

City of Bay Village

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

February 6, 2023
7:00 p.m.

President of Council Clark called the meeting to order at 7:00 p.m.

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

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Gillespie, Fire Chief Lyons, Recreation Director Enovitch, Director of Public Service and Properties Liskovec, Building Director Tuck-Macalla, Clerk of Council Kemper.

AUDIENCE

Richard Fink, Samantha Illius, Matt Nocella, Wyatt Gillespie, families of Jeremy Gillespie and Justin Baumann.

Due to technical difficulties, the Zoom participation feature was not available this evening.

ANNOUNCEMENTS

Mayor Koomar

Ceremonial Oath of Office: Firefighters Jeremy Gillespie and Justin Baumann.

President of Council Clark welcomed the families of Jeremy Gillespie and Justin Baumann for the Ceremonial Oath of Office as members of the Bay Village Fire Department. Mr. Clark stated that one of the reasons it is enjoyable serving on City Council is evenings like tonight when the Ceremonial Oath of Office is administered to people in the safety forces.

Mayor Koomar administered the Oath of Office individually to Firefighters Jeremy Gillespie and Justin Baumann. A photo session and reception followed with Firefighters Gillespie and Baumann welcomed to their service for the City of Bay Village.

Fire Chief Lyons recognized Firefighter Jeremy Gillespie for his actions on vacation in Hawaii where he saw someone who was being dragged on shore. As he sprang into action and got closer to the scene he realized it was a fellow firefighter. Firefighter Gillespie administered CPR, saving the life of the firefighter. Chief Lyons stated that Firefighter Gillespie's action are deeply appreciated and it confirms the decision to bring him on board.

Chief Lyons stated that Firefighter Gillespie's grandfather was a firefighter for the City of Bay Village for thirty years, retiring as a Captain. Captain Gillespie was well known and loved in the community, and also worked in the Service Department. There were even talks many years ago of Hubie Gillespie running for Mayor.

Police Chief Gillespie introduced his son, Wyatt, a junior at Bay High School, in attendance this evening to learn more about what goes on in local government. Wyatt is a scout in Troop 201 in Olmsted Falls, and has completed his Eagle Scout Project by repainting the Safety Town features in the City of Olmsted Falls.

COMMITTEE OF THE WHOLE

Establishment of Storm Sewer Maintenance Fund – third reading of Ordinance No. 22-143 at Special Meeting of Council this evening.

Mr. Clark stated that Ordinance No. 22-143 establishing the Storm Sewer Maintenance Fund was placed on second reading on January 23, 2023. This is a \$9.00 per quarter implementation to residents of Bay Village for maintenance of the City's storm sewers. If adopted this evening, the fee will go into effect the third quarter of this year. Ordinance No. 22-143 will be considered for adoption by Council this evening.

2023 Sewer Rental Rate- second reading of Ordinance No. 22-142 at Special Meeting of Council this evening.

Mr. Clark referred to information received by Council from the City administration this past weekend. A memorandum to the Mayor and City Council dated January 31, 2023 was reviewed with Director of Public Service and Properties commenting on the need to eliminate sanitary sewer overflows into Lake Erie as directed by the United States Environmental Protection Agency (USEPA) and Ohio Environmental Protection Agency (OEPA.) This pertains to the remaining sanitary sewer overflows (SSO) that Bay Village is currently under orders to eliminate by the USEPA, in addition to the Rocky River Waste Water Treatment Plant directives to reduce bypass overflows by the OEPA. The Infiltration and Inflow (I&I) to sewers provide higher levels of sanitary effluent in the City collection system and sent to the treatment plant.

Finance Director Mahoney stated that there has been considerable discussion about flat rate charge for sanitary sewers, versus actual water usage-based rates. Mrs. Mahoney stated that the City of Bay Village uses about one million gallons of water but sends three million gallons of water to the Rocky River Wastewater Treatment Plant on a dry weather condition day. Mrs. Mahoney stated further that the City of Bay Village does not use much water, and there are not high-usage commercial properties to assist residents in maintaining a reasonable cost per mcf. In changing to a usage-based model it would happen that a quarter of the City would be paying for the majority of the system. The following Sewer Fee Analyses were reviewed by Mrs. Mahoney:

- \$40 per quarter increase with a 6% Inflation beginning the third quarter of 2023

- \$40 per quarter increase with a 9% Inflator beginning the third quarter of 2023
- \$40 per quarter increase with a 12% Inflator beginning the third quarter of 2023
(Annual Inflators would begin in Year 2024)

Each analysis shows the comparison in residential sewer rates to the cities of Strongsville, Rocky River, Fairview Park, Solon, the Northeast Ohio Regional Sewer District, North Olmsted, Lakewood, and the average payment, not including Bay Village. Mrs. Mahoney recommends the 9% inflator as the best way to proceed, noting that using a 6% inflator would require a 12% increase from years 2026 to 2032.

Mr. Clark commented that Council has discussed this plan as the target has continued to change in a direction that is becoming more expensive for all. There is agreement that there needs to be an increase. Third quarter implementation this year is probably the right thing to do. The project for the equalization tank will be completed in the summer of 2025. The presumption is that the design construction loan will be rolled into the permanent loan. If it is decided not to roll the design construction loan into the permanent loan, there would be a five-year zero interest loan, which is something to consider. Many of the Ohio Public Works Commission (OPWC) loans are non-interest bearing and would just have a higher annual debt service because they would be taken over 5 years and not be taken over 30 years. Mr. Clark suggested looking at this as one of the considerations. The design loan is just under \$800,000 for both projects, the equalization tank and the additional work on Lake Road. Mrs. Mahoney stated that the \$800,000 is a place holder; her calculations have gone between \$750,000 and \$900,000. The interest rate is 2.5% for \$12.5 million and 0% for just under \$3 million. Mr. Tadych commented that the rates will go up to at least 5%.

Mr. Clark stated that one of the things that is apparent to him is that it would be difficult to put the end result into place right now through 2032. He is still in favor of a stepped approach, where whatever is agreed on is looked at again in two or three years or when the equalization tank is done, because there is a lot that is unknown at this time. He noted that Council has not seen the numbers created by the 9% or 12% inflators until this time.

Mr. Winzig commented that Councilman Greco brought up the idea of looking at the surplus at the end of the year when doing budgeting for the following year and trying to make a determination as to where might some of that money go. It could go into one of these sewer improvement projects.

Mr. Kelly stated that he appreciates the administration's work and certainly has a great deal of respect for Service Director Liskovec and Finance Director Mahoney and their view of this. At the same time, he cannot help but have some reservations based on the fact that this isn't a full-on sewer rate study or someone that is an independent consultant more thoroughly reviewing a wider scope of potential options. Mr. Kelly stated that he understands that this is a revenue problem and that is the basis on which this has all been organized and constructed, but part of it is the sticker shock of \$40 and 4%, \$40 and 6%, \$40 and 9%, and \$40 and 12%, to say nothing of the fact that when the conversation first started the thought of the storm water fund was secondary. What it means for the residents at the moment is \$49, almost \$50, per quarter, never

mind the increase in step-ups. Mr. Kelly's inclination at the moment would be to do some lesser amount and to at least look at the possibility of having someone else take a look at this. It is not trying to say anything adverse about Director Mahoney's efforts; it is just, for example, the sewer rate comparison as discussed is useful to a degree but to the extent they do not operate on the same basis as us, flat rate versus usage rate, and the fact that it is an average as opposed to just providing the mean or other information that might give us something to glean off of, there is something to be said there. Lastly, Mr. Kelly noted, he is having the same struggle that Mr. Winzig just referenced and Mr. Greco has referenced before, which is that he appreciates the idea of the enterprise fund and utilizing it in this fashion for this specific purpose, and yet the numbers are getting to be so big that at least there should be more here. The quarterly amounts, depending on which avenue you take, the first few years are not particularly aggressive but the last few years speed up because as you catch more you catch more and that gives some pause as to when and how we move.

Mayor Koomar stated that when they started this in the fall the Finance Director was looking at potentially making adjustments with these in January, then in April, now it is July. Part of the map of the Finance Director is not really changing overall numbers and expenses with the plant and things like that, but the fact that some of that revenue, I think to the tune of \$250 a quarter, the start date is being deferred. So, trying to plan that out long term, some of those inflators bumped up and I think the difference between the 6% and 9% inflators are \$130 a month. I don't like to look at that number either, but some of this is just because the start, implementation, would be delayed and we are trying to provide the same data as how we would balance that over the next few years.

Mr. Greco stated that the plant projects that were explained by the Rocky River Waste Water Treatment Plant Superintendent when he presented here included an estimated cost. Mr. Greco asked Finance Director Mahoney if those costs are included in her analyses.

Mrs. Mahoney stated that in 2027 there is a large increase for those costs.

Mr. Greco asked Mrs. Mahoney what number she used for the plant projects.

Mrs. Mahoney stated that she used the numbers provided by the Superintendent of the Rocky River Waste Water Treatment Plant between the \$30 million and \$35 million that the plant superintendent used in his presentation.

Mr. Greco asked if Mrs. Mahoney used the Bay Village share based on the total cost.

Mrs. Mahoney responded affirmatively.

Mayor Koomar asked if that is based on the current strength and flow study.

Mrs. Mahoney stated that it is based on the current strength and flow study.

Mr. Clark stated that the Bay Village share is 22.5%, until a new strength and flow study will be done in 2024.

Mayor Koomar addressed Mr. Liskovec and stated that Mr. Liskovec was saying that a lot of these projects are what they have been telling us we have work to do in our system, relining and things like that. The hope is those projects, I don't know if it will increase I&I, or just maintain and hopefully over time improve if we can do that so that when we are doing the strength and flow studies we are not doing those projects, or delay them a bit, our chance of the Inflow and Infiltration as a percentage won't go down if we are not doing those projects and may go up relative to what other cities are doing and not doing. That is sort of a moving bogie.

Mr. Liskovec stated that the Mayor is very correct. In addition, the system continues to age and those infiltration points become more and more numerous over time. It is just what you get at the end of the day when you have infrastructure that has been in the ground for quite some time.

Mr. Greco asked Mrs. Mahoney if those bids come in under the estimates, these numbers will be adjusted accordingly.

Mrs. Mahoney responded "yes."

Mr. Clark asked if there is any idea when those bids are supposed to come in?

Mr. Liskovec stated there is a treatment plant committee meeting this Wednesday to approve a contract for the improvements that the superintendent of the Rocky River Wastewater Treatment Plant had spoken about earlier in the fall. The engineer's estimate for those two projects that were bid as one was \$28 million. There were three responsive bidders, all large, known contractors that specialize in this type of work. As it stands right now, the low bidder is about \$23.6 million ranging up to \$28 million. They are looking to make that recommendation for an award on Wednesday. On a slightly brighter note, yes, we had a high engineer's estimate they thought was reasonable. The hope is for the same thing with the equalization tank and some of our own internal projects moving forward, but there is still discussion about what is going into putting together a bid for the treatment plant. They are still dealing with supply issues, lead times and things like that which draw out projects even longer and add to overall cost.

Mr. Greco asked if there will be discussion about all three bids at the meeting.

Mr. Liskovec stated that they will discuss all three bids. They have circulated all the information for all the communities to review and have dialogue.

Mr. Clark stated that what has come out of this is every meeting we get more information that continues to help us refine what we need to do. He asked if this would be the note principal under the OPWC loan? Is that what we are talking about?

Mrs. Mahoney stated that is our loan. It is the Rocky River Wastewater Treatment Plant loan.

Mr. Clark stated that if the original projection was \$35 million as cost for the project, should we then revise our numbers to reflect somewhere in the midpoint of the new bids and then amortize that over the period of time based on the allocable share and see how that drives a change? Mr. Clark noted that he is trying to get down to something a little bit more refined. It is going to be painful either way, but I like to deal with facts now that we have the bids in, unless somebody has a better idea. That is just the Capital component, right?

Ms. Maier asked if the share, when we do our updated flow study, that is not going to affect anything that is contracted right now, like the shares will stay the same throughout the length of the project?

Mr. Liskovec stated that is correct. When they take a vote on what to do with the bid, if it's all in favor, that locks it in under our current rate, which is just under 23%.

Mr. Clark stated that is a good question, the fact that we could lock that in.

The Mayor stated that the next cycle, when something goes out to bid, our percentage goes down, our percentage goes up, then you lock in again.

Mr. Tadych stated that Mr. Kelly just said that this is taking on a wider and wider scope and I think we have to look at all these things and understand it more and more thoroughly than we are. I spoke to a friend of mine in the Water Department about usage rates, how it works, how the billing works. They have two separate billings as I understand it, not one. It goes out to the residents.

Mrs. Mahoney stated it is one bill.

Mr. Tadych stated that he understood it to be two, and they also have an a, b, and c type spread out on the usage. It is billed on the property, impervious surfaces, and a lot of other things that we haven't touched on, nor do I understand, and I would ask that we look into this a little more thoroughly by having a water company person come in and speak to us and I would ask our President to have someone come in. We have had touch with them back in 2017 and I would like them to come in and explain it or, if Council doesn't want to do that, I am prepared to offer someone the time during the Finance Committee meeting to come in so I could more thoroughly understand this situation. Regarding the rates based on usage, I am not going any place with it, I have said I would go the other way if we have to, but we don't really know what we are talking about. We don't know what the projects are going to cost and we don't understand how they are going to be done. And, I would like to understand more about usage and how it works, and how they work it at the water company. The way to do that is to have a representative come in and speak to us, and that is, indeed, what I would like to see happen.

Mrs. Mahoney stated that she has shared with Council the usage that was from the water company. That is their spreadsheet. You just plug in how much cash you need and that is the spreadsheet I have been working on. It is from the water company.

Mr. Tadych stated that the problem is we don't know how much cash we need yet. Any numbers we plug in may change that number and how it looks to us based on usage charge. I would like to more fully understand it from the water company.

Mr. Clark addressed Mr. Tadych and stated he would respectfully disagree only because it is difficult for him to support something where the residents don't know what they are going to pay until after this is all done.

Mr. Tadych stated that he would like to know how we are going to do it. I still think usage is a way to do it. I know that most of Council doesn't agree. I don't know if all of Council disagrees with me, but I think we deserve, and the people deserve, for us to hear how this process really works.

Mr. Clark asked the thoughts of the Council members.

Ms. Maier stated that she is in favor of discussing it further and taking a deeper dive on it, especially since the numbers have changed back and forth a little bit. One of the takeaways from the memo Chagrin Valley Engineers prepared is how much of that is from I&I versus our usage and that is something that really needs to be clarified, but there are other variables here other than usage that affect the overall cost, even things like the percentage of pervious surface versus impervious surface. You can have a subdivision lawn that is so impacted it sheet flows just like a parking lot. There are so many other factors than just the compelling side of how much of an increase it is for some of those users when they are not in control of all of the I&I in the system.

Mr. Tadych stated that he is more than willing to have the Cleveland Water representative speak at a Finance Committee meeting. It is just a matter of everybody coming to the Finance Committee meeting. I have no problem with doing it in front of Council, but if you want me to do it in a Finance Committee meeting that is fine.

Ms. DeGeorge stated that the Cleveland Water Department has a flat fee that every resident gets charged the same, and on top of that is their usage. That is a storm water fee that is set at 4.2% for years out. Ms. DeGeorge asked Mrs. Mahoney if she has put together what we would need as a flat rate fee and the average of residents' usage so that they could be billed both ways, and maybe understand this.

Mrs. Mahoney stated that she has done that. It is still very punitive to the one-quarter of the people that use the rates. I have done a \$30 flat rate which is what everyone pays now, then plus usage. It does help but for some of the users it is still punitive, I believe.

Ms. DeGeorge asked if the \$30 flat rate is per quarter.

Mrs. Mahoney stated that it is a \$30 flat rate per month. That is what everyone pays now. Again, as we explain in this memo, it is not really the usage that is going to the treatment plant.

Ms. DeGeorge asked if that isn't where the flat rate comes in?

Mrs. Mahoney stated that it could.

Mr. Kelly asked if we know of any other cities, for example, that are having to make transfers from General Fund in order to balance things out at some point or during the year. We know what other people, based on this, their rates are, but do we know if it is covering all of their costs or if they are using other forms of revenue or other sources for implementation of projects that we wish to include under our enterprise fund?

Mr. Kelly continued, saying that he wanted to be clear. Part of the issue is that when we start to get into the nitty gritty, I don't think it is appropriate for the Finance Director to be put in this position. This is the kind of thing where it is like the numbers have gotten so large that for a number of us to get comfortable with numbers that large there needs to be more than, hey we looked at it one way, we looked at it the other way, this is the best of a bad set of options. Everyone would agree that there needs to be more money and the options as currently constructed are not awesome. The thing for me is, is it reasonable to expect or to fund it in such a way that the enterprise fund is self-sufficient, doesn't require any other transfers or need of funding from someplace else?

Mrs. Mahoney stated that is what an enterprise fund is supposed to do.

Mayor Koomar stated that we can definitely grab data from the westshore as one benchmark. The types of programs that are being suggested by Jeff Filarski are ones that they have done in Lyndhurst for the past twenty years. So, when they come up with estimates for us, albeit now we are at a high level because we haven't bid those, they have a lot of experience but they are in multiple counties and twenty-some cities. So, we can go back to them and say of their enterprise funds give us a laundry list of how they are funded if that is what you would like. We would have to pull that together because that only gives you the westshore, but it also gives you a higher thing. In addition to the westshore they are in Avon and Avon Lake. We can give you some really good west side presence, old and new, Brunswick and elsewhere, so you can get a handle on them.

Mrs. Mahoney stated that we can't rely on income tax receipts to fund the sewer fund. Just because we had a good year last year it doesn't mean we are going to continue to have a good year. We need a revenue source; all these documents I am signing for these loans I am signing off that we have a dedicated revenue source to pay those loans off. Not, our income tax is going to be good next year and hopefully that is how we are going to pay these loans off.

Mr. Clark stated that he does not think that is the intention. He stated that his sense is that we continue to gather information on a very weighty topic. We are not quite there to make a decision to move this forward. My sense is also, whatever we brought forward today based on the information we have is not going to pass. And that is not really what we want to do. It embarrasses all of us. We still have some work to do. Maybe what we do is we take these two committee points; the Capital allocation share and we can rerun on the model. We get some other data points from other communities as well. I am not opposed to having Cleveland Water

come in and talk to us. I am opposed to a usage-based model, but we probably need to run the string out to hear, comprehensively, all the options so we can make an informed decision on a topic that is going to be costly to everybody.

Mr. Greco stated that we are about to have a hard number on the bid opening soon which is our first solid number for the construction projects coming up.

Mr. Clark asked Mrs. Mahoney when the legislation needs to be passed to implement the fee in the third quarter of the year.

Mrs. Mahoney stated that the longer Council waits the less notice they can give the residents. The bills are done in June, but we would want to get some information out.

Mr. Clark stated that he is not trying to hold Mrs. Mahoney to a specific day; he is just trying to get a feel for it. I would like to get this done, but we are going to have to get to the point where everybody on Council feels that we are comfortable with the detail we need to make the decision. We still have division on Council as to whether we go flat fee or actual, unless I am misreading something.

Mayor Koomar stated that he would say we discussed this early on and we are discussing Cleveland Water, late, delinquent fees we are putting on the real estate tax duplicate every fall and that process, with Cleveland Water if we were to bill on a usage basis, my understanding in talking to Mrs. Mahoney and Don Bierut is that it would not occur with Cleveland Water.

Mrs. Mahoney stated that it does not occur with Cleveland Water.

Mayor Koomar asked how much that equates for the City of Bay Village in a year.

Mrs. Mahoney stated that it equates to a quarter of a million dollars a year. And also, there is the fact that it is going to cost \$175,000 for Cleveland Water Dept. to do the billing. Whether we pass that on to the residents is something to think about, \$2.30 per month, per bill.

Mayor Koomar stated that his concern is that we are not adding that on to the tax duplicate. We are not able to get that information timely, that is a cash flow issue from my perspective. That is something to put on the radar. It is sort of ancillary to the discussion, but it is part of it as you choose an option.

Mr. Clark stated it is relevant because what was unique, and we talked about this a couple of years ago, 15% to 20% of the residents put their sewer bill on their tax duplicate. It is more than what I would have thought. The chance is that it could go even higher if the sewer rental rate goes higher, depending on where the economy is too.

Ms. DeGeorge stated that Mr. Kelly made a point earlier and the Mayor said we could look at what the westshore communities do, but to Mr. Kelly's point we need to look at a community that is like Bay Village that doesn't have the commercial or business influx, something very

similar to Bay that is 93% residential. We can look at Rocky River, we can look at North Olmsted, but there is really no parallel there because we don't use as much water because we don't have that commercial piece. There are other communities out there, not just the west shore, to get the true apples to apples comparison.

Mayor Koomar stated that he knows people from Bratenahl and he has a feeling that early on go grab a handful and get some others as well because if you have ones that have a high commercial basis it is probably not a great comparison.

Mr. Clark stated that if we wanted to reach out to the Cleveland Water Department and have them come to a Finance Committee meeting we could do that on February 21.

Mrs. Mahoney stated that she has been working with Alex Margevicius from the Cleveland Water Department.

Mr. Tadych stated that there is Alex Margevicius, there is Mark Lasik.

Mayor Koomar stated that he thinks have Alex Margevicius come in as the Commissioner.

Mrs. Mahoney stated that she has had numerous conversations with Alex Margevicius. She did not pull these numbers out of her hat.

Mr. Tadych stated that he did not say that.

Mrs. Mahoney stated that is what is being insinuated.

Mr. Clark stated that Alex Margevicius addressed Council before, many years ago, and he would recommend we do that. He asked Mrs. Mahoney to check and see his availability for February 21. We already have a Finance Committee meeting scheduled for that night at 6 p.m. One more collection point of information we can make, and, along with the other things we have talked about, we can get a little better idea. He asked if everyone was in agreement. With no opposition heard, he stated that is what will be done.

FINANCE AND CLAIMS COMMITTEE -D. Tadych, P. Winzig, T. Kelly, D. Clark.

Establishment of Storm Sewer Maintenance Fund – third reading of Ordinance No. 22-143 at Special Meeting of Council this evening.

Mr. Tadych reported that he will move forward with the third reading and presentation for adoption of Ordinance 22-143 establishing a Storm Sewer Maintenance Fund at the Regular Meeting of Council this evening.

ENVIRONMENT, SAFETY, & COMMUNITY SERVICES COMMITTEE- T. Kelly, D. Tadych, S. Byrnes Maier.

2023 Fireworks Display Contract with Ohio Pyro & Flame LLC.

Mr. Kelly will present an ordinance for the July 4 fireworks display contract at the Regular Meeting of Council this evening. Mr. Barbour noted that the contract is the same as last year's annual contract. Fire Chief Lyons noted that the only increase was the cancellation fee, should it be necessary to cancel due to inclement weather. The cancellation fee represents the out-of-pocket costs for the company if there did happen to be a cancellation. Chief Lyons noted that the company has given the City a great fireworks show in the past. Mr. Clark endorsed that as well, noting that when resident Stephen Ernst stepped in and did the show it was a step up in terms of quality and quantity. The fireworks will be held on Tuesday, July 4, 2023 in Cahoon Memorial Park.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE -P.
Winzig, L. DeGeorge, M. Greco.

Mr. Winzig noted the necessity to cancel the Planning, Zoning, Public Buildings and Grounds Committee meeting that had been scheduled for this evening at 6 p.m. due to being called out of the City and unable to be back in time for the meeting. Mr. Winzig will re-schedule the meeting at a later date.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE -L.
DeGeorge, T. Kelly, P. Winzig.

Ms. DeGeorge thanked Mr. Kelly for handling her committee assignments at the last Council meeting in her absence.

Chagrin Valley Engineering, LTD., for engineering services related to the Equalization Tank Project, and declaring an emergency. Second Reading of Ordinance No. 23-14. (First Reading January 23, 2023).

Chagrin Valley Engineering, LTD., for engineering services related to the Bruce Russell Douglas Sanitary Sewer Overflow Elimination Project, and declaring an emergency. Second Reading of Ordinance No. 23-15 (First Reading January 23, 2023).

Ms. DeGeorge will present Ordinance No. 23-14 and Ordinance No. 23-15 authorizing Chagrin Valley Engineering, LTD to proceed with engineering services for the Equalization Tank project (Ord. No. 23-14) and the Bruce Russell Douglas Sanitary Sewer Overflow Elimination project (Ord. No. 23-15) for second reading and consideration for adoption at the Regular Meeting of Council this evening, upon the recommendation of Council President Clark.

Approval to advertise for bids for the following projects as approved in the 2023 Capital Budget:

2023 Mill and Overlay Program – Budget \$1,200,000

2023 Pavement Repair Program – Budget \$100,000

2023 Contracted Crack Seal Program – Budget \$50,000

2023 Street Striping Program – Budget \$70,000

Ms. DeGeorge will present separate motions for each of the above projects to be advertised for bids at the Regular Meeting of Council this evening. These annual projects have been approved for contracting and completion in the 2023 Capital Budget.

Mr. Clark thanked Director Liskovec for providing a color, schematic map of the work to be done, mostly in Ward 3.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –S. Byrnes Maier, M. Greco, D. Tadych.

Ms. Maier had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –M. Greco, S. Maier, L. DeGeorge.

Contract with Life Force Management for Emergency Medical Services (EMS) Billing Services.

Mr. Greco called upon Fire Chief Lyons to comment on the contract renewal with Life Force Management for emergency medical services (EMS) billing services.

Fire Chief Lyons commented that EMS billing has been done by Life Force Management for the City of Bay Village since 2007/2008. The fees charged for EMS transport have increased using the barometer to measure the fees according to that which is allowed by Medicare. Insurance companies typically adjust what they will pay in accordance with Medicare. Since the City of Bay Village originally instituted the fees charge, there has been one increase in 2014 and we are now looking to increase the fee schedule to align with the Medicare rate, to coincide with the third-party assessment of the national averages for EMS transport, and as recommended by Life Force Management to be in line with local agency charges. Chief Lyons noted that all fees are not collected; soft billing is done taking what insurance pays for residents and those in the local surrounding communities. The fees help to keep the service competitive and fund EMS expenses, i.e., new squads.

Mr. Greco asked if other cities around Bay use Life Force Management for billing services.

Chief Lyons stated that quite a few cities do use Life Force Management. While they are not the only service available, they do a very nice job and are very organized.

Mr. Greco asked if the fees are based on the number of runs for the City, or is it a standard fee for all of the cities regionally.

Chief Lyons stated that they are standard fees that are recommended. In speaking with the Chiefs of Rocky River and Fairview Park it has been learned that they are also in the process of increasing their fees in accordance with the same schedule.

Agreement with Brightly for Service Department Work Management Software.

Director of Public Service and Properties Liskovec commented that the Service Department manages their daily work flow. Paper forms used for many years have evolved to spread sheets, and software is the next step forward. The department started with Brightly in 2019 to handle all of their work management from start to finish, archives, photo documentation, and notes, all which are easily called back for reference. In 2017 all mapping was paper-based, including those for storm and sanitary sewers and roadway information. The department has strived to digitize everything into a geographic information system (GIS) format to have it readily available when out performing service projects. Mr. Liskovec used the example of three to five manholes in one intersection that have specific data addresses. Currently they are using landmark references. The specific data addresses are important for tagging work done to the specific asset and for future planning of maintenance, repair and rehabilitation. The software enables having the work resource available and not having to carry around paper maps that get damaged by weather events or even having to come back multiple times to review maps that are not carried to the sites.

Mr. Greco asked if the Brightly software is associated with the Finance software, or is it two separate companies.

Mr. Liskovec stated it is two separate companies.

Mr. Clark stated that the contract is \$100,000 for five years, based on their proposal. He asked how much is paid now per year.

Mr. Liskovec stated that they are now paying about \$16,000 per year without having the GIS integration. With the new agreement they will also receive customization features that will allow tailoring work orders, for example, with Cleveland Water Department restoration.

Service Department employee Matt Nocella was in the audience this evening and affirmed the need for the updated software.

Ms. DeGeorge asked if there is anything else Mr. Liskovec can add that this program can provide that hasn't already been experienced by using the program previously.

Mr. Liskovec stated that realistically the GIS is the largest improvement. Bay Village is a small community, but in an eight-hour day three trips back to the garage accumulate time wasted that could be spent more efficiently. The staff is trying to make the best use of the time available.

Mr. Clark recommended moving forward with approval of the agreement with Brightly Software this evening.

Mr. Winzig added that the item is approved in the 2023 budget, requiring no additional spend.

AUDIENCE

Richard Fink, 30102 Wolf Road stated that he had a couple of questions about the equalization tank project. He asked if the scope of work is just to prepare the construction bid documents in the amount of \$600,000, and nothing beyond that.

Mr. Liskovec stated that it is for full design.

Mr. Fink asked if there shouldn't be a timeline for the work. There is nothing that states when they have to have it done. That is a pretty healthy fee for something that is not an innovative project. It is something that is done all over: Considering how mission critical this is to Bay Village, it is hard to understand why there is not a timeline noted.

Mr. Liskovec stated that there may not be a specific timeline listed. The timeline has been established between the City and the USEPA. We have already given them a timeline of milestones, this being one of them. We need to have the design completed by the end of the year to give to the Ohio EPA for their review before we go out to bid.

Mr. Fink stated that they are not held to that in this ordinance. They are a great organization; I am sure you trust them. That is a lot of trust in this very short document.

Ms. DeGeorge asked if that is any part of the original approval when we approved the timeline with the EPA.

Mr. Liskovec stated that a timeline was submitted to the EPA with a couple small revisions submitted that would not affect the overall submitted to them.

Mr. Fink stated that it may feel more comfortable for the City to clarify that in the document.

Mr. Clark stated that they did lay out a timeline when Mr. Filarski of Chagrin Valley Engineering presented to Council recently, including dates as well.

The Mayor added that Mr. Filarski communicates with the USEPA on this.

Mr. Barbour asked what document Mr. Fink is referring to that doesn't have a date on it. Is that the ordinance?

Mr. Fink stated that it is the ordinance.

Mr. Barbour stated that there doesn't need to be a deliverable date in the ordinance. The engineering company designed the plan that was submitted to the EPA that we committed to and they are well aware of the date. We are able to hold them to that date through other documents. It doesn't need to be in the ordinance. The ordinance is just approval to pay them for the agreement.

Mr. Fink stated that as long as Mr. Barbour is absolutely convinced that is correct.

Mr. Barbour stated he is convinced, but he appreciates Mr. Fink's points, as always.

MISCELLANEOUS

The next meeting of City Council will be held on Tuesday, February 21 at 7 p.m., the day after President's Day, which is a legal holiday. A Finance Committee meeting will be held at 6 p.m. on Tuesday, February 21, unless there is a need to consider something earlier.

Mr. Kelly announced that he cannot run for City Council again this fall. He will be completing his term. He is running for Rocky River Municipal Court Judge in the fall, and as a result that means that his Council seat will be open. There will be an open competition and petitions are due June 14. Mr. Kelly felt in the interest of transparency it was appropriate to know this so that anyone who might have an interest in running for Council-at-large it is noted and in the minutes of City Council. Mr. Kelly stated that it has been a pleasure to serve and he looks forward to serving the remaining year of his term and working to get as much accomplished as possible in the eleven months he has left. Thank you.

Mr. Clark stated that Council appreciates the courtesy and certainly the service as a colleague which has been second to none. Mr. Clark is impressed that Mr. Kelly has already filed his petition for Judge.

Mr. Kelly stated that he will be on the fall ballot. There will not be a primary on either side. It is a non-partisan general election. Mr. Kelly is looking forward to a strong campaign in the fall.

ADJOURNMENT

There being no further discussion this evening, the meeting adjourned at 8:10 p.m.



Dwight A. Clark, President of Council



Joan T. Kemper, Clerk of Council