

City of Bay Village

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

October 16, 2023
7:00 p.m.

Dwight A. Clark, President of Council, called the meeting to order at 7:07 p.m.

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, Director of Community Services Messeri, Director of Public Service and Properties Liskovec, Building Director Tuck-Macalla, Clerk of Council Kemper. Fire Chief Lyons on Zoom.

AUDIENCE

Rob Grossman, Ed Smith, Dan Rettig, David Florez. Samantha Illius on Zoom.

ANNOUNCEMENTS

Mayor Koomar stated that in regard to the dispatch study by the West Shore Council of Governments (COG), federal engineering was engaged and COG members Mayor Pamela Bobst, Mayor Koomar, and Fiscal Officer Renee Mahoney are in the process of connecting with their point person and getting information back to Mrs. Mahoney. The expectation is that they can find some agreeable dates for the federal engineering team to meet with them in December. COG will have the information to them for analysis before that time. Mayor Koomar will keep Council updated as it moves forward.

The Mayor stated that Council representative DeGeorge had sent him something regarding the Knickerbocker Apartments voting location. In talking with the Board of Elections and with the management of the apartments, Carryanne Smitley, they were offered two options of absentee voting or providing transportation to voting sites. The Mayor stated that the Board of Elections is not enthusiastic about increasing their voting locations. The Knickerbocker Apartments does not provide adequate parking, which is an issue with the Board of Elections. The Mayor is not seeing a lot of interest with the Board of Elections or the management of the Knickerbocker Apartments to bring voting back to that location. More investigation will be done, but they feel they have a good plan in place with the absentee voting option and transportation provided to an alternate location.

Ms. Messeri stated that the voting location will be the Bay Presbyterian Church and the Department of Community Services will provide transportation.

Ms. DeGeorge stated she understands that they do not want the voting back at the Knickerbocker Apartments, but why is their voting location in Ward 1 when the Knickerbocker Apartment residents live in Ward 2? At the very least, Ms. DeGeorge would like to see the voting back at the Middle School so that all residents of Ward 2 vote in one place.

Mayor Koomar will follow up with the Board of Elections. He noted that parking does present a problem, but to Ms. DeGeorge's point he agrees that it would be nice to have the voting for Ward 2 residents in their ward.

Mr. Tadych added that the voting of Ward 2 voters in a Ward 1 location is confusing to the Ward 1 voters as well.

Mayor Koomar stated that he continues to have conversations with Congressman Miller on congressional spending. Conferences have been set up and he has communicated with Director Mihalik of the Ohio Department of Development. There will be a call with some of Bay administration and engineering to look at funding opportunities as they get closer to the equalization project to see if there are other avenues of which to take advantage.

Reappointment of Carryeanne Smitley to the Community Services Advisory Board for a three-year term expiring November 2, 2026.

Community Services Director Messeri advised that they are happy to have Carryeanne Smitley to continue her role with the Community Services Advisory Board for an additional three-year term. Ms. Smitley has been a vital part of the Community Services and Dwyer Memorial Center team.

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY, & COMMUNITY SERVICES COMMITTEE- T. Kelly, D. Tadych, S. Byrnes Maier.

Rob Grossman, Safe Surrender.

Mr. Kelly introduced Bay High School teacher Rob Grossman who was present to speak regarding the St. Barnabas Church program: Guns to Gardens.

Rob Grossman thanked the Mayor and Council for the opportunity to speak this evening. He stated that he is a teacher at Bay High School, but comes here this evening as a parishioner at St. Barnabas Episcopal Church. He explained that Safe Surrender is a place where someone can freely, safely, and anonymously surrender their unwanted firearms. The Guns to Gardens Program takes it a little bit farther in step. It is based on the scripture from the book of Isaiah, where they pounded spears into plowshares; the idea of taking something that can be used for violence and turning it into something that could create life. This is a national, faith-based movement to establish a day, working with the Police Department, providing an opportunity for people to bring their unwanted firearms. They surrender it to whoever is holding the event, but they are immediately destroyed. There is no handling, serial numbers are checked to make sure

it is not a stolen weapon. If it is a stolen weapon they want to find the owner because it is not the person's property to be able to surrender it. Weapons are immediately dismantled with chop saws, and there will actually be a forge on site where Reverend Rosalind Hughes and volunteers will begin melting down the pieces and pounding them into garden tools and other art forms. Mr. Grossman noted that he has participated in two different events, both at the Church of the Epiphany in Euclid, where the Reverend Rosalind Hughes, a Bay resident, is the Rector. Reverend Hughes has been instrumental in helping Mr. Grossman plan this event at St. Barnabas, and she is connected to the national organization. Partnering with the Police Department was incredibly helpful in Euclid, Ohio early on. Mr. Grossman reached out to Police Chief Gillespie and they have had multiple meetings. He noted that the Bay Police Department has been fantastic to work with through the whole process. Two police officers will be at the event on Saturday, October 28 from 10 a.m. to 12 Noon, the open time period when people can come and safely surrender a firearm. The idea is to have them enter at the farthest west drive into the parking lot of St. Barnabas Church. Clients would not have to get out of their car. Trained folks would actually take the firearms, do the first inspection to make sure they are unloaded and safe, turn them over to a police officer for a second check, the second police officer would then do the serial number check to make sure it is not a stolen weapon. Assuming it would make all those steps it would go to the chop saw and eventually to the forge. Funding is enabling them to do this, and as a thank you they will offer a \$50 gift card to Giant Eagle or Amazon to anyone who surrenders a firearm.

Chief Gillespie stated that it is an excellent idea. The program is being held the same day and the same time as the Drug Take Back, mirroring that effort in disposing of items that should not be out there. The Drug Take Back will be at the Bay Village Police Station from 10 a.m. to 2 p.m., and the Gun Take Back just down the road at St. Barnabas Episcopal Church from 10 a. m. to 12 Noon.

Mr. Clark stated that he has the distinct pleasure of knowing Rob Grossman for 52 years, growing up two houses from each other.

Mr. Tadych asked if anything must be done with the triggers of the weapons when they are brought in. Mr. Grossman stated that the weapons must be unloaded and locked in a trunk. The three volunteers that will be securing the firearms are all retired military and comfortable with handling firearms. The only other people handling firearms will be the police officers, before they are handed over to be destroyed.

Mr. Clark stated that he appreciates Mr. Grossman working with Police Chief Gillespie and his fine force, noting that any way to make the City safer in some small way is a betterment for the City. He thanked Mr. Grossman for addressing the Council and administration this evening.

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

September 2023 Financial Reports of the City of Bay Village.

Mr. Tadych reported that a Finance Committee meeting was held earlier this evening. At the Regular Meeting of Council to follow this Committee Meeting, Mr. Tadych will move to

acknowledge receipt of the September 2023 Financial Reports of the City of Bay Village, prepared by Finance Director Mahoney.

Jefferson Health Care Contract Renewal.

Mr. Tadych will present an ordinance for first reading this evening authorizing the Mayor to enter into a one-year contract with Jefferson Health Care for administration of the City's health and hospitalization plan, which will expire at the end of 2023.

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

Mr. Winzig had no report this evening.

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

Review of Bids - 2023 Sanitary Sewer Air Release Repair.

Ms. DeGeorge discussed the two bids received for the sanitary sewer air release repair as outlined by Donald Bierut, PE, City Engineer, to Director of Public Services and Properties Jonathan Liskovec in his memorandum dated October 5, 2023. Two bids were received on October 5, 2023 ranging from a low of \$85,110.00 to a high of \$121,920.00 for the repair of the air release valve structure and a leaking HDPE Flange Adapter at the site adjacent to the RTA Cahoon Park Bus Stop. The project will begin on October 23, 2023 and last 45 days. Based on review, it is the recommendation of the city engineer to award the contract to Nerone and Sons, Inc., for \$85,110.00.

Mr. Liskovec advised that a preconstruction meeting will be held with Nerone and Sons and it is expected that the project will be finished within the 45 days quoted. If there should be additional time needed, Mr. Liskovec will keep Council informed. Legislation awarding the contract will be presented by Ms. DeGeorge this evening for adoption.

**RECREATION AND PARK IMPROVEMENTS COMMITTEE -S. Byrnes Maier, M.
Greco, D. Tadych.**

Review of Bids – East Interurban Connector Trail

Ms. Maier reviewed the recommendation of Donald Bierut, PE, City Engineer to Director of Public Services and Properties Jonathan Liskovec outlining the five (5) bids ranging from a low of \$138,842.00 to a high of \$177,740.00 for the installation of a connector trail from the overflow parking area near the pool to the recently installed interurban pedestrian bridge. The lowest responsive and responsible bidder was Protect-A-Cote, Inc., who have recently completed trail projects in Olmsted Falls and Glenwillow. Mr. Beirut confirmed their understanding of the project's requirements and the City's expectations of quality and scheduling and recommends

award of contract to Protect-A-Cote, Inc for \$138,842.00 with work beginning November 1, 2023 and completed within 15 days.

Ms. Maier asked if Protect-A-Cote, Inc. has done any work previously for the City of Bay Village.

Mr. Liskovec stated that Protect-A-Cote, Inc. is a new vendor for the City of Bay Village. They have done work in other communities and have good references from those communities. He noted that the bidding market presently is very aggressive and the company is looking to secure work at the end of this season. The bid is below the engineer's estimate by approximately \$32,000.

Ms. Maier confirmed with Mr. Liskovec that the company has the staffing necessary to complete the project in the fifteen days they have quoted. Mr. Liskovec noted that they will see completion in the fifteen days, noting it is weather dependent.

The ordinance authorizing the contract will be recommended for adoption this evening. Mr. Winzig noted that the project is included in the Capital budget. Ms. Maier expressed the need to move forward while weather permits.

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

EMC IT Solutions Contract Renewal.

Mr. Greco called upon Finance Director Mahoney for her comments regarding the proposal of EMC IT Solutions to enter into a service agreement with the City of Bay Village for a three-year term.

Mrs. Mahoney stated that EMC IT Solutions has been providing service on a one-year contract basis for some time and have proved themselves to be very valuable. They are currently working on cyber security with the Black Talon firm. Mrs. Mahoney recommends consistency with EMC IT Solutions. The contract proposed includes an opt-out clause in the event Damon Galt can no longer be the main point of contact. Mr. Galt agrees to keep the same price for the next three years.

Law Director Barbour commented that if Mr. Galt leaves, or becomes incapacitated, the contract can be terminated within 60 days.

Mayor Koomar noted that good coverage is received for \$75,000 per year for IT needs, especially with LEEDS certification. Mrs. Mahoney noted that additional people are in their home office to maintain the good responsiveness the City has experienced.

Mr. Clark asked the amount to be spent on the one-year contract with EMC IT Solutions this year.

Mrs. Mahoney stated that the increase in the contract will be 4%. The current contract is in the amount of \$72,000 per year; the new contract will be in the amount of \$75,600 per year.

The ordinance authorizing the contract with EMC IT Solutions will be placed on first reading this evening, with approval anticipated on November 6, 2023.

Mr. Greco asked if there are three EMC IT Solutions representatives on staff, with preparation for a fourth technician.

Mrs. Mahoney stated that they have about 5 or 6 people on their staff. Three regularly report to the City of Bay Village, all day Tuesdays and on Friday mornings. They also respond to email requests for service.

Mayor Koomar stated that he has never had an issue to resolve something to another day.

Mr. Greco asked if a discount is received for on-time payments. Mr. Barbour stated that the contract is \$6,305.00 per month if payments are received on time.

Mr. Greco asked if that monthly amount will increase if there is additional work.

Mrs. Mahoney stated that it potentially could if there is a large project.

Mr. Greco asked if in the event the number of employees working for the client should increase would the monthly fee go up.

Mrs. Mahoney stated that it could, but she does not foresee a remarkable increase in employees that would cause that to increase.

AUDIENCE

Mr. Ed Smith, Cliff Drive, reported that the Bay Village Shoreline Special Improvement District funded a project this past week. They are moving ahead, moving about \$320,000 forward, and have approximately another \$300,000 that is on the verge of proceeding. There are other projects that have inquired about the availability of funds. Mr. Smith stated that they are happy that the Shoreline Special Improvement District is actually generating results. Unfortunately, one of the results was a request from a resident on Eagle Cliff to help straighten out the mystery land behind them. They have been referred to a legal firm that specializes in home ownership association.

Mr. Tadych thanked Mr. Smith for his hard work.

Mr. Clark agreed, noting that Mr. Smith put a great deal of effort into the Bay Village Shoreline Special Improvement District, especially in the beginning.

Mr. Smith recognized Kathryn Kerber for her participation, noting that she is present at many of their meetings and does contribute effectively.

Mr. Clark stated that it is with mixed emotions that a new Council representative will need to be appointed to the Special Improvement District, given the fact that Mr. Kelly will be stepping down.

Mr. Tadych volunteered for the position of Council representative to the Bay Village Shoreline Special Improvement District.

AUDIENCE

There were no comments from the audience, either in person or by Zoom, this evening.

MISCELLANEOUS

Mr. Clark advised that Regular Meetings of Council will be held on November 6 and November 20. Mr. Tadych and Finance Director Mahoney will schedule Finance Committee meetings in preparation of the 2024 Budget of the City of Bay Village.

Mr. Tadych stated that the meetings will be held for three consecutive Mondays, beginning November 6, 2023. The goal of the Finance Committee and administration is to have the Operating Budget approved before the end of the year, which has been done successfully for many years.

Mayor Koomar stated that Mr. Winzig inquired via email about the follow-up on the flooding issues. The Mayor stated that as a follow-up on the flooding they have talked about a sewer guide. They have been working on it with the Building Director, Mr. Barbour, and the City Engineers as to what they would like to see in the guide. More importantly, are there any ordinances that need to be changed, and also we are going to go forward with the testing. City Engineers Bierut and Jeff Filarski are out looking at RFP's for some of the testing. They have another call at the end of this week of what that looks like and making sure they have staffing in place. Something as simple as if someone wants to disconnect the downspouts, if they feel that is one of the remedies, and you can't flood your neighbor, what is the process for that. Building Director Tuck-Macalla is looking at the code that people would pull a permit and the whole process behind it. We have an electronic copy from Westlake and other cities and they give permission to make our own guide for that. Some of the images the Mayor would like more specific, an image, if they can find one, that shows a yard drain, a driveway drain. They had some people that did some work and the plumber unfortunately missed the driveway drain and a check-valve put in going to the sanitary. They are trying to come up with a complete list of these things and making sure that from an ordinance standpoint and staffing they can cover them. It is very much on their radar, but they want to do some legwork and lay a foundation to make sure that when they roll this out, hopefully early in the winter, that they have everything in place from a staffing standpoint.

Ms. DeGeorge asked if any of those proposals will come before Council before the end of the year.

Mayor Koomar stated that he will let Ms. DeGeorge know. He does not have that answer yet. He might have more conversations with Engineer Jeff Filarski.

Mr. Liskovec stated that the engineers are working on the RFP. The total number of responses received to date is 855 of the sewer survey. They have entered all that in and are now doing the finalizing of data and then finalizing essentially target areas to look at overall length of sewers that will be tested. That is how they set up the RFP versus homes. That is all in the works and the process right now. The overall goal is to stay on page to have something before the end of the calendar year.

Ms. DeGeorge asked if calls were received as a result of this past weekend's rain.

Mr. Liskovec stated that no calls were received.

Mayor Koomar stated that other things they are looking at...years ago the City did testing and sometimes it might have been downspouts, it might have been storm and sanitary connections going out to the street and being in the right bucket, so to speak, but we want to make sure, for example, in this RFP that footer drains are tested because that is the source if they are disconnected. If we are going to test the public right-of-way, anything that would need to be relined or improved, and we are going to take that back to a resident's home we want to give them a really good scorecard. Some areas have some very large storm sewers so we are thinking about what is the connection of the lateral into the storm sewer. Is that something we are going to have to do with city staff, and televise it, which we can, but then we've got to just look at that manpower, or is that something through the RFP that Chagrin Valley can engage as part of that process. We are really trying to be very careful and get a read-out for your home so you have a really good sense of anything that needs to be connected. Mr. Tuck-Macalla has talked about the Building Department making sure that is on file with the individual homes, so if someone comes to buy a house in Bay, or sell, or whatever it might be, we have current records for that so they can set that up in their system. That is the basic foundation of what we are trying to work through right now to make sure we get it right. The worst thing to do is to get into it and miss something and have residents lose confidence in the process. We don't want to run too fast.

Mr. Dan Rettig asked if residents lines will be inspected as part of this testing that is typically the homeowner's responsibility.

Mayor Koomar stated that they envision this being part of the system of going back and doing some smoke and dye testing, noting that he is not going to commit to one or the other, back to the residents' homes because people that are experiencing sewage in their homes potentially could have a misconnection if footer tiles are going to a sanitary line. It is not designed for that type of flow. It is very confusing to the average homeowner of what is connected, and how. That is really part of the commitment the City made to the Ohio EPA with the Rocky River Wastewater Treatment Plant and the No Feasible Alternative Plan we are committed to. If we don't get these lines connected properly they are going to tell us to build a bigger plant so we want to be a good steward of that system and if that means we are going to go back and provide some testing to homeowners we figure in the long run that is going to be money well spent.

Mr. Rettig asked if there will be a charge back to the homeowner.

Mayor Koomar stated that he does not envision that right now. That would be part of the sewer fee is where we are headed at this point. That would obviously be subject to City Council approval.

Mr. Winzig stated that given the fact we are going into a budget planning session, would there be any additional personnel needed? We often hear that Mr. Liskovec's department is pretty well tapped out. Is it something you would consider, possibly?

Mayor Koomar stated that the things they are looking at right now is that Building Director Tuck-Macalla has always had an FTE in his budget that has not been filled. If I can give him kudos, when he started he was out there doing all the inspections himself. The discussion we had right before he went on vacation is that might be a position we need to fill because part of that is going to be on the back end, what does that look like? If we smoke and dye test to be sure it is done correctly, or would it be with a local plumber if we have a score card and they sign off on it. Practically speaking, Mr. Tuck-Macalla said if they are out in the field they will be able to test it to see what has been done.

Mr. Tuck-Macalla stated that it is going to work just like any other permit. Somebody will come in, the way I am looking at it now, they will come in with a scorecard from the engineer, bring it into the Building Department, pull permits, either the plumber pulls permits, or the homeowner pulls permits, and those are inspected by Building Department staff to make sure it is done correctly and that goes into the file, just like an addition, electrical service, or someone putting in a sump pump.

Mayor Koomar stated that on the service end it is having a full time Urban Forestry Manager because that area has been understaffed. We have had some attrition over the years with a new sewer truck; part of that is how do we staff that. Potentially one or two FTE's might be in the mix. Katie (DeSan) is trying to get some time on the calendar this week. Jon (Liskovec) is actually on vacation today; he came in to make sure that these things were covered for Council. Those would be the potential asks we might be looking at again. We are trying to tie that in with what Jeff (Filarski) and Don (Bierut) are doing, understanding the roles and responsibilities. But, with new equipment and being able to move through the City in a timely fashion it is something we are going to give hard consideration.

Mr. Clark addressed Mr. Liskovec stating that he and his team have been working on some of the work that has been done to clean out the storms because that is one of the complaints residents had at our meeting several months ago. Where do we stand on that and when can we see something?

Mr. Liskovec stated that it is in process. Right now, because I am being pulled with all of the projects and everything else and we are trying to fill some full-time positions and gearing up for leaf season, we are a little short on time. But, I would say right now I would hope to have something as the year closes, if not sooner. We have raw data and now we have to put it in a

format that makes sense for everybody that is going to be looking at it. If you are going to be in the front-line getting questions you want to be sure it is very understandable.

ADJOURNMENT

There being no further discussion, the meeting adjourned at 7:53 p.m.



Dwight A. Clark, President of Council



Joan Kemper, Clerk of Council