

CITY OF BAY VILLAGE

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

May 6, 2013

Paul Koomar, President of Council, presiding

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

Others

Present: Law Director Ebert, Finance Director Mahoney, Service Director Galli,
Recreation Director Enovitch, Community Services Director Bock, Operations
Manager Landers, Chief Building Official Cheatham, Fire Chief Lyons,

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

During the review, Mayor Sutherland advised that settlements have been made with First Energy and the Federal Emergency Management Agency (FEMA) related to Superstorm Sandy damage. The amount of \$75,000 is to be received from FEMA, and \$86,600.90 from First Energy. The reimbursement is for overtime costs incurred for Service and Safety services during and following the storm.

Mayor Sutherland further noted that area Mayors met to discuss the trash collection strike that recently occurred. Some of the cities did not have their trash picked up at all. Bay Village was fortunate to have their trash collected. All cities will be receiving \$2.50 per household as reimbursement for the work stoppage. Bay will also receive an additional \$4,000 for costs incurred. A credit will be received in June.

Mr. Clark reported that the Crisis Communication Task Force will report on their findings and recommendations at the Regular Meeting of Council tonight.

Ordinance No. 13-17 enacting new Codified Ordinance Chapter 721, Peddlers, Solicitors, and Canvassers, will remain on First Reading.

Mr. Miller stated that the motion he will introduce this evening at the Regular Meeting of Council to refer the Saddle Beach Easement and Stormwater System Improvements to the Matters Pending before Council Committee is due to a conversation he had with property owners, Dick Majewski and Doug Borchert, as well as Service Director Galli. The gentlemen shared some history on this matter and Mr. Miller thought it appropriate to put it on the agenda of the Public Improvements Committee to bring some finality and closure. There will probably need to be some correction of the storm sewer lines in the area. Mr. Miller will converse with Law Director Ebert and Dan Galli to find some of the boundaries and present it to the Public Improvements Committee.

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Mr. Young reviewed the compensation ordinance that he will introduce at the meeting of Council this evening, which will make changes to the administrative structure of the Building Department, removing three positions. Also removed from the compensation ordinance are the Safety Town Administrator, and the Interim Community Services Manager positions. An Activities Manager at \$30,830 annual salary is being added by virtue of the ordinance. The position will cover work at both the Community Services Department and the Recreation Department. The position will not affect the 2013 Budget of the city. An allowance was made in the budget for additional help in the Community Services Department and the remainder of the amount needed for the salary will be made up by not having additional part-time personnel in the Recreation Department. They will be borrowing from part-time wages to help staff the position.

Law Director Ebert advised that Chapter 1301 of the Codified Ordinances of the City of Bay Village will be reviewed for necessary modifications or amendments due to the changes in the Building Department. This will be placed on the Council Committee agenda of May 13, 2013.

Finance Director Renee Mahoney reviewed the Supplemental Appropriation Ordinance to be presented to Council this evening. The first item in the supplemental appropriations is the appropriation of \$4,500 in anticipation of a disc golf course. The amount of \$3,000 has been received in donations and a potential of \$1,500 more is expected. The amount of \$4,500 will be appropriated out of the Parks and Recreation Fund. If the additional \$1,500 is not received the total of \$4,500 will not be spent.

A minor correction is being made in the Community Gym wages when an amount was incorrectly added to "Other" in the Annual Appropriation Ordinance. The allocation will be changed by this supplemental ordinance to "Personal Services."

A transfer is shown from the General Fund to the Community Gym. There is an agreement with the Schools that the City would put in \$6,000 at the onset for a capital improvement fund, with 3% added each year. An analysis indicated that the fund was short \$1,149 and a correction is being made with this supplemental appropriation ordinance. After this transfer the fund will have approximately \$45,000.

The \$22,549 in the DARE Fund is residual money and can be transferred to the General Fund.

The Endowment Trust Fund has a number of small balances. The amount of \$4,700 was appropriated, based on last year's appropriation, but there is only \$1,585 in cash from Bike Patrol donations. The appropriation will be reduced accordingly. If further donations are received, the appropriation will be increased in the future.

Mr. Clark stated that Finance Director Mahoney did a nice job tabulating Exhibits A and B of the supplemental appropriation ordinance, the General Fund expenditures and capital projects on which the Finance Committee worked so diligently to balance the budget. The exhibits are a good reference point as the year proceeds. Mrs. Mahoney noted that anything highlighted in gray in the supplemental appropriation ordinance reflects the changes made.

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Mr. Koomar echoed the comments of Mr. Young and Mr. Clark stating that overall the documentation and rationale behind everything is great. The way it has been prepared is an easy reference and provides clarity in the months ahead.

Mr. Young commented on the Finance Committee meeting held at 8:00 a.m. this morning stating that one of the things covered in that meeting was a question by Councilman Miller about funding for engineering services and studies for possible improvements in the Sunset area. The basic answer was that funds would be taken from the Infrastructure Improvement Fund.

The Police Department furnished the Finance Committee with a report of accumulated overtime hours to help the Finance Committee determine the liability of the city for monies to be paid out as overtime. The Finance Committee will seek the same type of report from the Fire Department and Service Department. At year's end a portion of overtime earned can be paid and in the past the amount was unknown to Council until that time. These reports will give the Finance Committee an idea as to the exposure. Mrs. Mahoney stated that her goal is to eventually show that overtime on the time sheets through the city's financial system rather than just having the departments keeping track of their overtime. Mr. Koomar stated that the biggest concern is relative to the year's approved budget and where the accounts will end up at year end. By keeping track of that and integrating it within the system there will be a sense of accountability.

Mr. Tadych stated that the report received from the Police Department was calculated by hours. The Finance Committee would like to see the dollar amounts for those hours as well to provide a better understanding.

Mr. Miller asked if this is being tracked through ADP. Mrs. Mahoney stated that as of now the city is not going to ADP. It is being tracked through the city's payroll system.

Mr. Young stated that in addition to the Finance Committee trying to keep track of overtime costs they are also tracking receipts of municipal income taxes and health care costs for employees in order to meet budgetary challenges.

In regard to ordinances to be introduced this evening for payments to Alex N. Sill Co., and Osborn Engineering for professional services related to the hail damage claim for the roofs on city buildings and structures which occurred on May 9, 2010, Mr. Galli explained that he has furnished Council with a spreadsheet outlining the buildings to be re-roofed and the dollar values of the claims for each building. The appraiser and consultant fees have been subtracted as a percentage of the overall claim settlement of \$580,478.61 to adjust the available funds for each building and/or structure. In the event that they do not reroof a listed building, the City will not be able to receive the depreciation amount for that building. Those issues will be addressed after bids are opened, reviewed and contracts awarded. There are also costs included for the replacement of screens and miscellaneous metals. The final appraisal did not include reroofing the entire roof covering of all of the buildings. The savings incurred by bidding and managing the project with city personnel will allow the reroofing of each of the buildings listed in its entirety. City Hall has been bid and awarded. The appraisal only included replacing the

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northern half of the city hall building at a cost of \$52,680.34; the bid to replace the entire roof is \$32,500. Mr. Galli further advises that they are advertising the bids for the balance of the roofs on Friday, May 10 and May 17, and will open bids on May 24. Subsequent to opening bids, he will bring the results to Council for further review and discussion.

Mr. Lee reviewed the motion he will introduce authorizing the Green Team to install a temporary banner from May 7 through May 18 at the Community Garden promoting the Spring Green Garden Show on May 18 at the Community Garden. A similar installation will be placed in Cahoon Memorial Park. The temporary banner size is 8 feet by 3 feet.

Mrs. Lieske will introduce a motion to accept the donation of materials and services of the Bay Village Garden Club for landscaping around the Gazebo in Cahoon Memorial Park.

Mrs. Lieske reviewed the work of the Recreation and Park Improvements Committee this evening at their committee meeting held beginning at 6 p.m. with a tour of the Community Gym at the Middle School. When the meeting began at 6:30 p.m. at city hall, there was a presentation by Lawrence Kuh and his colleagues about the proposed disc golf program. Further information will be received in the Council packets for discussion by the Committee of the Whole on May 13, 2013.

Mr. Tadych will introduce a motion this evening to auction for sale or scrap various equipment and vehicles. If the City is not satisfied with the bid or bids received they are not obligated to sell the items. The internet may be used for the sale of the equipment. A list of the vehicles and equipments was provided to Council.

A second motion this evening by Mr. Tadych will authorize the Service Director to advertise for bids for the purchase of a walk-behind concrete saw. Safety has been taken into consideration.

President of Council Koomar called the meeting to order at 8:00 p.m. in the Council Chambers of Bay Village City Hall, with the Pledge of Allegiance led by Ward 3 Councilwoman Karen Lieske.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held April 22, 2013. Mr. Young **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 7-0.

ANNOUNCEMENTS

Mayor Sutherland stated that she met with other area Mayors that were affected by the Republic Waste trash strike. It was interesting to hear the different communities' experiences. Bay Village was fortunate in that the entire city was picked up because not every city even got their trash collected. Republic will credit the city with \$2.50 per household in addition to the \$4,000 to pay back for overtime usage. The credit will be seen on the bill received by the city in June.

The Mayor noted that most of the cities felt this was a fair amount, with the exception of the City of Avon Lake due to their situation where the residents contract directly with Republic. The City of Avon Lake only pays half of the trash pick-up.

The group of Mayors is also putting a letter together to Republic requesting from them a contingency plan and how they might deal with this if it comes up again.

Notification has been received from First Energy that the City will be getting \$86,000 from them regarding the storm damage from Superstorm Sandy. Another \$75,000 will be received from FEMA.

REPORTS

Law Director Ebert had no report this evening.

Finance Director Mahoney reported that the Auditors are now auditing the city's financial records.

Recreation Director Enovitch advised that May 14 is the end of the Early Bird pricing for pool passes. Mr. Enovitch encouraged everyone to stop in the Recreation Department office for their pool passes, and book a splash party if one is in their plans, since splash parties are booking quickly. The pool opens June 1, 2013, with normal hours of operation. For the week following, because school is still in session, the pool will be open from 3 p.m. to 7 p.m. Full operating hours will begin Saturday, June 8, 2013.

Director of Public Service and Buildings Galli reported that asphalt coating to the Dover Center Road Tennis Courts is scheduled for Tuesday, May 7, 2013.

Mr. Galli advised that SAFEbuilt took over the Building Department on Wednesday, May 1. Mr. Galli introduced Mr. John Cheatham, the Chief Building Official. An open house of the SAFEbuilt headquarters on the first floor of the City Hall building was held his evening. Mr. Galli invited residents to stop in and meet Mr. Cheatham and see the facilities. Mr. Galli stated that as Building Director, he will still be personally involved in representing the City, and invited anyone to contact either Mr. Cheatham or himself and pledged to provide a high level of service.

Mr. Cheatham stated that he has an open door and invited visitors at any time, stating that service is the main thing they want to provide.

Community Services Director Bock announced that the electrician has installed new lighting at the Dwyer Memorial Center and it is absolutely phenomenal.

Fire Chief Lyons reported that hydrant testing and inspection is underway and the public's forbearance will be appreciated. An e-mail blast has been sent from the Mayor's office, as well as other notices publicized. The City Hall receptionist can be reached at 440-871-2200 to learn

when the men will be in specific neighborhoods. If iron ore residual is found to be in laundry, the Fire Department will provide rust remover free of charge.

COMMUNICATIONS

The following communications were received and are on file in the Clerk of Council office for public inspection:

Norfolk and Southern Train Report No. 175, reporting that there were 2.2 trains per day on average through the City of Bay Village during March, 2013.

Communication from Scott M. Tuma, Councilman, Ward Eight, City of Parma, attaching a copy of Resolution No. 37-13 passed by Parma City Council on April 15, 2013 urging the Ohio Board of Building Standard to consider amending the Ohio Building Code to require Photoelectric smoke/fire detectors in sleeping rooms.

AUDIENCE

The following members of the audience signed in this evening: Dick Majewski, Tom Henderson, Scott Mahoney, Jeff Gallatin, Bruce Geiselman, Sue Fink, Mike O'Boyle, Russell Thompson, Chris Hopkins, Linda Gross, Jerrie Barnett, Jen Kennedy, Brenda O'Reilly, Kevin McGinty, Susan Murnane, Marty Mace, Doug Borchert, Tom Henderson, Warren Remein, Barry Ward, Scott Pohlkamp, Bernadette Novy Enochian, Lawrence Kuh

Nancy Brown asked clarifications on the items listed under Executive Session this evening. Ms. Brown asked why the SAFEbuilt lease is in Executive Session if everything is in motion. Law Director Ebert stated that the rental amount must be determined. The understanding that the Mayor has is that SAFEbuilt would pay for half of the buildout of the former police headquarters. Figures are still being gathered, and the Executive Session will include a report of those figures and a draft of the lease.

The Executive Session also includes the Ohio Citizens Action Group regarding the Peddlers and Solicitors ordinance. That will not be discussed this evening. It had been placed on the agenda anticipating the reading of a new ordinance. The item is still in litigation.

The Inglefield litigation is concerning a house on Lake Road that suffered sewage damage due to the failure of a City pump. There was no insurance to cover the costs incurred. The City settled with the homeowner. The City was sued by the tenant who had damage to personal property. The City has cross claimed against the excavation company and engineer for the design of the pump. Ms. Brown asked how long this piece has been going on. Mr. Ebert stated that it has been going on for close to a year. One pre-trial has been held in court. Ms. Brown asked how many hours have been put into this. Mr. Ebert stated that depositions have been taken and are scheduled for other service workers in the next couple of weeks. It is paid for by the City. There is no insurance for sewage back-up.

Susan Murnane, 30509 Willoway Lane, stated that Law Director Ebert and she have been in discussion regarding the fact that her email is being bounced by the City Hall as Spam. About one month ago or more Mrs. Murnane's email was hacked, but that has been taken care of for some weeks now. The hard drive has been scrubbed, AT&T has verified that the system is clean, and there is no trouble with any other email in the world. The techs at Case Western advise that there is nothing Mrs. Murnane can do; it has to come from the City. Mrs. Murnane tried to contact Miss Popovich at City Hall, but her email was bounced as Spam. Mr. Ebert stated that the tech representative for the City comes in on Tuesday and has this on his agenda. Last week the work was successful and emails went back and forth, but the interruption is back again. Mrs. Murnane provided her telephone number to Mr. Ebert for contact by Bailey Communications.

Ms. Brown stated that Mrs. Murnane and she are also present this evening to support the Crisis Communication Task Force who will present their report and recommendations to Council this evening. Ms. Brown noted that she and Mrs. Murnane will be glad to answer any questions, and that she realizes the Council is being given a diluted or smaller version of their report. Ms. Brown stated that the members of the Task Force had a lot of fun and did a lot of brainstorming. Chief Lyons, Chief Wright, and Director Bock attended all of the meetings. They are hoping that if Superstorm Sandy or another event occurs the City is better prepared, and things will be tested, evaluated, and looked at, either by event or on a daily basis. It is going to a community effort to make this a successful program.

Jerrie Barnett thanked Don Landers the Service Department for filling the holes on Lake Road. They have all been done and it is greatly appreciated by drivers.

Bernie Novy Enochian from 306 Florence Court, part of the Saddler Beach Association, and just moved back into the family home in the last six months. Ms. Enochian is glad to be back and hopes to attend more meetings. Ms. Enochian was welcomed.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE

Crisis Communication Task Force Report

Mr. Clark referred to Mayor Sutherland and stated that many people have put a great deal of effort to the work to be presented by the Crisis Communication Task Force this evening.

Mayor Sutherland stated that as most will remember the area was hit with a very awful storm at the end of October and had some challenges communicating without power, internet, or phones. Some areas of communication worked very well. They had just started the Nixle texting and email. That worked well, but there were other things that did not work well. Mayor Sutherland stated that as a result she put together the task force with some wonderfully talented marketing people and passionate residents. They have come up with a wonderful product that the entire community needs to embrace. It is not something the government can require people to do but it is hoped that everybody will take personal responsibility and follow through on some of the recommendations.

Mayor Sutherland introduced Dave Adams and Jen Kennedy, and thanked them for chairing the Crisis Communication Task Force. The Mayor noted further that the city does have emergency plans, and it was not the response of the Fire, Police and Service Department that was called into question. It was how we communicate in that type of emergency, and they did a great job of threading that needle. Mayor Sutherland asked any other members of the committee present to stand and be acknowledged. The Mayor expressed appreciation to Nancy Brown, Susan Murnane, Chief Lyons, and Director Bock, and in his absence, Chief Wright, for all the time that they put in on this effort and a wonderful example of the things our residents can do.

Dave Adams expressed appreciation to the Mayor, Council, and the members of the Crisis Communication Task Force Committee. Mr. Adams stated that he was a newspaper reporter for 15 years, and in that role covered many disasters. He moved into online content production for a news website, did public and media relations for the Northeastern Ohio region for Huntington Bank, and now does marketing communications for Ernst and Young Advisory Communications Group. Jennifer Kennedy introduced himself stated that she also has a marketing and public relations background. She ran the marketing and public relations for Community Health Partners for seven years prior to starting her own consulting business. Mrs. Kennedy stated that she is a fairly new Bay Village resident, and has four children. Jennifer thanked Councilwoman Karen Lieske, who attended many meetings and continuously told them that they had the support of City Council.

The following reports were presented to Council and a copy is attached to the original copy of these minutes as if fully incorporated herein:

Bay Village Mayor Deborah Sutherland's Emergency Communications Task Force Draft Recommendations, April, 2013

Recommendations for Improving Emergency Communications researched and compiled by the Bay Village Emergency Communications Task Force, May, 2013

Mr. Koomar thanked Mrs. Kennedy and Mr. Adams for their time and dedication in submitting this information to Council and the administration. Mr. Clark, as Chairman of the Environment, Safety and Community Services Committee will connect with the Task Force to further explore their recommendations.

Mayor Sutherland stated that the Task Force did a great job in nailing down what needs to be done, and it will be done.

PUBLIC IMPROVEMENTS /STREETS/SEWERS/DRAINAGE COMMITTEE

Motion by Miller to refer Saddler Beach Easement and Stormwater System Improvements to the Public Improvements, Streets, Sewers and Drainage Committee.

Motion carried 7-0.

FINANCE & CLAIMS COMMITTEE

Mr. Young introduced **ORDINANCE NO. 13-33** AMENDING ORDINANCE NO. 12-109, 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 2013 AND THEREAFTER, 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. 13-33.

Roll Call on Suspension of Charter Rules:

Yeas- Clark, Koomar, Lee, Lieske, Miller, Tadych, Young
Nays-None

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-33** an emergency measure, by a vote of 7-0.

Mr. Young introduced **ORDINANCE NO. 13-34** TO AMEND APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF BAY VILLAGE FOR THE FISCAL YEAR 2013, AS PREVIOUSLY APPROPRIATED IN ORDINANCE NO. 13-15, 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. 13-34.

Roll Call on Suspension of Charter Rules:

Yeas- Koomar, Lee, Lieske, Miller, Tadych, Young, Clark
Nays-None

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

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Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-34** an emergency measure, by a vote of 7-0.

Mr. Young introduced **ORDINANCE NO. 13-35 AUTHORIZING PAYMENT TO ALEX N. SILL CO., FOR APPRAISAL AND ADJUSTMENT SERVICES RELATED TO THE HAIL DAMAGE CLAIM FOR THE ROOFS ON CITY BUILDINGS AND STRUCTURES, 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. 13-35.

Roll Call on Suspension of Charter Rules:

Yeas- Lee, Lieske, Miller, Tadych, Young, Clark, Koomar
Nays-None

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-35** an emergency measure, by a vote of 7-0.

Mr. Young introduced **ORDINANCE NO. 13-36 AUTHORIZING PAYMENT TO OSBORN ENGINEERING FOR PROFESSIONAL SERVICES RELATED TO THE HAIL DAMAGE CLAIM FOR THE ROOFS ON CITY BUILDINGS AND STRUCTURES, 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. 13-36.

Roll Call on Suspension of Charter Rules:

Yeas- Lieske, Miller, Tadych, Young, Clark, Koomar, Lee
Nays-None

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-36** an emergency measure, by a vote of 7-0.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE

Motion by **Lee** authorizing the Green Team to install a temporary banner from May 7th though May 18th at the Community Garden near the intersection of Forestview Drive and Wolf Road promoting “Spring Green Garden Show on May 18th” per the artwork presented.

Motion passed 7-0.

Motion by **Lee**, authorizing the Green Team to install a temporary banner, in the dimensions of 8 feet by 3 feet, from May 7th though May 18th in Cahoon Park near the intersection of Cahoon Road and Wolf Road promoting “Spring Green Garden Show on May 18th” per the artwork presented.

Motion passed 7-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Motion by **Lieske** to accept the donation of materials and services of the Bay Village Garden Club for landscaping around the Gazebo in Cahoon Memorial Park.

Motion passed 7-0.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Tadych stated that at the last meeting of Council the possibility of development on Sperry Road in Westlake affecting Bay Village residents was discussed. Mr. Tadych attended a City of Westlake Planning Commission meeting on April 29, 2013. Several Bay Village residents also attended and voiced opinions. The City of Westlake planning officials were very attentive and expressed much concern about the noise and recognized that Bay Village is the city that has residences closest to the area of development. An automobile dealership will be put in at 24690 Sperry Road, with the existing building to be torn down and a two story building constructed. The area behind the dealership will be buffered by the State of Ohio Vehicle E-Check area, providing further protection for Bay Village residents. The City of Westlake stated that the development would be 440 feet from the Bay Village properties, and passed resolutions that no billboards will be allowed, trailers and trucks will only be operated and unloaded during normal

business hours, not during the evenings, special lighting will be used so that the lights do not interfere with the neighbors, and evening lighting and regular lighting during operations will be provided. The Planning Commission stated that no outdoor public address system would be permitted on the premises, furthering the reduction of noise. Operations will close at approximately 9 p.m. The City of Westlake was very supportive of Bay Village residents and their concerns.

Motion by **Tadych** authorizing the Service Director to auction for sale or scrap various equipment and vehicles. A list has been provided to Council of 14 pieces of equipment that are going to be included in that sale.

Motion passed 7-0.

Motion by **Tadych** authorizing the Service Director to advertise for bids for a walk-behind concrete saw.

Motion passed 7-0.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Young **MOVED to** convene to Executive Session regarding contract (SAFEbuilt lease), labor contracts (Police, Fire, Service, Admin.) and litigation (Ohio Citizens Action Group, Inglefield)

Roll Call Vote: Yeas- Clark, Koomar, Lee, Lieske, Miller, Tadych, Young. Nays – None.
Motion passed 7-0.

Prior to convening to Executive Session, Council adjourned briefly to conduct a meeting of the Cahoon Memorial Park Trustees at 9:11 p.m. At 9:14 p.m. the meeting of the Cahoon Memorial Park Trustees adjourned, and Council moved to Executive Session. Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney.

Council reconvened in an open meeting at 9:38 p.m. Present were: Clark, Koomar, Lee, Lieske, Miller, Tadych, Young.

There being no further business to discuss, the meeting adjourned at 9:39 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council