AGENDA
Agenda, Bay Village City Council  Date:  November 25, 2019
Committee Meeting  Time: 7:30 p.m.
Conference Room, Bay Village City Hall
Dwight A. Clark, President of Council, Presiding

ANNOUNCEMENTS

Mayor Koomar

Reappointment of Thomas Wynne to the Civil Service Commission for a six year term expiring January 24, 2026.

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

FINANCE & CLAIMS COMMITTEE-Tadych

Jefferson Health Plan – Third Reading of Ordinance at Regular Meeting of Council this evening.

Administrative Compensation. Second Reading of Ordinance at Regular Meeting of Council this evening.

Annual Appropriation Ordinance for 2020.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

Extension of time of sixty days, from December 5, 2019 to February 3, 2020, for the Planning Commission to review the application of Cuyahoga County Public Library for a new Bay Village Branch Library.

Extension of time of sixty days, from December 5, 2019 to February 3, 2020, for the Planning Commission to review the application of the City of Bay Village for proposed new construction and modification to the Cahoon Memorial Park Restrooms.

Extension of time of sixty days, from December 19, 2019 to February 17, 2020, for Planning Commission to review the application of the City of Bay Village for construction of a storage facility to house the Fire Department’s Rescue Boat and necessary support equipment.

Extension of time of sixty days, from December 15, 2019 to February 13, 2020, for Planning Commission to review the application of Goodman Realty for the Bay Creek Residential Development Project.
PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE- Stainbrook

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE- DeGeorge

Engineering Services Contract for 2020. – Third Reading of Ordinance at Regular Meeting of Council this evening.

MISCELLANEOUS

AUDIENCE

ADJOURNMENT

CAHOON MEMORIAL PARK TRUSTEES
President of Council Clark called the meeting called to order in the Conference Room of Bay Village City Hall at 7:30 p.m.

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

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

AUDIENCE

Charles Bartell, Linda Harris, Clare Banasiak, Councilman-Elect Tom Kelly, Katie McManamon, Caleb Lumdsen.

ANNOUNCEMENTS

Mayor Koomar advised that he attended a budget meeting at the Rocky River Wastewater Treatment Plant. They continue to work on their No Feasible Alternatives Plan, making good progress. One of the projects at the plant may require a change order. There will be an additional meeting in two weeks for further review and clarification.

Mayor Koomar announced that he was recently elected by the Cuyahoga County Mayors and City Managers Association to fill a vacancy on the DOPWIC Board. The Board is embedded in county planning, and the Cuyahoga County Engineers office is next door and they also sit on the DOPWIC Board. The Mayor stated that it is good to advocate for the City. Rocky River’s Mayor Bobst and Mayor Koomar have been looking at the structural make-up of our district and have ideas to make sure they are on level footing in the future. It will be a good experience to advocate for the suburbs and balance things out as best as they can.

COMMITTEE OF THE WHOLE

Cuyahoga County – Disposal Bag Ban

Mr. Clark noted that legislation from the City of Brooklyn was distributed to Council this weekend. In May of this year, Cuyahoga County had put a ban on plastic bags. There is a home rule issue and the City of Brooklyn has taken some legislative action to differ with the county.

Mayor Koomar stated that two county representatives attended the Westshore Council of Governments meeting last week to discuss this matter. Cuyahoga County had rolled this out with good intentions, but with virtually no communications with the communities. Mayor
Koomar stated that he is an advocate of the green movement, but this is not about plastic bags. It is more of an issue of home rule. The county tried to push this through and is now admitting that the charter cities do have home rule. We would like to work with them in tandem on issues in the future. Brooklyn has taken that forward. Mayor Koomar stated that he does not think any action by Bay Village is necessary because the House and Senate in Columbus is taking up the issue, mainly because there is a tax, penalty or fee of some type in the county enforcement that the state does not believe they have the authority to level. There will be legislation at the state level at some time, although we are unsure of when that will occur. It is incredibly difficult to try to educate any of our retail locations on the timing and preparation, one way or the other. We have suggested that it might be prudent to wait to see what the state does. Mr. Clark concurred with the Mayor’s suggestion of awaiting action at the state level.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

Safe Routes to School. Resolution in support to be read at Regular Meeting of Council this evening.

Mr. Mace advised that Council has received the Safe Routes to School plan in their packets this weekend. Mr. Mace will bring forward a resolution, revised to change the section numbers of the sunshine clause and emergency clause.

Mayor Koomar stated that the administration has gone through multiple public hearings, and did the maximum number to give the City the best possible chance on grant opportunities. By doing multiple public hearings it opens up different funding mechanisms. Mayor Koomar attended the public hearings, and noted that there was very little feedback after Project Manager Kathryn Kerber had gone around in the open houses at the schools. The NOACA representative has been very complimentary of the plan. Mr. David Short of the Ohio Department of Transportation, the point person for State Routes to Schools applications, has attended the meetings and has provided great feedback. Mr. Short knows it is a well put together plan, of which we are very appreciative.

Ms. DeGeorge stated that this is a plan like a Master Plan where it is a guide. Things in the plan can change, and is there any requirement of things for Council to do if there is a change?

Mayor Koomar stated that every few years the plan can be updated with another resolution of support of the changes passed. Ms. Maier stated that the plan does have to be updated every five years to be eligible for funding.

Mr. Winzig addressed Law Director Barbour asking if Council is committing to funds or projects within the plan by the adoption of the resolution of support. He noted that there is a laundry list of projects and funding and he wouldn’t want to, down the road, handcuff a Council to say that we supported it, and why is it not being implemented. Mr. Winzig wants to be sure that the language of what is being done is correct.

Mr. Clark stated that he would like to suggest this is more supporting the general tenets of the overall plan, as opposed to anything and everything that is obtained within.
Mr. Winzig stated that if you add it up it is $300,000 to $500,000 of projects.

Mr. Barbour stated that the Council is saying by their affirmative vote that they support the aspirational goals of implementing the policy. When the opportunity arises it would depend on the needs and ability to fund, with the necessity of appropriating money. The resolution is a vote of support. When the City Council voted for the Master Plan, it was voted as something that was an aspirational goal to achieve. This does not even go as far as the Master Plan.

Mr. Mace stated that the actual resolution says that Council endorses the plan, and we are just submitting the plan. Mayor Koomar stated that it is part of the application process for funding and we would have priorities like any other grant opportunities, and would apply for those at that time.

Mr. Clark suggested that Council move to adopt the resolution this evening at the Regular Meeting of Council.

West Oakland – Middle School Drop-off and Pick-up.

Mr. Mace stated that he believes the matter of the West Oakland-Middle School Drop-Off and Pick-up came out of the Safe Routes to Schools plan. There is a redefining of how this drop-off and pick-up will be done.

Mayor Koomar stated that with the Lake Road Bridge closing in the spring of this school year, the Mayor had the right to enact temporary traffic changes. This was done again in the fall. The overall traffic flow from this temporary measure looks to be a potential longer-term solution.

Chief Spaetzel stated that it is a marked improvement over what was done previously. The grades have been divided and parents go in one of the two parking lots and the busses are on West Oakland. It seems to work very well. There are still people dropping off on West Oakland which creates a problem with kids crossing the street. They are thinking of writing legislation for Council to review that would prohibit drop-off during bus times. When the busses are dropping off kids, parents would have to use routes other than dropping kids off on West Oakland and eliminate those safety concerns. It will be necessary to pass legislation drafted by Mr. Barbour.

Ms. DeGeorge asked if the schools have to approve the bus traffic route first. Isn’t that a component of Council doing any type of legislation?

Mayor Koomar stated that they have requested that the City adopt it on a permanent basis.

Mr. Barbour stated that there is a street map ordinance that lists the traffic flow and parking regulations for each street. This would be amended with the appropriate language.

Ms. DeGeorge stated that her only comment before prohibiting vehicle traffic is if it is really not something that we are going to be able to enforce, she would rather that we not waste our time.
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She does not foresee a police officer being there, understandably, to enforce it. If the weather is inclement and the traffic increases and there are other things to do, it would be nice to have someone from the school out there to wave the cars on. However, Ms. DeGeorge does not see them doing that either, so we have to be careful.

Chief Spaetzel stated that they could be there advising all day. Until people know there is a law that prevents the traffic, it is difficult for the police to do much in the way of enforcement.

FINANCE & CLAIMS COMMITTEE-Tadych

**Mr. Tadych** advised that the third budget meeting of the Finance Committee has been completed. Finance Director Mahoney will hand out the final paper work (Annual Appropriation Ordinance) and this will move forward for first reading on November 25, 2019. The ordinance will have three readings and will be completed before the end of the year.

**Electronic Banking Policy. Second Reading of Resolution at Regular Meeting of Council this evening.**

Mr. Tadych stated that the resolution for the Electronic Banking Policy, recommended by the Auditor of State during the last audit, is scheduled for second reading at the Regular Meeting of Council to be held this evening.

**Jefferson Health Plan – Second Reading of Ordinance at Regular Meeting of Council this evening.**

The ordinance for the Jefferson Health Plan contract for an extension of one year is scheduled for second reading at the Regular Meeting of Council this evening.

**October 2019 Financial Statements of the City of Bay Village.**

The October, 2019 Financial Statements of the City of Bay Village will be acknowledged as being received by motion at the Regular Meeting of Council this evening.

**Administrative Compensation. First Reading of Ordinance at Regular Meeting of Council this evening.**

Mr. Tadych will introduce an ordinance this evening at the regular meeting of Council that is a pay scale increase of 7.5%. This is not individual compensation increase; it is an increase in the scale.

**Parade Permit Application Fees. First Reading of Ordinance at Regular Meeting of Council this evening.**

An ordinance will be introduced by Mr. Tadych this evening at the Regular Meeting of Council that corrects a mis-spelling in the code for parade permits, and changes the way the billing is done for parades. The expenses for the parade will be charged, rather than the $25.00 fee.
Law Director Barbour explained that the original ordinance had a $25.00 permit fee. Residents would also be charged the cost of the Auxiliary Police and service costs that occurred, which varied according to the event. For purpose of State Audit requirements, an ordinance is needed that shows that the City is authorized to collect the funds, and we were not regularly collecting the $25.00 fee for the past several years. The fee was originally put in to cover the costs many years ago, and the procedure was switched out to cover expenses without the ordinance being changed. This legislation will put into place the correct procedure.

Mr. Clark stated that since this is more of an administrative change than a structural revision, the ordinance will be considered for adoption at the Regular Meeting of Council to be held this evening. Mr. Barbour noted that the ordinance will reflect the actual practice that has been ongoing for quite some time.

Amended Appropriation Ordinance.

Mr. Tadych stated that there are four parts to the Amended Appropriation Ordinance this evening including an increase of $15,000 for Outside Legal expenses, adding $8,600 to the General Administration Fund, $4,700 for City Hall Ethernet, and $3,900 for the Clocktower publication that occurred this year. Mrs. Mahoney explained that when the publication was done she thought funds would be available from other places, but this did not occur. Additionally, there is an increase in the Building Refund account of $10,000, an increase of $16,000 in Fund 494, Infrastructure Improvement, for the Ashton Lane project, and an additional $22,000 for the Sunset Project.

At the request of Mr. Winzig, Mrs. Mahoney distributed a revised Fund Balance page. Mr. Clark recommended approval of the Amended Appropriation Ordinance at the Regular Meeting of Council to be held this evening.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

Amendment to Chapter 1365 of the Codified Ordinances – Rental Dwelling House License Code. Final Reading at Regular Meeting of Council this evening.

Ms. Maier will present for final reading this evening the ordinance amending Chapter 1365 of the Codified Ordinances, which is the Rental Dwelling House License Code. The ordinance will eliminate any short term rentals of 29 days or less.

Mayor Koomar stated that the two public input dates for the zoning overlay process for the City’s commercial districts will be:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
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<tbody>
<tr>
<td>Tuesday, December 10</td>
<td>7 p.m.</td>
<td>Dwyer Memorial Center</td>
</tr>
<tr>
<td>Tuesday, January 7</td>
<td>7 p.m.</td>
<td>Dwyer Memorial Center</td>
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The Mayor stated that it is important to engage the community and provide feedback.
Sunset Utility and Sunset Roadway Projects Rebid- Permission to Advertise for Bids.

Mrs. Stainbrook will move to advertise for bids this evening for the Sunset Utility and Sunset Roadway Projects. Director of Public Service and Properties Liskovec provided the background and justification for the current action, noting that there were no bids received at the first advertisement for bids for the utility portion of the project, which is integral to completing the roadway portion of the project. Chagrin Valley Engineering reached out to various contractors to survey the lack of interest in the project. It was determined that current regulations with drinking water will require additional construction time and compliance to complete. Increases to overall construction cost for both projects were made based on current construction data.

An explanation of the funding was provided by Director Liskovec as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Original Funding</td>
<td>$517,521.00</td>
</tr>
<tr>
<td>Engineering</td>
<td>$26,944.00</td>
</tr>
<tr>
<td>Sunset Roadway Estimate</td>
<td>$249,766.15</td>
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<tr>
<td>Sunset Utility Estimate</td>
<td>$349,845.00</td>
</tr>
<tr>
<td>Advertisement and Bid Books</td>
<td>$1,724.08</td>
</tr>
<tr>
<td>Balance of Funds from 2019 Paving</td>
<td>$88,783.30</td>
</tr>
<tr>
<td>Program</td>
<td></td>
</tr>
<tr>
<td>Additional Funds Requested</td>
<td>$21,974.93</td>
</tr>
</tbody>
</table>

Mrs. Stainbrook noted that the advertisement for bids will be placed for the first publication on November 21, 2019. She noted further, the balance of funds of $88,783.30 from the 2019 Paving Program, and referred to comments in the Finance Committee meeting held earlier this evening about managing to budgets.

Mrs. Stainbrook stated that the increase in the cost of the project is significant. The preference would be to use the $88,783.30 for general road projects in the City, and will be addressed further in deeper conversations about budgeting for roads.

Mr. Liskovec explained that this is a two-phase project, with the utilities portion first before paving. The intention is to advertise for the utilities component, with a bid opening and recommendation for the December 16, 2019 meeting of Council. Paving will be packaged with advertisement for bids for all of the City’s paving projects at the end of January or beginning of February, when the bidding season for paving will generate more interest.
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At the request of Mr. Winzig, Mr. Liskovec explained the alternate bidding process. The alternate total of $342,020 for paving is included in the Engineer’s estimate of cost and represents new asphalt versus the recycling option. The alternate for the utility component totals $78,050 and is included in the Engineer’s estimate of costs for an 8 inch stretch of sanitary sewer that may need to be utilized based on elevations of laterals and conflicts that may occur. Also included in the alternate is for a water main which may or may not be needed depending on what is in the ground.

Ms. Maier asked if this refers to Mr. Liskovec’s comments in his request concerning current regulations on drinking water. Mr. Liskovec stated that with many of the lead lines that are on the map in the area, regulations must be followed to deal with those lines.

Mr. Mace stated that each of the projects has a contingency of $10,000. He asked if this is adequate. Mr. Liskovec stated that this is the amount based on the Engineer’s estimate of costs, based on his professional judgement.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

Mr. Winzig noted that Miss Ella Denker, the 8th grade student from Brunswick, Ohio has sent a note thanking the Council for responding to her request for recycling containers at Walker Road Park.

In response to a request by Mr. Winzig, Recreation Director Enovitch reported on the City Parks and Recreation Commission meeting held recently. The meeting included review of the 2019 Recreation Department number of participants, upcoming projects, renovation of the Reese Park Tennis/Pickleball Courts, and Bradley Park Playground Project Phases 2 and 3. Mr. Winzig stated that the meetings of the commission meeting will be distributed and will include a complete recap of the 2019 Recreation Department statistics, including participation and revenue. Mr. Winzig noted an increase in participation and excellent performance by the Recreation Department.

Ms. DeGeorge stated that the minutes of the Walker Road Park Ad Hoc Committee meeting refer to a pilot field in Cahoon Memorial Park. Mr. Winzig stated that this is the fenced in area east of the shed where there is work being done to see if some of the surface can be improved. The Service Department aerated the area and installed mulch to see if there would be an improvement. This should spark a plan for 2020 and 2021 improvements in all of the parks. More information will be sent to Council when it is ready.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

Engineering Services Contract for 2020. – Second Reading of Ordinance at Regular Meeting of Council this evening.

Ms. DeGeorge will present the ordinance for the one-year contract for Chagrin Valley Engineering services for 2020 for second reading at the Regular Meeting of Council to be held this evening.
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MISCELLANEOUS

The Planning Commission will meet on Wednesday, November 20, 2019 at 7:30 p.m.

AUDIENCE

There were no comments from the audience this evening.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 8:07 p.m.

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