

## AGENDA

Agenda, Bay Village City Council  
Committee Meeting  
Council Chambers, Bay Village City Hall  
Dwight A. Clark, President of Council, Presiding

Date: October 5, 2020  
Time: 7:00 p.m. **\*New Time\***  
**\*Zoom participation attached**

### ANNOUNCEMENTS

### COMMITTEE OF THE WHOLE

**ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-DeGeorge, Tadych, Maier.**

Notice from Ohio Department of Commerce, Division of Liquor Control regarding expiration of liquor permits on December 1, 2020.

Resolution in support of the Cuyahoga County Public Library Operating Levy.

**FINANCE & CLAIMS COMMITTEE-Tadych, Winzig, Kelly, Clark.**

Continuation of Refuse Collection Fee through 2021.

**PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier, DeGeorge, Stainbrook.**

Livable Communities Initiative (TLCI) Implementation Grant application with NOACA.

**PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Stainbrook, Maier, Kelly.**

**RECREATION & PARKS IMPROVEMENT COMMITTEE-Winzig, DeGeorge, Tadych.**

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Kelly, Stainbrook, Winzig.**

### MISCELLANEOUS

### AUDIENCE

### ADJOURNMENT

### CAHOON MEMORIAL PARK TRUSTEES

Request of the Bay Village Historical Society to install an 8 inch by 4 inch bronze plaque, in memory of Kay Laughlin, on an existing sandstone bench located in the Rose Garden.

Agenda  
October 5, 2020  
Conference Room

**City of Bay Village is inviting you to a scheduled Zoom meeting.**

**Topic: Committee and Regular Meetings of Bay Village City Council**  
**Time: Oct 5, 2020 07:00 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**  
**<https://us02web.zoom.us/j/87979630539>**

**Meeting ID: 879 7963 0539**  
**One tap mobile**  
**+13017158592,,87979630539# US (Germantown)**  
**+13126266799,,87979630539# US (Chicago)**

**Dial by your location**  
**+1 301 715 8592 US (Germantown)**  
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**+1 346 248 7799 US (Houston)**  
**+1 669 900 9128 US (San Jose)**

**Meeting ID: 879 7963 0539**

# City of Bay Village

Council Minutes, Committee Session  
Dwight A. Clark, President of Council, presiding  
Council Chambers

September 14, 2020  
7:00 p.m.

President of Council Clark called the meeting called to order in the Council Chambers of Bay Village City Hall at 7:00 p.m.

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

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Leasure, Clerk of Council Kemper and the following administrative officials via Zoom: Director Recreation Director Enovitch, Fire Chief Lyons, Human Resource Director Demaline, Building Director Tuck-Macalla, Public Service and Properties Director Liskovec.

## AUDIENCE

Clare Banasiak, Jim Blocksidge, and additional audience members observing through Zoom Technology.

## ANNOUNCEMENTS

**Mayor Koomar** advised that the Cahoon Memorial Park Master Plan surveys from the first public input session will stay open until the end of this week. They have started pulling a majority of the data, and have received a lot of responses. A meeting is scheduled with Project Manager Kathryn Kerber on Tuesday, September 15, for an update. The Smith Group will digest some of the information and be back in touch at the end of the month, or the beginning of October. A second public meeting will be held probably mid-October. Mayor Koomar has asked The Smith Group if they could come in to a Council meeting either in person or through Zoom and provide Council with an update.

Mayor Koomar stated that Law Director Barbour, Building Director Tuck-Macalla, Councilwoman Sara Byrnes Maier, and Jason Russell from Concord Consulting along with the Mayor, have been discussing the zoning overlay work. They are in the process of checking schedules for alignment. Mr. Barbour has done some work with Mr. Russell, and Ms. Maier has reviewed the work to date. The plan is to have the matter on the agenda of both the Planning, Zoning, Public Buildings and Grounds Committee of Council, and the City Planning Commission to keep the process moving with the goal to finish by the end of the year, or the beginning of January of 2021.

**ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-DeGeorge, Tadych, Maier.**

**Ms. DeGeorge** had no report this evening.

**FINANCE & CLAIMS COMMITTEE-Tadych, Winzig, Kelly, Clark.**

August 2020 Financial Statements.

**Mr. Tadych** reported that the Finance Committee held a meeting at 6:15 p.m. this evening and reviewed the financial statements of August 2020. He stated that the statements look very well, however, the pool did not come in too good. Everything else is looking favorable. The financial statements will be acknowledged as received by Council this evening.

**PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier, DeGeorge, Stainbrook.**

**Ms. Maier** referred to the Mayor's comments about the zoning overlay and noted that the Planning, Zoning, Public Grounds and Buildings Committee will schedule a date for a meeting in the near future.

**PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Stainbrook, Maier, Kelly.**

Removal of Sunset Area Improvements from Matters Pending before Council.

**Mrs. Stainbrook** advised that the removal of the Sunset Area Improvements from Matters Pending before Council will be presented by her at the Special Meeting of Council to be held this evening.

2020 Street Striping Program.

Mrs. Stainbrook stated that all members of Council have received the bid results for the 2020 Street Striping Program. The low bid for the work is in the amount of \$28,357.30, and the contract will be authorized by ordinance at this evening's Special Meeting of Council.

Mr. Clark commented that there were only two bidders for the street striping work. The bid came in higher than the actual appropriation. Director of Public Service and Properties Liskovec will provide an update at the Special Meeting of Council this evening.

Mayor Koomar advised that he has been walking the Sunset Area Project in the evenings. After the recent, large rainfall, he observed that the contractor did the best they could to grade the asphalt, trying to angle it and take it down for drainage. There were spots of water, but overall the grading worked well. There was no standing water in the area of Lakeside and other places, north and south. Mr. Liskovec and City Engineer Bierut spent a lot of time on site with the contractor looking at the grading and trying to do as much as possible with what there was for the project. The feedback from residents has been very positive.

Mr. Clark encouraged those who have not seen the area to drive around the neighborhood. The contractor did a fantastic job and the final coat is even and smooth.

Mr. Tadych noted that it is a great change, and asked how long this improvement will tide the City over.

The Mayor stated he will leave that to the City Engineer. Mr. Tadych asked if the City Engineer has expressed any opinion.

Mayor Koomar stated that he thinks they have seen projects like this. He has heard twelve years mentioned, but he has also heard eight to ten years as a more realistic number.

### **RECREATION & PARKS IMPROVEMENT COMMITTEE-Winzig, DeGeorge, Tadych.**

**Mr. Winzig** presented a recreation activity update, noting that the pool is now closed and winterized. At Reese Park, the contractor has dug out the base of the new basketball court, putting in the drainage, making good progress with that project on track. Football practice has started for the fall and Mr. Enovitch reports that there has been very positive feedback from the parents. They are strictly following all the COVID rules, and the kids seem to be understanding what they need to do. Equipment was distributed this evening so they're getting ready for an October season consisting of five weekends. It is a little bit of a shortened season but they get to go out and play, which is wonderful. Soccer has started in Cahoon Memorial Park with all the moms, kids and dads out there on Saturday. Travel has also started, and there was a lot of activity at Walker Road Park on the Sunday travel schedule. Girls' volleyball and adult fitness is using the Community Gym at a reduced rate, and Mr. Enovitch is putting together a program for them.

Regarding the survey for the Cahoon Memorial Park Master Plan, Project Manager Kathryn Kerber has displayed some QR Codes so people can use their cell phone to click on and be taken right to the survey. People walking the loop and around the park can access the survey, which is very helpful.

Mr. Enovitch is starting to plan the very busy basketball season, and trying to figure out if there will be a basketball season for the Recreation Department and what that might entail. Director Enovitch has advised that there are about 500 youth participants in that program. He has not received guidelines from the state as far as that next sports season.

Bradley Road Playground materials have been ordered and should be delivered this week or next week. As before, they are trying to assemble the playground equipment in-house and use our Service Department team as much as possible to save funds. Mr. Enovitch would like to put the equipment together late in the season when the activity of the leaf season closes down.

Mr. Clark noted that the first two phases of the Bradley Road Playground look great.

Mr. Winzig concluded his comments stating that the Recreation Department is very active and everything seems to be progressing as planned. A Committee meeting was not held over the summer, but he plans to have a formal meeting of the Committee this fall.

Mr. Tadych asked the expected date for the completion of the Reese Park Courts.

Mr. Winzig stated that he did not receive a finish date. They are trying to put in drainage.

Mayor Koomar added that the department directors will provide Council reports at the Special Meeting of Council to be held this evening.

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Kelly, Stainbrook, Winzig.**

**Mr. Kelly** stated that there was nothing in particular to report this evening. As mentioned by the Mayor, the Services, Utilities and Equipment Committee will review the refuse contract in 2021 and the City's options for that service.

**MISCELLANEOUS**

**Mr. Clark** stated that as it stands today he does not believe there will be a need for a Council meeting on Monday, September 21. He will keep all apprised as to the next upcoming meeting.

**AUDIENCE**

There were no comments from the audience this evening.

**ADJOURNMENT**

There being no further discussion, the meeting adjourned at 7:17 p.m.

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Dwight A. Clark, President of Council

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Joan Kemper, Clerk of Council



Department  
of Commerce

Division of Liquor Control

Mike DeWine, Governor  
Sheryl Maxfield, Director

NOTICE TO LEGISLATIVE AUTHORITIES  
Objections to Renewal of a Liquor Permit

CLERK OF BY VILLAGE CITY COUNCIL  
350 DOVER CENTER  
BAY VILLAGE OHIO 44140

18-011

SEPTEMBER 11, 2020

Dear Clerk of Legislative Authority:

This is notice that all permits to sell alcoholic beverages in your political subdivision will expire on **December 1, 2020**. In order to maintain permit privileges, every permit holder must file a renewal application.

Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. The hearing may be held in the county seat of the county in which the permit premises is located if that request is made in writing. This will be your only opportunity to object to the renewal of a liquor permit premises which might be a problem in your community.

In order to register a valid objection with the Division of Liquor Control and request a hearing, the legislative authority must pass a resolution that specifies the problems at the liquor permit premises and the legal grounds for the objection as set forth in Ohio Revised Code Section 4303.292(A). It is suggested that a separate resolution be passed for each permit premises. The Chief Legal Officer of your political subdivision must also submit a statement with the resolution that, in the Chief Legal Officer's opinion, the objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.292(A). The resolution and Chief Legal Officer's statement must be addressed to the Division of Liquor Control, Attn: Legal Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 and postmarked no later than November 2, 2020.

For your convenience, you may access our brochure entitled "[How to Object to the Issuance or Renewal of a Liquor Permit](#)" from our website at [www.com.ohio.gov/liqr](http://www.com.ohio.gov/liqr) Under "Licensing" click on "Renewals" and under that mega menu please select the link "Object to the Issuance or Renewal of a Liquor Permit".

You may wish to contact the law enforcement agency for your jurisdiction to determine if it has any information which will aid in your decision whether or not to object and request a hearing. For your convenience you may obtain a [list of issued permit holders](#) in your jurisdiction from our website at the above link. Under "Liquor Control" click on "Look it up" and under that mega menu please select "Search Permit Holders" "Permit Applicant / Holder Information (types and status)". You will then enter the search criteria for your county / city / township to bring up the issued permits in your jurisdiction. If you do not have access to the internet, you may request a list from us by writing the Division at the below address.

If you determine that there are no permit premises within your jurisdiction that you wish to object to, you do not need to take any action. The renewal applications for those premises will be submitted by the permit holders and will be processed by the Division and issued as appropriate.

If you have any questions, please contact the Legal Section at (614) 644-2489.

Very truly yours,

Cassandra L. Hicks

Deputy Superintendent & Chief Of Licensing

## Joan Kemper

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**From:** Joan Kemper  
**Sent:** Thursday, September 17, 2020 11:37 AM  
**To:** Kathleen M. Leasure  
**Cc:** Joan Kemper (jkemper@cityofbayvillage.com)  
**Subject:** Liquor Control  
**Attachments:** Division of Liquor Control Notice.pdf

Hi Kathy,

Attached is the Notice to Legislative Authorities that we receive each year as an opportunity to object to the renewal of a permit and request a hearing. If you click on the link below you can find the list of all the permit holders now and in the past in Bay Village.

[https://www.comapps.ohio.gov/liqr/liqr\\_apps/PermitLookup/PermitHolder.aspx](https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolder.aspx)

Joan Kemper, Clerk of Council  
Secretary to Civil Service Commission  
City of Bay Village, Ohio  
350 Dover Center Road  
Bay Village, Ohio 44140  
440-899-3406  
jkemper@cityofbayvillage.com

## Joan Kemper

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**From:** Kathleen M. Leasure  
**Sent:** Thursday, September 17, 2020 12:01 PM  
**To:** Joan Kemper  
**Subject:** RE: Liquor Control

Thanks Joan. That was neat to see.

I do not have any objects on any of the permit holders.

Kathy

Kathy Leasure  
Chief of Police

**From:** Joan Kemper  
**Sent:** Thursday, September 17, 2020 11:37 AM  
**To:** Kathleen M. Leasure <kleasure@cityofbayvillage.com>  
**Cc:** Joan Kemper <jkemper@cityofbayvillage.com>  
**Subject:** Liquor Control

Hi Kathy,

Attached is the Notice to Legislative Authorities that we receive each year as an opportunity to object to the renewal of a permit and request a hearing. If you click on the link below you can find the list of all the permit holders now and in the past in Bay Village.

[https://www.comapps.ohio.gov/liqr/liqr\\_apps/PermitLookup/PermitHolder.aspx](https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolder.aspx)

Joan Kemper, Clerk of Council  
Secretary to Civil Service Commission  
City of Bay Village, Ohio  
350 Dover Center Road  
Bay Village, Ohio 44140  
440-899-3406  
[jkemper@cityofbayvillage.com](mailto:jkemper@cityofbayvillage.com)



## Permit Objection Process

### Objections to a new permit, or transfer of ownership and/or location of an existing permit:

#### Who may file an objection?

- Local legislative authority (city council if within a municipal corporation, township trustees or county commissioners)
- Public institutions (schools, churches, libraries, public playgrounds, and township parks) within a 500-foot radius of the proposed permit premises

Once notified by the Division of Liquor Control, the local legislative authority and/or public institutions have 30 days to submit their objection and request a hearing. Only the local legislative authority may request an extension beyond 30 days.

### Objections to a permit renewal:

#### Who may file an objection?

Only the local legislative authority can object to annual permit renewals by taking the following actions:

- Adopt a resolution stating the reason for the objection and forward a copy to the division no later than 30 days before the expiration date of the permit.
- Provide a statement to accompany the resolution from the chief legal officer stating it has reviewed the resolution, and, in its opinion, it is based on substantial legal grounds.

#### Requests for hearings should be mailed to:

Ohio Department of Commerce  
Division of Liquor Control  
Licensing Office  
6606 Tussing Rd. P.O. Box 4005  
Reynoldsburg, Ohio 43068-9005

### Concerned Citizens:

Citizens cannot file objections directly, but can make their concerns known to their local legislative authority and ask that it object and request a hearing. There are options available for communities dealing with a problem liquor permit establishment that may be found [here](#).

### Hearing Procedure:

Hearings take place at the division's Reynoldsburg offices, the county seat of the permit holder/applicant, or via video conference where available. The objector must appear for the objection to be considered. The hearing is open to the public, but citizens cannot present evidence or provide testimony unless designated by the objector or permit holder/applicant.

An attorney from the division conducts the hearing, but does not make a decision. A report is submitted to the division's superintendent, who decides whether to overrule or sustain the objection.

The permit holder/applicant or legislative authority may appeal the decision to the Ohio Liquor Control Commission. Public institutions have no legal right to appeal the division's decisions.

### **Evidence:**

The division's decision is guided by statutes, rules and legal cases. Evidence must be pertinent to the advisability of granting or renewing the permit. Speculative testimony not supported by sufficient evidence has been ruled by Ohio courts to be insufficient reason not to allow a business to operate. The burden of proof is on the objecting party, and the evidence presented must be:

- **Reliable** – Dependable evidence which can be confidently trusted.
- **Probative** - Relevant evidence which tends to prove the issue in question.
- **Substantial** - Evidence with some weight, importance and value.

### **Statutory Basis to Sustain Objection:**

The grounds for which the division can deny a permit or reject a permit renewal are provided in Ohio Revised Code Section 4303.292.

### **Examples include:**

- Conviction for a crime relating to the ability to operate a liquor establishment by the applicant, any partner, member, officer, director, manager or shareholder owning five percent or more of the capital stock.
- An applicant's unfavorable enforcement record and/or operation in disregard of laws, regulations or local ordinances.
- The location of the establishment substantially and adversely interfering with public decency, sobriety, peace, or good order of the neighborhood, or the normal, orderly conduct of a public institution.
- Saturation in the neighborhood such that the permit applied for would be detrimental to and substantially interfere with the morals, safety or welfare of the public.

**Anyone with questions regarding the objection process may contact the division's legal section at 614-644-2489.**

**Ohio**

**Department  
of Commerce**

Mike DeWine, Governor  
Jon Husted, Lt. Governor

Division of Liquor Control  
Sheryl Maxfield, Director

6606 Tussing Road  
Reynoldsburg, OH 43068  
614.644.2360

**Joan Kemper**

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**From:** Conda Boyd <conda\_boyd@yahoo.com>  
**Sent:** Sunday, September 27, 2020 2:51 PM  
**To:** Dwight Clark; Nancy Stainbrook; Thomas Kelly; Dave Tadych; Lydia DeGeorge; Sara Byrnes Maier; Pete Winzig  
**Cc:** Joan Kemper; Paul Koomar; Mark Barbour  
**Subject:** CCPL Issue 70 analysis  
**Attachments:** Issue 70 fact sheet.docx

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council members:

Anticipating that, like you, the LWV might consider endorsing Issue 70, CCPL's 1-mill levy on the November ballot, I researched their campaign literature statements in detail. (Please see the attachment.) Alas. It soon became clear that CCPL has not made a sound case for the levy, nor have they made public the information voters need to gauge a levy's success.

Of particular interest to the City is the impact of rising taxes on our competitiveness. Why should a business or homeowner locate here in Bay Village when costs are lower just across the county line? Greater Cleveland Partnership has taken a position against new permanent levies, and this is particularly apt given that CCPL can sustain operations on its existing levy while submitting renewals -- say every 5 years -- that will hold the appointed Board and administration directly accountable to voters.

This is not a question of whether we love libraries. It is a question of government transparency and accountability -- an issue I've been talking with you about for over 25 years. You do not have to issue an endorsement, nor do you have to give it a thumbs-down. In this case, silence would be golden.

Thanks for your consideration.

Conda Boyd  
17896 W Oakland  
140-899-2987

Cc: Joan Kemper  
Paul Koomar  
Mark Barbour

## Update as of 9/25/20 Issue 70 - Cuyahoga County Public Library 1.0 mill levy

The analysis presented in the matrix starting on page 2 examines the statements in the levy campaign literature in order to provide additional detail and context.

### Updates on the basis of the 2019 financials:

The 2019 annual reports are now available at: [Click here.](#)

The numbers on revenue from local property taxes are confusing. Possibly skewed by the 2007-8 financial crisis and subsequent rebound?

2019 revenue was 10 percent less than in 2009 (vs. 14% since 2008 per the short report)- p. vi.

From 2018 to 2019, revenue increased by \$880,861 - p. 9. Or \$749,477 - pp. S8-S9??

From 2010 to 2019, property tax revenue decreased from \$39.7 million to \$38.8 million (\$878K, or 2%) - pp. S8-S9.

The 1-mill levy would generate \$18,857,237 (vs. \$18 million) - p. 5.

The levy will allow CCPL to "provide and expand" services as needed for at least 10 years - p. 5 and p. 14.

Outstanding notes funding the Facilities Master Plan total \$55.8 million (p. 13).

### Other information of interest:

The comprehensive report includes a history of the library system (p. v).

The 2008 levy passed by 58.75% - p. vi.

Notes on the Richmond Heights and Bay Village branches are on pp. 5-6. Bay Village proposed budget is \$9.2 million.

Outstanding construction contractual commitments are on p. 59.

A new Statistical Section starts on page S1 and gives 10-year trends. One goal for the levy is to sustain a "robust" materials collection, which has shrunk by 12.8% since 2010 (below, from S34-S35). Circulation, which has declined by 28.7%, is detailed on S32-33.

| Function/Program                               | 2019      | 2018      | 2017      | 2016      | 2015      | 2014      | 2013      | 2012      | 2011      | 2010      |
|--|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>Library Collections Systemwide</b>          |           |           |           |           |           |           |           |           |           |           |
| Books  | 1,390,716 | 1,760,337 | 1,544,865 | 1,551,995 | 1,646,809 | 1,583,750 | 1,762,534 | 1,756,053 | 2,024,972 | 2,105,679 |
| E-Books  | 404,949   | 354,181   | 330,455   | 375,030   | 385,746   | 385,213   | 174,527   | 132,674   | 72,882    | 15,688    |
| Videocassettes and DVDs                        | 406,753   | 482,438   | 448,902   | 475,986   | 490,334   | 510,165   | 582,528   | 533,527   | 585,695   | 552,210   |
| Recordings (Disks, Tapes, CDs)                 | 148,724   | 193,399   | 225,630   | 256,771   | 278,381   | 295,803   | 363,454   | 366,661   | 425,091   | 397,627   |
| E-Media (Streaming Music & Video)              | 320,089   | 288,155   | 328,905   | 1,000     | 1,145     | 1,863     | 0         | 0         | 0         | 0         |
| Computer Software (DVD-ROM and CD-ROM)         | 0         | 0         | 0         | 0         | 0         | 0         | 19        | 28        | 3,517     | 5,616     |
| Other Items                                    | 18,552    | 19,915    | 7,769     | 10,385    | 11,176    | 10,066    | 8,385     | 5,550     | 5,091     | 4,612     |
| Magazine Subscriptions                         | 2,673     | 3,003     | 3,421     | 3,694     | 5,143     | 5,416     | 5,163     | 5,375     | 5,922     | 5,892     |
| Databases Provided                             | 39        | 44        | 48        | 45        | 44        | 45        | 44        | 37        | 85        | 82        |
| <b>Electronic Resources</b>                    |           |           |           |           |           |           |           |           |           |           |
| Number of PCs Available for Public             | 1,481     | 1,428     | 1,047     | 1,064     | 1,022     | 991       | 952       | 907       | 877       | 894       |
| Number of Weekly Users of Electronic Resources | 52,950    | 48,059    | 41,712    | 44,787    | 40,766    | 43,167    | 46,663    | 114,403   | 88,621    | 64,776    |
| Annual Number of Users of Electronic Resources | 2,753,394 | 2,499,074 | 2,169,033 | 2,328,934 | 2,119,855 | 2,244,706 | 2,426,430 | 5,948,948 | 4,608,266 | 3,368,558 |
| <b>Public Service Transactions Systemwide</b>  |           |           |           |           |           |           |           |           |           |           |
| Average Weekly Building Attendance             | 95,881    | 100,771   | 125,696   | 130,373   | 142,091   | 153,691   | 152,000   | 149,990   | 144,009   | 144,811   |
| Annual Building Attendance                     | 4,985,812 | 5,240,072 | 6,536,189 | 6,779,385 | 7,388,748 | 7,991,967 | 7,904,020 | 7,799,499 | 7,488,461 | 7,619,075 |
| Average Weekly Reference Transactions          | 26,204    | 25,482    | 25,296    | 23,350    | 25,452    | 30,504    | 28,459    | 29,868    | 33,793    | 33,773    |
| Annual Reference Transactions                  | 1,362,382 | 1,327,482 | 1,315,366 | 1,213,160 | 1,323,530 | 1,586,234 | 1,479,868 | 1,553,136 | 1,757,236 | 1,756,196 |
| Total Annual Library Programs                  | 14,115    | 15,156    | 16,269    | 15,783    | 14,864    | 21,687    | 20,333    | 18,407    | 15,607    | 14,239    |
| Total Annual Library Programs Attendance       | 328,826   | 337,112   | 343,594   | 353,152   | 318,472   | 393,627   | 406,406   | 380,134   | 357,829   | 317,985   |

## Fact Sheet

### Issue 70 - Cuyahoga County Public Library 1.0 mill levy

**Issue 70** is a proposed 1-mill tax to fund Cuyahoga County Public Library (CCPL) current expenses. The 1-mill tax would be in addition to the existing 2.5-mill tax passed in 2008. Both taxes are continuing, or "permanent". Property taxes are the primary source of funds for most Ohio libraries. Libraries also receive monies from Ohio's Public Library Fund, investments, fees for services and programs, gifts, grants, endowments, friends-of-the-library organizations, and charitable arms.

CCPL is a good library. That is not in question. The analysis presented here examines the statements in the levy campaign literature at <https://www.cuyahogalibrary.org/LP/Issue-70.aspx> in order to provide additional detail and context.

| CCPL Literature and Statements  | Comments   |
|---|--|
| <p>CCPL is the nation's top-rated public library system.</p>  | <p>Ratings vary.</p> <ul style="list-style-type: none"> <li>• CCPL tops <i>Library Journal's</i> list of libraries with \$30 million+ expenditures, with Cleveland Public Library (CPL) coming in third. In the other budget categories, there are 110 libraries with better scores than CCPL.</li> <li>• In the <i>American Library Association</i> list, CCPL ranks 6th on circulation and 11th on visits; on holdings, CPL ranks 14th; with CCPL 15th; neither is on the top "population served" list.</li> <li>• Another "best library" list gives the nod to iconic public libraries in New York; Philadelphia, Boston, LA, and Chicago without mentioning CCPL nor CPL.</li> </ul>   |
| <p>This is the first levy in 12 years.<br/>Revenue from local property taxes has decreased by 14%.<br/>CCPL has cut expenses by \$4 million annually.</p> | <p>In 2008, CCPL's permanent levy increased 25%, from 2.0 to 2.5 mills.</p> <p>In addition to meeting operational needs, the 2008 levy helped finance a \$110 million Facilities Master Plan that allowed CCPL to rebuild or update most of its buildings. To supplement current-year funds for the project, notes were issued and are being repaid through 2035.</p> <p>The facilities update – which was designed to cut expenses on utilities, maintenance, and staffing – is now approaching completion. Over time, some of the permanent revenue that was devoted to building can be diverted to other uses. Interest expense is being reduced through debt repayment, as well as a refinancing that took advantage of lower rates. Savings on utilities, maintenance, and staffing continue.</p> |

| CCPL Literature and Statements  | Comments  |
|---|---|
| <p>\$18 million per year will be used to:</p> <ul style="list-style-type: none"> <li>operate the branches</li> <li>maintain virtual services</li> <li>preserve evening and weekend hours</li> <li>sustain a robust materials collection</li> <li>maintain critical services, like after-school homework help and training for job seekers</li> <li>make safety and security updates</li> </ul> <p>If the issue fails:</p> <ul style="list-style-type: none"> <li>reductions in virtual services</li> <li>cuts to hours</li> <li>reduced collection budget / longer wait times</li> <li>scaled-back services</li> <li>facilities maintenance schedules deferred or extended</li> </ul> <p>cost to homeowners: \$35 per \$100,000 of home value<br/>less than \$3 per month (per \$100,000 of home value)</p> | <p>CCPL has not published:</p> <ul style="list-style-type: none"> <li>how the \$18 million of new funding will be distributed (For example, how much of that will be used to purchase new materials?)</li> <li>how much will be cut from each area if the issue fails</li> <li>how long the levy is expected to sustain the library until the next levy is required</li> <li>any other metrics against which voters can measure the levy's success</li> <li>audited 2019 financial reports (latest available reports are as of December 2018)</li> <li>Facilities Master Plan results - how much has been spent on each facility, whether the Plan is on budget, or how much of the planned savings on utilities, maintenance, and staffing are being realized</li> </ul>   |
| <p>The current 2.5-mill levy is the lowest millage of any public library system in Cuyahoga County.</p>   | <p>This is a 40% nominal increase over the 2.5 mills as voted in 2008.</p> <p>By state law, property taxes are reduced to negate the effects of inflation on home values. The <u>effective millage</u> – what homeowners actually pay – thus varies depending on when a levy was passed. Moreover, for levies passed before November 2013, the state picks up 12.5% of the bill.</p> <p>CCPL's current <u>effective millage</u> is 2.26. The current cost per \$100,000 of home value is \$5.76 per month. The new levy would add \$2.91 per month, which is an actual out-of-pocket increase of 50.5%.</p> <p>The difference between voted and effective millage makes comparisons difficult. CCPL's <u>voted millage</u> is the county's lowest. However, Lakewood's <u>effective millage</u> is lower: 1.95 versus CCPL's 2.26. Again, the effective millage is what homeowners actually pay.</p> <p>The assessed values against which levies are applied vary greatly across the county, from \$81 million in East Cleveland to \$2.25 billion in Cleveland to \$13.5 billion for CCPL. One mill is not the same to every library system.</p> |

| CCPL Literature and Statements  | Comments   |
|---|--|
| <p><i>[CCPL has not publicly commented on its decision to seek a continuing, or "permanent", levy instead of a limited-term or "renewable" levy.]</i></p> | <p>Except for CPL, CCPL is significantly larger than any of the other libraries in the county. It should be able to realize economies of scale in administration, personnel, materials purchases, and so forth. These economies <i>should</i> keep CCPL's millage lower than the smaller libraries'.</p> <p>A continuing levy continues in force unless voters revoke or replace it. A renewable levy has a fixed term – usually several years – after which the library or other entity must return to voters with a new request. Notice that in CCPL's case, the existing 2.5-mill continuing levy assures a perpetual baseline support; should a renewal request ever fail.</p> <p>Greater Cleveland Partnership (GCP) – the area's chamber of commerce – has criticized CCPL for seeking a continuing levy: "A term of years remains important to ... encourage meaningful progress, provide the community an opportunity to measure results, and review desires for future renewed support. ... [P]ermanent property tax levies for the November ballot are particularly inappropriate in [light] of an uncertain economy, potential leadership changes, an increasingly uncompetitive tax environment, and the need for accountability and structural reforms."</p> <p>For comparison, of the nine <i>libraries</i> in the county, Westlake and Euclid are financed through 5-year renewable levies. The remaining seven – Cleveland, (CH/UH) Heights, East Cleveland, Lakewood, Rocky River, Shaker Heights, and CCPL – are funded by continuing levies. The only other county-wide entity with a continuing levy is the Board of Developmental Disabilities (3.9 mills, passed in 2005).</p> <p>There are seven <b>additional county-wide levies</b> – for HHS, Tri-C, Port Authority, Metroparks, and Cuyahoga Arts &amp; Culture – plus the excise ("sin") tax. All eight of these levies are renewable and must be justified to voters every 2 to 10 years.</p> |

| CCPL Literature and Statements   | Comments   |
|--|--|
| <p>Regarding potential mergers, per <i>Crain's Cleveland Business</i>: "Hallie Rich, CCPL's communications and external relations director, said in an email that CCPL has discussed mergers with the East Cleveland and Shaker Heights libraries in recent years, but in both cases, the libraries declined to consider a merger. She also pointed to state law, which does not allow county libraries to initiate mergers. 'Cuyahoga County Public Library has been responsive to exploratory efforts by communities in recent years,' she said. 'We are not in a position to force any library to join CCPL because inclusion must be initiated by the local community.'"</p> | <p>GCP is "willing to consider supporting a short-term increase if CCPL leads discussions among peers around aggressive restructuring." Restructuring could, of course, include mergers. Short of that, CCPL could take a leadership role in exploring efficiencies and cooperation on programs across the area.</p> |

**If Issue 70 fails**, CCPL's next opportunity to present a new issue to voters is May, 2021. In that event, CCPL should present a renewable levy. The request should offer enough financial details for voters to make informed decisions, along with metrics that will allow voters to follow progress and understand whether goals are being met.

**Resources**

- Library Journal Star ratings for 2019:** [Click here](#)
- American Library Association top 25 public libraries:** [Click here](#)
- CCPL Issue 70 information:** [Click here](#)
- CCPL financial reports:** [Click here](#)
- CCPL Strategic Plan (2012):** [Click here](#)
- CCPL Facilities Master Plan:** CCPL's website link has been removed; the plan is referenced in this article [Click here](#)
- Cuyahoga County levy calendar:** [Click here](#)
- GCP press release opposing the CCPL levy in its current form:** [Click here](#)
- Crain's article quoting Hallie Rich:** [Click here](#)

Prepared by Conda Boyd, Bay Village; all errors are the author's.

## BAY VILLAGE

# Start of library construction depends on Nov. vote of Issue 70

By ALEX KAMCZYC

The \$7.5 million library project in Bay Village remains in limbo due to pandemic closures and complications. But library officials hope to jump start the project on Wolf Road with Issue 70, a levy on the Nov. 3 ballot.

"This levy is a critical part of our financial future," said Hallie Rich, Cuyahoga County Public Library Communications and External Relations director. "If it doesn't pass, the library will be faced with more budgetary cuts," she said. "To save money, we would be looking at delaying different capital improvement projects like the construction of the library even longer."

Issue 70 is a 1-mill continuing levy that will generate approximately \$18 million annually. The money raised will go to maintaining virtual services, security updates and maintaining library hours. It will be on the ballot for every city with a county library.

This is the first time a levy has been on the ballot for the library since 2008. There is a 2.5-mill levy in place for the library system. If approved, the levy will cost homeowners an additional \$3 per month in property taxes per \$100,000 of home value, according to the library system.

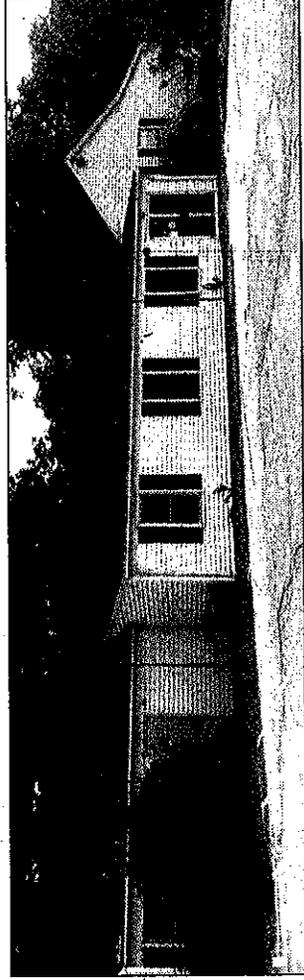


Photo by Alex Kamczyc

### Library officials hope to begin construction of Bay Village's \$7.5 million library on Wolf Road next spring if voters approve Issue 70 in November.

If voters approve the levy, construction of the 15,773-square-foot building could begin as soon as next spring. The project will replace the BayWay Cabin that sits next to city hall. There have been no changes to the scale or look of the project, which features an outdoor patio, a second-floor balcony and plenty of space for community activities inside and out, Rich said. However, there are some concerns about how the levy would affect the community, especially during a pandemic. The median home value of a single-family home in Bay Village is \$293,734, according to the real estate website Zillow.

As a result, library officials had to re-evaluate all capital improvement projects. To offset the loss, the library system laid off or furloughed

300 employees throughout the county. Those remaining took a 50% cut in their hours.

This is not the first setback the project has endured. Two years ago, work on the library was halted after the public protested previous architectural plans for not matching Bay Village's look and style.

After new plans were submitted last year, both the city's Planning Commission and Architectural Design Review Board approved the final design of the two-story library last December. In January, city and library officials hammered out details of the land-lease agreement. The city leased the 2.4 acres to the library for \$1 a year for 99 years, which has already been paid in full.

Despite uncertainty about when the project will begin, it's important for residents to know it will not be abandoned, said council President Dwight Clark

"I believe it's important to have a strong library system for the community," he said. "The library system is committed to building a new library here. It's all a matter of when."

Contact this reporter at [akamczyc@westlifeneews.com](mailto:akamczyc@westlifeneews.com) or 216-307-6614.

"I'm worried that asking to support a levy like this during the pandemic when finances for some residents are uncertain right now is irresponsible," said Councilwoman Lydia DeGeorge during a council meeting in August.

The Cuyahoga County Public Library Board of Trustees decided April 21 to postpone the project. The library system, which receives most of its income from property taxes, took a \$5 million hit to its finances because of the pandemic.

As a result, library officials had to re-evaluate all capital improvement projects. To offset the loss, the library system laid off or furloughed

In 2004 the City of Bay Village passed Resolution No. 04-25 in supporting the Cuyahoga County Public Library issue No. 23 on the March 2004 Ballot. Issue 23 was a 1.4 mill replacement and .6 mill increase.

ISSUE #23- CUY CTY PUB LIB DIST PROP'D TAX LEVY REPLACE/  
 INCREASE CURRENT EXPENSES 2 MILLS

County Results:

|                           |        |
|---------------------------|--------|
| 01 = FOR THE TAX LEVY     | 84,452 |
| 02 = AGAINST THE TAX LEVY | 69,285 |

Here are the voting statistics from Bay Village: (The first column is for the levy, second column against the levy)

|                      |      |      |
|----------------------|------|------|
| 0111 BAY VILLAGE 1-A | 100  | 61   |
| 0112 BAY VILLAGE 1-B | 179  | 98   |
| 0113 BAY VILLAGE 1-C | 125  | 73   |
| 0114 BAY VILLAGE 1-D | 151  | 96   |
| 0115 BAY VILLAGE 1-E | 107  | 89   |
| BAY VILLAGE WARD 1   | 662  | 417  |
| 0121 BAY VILLAGE 2-A | 141  | 79   |
| 0122 BAY VILLAGE 2-B | 130  | 73   |
| 0123 BAY VILLAGE 2-C | 133  | 64   |
| 0124 BAY VILLAGE 2-D | 113  | 65   |
| 0125 BAY VILLAGE 2-E | 140  | 77   |
| BAY VILLAGE WARD 2   | 657  | 358  |
| 0131 BAY VILLAGE 3-A | 150  | 54   |
| 0132 BAY VILLAGE 3-B | 130  | 73   |
| 0133 BAY VILLAGE 3-C | 130  | 59   |
| 0134 BAY VILLAGE 3-D | 141  | 61   |
| 0135 BAY VILLAGE 3-E | 147  | 64   |
| BAY VILLAGE WARD 3   | 698  | 311  |
| 0141 BAY VILLAGE 4-A | 139  | 53   |
| 0142 BAY VILLAGE 4-B | 124  | 55   |
| 0143 BAY VILLAGE 4-C | 148  | 71   |
| 0144 BAY VILLAGE 4-D | 116  | 64   |
| 0145 BAY VILLAGE 4-E | 84   | 52   |
| 0146 BAY VILLAGE 4-F | 172  | 67   |
| BAY VILLAGE WARD 4   | 783  | 362  |
| BAY VILLAGE CITY     | 2800 | 1448 |

RESOLUTION NO. 04-25

INTRODUCED BY: Stainbrook

**A RESOLUTION**

**RECOGNIZING THE CRITICAL NATURE OF OUR LOCAL LIBRARY BRANCH AND SUPPORTING CUYAHOGA COUNTY PUBLIC LIBRARY ISSUE 23 ON THE MARCH 2004 BALLOT AND DECLARING AN EMERGENCY.**

WHEREAS, council recognizes the unique and vital services provided by Cuyahoga County Public Library to the people of all ages living in the City of Bay Village; and

WHEREAS, the Library currently has a 1.4 mill levy that provides over half of the Cuyahoga County Public Library operating budget, and this levy will expire on December 31, 2004;

WHEREAS, state funding for the library has been significantly reduced; and

WHEREAS, the library has had to cut book purchases, services, staffing and hours because of budget shortfalls, and, without an increase in revenues, can no longer provide the level of service our community desires, and

WHEREAS, Issue 23, a 1.4 mill replacement and .6 mill increase, is needed to maintain the quality of Cuyahoga County Public Library and keep it on the Top Ten list of the nation's libraries; and

WHEREAS, Issue 23 will have a direct impact on many Bay Village children, families, and senior citizens who need library services;

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

SECTION 1. That Council supports Issue 23 and urges the citizens of our City to vote for Issue 23 in order that the informational, educational, professional and recreational needs of the community be met, and to ensure that the delivery of quality library service will continue.

SECTION 2. That the Clerk of Council is hereby directed to forward a certified copy of this resolution to Ms. Anne Conway, Branch Manager, Cuyahoga County Public Library, Bay Village Branch.

SECTION 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to endorse the library levy prior to March 2 election, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: March 1, 2004

T. Richard Martin  
PRESIDENT OF COUNCIL

Joan T. Kemper  
CLERK OF COUNCIL

APPROVED: March 2, 2004

Daphne L. Suber  
MAYOR

I, Joan T. Kemper, Clerk of Council of the City of Bay Village, Ohio, hereby certify that Resolution 04-25 was posted for a period of fifteen days, beginning MARCH 2, 2004 at the three Designated Posting Places.

hh

2/27/04

In 2008 the City of Bay Village passed Resolution No. 08-89 isupporting the Cuyahoga County Public Library issue No. 127 on the November 2008 Ballot. Issue 127 was a 2.0 mill replacement and adding a half mill.

**2008 Election Results**

**Issue No. 127 Cuyahoga County Public Library Levy**

127 CUY COUNTY LIBRARY DISTRICT TAX LEVY  
 CUYAHOGA COUNTY LIBRARY DISTRICT  
 Vote for Not More Than 1

County Results:

|                           |         |       |
|---------------------------|---------|-------|
| 01 = FOR THE TAX LEVY     | 184,338 | 58.70 |
| 02 = AGAINST THE TAX LEVY | 129,695 | 41.30 |

Bay Village Results:

01 = FOR THE TAX LEVY  
 02 = AGAINST THE TAX LEVY by Ward and Precinct

|                        | 01          | 02          |
|------------------------|-------------|-------------|
| 0001 BAY VILLAGE -01-A | 297         | 179         |
| 0002 BAY VILLAGE -01-B | 292         | 202         |
| 0003 BAY VILLAGE -01-C | 271         | 141         |
| 0004 BAY VILLAGE -01-D | 324         | 144         |
| 0005 BAY VILLAGE -01-E | 305         | 163         |
| 0006 BAY VILLAGE -02-A | 347         | 144         |
| 0007 BAY VILLAGE -02-B | 326         | 151         |
| 0008 BAY VILLAGE -02-C | 302         | 118         |
| 0009 BAY VILLAGE -02-D | 273         | 138         |
| 0010 BAY VILLAGE -02-E | 331         | 148         |
| 0011 BAY VILLAGE -03-A | 346         | 124         |
| 0012 BAY VILLAGE -03-B | 287         | 143         |
| 0013 BAY VILLAGE -03-C | 337         | 138         |
| 0014 BAY VILLAGE -03-D | 308         | 130         |
| 0015 BAY VILLAGE -03-E | 320         | 148         |
| 0016 BAY VILLAGE -04-A | 300         | 130         |
| 0017 BAY VILLAGE -04-B | 277         | 131         |
| 0018 BAY VILLAGE -04-C | 348         | 138         |
| 0019 BAY VILLAGE -04-D | 300         | 149         |
| 0020 BAY VILLAGE -04-E | 238         | 132         |
| 0021 BAY VILLAGE -04-F | 308         | 125         |
| <b>Total</b>           | <b>6437</b> | <b>3016</b> |

RESOLUTION NO. 08-89  
INTRODUCED BY: Young

A RESOLUTION IN SUPPORT OF THE CUYAHOGA COUNTY PUBLIC LIBRARY LEVY,  
ISSUE NO. 127, ON THE ELECTION BALLOT OF NOVEMBER 4, 2008, AND  
DECLARING AN EMERGENCY

Whereas, Cuyahoga County Public Library will ask residents to approve an operating levy on the November 4<sup>th</sup>, 2008 ballot which will replace two mills and add a half mill; and,

Whereas, Cuyahoga County Public Library is a critical regional resource, with a half million cardholders who visited a branch 7.2 million times last year; and,

Whereas, Cuyahoga County Public Library is ranked the nation's Number One Library of its size based on service, accountability, and value to the community, and is the seventh busiest library in the nation circulating over 16 million items annually; and,

Whereas, this levy will protect Cuyahoga County Public Library, which serves 47 communities in Cuyahoga County through 28 branches; and,

Whereas, effective libraries enrich the lives of individuals, provide critical information for students and organizations, and create meaningful access to modern technology; and,

Whereas, the levy revenue is the Cuyahoga County Public Library's only local operating support and accounts for nearly half of the Library's annual operating budget; and,

Whereas, the Cuyahoga County Public Library levy has received the broad support of elected officials, business leaders, organized labor, and many others across the County; and,

Whereas, the Cuyahoga County Public Library levy will provide essential resources for keeping our County Library strong, up-to-date and able to provide excellent service in our community, including: providing up-to-date books, research and reference sources, magazines, CDs, DVDs and other materials residents need, stabilizing its capital needs to ensure continued excellent service delivery, continuing educational programs and activities for children, teens and families, and serving seniors through informational programs on health and provide computer instruction, and life-long learning events; and,

Whereas, this levy provides crucial support for one of the most important community assets in the region, and if the issue fails, the Library will be unable to provide the critical library services that local citizens need.

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

Ohio: \_\_\_\_\_  
Council of the City of Bay Village, Ohio  
\_\_\_\_\_ Secretary  
\_\_\_\_\_ Mayor  
\_\_\_\_\_ Treasurer

SECTION 1. That the Bay Village City Council supports Issue No. 127 and urges the citizens of our City to vote for Issue No. 127 in order that informational, educational, professional and recreational needs of the community be met, and to ensure that the delivery of quality library service will continue.

SECTION 2. That the Clerk of Council is hereby directed to forward a certified copy of this resolution to the Bay Village Library Branch Manager, of the Cuyahoga County Public Library.

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 necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to endorse the library levy prior to the November 4<sup>th</sup> election, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: October 6, 2008

Brian Clune  
PRESIDENT OF COUNCIL

Joan J. Kemper  
CLERK OF COUNCIL

APPROVED: October 7, 2008

Robert R. Mulvey  
MAYOR

I, Joan J. Kemper, Clerk of Council of the City of Bay Village, Ohio hereby certify that Res. 08-89 was posted for a period of fifteen days, beginning Oct. 7, 2008 at the three Designated Posting Places.

**Joan Kemper**

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**From:** Jon Liskovec  
**Sent:** Wednesday, September 30, 2020 2:15 PM  
**To:** Agendas  
**Subject:** Item for the next Cahoon Memorial Park Trustees

All,

For review and determination of necessary action: the Historical Society (via Cathy Flament) would like to install a 8" x 4" bronze plaque in memory of Kay Laughlin on an existing sandstone bench located in the rose garden.

Thank you,

Jonathan Liskovec  
City of Bay Village  
Director of Public Services and Properties  
jliskovec@cityofbayvillage.com  
Office: 440-899-3437  
Garage/Dispatch: 440-871-1221  
Fax: 440-899-3480



# City of Bay Village

350 Dover Center Road  
Bay Village, Ohio 44140-2299

Phone: 440/871-2200

Fax: 440/871-5751

## Agenda, Bay Village City Council

Regular Meeting, Council Chambers

**October 5, 2020**

**7:30 p.m. \*New Time\***

**Access to this meeting is available through Zoom technology. Information to connect via Zoom is included on the next page.**

Dwight A. Clark, President of Council, Presiding

Roll Call

Pledge of Allegiance led by Peter J. Winzig, Councilman, Ward 4

Reading of Minutes – Special Meeting of Council held September 14, 2020

Cahoon Memorial Park Trustees Meeting held September 14, 2020.

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## 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 Leasure

Fire Chief Lyons

Director of Building Tuck-Macalla

## AUDIENCE

## COMMUNICATIONS

## COMMITTEE OF THE WHOLE

### ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Ms. DeGeorge

**Motion** not to object to renewal of existing liquor permits in the City of Bay Village expiring on December 1, 2020.

**Resolution** of support for the Cuyahoga County Public Library Operating Levy to be submitted to voters on the November 2020 Ballot, and declaring an emergency.

### FINANCE AND CLAIMS-Mr. Tadych

**Ordinance** establishing the effective date for the Refuse Collection Fee, and declaring an emergency. (First Reading)

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

**Resolution** authorizing the filing of a Transportation for Livable Communities Initiative (TLCI) Implementation Grant application with NOACA, and declaring an emergency.

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

**RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig**

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Mr. Kelly**

**MISCELLANEOUS**

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**ADJOURNMENT**

City of Bay Village is inviting you to a scheduled Zoom meeting.

Topic: Committee and Regular Meetings of Bay Village City Council

Time: Oct 5, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87979630539>

Meeting ID: 879 7963 0539

One tap mobile

+13017158592,,87979630539# US (Germantown)

+13126266799,,87979630539# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 879 7963 0539

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 7:30 p.m. However, Council generally meets informally at 7:00 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  
Council Chambers; augmented by Zoom.  
President of Council Dwight A. Clark, presiding

September 14, 2020  
7:35 p.m.

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

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Leasure, Clerk of Council Kemper and the following administrative officials via Zoom: Director Recreation Director Enovitch, Fire Chief Lyons, Building Director Tuck-Macalla, Human Resource Director Demaline, Public Service and Properties Director Liskovec.

## AUDIENCE

Clare Banasiak, Jim Blocksidge, and additional audience members observing through Zoom Technology.

President of Council Clark called the meeting to order at 7:35 p.m. with roll call and the Pledge of Allegiance led by Sara Byrnes Maier, Councilwoman of Ward 3.

**Motion by Tadych** to dispense with the reading and approve the Minutes of the Special Meeting of Council held August 31, 2020, as prepared and distributed.

**Motion passed 6-0 and one abstention (Mr. Winzig.)**

**Motion by Tadych** to dispense with the reading and approve the Minutes of the Cahoon Memorial Park Trustees meeting held August 31, 2020, as prepared and distributed.

**Motion passed 7-0 and one abstention (Mr. Winzig.)**

## ANNOUNCEMENTS

**Mayor Koomar** stated that he has asked the department directors to provide reports of activity at this first September meeting of Council.

**Finance Director Mahoney** reported that her department is working hard on getting the new finance system up and running and asking departments for their input.

**Law Director Barbour** had no report this evening.

**Police Chief Leasure** advised that Christopher Garretson has been sworn in as the newest City of Bay Village police officer on September 1, 2020. Patrolman Garretson came to the City of Bay Village from the Sheffield Lake Police Department, already certified, and it is hoped to have him on patrol by the end of the year. Patrolman Garretson is filling one of the three vacancies in the Police Department currently.

Chief Leasure further advised that the School Resource Officer, Officer Kitchen, began his duties today on the first day of in-person classes. Officer Kitchen spent time today between Bay High School and Bay Middle School.

**Fire Chief Lyons** reported that the Bay Village Fire Department has had a very busy summer. There was a lull in emergency calls at the beginning of the Corona Virus lockdown, but now the emergency call volume is back to normal. The Fire Department has received a higher number of emergency calls than normal for water rescues. There have been quite a few calls for a variety of water rescues, but one to be highlighted is a water rescue at Huntington Beach on August 28, 2020. There were two teenagers in the water, about 100 to 200 yards out from shore, who got caught in a current. Firefighters Zach Hirzel and Jeff Vidmar successfully reached and rescued the swimmers. By the time Firefighter Jeff Vidmar reached one of the victims the victim had already submerged under the water. The Chief noted the outstanding work to save the lives of these two boys who would not have survived without the work of Firefighters Hirzel and Vidmar. Firefighter Hirzel and Firefighter Vidmar were commended by Fire Chief Lyons for an excellent job, along with the entire team that responded to the call on August 28, 2020 at Huntington Beach.

Chief Lyons stated that the Fire Department has been busy implementing a new Records Management System. It is doing quite well and it is hoped to have increased efficiency in statistical reports to Council in the near future.

**Mr. Clark** asked Fire Chief Lyons to convey to Firefighter Hirzel and Firefighter Vidmar on behalf of the City Council their deep appreciation for saving those two lives at Huntington Beach.

**Recreation Director Enovitch** advised that the swimming pool was closed last week, with a rain-out on the last day, Labor Day. The response to pool opening was overwhelmingly positive all summer. Summer programs are being ended with the Recreation Department preparing for the fall and winter activities.

**Mr. Clark** expressed appreciation to Mr. Enovitch and his staff this summer in a trying situation.

**Human Resource Director Demaline** stated that the Human Resource Department has been productive as well. They have been working very hard at putting policies in place in response to the Corona Virus. They are quite prepared in the event that those policies are needed.

Director Demaline stated that she is pleased to report that the City of Bay Village has been awarded the third year of the Workplace Wellness Grant from the Bureau of Workers' Compensation in the amount of \$3,750. The Employee Handbook has been finalized and distributed to employees and officials. The Wellness Plan for employees for 2021 is being developed, and Ms. Demaline is looking forward to getting that plan up and running

To conclude her report, Ms. Demaline stated that all City of Bay Village employees will be offered flu shots in the near future. More information on those vaccinations will be forthcoming.

**Director of Public Service and Properties Liskovec** reported that the Service Department has been very busy. The 2020 Pavement Maintenance Program is almost complete with just some turf restoration that needs to be done by the contractor. The Long Beach Pavement Project is underway with scheduling out the final punch list items for that project with the contractor. The Sunset Utilities Project is complete with the exception of signage that will be reinstalled by the contractor. The Sunset Paving Project is awaiting final grading. The Reese Park Basketball Courts Project is scheduled for completion in 2020, with the temperature and weather cooperating. The acrylic coat that is applied for the playing surface is temperature and weather dependent. The contractor is moving along very well. The transfer ramp project is completed and operational. The Service Garage roof replacement is completed and everything is dry following the weekend rain. The new pump for the Huntington Pump Station has been installed and was operational during the whole Labor Day storm. The United States Environmental Protection Agency Project is underway with the flow monitoring stage completed. The next step will be for Chagrin Valley Engineering to analyze the data and work on the modeling and development of a plan that needs to be presented for the closure. The Service Department completed work this summer in Council Chambers, the Dwyer Memorial Center, and is currently working on interior projects at the Rose Hill Museum.

In regard to the matter on the agenda this evening for approval of a contract with A&A Safety, Inc., for the Pavement Marking and Striping program, Mr. Liskovec advised that the increase in the cost this year is due to additional work that hasn't been done in the past. The Ohio Department of Transportation specifications are being followed for the quantity of glass beads that are mixed into the paint. When going through the review process, it was noted that the City specifications did not follow the Ohio Department of Transportation specifications. The City specifications were changed to provide for increased safety in night driving. An additional item is a contrast stripe that will be done through the bicycle lane. There have been comments throughout the inception of the bicycle lanes on Lake Road. Part of the issue with the visibility is the asphalt itself has become so oxidized over the years that the contrast of the white over the pavement is not as sharp as it should be. A black contrast line will be installed along the long bicycle lanes to help guide the bicycle and vehicle traffic for enhanced safety.

Mr. Clark asked how many calls were received regarding flooding during the heavy Labor Day rainfall. Mr. Liskovec responded that only five calls were received.

Mr. Tadych asked what date the Reese Park Courts will be completed without the seal.

Mr. Liskovec stated that the contractor will be putting down asphalt by the end of this week or the beginning of next week. Thirty days of cure time is needed after the asphalt is laid before the acrylic layer can be installed.

**Building Director Tuck-Macalla** reported that the Building Department experienced high volume over the summer. The Bay Creek Development has started, with work now being done on the sewers. Water line work will begin tomorrow and continue to next week. With the addition of Bay Creek, there will be a total of 27 new housing units in Bay Village under construction at the same time. The winter ahead looks to be very busy.

Mr. Tadych asked if Wolf Road will be disrupted when the developer puts in the water lines and sewer lines for Bay Creek. Mr. Tuck-Macalla stated that all the work for the sanitary sewer has been done in the right-of-way, and the water line is in the same area, under the sidewalk on their side of Wolf Road.

Mr. Clark asked if the project for the Ohio Department of Natural Resources orphan gas well under Wolf Road is on task.

Mr. Liskovec stated that they are on pace with the existing well cave exposed and performing some of the preparation work before the drill rig comes in, which should be Tuesday or Wednesday of this week. They will determine if the 800 feet depth is sufficient to allow the plugging process to begin.

In regard to the two trail projects underway, the trail from the Lake Road Bridge north has been paved, with just a couple of minor items to be addressed with the contractor. The Basin Trail, which is from the bridge heading south, has the base completed and the final preparation work is being done prior to the asphalt installation, which is weather dependent, but potentially will be done this week and into next week.

**Mr. Tadych** reported that the Finance Committee held their fourth Finance Committee meeting of 2020 this evening, and reviewed the August financial statements, noting that there are only four more months of 2020 left.

**Motion by Mr. Tadych** to acknowledge receipt of the August 2020 Financial Reports of the City of Bay Village as prepared and submitted by Director of Finance Renee Mahoney.

**Motion passed 7-0.**

**Motion by Mrs. Stainbrook** to remove the Sunset Area Improvements from the Matters Pending before Council List.

**Motion passed 7-0.**

**Mrs. Stainbrook** introduced and read **Ordinance No. 20-81** authorizing an agreement with A&A Safety, Inc. for the Pavement Marking and Striping Program, 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. 20-81.

Roll call on Suspension of Charter Rules:

Yeas- Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Nays – None.

Roll call on Suspension of Council Rules:

Yeas- Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Special Meeting of Council  
September 14, 2020

Nays – None.

Roll call on Inclusion of the Emergency Clause:

Yeas- Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Nays – None.

Roll call on Adoption:

Yeas- Clark, DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig.

Nays – None.

Mr. Barbour announced adoption of Ordinance No. 20-81, an emergency measure, by a vote of 7-0.

#### **AUDIENCE**

There were no comments or questions from the audience this evening.

#### **MISCELLANEOUS**

**Mr. Clark** advised that the plan at this point in time is not to hold the September 21, 2020 Regular Meeting of Council due to a lack of pressing items for the agenda. Discussion this evening has been to try to move the budget process through this fall with the intention to have the 2021 Budget complete by mid-December this year.

#### **ADJOURNMENT**

There being no further discussion or matters to come before the Council this evening, the meeting adjourned at 7:56 p.m.

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Dwight A. Clark, President of Council

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Joan T. Kemper, Clerk of Council

## CITY OF BAY VILLAGE

**CAHOON MEMORIAL PARK TRUSTEES**  
Council Chambers

September 14, 2020  
7:17 p.m.

President of Council Clark called the meeting called to order at 7:17 p.m.

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

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Leasure, Clerk of Council Kemper and the following administrative officials via Zoom: Director Recreation Director Enovitch, Fire Chief Lyons, Human Resource Director Demaline, Building Director Tuck-Macalla, Public Service and Properties Director Liskovec.

### AUDIENCE

Clare Banasiak, Jim Blocksidge, and additional audience members observing through Zoom Technology.

**Ms. DeGeorge** acknowledged the change of time for Bay Days opening from 5:30 p.m. to 12:00 Noon on June 30, 2020 and July 1, 2020.

**Mr. Clark** thanked Ms. DeGeorge for the acknowledgement concerning the time, and asked Mayor Koomar if there were any updates from Mr. Tony Dostal on the planning for Bay Days 2021. Mayor Koomar stated that they will be doing some planning and he will keep Council apprised.

Regarding the motion to allow the contractor for the Lakeside Cemetery erosion work to access, cross and improve the section of land that is part of the Cahoon Memorial Park Trust, the Mayor noted that Law Director Barbour and he would like to add an additional sentence to the motion that approval by the trustees will be subject to the review of the City Engineer. Mr. Barbour noted that any work in the City that involves plans requires engineer approval.

**Motion by Maier** to allow the contractor for the Lakeside Cemetery erosion work to access, cross and improve the section of land that is part of the Cahoon Memorial Park Trust, subject to approval of the City Engineer, and in accordance with documents prepared by the Law Director.

Mr. Clark noted that the original thought was to have the project done by the end of October. He asked if that has been changed.

Mayor Koomar stated that he does not have a completion date, but Mrs. Young contacted him last week and mentioned that they were looking to have their contractor start work in September toward the end of the month. An update is expected in the near future.

**Motion passed 8-0**

Minutes of a Meeting of  
Cahoon Memorial Park Trustees  
September 14, 2020

There being no further matters to come before the Trustees, the meeting adjourned at 7:22 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**ESTABLISHING THE EFFECTIVE DATE FOR THE REFUSE**  
**COLLECTION FEE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the effective date for the refuse fee was re-established through December 31, 2020 by Ordinance 19-90 passed October 21, 2019; and

**WHEREAS**, it is the desire of Council and the Administration of the City of Bay Village to continue the refuse collection fee through 2021;

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

**SECTION 1.** That Section 2 of Ordinance 19-90 passed October 21, 2019 is hereby repealed.

**SECTION 2.** Section 923.01(b) is hereby amended and restated as follows:

(b) The fee established in this section shall be effective through December 31, 2021.

**SECTION 3.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

**SECTION 4.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK

APPROVED:

\_\_\_\_\_  
MAYOR

ORDINANCE NO. 19-90  
INTRODUCED BY: Mr. Tadych

First Reading – October 7, 2019

**AN ORDINANCE**  
**ESTABLISHING THE EFFECTIVE DATE FOR THE REFUSE**  
**COLLECTION FEE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the effective date for the refuse fee was re-established through December 31, 2019 by Ordinance 18-82 passed October 29, 2018; and

**WHEREAS**, it is the desire of Council and the Administration of the City of Bay Village to continue the refuse collection fee through 2020;

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

**SECTION 1.** That Section 2 of Ordinance 18-82 passed October 29, 2018 is hereby repealed.

**SECTION 2.** Section 923.01(b) is hereby amended and restated as follows:

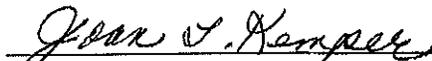
(b) The fee established in this section shall be effective through December 31, 2020.

**SECTION 3.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

**SECTION 4.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: October 21, 2019

  
PRESIDENT OF COUNCIL

  
CLERK

APPROVED: October 22, 2019

  
MAYOR

RESOLUTION NO.  
INTRODUCED BY:

**A RESOLUTION OF SUPPORT FOR THE CUYAHOGA COUNTY  
PUBLIC LIBRARY OPERATING LEVY TO BE SUBMITTED TO VOTERS ON  
THE NOVEMBER 2020 BALLOT, AND DECLARING AN EMERGENCY.**

**Whereas**, Cuyahoga County Public Library will ask residents to approve an operating levy on the November ballot which will replace the two and a half mill, which is the lowest millage of any public library in the county, and add one mill; and,

**Whereas**, Cuyahoga County Public Library is a critical regional resource, providing access to the information, technology and lifelong learning opportunities that are essential for residents to improve the quality of their lives; and,

**Whereas**, Cuyahoga County Public Library is the nation's top-rated public library system for ten consecutive years; and,

**Whereas**, this levy will protect Cuyahoga County Public Library, which serves 47 communities in Cuyahoga County through 27 branches; and,

**Whereas**, the Cuyahoga County Public has not been to the ballot since 2008, despite experiencing a 14% reduction in local property tax revenue over the past decade; and,

**Whereas**, this levy will provide essential resources for allowing the Cuyahoga County Public Library to continue bridging the digital divide, fostering strong readers, and providing resources for job training and employment; and,

**Whereas**, this levy provides crucial support for one of the most important community assets in the region, and if the issue fails, the Library will be unable to provide the critical library services that local citizens need.

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

**SECTION 1.** That Council supports the Cuyahoga County Public Library Levy and urges the citizens of our City to vote for the issue in order that informational, educational, professional and recreational needs of the community be met, and to ensure that the delivery of quality library service will continue.

**SECTION 2.** That the Clerk of Council is hereby directed to forward a certified copy of this resolution to the Bay Village Branch Manager of the Cuyahoga County Public Library.

**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 endorse the library levy prior to November 2020 election, 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

082720 jt

RESOLUTION NO.  
INTRODUCED BY:

**A RESOLUTION**  
**AUTHORIZING THE FILING OF A TRANSPORTATION FOR LIVABLE  
COMMUNITIES INITIATIVE (TLCI) IMPLEMENTATION GRANT APPLICATION  
WITH NOACA, AND DECLARING AN EMERGENCY.**

**WHEREAS**, NOACA's Transportation for Livable Communities Initiative (TLCI) provides assistance to communities and public agencies for integrated transportation and land use planning and projects that strengthen community livability.

**WHEREAS**, the City of Bay Village desires financial assistance under the TLCI program to reconfigure and update the intersection at Wolf Road and Cahoon Road, 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 NOACA for financial assistance, 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 program.

**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  
100120 kek