

City of Bay Village

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

November 2, 2020
7:30 p.m.

Present: Clark, DeGeorge, Kelly, Maier, Stainbrook (via Zoom), Tadych, Winzig, Mayor Koomar.

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Leasure, Fire Chief Lyons, and Clerk of Council Kemper. Via Zoom – Director of Recreation Enovitch, Director of Public Service and Properties Liskovec, Human Resources Director Demaline, Director of Community Services Selig, Director of Building Tuck-Macalla.

AUDIENCE

Via Zoom – Sarah Sweeney, Matthew Aaron, Nancy Clark.

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

Motion by Tadych to dispense with the reading and approve the Minutes of the Regular Meeting of Council held October 19, 2020, as prepared and distributed.

Motion passed 7-0.

Motion by Tadych to dispense with the reading and approve the Minutes of the Cahoon Memorial Park Trustees meeting held October 19, 2020, as prepared and distributed.

Motion passed 8-0.

REPORTS

Mayor Koomar had no report this evening.

Law Director Barbour had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch reported that registration has been opened online for the Recreation Department Basketball Program, Grades 3 through 8. Football season was completed on Saturday, October 31, 2020.

Mayor Koomar added that State of Ohio guidelines for basketball have not yet been received, but, in the spirit of being prepared when those regulations do come out the program will be started.

Mr. Clark complimented the Recreation Department's efficiency in dealing with the pandemic and making sure we get people through with registration. The activity in all these sports is certainly appreciated.

Director of Public Service and Properties Liskovec reported that leaf collection continues through the City. There was a very significant water main break on Lake Road at Huntmere Road. Cleveland Water Department was out to do the repairs and replaced an eight-foot section of pipe. There is a small amount of ground work to be done before restoration can begin either tomorrow or Wednesday.

The Service Department is beginning to install Plexiglas petitions on the Council dais to have more usable space in the Council Chambers while practicing social distancing.

In regard to the Lakeside Cemetery erosion project, the contractor started two weeks ago, and lost a few days due to equipment breakdown and repair. Mr. Liskovec's department will continue to keep an eye on the project as it moves forward.

Mr. Clark asked if the storm sewer cleaning has been completed for this year. Mr. Liskovec stated that the Sanitary Sewer Interceptor Cleaning is complete.

Mr. Tadych asked why Ready Notify wasn't used for the water main break on Lake Road, since almost one-third of the City was affected by the problem.

Mr. Liskovec stated that the traffic was maintained and he did not receive any feedback from what residents were experiencing throughout the process.

Mr. Tadych stated that there were actually residents walking over to the workers in the street to find out what was going on. It was a dangerous situation with deep water and somebody could have been injured. We should use Ready Notify over and over for phone, and phone is the way to go on something like that – not text. Mr. Tadych stated that he was surprised nothing was done.

Director of Human Resources Demaline reported that the Bureau of Workers' Compensation has provided a second rebate and the City of Bay Village will be getting just under \$70,000 back from the Bureau of Workers' Compensation. In addition, Governor DeWine has just announced that there may be additional money coming back to the City.

Community Services Director Selig reported that the Dwyer Memorial Center opened for activities today, November 2, 2020. Chair Yoga was held in the morning, followed by Water Color in the afternoon. Protocols have been established and a good number of people attended.

The Snow Angels door hanger was distributed to Council. The program is a direct result of the Aging-in-Place initiative of the Community Services Department. When the survey was included in the sewer bills last July, 803 people responded, or about 21% of the 60 and older population of Bay Village. Ninety-five percent of the people who responded want to age in

place and stay in Bay Village, preferring to stay in their own homes if possible. Community Services asked what kind of services they need in order to be able to stay in their homes. Forty percent said that they need help with snow removal and/or lawn care. Ms. Selig and staff started with the snow removal, and created the door hanger which serves a double purpose of seeking both older adults who need their snow shoveled, as well as volunteers. It is anticipated that the people of Bay Village will step up and help out, knowing how community focused the residents are in Bay Village.

The Community Services Department has purchased a volunteer management program, called "Helper, Helper," which includes a phone app that a volunteer can download and see when they are scheduled to help a resident with snow shoveling. The program can also be used with other initiatives that will need volunteers.

Mr. Clark noted that annually the Bay Men's Club does a Rake-Out for senior citizens and others who might not be able to rake leaves on their own. Ms. Selig provided the Men's Club with a list of 18 names of residents who will receive assistance with raking on Saturday, November 21, 2020.

Ms. Selig thanked Mr. Clark and noted that the PTSA (Parent, Teacher, Student Association) is helping this year as opposed to just sending the middle school children out. They have fifteen families who are willing to go out and rake, and the Community Services Department really appreciates their help, especially this year.

Mayor Koomar noted that Director Selig and he met with the Bay Village clergy. They meet a few times a year on various topics and thought the timing was good as we go into the winter months.

The Mayor also stated that the County is providing the City with more PPE in terms of face shields and masks which can be provided to the churches if they have any need for equipment or outreach. Ms. Selig also discussed with the clergy the Aging-in-Place program. The clergy have emergency funds which are being under-utilized presently. It was a good conversation with all parties to identify resources should they be needed.

Police Chief Leasure had no report this evening.

Fire Chief Lyons stated that he has been preparing budgets for some years now, and expressed appreciation to the Finance Committee for all their hard work, and acknowledged the work of Finance Director Mahoney and her team. Preparing budgets is much easier now than it once was, due in a large part to Mrs. Mahoney's hard work. As one of the department heads, Chief Lyons is very appreciative.

Chief Lyons acknowledged also the hard work of the Fire Department's Medical Director, Dr. Don Spaner. Dr. Spaner has been tremendous. Even in this COVID year, training is being provided. All firefighters will be recertified in Advance Cardiac Life Support and Pediatric Life Support. Not all firefighters are certified in those advanced disciplines, but the Bay Village firefighters are, and Chief Lyons thanked the training team for their efforts in that regard.

Building Director Tuck-Macalla reported that other than the opening of the new restaurant called Boss Chicken and Beer, there should be structures going up at the Bay Creek development site late this week and early next week.

AUDIENCE COMMENTS

There were no comments from the audience this evening.

COMMUNICATIONS

The following communication has been received:

An email to Councilwoman Lydia DeGeorge from Ursula Cohrs on October 23, 2020 demanding the protection of the right to peacefully protest, and listing detailed instructions for the respect, protection and fulfillment of human rights.

Members of Council have been provided with copies of this communication, and a copy is available for any member of the public who would like to read the communication.

Clerk Kemper announced that the Kiwanis Club of Bay Village is having their annual Spaghetti Dinner this Saturday. A reservation can be made to pick up dinners at the Village Project which will be conducted as a drive-thru on Saturday, November 7, from 4 p.m. to 7 p.m., in support of the Kiwanis Club.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE –Ms. DeGeorge

Motion to confirm the reappointment by Mayor Koomar of Carryeanne Smitley to the Community Services Advisory Board for a three-year term expiring November 2, 2023.

Motion carried 7-0.

Ms. DeGeorge introduced and read **RESOLUTION No. 20-88** accepting donation of funds in the amount of \$8,041.41 from the Estate of Marilyn Gannon, to maintain and support transportation services to senior citizens, 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. 20-88.

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.

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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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 Resolution No. 20-88, an emergency measure, by a vote of 7-0.

FINANCE AND CLAIMS-Mr. Tadych

Mr. Tadych read **ORDINANCE 20-86** authorizing the Mayor to enter into a one-year contract with the Jefferson Health Plan to provide administrative services for the City's Health and Hospitalization Plan, and declaring an emergency, and moved for adoption. (Second Reading and consideration for adoption) (First Reading October 19, 2020) There being no further discussion, Mr. Clark called for a vote on the motion for adoption.

Roll call on Suspension of Charter Rules:

Yeas- DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig, Clark.
Nays – None.

Roll call on Suspension of Council Rules:

Yeas- DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig, Clark.
Nays – None.

Roll call on Inclusion of the Emergency Clause:

Yeas- DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig, Clark.
Nays – None.

Roll call on Adoption:

Yeas- DeGeorge, Kelly, Maier, Stainbrook, Tadych, Winzig, Clark.
Nays – None.

Mr. Barbour announced adoption of Ordinance No. 20-86, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read **ORDINANCE 20-89** authorizing the Mayor to enter into a contract with Chagrin Valley Engineering, Ltd., establishing related compensation, and declaring an emergency. (First Reading)

Mr. Barbour announced that Ordinance No. 20-89 is placed on first reading.

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

Ms. Maier had no additional report this evening.

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

Joan Kemper

COMMUNICATION 11-2-20

From: Lydia DeGeorge
Sent: Thursday, October 29, 2020 2:32 PM
To: Joan Kemper
Subject: FW: Protect people in Bay Village and OH

Joan, please include with communications. Thank you.

Lydia DeGeorge
Ward 2 City Council
Bay Village
440-227-3543

From: Ursula Cohrs <ursulacohrs@gmail.com>
Sent: Friday, October 23, 2020 3:26 PM
To: Lydia DeGeorge
Subject: Protect people in Bay Village and OH

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

To Lydia DeGeorge,

I'm writing to you today as your constituent and a human rights supporter to demand that you do everything in your power to protect the right to peacefully protest -- and that you take special measures to keep your constituents and communities safe from violence and armed intimidation, including around the elections.

Everyone has the right to peacefully dissent. Free speech, peaceful assembly, and an independent press are vital freedoms. They are rights -- not privileges. But these rights are under attack. And as our elected leaders, you must pull out all the stops to defend them.

I call on my mayor and governor to respect, protect, and fulfill these human rights by doing the following:

1. Protect and facilitate the right to peacefully protest:

- Instruct your police departments to follow Amnesty International's best practices on the policing of demonstrations, and immediately send them (and city council members) this guidance:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2f%2fwww.amnestyusa.org%2fgood-practice-for-law-enforcement-officials-policing-demonstrations&c=E,1,L9STk4GgQgWiiUVkBFz5u-eBOQjth1OFcqp6bDNztJMOYv1VrYqcgJsDqPY7pKx2vqgWLyivmJNQ4mGfVI0epAeqSwfV7R_pUb7IRVbQgUp3GcKbMkXAg,,&typo=1

- Demilitarize your police departments. Do not equip them in a manner more appropriate for a battlefield.

- Do not use excessive force military-grade weapons. Chemical agents like tear gas can result in serious injury or even death. They should only be used as a last resort, with advanced oral warning, sufficient time to disperse, and all precautions taken to protect those at high risk and avoid harm.

- Do not deploy the National Guard for the policing of protests, unless trained on these protocols.

2. Denounce racism, discrimination, and hate -- and take special measures to protect individuals and communities from armed groups:

- Publicly denounce racist, xenophobic rhetoric and incitement to violence, and condemn armed private groups using hateful rhetoric and threatening intimidation and harm. Make it clear that such armed private groups are NOT authorized to protect the public, and that they pose a risk to the human rights and public safety of others.

- If you haven't already, institute an immediate ban on firearms at and around polling locations, to ensure the safety of voters and poll workers and ensure no voter intimidation occurs.

- Temporarily prohibit the open and concealed carry of firearms in public, including parks, recreational areas, and other gathering spaces.

I urge you to hold your police departments accountable especially in the coming days and weeks -- excessive force must NOT be used, and police MUST allow protests to proceed peacefully as required by both U.S. and international law.

I, along with thousands of other concerned people, am calling on you to step up and ensure that individuals are safe in their communities ALL of the time.

Your constituents are watching. The world is watching.

Thank you.

Sincerely,

Ursula Cohrs

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Mrs. Stainbrook had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

Mr. Winzig had no additional report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Mr. Kelly

Mr. Kelly had no additional report this evening.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session at 7:57 p.m. regarding Contracts, Personnel-Compensation, and Litigation.

Roll Call Vote:

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

Nays – None.

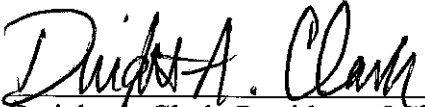
Motion carried 7-0.

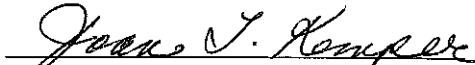
Also in attendance in Executive Session were Mayor Koomar, Law Director Barbour, Finance Director Mahoney, and Damon Galt from IT Solutions.

Council reconvened in an open meeting at 8:46 p.m. Present were: Clark, DeGeorge, Kelly, Maier, Tadych, Winzig. (Mrs. Stainbrook was excused from attending the Executive Session, due to the fact that she participated in the meetings this evening remotely.)

ADJOURNMENT

There being no further discussion or matters to come before the Council this evening, the meeting adjourned at 8:47 p.m.


Dwight A. Clark, President of Council


Joan T. Kemper, Clerk of Council