

City of Bay Village

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

May 15, 2023
8:37 p.m.

President of Council Clark called the meeting to order at 8:37 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
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, Richard Fink, Charles Ninesso, Samantha Illius.

Motion by Tadych to dispense with the reading and approve the minutes of the Regular Meeting of Council held May 1, 2023, as prepared and distributed.

Motion carried 6-0 and abstention by Mr. Winzig.

Motion by Tadych to dispense with the reading and approve the minutes of the Cahoon Memorial Park Trustees meeting held May 1, 2023, as prepared and distributed.

Motion carried 7-0 and abstention by Mr. Winzig.

ANNOUNCEMENTS

Mayor Koomar reported that discussions have begun with R2O, the firm that has been engaged by the Rocky River Wastewater Treatment Plant as part of the Ohio Environmental Protection Agency No Feasible Alternative Plan. Meetings will begin this week and Council will continue to be updated. Mr. Jeff Filarski, who represents the City of Bay Village as engineer on the matters of the Wastewater Treatment Plant, will be present at the June 20 meeting of City Council to provide an update on the plant and the status of the equalization tank.

The Mayor stated that a proposal from architectural firm Mull and Weithman is being awaited so they can continue their work on the fire station improvements. Law Director Barbour and City Engineer Don Bierut are looking at the Construction Manager at Risk (CMAR) model and the process for selection. An update will be forthcoming.

REPORTS

Law Director Barbour had no further report this evening.

Finance Director Mahoney advised that the annual audit of city records took place last week and may be close to being completed, with no issues found.

Director of Public Service and Properties Liskovec reported on the following:

- The Interurban Pedestrian Bridge has been installed with the concrete pour for the surface completed last week. Grading and restoration will begin shortly.
- A preconstruction meeting was held for the Safe Routes to School Project, due to begin in June and be completed before school starts in August.
- The Ashton Lane Bridge will be fully completed later this week after the epoxy coating for the sidewalls is applied.
- A punch list of items for completion of the Lake Road project has been developed. The contractor will be mobilizing this week for that work as well as additional striping components.
- Service Department crews are working diligently to prepare the city for Memorial Day activities.

Mr. Winzig asked if the trees removed from a resident's property as part of the Ashton Lane Bridge project will be replaced. Plant material was placed at the southwest corner property, and the southeast corner was turned into a bed.

Recreation Director Enovitch announced that the Family Aquatic Center opens in twelve days. The Service Department has done a great job of getting things ready, filling the diving well last week and the main well this week. Features are painted, slide pads are secure, and the breezeway locker room epoxy floor will be installed this week. Mr. Enovitch encouraged all to sign up for their pool membership. Seventy-one life guards have been hired for the season.

Community Services Director Messeri reported that the staff at the Senior Center has been busy getting ready for the summer center with many events planned. Pickleball and Bocce Ball are up and running. Kayaking is starting, and walking programs are underway. The patio garden club members have joined forces to beautify the outdoor patio with plantings this week. There is an ongoing increase in numbers which is positive after the loss of participation due to COVID.

A new one-day program called "Gray Days" will be held to coincide with Bay Days with different activities planned for the seniors on Friday, June 30 from Noon to 3 p.m. Games will be held and pizza, popcorn, ice cream and beverages will be served. Hopefully this will be continued year after year.

Regular Meeting of Council
May 15, 2023

The Community Services Advisory Board met last week for the first time since COVID and it was a positive interaction. A lot of enthusiasm came through and many of the members are excited about different events and programs that will involve the community and work with seniors. The next meeting will be held at the end of August and will include planning for programs for fall and winter including food drives, leaf raking, snow removal, and neighbors helping neighbors.

Mr. Clark commented that it is nice to see BV60+ up and running. There are many events each week and they are doing a nice job communicating with residents.

Ms. Messeri stated that the events have record numbers and registrations are full the first day of announcements, with a carry-over list. People are ready to go!

Fire Chief Lyons is excused this evening.

Building Director Tuck-Macalla reported that the building owners at 27310 Oviatt, behind Malley's and across from Dairy Queen, are coming into the Architectural Board of Review and Planning Commission with exterior changes and a sign that will be changing to "Bay Styles" which will be a salon with 18 cubicles rented to various beauty operators.

Mr. Clark asked if there is an update to the work that is being done at Bay Creek along the drive access to the Heinen's store.

Mr. Tuck-Macalla stated that a meeting was held with the contractor who advised that they will be addressing that work in about a month. The focus is on the apron, the screening and finishing the site.

Police Chief Gillespie announced that in regard to police body cameras a conference was held today with Motorola. Due to changes in their company, there have been delays, but it is hoped that by the next Council meeting everything will be in place to move forward with a large purchase using grant funds. The Police Tasers have been ordered but not yet received.

AUDIENCE

There were no comments from the audience this evening.

COMMUNICATIONS

There were no communications this evening.

COMMITTEE OF THE WHOLE

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

Regular Meeting of Council
May 15, 2023

Mr. Kelly introduced and read, by title only, **Resolution No. 23-50** approving use by David K. and Anna E. Wells 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. 23-50.

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. 23-50, an emergency measure, by a vote of 7-0.

Mr. Kelly introduced and read, by title only, **Resolution No. 23-51** approving use by the Cahoon Park Trustees 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. 23-51.

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. 23-51, an emergency measure, by a vote of 7-0.

Mr. Kelly introduced and read, by title only, **Resolution 23-52** to accept a donation from the Bay Village Garden Club for contributions toward seasonal beautification, 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. 23-52.

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.

Mr. Barbour announced adoption of Resolution No. 23-52, an emergency measure, by a vote of 7-0.

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

Mr. Tadych 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, and moved for adoption.

Mr. Clark noted that this is the annual borrowing ordinance for the City of Bay Village. The ordinance authorizes the borrowing of \$1.6 million in new money and refinancing \$3.6 million.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 23-38.

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.

Regular Meeting of Council
May 15, 2023

Nays – None.
Roll call on Adoption:
Yeas-Kelly, Maier, Tadych, Winzig, Clark, DeGeorge, Greco.
Nays- None.

Mr. Barbour announced adoption of Ordinance No. 23-38, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read, by title only, **Resolution No. 23-53** adopting a Tax Budget for the City of Bay Village for the Fiscal Year beginning January 1, 2024, submitting same to the County Fiscal Officer, and declaring an emergency. (First Reading)

Mr. Tadych noted that the Tax Budget for the Year 2024 must be filed with the County Fiscal Officer by mid-July of this year. There is no change in the millage as discussed earlier. Tax rates remain the same.

Mr. Barbour announced that Resolution No. 23-53 is placed on first reading.

Motion by Mr. Tadych to acknowledge receipt of the April 2023 Financial Statements of the City of Bay Village, Ohio as prepared by Finance Director Renee Mahoney.

Motion carried 7-0.

Mr. Tadych introduced and read, by title only, **Ordinance No. 23-54** authorizing the Mayor to enter into an agreement with Jackson Dieken & Associates as agents of U.S. Specialty Insurance Company (Tokio Marine), and declaring an emergency. (First Reading)

Mr. Barbour announced that Ordinance No. 23-54 is placed on first reading.

Mr. Tadych introduced and read **Ordinance No. 23-55** 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 No. 22-130, No. 23-11, No. 23-37 and No. 23-48, and declaring an emergency, and moved for adoption.

Mr. Tadych noted that the ordinance appropriates \$178,000 for insurance premiums from Fund 102, and \$125,000 from Private Property Maintenance Fund No. 245 for sidewalk contracts.

Mr. Clark asked Service Director Liskovec when bids will be received for sidewalk contracts.

Mr. Liskovec stated that advertising for bids is currently being published. Mrs. Mahoney suggested that the funds be appropriated for the sidewalks before bids are accepted on May 18, 2023.

There being no further discussion, Mr. Clark called for a vote on the adoption of Resolution No. Resolution No. 23-55.

Regular Meeting of Council
May 15, 2023

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 Ordinance No. 23-55, an emergency measure, by a vote of 7-0.

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 introduced and read, by title only, **Resolution 23-56** authorizing preparation and submission of an application to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) and execution of contracts as required, 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. 23-56.

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.

Regular Meeting of Council
May 15, 2023

Mr. Barbour announced adoption of Resolution No. 23-56, an emergency measure, by a vote of 7-0.

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

Motion by **Ms. Maier** to permit the Director of Public Service and Properties to advertise for bids for the Village Green Project.

Motion carried 7-0.

Ms. Maier introduced and read, by title only, **Resolution No. 23-57** authorizing the filing of a NatureWorks Grant Application with the Ohio Department of Natural Resources, 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. 23-57.

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 Resolution No. 23-57, an emergency measure, by a vote of 7-0.

Ms. Maier introduced and read **Ordinance No. 23-58** authorizing an agreement with Schirmer Construction, LLC. for the construction of the West Interurban Connector Trail, and declaring an emergency, and moved for adoption.

Mr. Clark asked the completion date of the work for the trail to be contracted through this ordinance.

Director of Public Service and Properties stated that the completion date is unknown, but it is expected to take approximately two months.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 23-58.

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 Ordinance No. 23-58, an emergency measure, by a vote of 7-0.

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

Mr. Greco introduced and read, by title only, **Ordinance No. 23-59** authorizing the Mayor to enter into an agreement with Dynegy Energy Services (East), LLC., D.B.A. Dynegy Energy Services, LLC. for the supply of electric services to the inhabitants of the City of Bay Village as governmental aggregators, 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. 23-59.

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 Ordinance No. 23-59, an emergency measure, by a vote of 7-0.

Mr. Greco introduced and read, by title only, **Ordinance No. 23-60** authorizing an agreement with S.A. Comunale Co., Inc. for improvements to the fire alarm system at City Hall, and declaring an emergency, and moved for adoption.

Regular Meeting of Council
May 15, 2023

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 23-60.

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.

Mr. Barbour announced adoption of Ordinance No. 23-60, an emergency measure, by a vote of 7-0.

Motion by Mr. Greco to permit the Director of Public Service and Properties to dispose of One (1) 2000 Vac-all via internet auction.

Motion carried 7-0.

Motion by Mr. Greco to permit the Director of Public Service and Properties to dispose of One (1) Crafcoc Tar Melter Unit via internet auction.


Motion carried 7-0.

MISCELLANEOUS

The next meeting of Bay Village City Council will be held on Monday, June 5 beginning at 7 p.m. An Environment, Safety and Community Services Committee meeting will be held on June 5 at 6 p.m.

ADJOURNMENT

There being no further business to discuss this evening, the meeting adjourned at 9:11 p.m.


Dwight A. Clark, President of Council


Joan T. Kemper, Clerk of Council