

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers, 8:00 p.m.

November 5, 2012

Paul Koomar, President of Council, presiding

Present: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Mayor Sutherland

Others

Present: Law Director Ebert, Service Director Galli, Police Chief Wright, Fire Chief Lyons, Community Services Director Bock, Recreation Director Enovitch, Operations Manager Landers

Council and members of the administration had assembled at 7:30 p.m. in the Conference Room to review agenda items; this was open to the public.

During the review, Mr. Clark advised that an Environment, Safety and Community Services Committee meeting was held this evening at 6 p.m. with an additional meeting to be held again before the end of the year.

Mr. Pohlkamp reviewed the ordinances he will present this evening to comply with requirements of the Environmental Protection Agency to have language consistent with the communities who are part of the Rocky River Wastewater Treatment Plant, in regard to the operation of the and the treatment of the water discharging into the plant.

Mr. Young advised that he will introduce an ordinance this evening setting forth administrative compensation rates. An executive session will be held prior to presenting this ordinance. Mr. Young will also introduce an ordinance authorizing an agreement with Findley Davies as a Healthcare and Human Resources Consultant. Mr. Young noted that one of the biggest stresses to the city's budget the last few years has been the cost of health care. It is hoped that this will improve the city's offerings to employees and negotiations with labor groups as far as developing a new health care program for all city employees. Mr. Young noted further that the contract is cost attractive compared to a neighboring community's contract. It is recommended that the agreement be adopted.

Mr. Miller stated that the third reading of Ordinance No. 12-84 will be presented this evening, enacting C.O. Chapter 1368, Solar Energy Systems.

Mr. Tadych commented that at tonight's Environment, Safety and Community Services Committee meeting, Mr. Clark brought up the idea of trying to analyze what the city did right or wrong during the recent power outage. Mr. Tadych stated that as Chairman of the Services, Utilities and Equipment Committee he would like to join with Mr. Clark in that effort. Mr. Koomar commented that this would represent both an internal piece, and an external piece, and an effort to marry those together.

President of Council Koomar called the regular meeting of Council to order at 8:00 p.m. in the Council Chambers with the roll call and Pledge of Allegiance led by Karen Lieske, Councilwoman, Ward 3.

Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held October 29, 2012. Mr. Pohlkamp MOVED to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 7-0. Mr. Koomar called for a reading of the Minutes of the Cahoon Memorial Park Trustees held October 29, 2012. Mr. Pohlkamp MOVED to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 8-0.

ANNOUNCEMENTS

Mayor Sutherland gave a Power Point presentation outlining the emergency preparedness for Super Storm Sandy which began on Monday, October 29, and the effects of which lasted several days.

Mayor Sutherland stated that while watching the impact that the storm had in New York and New Jersey, the administration of Bay Village began to make sure that proper staffing was in place to take care of residents. In preparation, a strategy meeting was held, extra firefighters and police were brought in, the auxiliary police unit was activated, service crews were prepared to stay overnight, and equipment was readied with fuel. The Community Services Department had a plan on how to outreach to the seniors and for continuation of services. There was discussion at the council meeting about community outreach and an email blast was sent from the City of Bay Village website with instructions for signing up for the Nixle emergency notification system. Instructions were also given in October for signing up for the Nixle system.

Over 70 emergency calls were received by the Fire Department regarding trees, wires, and poles down, and cracked transformers exploding. The Mayor recognized the Fire, Police, and Service Departments because they did a fantastic job in securing the city in a life threatening situation. Donny Landers, Operations Manager, and Gordon Evans, General Foreman, especially were thanked. The Mayor noted that none of the employees or residents were hurt. There was significant property damage throughout the city. Eighty-five percent of the residents of Bay Village lost power, and over 50 trees were down in the public right-of-way. Poles and wires were blocking Osborn, Lake Road, Douglas, West Oviatt, West Oakland and Forestview. The Mayor noted that it was the worst damage that she has seen since growing up in Bay Village. There were another 150 to 200 trees down on private property. In some cases those trees came down on homes, garages, and vehicles, taking down poles and wires in the backyards of homes. There was minimal basement flooding; most of the flooding was related to sump pumps. City Hall sustained major roof and water damage. There was also an issue of damage to the roof vents at the police station. The Community House had significant roof and ceiling damage.

The pump stations at Long Beach and Huntington were of great concern. A downed tree at the Metroparks took down the lines to the pump stations. At this time the Long Beach pump station is not working. Only two of the six pumps were working at this time. Service Department

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employees staffed the pump stations 24/7 to make sure that the pump stations did not power down. Most of the flashing seen during the storm was from transformers exploding. The pump station explosion blew the electrical panel off the wall, with an estimate of \$25,000 worth of damage with emergency repairs currently in process.

A tree came down at the corner of Wolf and Douglas on two homes. There were three cracked poles and trees down on Douglas Road. Those lines went behind Normandy and Douglas. Repairs to that type of damage are very difficult because of the large equipment.

There were several factors struggled with during the week. The city hall phones, internet and cable went down. There was also an issue with the Police Department phones during the week. The Police Department still has two lines down, but the two non-emergency lines are working.

Fire addressed and secured the hot lines; their main focus was that everything was roped off and secured. Hazards were noted and the department did a lot of courtesy calls for residents that needed non-emergency help. The Police Department was the clearing house hub during the storm and handled high volumes of storm related informational calls. The Community Room shelter at the Police Department was activated on Tuesday, October 30.

The Service Department had round-the-clock deployment, kept the pump stations going, and worked closely with First Energy to begin clearing debris as soon as a situation was secure.

Community Service continued the Meals-on-Wheels program and welfare checks and Director Bock did a yeoman's job of making numerous actual, physical house calls to make sure seniors were taken care of. Senior transportation and Recreation Department programs were cancelled due to no electricity.

Mayor Sutherland stated that the city does not have control with First Energy. They can work with them but do not control the power or utility companies. Management of First Energy was in the city on Monday evening, October 29, to assess damage. First Energy began to move significant resources to Bay Village on Wednesday, October 31, after the winds died down. The immediate response on Tuesday was hampered by the high winds. First Energy also prioritized repairs by going first to hospitals and nursing homes, followed by public safety services and infrastructure. They then begin repairs that bring back the largest numbers of customers.

As of the afternoon of Monday, November 5, eleven homes were still without power, with another outage that just occurred in the Dwight Drive area. The other Mayors of the West Shore area will be meeting with First Energy to talk about their emergency response and how they deployed their resources. All are questioning why First Energy sent folks to the Northeast when this area was facing potentially even worse conditions than some of the Northeast communities.

The biggest challenge this past week was communication. The phones at the city hall and the Police Department were out. The internet was restored on Friday. The website went down over the weekend. It is back up at this time. Constant Contact is used for email blasts and they are experiencing trouble with Hot Mail, MSN, and Live.

Nixle updates were very well received. Thirteen messages were sent between 10 a.m. on Tuesday, the 30th and noon on November 4. The messages were originally going out to 1209 recipients and by the end of the event were up to 1616. Internal communications were also stressed, with the possibility of the paddles on cell phone towers damaged and not operating fully. It was difficult to connect to the internet via smart phones, but creative measures were employed by using texting, cell phones, and phone trees. Director Enovitch from the Recreation Department used phone trees to get the word out to all his coaches. Fifteen email updates were sent to members of Council, and there was also texting and phone communication using the phone tree idea. The Mayor stated that at one point she left city hall and went to Panera's Restaurant to use their wireless to send out a Nixle update.

The Mayor stated that in the near future they would like to get people to focus on individual emergency preparedness, update and post the emergency booklet, and encourage residents to sign up for Nixle. A broad discussion on sheltering will be held. They would like to have someplace that is safe and comfortable and while the Police Department Community Room is safe, it is not very comfortable. The existing emergency response document indicates that the shelter is the Middle School, which would be great with the kitchen and shower facilities and adequate room, but there is no generator for emergency power.

Former Mayor Tom Jelepis stated that he came to the meeting his evening to wish Steve Presley well in his new employment, noting that Mr. Presley did an outstanding job in his administration. Former Mayor Jelepis stated that they were without power in his home for six days. He commented that this has been a nightmare for the residents, and he saw a lot of response from the Police, Fire, Service Departments, the Mayor, and Council.

Mayor Sutherland thanked the Police, Fire, Service Departments, Donny Landers, and Gordon Evans, who worked about 100 hours each last week, the receptionists at city hall, the Mayor's assistant Sue Kohl, and the Law Department assistant Jean Cundey for pitching in with the phones. The Mayor thanked Councilmen Scott Pohlkamp and Mike Young, noting that they were very helpful, spending a lot of time at city hall last week. Councilman Pohlkamp brought over his Hot Spot. The Mayor also thanked residents who pitched in and helped their neighbors.

REPORTS

Law Director Ebert had no report this evening.

Recreation Director Enovitch reported that all recreation programs will resume as scheduled this week.

Service Director Galli stated that the railroads have completed their work at the Bradley/Naigle intersection on Monday, October 29, 2012. Coordination, installation of timing gear, and testing of equipment is scheduled for Wednesday, November 7, 2012.

Mr. Galli stated that the Building Department will be assessing city buildings for damage and scheduling necessary repairs.

The street resurfacing program has two more days of work to finish the 2012 roads project.

Community Services Director Bock advised that transportation services were resumed today. Activities will be resumed on Tuesday, November 6. Damage was sustained to the west doors of the Dwyer Memorial Center. The doors are in the process of being replaced by ADA accessible doors. The computers at the Dwyer Center have not been restored to service. Director Bock suggested that residents use the telephone system to reach her this week.

Police Chief Wright stated that in reviewing the events of last week the Police Department performed the way he would expect them to perform. Many of the police officers, men and women, faced the same hardships at home as the residents. Special recognition goes to the Bay Village Auxiliary Police. A vast majority of the auxiliary police officers are Bay Village residents. They were called out for assistance on Monday evening when trees started coming down. They left their families without power, and many stayed until 5 a.m. Tuesday morning, went to their regular jobs, and came back in Tuesday night until Wednesday morning. Special recognition is also deserving to the Bay Village Service Department. Chief Wright recognized the work of Operations Manager Landers, and stated that Mr. Landers marked out the hazards out for the Trick or Treaters making it safe for every child in the city out for Trick or Treat. Chief Wright stated that the Auxiliary Police Department and Service Department employees are the unsung heroes of the community during the past week. Chief Wright thanked them all for their efforts.

Fire Chief Lyons advised that the Fire Department personnel responded to over 75 calls Monday night and Tuesday. He commended the residents of the City of Bay Village for reporting the downed power lines and trees. He stated that he feels proud to be part of a city with citizens who are so responsible.

COMMUNICATIONS

Email communications from the following were received on November 5, 2012, and are on file in the Clerk of Council office for public inspection:

Kathryn Pepera
Betsy Leyen
Jennifer Gallant
James McConnell

COMMITTEE OF THE WHOLE

Eric Peterson – Metro-West Kiwanis and Bay Food Ministry

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Mr. Koomar stated that from time to time he would like to bring people in to the Council meetings to highlight things that are going very well in the community, things that are benefiting the community and that people may want to support.

Mr. Eric Peterson expressed appreciation for the opportunity to speak at the Council meeting this evening. Mr. Peterson stated that he has been a resident of Bay Village for thirty years and is present this evening representing three organizations in the city that are pulling together to do something great for the community. The Metro-West Kiwanis is comprised of folks from Bay Village, Rocky River, Fairview Park, North Olmsted, and Westlake. The Huntington Playhouse is an amateur theatre presenting productions for the past 50 years. They will be opening the Winter Wonderettes, a holiday musical within the next few weeks. The third entity in this endeavor is the Bay Food Ministry which is part of the Bay Presbyterian Church's outreach. The Bay Food Ministry has been around for 23 years as a food pantry serving primarily residents of Bay Village and others as well, who meet the guidelines of the State of Ohio for food assistance. Bay Food Ministry is supported financially by both Bay Presbyterian Church and St. Raphael's Church. The food ministry provides individuals and families with a three day supply of food at the end of every month, both canned and fresh. Two hundred people, representing 83 households are being served currently. Most are from Bay Village, including seniors, single parents, and many who have been impacted by unemployment. The Food Ministry purchases its food from the Cleveland Food Bank and receives donations from people in the community.

The Metro-West Kiwanis is sponsoring a food drive to specifically support the Bay Food Ministry in conjunction with the Sunday, November 25 performance of the "Winter Wonderettes" at Huntington Playhouse. A discount for the show can be received by bringing in non-perishable food. Each item brought in will reduce the cost of a ticket for the show by \$1.00, all the way up to the cost of a ticket which is \$20.00. Mr. Peterson stated that support for the food ministry can also be achieved by donating directly to the ministry. The most needed items are tuna fish, peanut butter, pasta, spaghetti sauce, and cereal. Mr. Peterson encouraged everyone to come to the show and bring some food for the benefit of the Bay Food Ministry.

Mr. Koomar asked how those interested in volunteering can make contact for that purpose. Mr. Peterson stated that Mary Hildebrandt at Bay Presbyterian Church, 871-3822, would be the person to call to express interest in helping out or to find out about receiving aid either directly or for someone in need that would meet the state income guidelines. All discussions are in full confidence.

Mr. Peterson was thanked for the information he presented this evening.

AUDIENCE

The following members of the audience signed in this evening: Warren Remein, Mark Gamble, Gerry Schreibman, Jeanne Collins, Conda Boyd, Susan Murnane, Tom Orr, Joel Lieske, Mary Jo Mazzolini, Russell Thompson, Jerrie Barnett.

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Warren Remein, 23717 Russell, addressed the proposed solar energy legislation, stating that the last version that he saw did not address comments that he had relative to sideyards. Mr. Remein noted that there are residents in his neighborhood that do not really have a back yard. High trees would prohibit installation of solar panels on roof tops. Mr. Remein suggested an amendment allowing sideyards, but with limitations to sideyards of a certain size and with adequate screening, and would like to work with the city to see that the ordinance is changed.

Mr. Koomar stated that many times the Council may start out with a more conservative ordinance and come back later with changes.

Councilman Clete Miller advised that the Planning, Zoning, Public Buildings and Grounds Committee did discuss the sideyard issue amongst the committee members. While it is generally valid for a small portion of the properties in the city, there is an opportunity to address it through the Board of Zoning Appeals. The committee wanted to get the ordinance passed in a larger scope, potentially inviting further discussion about sideyards, front yards, and screening. Though the committee encouraged the comments, they were not able to include all of them in the ordinance. There is opportunity to present a sideyard application to the Board of Zoning Appeals that does meet the general sideyard setbacks as described by Mr. Remein. Mr. Remein also talked about heights of screening that an average person at a certain distance could appreciate. That also opens the door for the Board of Zoning Appeals to make recommendations to have those sideyard applications or installations, and even front yard installations if there is adequate property. The committee was trying to look at the ordinance at a very general scale and at the most applicable properties.

Mr. Remein stated that the goal of the Green Team is to try to make the ordinance as friendly as possible without having to go back through multiple applications, committees, or commissions. Mr. Remein stated that he understands Mr. Miller's concern and would be happy to work with the Council, Board of Zoning Appeals, or Planning Commission to set up guidelines and renderings of what might be acceptable screening, or whatever might be required going forward.

Mr. Miller stated that the committee will be opening discussion regarding wind energy and will work closely with the Green Team from the outset. Mr. Miller stated that many of the discussion points of solar energy were addressed through numerous conversations. Ninety-nine percent has been addressed and the remaining one percent can be addressed through zoning variances for specific applications. On a very large topical scale, the ordinance has reached as much as possibly can be addressed without individual or unique conditions that the property presents. Mr. Miller thanked Mr. Remein for his participation.

Jeanne Collins, 28915 Buchanen, stated that her power was out for six days, and restored yesterday, only to find 24 hours later she does not have power. Mrs. Collins stated that she knows it is a transformer. She asked the Mayor what can be done when talking to First Energy about these transformers. This is a chronic problem in the area. It is always their side of the street. The north side of Buchanen, 85% of the time, is not affected.

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Megan Walsh, 29114 Buchanen, stated that every transformer on Buchanen goes out at least once or twice every winter, and they are sick and tired of it as well. They know exactly where it is, wait for the guys to come, and all they hear is there is no money, they can't do anything about the wiring, and it is what it is. Mrs. Walsh stated that is an easy answer, an easy way out, because they are not a big problem, just one street.

Mayor Sutherland asked the residents to let her see what she can do. First Energy can also run an audit and find out if there is something else that is contributing to why the transformer keeps blowing.

Mr. Pohlkamp added that of all the areas, at least in Ward 3, the Buchanen area is easily the most problematic. First Energy has put money into upgrading their equipment in some places but for whatever reason it continues to be a problem on this transformer.

Mayor Sutherland stated that they will do some background checking. Her assistant, Sue Kohl, will contact the residents with what they find and go from there.

Ann Galligan, Meadowlane stated that she has been hearing sounds. The Bay Village electrical inspector was over the other day because her line was down. He said that in addition to the lines being down he pointed out a problem with the transformer and said that when the people come from First Energy to tell them about it. Instead they sent a private company Saturday to fix her lines and they said they weren't allowed to go up on the pole; they weren't permitted to do any work. Mrs. Galligan asked if she should report this.

Mayor Sutherland addressed Mrs. Galligan, stating that Mrs. Galligan just did report it. What the Mayor will do is have Mrs. Kemper give her a list of people who have commented and let Mrs. Galligan know.

Mrs. Galligan stated that the Bay Village inspector said that Mrs. Galligan was hearing arcing.

Mrs. Lieske stated that there was also an email addressed to the Mayor today that Council was copied on today from someone commenting on the power outage on Lincoln as well, so this all ties in with that general neighborhood.

Mark Gamble, 29074 Buchanen Drive, stated that this has been an ongoing situation. He is the last telephone pole and takes his lead for his house above ground. The underground starts at his lot. The fuse, when it blows, sets a three to six foot blue arc flame shooting out of the top. Neighbors behind ask what happened. They are the ones that are affected. Mr. Gamble does not lose power as often. When he does lose power it always ends up being in his backyard. Where it transforms from above ground to below ground seems to be one of the biggest issues.

Mr. Gamble stated that he appreciates the Mayor making a Power Point presentation but out of the thirteen email messages he received only five from the very first day. Mr. Gamble stated that he is not sure that everybody received all of the email blasts that went out so that is a concern.

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Mayor Sutherland asked Mr. Gamble if he signed up just for email, or for email and text. Mr. Gamble stated that he signed up for email and text, and did get a few of the text.

Mr. Gamble stated that the other concern he has is if the city really has a plan. He lives close to the railroad tracks and Interstate-90. If there were a chemical accident, or an accident on the highway, do we have enough preparedness to act? Can we go over and above and not wait six days to get power back? Mr. Gamble drove the area every day, and is not saying the Service Department wasn't out, but he did not see any limbs being removed. They did not see anybody out in their area.

Mayor Sutherland stated that one of the reasons they may not have seen that is because the city cannot go into one of the downed trees until the power company makes sure that it is safe and the juice is off. Mr. Gamble stated that there weren't any downed trees on their street. There was a downed tree that was noticed on Monday, but it was between houses. Mr. Gamble stated that his concern is not only this situation, but let's take it to the next level and make sure that other situations are also addressed.

Mayor Sutherland stated that they do have an emergency plan and both the Fire Chief and Police Chief are here. Either one of them can speak to the fact that the city already has things in place for chemical spills and those types of issues but that is very different than losing power.

Mr. Gamble stated that he has neighbors who live beside him who are in their middle or late seventies, and they are not here tonight because they did not want to speak up, but they told Mr. Gamble of their concerns. What happens if they don't have internet, what if they don't have email? That is what they were very concerned about. When it comes to election time, Mr. Gamble stated he does not see anyone of the officials who would stop and go door to door and ask for a vote. When it came to this, he did not see anybody out. Karen Lieske was out, Mr. Gamble spoke to Mr. Pohlkamp on Sunday and he actually helped Mr. Gamble because he had a concern not having power and kids during Trick or Treat in the area that was totally dark.

Susan Murnane, 30509 Willoway Lane, stated that she does not receive email on her phone, did not have electricity and did not receive email on her internet because she did not have any internet. She did not have her home phone working because she went wireless and the phone did not work without power. After about three days, Mrs. Murnane stated, she became desperate for information and called city hall, but they did not have telephone or power either. She tried calling the Service Department and Police, does not know if the police lines were overwhelmed, and reached no one. It wasn't an emergency so she did not dial 911. Mrs. Murnane stated that she tried calling her councilman, Mr. Young, but he did not have his email set up. That is what they told her when she called his line. Even if there were a notice on the board in front of city hall, telling those of us who are low-tech how to get some information, it would be very useful. Low-tech works well, when high-tech is all out.

Megan Walsh, 29114 Buchanen stated that there was not a tree out on their street, but the one in Mr. Gunter's backyard on Dwight and Lincoln was a huge tree down on the wires for an entire week, until they finally touched it. They would go out early in the morning and only saw people

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around the tree Sunday morning. That is an issue that needs to be addressed. There are a lot of trees down. At some point, we have to discuss how many forestry companies were in the city and why we only have so many. Ms. Walsh stated that as a person in the hospitality industry she knows that you can present problems, let's offer solutions. In regard to communications, based on what she has heard today, in her opinion, it sounds like the city didn't really have a plan. If the plan is the Middle School, and the plan is a place that doesn't have a generator, it sounds like a Charlie Brown plan to her, and it is not a safe place for residents to go. Ms. Walsh stated that she does not believe that at any point it was communicated to the community that if we have an outage, if something happens, I want the entire city to know Plan A, we are going here, and if that place doesn't have any power, this is Plan B, this is where you can go. If you have a small child you need to be warm, I want you to know this is the place to go. "After 9/11, you all sent out this booklet and I have it by my address book; it says in the case of an emergency, this is our plan. That was so many moons ago; I have not had anything communicated. I signed up for the email blast two months ago, before the storm, and I never got any information, ever, about updates. The only reason, thank God for Facebook, I got information was from my Facebook friend, which then caused me to call the Fire Department and talk to the Lieutenant. He was so kind and so wonderful and passed me on to someone else who talked to me about signing up with Nixle. Through my I-phone contacted Karen Lieske. Karen was gracious, she got back to me, and she actually came and introduced herself to me, so kudos to her for doing that. I knew she didn't have any power. When you talk about the city hall board, I try to look at that without getting in an accident. The board is hard to see, the board that is really easy to see is the one at the park because the way it is positioned and the way that people approach it allows it to be read without getting in an accident. That might be a better place during an emergency to use for another form of communication. People just want to know, I would rather hear it is 5 to 7 days and turns out to be 3 to 5 days without power. We didn't know if we should empty our refrigerator into the cooler or empty it into someone else's house. We couldn't afford to go stay in a hotel; we didn't have family to go stay with. There was no form of communication so I was relying on my neighbors. I just think we are better than that. I think in this day and age we are better than that. If we had a better plan, people would have been more understanding. There are a lot of people who will not say anything; they don't want to be known as a complainer. My husband and I pumped the sump pump for 48 hours so that we didn't have a claim on our insurance. Just because you hear about 10 doesn't mean that there may not be 30. I know that you know that, but I am just here to tell you from a citizen's point of view, that's what I have been hearing."

Conda Boyd, 27896 West Oakland Road stated that she would like to share her experience with her contacts at city hall and her concerns about the clarity and thoroughness of communication. "My power went out on Monday night, luckily I have friends to stay with, but not wanting to impose on them I ended up camped out at Panera's most of the week. Finally on Wednesday afternoon, which is almost 48 hours into the disaster, I tried to call city hall because my neighbors said it is going to be five days before the power is back. I came down here to city hall and went in to Mayor Sutherland's office. Mr. Young was there and I asked what is going on, I don't see any communication. I was told the phones are down, the internet is down, it's not our fault."

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Mrs. Boyd continued, stating “There has to be a Plan B. I was down at Panera’s Restaurant on Wednesday. Mr. Young, you remember, I said can you get something out by the email blast before the end of the day. The Mayor said yes. The next morning I called Mr. Koomar and said they said they were going to get something out. Here it is the next morning and we’ve heard nothing. On Thursday, I went down to city hall and the Mayor and Mr. Pohlkamp were sitting in the conference room. It was toward the end of the day, Mr. Pohlkamp had to go home, and the Mayor said, ‘Oh, there goes my internet access because Mr. Pohlkamp was taking his Hot Spot out of the door. He had to go home, but why weren’t they down at Radio Shack getting whatever technology we need in order to set up wireless access for people around here. The community needs an explanation for why the phones at city hall were not working, and why the internet at city hall was not working. When it is not working, city hall needs a Plan B, whether it is to go to the Westlake library, whether it is to go to Panera’s, whether it is to go to some friend on the west side who actually had internet access. We can’t just say it’s not our fault. On Friday, I said OK, Mayor Sutherland, where are they working? I know nobody’s working on Osborn, which is what the focus of my problem was. I said, where are they working now; where are they working next? Through the whole crisis, I did not hear anything about here is what CEI is planning, priority one is the hospital. Well, am I next? Am I down at the bottom of the list? Do I plan for five days, seven days? I live next to the Middle School; maybe they are going to be up sooner. I said, how do I find out? Can I come back on Friday and get an update at that point? I came into city hall at ten minutes to four on Friday and walked into the Mayor’s office and there is Sue Kohl sitting alone and the Mayor has gone home. I know that the Mayor came back and answered emails that evening, but she told me on Thursday, and Sue Kohl told me also on Friday, there are no plans to keep city hall open over the weekend. That is a minimum of what should have been done. People should have been here. I called the Police Department on Friday at one point and asked for information. They said they didn’t know. I said can you go down to city hall and find out what the situation is. I was told they didn’t have time for that. I called on Saturday and asked the situation. Only after I explained to them that the Mayor’s office told me I could call the 871-1234 number and get information, only at that point were they really forthcoming with the information. It was a difficult situation for all of us, it was an especially difficult situation here at city hall running on generator power and not having the phones and internet, but we pay you to cope, we pay you to have a Plan B, we pay you to communicate with us. I got mail every day; you could have gone to Kinko’s and xeroxed something that could have been delivered to the city. You could have put boots on the ground and gone door to door.”

Mayor Sutherland stated, “Conda, if we put boots on the ground to go door to door that means we are taking them away from clearing the mess. We just don’t have that kind of staffing. And, I will also tell you that I never said it wasn’t our fault. I did say our phones were down, our internet was down, our cable was down, I never said it wasn’t our fault, and we do have a Plan B.”

Conda Boyd: “It was Thursday before we got anything from the Mayor’s office. We should have something on Tuesday.”

Mayor Sutherland: “Those who were signed up on Nixle got something on Tuesday.”

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Conda Boyd: "I got Nixle's notifications up to twenty hours after."

Mayor Sutherland: "This goes to what I said earlier that there were actually problems with MSN and Live.com. There were network problems out there that totally transcend what we are able to control."

Conda Boyd: "So then Nixle is not a good Plan B."

Mayor Sutherland: "Then you guys come up with another one. Because it is very difficult to come up, with... Gordon, did you want to say something?"

General Foreman Gordon Evans: "We all went through Hell this week, police, fire, service, city hall. Anybody saying city hall wasn't open on Saturday – she was here all day."

Conda Boyd: "Her office told me they would not be open."

Mayor Sutherland: "Well, guess what, I changed my mind."

Gordon Evans: "People were in here. She was in here all day long. That's how we were communicating with her trying to get things done around here."

Conda Boyd: "As a citizen it is important for me to know that the visibility of the city government is there and taking care and in charge."

Mayor Sutherland: "We were."

Tom Orr, 29210 Buchanan Drive: "I've been here 12 to 13 years and it seems like twice a year the transformer goes down. I think the dissemination of information to the public is poor, there has got to be another way besides the media. A neighboring town had their Council people go door to door giving them city information. They made copies at Kinko's. Hi, I'm your local ward person, here's what's going on. I didn't see any of that. Karen, I love you, didn't see it. Probably, the only other comment I would have would be what is the relationship between a utility company or companies, and the city? That is probably the biggest problem we have. What's involved in that relationship? Who's responsible for what? Are we at the mercy of the utility company? When a tree goes down on a residential property, who's responsible for the removal of that tree? Does the utility company have to come and analyze it first, and say we're going to take it down, or, no, the city takes it down, or, no, the homeowner takes it down, based on what they have observed? How quickly can that be addressed? I would like to know what the relationship is between the utility company and the city, and, as a homeowner, what clout can we carry to have our city taken care of? Okay, we all saw the *Plain Dealer* about the CEI trucks, and where are they. And they had our picture, Bay Village, in it. Well, granted, they may have gone to the East Coast and I don't mind if they go to the East Coast if neighboring states to the west are on call for us here in the mid-west. That could be the plan, but when is that plan implemented? Actually, our street was finally taken care of on Sunday and the boys were from Springfield, Illinois. Great, loved it, but should the Cleveland companies been dispatched when

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they were? Did they know we were going to have a cold front with Sandy hitting in Cleveland and we were going to be affected? Who makes that call? I would like information on that relationship.”

Mayor Sutherland: “The relationship between municipalities and utilities is very unique. We do not have any power to regulate them in any way. They are regulated at the state level, and also at the federal level. In fact, we can’t tell them what to do because they are utilities and they are considered necessities for life, as we all know having to do without them for a few days. That being said, we really don’t have any clout over utility companies. What we do have is the ability to have a good working relationship with them. Once we reestablished our communications we were able to work and really focus them on areas. We are still doing that today. We’ve had people who never called in their outages calling and we were able to get them back in the pipeline. One of the things that I mentioned in my Power Point presentation, the West shore mayors and I are going to be sitting down with the president of The Illuminating Company and I am hoping the CEO of First Energy to talk about those issues that you brought up about the pre-storm preparation and the deployment. Certainly, we were watching the storm, I’m sure they were watching it as well. We knew we were going to get hit; we just didn’t know how hard it was going to be. We didn’t know we were going to get nailed like we did. However, that’s the conversation we need to have with them. How can they better deploy their folks? We know, in our area, they operate out of the office in Westlake. Where they used to have 40 some linemen and the necessary workers including tree crews out of there, I think now they are down to 17 or 18, something like that. That impacts their response to us. So, when we have something that is as catastrophic as what we just experienced and went through, what they will do is send in crews. My street, Jefferson Court, which got up yesterday at about 5 to 6, had a team in from Louisiana, Oklahoma, and Texas, and they were excellent. But, again, they didn’t start working on my street until Saturday. How could they better their response time? What they’ll do, they’ll send in a supervisor and then the supervisor will determine what needs to be done and what kind of crews they need – whether it is a tree related issue or whatever. Then they will bring in whatever specialized crew they need. So you might have 6 crews that actually have to go in to deal with a particular problem before they get it up and running. I think Osborn Road was probably one of those. If anybody drove down there, that was a mess and it was a very dangerous repair to make because of how that tree fell. So, we are at their mercy. They do not give us a list. I think a lot of people have that misconception that there’s a map that has like little Christmas lights on it and when a household goes out they know it because it went dark. That’s not how it works. Everytime the power goes out you have to call them and register your outage. We had a lot of issues with people reporting which slowed down the whole repair process. They don’t tell us their prioritization. They don’t say, OK, today we are going to be working on Osborn and we are going to get that all cleaned up and restrung and we should have them up by 5 p.m. They don’t tell us that. What they are doing they are moving their crews around so they’ve got their trees crew that are hitting different locations. Then they send in the widget crew and that goes around. Eventually they get to the point where they have had all the crews hit these locations and they are ready to bring it back up. It is a very difficult situation for us as a city to manage because we have no control over it. Even, as I mentioned with the clean-up, we have to wait, we couldn’t go in and clean Osborn Road. We had to wait for the power company to come in, make sure that the

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lines were dead, or turn the juice off, then they can make the required first cuts and we go back in and clean up the rest of the mess.”

Tom Orr: “One last childhood memory that might help also. I was born and raised in Parma and I remember on the Fourth of July a truck would come down the street with loudspeakers saying hey the parade starts at ten o’clock this morning. Well, we could have had that going up and down the street, saying, hey, stop at the Community Center for a hot chocolate and blankets. Or, any questions, come on up to the Community House. Simple, maybe archaic, but what a way to disseminate information.”

Bill Fumich “I’m Bill Fumich, Inverness, I came in late. I realize I haven’t heard the whole conversation, but I know full well that I am not getting the requisite answers. What I just heard from the Mayor was that we need to coddle First Energy, we don’t need to confront them because we won’t get anything by confronting them. That’s unacceptable. I don’t know whether you have the power to subpoena these people before Council, maybe, Gary, you can tell me whether you do. But, the long and short of it is that you need to compel people in here to get answers to the very questions you just raised, Mayor. If you have a problem with First Energy, your recourse is to go to the Ohio Utilities Commission. Get the right answers, so that you, and the rest of the West shore mayors, can survive. Now, I have a couple more things that I would like to raise as well. One, the danger you expressed on Osborn with that tree down, is just grossly unacceptable. And, our councilperson failed us in getting First Energy to accept the realization that that was a dangerous condition and should be addressed first before Columbia Road got their power back. One question I do have, is what did this cost the city. Anybody have an idea? I surely don’t. But, you people up there in front ought to know what this probably cost us.”

Mayor Sutherland: “We will be doing that, Bill, but we are not done yet. We are still cleaning up.”

Mr. Fumich: “Debbie, that’s unacceptable. With all due respect, that’s not acceptable. Because the answer comes with all of our past experiences that we all in here know. We all know that we’ve lost power before and in Ward 3 we lose it on a bright day that has no problem on any issue with power. But, what happens is sinful. Council has failed the residents of Bay Village because they have not recognized the fact that these power outages cost Bay Village tax revenue. What I haven’t heard, from any one of you up there, and all of you are dead silent, is what are you going to do to make this situation correct? Maybe, what you need to do, is to call the people from First Energy in here and ask them what it is going to cost to put lines underground in our city so that we don’t have this problem back, and, for God’s sake, don’t tell me we don’t have the money. The Jacobs money is assigned to protect the City of Bay Village and its residents. I said, city first, because that’s where the revenue comes from. All down Dover Center, which was shut down until Wednesday or Thursday, and you failed. Now, one final comment, and this is directed to Chief Wright. Not stopping at these temporary signs is a safety issue. Saturday morning at about ten o’clock I drove back with a cup of coffee for my wife. They had pulled somebody over on Wolf Road. At that point the only traffic light in this city that wasn’t working was the traffic light that has to assist our police getting in and out of their station. It was at that

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point I put more logs on my fire because we didn't get power back to 3:20 p.m. I saw one of Bay's cop cars sitting there, right across from the exit of the police station, waiting to pull somebody else over. Probably a Bay resident, and maybe one of our children, who missed stopping at that light that had no business being a light there. You cannot tell me that is a safety issue when the poor excuse for an officer couldn't get out of his car and direct traffic."

Nancy Brown, 25284 Wolf Road: "I have a couple of different points that I want to share with you. They are a little bit all over the map. First of all, I want to say that Conda Boyd and I were more than happy to help you, Mr. Miller, and Mr. Koomar in asking us to get what email we could to our lists. They were well received in the community. That's another resource, reach out to us that have big email group lists. We are more than glad to continue to forward those out. It is my understanding that, Chief Lyons, kind of help me out here if this story is wrong, it was explained to me that the family on Osborn who has two dogs are an elderly couple that had to be pulled out of their home. Chief Lyons, or somebody from the Fire Department, did reach out to the American Red Cross as part of the safety plan, and it was communicated to the Fire Department that the Red Cross couldn't help anybody in Bay Village because they were already overwhelmed. Well, thank you to Chief Lyons, he went above and beyond, he made a phone call, he found a hotel room that was pet friendly and he personally transported that family to safety the night of the storm. That's one good thing that happened. I wish there could be more guys like Chief Lyons or other people that could have done that. I agree with everybody in this room. As I said in the committee meeting in the other room, we have had many warnings in this city. We have had floods, we've had hail, we have consistent outages, and one of these times something big is going to happen. And, we didn't have a plan. You can say we have a plan, but we didn't have a plan. If the Middle School was really a plan, it shouldn't have mattered if there was a generator or not, because it was probably warmer than a lot of the houses, or dryer. A generator could have been transferred from somewhere in this city to make at least a room over there warm. They have a full kitchen, they have showers, they have bathrooms, and they have a room where people could have been warm. As I said in the other room, we are an aging community, we are a graying community, but we also have people in this city that are disabled, don't have phones, don't have cell-phones, don't have internet, maybe they needed their medication refrigerated, maybe needed their baby formula refrigerated, or maybe they spent their last buck on groceries. We had a lack of communication. We didn't know if our water was safe to drink. There's a whole host of things. I hope that when you are assessing this it's residents that you call in and not just select people or select friends to bring this together next time. Mayor Sutherland, I found your presentation interesting. I was glad to see that you were here tonight because historically if anything goes wrong in the city you're not around. I also had a question that we talk about the roofs being damaged and this, that and the other. The hail storm, we collected insurance money to repair the roofs, where is that money now? Why weren't these roofs repaired? Don't answer that question right now, but that's a question out there. Nixle doesn't work, and I understand the routing issues and this, that and the other, but we have to have a better plan. I just find it hard to believe that in this day and age, and in Bay Village, that this happened. I also found out that the CVS store in Bay Village, because we didn't have a plan, the CVS in Bay Village sustained the residents in the Knickerbocker by giving them bread, water, batteries, toilet paper, because they were cut off and they didn't have power. It's disgusting. Somebody could have gone over to the Knickerbocker. Like, this gentleman said,

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make copies, the US Mail was out, Fed Ex trucks were out, UPS trucks were out, it is just unacceptable. Just unacceptable. To say that our last booklet came out after September 11, that's not acceptable too. That's all I have to say, except that I am glad we have somebody like Chief Lyons. It is unacceptable that the phones didn't work. Did we get really cheap and bundle everything? Is that why we didn't have all the internet and phones? As for the web site being down, an eighth grader could have had that project and brought that website back up. And, if city hall is leaking, you better take the communications out of here and put them somewhere else. Here is a nice little device I'm sure is similar to what Scott Pohlkamp had. I got it at Verizon. I'm sure the guys across the street at the Verizon store would have been more than glad to give you a great deal on My-fi, Wi-fi, for the Police Department, the Fire Department, and anybody else. So, take that into consideration."

Jerrie Barnett: "I have called in many times; I think that's why I got my electricity back on Wednesday evening. I have called CEI on the number that you people have said we should call everytime the electricity goes out. The people on my street think I'm crazy. I could care less. Everytime I've called I've gotten a response. I even got through to a human being at one time, because I am on Life Alert, and that goes out every 36 hours. They were very, very decent about the whole thing. If that number could be put in something that you send out to the community telling them they need to do this and call, and, Mayor Sutherland, a compliment for you, I heard you on my portable radio, before it went out, I think it was 1100, you were on there, I heard what you were saying about the city when you said 7 days. I wanted to take the radio and throw it out the window, but I didn't do it because I knew I had to keep it. I have internet, but I had nothing. I have land phones, folks, two of them, and that was my only communication with the world because nothing else worked. I am saying that number to call the electric company is vital. It worked."

Nancy Brown: "Karen Goodson offered free ice during the outage during the summer. Why wasn't that offered to the residents this time. Why wasn't somebody reaching out to Karen Goodson to get us our free ice?"

Mr. Koomar: "We can always look into that."

Mark Gamble: "I just want to say one good thing after all this. I'm hearing a whole lot of bad things. Millard and Buchanen, power was up at 8:45 p.m. tonight."

Mayor Sutherland: "That doesn't mean we are not going to do an audit. That's because I emailed Karen Goodson."

Susan Murnane, 30905 Willoway: "When do we do our post incident assessment, and start planning for what we are going to do next. One of the things we need to think about is to how the community can communicate better with itself. I heard, indirectly, that you had said we were out for the long haul. I finally secured 40 pounds of dry ice out at Olmsted Dry Ice which finally got it in Thursday. By the time I got home after running errands at 5 p.m. that night I had power. I called up a few people trying to give away the dry ice. I'm sure there were people out there who could have used it. We need to have a way that my dry ice can get to somebody who needs

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to keep their medications cold. We need some kind of way for citizens to communicate to each other.”

Unidentified gentleman: “Is there any way the city will give each resident a \$1,000 rebate if we buy a generator?”

Mayor Sutherland: “No, but you could try First Energy.”

Ann Galligan: “May I say, Mayor Sutherland, how I contacted you? They did come within the hour after I spoke with you.” “For all its worth.”

Mayor Sutherland: “Thank you, Mrs. Galligan.”

Nancy Brown: “I would just like to say that I know currently our Mayor is our Safety Director/Mayor and I would like to suggest to City Council that the Safety Director’s position be evaluated. In this day and age, I don’t know what Mayor Sutherland’s credentials are to make her the Safety Director. In Rocky River they actually have a person who is the Safety Director who has credentials to be so. A police officer, I believe. It is my opinion, and other people I have spoken to in the city, that perhaps the Safety Director position, or those responsibilities should go to the Chief of Police and the Fire Chief, and the vehicle that goes along with it should go to the safety forces. If our Mayor is too busy being on all these different boards, I think that should be given consideration as well. Your first responsibility is to us, the citizens, and you can’t do both jobs. That might mean that you need to revoke what you passed, so that Mayor Sutherland can be on this board and that board, and here and there and everywhere. The first responsibility is to us, the taxpayers. Maybe, if she is able to do all these things, the other thing that should be given consideration is that the position of the Mayor should go back to being part time.”

Conda Boyd: “I hear what you said, Mayor Sutherland, about First Energy not sharing their plan with you, but I think that is something that you and the other Mayors definitely need to take to that meeting with them, and why not, that is unacceptable. If they have no plan, that’s unacceptable. If they are just unwilling to share it, that’s really unacceptable.”

Mayor Sutherland: “We have a whole list of things to talk about with them.”

Conda Boyd: “I should be able to come in and ask you where I am on the list. When we have a disaster like this it is unacceptable not to understand what the priorities are.”

Megan Walsh: “How do we find out where you end up with your answers, for instance, that transformer we have had problems with for years? Do I pester you, and you haven’t had a meeting yet? What’s the best way to get information?”

Mayor Sutherland: “The best thing you can do is call my office. Don’t think you are pestering me because it may take a while to get. Especially with what they have going on right now, to run the audit. My assistant’s name is Sue Kohl and feel free to call any time.”

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Megan Walsh: "In a couple of months?"

Mayor Sutherland: "You can call in a couple of weeks. We'll get going on it right now and see if there is some reason other than the transformers. In Ward 1 they actually replaced the transformers in the Oakmoor and Huntmere area."

Mr. Tadych: "About five years ago, we put breakers in so that they didn't all go out and stay out. It broke it into smaller sections. The problem is still there but it isn't as wide spread."

Megan Walsh: "We would all like to do what we can to help. We don't want you to think we're all in here expecting you all to have your magic wand. Sometimes great ideas are born from people that don't have Master's Degree and college degrees. As I told Mr. Koomar, our neighbors would be more than glad to help remove branches, I know it's not safe, but we would be more than willing to do whatever you need to help the community as well, whatever that is. If it is, you need us to write letters to First Energy, please communicate that to us because we are a community that wants to help each other. At the end of the day, we want to know what we are allowed to do, what aren't we allowed to do, what are the parameters."

Mayor Sutherland: "Well, I would love to work with you and the folks to perhaps do that. We're still in the assessment phase. We want to get through this, make sure we've got everybody up and running, and then we really need to take a look at what we want to accomplish with First Energy. I think letters from our residents would be fantastic."

Mr. Tadych: "Following up with that, when we started to get the problem corrected in Ward 1, the residents actually got a petition together and I told CEI they were coming with a petition about this problem, and CEI cooperated with the city, and me, and we got it taken care of. It's the action of the people that really got it started."

Mayor Sutherland: "It was an investment of over \$1 million. And, we have had some other upgrades done because we continued. Over in the Timberlane area they were underground and they were always going out, maybe because the moisture was always getting into the boxes, but they finally redid those after we continued to work with them on that."

Mr. Young: "I know a little bit about First Energy and a little bit about some contractors that work with First Energy. I call on street lighting contractors as well as electrical contractors who do utility work. A number of communities no longer do their own traffic lights. What they will do is hire contractors to come in and actually do the traffic lights within their city, as opposed to having their own traffic department. A few years ago, the utilities, and First Energy did it too, reduced the number of people they actually have on linemen's crews and have now contractors. The contractors in Akron have over 80 trucks each, and when there are storm events like this they will then dispatch them into communities. I don't know for sure but I think what they really wanted to do – you don't want to transfer trucks from Arizona and St. Louis all the way to the East Coast. I imagine what they wanted to do was send Akron trucks to the East Coast, send trucks from Illinois then to Cleveland. I am not worried about the way that we have out of town

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trucks, I am concerned that they did not dedicate enough trucks or manpower considering the damage. They did have a 24 hour window. They couldn't do anything on Tuesday, but as of Monday night they had a great idea how bad the damage was. I don't think they accurately assessed or sent out enough trucks to cover us. That's my big concern with the way the damage was handled."

Mr. Koomar: "One of the things, as the Mayor talks to them, is that the delay is that First Energy covers six states. New Jersey is one of their states, as is Ohio. They were obviously deploying resources where they knew they were going to need them. On the back end, the question is was there a delay in getting resources into Ohio to take care of our needs? What was their plan to do that so that we understand that? In my neck of the woods I had folks from Colorado and I know Friday evening crews from Montana rolled into Lakewood. That's quite a delay. They should have been in route if that was the case, prior to that."

Mr. Pohlkamp: "I would like to make a few comments on behalf of Council. Any of you can feel free to chime in. I know that I logged a lot of hours last week in addition to the full time job that I have. I have a business office here in Bay Village so I had no office in my home and the place that I work, so, that was a little bit of a challenge. I was kind of a wandering Nomad during the week. I did spend a lot of time on the roads, since I represent the entire city. I talked to business owners, I talked to residents, I didn't go door-to-door, but with limited time to be able to accomplish this did the best job that I could. I emailed, texted, Facebook, any means possible and asked people to forward it on. Was it the most effective way to do it? No, I was just using every resource that I had. To improve the way we can do things on City Council we probably need a formal process of disseminating information and organizing it. I can tell you that is one thing that I'll personally work with on Council to help with. I also work with medical practices throughout the country, including three of which are in Joplin, Missouri, which was damaged very badly by the tornado last year. It's great to have fail safe plans. In places like Joplin, there is no fail safe plan. However, that being said, there are plans and standards that we can put into place consistent with the medical industry and other situations that may be able to improve the way we get information to you all. I think you made some good comments tonight. I especially liked the idea about the sign at the corner of Cahoon, I can tell you as a Council person that we are going to work very hard to improve the communication from our standpoint."

Mr. Koomar: "I talked with Mr. Clark earlier today and they actually held a meeting tonight for the Environment and Safety Committee. Obviously, the Mayor and administration are going to review the readiness plan at their level. I know there is a Council committee for that and so we will take a look and get input from residents. Also, Mr. Tadych is on the Services and Utilities Committee so I think that committee is going to want to look at what is going on with First Energy and work with the Mayor on that as well to have a better understanding for their readiness in the future. Dave's committee is more external focused, but understanding how they are going to deploy those trucks. In my situation, and many of yours, we did not have the information and did not know whether I should be moving food from my refrigerator/freezer or whether I should be looking for housing because we didn't have that upfront information. That is obviously a point of improvement."

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Mary Slaman, 411 Longbeach Parkway. “I’ve lived in Bay Village all my life. I lived here never really thinking about the roles of local government, until recently when my boys found an abandoned dog. I’ve learned a lot tonight. You can just think about the storm that we’ve had. The wind, the rain, maybe think about your own pet if it got lost in the midst of that. I feel there is an underground world, so to speak, of lost and abandoned animals that you are not addressing. There is chaos here that you need to resolve, beyond what we are talking about tonight, because it affects taxpayers that live here like me. My sons, 14 and 6, found an abandoned poodle hiding in the creek wall at Porter Creek in Bay Metroparks when they went there to skip rocks. This happened on the 23rd anniversary of the loss of their older brother, my son Stephen. Already a very emotional day, they brought the dog home and presented it at my door. Being a starving, dirty dog, I knew it would not make it through the night. We found ourselves immediately rushing to the vet, beginning a five week ordeal of raising money from the community who actively supported us in getting her life-saving surgery. The people of Bay, Westlake, and others raised donations to completely cover her medical bills. I made wonderful new friends and realized there really are nice people in the world. However, learning that there is a kennel that can be built here in Bay, simply waiting for approval as I understand it which isn’t coming, is very upsetting to me. I urge you and the Mayor to please bring a new kennel today and rehire an animal caretaker. Although the dog we now call Peanut has become someone we love very much and is a blessing to us, this has been a financial and emotion burden to me, a taxpayer of Bay Village. I recently had to go through bankruptcy, and my husband has abandoned me and my boys. I barely have the funds to take care of us, yet a stray dog. If there had been a system in place this dog would have been taken care of by the volunteers of the kennel that are donating their services for free and a loving family looking for a dog would have adopted her. Not wanting to abandon this dog, knowing what that personally feels like, or letting my sons know yet another loss, she is still with us. But, this has been emotionally draining. Dogs and cats are being lost and abandoned every day that are not as lucky as this little dog, Peanut. I feel the city is responsible to citizens like me so we don’t have to be burdened financially and emotionally. We have enough problems in our lives as we have all discussed tonight. Peanut is a joy but life has been 100% distraught for me for five weeks. Please bring this new kennel to Bay and fix the chaos of lost and abandoned animals in Bay. You will have the entire community to help raise more funds or help you in any way. If you just ask for it. It is your job to keep chaos from within our city on all levels and protect taxpayers from unnecessary burdens like I’ve been through.”

Mary Jo Mazzolini, 29000 Osborn: “I can’t imagine in this day and age, in this wonderful community, that we would turn down free help. People in other communities have dog wardens. They don’t have our per capita income, and they also look at us and think, gee, what is going on. It is so important, I know Nancy has done so much work, and other people. I just can’t believe what people would think. I don’t know if it is Council or the Mayor. Why this hasn’t been done? I was here a year ago. I work nights. I work split shifts and I usually can’t get here. A year ago this was brought up about the free help. I thought who turns down free help? I would really like an answer about this. What is the reason that this kennel hasn’t been built? I would want some response from somebody. I don’t know if anybody knows. Is it just you don’t care for animals? I can’t figure it out, after a year or two. This wonderful family who is anonymous, what a gift. Mayor, you’ve talked about how we have to cut back, this is free help and I don’t understand. I

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used to live in Amish county when I was in graduate school. They do the barn raising and everything, they even let me help. I saw how they did that and I thought that's how Mrs. Slaman and her sons found a way to do a fund raiser, and all of us, of course wanted to help. I would love to hear a response from someone as to what is the hold up of this free help, free money."

Mayor Sutherland: "The biggest holdup is just that we had the salt barn at the Service Department where the roof caved in. We were battling with our insurance company for an extended period of time. We had gotten to the point where we have now been able to work through that process with the insurance company and we are looking at what we are going to do with that space. I think it is not that nobody wanted to do anything it's that we had some other things we had to do first, and get in place before that got considered."

Mary Jo Mazzolini: "So, you are saying there will be a kennel built soon?"

Mayor Sutherland: "No, I am saying that right now there are conversations being had about what we need in that replacement building."

Mary Jo Mazzolini: "Well, what about the kennel, though, is there a place for that?"

Mayor Sutherland: "That I don't know yet because I have not been a part of those discussions."

Mary Jo Mazzolini: "Who would I talk to about that?"

Mayor Sutherland: "Well, you could talk to your Council people."

Mr. Koomar: "I think you've been part of those discussions. Haven't you?"

Mayor Sutherland: "Well, as far as not for what they're planning to go forward with. I don't think the decisions have been made."

Mary Slaman: "I run a charity from my home; I've done that for 22 years helping chronically ill children. I know that most charities don't make it the first five or ten years, and I've done it for 22 years. I would be more than willing to help bring the community together to help you make that happen."

Nancy Brown: "We have had communications and it kind of died. Mr. Ebert was going to look into something. Discussions were maybe having to move the facility to the new police garage, the annex, or to tear down the existing facility and put a brand new one there. But it is just not a priority for the Mayor."

Mary Slaman: "I will make that a priority."

Mr. Koomar: "We can put it back in Council Committee."

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Mr. Clark: “We had a meeting in the spring. We held a discussion. I don’t think there was any permanent decision made but we wanted to make sure we got the right input to make an informed decision. If there was one, I think we were talking about being out of the new building, the Mayor had talked about, but there were some EPA issues because we were talking about putting a truck washing and vehicle washing facility there and there are some stringent EPA issues that go along with that. We didn’t want to jeopardize or endanger any animals along that line. But it is still not a complete decision yet. I am certainly happy to keep it open under my committee, as we did six months ago.”

Tom Orr: “Where will we go to find or get information on where you stand on that?”

Mr. Clark: “Well, it’s still sitting in committee, Tom, from that respect. I think, again, if you drive past the building, the building is still not completed, retrofitted because of the damage that was done. I am not even sure if we have the insurance settlement yet.”

Mr. Ebert: “I don’t know. No one is passing the buck; Dan Galli was actually working with it.”

Mr. Koomar: “We will be happy to bring that up again at our next committee session and discuss it and get input from the administration of what their recommendation is or is not for said kennel facility and get an update on the insurance, and the building and all the items we have brought up tonight.”

Mrs. Lieske: “I would encourage everyone here, I know some people are signed up, to be on all the email alerts from Joan, Miss Kemper, our Council Clerk, and this way you receive notices about all the committee meetings, the agendas, and you get minutes from everything. It’s a really great way to stay in the loop and that way you know what’s going on. These meetings are all posted. They are open to the public, and I would encourage everybody here to sign up for those if you haven’t already.”

Mr. Young: “Mr. Clark just described how his committee has discussed the kennel. But that’s the Environment and Safety Committee. His was along the lines of the interaction of the Police Department and emergency services, but really when you are talking about building a kennel it is actually a part of Planning, Zoning, Public Grounds and Buildings Committee, which is Mr. Miller’s committee.”

Nancy Brown: “Well, it was assigned to Mr. Clark, and then we had a meeting with Mr. Ebert.”

Mr. Koomar: “Nancy, Mr. Galli had to leave for a moment. I have asked the Law Director to retrieve him because he has been spearheading this and I want to give you as up-to-date information as possible.”

Mr. Koomar: “Mr. Galli has left; I will put it on the next committee session and we will get an update from him accordingly.”

A two minute recess followed.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Clark

Motion by **Clark** to remove Solicitation Ordinance and Political Signs from the list of Matters Pending before Council Committee.

Motion passed 7-0

Mr. Clark introduced **Resolution No. 12-90** APPROVING USE BY MIGUEL A. AND DENISE L. ZUBIZARETTA, 31214 LAKE ROAD OF SUBMERGED LANDS OF LAKE ERIE FOR SHORELINE IMPROVEMENTS, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Resolution No. 12-90.

Roll Call on Suspension of Charter Rules:

Yeas – Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young,
Nays-None

Roll Call on Suspension of Council Rules:

Yeas – Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young
Nays–None

Roll Call on Use of the Emergency Clause:

Yeas – Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young
Nays -None

Roll Call on Adoption:

Yeas– Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young
Nays–None.

Mr. Koomar announced adoption of **Resolution No. 12-90**, an emergency measure, by a vote of 7-0.

MR. CLARK INTRODUCED **ORDINANCE 12-91** APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE, OHIO, TO APPROVE, ADOPT AND ENACT NEW MATTERS IN THE TRAFFIC, GENERAL OFFENSES, AND FIRE CODES, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-91.

Roll Call on Suspension of Charter Rules:

Yeas –Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark
Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark
Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark
Nays -None

Roll Call on Adoption:

Yeas– Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark
Nays–None.

Mr. Koomar announced adoption of **Ordinance No. 12-91**, an emergency measure, by a vote of 7-0.

Mr. Clark stated that information will be forthcoming in the near future through the minutes of the Environment, Safety and Community Services Committee meeting held earlier this evening.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Mr. Pohlkamp stated that some of the comments that were made tonight, especially toward department heads, were inappropriate. This is a place where, even with a disagreement, you should carry yourself professionally with candor and respect. Those comments were inappropriate and totally uncalled for, and we need to do everything we can to insure that displays like that do not take place in our Council Chambers.

Law Director Ebert stated that the following three ordinances on this evening’s agenda were for the Rocky River Wastewater Treatment plant. Mr. Ebert stated that he tried to contact Mr. David Matty who is working with this project, to get a summary of where this stands before these ordinances are passed. He suggested these ordinances be held until a future Council agenda.

Ordinance amending Chapter 912 of the Streets, Utilities and Public Services Code, entitled “Sewer Use and Treatment Facilities,” to comply with the requirements of the Ohio Environmental Protection Agency, and declaring an emergency

Ordinance repealing existing Chapter 912A of the Streets, Utilities and Public Services Code, entitled “Pretreatment,” and enacting a New Chapter 912A, entitled “Pretreatment” to comply with Ohio Environmental Protection Agency requirements for discharges into the Rocky River Wastewater Treatment Plant, and declaring an emergency

Ordinance authorizing the Mayor to enter into a Multi-Jurisdictional Agreement between the Cities of Bay Village, Fairview Park, Rocky River, and Westlake as required by the Ohio Environmental Protection Agency to ensure Uniform Standards and Compliance Enforcement for the operation of the Rocky River Wastewater Treatment Plant, and declaring an emergency

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Pohlkamp **MOVED** to adjourn to Executive Session regarding labor contracts, contracts, personnel, and litigation, at 10:07 p.m.

Roll Call Vote: Yeas- Lieske, Miller, Pohlkamp, Tadych, Young, Clark, Koomar. Nays – None. **Motion passed 7-0.** Also present in Executive Session were Law Director Ebert and Mayor Sutherland.

Council reconvened in an open meeting at 10:18 p.m. Present were: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Mayor Sutherland.

FINANCE & CLAIMS COMMITTEE

Mr. Young introduced **ORDINANCE NO. 12-92** AMENDING SECTION 1 OF ORDINANCE 12-50 REGARDING RATES OF COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE GENERAL ADMINISTRATION DEPARTMENT, AND THOSE EMPLOYEES OF THE CITY NOT COVERED BY SEPARATE LABOR CONTRACT FOR THE CALENDAR YEAR 2012, AND THEREAFTER, AND DECLARING AN EMERGENCY, amending by reading on Page 5, Clerk of Council, should read \$47,315.00, retroactive to May 1, 2012 for all compensation listed, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-92.

Roll Call on Suspension of Charter Rules:

Yeas –Miller, Pohlkamp, Tadych, Young, Clark, Koomar, Lieske

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Miller, Pohlkamp, Tadych, Young, Clark, Koomar, Lieske

Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Miller, Pohlkamp, Tadych, Young, Clark, Koomar, Lieske

Nays -None

Roll Call on Adoption:

Yeas– Miller, Pohlkamp, Tadych, Young, Clark, Koomar, Lieske

Nays–None.

Mr. Koomar announced adoption of **Ordinance No. 12-92, as amended by reading**, an emergency measure, by a vote of 7-0.

Mr. Young introduced **Ordinance No. 12-93** AUTHORIZING AN AGREEMENT WITH FINDLEY DAVIES AS THE CITY'S HEALTHCARE AND HUMAN RESOURCE CONSULTANT, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-93.

Roll Call on Suspension of Charter Rules:

Yeas –Pohlkamp, Tadych, Young, Clark, Koomar, Lieske, Miller
Nays-None

Roll Call on Suspension of Council Rules:

Yeas – Pohlkamp, Tadych, Young, Clark, Koomar, Lieske, Miller
Nays–None

Roll Call on Use of the Emergency Clause:

Yeas – Pohlkamp, Tadych, Young, Clark, Koomar, Lieske, Miller
Nays -None

Roll Call on Adoption:

Yeas– Pohlkamp, Tadych, Young, Clark, Koomar, Lieske, Miller
Nays–None.

Mr. Koomar announced adoption of **Ordinance No. 12-93**, an emergency measure, by a vote of 7-0.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE - Mr. Miller

Mr. Miller read **ORDINANCE 12-84 ENACTING NEW CODIFIED ORDINANCE CHAPTER 1368 REGARDING SOLAR ENERGY SYSTEMS, AND DECLARING AN EMERGENCY**, amending by reading, Sections 5, 6, 2, 9, and 10, items highlighted, and moved for adoption.

Mr. Pohlkamp complimented Mr. Miller on working very hard to put this legislation together over a period of many months.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-84.

Roll Call on Suspension of Charter Rules:

Yeas –Tadych, Young, Clark, Koomar, Lieske, Miller, Pohlkamp
Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Tadych, Young, Clark, Koomar, Lieske, Miller, Pohlkamp
Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Tadych, Young, Clark, Koomar, Lieske, Miller, Pohlkamp
Nays -None

Roll Call on Adoption:

Yeas– Tadych, Young, Clark, Koomar, Lieske, Miller, Pohlkamp

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Nays–None.

Mr. Koomar announced adoption of **Ordinance No. 12-84, as amended by reading**, an emergency measure, by a vote of 7-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mrs. Lieske had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Tadych reminded everyone that Friday, November 9 is a bulk-pick up day for rubbish.

MISCELLANEOUS

There being no further business to discuss, the meeting adjourned at 10:47 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council