

# City of Bay Village

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

August 13, 2021  
5:00 p.m.

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

Also Present: Finance Director Mahoney, Clerk of Council Kemper.

## AUDIENCE

Kevin Murray

President of Council Clark called the meeting to order at 5:00 p.m. with roll call and the Pledge of Allegiance led by Thomas J. Kelly, Councilman-at-large.

**Motion by Tadych**, to dispense with the reading and approve the Minutes of the Special Meeting of Council held July 12, 2021, as prepared and distributed.

**Motion by Tadych**, to dispense with the reading and approved the Minutes of the Cahoon Memorial Park Trustees meeting held July 12, 2021, as prepared and distributed.

**Motion carried 6-0.**

## Announcements

**Mayor Koomar** reported that First Energy Corporation is attempting to resolve all of the power outage issues caused by the storm on Wednesday, August 11, 2021 by 10 p.m. this evening. There may be a couple more areas that will need to be worked on in the morning. Trucks continue to move through the City and try to restore power. At 1:30 p.m. this afternoon there were still 1200 homes out of power. The goal of First Energy Corp. is to have all power restored in Bay Village as soon as possible following the large trees that fell and needed to be removed.

Mr. Clark stated that at some point in time it would be good to have Mr. Dave Conley, Regional External Affairs, First Energy Corp. address City Council regarding recurring problems in certain areas. Mr. Winzig expressed that it would be a good idea to have Mr. Conley present at a future meeting. Mr. Tadych agreed, stating that the residents would certainly appreciate information.

Mayor Koomar noted the heavy winds during the storm which caused utility poles to snap at the top, unrelated to the many tree falls.

**Mayor Koomar** further reported that the renovation of the restrooms in Cahoon Memorial Park will begin in the next week. The Bradley Road paving project will begin mid-September.

**Mr. Tadych** gave an explanation of the Resolution on this evening's agenda for the acceptance of the One Ohio Memorandum of Understanding. One Ohio has reached a settlement regarding the harm done by certain entities within the Opioid Pharmaceutical Supply Chain. The settlement is being distributed throughout Ohio cities, including Bay Village. The first payment to be received by Bay Village is \$41,600; the second portion, \$59,400, will be distributed over a long period of time. Participation in the settlement must be submitted by today, August 13, which is the reason for this special meeting.

Mr. Tadych asked if the money that Bay Village will receive as part of the settlement will be put into a special account, and the City will be instructed as to how it can be spent.

Finance Director Mahoney stated that a separate fund will not be needed for the money to be received. It will either be placed in the Community Diversion Fund with a project code for tracking.

**Ms. DeGeorge** stated that the literature received from One Ohio specifies how the money is to be distributed. Will that be a decision of Council? Will there be a special committee that will decide who receives the funds and for what purpose? Ms. DeGeorge stated that she cannot see putting it in an existing fund when there are so many stipulations set out for the distribution of the funds.

Mrs. Mahoney stated that this is her responsibility to make sure funds are spent correctly.

Ms. DeGeorge asked who makes the decision on how the funds are to be spent.

Mrs. Mahoney stated that the Police Chief will be the decision maker. Mayor Koomar stated that they are working through the details and will provide Council an update in the future. The possibilities are Bay Family Services, McKeon Education Group, Metro Health, etc. Mr. Winzig noted that the language states that the funds can be used for prevention, education and treatment. A lot of the work that the City has done so far is prevention and education. Putting the money in the Diversion Fund at least tells us where the money is and what it is for.

Mr. Tadych stated that he would like to see a separate fund for the settlement share for Bay Village.

Mr. Clark stated that the deadline for participation submission is today, August 13, 2021. The documents will be submitted following this Council meeting.

**Mr. Tadych** introduced and read **Resolution 21-65** to accept the material terms of the One Ohio Subdivision Settlement pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement, 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. 21-65.

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Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

Ms. Kemper announced adoption of Resolution No. 21-65, an emergency measure, by a vote of 5-0.

Mr. Tadych commented that the financial reports of the City for July 2021 have been received from Finance Director Mahoney. He stated that the municipal income tax receipts are magnificently higher than the last three years, 2018, 2019, and 2020. To date this year the receipts for municipal income tax total \$1,388,000, much higher than other years. He noted that it is a remarkable turn-around.

**Motion by Tadych** to acknowledge receipt of the July 2021 Financial Reports of the City of Bay Village as prepared by Finance Director Renee Mahoney.

**Mr. Clark** asked Finance Director Mahoney if there is any insight to this large increase.

Mrs. Mahoney stated that the City of Bay Village had three payrolls in the month of July, 2021. It is a three-pay month for most employers and they have submitted their employee contributions.

Mayor Koomar stated that this year would be a 7% increase over last year's normalized numbers if we had not had a change due to the COVID pandemic.

Mrs. Mahoney stated that it also is 27 payrolls for other entities. There will be three three-pay months instead of two three-pay months, which occurs every eleven years.

Mr. Tadych will call a Finance Committee meeting in September, 2021 for review of the City's financial activities.

**Motion carried 5-0.**

**Motion by DeGeorge** to grant permission to St. Raphael's School to install a "Welcome Back Raiders" sign, two feet tall for the front line, and four feet tall for the back line, with individual

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letters two feet wide by two feet tall, on their property at 525 Dover Center Road for the period of August 23 through August 25, 2021.

**Motion carried 5-0.**

**Ms. DeGeorge** briefed Council on the resolution to be presented providing for vehicle and equipment purchases for the City Service Department.

Ms. DeGeorge noted that these vehicles were part of the vehicle replacement schedule, with funds appropriated on December 7, 2020, during the Capital Budget Program, and are being purchased through the Ohio Department of Transportation Cooperative Purchasing Program. One new vehicle is slightly under the expected price and one is slightly over the expected price by \$517.00, with consideration that prices have increased significantly since the budget was completed. We normally have mileage of the old vehicles for comparison, but for these terms the attention is to the hours that the vehicles were driven, especially for the type of work they are doing. The single axle vehicle will replace the 2009 vehicle and is a front line vehicle that is used for snow removal, salt spreading, and leaf collection. The tandem vehicle will replace a 2012 vehicle that is also used for leaf collection and to assist the Cleveland Water Department in water main repairs as well as hauling and snow plowing during winter events. The equipment ages are 2017 and 2013 and are additional components to accomplish the work of the vehicles. There is no delivery date. Ms. DeGeorge acknowledged the information provided by Director of Public Service and Properties Liskovec, who is not present this evening.

**Ms. DeGeorge** introduced and read **Resolution No. 21-66** authorizing the purchase of One (1) International Hv507 SFA 4x2 Chassis, One (1) International Hv507 SFA 6x4 Chassis, and Two (2) Snow and Ice Control Packages, and declaring an emergency, and moved for adoption.

Discussion followed concerning the expected delivery date of the vehicles and equipment and the fact that delays for deliveries are being experienced widely presently.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 21-66.

Roll call on Suspension of Charter Rules:

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

Nays – None.

Roll call on Suspension of Council Rules:

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

Nays – None.

Roll call on Inclusion of the Emergency Clause:

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

Nays- None.

Roll call on Adoption:

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

Nays- None

Ms. Kemper announced adoption of Resolution 21-66, an emergency measure, by a vote of 5-0.

**Mr. Kelly** advised that he will be submitting a proposed Resolution this evening for the repair of public sidewalks, the second of its kind introduced this year. The resolution contains a list of a number of sidewalk blocks on Bassett Road, and it is taken on faith that the Service Department has inspected these sidewalks on Bassett Road and they do in fact cause an obstruction and hazard.

Mayor Koomar commented that the sidewalks have been inspected and this group inadvertently was not included in the original resolution.

Mr. Kelly expressed appreciation to Mayor Koomar for this information.

**Mr. Kelly** introduced and read **Resolution No. 21-67** ordering the repair of the public sidewalks abutting certain premises in the City of Bay Village, 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. 21-67.

Roll call on Suspension of Charter Rules:

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

Roll call on Suspension of Council Rules:

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

Roll call on Inclusion of the Emergency Clause:

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

Roll call on Adoption:

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

Ms. Kemper announced adoption of Resolution No. 21-67 an emergency measure, by a vote of 5-0.

## **AUDIENCE**

There were no comments from the audience this evening.

## **MISCELLANEOUS**

**Mr. Winzig** commented that Recreation Director Enovitch is planning a Parks and Recreation Commission meeting in the near future, and asked that the Recreation and Parks Improvement Committee of Council convene thereafter. This will probably be scheduled in mid to late September. A meeting will include financial updates on the pool and recreation programs. The

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financial reports are strong in all sports. The swimming pool has reopened after the recent power outage.

**Mr. Clark** asked if there is any update on the construction under way at the Bay Creek Home Development site.

Mayor Koomar stated that the first two units are complete with residents moving in very soon. The other units will follow shortly. The foundation has been dug for the single unit facing Wolf Road. Modifications are expected for the other two units.

Mr. Clark stated that there have been email communications about a home being built on Lake Road that looks a bit unique architecturally. It has been confirmed that it will be a residence and has passed all the zoning codes and building applications.

Mayor Koomar responded affirmatively to Mr. Clark's comments.

Mr. Tadych stated that he has been telling those that inquire that the plans for the home can be inspected in the City's Building Department.

Mr. Clark noted that he is receiving positive comments about the new library under construction.

**Mr. Winzig** stated that there was a question from a resident about an emergency siren. Is that something that the City used to have?

Mayor Koomar stated that some cities still have sirens. He is not against it but with Ready Notify and Code Red storm warnings are received over telephones.

Mrs. Mahoney offered that there is a siren in the City of Lakewood where she lives but no one pays attention.

Mr. Tadych noted that a siren would not have helped with this quickly arriving storm recently experienced.

Mr. Winzig noted that there are parks in the City west, middle and east if it was needed to hang sirens on park property poles.

Ms. DeGeorge stated that this was discussed in October of 2016 when Mr. Zimmerman spoke and Chief Lyons gave the pros and cons as to why a siren would and would not work, and one was that people become immune to the sound as they are being tested weekly, and people want to use them for other things. The public must be informed that they are just for a tornado or weather emergency. It sound like it is something that would require some education for the public. Ms. DeGeorge will pass the information along to Mr. Winzig.

Mr. Tadych noted that with the storm that came through any marker would have not been of help.

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Mr. Clark stated that the next Regular Meeting of Council will be held Monday, September 13, 2021 at 7 p.m.

**ADJOURNMENT**

There being no further business to discuss this evening, the meeting adjourned at 5:29 p.m.

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Dwight A. Clark, President of Council

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Joan T. Kemper, Clerk of Council