

City of Bay Village

Council Minutes, Regular Meeting
Council Chambers; augmented by Zoom.
President of Council Dwight A. Clark, presiding

May 17, 2021
7:49 p.m.

Present: Clark, DeGeorge, Greco, Kelly, Maier, Tadych, Winzig, Mayor Koomar

Also Present: Finance Director Mahoney, Director of Public Service and Properties Liskovec, Police Lieutenant Mark Palmer, City Engineer Bierut, Human Resource Director Demaline, Building Director Tuck-Macalla, Clerk of Council Kemper.

Via Zoom – Fire Chief Lyons, Community Services Director Selig.

AUDIENCE

Gary Sharp.

Via Zoom – Claire Banasiak, Jim Strunk, Linda Harris, Jim Blocksidge.

President of Council Clark called the meeting to order at 7:49 p.m. with roll call and the Pledge of Allegiance led by Vice President of Council and Ward 1 Councilman David L. Tadych.

Motion by Tadych to dispense with the reading and approve the Minutes of the Regular Meeting of Council held May 3, 2021, as prepared and distributed.

Motion carried 7-0.

Motion by Tadych, to dispense with the reading and approve the Minutes of the Cahoon Memorial Park Trustees meeting held May 3, 2021, as prepared and distributed.

Motion carried 8-0.

ANNOUNCEMENTS

Mayor Koomar announced that there will be a Memorial at the Lakeside Cemetery on Memorial Day, May 31, 2021 by the Veterans of Foreign Wars (VFW). There will not be a parade on Memorial Day this year, in the interest of safety for participants. The Memorial will include the reading of the names of the fallen, a 21-gun salute, and a message from a member of the clergy. Time for the ceremony will be announced, but it is expected at this point to be at 9:00 a.m.

Bay Days will be held from June 30 through July 3, 2021, with fireworks on July 3. Fire Chief Lyons has been working with the Kiwanis Club and the vendors to put safe protocols into place for this event, including hand sanitizing stations and the cleaning of rides.

Mayor Koomar stated that it has been brought to his attention that the month of May has been designated as Older Americans Month by President Biden. During the pandemic, older Americans have stepped up to support their families, friends and neighbors, especially with work situations. Older Americans are among the essential workers, volunteers and donors and have inspired others. The Mayor recognized the efforts in Bay Village by accommodating those who needed help receiving the vaccine, and the many services provided by The Village Project as highlighted by Executive Director Barb Harrell this evening.

The Mayor presented an update on Bay Family Services. He has been advised by the schools that they no longer wish to use the services of the McKeon Education Group. The Mayor has met with the schools three times, the latest time on Friday, May 14, 2021, to understand the direction they are taking. There may be an opportunity to partner with the schools, and ultimately there is still a purpose for Bay Family Services for the City with a smaller contract. Referrals include parents and students from St. Raphael's and other community churches as well as the Community Services Department, and the Police Department. Further discussions will be held with the schools in the next seven to ten days. Superintendent Jodie Hausman was concerned with Tier 3, the most severe cases which is a smaller number of students. Bay Family Services was more concentrated on Tier 1 and Tier 2 cases which represents those students who begin to slide, and bringing them up by involvement in groups and offering support.

Mr. Clark asked the expiration date of the current contract with McKeon Education Services. Mayor Koomar responded that the contract expires in June. He noted that information may come through the Police Department that is not appropriate to share because of privacy reasons, but with the joint contract with the schools that information can be shared with an opportunity of understanding the situation with a particular student and the student's needs.

Mayor Koomar stated that the administration is working through bids received for the Cahoon Memorial Park restroom facilities. Last year the base bid was \$350,000, and this year there is a high range of bids in excess of \$700,000. At the same time there was a low base bid of \$387,000 which was \$37,000 more than last year's base bid. The alternate bids look equally appealing. Sixmo Architects are reviewing the bids, but it is expected that the project will fall well short of the \$600,000 that was budgeted. The bids will be presented to the Council and Cahoon Memorial Park Trustees in the very near future.

The Mayor called upon Human Resource Director Demaline for the latest information concerning the use of protective face masks.

Human Resource Director Demaline stated that the administration is reviewing the orders of Governor Michael DeWine stating that masks are no longer mandatory for those who are fully vaccinated. The administration is looking to move forward with no longer requiring masks in City buildings. Discussion is being held with each department to see how this new policy would affect each department, and taking into consideration those employees who come into contact with the public. The administration is looking to remove the mask mandate.

Mayor Koomar added that for those who are not vaccinated the recommendation will be that they will continue to wear masks. When dealing with patients, the safety forces will continue to follow mask protocols.

REPORTS

Director of Law Barbour was excused from attendance this evening.

Director of Recreation Enovitch was excused from attendance this evening.

Fire Chief Lyons stated that they have definitely been in touch with the vendors for Bay Days, including the fireworks vendor, amusement ride vendor, and the representatives of the Bay Kiwanis. Everyone has been very cooperative and helpful and the City is looking forward to a great Bay Days this year, rolling with the moving guidelines of the Centers for Disease Control and Prevention (CDC) and the State of Ohio. The Fire Department will be well prepared in advance and do their best to make sure it is a great success.

Chief Lyons noted that members of the Fire Department are proceeding through promotional examinations for the position of Fire Lieutenant and Fire Captain. The second part of the process will be held the weekend of May 22 and May 23, 2021, which follows a written examination held earlier this year. Ten candidates are testing for the position of Fire Lieutenant, and three candidates are testing for the position of Fire Captain. Both of those positions will be opening later this year as Captain Jim Schmitz retires in the fall.

Fire Chief Lyons announced that by invitation from the Sea Scouts the Fire Department will be participating on Saturday, May 22, 2021 in the kick-off for the National Safe Boating Week. The members of the Fire Department will be at the Bay Boat Club with the Sea Scouts talking boat safety, water safety, and a presentation on the water rescue program. The offer of the Sea Scouts to participate is greatly appreciated.

Director of Public Service and Properties Liskovec advised that the paving contractor is moving along and should be completed by mid-June. The work at Walker Road Park is moving full speed ahead. The contractor brought in 132 truckloads of materials, for about 2,600 yards of grading.

Mr. Clark asked if any sanitary sewer flushing is being undertaken this year. Mr. Liskovec stated that sanitary sewer flushing is done every year. The mill overlay program is done and they are also looking at targeting certain areas based on the data provided to Council in their packets this weekend.

Mr. Tadych asked if the Service Department also looks at the sewers on roads that will be included in the paving program the following year. Service Director Liskovec stated that they do inspect those sewers prior to the repaving of roads. Mr. Tadych noted that this is a big asset to examine these sewers prior to paving.

Human Resource Director Demaline reported on current hiring in the City of Bay Village,

noting that she has worked with Police Lieutenant Palmer to hire a police dispatcher, and has worked with Building Director Tuck-Macalla for the hiring of a Property Maintenance Inspector position. A new Special Agent in Charge for the West Shore Enforcement Bureau (WEB) has been hired and will begin his duties on June 1, 2021. Service Department employees, Recreation Department seasonal personnel and School Crossing Guards are being hired.

Ms. Demaline advised that a check has been received from the Bureau of Workers' Compensation for \$15,000. This rebate was due to claims management by working together with the City's management care organization for handicap reimbursements.

Mr. Clark noted that this rebate is in addition to one or two previous refunds from the Bureau of Workers' Compensation.

Ms. Demaline stated that this is separate from the billion dollars given back to Ohio employers. Last year they gave a significant amount of rebates. This year it was for claims management.

Director of Community Services Selig reported that the Community Services Department is thankful that they are again able to hold events. Most everything held in May has been outside and when that was not possible they moved indoor with limited numbers of participants. Every class and every event is fully booked with folks anxious to get out and participate in life again. The Community Services Department looks forward to the month of June for a return to normalcy. The BV60 Group is also back in action, with most of their summer activities conducted out-of-doors.

Director of Finance Mahoney reported that the City of Bay Village sewer bills are still missing from the post office. In conversation with the Mayor, it was decided that there would not be a rebilling because it would cause confusion for the few people that have paid without a bill. Mrs. Mahoney will work with the postal service to forego paying for the June billing postage.

Mrs. Mahoney noted that shades have been installed in the City Hall Committee Room, which helps when afternoon or early evening meetings are held in the Committee Room.

Mr. Clark asked how many residents have paid their first quarter sewer bill without the benefit of an invoice.

Mrs. Mahoney stated that not many have paid. Mr. Clark noted that many residents will be facing six months of sewer and trash bills due to the lost mailing. Mrs. Mahoney stated that callers are told that a late fee will not be charged, and given the option of paying this quarter without a bill so as not to face a double bill in June.

Mr. Clark stated that the funds are used to pay a significant amount to the Rocky River Wastewater Treatment Plant. Mrs. Mahoney stated that a balance is kept in the fund that will carry the City through until the payments are current.

Mrs. Mahoney noted that 200 bills did make it out of the City from the post office, so the rest of them must be at the post office somewhere. Mr. Tadych asked if those 200 were in the same

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batch, or separate. Mrs. Mahoney stated that they were in the same batch, but different zip codes. The theory is that the bins of 44140 zip code bills were lost. A couple of payments have been received from Knickerbocker, and possibly those were just in the bin with the outside zip codes.

Director of Building Tuck-Macalla reported that work has begun for the Bay Village High School Stadium Field House. The building has been staked out and a temporary electric inspection was done today.

The contractor is preparing to pour the subfloor for the Bay Village Library. The Bay Creek will be moving the soil on the site within the next couple of weeks. The utility pole in front has been removed.

Police Lieutenant Palmer announced that Police Officer Zack Perkey will receive an award on May 18, 2021 as Crisis Intervention Officer of the Year through the Greater Cleveland National Alliance of Mental Health. Lieutenant Palmer noted that Officer Perkey performed outstandingly last year, especially during the COVID pandemic. Officer Perkey was selected out of all of the officers in northeast Ohio for this well-deserved reward.

Mr. Clark asked that there be an opportunity for Officer Perkey to be recognized at a future Council meeting for this award. He noted that these accolades are not often received by these unsung heroes, and it is so significant that he was voted for this award by his peers.

The ceremony will be held on Zoom on Tuesday, May 18 at 12:00 Noon.

AUDIENCE

There were no comments from the audience this evening.

COMMUNICATIONS

The Clerk of Council reported the following communication, received in response to Mr. Clark's and Mr. Winzig's request for a follow up on the International Scouts Trash the Trash Day held May 1, 2021.

The following communication has been received:

In regard to the Bay Village Boy Scout Troop 159 participating in the International Scouts "Trash the Trash Day" on May 1, 2021, an email was received on May 4 from Tamara Fink stating that the scouts definitely collected 2 lbs. of trash each, and the most interesting finds included 2 cans of silly string, a sneaker, some flip-flops, a number of balls, and a Pepsi can that looked to be from the 70's., a piece of old marble pedestal sink base , a lot of dead fish and a dead possum. Also an incredible number of those mouthpieces for cigarillos. "Who knew they were still so common?"

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Ms. DeGeorge

Ms. DeGeorge had no report this evening.

FINANCE AND CLAIMS-Mr. Tadych

Mr. Tadych read **Ordinance No. 21-34** amending Section 1 and Section 2 of Ordinance 19-106 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2021 and thereafter, 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. 21-34.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll call on Adoption:

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

Nays- None.

Clerk of Council Kemper announced adoption of Ordinance No. 21-34, an emergency measure, by a vote of 7-0.

Motion by **Tadych** to acknowledge receipt of the April 2021 Financial Reports of the City of Bay Village as prepared by Director of Finance Renee Mahoney.

Motion carried 7-0.

Mr. Tadych introduced and read, by title only, **Resolution No. 21-36** adopting a Tax Budget for the City of Bay Village for the Fiscal Year Beginning January 1, 2022, submitting same to the County Fiscal Officer, and declaring an emergency.

Mr. Tadych stated that there are no changes in the millage in 2022, remaining as it has been for many years.

Mr. Clark stated that **Resolution No. 21-36** is placed on first reading, with approval scheduled for May 24, 2021.

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Mr. Tadych introduced and read, by title only, **Resolution No. 21-37** creating a new fund to account for the American Rescue Plan Act Funds received and necessary expenditures incurred due to the Public Health Emergency with respect to COVID-19, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 21-37.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll call on Adoption:

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

Nays- None.

Ms. Kemper announced adoption of Resolution No. 21-37, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read **Ordinance No. 21-38** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2021 as previously appropriated in the Annual Appropriations 20-81, 20-102, and 21-23, 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. 21-38.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll call on Adoption:

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

Nays- None.

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Ms. Kemper announced adoption of Ordinance No. 21-38, an emergency measure, by a vote of 7-0.

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

Ms. Maier read, by title only, **Resolution 21-35** providing for the submission of the question of approval of Ordinance No. 20-93, being an Ordinance “Rezoning Certain Land located on Dover Center Road, Permanent Parcel No. 203-09-029, also known as 452 Dover Center Road, from Third Residence District to Retail Business District, and declaring an emergency.” (Second Reading) (First Reading May 3, 2021).

Resolution No. 21-35 is placed on second reading.

Ms. Maier read, by title only, **Ordinance No. 21-24** enacting Codified Ordinance Chapter 1189 – Mixed Use Overlay District to the Planning and Zoning Code, and declaring an emergency. (Second Reading) (First Reading March 29, 2021).

Ordinance No. 21-24 is placed on Second Reading.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-T. Kelly

Mr. Kelly introduced and read, by title only, **Ordinance 21-39** authorizing the Mayor to enter into an agreement with American Roadway Logistics, 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. 21-39.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll call on Adoption:

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

Nays- None.

Ms. Kemper announced adoption of Ordinance No. 21-39, an emergency measure, by a vote of 7-0.

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Motion by **Kelly** to authorize the Director of Public Service and Properties to advertise for bids for the 2021 Sidewalk Correction Program.

Motion carried 7-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

Mr. Winzig had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –M. Greco

Mr. Greco had no report this evening.

MISCELLANEOUS

Mayor Koomar noted that the State of the City will be held on Thursday, May 20 at 11 a.m. at the Dwyer Memorial Center.

Motion to convene to Executive Session regarding Personnel: Compensation for Mayor and Members of Council.

ADJOURNMENT

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session regarding Personnel: compensation for Mayor and members of Council.

Roll Call Vote: Yeas- Maier, Tadych, Winzig, Clark, DeGeorge, Greco, Kelly. Nays – None.

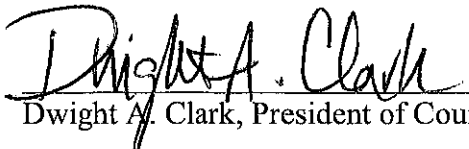
Motion passed 7-0.

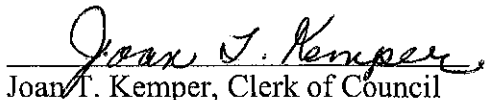
Also present in Executive Session were Mayor Koomar and Human Resource Director Demaline.

Council reconvened in an open meeting at 9:59 p.m. Present were: Clark, DeGeorge, Greco, Kelly, Maier, Tadych, Winzig.

ADJOURNMENT

There being no further business to discuss this evening, the meeting adjourned at 10:00 p.m.


Dwight A. Clark, President of Council


Joan T. Kemper, Clerk of Council