

City of Bay Village

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

April 17, 2023
7:58 p.m.

President of Council Clark called the meeting to order at 7:58 p.m. with roll call and the Pledge of Allegiance led by Michael Greco, Councilman, Ward 3.

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
Thomas J. Kelly, Council-at-large
Sara Byrnes Maier, Council-at-large.
Mayor Koomar

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, Clerk of Council Kemper.

AUDIENCE

Dan Rettig, Dave Reinker, Cynthia Eakin, Cynthia White.

Motion by Tadych to dispense with the reading and approve the minutes of the Regular Meeting of Council held April 3, 2023, as prepared and distributed.

Motion carried 6-0, and one abstention by Mr. Kelly, who was absent at the April 3, 2023 meeting.

REPORTS

Law Director Barbour stated that the City of Bay Village finally has a contact person from the Governor's Affairs Office of Norfolk & Southern Railway. After emailing over the past couple of months from the Law Department, there was phone contact today. Mr. Jason Weizel is the contact and there will be follow up with him to address concerns that were voiced about trains laying over and graffiti on the trains. Mr. Barbour will further advise Council at the May 1 meeting about the conversations with Mr. Weizel.

The construction has been completed for the Lakeside Cemetery Project, with landscaping to follow on the private property, and by city workers on the city property. Engineer-stamped, as-built drawings have been received from the donor which were reviewed by the City Engineer. The engineering goals have been achieved, with some aesthetic differences in the final project. The purpose has been achieved with sound, engineering practice. As part of the process, a

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formal request for a submerged land lease for the City property and for the donor property will be received. This project was built under a temporary permit process that was put in place as a result of the amount of shoreline improvement work being done and now has to be converted into a permanent permit process. Hopefully, the discussion on those aspects will be held at the May 1 meeting of Council. The gate in the back of the property is locked and will be opened for members of Council who wish to inspect the property.

Finance Director Mahoney stated that Council should have received a fraud and related party questionnaire from the State Auditors, with a response date indicated as April 13. The audit process will begin the week of May 8. Mrs. Mahoney will provide a copy if members of Council have not received their questionnaire.

Law Director Barbour further noted that Ohio Ethics Commission will hold training for City of Bay Village employees on May 31 at the Police Station Community Room for all city hall employees, including Council members who wish to attend.

Director of Public Service and Properties Liskovec stated that the resurfacing project is going to commence this Wednesday, May 19, 2023 with Karvo Paving Company mobilizing the site. They will begin with a milling process, followed by partial depth repairs as deemed necessary, an intermediate course, casting adjustments, curb replacements, crosswalks, and ramps, followed by the final surface course.

There will be a motion to advertise for two additional streets to the 2023 Pavement Project, estimated at approximately \$110,000 for the two streets.

A preconstruction meeting was held last week for the Cahoon/Wolf Intersection, Ohio Department of Transportation (ODOT) project. The project will begin May 1 and a completion date of August 31, 2023. There will be coordination with school officials to ensure safety for pedestrians and bicyclists.

The Safe Routes to Schools ODOT Project will have a construction project meeting on May 5, 2023.

The contractor for the pedestrian bridge in Cahoon Memorial Park has mobilized on site in preparation for the delivery of the steel structure in early May. It is coming in two pieces and will be assembled in one piece. The exact date will be provided when available. In answer to questions by Mr. Tadych regarding the cost and who will join the two pieces of the bridge, Mr. Liskovec stated that the steel component delivered is approximately \$300,000 and the joining of the two pieces of the bridge will be done by the contractor. Once in place a concrete deck will be poured for the actual surface.

The Service Department was out full force last week during the early spring weather doing lawn maintenance work and repairing words from winter wear. The department is back to full service for the season.

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Recreation Director Enovitch reported that the Spring Football Program began today with the distribution of equipment to over 60 boys. A USA Pickleball League with surrounding communities has been started by the Recreation Department, with registration available online. Pool umbrellas have been installed anticipating pool opening in just six weeks. Work will begin on Community Gym upgrades the second week of June.

Community Services Director Messeri reported working with the Community Services Advisory Board for ideas on programming. Ms. Messeri and her assistant, Connie Lupica, had a conference call with Senior Transportation Connection to learn the cost of a full-service contract.

Building Director Tuck-Macalla advised that the small cell installation at Douglas Road and Wolf Road is complete, are sleeker and better looking than the ones installed in Avon Lake. The second installation at Dover Center Road and Lake Road has just begun, and the last one on Glendenning Rd. will begin next week. New telephone poles that will carry the equipment will be placed. The old telephone poles will be removed after all equipment is removed.

In response to a question by Mr. Clark, Mr. Tuck-Macalla stated that he does not expect Humble Bar to open in Bay Village until the fall. Plans are expected shortly.

Fire Chief Lyons is excused this evening.

Police Chief Gillespie noted that the Drug Take Back Day is this Saturday, April 22, from 10 a.m. to 2 p.m. at the Bay Village Police Station, affording residents the opportunity to drop off unneeded liquids, sharps and medications.

Human Resource Director Demaline is excused this evening.

AUDIENCE

There were no comments from the audience this evening.

COMMUNICATIONS

An email was received from Kier Kurinsky on April 4, 2023, announcing that Huck Kurinsky was honored on the Ohio State House floor this month with House Resolution 51 honoring young Huck for his accomplishments in cycling and the community. Huck has signed a contract with Huffy Bicycles and will represent the brand on a global scale. The Kurinsky family thanks everyone again for all the support Bay Village has shown Huck.

COMMITTEE OF THE WHOLE

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

Motion by Mr. Kelly to not request a hearing on the application of Humble Bay, LLC. 27215 Wolf Road, for a Liquor Permit.

Motion carried 7-0.

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

Motion by Mr. Tadych to acknowledge receipt of March 2023 Financial Reports of the City of Bay Village as prepared by Finance Director Renee Mahoney.

Motion carried 7-0.

Mr. Tadych acknowledged receipt by Council and read the Fiscal Officer's Certificate in connection with proposed issue of \$5,200,000 of Notes, to be issued in anticipation of the issuance of bonds for the purpose of paying costs of improving streets and related bridges.

Mr. Tadych introduced and read, by title only, **Ordinance 23-38** providing for the issuance and sale of \$5,200,000 of Notes, in anticipation of the issuance of Bonds, for the purpose of paying costs of improving streets and related bridges by resurfacing, paving and making other improvements as designated in the plans approved or to be approved by Council, and declaring an emergency.

Mr. Barbour announced that Ordinance No. 23-38 is placed on first reading.

Mr. Tadych introduced and read, by title only, **Resolution 23-39** certifying unpaid grass cutting and cleaning charges to the Cuyahoga County Fiscal Officer for collection, 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. 23-39.

Mr. Greco asked the date range of the unpaid charges being certified to the Cuyahoga County Fiscal Officer for collection.

Finance Director Mahoney stated that the range includes anything unpaid as of August 31, 2023.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays -- None.

Roll call on Adoption:

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

Nays- None.

Mr. Barbour announced adoption of Resolution No. 23-39, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read, by title only, **Resolution No. 23-40** certifying unpaid sewer rental and refuse collection charges to the Cuyahoga County Fiscal Officer for collection, 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. 23-40.

Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

Mr. Barbour announced adoption of Resolution No. 23-40, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read, by title only, **Resolution No. 23-41** certifying unpaid sidewalk repair and/or construction charges to the Cuyahoga County Fiscal Officer for collection, 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. 23-41.

Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

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Mr. Barbour announced adoption of Resolution No. 23-41, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read, by title only, **Resolution No. 23-42** certifying unpaid tree removal charges to the Cuyahoga County Fiscal Officer for collection, 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. 23-42.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays -- None.

Roll call on Inclusion of the Emergency Clause:

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

Nays – None.

Roll call on Adoption:

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

Nays- None.

Mr. Barbour announced adoption of Resolution No. 23-42, an emergency measure, by a vote of 7-0.

Mr. Tadych asked Finance Director Mahoney the amount of the certifications in 2022 for unpaid charges.

Finance Director Mahoney stated that unpaid Sewer and Refuse charges in 2022 amount to \$270,000 for approximately 900 parcels, for Grass Cutting and Cleaning 15 parcels for \$6,800, and for Sidewalks, 17 parcels for \$17,000.

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 introduced and read, by title only, **Resolution No. 23-43** authorizing participation in the Ohio Department Of Transportation (ODOT) Winter Sale Contract for the 2023-2024 Season for the purchase of road salt, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the adoption of Resolution No. Resolution No. 23-43.

Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

Mr. Barbour announced adoption of Resolution No. 23-43, an emergency measure, by a vote of 7-0.

Ms. DeGeorge introduced and read, by title only, **Ordinance 23-44** authorizing the Mayor to enter into an agreement with Scodeller Construction, Inc. for the 2023 Crack Seal of Pavements, 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. 23-44.

Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

Mr. Barbour announced adoption of Ordinance No. 23-44, an emergency measure, by a vote of 7-0.

Ms. DeGeorge introduced and read, by title only, **Ordinance No. 23-45** authorizing the Mayor to enter into an agreement with American Roadway Logistics, Inc. for the Pavement Marking and Striping Program, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 23-45.

Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

Mr. Barbour announced adoption of Ordinance No. 23-45, an emergency measure, by a vote of 7-0.

Motion by DeGeorge to advertise for bids for additional streets to be included in the 2023 Pavement Repair Program.

Motion carried 7-0.

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

Ms. Maier had no report this evening.

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


Mr. Greco had no report this evening.

MISCELLANEOUS

Mr. Clark announced that this Saturday, April 22, from 9 a.m. to 12 Noon is Shredding Day in Bay Village. The unit for drop off will be located near the Family Aquatic Center.

ADJOURNMENT

There being no further business to discuss this evening, the meeting adjourned at 8:24 p.m.


Dwight A. Clark, President of Council


Joan T. Kemper, Clerk of Council