

# City of Bay Village

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

September 5, 2023  
8:19 p.m.

President of Council Clark called the meeting to order at 8:19 p.m. with roll call and the Pledge of Allegiance led by David L. Tadych, Vice President of Council and Councilman Ward 1.

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, Assistant Finance Director Milton, Police Chief Gillespie, Fire Chief Lyons, Recreation Director Enovitch, Director of Public Service and Properties Liskovec, Community Services Director Messeri, City Engineer Bierut, Clerk of Council Kemper.

## AUDIENCE

Martha Raymond.

## REPORTS

**Director of Law Barbour** expressed thanks for Project Manager Kathryn Kerber looking at the opportunity to scan the municipal documents. The books with the documents are now kept in the vault in the back of city hall and research is an arduous process. It would be beneficial for the office of the Clerk of Council, the Law Department, and other departments to have a better way to access the records, in addition to preservation for future use. Mr. Barbour encouraged Council to appropriate funds for the project to go forward at the appropriate time.

**Assistant to the Finance Director Milton** reported that the annual audit has been completed and once again is a successful audit.

**Director of Public Service and Properties Liskovec** reported that a very busy summer was held and commented on the following projects:

- Force Main repairs have been completed at the Long Beach Lift Station;
- Contract approved earlier this year for electrical permits is 95% complete, and authorization to advertise for bids is forthcoming;

- Engineering installation of a Comminutor, a very sophisticated sewage grinder to handle non-degradable items, e.g., flushable wipes (actually are not flushable and cause blockages) concentrating on flow from the swimming pool and Dwyer Memorial Center. **Ms. Maier** questioned the marketing and sale of these non-degradable flushable wipes when they cause so much damage and are such a big issue across the country. Mr. Winzig asked if signage is placed to discourage use of these items and was informed that signs are posted.
- Remedial reports have been submitted to the Ohio EPA for the work at the Rocky River Wastewater Treatment Plant in regard to inflow and infiltration reduction by all four communities who participate in the Rocky River Wastewater Treatment Plant. The chemically enhanced treatment project began this summer along with improvements to the clarifiers. The cost of the two aforementioned projects totals just under \$1 million. Bay Village is subject to their current percentage in cost based on flow studies.
- The Service Department has repaired siding on the Osborn House in preparation for repainting.
- The Western Connector Trail was completed earlier this summer with just minor items yet to be addressed.
- The Cahoon/Wolf intersection project is nearing completion with the loop detectors for traffic installation to be finished within the next week.
- The Service Department will be working on electrical upgrades at the Dover Center Road tennis courts. The courts will not be lit at night beginning September 6 until the work is completed.
- The Police Department HVAC Project is moving along in spite of equipment delivery delays.
- The fire alarm improvement project at Bay Village City Hall is moving along nicely with necessary updates for the building.
- The municipal parking lot across from the United States Post Office will be resurfaced mid-September. The project will take one week.
- The 2023 Sidewalk Repair/Replacement Program is underway with the contractor currently completing Parkside Drive and Kenilworth Drive.
- The Play-in-Bay parking lot project will begin with a pre-construction meeting on Wednesday, September 6 that will include information on timelines. Modifications to the parking lot layout and alignment of the apron entrance. Lighting adjustments will be made as necessary.
- The Safe Routes to School Project hard surface improvements have been completed. Signal equipment will be installed upon delivery.

Mr. Clark addressed Mr. Liskovec regarding a water main break on Lake Road last Friday, September 1, which was still unremedied by the Cleveland Water Department this morning.

Mr. Liskovec stated that Cleveland Water Department was out dealing with another water main break on the west end of town and the break referenced by Mr. Clark was minor last Friday, seeing some growth over the weekend. It was triaged by the Cleveland Water Department to deal with the break on the west end prior to the more minor break.

**Recreation Director Enovitch** reported wrapping up another safe and successful season at the Family Aquatic Center. Flag and tackle football games kick off this Saturday, September 9 and volleyball games start at the Community Gym on September 9. These activities mark the beginning of the fall season for the Bay Village Recreation Department. Soccer field maintenance is ongoing.

Mr. Winzig noted that the south fields were open to the Bay Soccer Club Program, and they looked terrific. He asked if there were any reports or feedback received. Mr. Enovitch stated that the fields have been working so far.

**Director of Community Services Messeri** greeted Council and reported that a great summer was held at the Dwyer Memorial Center. Patronage has risen from June 1 through the end of August with 47 brand new patrons. Much of it is attributed to Pickleball, working with the Recreation Department who have been wonderful and supportive. A Community Center table was hosted at the BAYarts Farmers' Market this summer with information and materials distributed. Transportation service for seniors is back in house, after using an outside firm for a year-and-a-half, providing more personal service to Bay's seniors. The summer rummage sale was an outstanding success, with many people donating items for resale. The Bay Village Advisory Board met recently and fall planning for leaf raking and snow removal is underway. The Holiday Sharing and Caring Program is receiving attention with planning to provide food for needy families in the area. Ms. Messeri met with Catherine Timko at the Lake Erie Nature and Science Center recently, touring the facility and planning future endeavors and programs for the seniors. Ms. Messeri looks forward to a nice partnership with Ms. Timko in the future for the benefit of the seniors.

Mr. Clark asked if there are any updates on the BV60+ program, noting that he sees a lot of advertising for their activities.

Ms. Messeri stated that the BV60+ program is growing leaps and bounds. A good portion of the 47 new patrons over the summer went towards the BV60+ program. Tara Wendell has been fantastic as the coordinator for the program and has brought many ideas. Activities organized by Ms. Wendell include river cruises, Lake Erie Crusher games, Morgan Conservatory for concerts, and many others. People from many other communities have heard of the program, call every day and are drawn in by the frequent and varied events. BV60+ continues to grow and is a wonderful addition to the senior center.

**Fire Chief Lyons** advised that hydrant maintenance season is upon Bay Village. Signs are being posted around the City as well as notifications through email blasts and Facebook to let everyone know that hydrant inspection and flushing will begin the week of September 11. Training for the Water Rescue Program was held this summer. The Bay Village Rescue Swimmer and Surf Rescue Program is unique in this area, requiring a lot of training and preparation. Chief Lyons expressed appreciation to Recreation Director Enovitch and his team at the Aquatic Center for scheduling training at the pool, as well as their training at Huntington Beach.

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Chief Lyons encouraged everyone to visit the safety campus this Saturday for the annual Touch-a-Truck event from 12 Noon to 3 p.m. The Fire Department, Police Department and Service Department will all have trucks on the grounds of the Police Station with vendors present to add to the enjoyment of the day.

The 51st year of the Bay Village Fire Station has just been completed. An inquiry period for RFQ's for station upgrades began on August 3. The inquiry period includes questions about the RFQ process and that opportunity ended on August 22, 2023. A response to the questions was coordinated and a statement of qualifications are due on September 7. The committee will be evaluating and creating a short list of those firms with a September 12 objective and information will be presented to Council at their meeting of September 18.

**Building Director Tuck-Macalla** is on vacation this week. Mr. Clark noted that it is nice to see the Bay Creek driveway now completed.

**Police Chief Gillespie** stated that Officer Darren Ingham has done a great job in trying to expand the Touch-a-Truck Program that will be held this Saturday, inviting vendors in along with the trucks for residents to enjoy. Chief Gillespie announced that it is deer survey season, with the survey going out probably before the next Council meeting, and it will be accessed through the City website and Facebook. Hard copies will also be available. The surveys help the United States Department of Agriculture find where the problems are. They look to those specific sites and use the information to determine how many tags will be issued for culling. On September 21 the next step will be taken in the body camera deployment. Motorola will be on site to link up with the police computer system. It is hoped to have everything in order by the end of the month or the beginning of October. Bay High School Homecoming will be held on September 22 this year with the Police Department working with the schools to distribute information to all who will participate.

Mr. Winzig stated that City Council had budgeted funds for speed reduction devices. Mr. Winzig continues to get calls from residents in his ward, primarily on Walker Road and Ashton Lane concerning speeding, and asked if there is an update on when the new signs will go up.

Chief Gillespie stated that the speed sign cameras have been ordered but are delayed in shipping. Upon arrival they will be installed on Osborn Road, Ashton Lane, Walker Road and Lake Road. He noted that there is no easy solution to curb speeding that occurs, and enforcement and education is key. If residents see a certain car or note a certain time that speeding is occurring, letting the Police Department know is key to enforcement. The Police Department is looking at all aspects of mediation, trying to find what is best, safest, and most economical. A study was done on Walker Road and the information should be ready soon.

## AUDIENCE

There were no comments from the audience or by Zoom at this point.

## COMMUNICATIONS

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**Clerk of Council Kemper** reported receipt of the 2022 Annual Report and Residential Recycling Report received from the Cuyahoga County Solid Waste District. Bay Village is the third highest recycling community in the county. Mr. Clark expressed kudos to Bay residents for their recycling efforts.

### COMMITTEE OF THE WHOLE

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

**Mr. Kelly** introduced and read, by title only, **Resolution No. 23-89** authorizing an application to the Office of Criminal Justice Services Body-Worn Camera Grant 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. 23-89.

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. 23-89, an emergency measure, by a vote of 7-0.

**Mr. Kelly** introduced and read, by title only, **Resolution No. 23-90** authorizing an application to the Ohio Bureau of Workers' Compensation Safety Intervention Grant 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 Resolution No. 23-90.

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. 23-90, an emergency measure, by a vote of 7-0.

**Mr. Kelly** introduced and read **Ordinance No. 23-91** authorizing the Mayor to enter into an agreement with the United States Department of Agriculture to provide wildlife services, and declaring an emergency.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 23-91.

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. 23-91, an emergency measure, by a vote of 7-0.

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

**Mr. Tadych** asked Law Director Barbour if it is permissible to use the emergency clause for the item on the agenda relating to the creation of a fund for the Permissible Motor Vehicle License Tax, since it is noted on the accompanying fact sheet that an emergency clause is not permitted for an ordinance levying a motor vehicle license tax.

Mr. Barbour responded, stating that the ordinance is creating a fund for deposits of revenue, as ordered by the state auditors. An emergency clause is permissible.

**Mr. Tadych** introduced and read, by title only, **Resolution No. 23-92** accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies and

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certifying them to the County Fiscal Officer, 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. 23-92.

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. 23-92, an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read, by title only, **Resolution No. 23-93**, authorizing the Director of Finance to request tax advancements before settlement dates for Fiscal Year 2024, 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. 23-93.

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. 23-93 an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read, by title only, **Ordinance No. 23-94** amending Chapter 125 of the Codified Ordinances by enacting Section 125.64 relating to the establishment of a Tree Planting and Replacement Fund, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the adoption of Ordinance No. 23-94.

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. 23-94 an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read, by title only, **Ordinance No. 23-95** amending Chapter 125 of the Codified Ordinances by enacting Section 125.65 relating to the establishment of the Permissive Motor Vehicle License Tax Fund, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the adoption of Ordinance No. 23-95.

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.



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Mr. Barbour announced adoption of Ordinance No. 23-95 an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read, by title only, **Ordinance No. 23-96** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year as previously appropriated in Ordinance No. 22-130, 23-11, 23-37, 23-48, 23-55, 23-64, and 23-83, 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. 23-96.

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. 23-96, an emergency measure, by a vote of 7-0.

**PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE -Winzig, DeGeorge, Greco.**

**Mr. Winzig** introduced and read, by title only **Ordinance No. 23-97** authorizing an agreement with Ground Works Land Design for construction services for the Village Green, 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. 23-97.

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.

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Roll call on Adoption:

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

Nays- None.

Mr. Barbour announced adoption of Ordinance No. 23-97, an emergency measure, by a vote of 7-0.

**Motion** by **Mr. Winzig** to authorize the Director of Public Service and Properties to advertise for bids for construction of the Eastern Connector Trail.

**Motion carried 7-0.**

**PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE -**  
**DeGeorge, Kelly, Winzig.**

**Ms. DeGeorge** introduced and read **Resolution No. 23-98** authorizing the Mayor to apply for, accept, and enter into a Water Pollution Control Loan Fund (WPCLF) agreement on behalf of the City of Bay Village for planning, design and/or construction of wastewater facilities; and designating a dedicated payment source for the loan, 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. 23-98.

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. 23-98, an emergency measure, by a vote of 7-0.

**Motion** to authorize the Director of Public Service and Properties to advertise for bids for repair of the Force Main/Air Relief Valve Coupler locate near the RTA bus stop in Cahoon Memorial Park.

**Motion carried 7-0.**

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**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. Tadych** asked if the light that is off on the bridge light on the south side of Wolf Road is going to be repaired.


**Mr. Liskovec** stated that the light is being repaired. The anchor points need to be redone and the light itself is rotted.

Mr. Clark commented that the Public Improvements, Streets, Sewers and Drainage Committee of Council had a very difficult and challenging meeting last Thursday. He collectively thanked Councilwoman DeGeorge, Chairman of the Committee, Messrs. Winzig and Kelly, members of the Committee, as well as the remainder of the members of Council and the City administration for putting together data to be able to have a civil conversation on Thursday, August 31. It was a very difficult meeting for many. It is a call to action; we have a flag in the ground to start working on this. He urged residents to submit the surveys for guidance in trying to determine the trouble spots and ways we can solve this dilemma.

**ADJOURNMENT**

There being no further business to discuss this evening, the meeting adjourned at 9:05 p.m.

  
Dwight A. Clark, President of Council

  
Joan T. Kemper, Clerk of Council