

City of Bay Village

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

June 28, 2021
7:00 p.m.

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

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

Via Zoom – Director of Community Services Selig.

AUDIENCE

Amanda and Gary Sebrosky, Richard Fink, James Strunk, Sam and Conni Fester, Robert Petkash, Diane Burgy, Amy Burgy, Charlie and JoAnn Post, Bernadette Power, Madison MacArthur.

Zoom –Gary Sharp, Claire Banasiak, Jan Mazias, Eddie.

President of Council Clark called the meeting to order at 7:00 p.m. Mr. Clark advised that this is the informal Committee session, and Council will review legislation at this meeting prior to opening the Special Meeting at 7:30 p.m., or when this meeting is completed. Agendas have been posted on line, and there are printed copies at the entrance to the Council Chambers.

Mr. Clark called upon Mayor Koomar for announcements.

ANNOUNCEMENTS

Mayor Koomar reminded all that Bay Days will be starting on Wednesday, June 30, and will continue through Saturday, July 3, 2021. The fireworks display will begin at sunset on Saturday, July 3. Cahoon Road closed today at 5 p.m. so that the vendors and community groups can begin setting up for the festivities. Fire Chief Lyons, Director of Public Service and Properties Liskovec, and Building Director Tuck-Macalla will be performing ride checks, electrical inspections and checks of all of the safety related features on Wednesday morning. The City website has the list of all the activities that are part of Bay Days this year, including the many musical groups and the classic car show which will be held on Friday evening starting at 5 p.m.

COMMITTEE OF THE WHOLE

Mixed Use Zoning Overlay.

Mr. Clark advised that Council has been apprised by Law Director Barbour's memorandum dated June 28, 2021 of the potential changes to the Mixed Use Overlay District ordinance.

Law Director Barbour advised that Council was of the opinion at their last meeting of Council on June 21, 2021 that they wanted to exclude certain pieces of property from the zoning overlay. In order to do that, it is necessary to amend the prior ordinance for the Mixed Use Zoning Overlay which will be accomplished by adding the following language to Section 1189.04 (e:

“However the mixed use overlay district shall not be applied to Permanent Parcels 204-01-079, 201-01-080, and 201-01-081 also known as 630 Columbia Road and Permanent Parcels 204-01-082, 204-01-083, and 201-01-084 also known as 25513 Eaton Way.”

These properties are the locations of the Greenisland Restaurant and Marco’s Pizza.

Mr. Barbour noted that he had an in-depth conversation with the Cuyahoga County Board of Elections. The ballot language presented to the voters must be extrapolated from the ordinance enacting Chapter 1189. Therefore, the proposed ballot language must list the districts where the Mixed Use Overlay would apply, as well as those parcels it excludes if those parcels would otherwise be subject to application of the Mixed Use Overlay. A sample of the ballot language resolution that will be submitted to the Board of Elections was provided to Council.

Mr. Clark noted that part of the objective was to clarify and succinctly lay out language on the ballot which is short and concise as possible. He confirmed with the members of Council that they are ready to proceed with the ordinance to amend the prior ordinance for the Mixed Use Zoning Overlay at the Special Meeting of Council to be held this evening.

ENVIRONMENT, SAFETY, & COMMUNITY SERVICES COMMITTEE- L. DeGeorge, D. Tadych, S. Maier.

Ms. DeGeorge had no report this evening.

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

Compensation for the Mayor; Second Reading of Ordinance 21-50 at Special Meeting of Council this evening.

Mr. Tadych will present Ordinance No. 21-50 providing compensation for the Mayor beginning January 1, 2022 at the Special Meeting of Council this evening. He stated that basically the salary is set at \$100,000 and each year after the first year it will increase annually at an average percentage of the amount agreed to by the collective bargaining units.

Mr. Clark stated that he would like to consider the adoption of Ordinance No. 21-50 on second reading this evening.

Mr. Tadych stated that he has no problem with adoption of the ordinance this evening.

Compensation for the members of Council; First Reading at Special Meeting of Council this evening.

Mr. Tadych will present the ordinance to provide compensation for the members of Council beginning January 1, 2022 for first reading at the Special Meeting of Council to be held this evening. Basically, for the ward council members, it increases the salary by \$300 per year beginning in January. For the Council-at-large whose term expires December 31, 2025, it increases their salary annually in the amount of \$300.

Mr. Clark stated that one of the two spots of the existing Council-at-large and the President of Council will not be subject to a pay raise. That cannot be corrected until the end of the terms. The ordinance will be placed on first reading this evening, with the intent to consider it for adoption in two readings at a meeting to be called in July.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE -S. Maier
L. DeGeorge, P. Winzig

Northern Extension of Red Oak Lane - Third Reading of Resolution No. 21-47 at the Special Meeting of Council this evening.

Ms. Maier will present Resolution No. 21-47 for third reading and consideration for adoption at the Special Meeting of Council this evening.

Replacement of Police Station Garage Roof.

Ms. Maier called upon Director of Public Service and Properties Liskovec for his comments regarding the replacement of the police station garage roof.

Director Liskovec advised that this is a replacement of a roof that was done in 2013 as part of the insurance claims that were submitted for hail damage. Over the years since then there have been many instances of shingles shedding off the roof. The contractor has been called at various times for repairs, which are still occurring on a yearly basis. More recently, there has been water infiltration. Workmanship issues were noted when replacement of a roof was done at the Community House and it was observed how critical it is for nails to be placed on shingles. A huge section of the roof did not have the nails hitting both layers of the roof at the same time. Council approved the replacement of the roof in the 2021 budget. Specifications were sent to three vendors and all three provided ten-year workmanship warranties.

Mr. Clark confirmed with Mr. Liskovec that three bids for the police station roof were received, with the lowest bid presented by Franciscus Roofing Company. Each of the bidders had warranty packages. Mr. Clark asked the warranty that came with the original police station garage roof. Mr. Liskovec stated that it was just a one-year maintenance bond. The shingles had a manufacturer's warranty, but if they are not installed correctly that is not a manufacturer's issue.

Mr. Clark asked if the warranty is an all-purpose warranty or limited by certain terms on the new garage roof. Mr. Liskovec stated that there are limitations such as severe weather. Mr. Clark stated that it would be helpful if Council knew the terms of the warranty because of the workmanship that was experienced before.

Mr. Liskovec noted that the bids for the project were very competitive.

Mr. Clark asked Council's thoughts about moving forward with approval of the contract with Franciscus Roofing Company this evening.

Mr. Winzig stated that the project was included in the fall budget.

Northern Extension of Red Oak Lane - Third Reading of Resolution No. 21-47 at the Special Meeting of Council this evening. (Continuation of previous discussion)

Mr. Clark stated that he would like to move back to the matter of the Red Oak Lane extension and ask the Law Director specifically what exactly the Council members are voting on, for the benefit of those in the audience as well as the members of Council.

Law Director Barbour stated that the ordinance requires that once the Planning Commission approves a subdivision plat under the code it then comes to the City Council to make sure it complies with all of the City ordinances, which it does. The Council is approving the subdivision plat so that it can be recorded with the Cuyahoga County Recorder and become an official plat.

Mr. Clark asked if there were any questions from City Council members. There were none.

Mr. Clark called upon Councilwoman-at-large Sara Byrnes Maier for any further reports from the Planning, Zoning, Public Buildings and Grounds Committee.

Ms. Maier stated that the committee met prior to this meeting today and there will be another Planning, Zoning, Public Buildings and Grounds Committee early in July. The Committee this evening discussed the sign ordinance update. The Tree Ordinance was also on the agenda for the committee meeting this evening, and due to lack of time for discussion will be included on the agenda for the next meeting.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE -T. Kelly, S. Maier, M. Greco

Mr. Greco had no report this evening.

Mr. Clark asked if there is an update on the bidding for the Bradley Road Pavement Project.

Mr. Liskovec stated that bids will be opened on Thursday, July 1. There was a clarification that needed to be done and could not be done quickly enough based on the requirements of the Ohio Revised Code.

Mr. Tadych asked the time of the bid opening. Mr. Liskovec stated the bid opening will be at 11:00 a.m.

Mr. Clark stated that the scope of this project will cover the repaving on Bradley Road from the railroad tracks north to Carlton Road. Council will move that project through at their meeting to be scheduled in July.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –P. Winzig, D. Tadych, M. Greco

Mr. Winzig had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –M. Greco, L. DeGeorge, T. Kelly

Mr. Greco had no report this evening.

AUDIENCE

Gary Sharp, 616 Dwight Dr. stated that there are certain areas of Bay Village, including the one he lives in, that seem to experience many more power outages than other areas. Sometimes it could be tree canopy and other issues. Would it be worthwhile to ask The Illuminating Company for a ten-year report on location and types of repairs to the power structure if it has affected outages in Bay Village, and based on that data if there is anything that could be done to deter those outages in the future? We are getting into hurricane season, summer season, and with winter coming, there are certain areas of Bay Village that fall to power outages.

Mr. Clark stated that if house numbers and street locations are sent to the Mayor's assistant she can have First Energy run an audit as a starting point.

Mr. Tadych stated that there is a major problem in Ward 1 as well. The Illuminating Company addressed it and the trees were trimmed. He expressed assurance that the Cleveland Electric Illuminating Company is aware of any areas that are troublesome and will take care of any problems.

Mr. Clark noted that this is an issue that has been happening for a number of years. It would make sense to reach out to the Mayor's Assistant for First Energy to do the audit. If necessary, Council can ask Dave Conley, the representative of First Energy to come in and speak at a Council meeting.

Ms. Maier stated that some of the work that was done with tree removals in the Metroparks and the areas around Northfield Dr. and Goulders Green, has helped to be identified through an audit where things were going out more than expected.

Mr. Winzig stated that Director Liskovec and he met with residents in Ward 4 and they pointed out some specific runs that were of issue. First Energy did an audit and provided information. They are aware of it and it was noted in their records to keep any eye on those spots.

MISCELLANEOUS

Mr. Clark stated that a Special Meeting of Council will be held during the month of July, although it is not necessary for it to be on a Monday at 7 p.m. Council will address the final ballot language for the Mixed Use Overlay for Bradley Road, Council compensation, and any other matters that need attention. Historically, Council will typically have one meeting in July, with the possibility of one needed also in August.

Ms. DeGeorge stated that she would like to comment under Miscellaneous. She was going to make the comment under the compensation for the Mayor, but a majority of the Council agreed to approve the ordinance on two readings. Ms. DeGeorge stated that she understands that between two readings and three readings nothing is really going to change, but typically compensation ordinances are done on three readings. Given that nothing is going to change that can be looked at the other way, we can do the three readings especially since we are going to have an early meeting in July. Ms. DeGeorge stated that she does not understand why the ordinance is being done on two readings, instead of three.

Mr. Clark stated that he does not think much is going to change, but if Council is comfortable doing it on three readings it can be done in July.

Ms. DeGeorge stated that she is fine either way. It is not going to change; we are not going to get new information, but compensation is typically a three reading item.

Mr. Clark asked if Council is comfortable doing two readings on the Council compensation ordinance?

Mr. Tadych stated that he is comfortable with two readings.

Ms. DeGeorge stated that she thinks anything compensation needs the three reading approach.

Mr. Kelly stated that he is on the other end of the spectrum. In certain issues that are contentious he understands the need and reason for three readings. He does not know if Council going up \$300 a year merits more than a single read.

Ms. DeGeorge addressed Mr. Kelly and stated that she certainly understands that logic, but she does know she gets push back when we don't do three readings on important issues, whether there are two sides to it or not. Ms. DeGeorge thanked Mr. Kelly for his comments.

Mr. Tadych stated that he is fine with two or three readings.

Mr. Winzig agreed.

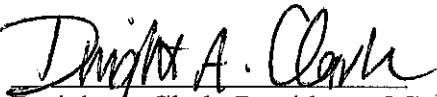
Mr. Clark stated that he does not think much will change and he would like to keep the ordinance on task for two readings, noting that he certainly understands Ms. DeGeorge's feelings.

Adjournment of Regular Meetings of Council during the months of July and August, with special meetings called as necessary in accordance with Bay Village City Charter Section 2.10.

Mr. Tadych will bring a motion to the floor during the Special Meeting of Council this evening to adjourn Regular Meetings of Council during the months of July and August.

ADJOURNMENT

There being no further discussion, the Committee Meeting of Council adjourned at 7:21 p.m.


Dwight A. Clark, President of Council


Jean T. Kemper, Clerk of Council