019 Healthy Urban Tree Canopy Grant Program are open. The application deadline is **Monday, July 29, 2019 at 4:00 p.m.**

- [Urban Forestry History Expenditures Form](https://www.countyplanning.us/wp-content/uploads/2019/07/3Year-Urban-Forestry-Expenditure-Form.pdf)

**Contact Us**

Questions or comments about the Healthy Urban Tree Canopy Grant Program should be directed to:

Alison Ball  
Planner, Cuyahoga County Planning Commission  
[aball@cuyahogacounty.us](mailto:aball@cuyahogacounty.us)
A RESOLUTION

AUTHORIZING THE FILING OF A HEALTHY URBAN TREE CANOPY GRANT APPLICATION WITH CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY.

WHEREAS, Cuyahoga County has created a Healthy Urban Tree Canopy Grant Program that will encourage the strategies published in the Cuyahoga County Climate Change Action Plan to combat the deleterious effects of climate change and its impacts to residents by protecting, expanding, and establishing new tree canopy.

WHEREAS, the City of Bay Village desires financial assistance under this program to assess and improve the City’s tree canopy, and will prepare the grant application for submission;

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

SECTION 1. That Council hereby authorizes the application to Cuyahoga County for financial assistance in an amount not to exceed $50,000.00, provision of all information and documentation required to become eligible for possible funding assistance, and execution of any agreements necessary to receive any awarded funds.

SECTION 2. That Council hereby agrees to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the grant program, and a local match of 5% of the grant award, not to exceed $2,500.00.

SECTION 3. That 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, 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

070219 kek
CITY OF BAY VILLAGE
AGENDA REQUEST
JULY 5, 2019

OVERVIEW

1. Action Requested
   - Approval to go forward with selection of finance system.

2. Previous Action
   Council committed to upgrading finance system and has appropriated $125,000 in 2019 with remainder to be appropriated in 2020.

   RFP was advertised and proposals were accepted May 24, 2019. Four vendors responded and then were invited to demonstrate their solutions. The selected vendor is Tyler Technologies, Incode. This product was the lowest price and also the best solution as demonstrated. Both Tyler products offered similar products including human resource functionality that the other two companies did not. Tyler also has a timekeeping component which would be integrated and not have to contract with a separate 3rd party. They also offer potential in the future for growth to include the building functions, parks and recreation and a citizen app for informational and functional access.

3. Background/Qualification for Current Action
   - Current system was installed over 14 years ago and does not allow for modern functionality such as Employee Self Service and decentralized access to the system.

4. Financial Impact
   - Total implementation cost $342,853 which includes 5 years of maintenance totaling $117,980. There will also be anticipated hardware costs such as scanners and time clocks. Estimate for all hardware would be anticipated to be less than $15,000. Please see attached for comparison of received bidders.

5. Affected Parties
   - All employees and departments in the City and any residents who would inquire about any financial information.

6. Implementation Plan
   - Begin process and implementation to have a go live date of January 1, 2021 at the latest.
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<th>Vendor Name</th>
<th>Tyler-Munis</th>
<th>Tyler-Incode</th>
<th>Civica</th>
<th>Software Solutions</th>
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Future Modules Available:
- Parks and Recreation: 10,240
- Annual Maintenance Cost per year: 2,560
- Building Permitting and Enforcement: 43,988
- Annual Maintenance Cost per year: 11,623
- My Civic Citizen Engagement: 5,400
- Annual Maintenance Cost per year: 14,300
as needed, and emails. It is the role of the Tyler PM to keep communication lines open for the City and Tyler to have the same expectations and awareness of the project.

The Tyler PM is ultimately responsible for the success of the project. This individual must track project progress and accurately calculate the percentage of completion on tasks in relationship to completion dates.

**IMPLEMENTATION GUIDE**

The Implementation Sample Gantt chart is included here as a reference tool to see the most ideal scenario for your software implementation. This is merely a suggested timeline, and is in no way a commitment from Tyler.
Ms. Maier called the meeting to order at 6:30 p.m. and thanked all for their attendance. The items on the agenda this evening include a revisit to the vacant housing ordinance for which Building Director Tuck-Macalla put together a composite ordinance distributed at the last meeting of the Planning and Zoning Committee. It is hoped to review the draft this evening and move it forward for consideration by the Council of the Whole.

Ms. Maier called upon Director Tuck-Macalla for an overview of how things are progressing with the vacant properties in the City of Bay Village.

Mr. Tuck-Macalla stated that the Building Department is tracking between 15 and 20 vacant properties. Most are now under construction, except for one. These are houses that have taken a long time to be turned around. The home at 300 Bassett Road is a good example. It sat for a long time but now it is receiving attention. The houses are viable, but people have walked away from them, mostly investors who do not have the funds to do the necessary work. The owners have been notified by letter with a property check list enclosed. At the present time, they are just being targeted with an exterior inspection with a thirty-day notice for remediation. The Building Department cannot get inside the home unless there is a suspected health condition which would allow the issuance of an administrative warrant to enter. The proposed vacant property legislation would help the Building Department to enter the home and put a lien against the property to prevent a further exchange of owners not doing the required work.

Director Tuck-Macalla stated that when someone comes in for a building permit and say they are the home owner they are subject to interview by the Building Department. The question as to whether they live in the home is asked, as well as who is really doing the work. Most of the time if someone is living there, the permit is granted. Mr. Tuck-Macalla informs the applicant that if they are doing this for profit, he wants someone licensed doing the work. He cited an example of a home where the owner is not compliant and the house is covered with a tarp, noting this is an extreme case. The property has been declared uninhabitable due to the fact of the tarp over it and the risk for fire. All infractions must be corrected by June 24 or a filing in court by the City will follow.
Ms. Maier questioned the fees in the ordinance. There is a $200 registration fee, and the fee of 100% of the estimated cost of repairs. Mr. Tuck-Macalla stated that the fee structure is taken from the model legislation he used to create the ordinance. The escrow is really a placeholder, it is not a genuine estimate. Mr. Tuck-Macalla requires an estimate of the repairs on letterhead and that becomes the escrow amount. Some cities do use 150% or 200%.

Mrs. Stainbrook stated that the escrow fee is not less than $1,000, or equal to 100% of the estimated cost of repairs. Ms. Maier asked if Director Tuck-Macalla feels that the fee is enough to cover administrative costs. He noted that Bay Village does really not have that many of these houses, so it is not going to be that much of a difference in burden. He does not believe the City will get inundated with a lot of vacant properties.

Ms. Maier called for comments regarding the proposed ordinance.

Mayor Koomar suggested the Building Department communicate with Bob Lyons, the Property Maintenance Inspector regarding things he has seen during his inspections, and working with the Finance Department to identify vacant property by returned sewer bills.

Ms. Maier suggested that Law Director Barbour prepare the necessary legislation for Council’s consideration. Mrs. Stainbrook noted the draft uses the term “Building Commissioner” and it should state “Building Director.”

Mayor Koomar asked when the legislation would be implemented in the case of a vacant home. Mr. Tuck-Macalla stated that it would be implemented immediately unless a permit is granted. After a permit is granted for repairs, the owner has one year to begin the work. After one year if no work has begun the building would be listed as vacant. Even if a building permit is pulled, the property will stay on the list and have the escrow requirement.

Ms. Maier stated that some of the homes that have been under construction, for instance the 300 Bassett Road property in particular, materials have been strewn all about the front yard. She asked the process regarding homeowners having an unsightly work site that is spilling onto the neighbor’s property. Mr. Tuck-Macalla stated that it is a constant reminder for the Building Department to keep visiting the site. He noted the 300 Bassett Road property is in their final stages so he has not been there for a while. The situation may have gotten out of hand, but every time Mr. Tuck-Macalla visited the site for a rough inspection he would notify them to clean up the site. The Building Department at this time is trying to compel the owners to keep up the exteriors of the home.

Front End Parking Update

Mrs. Maier stated that the front end parking situation has been on the Matters Pending list for some time. It is in specific reference to the Malley’s Ice Cream Store at the intersection of Dover Center and West Oviatt.
Law Director Barbour advised that he met with the owners of Malley’s Ice Cream last April. Malley’s has two or three parking spaces in front of their store. The owner to the north has two or three spaces in front of his building. Even though they share a common wall, it is two separate parcels. Malley’s is fine with eliminating the front end parking, but the owner of the adjoining building was not as receptive as the Law Director had hoped. There was a discussion, and the building owner raised some issues that the administration wasn’t prepared to deal with. It is the right-of-way, so the City has the legal ability to just eliminate the front end parking. But, a decision should be made to include the buildings completely to the north, which would be the dentist’s office and the financial broker.

Mayor Koomar stated that Director of Public Service and Properties Liskovec has the project on his schedule for the time when the spring work is completed and the ground dries, probably at the end of July. Mayor Koomar stated that he should potentially book the entire area, knowing that some of those businesses would like to keep those spots. There have been a couple of accidents in front of Malley’s over the years. Ms. Maier noted that there have been ten accidents. Considering that fact, it would probably make sense to consider the entire area. From a safety standpoint it is the right thing to do. There is the ability with a crosswalk at Malley’s and the City public parking lot to have some parking for patrons. The request last year was to put a crosswalk at Oviatt to make it even more convenient. However, that will not be done because of the two existing crosswalks which are very close.

Law Director Barbour stated that he was hopeful to have an agreement with the property owners and not have to just act, but that doesn’t seem currently to be possible.

Ms. Maier asked if there has been any sort of sketch prepared to show what the loss of parking will be replaced with and show the benefit of a treelawn, or benches to beautify the space.

Mr. Barbour stated that Director of Public Service Liskovec has prepared something.

Mr. Winzig asked the process to make this project happen. What steps need to be taken?

Mayor Koomar stated that the work schedule is there. It will be necessary to talk to the property owners and let them know that change will be made.

Law Director Barbour stated that it will not be necessary to take steps. The project can just be done. We would notify the property owners, schedule the work, and follow through with the project.

Mayor Koomar stated that last year when the driveway was poured on the northern properties the owner wanted to cement it in. He was asked not to cement it in at that time.

Mrs. Stainbrook stated that it is a safety issue that has been in the planning stages for at least a couple of years now. The corner can be beautified, but safety is the main concern; we are one serious accident away from problems.
Mayor Koomar stated that they will continue to seek the opening of the back parking lot now that the owners have changed.

Ms. Maier stated that there was also a question about a left turn only signal on the existing traffic light at the corner. Mayor Koomar stated that he put this on the engineer’s list as something for consideration. Mrs. Stainbrook stated that she does not know if the left turn signal is feasible at that corner, but if the light sequence were changed that may change the difficulties that are occurring at that intersection. Mayor Koomar noted that the left turn signal at Wolf and Dover Center required a traffic warrant.

Mr. Mace noted that sequencing may not be full time sequence, but just for a certain period of the day when the north bound traffic is making left turns and the intersection needs to be cleared.

Mrs. Stainbrook stated that it will be necessary to determine if the existing light has the capability of a program change to accomplish that sequencing.

**MISCELLANEOUS**

**Zoning Code Update**

Ms. Maier stated that the administration has talked with the Cuyahoga County Planning Commission about doing a zoning overlay instead of doing a wholesale change to the zoning code, and just focusing in on the retail districts.

Mayor Koomar stated that shortly after Glenn Coyne spoke to the Council and administration in January, he left Cleveland for a position in Atlanta. The suggestion has been consistent that if the whole code will be rewritten, that is a very large endeavor. Mr. Coyne suggested an overlay of commercial districts to focus on those parcels, especially the larger property owners, to engage them and let them know we are open to new ideas and new investment. Mr. Coyne also suggested reaching out to the City of Lakewood Planning Department, because they have done some new districts in recent years. The Mayor and Mr. Barbour went to Lakewood to meet with their planning team and obtain a copy of their code. Orange Village also did some things recently, and their code will be obtained to review newer changes.

An opportunity with the Cuyahoga County Planning Commission came up for a quick turn around on some grant funding to help with this type of planning process. They gave the City a proposal to do some work in this area of planning. The administration took their proposal and submitted back to them for funding. The Mayor likes the chances of receiving funding, noting that the County Planning Commission is excited about the new library construction in Bay Village. The applicants for the funding will be notified by July 8, 2019.

The Mayor noted that the City of Lakewood is very open in sharing experiences with Bay Village. Mayor Koomar also spoke with Bay Village Planning Commission Chairman Jeff Foster and he is open to the idea. The Lakewood team knows Jeff Foster and Greg Ernst, Chairman of the Architectural Board of Review. There have been inquiries from business
owners regarding the City’s intentions to do something with the Master Plan. When the Master Plan was adopted by City Council, the Mayor spoke with the Goodmans who own the Bay Square Shopping Center site. Dru Siley, the developer of the former Shell Station site has been their liaison, and it hoped to see something in two weeks from them. The Mayor stated that he meets with Ray Negrelli, the owner of the Dover Junction Shopping Center, from time to time. They have a breakfast meeting scheduled in July.

Mr. Winzig asked the Mayor if he can define what zoning overlay means.

Mayor Koomar stated that rather than trying to change the whole commercial district code and all the chapters and things that touch a district, it is very similar to what was done with attached residence for Liberty Development. In a commercial district, attached resident housing will be permitted with approved referendum zoning by the electorate. Lakewood put in not only the code, but also put in design guidelines, which allowed for a better product in their eyes.

Mr. Tuck-Macalla stated that it is very targeted development. Basically, what we want to see in a certain area, in the commercial area, types of buildings, height of buildings, and guidelines for developers. It is an overlay to the code.

Mr. Winzig asked if this requires voter approval. Mayor Koomar stated that if the property were to be used in that fashion, Council would pass the legislation, and if someone wanted to adopt that ability to develop, it would have to go to a vote of the people. Somebody couldn’t take it to a residential district. Ms. Maier stated that would give people a lot of comfort to see where the City is attempting to enable change or different development than what we have. People can feel safe that there is control over it.

Mr. Barbour stated that by the time it gets to the approval stage in Lakewood, everybody knows exactly what it is going to look like. There is no guess work left by the time the final approval is given. Mr. Tuck-Macalla stated that what is favorable is that the zoning district and zoning code is not being changed and having someone slide in that you are not comfortable with. If someone comes in they design to the overlay and everybody knows beforehand exactly what they are going to do.

Mr. Mace asked how this differs from spot zoning. Ms. Maier stated that the overlay is being set within the code in an established area. Spot zoning is changing the rules for one property. If someone wants to use the overlay district, they would have to go through the whole process of referendum zoning.

Mr. Barbour stated that there are different zoning designations, but we all think of it as the commercial district. There is actually an apartment district, an office district which consists basically of one building across from the post office. You would designate in the code that a certain section, like the commercial district, that a zoning overlay would be applicable to that district. It is within a designated zoned area. Spot zoning just lets somebody in one plot do something that is wholly inconsistent with the rest of the adjoining area.
Ms. Maier asked Mrs. Stainbrook for her thoughts. Mrs. Stainbrook stated that this would be professionally done, which would be favorable.

The Mayor stated that Building Director Tuck-Macalla will bring examples from other cities of things that work and things that did not work. The City of Lakewood pointed out some things where they wished they would have been a little less prescriptive in design guidelines. If you try to over-legislate you sometimes trip over your own code. You want parameters, but you also want the best product. They found a happy medium, with discretion with the Planning Commission to promote those things they want to develop.

Ms. Maier stated that she appreciates that the Master Plan is being implemented and this is a good step to further that implementation. A lot of communities go through the exercise of a Master Plan and then don’t do much with their plan.

Ms. Maier asked Mayor Koomar when the City would be able to start with their project if funding is awarded. The Mayor stated that he would like to have work on it the latter half of this year. It will take time in committee and even though the work must be done in one year in accordance with the grant, a more aggressive approach would be to have it completed in nine months.

Mr. Barbour stated that in the City of Lakewood there is the overlay as we discussed, and there is also something called planned development. On Cleveland.com, there is discussion about the redoing of Lakewood Hospital. This is under the planned development section of their code, which is much more extensive. That development is not a zoning overlay. It is a different aspect of the Lakewood code that wouldn’t be applicable to Bay Village, because of density and height.

Ms. DeGeorge asked, to be clear, if the overlay itself has to go a vote to the public. Ms. DeGeorge was informed that the overlay does not have to go to a vote. Council would pass the legislation and it sits on the shelf. If someone wants to take advantage of it they would come to Council to submit to a vote.

Ms. Maier stated that there are a few other items that are pending on the Matters Pending before Council Committee list. Those will be held until the next meeting of the Planning, Zoning, Public Buildings and Grounds Committee.

There being no further discussion the meeting adjourned at 7:15 p.m.

Sara Byrnes, Maier Chairman ....................................................... Joan Kemper, Secretary
Date: July 5, 2019

To: Jon Liskovec, Director of Public Services and Properties

From: Curtis J. Krakowski, CSI, CDT
Infrastructure Manager

Re: Bid Results for the Lake Road Crosswalks at Cahoon & Columbia Parks

The City of Bay Village advertised for contractors to bid on the construction of the crosswalks and rapid flashing beacons for Cahoon and Columbia Parks which were due on Friday, June 28, 2019.

The project publically advertised for a total of three weeks, which is longer than a project of this scope would typically bid. During that time, only one contractor submitted a bid. The advertised bid estimate for this project was $85,000.00.

The only and “Lowest Responsive and Responsible Bidder” was R.J. Platten Contracting Company who submitted a bid of $93,250.00. Even though their bid was the only one submitted, it was within 10% of the advertised estimate, considered complete and provided all the required qualifications and references that were requested. I contacted them to discuss their bid and confirm their understanding of the project’s requirements and the City’s expectations of quality and scheduling.

Based on our review of their bid and my conversation with them and their references, it would be our recommendation to award the Contract to R.J. Platten Contracting Company for $93,250.00. They plan to start the work as early as August 1, 2019 and be complete the work within 90 days which would be by November 1, 2019, weather permitting.

If you have any questions or comments, feel free to let me know.

CC: Paul Koomar, Mayor
Mark Barbour, Law Director
Renee Mahoney, Finance Director
Dan Enovitch, Recreation Director
Don Bierut, P.E., Consulting City Engineer
File
Date: July 2, 2019

To: Jon Liskovec, Director of Public Services and Properties

From: Curtis J. Krakowski, CSI, CDT
Infrastructure Manager

Re: Bid Results for the Reese Park Tennis & Pickleball Court Improvements

The City of Bay Village advertised and received bids from contractors on Thursday, June 27, 2019, for the Reese Park Tennis & Pickleball Court Improvements.

A total of four bids were received. The advertised bid estimate for this project was $120,000.00, which included a $10,000.00 Contingency. The bids ranged from a high of $130,650.00 to a low of $97,258.00. I have attached the Bid Tabulation sheet for reference.

Based on our review, the “Lowest Responsive and Responsible Bidder” was Carron Asphalt Paving, Inc. Their bid was competitive, complete and below the advertised bidding estimate. I contacted the apparent lowest bidder to discuss their bid and confirm their understanding of the Project’s requirements and the City’s expectations of quality and scheduling. They are located in Solon, Ohio and have performed numerous projects around Northeast Ohio, including the recent parking lot pavement work for Saint Raphael Church.

They will be using Industrial Surface Sealer, Inc as their sub-contractor to install the playing surface and the tennis & pickleball equipment. They also have experience in Northeast Ohio installing their playing surfaces, including both Bradley Park and Cahoon Park Tennis courts in Bay Village.

Based on our review of all bids and my conversation with the apparent low bidder and their references, it would be our recommendation to award the Contract to Carron Asphalt Paving, Inc. for $97,258.00, which also includes the $10,000.00 Contingency. They plan to start the work within two to three weeks after being awarded the Contract and stated they will meet the completion date of September 30, 2019, weather permitting.

If you have any questions or comments, feel free to let me know.
CC: Paul Koomar, Mayor
Mark Barbour, Law Director
Renee Mahoney, Finance Director
Dan Enovitch, Recreation Director
Don Bierut, P.E., Consulting City Engineer
File
CITY OF BAY VILLAGE
Bid Tabulation

2019 Reese Park Tennis & Pickleball Court Improvements

Advertised Estimate $120,000.00

June 27, 2019

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<tr>
<th>Company</th>
<th>Bid Security</th>
<th>Addendum 1</th>
<th>Qualifications</th>
<th>Unit Price Total</th>
<th>Overall Bid Total with Contingency</th>
<th>Comments</th>
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