

City of Bay Village

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

April 3, 2023
7:00 p.m.

President of Council Clark called the meeting to order at 7:00 p.m. with roll call and the Pledge of Allegiance led by Lydia DeGeorge, Councilwoman, Ward 2.

Present: Dwight A. Clark, President of Council
David L. Tadych, Vice President of Council, Councilman, Ward 1.
Lydia DeGeorge, Councilwoman, Ward 2
Michael Greco, Councilman, Ward 3
Peter J. Winzig, Councilman, Ward 4
Sara Byrnes Maier, Council-at-large.
Mayor Koomar

Excused: Thomas J. Kelly, Council-at-large

Also Present: Law Director Barbour, Finance Director Mahoney, Police Chief Gillespie, Recreation Director Enovitch, Director of Public Service and Properties Liskovec, Director of Building Tuck-Macalla, Community Services Director Messeri, Fire Chief Lyons (Zoom), Clerk of Council Kemper, Jasmine Prezenkowski, Cleveland Restoration Society Heritage Home Program Administrative Coordinator, Cleveland Restoration Society, and Linda Barbera, Loan Associate of Key Bank.

AUDIENCE

Dan Rettig, Dave Reinker.

Motion by Tadych to dispense with the reading and approve the minutes of the Regular Meeting of Council held March 20, 2023, as prepared and distributed.

Motion carried 7-0.

Motion by Tadych to dispense with the reading and approve the minutes of the meeting of the Cahoon Memorial Park Trustees held March 20, 2023, as prepared and distributed.

Motion carried 8-0.

REPORTS

Mayor Koomar stated that the Easter Parade on April 1, 2023 was a success. The Mayor thanked Bill and Sherry Reilly for organizing the parade. A convertible they borrowed for the parade was destroyed by a tree falling on the car when it was parked in front of their home. They quickly borrowed a Jeep to get the Easter Bunny out, and it worked out very well.

Shredding Day will be held on April 22 from 9 a.m. to Noon. Habitat for Humanity will be at the shredding site from 9 a.m. to 1 p.m. No cardboard will be accepted. The drop off will be adjacent to the pool, near the Dwyer Memorial Center. A map of the route to the shredding site will be posted on the City's website.

Solar Eclipse 2024 plans are being made, beginning with meetings by Cuyahoga County officials this month. Police Chief Gillespie, Fire Chief Lyons, and the Mayor will be on calls with the county officials to learn more. The Path of Totality of the eclipse will fall to Avon Lake, and not far off from Bay Village. It runs 10,000 miles long, but only 100 miles wide. Many visitors to Bay can be expected during the event, one estimate is three times the population. While the Metroparks will be allowing camping at their Huntington and Edgewater grounds, Cahoon Memorial Park will close at 11 p.m. without camping or alcohol. The Mayor will meet with the Community Council to discuss fundraising by community groups. Solar glasses are necessary to view the eclipse, which will occur on Monday, April 8, 2024 with schools being closed. Chief Gillespie stated that on Monday, April 8, 2024 it will begin to get dark about 1:45 p.m., with complete block-out of the sun from 3:14 p.m. to 3:17 p.m. The Chief noted that they are seeking every available resource they can find to make Bay Village safe for residents and their guests during the Solar Eclipse, and are welcoming any suggestions as they prepare for the worst and hope for the best.

Law Director Barbour reported that the contract with Direct Energy Services LLC for natural gas aggregation has been executed at the price that was presented by Laura Sherman of Sustainable Energy Services (\$.585cents/Ccf), for a 36-month contract. There will be a carbon off-set component added to the contract. Direct Energy has not completed rolling out that project but they anticipate it to be ready this summer and the contract will be amended and residents will be given the opportunity to participate in the program. The Natural Gas Aggregation Program is an opt-out program. Residents who do nothing will be automatically enrolled, unless they are already a member of another contract. The carbon off-set component will be something that residents will have to opt into.

Mayor Koomar stated that the city's rate for electric aggregation goes through to November of 2023. The City of Bay Village will consider electric aggregation this fall through Sustainable Energy Services. The City is currently at 5.04 cents per kilowatt hour for electricity.

Director of Law Barbour advised that on April 4, 2023 a new law goes into effect, state-wide, about the use of cell phones while driving. The City was considering amending its ordinance to match the new state law, but, in discussing that with the City Prosecutor, and receiving recent news from Columbus, Ohio, it would be advisable to wait to see how the new law is administered. Amendments are already being considered, so rather than change the local law, the Law Director would rather wait and see how the Police are able to apply the state code, which is now eligible for police officers to apply. The City often adopts a city code, but it is not really necessary in this instance; it will be done after a couple of months if this meets Council's approval. There are things in the state code that will probably be looked at again, and there are components that the City probably would not want to incorporate. Law Director Barbour will keep Council apprised.

Finance Director Mahoney stated that the Finance Department is still in 2022. The auditors will begin their audit the beginning of May. The Finance Department is also working on integrating the Police and Fire Departments into the Finance System for payroll. Financial Specialist Irene Drazen has been contacting the vendors. The planned readings for this year's debt ordinances will be April 17, May 1, and May 15, 2023, with bids being sought on May 18, 2023.

Director of Public Service and Properties Liskovec reported that the Excellence in Highway Design Award has been received for the Ashton Lane Bridge project in the category for partnership between the Ohio Department of Transportation (ODOT) and the City of Bay Village. A presentation ceremony will be held on May 17, 2023 in Columbus, Ohio.

The Household Hazardous Waste Program will offer additional collections on Saturdays and the beginning of the season and the end of the season for those residents who cannot make the usual Friday drop-off times.

The Solid Waste District is looking for feedbacks on their programs. The Service Department will be distributing their requests for surveys and QR codes publicizing their information, and will work to provide information to the public, posting on the City's website.

A pre-construction meeting will be held next week in regard to the Wolf Rd./Cahoon Rd. Intersection project.

A Walker Road Park Ad-Hoc Committee meeting was held last week in regard to Walker Road Park. The meeting was held at the Avon Lake City Hall. The access road/pathway/fence items have been tabled for further investigation. The City of Avon Lake has pulled that component from review by their Planning Commission until both cities feel satisfied with an agreement about that particular area of the Walker Road Park. The development portion of the adjacent homes will move forward.

Mr. Tadych asked if the water line is also on hold. Mr. Liskovec stated that the water line is on hold.

Preliminary inspections began today for the Sidewalk Correction Program. Training will begin on Thursday, April 6, 2023 for inspectors on the process of inspections and related documentation. Residents will begin seeing orange dots on sidewalks that are in violation, with the scope this year from Cahoon Road to Parkside Drive. The program will be placed on the City's website for further information.

The Tree Commission has been diligently planning the 2023 Arbor Day Program. On Saturday, April 29, 2023, an Arbor Day event will be held, rain or shine, in Bradley Road Park from 11 a.m. to 3 p.m., marking the 25th year of Bay Village being a Tree City, as part of the Tree City USA Program. Tree planting demonstrations will be held and educational information will be distributed. The Cuyahoga County Soil and Water District will have representatives on hand.

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Director Liskovec paid recognition to the Bay Village Sewer Staff for preparations for the annual NS4 report that is submitted to the State of Ohio, Environmental Protection Agency, highlighting the activities for the previous year related to the six minimum-control standards outlined in the City's Storm Water Management Plan. The sewer staff gathers and collects all of the data to meet the annual report.

Mr. Clark asked when the next phase of hydrant painting in the City of Bay Village will begin. Mr. Liskovec expects to contact the company who does the painting later this month or the beginning of next month. Mayor Koomar added that the contractor does a group of Northeast Ohio cities at one time to reduce the number of times to mobilize, making their operations as efficient as possible.

Recreation Director Enovitch reported that the basketball season was completed last Saturday, with the focus now on tennis and spring football. Interviews for summer staff are underway, and summer program registration is open on-line. Mr. Enovitch encouraged all to purchase their pool passes as soon as possible.

Director of Community Services Messeri acknowledged the staff at the Dwyer Memorial Center, which includes Connie Lupica, Tara Wendell, and Jennifer Ruese, who have been so kind in welcoming her to the City of Bay Village. The transition has been flawless. Director Messeri stated that the first issue that she will undertake is streamlining the schedules and rides offered through the Senior Transportation Program. Ms. Messeri will meet with the management and staff of the Knickerbocker Apartments as well.

Fire Chief Lyons reported through Zoom that one of the requirements of the State of Ohio is that the Fire Departments investigate the origin and cause of all fires. This is a highly technical element that is performed by the Fire Department, and is accomplished by participating in a regional team, the Westshore Fire Investigation Unit. The team has between 20 and 25 members from varied cities, with Bay Village having three members on the team, all certified in Basic Fire Investigation. This week they are attending a course called, "Origin, Cause, Events, which is an extensive hands-on course that provides the in-depth knowledge and skills necessary to thoroughly investigate fires from fire scenes to the court room. The course includes fire dynamics, motives, fire scene fatalities, scene documentation, evidence, case preparation, and testimony. The three members of the Bay Village Fire Department are attending this course and will be well prepared to investigate fires.

Mayor Koomar stated that they have been working through the Fire Station Feasibility Study, adding cost estimation, to gain a sense of the bidding environment to determine accuracy. There will be calls in April with architects Mull and Weithman to complete rough concepts. It is anticipated that Fire Chief Lyons will give a review of the process used to get to this point at the Council meeting of April 17, 2023. A tentative meeting is scheduled with Mull and Weithman to present to Council the first meeting of May regarding final concept designs and cost numbers.

Building Director Tuck-Macalla reported that April 1 was the deadline for registration for home rental applications. Most have been received and inspections will begin in a few weeks. Rental inspections take place all year around.

A temporary Certificate of Occupancy has been granted for a new home on Lake Road. The home is in its third year of being built. The temporary Certificate of Occupancy authorizes the owners to move in with six months allowed for grading.

Mr. Tadych asked how many rental homes are in Bay Village. Mr. Tuck-Macalla stated that there are 230 rental homes in the City of Bay Village.

Police Chief Gillespie announced that the annual Drug Take Back Day is going to be held on Saturday, April 22, 2023, from 10 a.m. to 2 p.m. at the Bay Village Police Department. This is one of two days per year that people are allowed to bring in sharps and liquids, in addition to other medication, for safe disposal.

A free, self-defense class for females will be offered on May 22, May 25, May 30 and May 31 from 6 p.m. to 9 p.m. in the Community Room of the Bay Village Police Department. The four-day course is capped at twenty students and participants are asked to attend all four classes. This outstanding course teaches women of all ages how to stay out of dangerous situations, and how to get out of dangerous situations if they find themselves in one. Chief Gillespie highly recommends the course, especially for the younger females going to college in the fall. Information will be posted on the City website in the very near future.

Human Resource Director Demaline is excused this evening. Mayor Koomar noted that the off-site retreat for City of Bay Village department directors and members of Council was held last week. HR Director Demaline did a very nice job with working with facilitator Kitty Brandal of Corporate Compass Training to put together a meaningful session at a great location.

Law Director Barbour stated that the state code goes into effect tomorrow, April 4, 2023 regarding using cell phones while driving. It is a primary offense, which means that the police can stop drivers for the offense, which was an important component when the City of Bay Village enacted their ban on texting while driving in Bay Village.

COMMUNICATIONS

There were no communications this evening.

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY, & COMMUNITY SERVICES COMMITTEE- Kelly, Tadych, Maier. .

Ms. Maier introduced and read, by title only, **Resolution No. 23-35** approving use by Heidi E. Fanta of submerged lands of Lake Erie for shoreline improvements, 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. 23-35.

- Roll call on Suspension of Charter Rules:
Yeas- Clark, DeGeorge, Greco, Maier, Tadych, Winzig.
Nays – None.
- Roll call on Suspension of Council Rules:
Yeas- Clark, DeGeorge, Greco, Maier, Tadych, Winzig.
Nays – None.
- Roll call on Inclusion of the Emergency Clause:
Yeas- Clark, DeGeorge, Greco, Maier, Tadych, Winzig.
Nays – None.
- Roll call on Adoption:
Yeas-Clark, DeGeorge, Greco, Maier, Tadych, Winzig.
Nays- None.

Mr. Barbour announced adoption of Resolution No. 23-35, an emergency measure, by a vote of 6-0.

Ms. Maier introduced and read, by title only, **Ordinance No. 23-36** amending Codified Ordinance Section 129.02 regarding Division of Police, Members, 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. 23-36

- Roll call on Suspension of Charter Rules:
Yeas- DeGeorge, Greco, Maier, Tadych, Winzig, Clark.
Nays – None.
- Roll call on Suspension of Council Rules:
Yeas- DeGeorge, Greco, Maier, Tadych, Winzig, Clark.
Nays – None.
- Roll call on Inclusion of the Emergency Clause:
Yeas- DeGeorge, Greco, Maier, Tadych, Winzig, Clark.
Nays – None.
- Roll call on Adoption:
Yeas- DeGeorge, Greco, Maier, Tadych, Winzig, Clark.
Nays- None.

Mr. Barbour announced adoption of Ordinance No. 23-36, an emergency measure, by a vote of 6-0.

Motion by Ms. Maier to add Codified Ordinance Chapter 375, Snowmobiles, Off-Highway Motorcycles and All-Purpose Vehicles to the Environment, Safety and Community Services Committee matters pending for review.

Motion carried 6-0.

FINANCE AND CLAIMS COMMITTEE -Tadych, Winzig, Kelly, Clark.

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Mr. Tadych introduced and read, by title only, **Ordinance 23-37** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2023 as previously appropriated in Ordinance Nos. 22-130 and 23-11, 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. 23-37.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll call on Adoption:

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

Nays- None.

Mr. Barbour announced adoption of Ordinance No. 23-37, an emergency measure, by a vote of 6-0.

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

Mr. Winzig had no report this evening.

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

Ms. DeGeorge had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Maier, Greco, Tadych.

Motion by Ms. Maier to authorize the Director of Public Service and Properties to advertise for bids for the Western Connector Trail Construction.

Motion carried 6-0.

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

Mr. Greco had no report this evening.

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MISCELLANEOUS

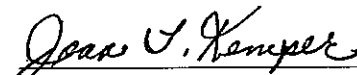
Mr. Clark wished everyone a healthy and happy Easter Holiday. The next meeting of Council will be held on Monday, April 17, 2023.

ADJOURNMENT

There being no further business to discuss this evening, the meeting adjourned at 8:30 p.m.



Dwight A. Clark, President of Council



Joan T. Kemper, Clerk of Council