

City of Bay Village

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

July 22, 2013

Paul A. Koomar, President of Council, Presiding

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

Absent: Mr. Lee

Also Present: Law Director Ebert, Finance Director Mahoney, Service Director Galli, Operations Manager Landers

Prior to calling the meeting to order, Mr. Koomar reviewed the agenda with Council. During the review, Director of Public Service and Properties Galli provided Council with the following information concerning the items he had presented for the agenda this evening:

An ordinance authorizing the Mayor to enter into an agreement with Osborn Engineering for the engineering, design and bid documents for the rebuilding of the Service Department transfer station building is due to the collapse of the salt barn roof at the service department in 2010. The insurance settlement has been reached and the building needs to be reconstructed. Osborn Engineering has been involved with this since the original loss, and for continuity it is felt that it is best to proceed with them for the reconstruction. In addition to the requirements of the Environmental Protection Agency for a truck decanting system, storage will be added. As part of the process, a committee will be formed at the garage to communicate their needs to Osborn Engineering. Three alternative designs will be created, from which a hybrid of the three will be used for schematic drawings to be submitted to the City Planning Commission. Mr. Miller noted that storage of equipment will provide longevity by keeping the equipment out of the elements of the weather when not being used. A loading dock will be included in the design.

Four ordinances are on the agenda to provide contractual services for roof replacement on municipal buildings. After receiving an insurance settlement, a call for bids was advertised for roof replacement and repair for 25 buildings/structures. After bidding, Mr. Galli spoke with the Ohio Department of Commerce, Wage and Hour Division, regarding prevailing wages and splitting up projects. They allow it, except for the police station and garage. Those will be rebid because they exceed the dollar amount for prevailing wages. A total of three contractors will be used for all the projects. The projects that exceed \$15,000 are being awarded by ordinance this evening. Those projects under \$15,000 will be contracted by the purchase order process only.

Mr. Miller stated that Mr. Doug Gertz and Mr. Eric Eakin, as representatives of the Bay Village Historical Society, were given the opportunity to weigh in on the color of the shingles for the historical buildings located in Cahoon Memorial Park. A charcoal color will be used for the shingles.

Special Meeting of Council
July 22, 2013

Mr. Young addressed Mr. Galli about the application to the Ohio Department of Natural Resources, Division of Forestry, for a grant for the abatement of trees affected by the Emerald Ash Borer disease. He noted that Avon Lake will try to remove trees with the disease from the Walker Road Park. Mr. Galli stated that this particular grant is from Cuyahoga County and would not be applicable for the trees in Walker Road Park. Mayor Sutherland commented that Bay Village would have to partner with Avon Lake as an agency in order to apply for anything outside of Cuyahoga County.

Mr. Miller advised that there is an amendment to Ordinance 13-56 that will be placed on second reading as amended this evening.

Mr. Ebert distributed an amended copy of Ordinance 13-57, stating that this amendment refers to the fact that the creation of Section 1158B is contingent upon the rezoning of the Cahoon west property. The reason that this was not done initially is because a meeting with Councilmen Tadych and Lee was held concerning the revision of Section 1158 completely, including Sections 1158A and 1158B, and whether it is going to be implemented as an overlay. The issue of density was agreed upon, but the contingency upon rezoning was not put in. Mr. Ebert informed Mr. Miller today that if he wants to wait until the committee meets and discusses it in total he can put a contingency upon rezoning. Mr. Ebert prepared another ordinance to put a contingency on the passage of rezoning for the five parcels on Cahoon. The Planning and Zoning Committee can address 1158A and 1158B when they meet in the future. If 1158B is passed without the rezoning being passed, it would not be used unless there was a parcel with the same criteria. Mr. Ebert stated that the contingency of Ordinance 13-57 on the passage of the rezoning issue is up to the Council. The Law Department has no opinion on the matter.

Mayor Sutherland commented that they have been working very diligently on municipal income tax and making sure that we are preserving our revenue flow. They had worked up to the point where they were very happy in slowing the entire process down so there could be very thoughtful and deliberative discussion on how to change HB 5. They were very successful, until Friday, when they were notified that Chairman Peter Beck, who heads up the Ways and Means Committee, who has been their champion on the issue, was indicted for 16 counts of fraud, and will be resigning. The Speaker of the House will be pulling his Chairmanship. The Mayor continued, stating that they have done a lot of work and all the municipal interests have come together. They have a strong coalition and will wait to see who will become the new chairman of the Ways and Means Committee. Mayor Sutherland does not think that anything will move on HB5 until the House of Representatives comes back into session in September.

Mr. Koomar called the Special Meeting of Council to order at 8:00 p.m. in the Council Chambers with the Pledge of Allegiance led by Ward 4 Councilman Mike Young, and roll call.

ANNOUNCEMENTS

Mayor Sutherland advised that over the last couple of days, particularly late on Friday, she was notified that there has been an issue with brown-outs, particularly in the Kenilworth area and also on Tanglewood. The Mayor did speak with the government representative today from First

Energy. She was informed of some of the concerns from the neighbors about the actual amount of voltage coming into their homes, that it was not up to par. The government representative is currently researching that and is going to do a voltage graph at one of the addresses and hopefully that will show if there is an issue. The Mayor also talked to her about the transformers, and is now waiting for the representative to get back to her.

Mr. Koomar stated that there were also issues on Canterbury Drive.

AUDIENCE

The following were present: Conda Boyd, Al Kruzer, Jerrie Barnett, Anne Marie Cronin, Mike O'Boyle, Russell Thompson, Joan and Bob Overfield, Dennis Driscoll, Gerald Maloney, Deirdre Krueger, Michael and Patricia Dendinger, Brian Hewco, Bob Paulenske, Marty Mace, Nancy Brown, Denny Wendell, Jeff Gallatin, Bruce Geiselman, John Brooks, Bill and Peggy Dague, Ned and Sharon Topping, D.A. and Jen Volle, Joe Talaba, Gerry Schreiber, Steve Merkel, Neil Wensink, Lucy Dyko, Rick and Mohanna Eierdam, Liese Nainiger, Susan Murnane.

Nancy Brown, Wolf Road, stated that she wanted to follow up with Mr. Landers on the question she had asked last week to clarify that the piece of equipment being carried in a city truck was not a lawn mower, but was a piece of equipment that was used to prepare baseball diamonds. Ms. Brown asked what field was being prepped on Sunday morning. Mr. Landers stated that the fields were at Reese Park and Bradley Park. Ms. Brown asked if this was for a team, or a family event. Mr. Landers stated that it would have been for rescheduled games and information can be obtained from Recreation Director Enovitch.

Ms. Brown asked Finance Director Mahoney and the Mayor where the city stands on overtime earned at Bay Days by the Service Department and safety forces. The Mayor stated that the total cost was approximately \$11,000. Ms. Brown asked if money has been received yet from Kiwanis to offset these costs. The Mayor stated that money has not yet been received from Kiwanis. Ms. Brown stated that just to clarify, when we have somebody from the Service Department and/or safety forces working on a holiday, what type of hourly pay do they get? Time and one-half, double time? Mrs. Mahoney stated that they receive time and one-half times time and one-half. Ms. Brown stated that if they have to work on a Saturday because they typically work Monday through Friday, what is their rate? Mrs. Mahoney stated the rate is time and one-half.

Ms. Brown stated that discussion of a grant application made mention that the city has two arborists. It was just a few years ago that we had a full time arborist and then that position was cut to half time or part time, and then the position was eliminated. Ms. Brown asked the names of the two arborists employed by the City of Bay Village. Mayor Sutherland stated that the city has one arborist and that is Pat Scott. Ms. Brown asked who the other person is that works with the arborist. The Mayor stated that the other person is a Horticulturist. Nancy Brown asked his name. The Mayor replied that his name is John Liskovec. Ms. Brown asked if this is the person that is related to Mr. Ebert. Mr. Ebert stated that Mr. Liskovec is his son-in-law. He was not his son-in-law at the time he was hired.

Special Meeting of Council
July 22, 2013

Susan Murnane, 30509 Willoway Lane, stated that she would like to talk about the tax abatement issue that is on the agenda tonight. They learned last week at the special meeting of Council and Public Hearing that Mr. Brickman builds beautiful buildings and that those buildings sell for high prices, the people that buy them resell them for even higher prices. Under the circumstances, Mrs. Murnane stated that she wants to know why there is consideration being given for tax abatement, which is a kind of public subsidy for such profitable, high-end residential investments. It's not good enough to say that a real estate development requires public subsidy of some sort or another, as the Mayor has said, because our neighbors don't do it. Those suburbs most like us, Rocky River and Westlake, don't do it. So, why are we considering public subsidy for this kind of profitable, high-end investment.

Mr. Koomar stated that as he said last week that is something Council has not addressed. Mr. Koomar stated that Mayor Sutherland commented for the paper, and asked if she had comments for Mrs. Murnane. Mayor Sutherland stated that she had no further comments, noting that she thinks it is very early in the process and we may get to the point where we don't do anything, and that's just fine.

Mohanna Eierdam, 615 Kenilworth Road, stated that as she had discussed with Mayor Sutherland, and will not repeat herself, she would like to present some pictures and a letter that she did pass to some of her neighbors. Mrs. Eierdam stated that they have had a lot of damage done at their home. Mrs. Eierdam runs a home business. The reason that they found out they were having an issue with the power was that the alarm systems on the computer started beeping. They discovered the problem by calling The Illuminating Company. The name of the person and his truck number from the Illuminating Company are included in the letter given to the Mayor. He did indicate Friday, July 19, in the afternoon, that the Eierdams are getting 200 volts into their home, but it should be 220 coming in. He did find the alarms working on and off on the computer. He said that the Eierdams electronics are struggling. Mrs. Eierdam was also informed that power surge protectors do not protect against brown-outs. Some of the neighbors are concerned about frayed wires hanging. They just want to know if they are dangerous, or nothing to worry about. But nobody from the electric company shows up at their home to give them peace of mind. Mrs. Eierdam asked for whatever help can be given them to get something done. Mrs. Eierdam stated that she knows Kenilworth is not the only area experiencing these problems.

Richard Eierdam, 615 Kenilworth Road, stated that this is not just a summer problem. It has been going on for the whole year. They probably had twenty calls in and Friday was the first time they actually got someone to come out to look at the problem that they are having. They give a claim number but never follow up. They are supposed to call when they find the problem, but the Eierdams never received one call back.

Tracy Sicafuse, 549 Kenilworth, stated that they are in the grid that when the wind blows they lose power for a week. They were the last twenty people that were put back on the power system with Hurricane Sandy. The people across the street always have power and the eastern side of Kenilworth, all of Parkside and half of Huntmere lose their power for weeks and weeks. This occurs 6 or 7 times a summer. For Hurricane Sandy they were out 7 ½, almost 8, days. When the gentlemen came from Colorado to put them back up and running they said they had never seen such antiquated equipment and they were surprised that they could get it back up and

running. Ms. Sicafuse stated that they have lost refrigerators full of food. Many residents have generators, which sounds great, but the reality is that if you are going to try to run a generator the cost is \$4.00 for a gallon of gas. Trying to run the refrigerator and a few lights, on top of what you have to pay just to live where we live, is becoming a hardship. The houses are not huge and the people are not asking for a lot, but there have been a lot of losses and are hoping that someone will come out and see what's going on.

Councilman Miller stated that in addition to those other streets, Elmwood is one of those streets that has been experiencing the same situation. Tracy also went out with a petition and was gathering information from those other streets about these brown-outs. That is in addition to not only the condition of these lines and how we set up the circuiting to prevent the mass outage but trying to localize it to a distinct area where there might be a line down or a tree limb has actually taken down a line. The Mayor and Mr. Miller are trying to get together a plan, trying to understand the whole area. It seems to dissipate once it gets to about Glen Park. We know it starts just east of Parkside and that fingering of circuits is frustrating because there is power on one side of the street from one circuit and the other side gets a different circuit because of backyard wiring. One side of the street may have power, while the other side of the same street does not have power.

Mayor Sutherland stated that it transcends cities; it does not just stop at the borders.

Mr. Koomar stated that the phone calls he has had recently regarding Canterbury were north of Wolf Road on the west side of the street. It is understandable when there are conditions such as Hurricane Sandy or a limb down, but many times that is not the case.

Mr. Miller added that most of the power outages a week or two ago were on the north side of Wolf Road.

Mayor Sutherland commented that we live in a city that has big trees. We love our trees; during storms we hate our trees. If we don't keep them trimmed, and even if we do keep them in top condition, there is still a chance that a branch is going to come down. Unfortunately the way the city was originally wired would not be the way we would wire it if we were doing it today. When they did wire our city they strung poles and wires in backyards and those are the hardest ones to get at to repair. The Mayor noted that even during Hurricane Sandy on her street which is a great example, half the street is underground in the back yard and the other half of the street is above ground on poles. Three trees came down and took down multiple poles and those are extremely difficult to access. They almost have to be hand-done because they can't get the big equipment in the back yards to reset the poles. The Mayor encouraged residents to trim their trees and when forestry crews come around from First Energy allow them access to the back yards.

Mr. Miller stated that a limb down doesn't even have to be storm related. Mr. Bob Paulenske, 501 Elmwood stated that he moved from Westlake to Bay Village about 9 months ago and woke up this morning to see a big branch, about ten inches in diameter fell out the big front tree, across the sidewalk and into the road. He called a tree company and they said they can't get to the site for days. Mr. Paulenske came into city hall and spoke with the Clerk who took the time and

Special Meeting of Council
July 22, 2013

introduced him to what choices he had. Within a matter of an hour or so, the Building Department and Service Department were out there and within minutes the tree was cut up and removed. He stated this was tremendous service.

Steve Merkel, 380 Oakmoor Road, pointed out that the power lines that feed a good deal of Bay Village are left over from Lakeshore Electric that went out of business in the 1930's. They just replaced an 80 year-old pole on Oakmoor, in front of Mr. Merkel's home. He stated that there are two issues: trees and an electrical infrastructure that goes back to the 1920's and hasn't been changed much since then.

Linda Stasko, 589 Kenilworth stated that her concern for the Eierdams is that if they are supposed to be getting 220 volts of power, and they are only getting 200 volts. Is there a way of figuring out why there is not enough power coming from the transformers? They are paying for 220 volts, but whatever is on the pole is not giving them what they should have to run their home.

Mr. Miller stated that the representative from CEI is going to research to find out how the service is being brought in. If there is an unsatisfactory supply, they will unveil that. Mayor Sutherland noted that it is very helpful to have all the addresses Mrs. Eierdam supplied to the Mayor. The voltage graph will be at the Eierdams home and will provide further information. Mrs. Eierdam stated that when her neighbor's air conditioning unit kicks on Mrs. Eierdam's lights dim. The service representative of CEI looked at the lines and said they should not be sharing so much power by the split of the lines with the neighbor.

Mrs. Stasko commented further that they have many brown-outs. They would appreciate the assistance of the city. The Mayor noted that the city has no jurisdiction over First Energy; they are actually controlled by the state. But, they try to work with them as best as they can. The Mayor stated that it is really a national issue and is of concern to national security.

Mr. Tadych noted that a few years ago they had the same problem in Ward 1. Mr. Tadych and the Mayor spoke with the governmental representative of First Energy, and finally they came through for them and put some breakers in so that when there is a full outage it breaks in certain areas and the whole area doesn't go out at once. There were too many homes on one circuit, so they reduced the number so that not as many go down when there is an outage. Mr. Tadych noted that it took a long time to accomplish this improvement.

Mayor Sutherland stated that the area of Kenilworth might be on the bottom end of that issue. She is working with the representative of First Energy and will contact Mrs. Eierdam when more information is available.

John Burney, 497 Cahoon Road, addressed the matter of the proposed rezoning of property on Cahoon Road, stating that their concern is how you protect the value of the properties that are there. He asked what Council and the administration know about this developer. He stated, "What do you know about the development in Rocky River? How many of those units actually sold? Two. Why does he need the tax abatement? He probably needs to sell it. Those are filled lots. I am telling you from a structural standpoint, they've got to go down to solid rock. If he is

required to do that, there's no way he can sell a high quality unit for \$250,000, unless he's got a 500 square foot unit." Mr. Burney asked the density that is being given to these people on the rezoning. He was informed that the density is no more than 8 units per acre. There are approximately 2.4 acres on the west side of Cahoon Creek. Mr. Ebert explained that originally there were four parcels involved, the house on the corner, Mr. Lustris's house and two lots. Then a letter was received from Mr. Burney's neighbor asking to be included.

Mr. Burney asked if the approximate twenty units that would be allowed would be built on top of the hill or going down to the creek. Mr. Koomar stated that this issue is a rezoning matter. Council has not seen any plans or knows that the developer has actually purchased the property. There are Environmental Protection Agency riparian setbacks required for streams now that weren't in place ten years ago.

Mr. Burney stated that his concern is that the developer builds something of quality, that the square footage is something that is comparable to what is on Cahoon, and that it is built of structural steel all the way down to solid rock. Mr. Burney cautioned Council and the administration that they need to protect the residents in this regard.

Mr. Miller addressed Mr. Burney and stated that as he had mentioned there are stop gaps through the Planning Commission which has a host of requirements for any application. Mr. Burney stated that he wants to know what those requirements are to make sure the residents of the city are protected. This property is right across the street from the school. He suggested that this may be some entity that will disappear after the units are built. Mr. Burney reiterated that Council needs to protect the residents to make sure they do what they say they are going to do before anything is rezoned. Once you rezone it, he can change the whole plan. He asked what will be done to protect the residents before it goes to vote. Otherwise, we don't know what we are getting. There is nothing Council can do to assure the residents of that, unless it is in writing. He asked if that can be done.

Mr. Burney asked further if the quality of the buildings that will be built there can be guaranteed. Mr. Young stated that this would fall under the building code. Mr. Burney asked what the building code requires for structural steel going down to solid rock. Mr. Young stated that we must abide by the state building code.

Mr. Burney stated once again that Council and the administration should be sure they know about the developer and his reputation, and what he has actually done. Before submitting the rezoning to the voters, it should be guaranteed that the residents will be protected through the zoning code, building code, and structural code.

Conda Boyd, 27896 West Oakland stated that before voting on rezoning, she needs to know how the Council stands on tax abatement, and what the legislation for Section 1158 looks like. Suppose we waited until Section 1158 is rewritten, which has been under development for ten years. Ms. Boyd stated that she understands that Council feels they will be able to get it done by the first of the year. She asked why Section 1158 cannot be rewritten before the rezoning is done. If this is good property, it is not going to go away in a year. Why can't we have this really important discussion? Cuyahoga County is built out; it's the first county in the state that is

totally developed. We are going to face this redevelopment problem forever.

Mr. Koomar responded stating that it is an option to wait a year. At this point, Council would have to vote to put this legislation on the ballot for August 5. At this moment it is anticipated that Council will have another meeting. Relative to the tax abatement comments received, Mr. Koomar stated that he has asked Councilman Young, as Chairman of the Finance Committee, to have the Finance Committee take a high-level overview of the tax abatement concept not relative to any developer, not relative to this piece of property, but conceptually, how we feel about tax abatement and some of the mechanisms that are there, and to come back either by the July 29 meeting or the August 5 meeting to have a discussion on the issue before considering a vote on the rezoning and whether we will move forward on it.

Ms. Boyd stated that with the price of this piece of property we also need to bear in mind that it is worth talking about relative to 32 units at that location and a 75% abatement. We can do the math and see that price tag. Ms. Boyd ran some numbers, looked at the current taxes that are being paid on those lots which is \$15,320. If we are talking about 32 units at \$250,000 apiece, that is an appraised value of \$8 million. If we gave an abatement based on the current value, that's \$212,800 every year for ten years, or over \$2 million. The city's portion might not be a lot for that, but the schools would get 60% of that.

Mr. Koomar asked Ms. Boyd to hold further discussion on specific numbers since the Finance Committee has been asked to take a high-level view of tax abatement. He also noted that there is a piece of HB920 that plays into that where the schools are made whole on any given levy. Would that abatement be spread to the remaining residents? That's one of the things we want to have the Finance Committee review.

Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held July 15, 2013. Mr. Young MOVED to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 5-0, with one abstention (Mr. Young). Mr. Koomar called for a reading of the Minutes of the Public Hearing held July 15, 2013. Mr. Young MOVED to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 5-0, with one abstention (Mr. Young).

In Mr. Lee's absence, Mr. Miller read **ORDINANCE No. 13-56**, amending by reading, to include Parcel No. 203-09-021, outlined in Section 5 of the ordinance, **REZONING CERTAIN LANDS LOCATED ON CAHOON ROAD, PERMANENT PARCELS NO. 203-09- 017, 203-09-018, 203-09-019, 203-09-020, and 203-09-021 CONTAINING 2.349 ACRES, FROM THIRD RESIDENCE DISTRICT TO ATTACHED RESIDENCE DISTRICT, AND DECLARING AN EMERGENCY.**"

Ordinance No. 13-56, as amended, was placed on **Second Reading**.

Mr. Miller read **ORDINANCE NO. 13-57**, also introduced by Mr. Lee, **amending by reading** to include, the following as part of the last Whereas clause, "SECTION 7.6 VOTER APPROVAL OF ZONING CHANGES.

1. (a) An ordinance or resolution, effecting a change in the zoning classification or

district of any property within the City of Bay Village shall not become effective, after the passage, thereof, until Council submits such ordinance or resolution to the electorate at a regularly scheduled election, occurring more than 60 days after the passage of the resolution or ordinance, and such ordinance or resolution is approved by a majority of the electors voting thereon, in this Municipality and in each ward in which the change is applicable to property in the ward.

(b) An ordinance, or resolution, effecting a change in the uses permitted in any zoning use classification or district of the City of Bay Village, shall not become effective after the passage thereof, until Council submits such ordinance or resolution to the electorate at a regularly scheduled election, occurring more than 60 days after the passage of the resolution or ordinance and such ordinance or resolution is approved by a majority of the electors voting thereon, in this Municipality and in each ward in which the change is applicable to property in the ward.”, ENACTING NEW CODIFIED ORDINANCE CHAPTER 1158B ENTITLED CAHOON WEST ATTACHED RESIDENCE DISTRICT, AND DECLARING AN EMERGENCY.

Ordinance No. 13-57, as amended, was placed on **Second Reading**.

Mr. Miller introduced ORDINANCE NO. 13-60 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OSBORN ENGINEERING FOR THE ENGINEERING, DESIGN AND BID DOCUMENTS FOR THE PROJECT KNOWN AS “REBUILD OF THE SERVICE DEPARTMENT TRANSFER STATION BUILDING, 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. 13-60.

Roll Call on Suspension of Charter Rules:

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

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-60**, an emergency measure, by a vote of 6-0.

Mr. Miller read **ORDINANCE NO. 13-61** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MASTER RENOVATIONS, INC. FOR THE REPLACEMENT OF THE DWYER MEMORIAL CENTER ROOF, AND DECLARING AN EMERGENCY, and

Special Meeting of Council
July 22, 2013

moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-61.

Roll Call on Suspension of Charter Rules:

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

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-61**, an emergency measure, by a vote of 6-0.

Mr. Miller read **ORDINANCE NO. 13-62** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MASTER RENOVATIONS, INC. FOR THE REPLACEMENT OF THE BAYWAY CABIN ROOF, 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. 13-62.

Roll Call on Suspension of Charter Rules:

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

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of **Ordinance No. 13-62**, an emergency measure, by a vote of 6-0.

Mr. Miller read **ORDINANCE NO. 13-63** AUTHORIZING THE MAYOR TO ENTER INTO

Special Meeting of Council
July 22, 2013

AN AGREEMENT WITH MASTER RENOVATIONS, INC. FOR THE REPLACEMENT OF THE FIRE STATION ROOF, 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. 13-63.

Roll Call on Suspension of Charter Rules:
Yeas-Miller, Tadych, Young, Clark, Koomar, Lieske
Nays-None
Roll Call on Suspension of Council Rules:
Yeas –Miller, Tadych, Young, Clark, Koomar, Lieske
Nays–None
Roll Call on Use of the Emergency Clause:
Yeas –Miller, Tadych, Young, Clark, Koomar, Lieske
Nays -None
Roll Call on Adoption:
Yeas–Miller, Tadych, Young, Clark, Koomar, Lieske
Nays–None

Mr. Koomar announced adoption of **Ordinance No. 13-63**, an emergency measure, by a vote of 6-0.

Mr. Miller read **ORDINANCE NO. 13-64** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MASTER RENOVATIONS, INC. FOR THE REPLACEMENT OF THE SERVICE CENTER POLE BARN BUILDING ROOF, 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. 13-64.

Roll Call on Suspension of Charter Rules:
Yeas- Tadych, Young, Clark, Koomar, Lieske, Miller
Nays-None
Roll Call on Suspension of Council Rules:
Yeas –Tadych, Young, Clark, Koomar, Lieske, Miller
Nays–None
Roll Call on Use of the Emergency Clause:
Yeas –Tadych, Young, Clark, Koomar, Lieske, Miller
Nays -None
Roll Call on Adoption:
Yeas–Tadych, Young, Clark, Koomar, Lieske, Miller
Nays–None

Mr. Koomar announced adoption of **Ordinance No. 13-64**, an emergency measure, by a vote of 6-0.

Special Meeting of Council
July 22, 2013

Motion by **Miller** authorizing the completion of the roof replacement contracts not administered by ordinances of Council for the city buildings included in the 2013 Roof Replacement Program.

Motion passed 6-0.

ANNOUNCEMENTS/MISCELLANEOUS

Mr. Koomar announced that Council will try to take a high-level view of tax abatement. The Finance Committee will meet within the next two weeks in anticipation of the August 5 meeting to come back to the Council of the Whole at the August 5 meeting for discussion and further understanding of the tax abatement concept.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Young **MOVED** to adjourn to Executive Session regarding personnel (Police Chief reorganization and qualifications), labor contracts, (Police, Fire, Service, Admin.) and litigation (Ohio Citizens Action Group) at 8:55 p.m.

Roll Call Vote: Yeas- Young, Clark, Koomar, Lieske, Miller, Tadych. Nays- None. Motion passed 6-0.

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney and Mr. Jim Budzik.

Council reconvened in an open meeting at 9:58 p.m. Present were: Clark, Koomar, Lieske, Miller, Tadych, Young.

There being no further business to discuss, the meeting adjourned at 10:00 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council