Agenda, Bay Village City Council
Regular Meeting*, Council Chambers

September 3, 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 – Special Meeting of Council held August 5, 2019
Cahoon Memorial Park Trustees Meeting held August 5, 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 Tuck-Macalla

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Ms. DeGeorge

Motion to confirm the appointment of Frank Mereckicky by Mayor Koomar to the Community Services Advisory Board for a three year term expiring September 3, 2022.

FINANCE AND CLAIMS-Mr. Tadych

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

Resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies and certifying them to the County Fiscal Officer, and declaring an emergency.

Resolution authorizing the Director of Finance to request tax advancements before settlement dates for Fiscal Year 2020, and declaring an emergency.
Resolution accepting donation to the City of Bay Village, and declaring an emergency.

Resolution accepting donation to the City of Bay Village Service Department, and declaring an emergency.

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

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

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Ms. DeGeorge

Electricity Aggregation Update.

Motion to sell by auction the following Service Department Vehicles:

(2) 2006 Ford F350 4WD  
(1) 2006 Ford F250 Super Cab 4WD  
(1) 2006 Ford Explorer AWD  
(1) 2006 Ford F550 Superduty Dump  
(1) 2007 GMC 1500 4WD EXT Cab  
(2) 2011 Ford Crown Victoria  
(1) 2014 Ford Explorer Utility AWD

MISCELLANEOUS

ADJOURNMENT

*Codified Ordinance No. 111.01 - Time and place of meetings

“Regular meetings of the Council shall be held in the City Hall on the first and third Mondays of each and every month at 8:00 p.m., unless otherwise ordered by the Council. Should such date be a holiday, the regular meeting shall be held on the next succeeding business day.”

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Procedure

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

Roll call on suspension of Charter Rules:

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

Roll call on suspension of Council Rules:

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

Roll call on inclusion of the emergency.

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

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

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

Council Minutes, Special Meeting  August 5, 2019
Council Chambers 7:30 p.m.
President of Council Dwight A. Clark, presiding

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

Excused:  Ms. Maier, Ms. Stainbrook.

Also Present:  Law Director Barbour, Finance Director Mahoney, Director of Public Service and Properties Liskovec, Recreation Director Enovitch, Building Director Tuck-Macalla.

AUDIENCE

Scott Pohlkamp.

President of Council Clark called the meeting to order at 7:30 p.m. with roll call and the Pledge of Allegiance led by Marty Mace, Councilman-at-large.

Mr. Clark asked to observe a moment of silence for the loss of John Bundy, a longtime friend of Bay Village.

Motion by Tadych to dispense with the reading of the minutes of the Special Meeting of Council held July 8, 2018.

Motion passed 4-0-and 1 abstention by Mr. Mace.

Mr. Mace introduced and read Resolution 19-74 accepting the donation of a water bottle filling station from the Bay Village Green Team, and declaring an emergency.

Mr. Clark advised that this donation was discussed in the Committee Meeting of Council held earlier this evening, with good detail received in terms of the totality of these filling stations in the City of Bay Village.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 19-74.

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

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

Roll Call on Inclusion of the Emergency Clause:
  Yeas – Clark, DeGeorge, Mace, Tadych, Winzig.
Special Meeting of Council
August 5, 2019

Mr. Barbour announced that Resolution No. 19-74, an emergency measure, has been adopted with a vote of 5-0.

**Motion** by **Mr. Mace** to confirm the reappointment by Mayor Koomar of Julie Bauman to the Community Services Advisory Board for a three year term ending August 5, 2022.

**Motion carried 5-0.**

**Mr. Mace** introduced and read **Resolution No. 19-75** approving use by Christopher and Amber Donovan of Submerged Lands of Lake Erie for shoreline improvements, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 19-75.

**Roll Call on Suspending the Charter Rules:**
- Yeas- DeGeorge, Mace, Tadych, Winzig, Clark.
- Nays- None.

**Roll Call on Suspending the Council Rules:**
- Yeas –DeGeorge, Mace, Tadych, Winzig, Clark.
- Nays –None.

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

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

Mr. Barbour announced that Resolution No. 19-75, an emergency measure, has been adopted with a vote of 5-0.

**Mr. Tadych** read **Ordinance No. 19-69** authorizing the purchase of a new financial system, and declaring an emergency, and moved for adoption. (Second Reading and Consideration for Adoption) (First Reading July 8, 2019).

Mr. Clark commented that this ordinance for purchase has been discussed in great detail. The system has the endorsement of the administration, with oversight by Council. Council has discussed the flexibility, portability, upgrade, and the service that goes with the system.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-69.
Roll Call on Suspension of the Charter Rules:
Yeas- Mace, Tadych, Winzig, Clark, DeGeorge.
Nays- None.

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

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

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

Mr. Barbour announced that Ordinance No. 19-69, an emergency measure, has been adopted with a vote of 5-0.

Mr. Tadych introduced and read Ordinance No. 19-76 to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2019, as previously appropriated in the Annual Appropriations Nos. 18-95, 19-07, 19-13, 19-27, 19-41, and 19-59, and declaring an emergency, and moved for adoption.

Mr. Clark advised that this additional appropriation for the Rose Hill Museum slope stabilization project has been discussed by Council. He noted that the Rose Hill Museum is one of the prized historical elements in the City of Bay Village.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-76.

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

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

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

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

Mr. Barbour announced that Ordinance No. 19-76, an emergency measure, has been adopted with a vote of 5-0.
Mr. Winzig read and introduced Ordinance No. 19-77 amending Chapter 1306 of the Codified Ordinances of the City of Bay Village regarding Floodplain Management, and declaring an emergency, and moved for adoption.

Mr. Winzig commented that this legislation has been discussed at the Committee Meeting of Council held this evening. The previous ordinance passed November 22, 2010 was distributed to Council. Recommendations from the state and the Federal Emergency Management Agency (FEMA) have been received to update the document. Section 1 of the ordinance clearly outlines the current ordinance and the amendments thereto with the appropriate details.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-77.

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

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

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

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

Mr. Barbour announced that Ordinance No. 19-77, an emergency measure, has been adopted with a vote of 5-0.

Ms. DeGeorge introduced and read Ordinance No. 19-78 authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation to conduct bridge inspections, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 19-78.

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

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

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

Roll Call on Adoption:
Mr. Barbour announced that Ordinance No. 19-78, an emergency measure, has been adopted with a vote of 5-0.

ANNOUNCEMENTS

Mayor Koomar advised that the Ohio Department of Transportation (ODOT) has required that the pour of the Lake Road bridge deck be one long pour. Last week they started the pour at 4:00 a.m. and poured until the bridge deck was completed. After one week, which will be this Wednesday, the sidewalk pours will be done, followed by sidewall pours. All work is dependent upon concrete testing. The road will be opened sometime after Labor Day.

AUDIENCE COMMENTS

Mr. Scott Pohlkamp, former member of Council, thanked the members of Council for their dedication and complimented them on their work.

MISCELLANEOUS

Mr. Clark stated that the next meeting of Council will be Tuesday, September 3, since the first Monday of the month is Labor Day. According to the City Charter, the meeting shall be held on the day following the holiday in the event the holiday falls on the first or third Monday of the month.

There being no further business to come before Council this evening, the meeting adjourned at 7:40 p.m.
President of Council Clark called the meeting called to order in the conference room of Bay Village City Hall at 7:25 p.m.

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

Excused: Ms. Maier, Ms. Stainbrook.

Also Law Director Barbour, Finance Director Mahoney, Director of Public Service and Present: Properties Liskovec, Recreation Director Enovitch, Building Director Tuck-Macalla.

AUDIENCE

Pat Thornton, Richard Fink, Tara Wendell, Kevin Hinkel.

MOTION by Winzig to approve the concept work showing the general scope of building improvements to Cahoon Memorial Park restrooms and storage building.

Motion carried 6-0.

There being no further business to be brought before the Trustees this evening, the meeting adjourned at 7:26 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER,
AND DECLARING AN EMERGENCY.

WHEREAS, this Council, in accordance with the provisions of law, has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2020; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio, has certified its action
thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each
tax necessary to be levied by this Council, and what part thereof is without, and what part within
the ten mill tax limitation;

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

SECTION 1. That the amounts and rates as determined by the Budget Commission in its
certification be and the same are hereby accepted, and that there be and is hereby levied on the tax
duplicate of said City the rate of each tax necessary to be levied inside and outside the ten mill
limitation as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>6.88</td>
</tr>
<tr>
<td>Recreation Fund</td>
<td>.50</td>
</tr>
<tr>
<td>Police Pension Fund</td>
<td>.69</td>
</tr>
<tr>
<td>Fire Pension Fund</td>
<td>.69</td>
</tr>
<tr>
<td>Paramedic Fund</td>
<td>2.25</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>11.01</strong></td>
</tr>
</tbody>
</table>

SECTION 2. That the Clerk of Council is hereby directed to certify a copy of this
Resolution to the Fiscal Officer of said County.

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, and for the further reason that it is immediately necessary to adopt and certify to the County Fiscal Officer the City’s acceptance of the levies of taxes to be made in 2020 for collection in 2020 in order to comply with statues of the State with respect to fiscal matters and to provide sources of revenue for municipal operation during 2020, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

08.27.19 jt
A RESOLUTION
AUTHORIZING THE DIRECTOR OF FINANCE TO REQUEST TAX
ADVANCEMENTS BEFORE SETTLEMENT DATES FOR FISCAL YEAR 2020,
AND DECLARING AN EMERGENCY

SECTION 1. That the Director of Finance is hereby authorized to request the Cuyahoga County Auditor to issue an order to the Treasurer of said County to pay to the City of Bay Village such funds as may be available from time to time for disbursement by said County Treasurer, in advance of regular semi-annual settlements with said County Treasurer.

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

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to request said tax advancements in order that the City may obtain funds for the daily operations of its departments, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

08.27.19 jt
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
ACCEPTING DONATION TO THE CITY OF BAY VILLAGE,
AND DECLARING AN EMERGENCY.

WHEREAS, a donation of an original landscape painting which will be displayed
in City Hall in Bay Village was donated to the City of Bay Village; and

WHEREAS, Codified Ordinance Section 103.05 specifies conditions and
procedures regulating the acceptance of property and/or services by the City; and

WHEREAS, in compliance with said Section, the donor has provided Council with
satisfactory assurance that they are making the donation free and clear of any restrictions, and that
there are no encumbrances thereon;

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

SECTION 1. That Council hereby accepts from Joseph King, the donation of an
original landscape painting to the City of Bay Village and with an estimated value in excess of
$100.00.

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

SECTION 3. That this resolution is hereby declared to be an emergency measure
immediately necessary for the preservation of the public peace, health, safety and welfare, and for
the further reason that it is immediately necessary to comply with provisions of C.O. 103.05 in
order that the donations may be accepted by the City, wherefore this resolution shall be in full
force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

08.26.19 jt
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
ACCEPTING DONATION TO THE CITY OF BAY VILLAGE SERVICE
DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, a donation of a 60” LG television which will be used in the
Supervisors Office at the Bay Village Service Department was donated to the City of Bay Village
Service Department; and

WHEREAS, Codified Ordinance Section 103.05 specifies conditions and
procedures regulating the acceptance of property and/or services by the City; and

WHEREAS, in compliance with said Section, the donor has provided Council with
satisfactory assurance that they are making the donation free and clear of any restrictions, and that
there are no encumbrances thereon;

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

SECTION 1. That Council hereby accepts from Paul Koomar, the donation of a
60” LG television to the City of Bay Village Service Department and with an estimated value in
excess of $100.00.

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

SECTION 3. That this resolution is hereby declared to be an emergency measure
immediately necessary for the preservation of the public peace, health, safety and welfare, and for
the further reason that it is immediately necessary to comply with provisions of C.O. 103.05 in
order that the donations may be accepted by the City, wherefore this resolution shall be in full
force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

08.22.19
NOTICE OF PUBLIC MEETING
REGARDING
ELECTRICITY AGGREGATION
MONDAY, OCTOBER 7, 2019
6:30 P.M.
COUNCIL CHAMBERS
BAY VILLAGE CITY HALL
350 DOVER CENTER ROAD
BAY VILLAGE, OHIO 44140

Residents will have an opportunity to ask questions regarding the Aggregation Program.