

City of Bay Village

Council Minutes, Committee Session
David L. Tadych, Vice President of Council, presiding
Council Chambers; augmented by Zoom.

April 4, 2022
7:00 p.m.

Present: Greco, Kelly, Maier, Tadych, Winzig, Mayor Koomar.

Excused: President of Council Clark, Ward 2 Councilwoman Lydia DeGeorge.

Also Present: Law Director Barbour, Finance Director Mahoney, Director of Public Service and Properties Liskovec, Chief of Police Gillespie, Recreation Director Enovitch, Building Director Tuck-Macalla, Project Manager Kerber, Community Services Director Selig, Fire Chief Lyons, Project Coordinator Mark Spaetzel, Clerk of Council Kemper.

AUDIENCE

Kent Silverberg.

Via Zoom: Madison MacArthur.

ANNOUNCEMENTS

Mayor Koomar announced that a Public Informational Meeting was held this evening for the Heritage Home Program, led by Jessica Beam of the Cleveland Restoration Society.

Jessica Beam distributed a report of the Heritage Home activities in Bay Village for the first quarter of 2022, indicating 32 inquiries, 7 site visits, and 3 technical assists. There are 5,186 homes in Bay Village eligible for the Heritage Home Program, qualified by being 50 years of age or older. The Branch Manager of Key Bank in Bay Village, Kristen O'Connor, was also present for the program held at 6 p.m. this evening to provide information as to the availability of loans for home restoration at a 2% interest rate, ranging between five and ten years. Mayor Koomar noted that Key Bank is the only financial institution in Bay Village that services the area Home Loan Program, and described the variety of services performed. The Heritage Home Program can be instrumental in assisting seniors to stay in their homes with renovations and modifications, and the Mayor urged residents to contact Jessica Beam at 216-426-3116 or to visit the website at www.heritagehomeprogram.org for further information.

COMMITTEE OF THE WHOLE

Fire Station Feasibility Study.

Mayor Koomar advised that Project Coordinator Mark Spaetzel and Fire Chief Lyons have been working on the Fire Station Feasibility Study. Mr. Spaetzel addressed Council and the

administration with an update on the progress of the study, and the selection of an architect for the feasibility study.

Mayor Koomar expressed condolences to the Spaetzel family on the recent passing of Mark Spaetzel's mother.

Mr. Spaetzel stated that over the years there has been a lot of discussion internally about the Bay Village Fire Station which was built in 1972, its condition and the need for improvements. In June of 2021, a preliminary analysis of the fire station was conducted to see what kind of condition it was actually in, and it was determined the need existed to upgrade the facility and begin the process to determine not only what was needed to bring it up to the current standards of today's codes, and what the approximate cost might be for this work. A request for qualifications (RFQ) was created to solicit an experienced architectural firm to conduct a professional feasibility and facility study, examining all available options. The RFQ was issued on August 12, 2021 with a deadline of submissions by September 9, 2021. In addition to public advertising, fifteen architectural firms that have extensive experience working with fire departments were directly contacted and provided with information. A five-person review committee was established to conduct a standardized review of the seven proposals received. From the seven proposals three finalists were chosen. Fire Chief Lyons and Mr. Spaetzel then toured stations that were built by these architectural firms, and references were checked thoroughly. Each firm was then invited to an interview process in which the review committee and Mayor Koomar participated on January 6, 2022.

After reviewing the tours, interviews, and reference checks, the firm of Mull and Weithman Architects was chosen as the recommendation to conduct the feasibility and facility study for Bay Village. A contract proposal was submitted by Mull and Weithman, and reviewed by the Feasibility Study Committee, and by Architect Pat Thornton as well as Law Director Mark Barbour. The resulting contract, after modifications by the review committee and Mr. Barbour, which included the elimination of the termination clause, change of option for resulting issues, and inclusion of a not to exceed clause, was approved by the administration for a cost not to exceed \$57,500. A clause was inserted into the contract for monies to be set aside for a construction manager to provide a cost analysis. In today's volatile economic and building market, while the architects normally do that process, it is very difficult for them to keep up with the almost daily changes of supply chains, cost increases, etc. It was felt very strongly that having a construction manager do the cost analysis was valuable to get an accurate picture of what the project may cost. The architects were asked to do a broad study of what is needed for the fire station, and include all options, so that Council has the ability to review all the options and make a wise choice. If approved by Council, Mull and Weithman can begin their work within two to three weeks. A kick-off meeting will be held with the facility committee to review the overall process and discuss upcoming steps. They will also discuss how they will interview Fire Department personnel, conduct tours of other Fire Departments to give the administration an idea of what is available, and obtain city data related to the current building. Typically, this study would take four to five months to complete and provide options to bring the building up to code and related cost estimates for each option.

Mr. Tadych asked about completion dates and how deep the study will go as far as the building is concerned.

Mr. Spaetzel stated that they will first analyze the current condition of the building. This will require input from mechanical engineers, structural engineers, footprint, and space analysis. The City of Avon Lake just completed this process. The end result is a schematic design, rough square footage, and two options: a new building, or a renovated building. Cost estimates for each one of those options will be provided. The work of the contract with Mull and Weithman will be completed in a period of four to five months.

Mr. Tadych asked if there is knowledge of any foundation problems on the fire station building as it exists now.

Fire Chief Lyons stated that he is not aware of any foundation problems.

Mayor Koomar stated that he would like to make it clear that they would like to look at renovation, but in talking with the architects they want to make sure all options are open if for some reason that was totally unworkable. The bays are not in bad shape. Standard door widths are a little wider than they were in 1972, but some of the quarters in the back are in need of improvement. There are ADA access issues in the front, some of the walls may not be load bearing with an opportunity to create additional spaces. A public access point in the front that would be ADA accessible is another consideration included in the study to make it a functional environment. The idea of this work was started two years ago but was stalled due to the COVID pandemic. Sleeping units now are thought of differently since the pandemic. There is also the discussion of the types of vehicles in the future, including electric squads. The first electric fire apparatus is now available. The Mayor noted that all RTA buses are compressed natural gas, so the committee took some time to look toward the future in regard to equipment and energy infrastructure that is needed to be built in, more so for electricity, noting that compressed natural gas provision would be combined with other cities. Vehicles in the future will definitely be electric, and the question is how to build that into the vision for the station in the future.

Mr. Spaetzel noted that the goal is to have a building that will last another forty to fifty years, as has the existing fire station. The cost analysis will include keeping the building fully operational while renovating the building by section or phase.

Mr. Winzig asked if there were any specific stations the architectural firm of Mull and Weithman worked on within the region for a tour by City Council. Mr. Spaetzel suggested the City of North Ridgeville is the latest station they have done as a new build, and they are now remodeling the second station.

Mr. Spaetzel was asked if an electric charging station is included in the North Ridgeville facility. Fire Chief Lyons responded that there is the capability for that in the future if it becomes necessary. As the Mayor mentioned, compressed natural gas might be a more viable option for the larger vehicles.

Mr. Greco asked if Council may receive a copy of the contract with the firm of Mull and Weithman. Mr. Spaetzel responded affirmatively.

Mr. Greco asked if Council will be provided with updates as steps progress in the study.

Mr. Spaetzel stated that they would be providing information as to the way City Council would like to receive that information. They would be happy to provide updates after a certain phase or phases of the study.

Mr. Spaetzel was thanked for his report this evening.

Fire Chief Lyons expressed his confidence in the firm of Mull and Weithman and is pleased to be moving forward in this project.

Mayor Koomar stated that Fire Chief Lyons has committed a great deal of time with the five person committee of Fire Chief Lyons, Project Manager Katherine Kerber, Engineer Don Bierut, Infrastructure Manager Curtis Krakowski, and the Mayor.

Laura Sherman, Sustainable Energy Services, Inc. regarding City of Bay Village Energy Contracts.

Laura Sherman, Sustainable Energy Services, Inc. addressed the Council and administration with an energy update, the present state of contracts for the City, as well as the existing market. Mrs. Sherman noted that energy is front and center during the Russian war on Ukraine. The electronic accounts for the City coming forward for renewal in June are being analyzed to get the best pricing available. A request for proposals (RFP) was sent to ten suppliers for pricing, and pricing was already elevated at that time, due to what is happening in Europe with natural gas. Natural gas to Europe was being throttled back by Russia and producers in the United States were stepping up and sending natural gas to Europe, which affected the storage in the U.S. market. For the last ten years, the average for natural gas was about \$3.00 on the New York Mercantile Exchange. In November, it doubled to \$6.26. This was a major concern for obtaining bids. Events that happened in the world have affected the market, and it is unknown when it will come back to some normalization.

Mrs. Sherman continued with her presentation, displaying the information regarding the current energy market. She noted that natural gas fuels much of the power generation in Ohio and across the country, and when natural gas cost increases electricity follows. Typically there is a dip in the market in March or April, but this has not happened due to the cold weather. Some improvement in the markets may be seen, but is not really expected. The 33 accounts for the City are currently at 5.65 cents per kilowatt hour. The contract started in June of 2019 and goes to June of 2022, with some street light contracts out to 2023. Natural gas contracts are coming due at the end of this year. The aggregation program started in 2019 and goes to 2023. Strategies for the future were outlined by Ms. Sherman for a majority of the accounts to take advantage of the prices negotiated in the past at 5.04 cents per kilowatt hour. A bulk of the cost to the City can be taken care of through the aggregation program.

Mr. Winzig asked the steps to be taken.

Mrs. Sherman stated that she will be enrolling the accounts into the program upon approval by the Mayor and Council. The contract is non-binding. Anyone in the aggregation program can be released at any time. The City accounts will continue on market watch and if and when a better place is found the Mayor will be notified.

Mr. Kelly asked if there is any reason not to do that now based on the information presented this evening.

Mrs. Sherman stated that the City is in a large commercial contract and cannot leave the contract without early termination fees. As of June, the recommendation of Mrs. Sherman would be the time to take the steps outlined.

Mr. Kelly asked what the market is looking like now for renewables for the aggregation in 2023 by comparison with all the current fluctuations.

Mrs. Sherman stated that renewables are running anywhere between three quarters of a penny to a penny and a half higher. The State of Ohio has not made much of a commitment to renewables if you follow their requirements. In 2022 the required mix of green energy, wind or solar, is 6.2%. The supply that the City gets is 6.2% green. That will ratchet up about one-half percent every year until 2026 when it will be about 8.5%. When going out to bid the difference in price will be reviewed. Markets move quickly and even pricing City accounts the price is held just for the day and with the volatility sometimes it disappears during the day. Suppliers may pull a price mid-day because of market movement. There is panic and fear in the market of what is yet to come. Many of the smaller players in the production arena have gone out of business because of the COVID dip, and the large players will wait until there can be something from the current administration and more money put into infrastructure. If the administration decides to open up any sort of restrictions because of the war, some sort of emergency measure, that would help the market.

Laura Sherman was thanked for her informative presentation this evening.

Mr. Winzig asked the Mayor if, given the timeline presented, there will be enough time given to Council to make the switch, noting summer recess beginning in July and the need to vote properly so an opportunity is not missed. The Mayor assured Mr. Winzig that Council will be kept informed.

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

Adoption of newly revised Rules and Regulations of the Bay Village Civil Service Commission.

Mr. Kelly advised that he spoke with Councilman Winzig regarding some typographical corrections necessary to the draft provided of the Rules and Regulations of the Bay Village Civil Service Commission. The resolution for adoption that was to be presented at the Regular Meeting of Council this evening will be held in abeyance until the next meeting of Council.

Mr. Barbour noted that the purpose of City Council legislatively adopting the Rules of the Civil Service Commission is to show that the City supports the Civil Service Commission and to indicate that their rules are to be followed by the City. Any changes to the rules would have to be from the Civil Service Commission.

Mr. Kelly noted that to the extent that the City Council is adopting these rules by resolution is a blessing of the rules as opposed to making them an ordinance.

Mr. Winzig stated that his request would be that Council receive the finalized proper version for voting, with a minor edit to add in the Space Force of the United States to the Armed Forces section on Page 2, because the Space Force is currently part of the Armed Forces. The Space Force was enacted by the United States on December 20, 2019.

Mr. Barbour stated that another copy will be provided to Council, but as far as changes to the document, Council does not have authority to make changes to the document. Changes would have to originate from the Civil Service Commission. The Rules and Regulations of the Civil Service Commission should be adopted by City Council to show there is no conflict between the City Council and the operation of the Civil Service Commission.

Request of Fire Chief Lyons to sell obsolete VHP Biodecontamination Unit back to Steris Life Sciences.

Mr. Kelly addressed the request of Fire Chief Lyons for permission to sell a VHP Biodecontamination Unit back to Steris Life Sciences. This unit helps to decontaminate emergency vehicles and its functionality is impractical for present service.

Fire Chief Lyons stated that in the earlier 2000's the Fire Department was looking at evidence of things happening around the world, i.e., MRSA, and h1ni, and trying to get ahead of the curve in terms of decontamination. Steris presented the Fire Department with the VHP Biodecontamination Unit as an option at that time purchased with the assistance of Federal grant funds. The machine takes highly concentrated hydrogen peroxide, vaporizes it, puts it into an enclosed space, where it dwells for several hours to become effective. It is one of the most effective biodecontaminates known to man, and one of the safest, but it takes a very long time. The application is typically for buildings and rooms. The unit is now obsolete and what Steris has offered to buy back for parts is more than what is being offered through any other source. It is hoped to sell the unit back before it loses any more value. The offer from Steris Life Sciences to purchase the item back from the City is \$10,000. The original value of the unit was approximately \$50,000.

Mr. Greco asked the values found on line for the unit.

Chief Lyons stated that the offers found were \$6,000 for one and another for \$10,000 which was for a more elaborate unit.

Ms. Maier asked the last time the unit was used.

Chief Lyons stated that it has been a few years since the unit was used. They have had the folks from Steris out numerous times to help. Part of the difficulty is because it was designed more for a room or building than a vehicle and they actually had to seal up the ambulance and pipe in the hydrogen peroxide. They have since devised other decontamination procedures which are working well, including technology which reduces particles. The new ambulance being purchased may include in its HVAC system the ability to exchange outside air at twenty times per hour, which is the most effective measure for an enclosed space. They are confident with what they are using now and are hopeful to obtain funds for the unit to use for other needs.

Mr. Greco asked if the transaction will be done through a simple purchase order process to deal with the buyback, or with a written agreement for face value in written terms.

Finance Director Mahoney stated that it will be an agreement for a sale. The dollar amount requires that it be approved by Council. The motion will be presented at the Regular Meeting of Council this evening by Mr. Kelly.

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

Amended Appropriation Ordinance for:

- o additional appropriation of \$23,000 to budgeted amount of \$325,000 for new ambulance
- o additional appropriation of \$27,000 to meet the total study cost of \$57,000, of which \$30,000 was previously appropriated.

Mr. Winzig discussed the increases required in the budget as part of the Amended Appropriation Ordinance to be presented for adoption at the Regular Meeting of Council this evening. The first is the increase of \$57,000 for the Fire Station Feasibility Study that was discussed his evening in the presentation of Mr. Spaetzel, and the need for hiring a firm for the due diligence for the Fire Department project.

The second request is for an increase in appropriation for the new ambulance that is to be purchased. Fire Chief Lyons stated that the increase is entirely due to an increase in the price of a chassis from the manufacturer. Costs are being cut as far as possible as far as the outfitting items. The Mayor noted that times have been set aside with the committee to review options for reducing outfitting costs. More detail will be reviewed.

The third item is the appropriation for the expenditure of a Northeast Ohio Public Energy Council (NOPEC) grant. This has been received in the past when funds come back to the City and are reinvested in energy saving accommodations, i.e., lighting at the police station and the

municipal swimming pool. The amount of \$13,000 will be invested in a new furnace for the Dwyer Memorial Center. The appropriation is an allocation of the funds which will be replaced by the grant to be received.

The Amended Appropriation Ordinance will be introduced by Mr. Winzig at the Regular Meeting of Council this evening.

Refuse Collection Penalty, Clarification and Correction.

Mr. Winzig will introduce an ordinance at the Council meeting this evening to clarify the penalty description for Codified Ordinance No. 923.04.

Finance Director Mahoney advised that four years ago the penalty for late payment of sewer rental and refuse collection was increased to \$25.00. Section 921.05 notes the \$25.00, but in 923.04 it still references \$10.00. This ordinance will clarify Section 923.04 and change it to \$25.00. A resident won't be charged a penalty for the refuse collection late payment, and a penalty for late sewer rental payment. The maximum is \$25.00 for both sewer rental and refuse collection.

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

Repeal of Guidelines and Fees for the former Bayway Youth Cabin.

Mr. Winzig noted that the Bayway Youth Cabin no longer exists, as it has been removed for the construction of the new library. The ordinance governing the guidelines and fees is no longer necessary and Codified Ordinance Section 935 will be repealed in its entirety. Mr. Winzig noted that the building was lovely while it lasted and served the City and all the people that used the facility well.

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

Mr. Kelly noted that Public Improvements, Streets, Sewers and Drainage is the purview of Councilwoman DeGeorge. On behalf of City Council and the administration, Ms. DeGeorge and her husband, Kevin Murray, are sent well wishes during the recent illness of Mr. Murray. All of Council hope for a speedy recovery for Mr. Murray.

Approval to submit an application for funding to the Cuyahoga County Department of Public Works 50/50 Pavement Program.

The first order of business under Ms. DeGeorge's committee this evening is an approval to submit for an application for funding to the Cuyahoga County Department of Public Works for the 50/50 Pavement Program.

Director of Public Service and Properties Liskovec stated that the funding will be for years 2023 and 2024 and is for the resurfacing of Cahoon Road between Wolf Road and Lake Road. Supporting documentation for the application provided by Mr. Liskovec indicates a total probably construction cost of \$416,908.00.

Ms. Maier asked how the striping for bicycle lanes will be applied when taking into consideration the lane configurations.

Mr. Liskovec stated that the intent is to essentially narrow lanes as necessary. The Mayor stated that traffic counts at Cahoon and Lake Road, and Cahoon and Wolf Road will be done to determine what adjustments may be necessary.

Approval to award 2022 Crack Seal Contract.

In a memorandum dated March 31, 2022 to Director of Public Service and Properties Liskovec, Infrastructure Manager Curtis J. Krakowski, CSI, CDT, advised that the City of Bay Village publicly advertised bid documents starting March 17, 2022 requesting bids to install crack sealing to various asphalt streets within the City, as outlined on a City street map provided with the memorandum. The advertised bidding estimate was \$45,000. The City received two bids and the lowest responsive and responsible bidder was American Pavements, Inc., who submitted a total bid of \$39,800 for all three streets, portions of Wolf Road, Naigle Road, and Lake Road, scheduled. An award of contract to American Pavements, Inc. is recommended. Work will begin as soon as weather permits, most likely beginning May 9, 2022, and will be completed within three days.

Mr. Kelly confirmed with Mr. Liskovec that the Service Department has worked with American Pavements, Inc., and is satisfied with their work.

Areas to be included are Wolf Road to Bassett Road, Lake Road, from Longbeach Road to Bradley Road, and Naigle Road.

Mr. Tadych stated that he would suggest that crack seal not be applied when the pavement is moist because it ends up on tree lawns. He noted that he has picked up large pieces of crack seal on his tree lawn.

Approval to enter into agreement with Ohio Department of Transportation for Cooperative Salt Purchase to be awarded in 2022 for a request of 1,300 tons.

The resolution that is submitted annually for salt purchase will be introduced this evening by Mr. Kelly at the Regular Meeting of Council.

Mr. Liskovec stated that the present contract is at a price of \$37.00 per ton. The previous contract price was \$75.00 per ton. The City is fortunate this year to ask for 110% of the allowance with a resulted reduction of the request for salt next year, capitalizing on this year's lower cost. This winter 1,300 tons of salt were used on City roads.

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

Grant Application with the Ohio Department of Natural Resources for public recreation purposes through the Recreational Trails Program (RTP) and the Clean Ohio Trails Fund (COTF).

Ms. Maier will present a resolution, at the Regular Meeting of Council this evening, to apply for a grant with the Ohio Department of Natural Resources for public recreation purposes through the Recreational Trails Program (RTP) and the Clean Ohio Trails Fund (COTF).

Project Manager Kathryn Kerber stated that this is a trail in the Bay Point area, as shown in the Master Plan. Funding is being sought for this first trail project for the lake front, very similar to the plan for the lake front that was recently unveiled. This is the first stage of the plan that gives access to the lake front and connects to the east to a pedestrian bridge across the street and to the south to the Cahoon Basin Trail and to the west up to Lake Road at the pedestrian crossing. The trail will lead to many places in a very small area, getting a lot of leverage for the project.

Mr. Tadych asked the length of the trail.

Ms. Kerber stated that it is a circle with trails coming off of it. The Mayor added that this has evolved recently, and there is the belief that there could be funding from the County Council. They have been in contact with the Director of Public Works as recently as yesterday, and they are trying to create impetus to start a section. The idea is to get it started and begin working toward Metroparks.

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

Northeast Ohio Public Energy Council (“NOPEC”) 2022 Grant.

Mr. Greco called upon Project Manager Kerber to comment on the Northeast Ohio Public Energy (NOPEC) 2022 grant to be accepted by resolution this evening.

Ms. Kerber stated that this is an annual grant, and this year will provide funds for a new furnace at the Dwyer Memorial Senior Center, replacing a furnace that is twenty years old.

Approval to purchase One (1) International Chassis-Cab from Rush Truck Centers.

Director of Public Service and Properties Liskovec stated that this season has been a struggle for equipment pricing. The request by resolution this evening is to purchase the 2023 International Chassis per the Ohio Department of Transportation’s Co-op Contract at a total cost of \$91,468.00. The vehicle is a replacement for an existing vehicle.

AUDIENCE

There were no comments from the audience this evening.

MISCELLANEOUS

Mr. Kelly stated, in terms of planning for Wolf Road, and the repaving this summer, there was some conversation previously about problem areas. Mr. Kelly lives at that section, and it has been mentioned to him from others, including his wife who was almost run over there recently, of the danger of the intersection with the right turn lane heading south on Columbia Road, off of Wolf Road. Mr. Kelly asked where that intersection stands in the planning of the repaving of Wolf Road, or when the safety of that intersection will be addressed.

Mayor Koomar stated that he talks about that intersection quite frequently. They are reviewing it, looking at placements of crosswalks, and the right turn lane. Currently it is on the plans and they are looking to have more dialogue. Mr. Kelly stated that as it stands now the intersection is functionally problematic. More information will be forthcoming as the plans proceed. The rest of the project is well set, but the intersection is one that needs more review.

Mr. Tadych stated that he has had several residents, that he has agreed with, call him about doing something to ease or reduce the speed limit on Wolf Road entirely when the repaving project begins, possibly to 25 mph. Residents along Wolf Road are very concerned about drivers going at the normal rate of speed during construction.

The Mayor responded that this will be taken under consideration. They are still waiting for the county to approve the contract. At the pre-construction meeting there will be a sense of how the successful bidder plans the project. A discussion of the intersection can be held at that point.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 8:00 p.m.

David L. Tadych, Vice President of Council

Joan T. Kemper, Clerk of Council