

City of Bay Village

Council Minutes, Committee Session
Conference Room

September 23, 2013
7:30 p.m.

Paul A. Koomar, President of Council, Presiding

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

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

ANNOUNCEMENTS

Mayor Sutherland advised that the administration is working toward having the sewer rental/trash collection fees automatically deducted from checking accounts starting in January. Further information about technology advancements will be made in the future.

AUDIENCE:

The following audience members signed in this evening: Dick Majewski, Jerrie Barnett, Tom Henderson, Marty Mace, Denny Wendell, Tara Wendell, Susan Murnane, Richard Fink.

Jerrie Barnett asked the progress of the Lake Road Repaving Project. Mrs. Barnett was informed that the project is currently in the last stages and is open for traffic.

Mr. Young commented regarding two complaints received from residents due to the placement of traffic cones in the middle of the road on Friday evening, September 20, 2013. He suggested that a sign advising caution due to cones in the middle of the road would be helpful in these situations.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Fire Study/Update

Mr. Clark called upon Mayor Sutherland and Chris Lyons for commentary regarding an update on the fire study.

Mayor Sutherland stated that there is no update. There have been no meetings regarding the fire study. The Mayors will not be meeting on this issue until after the first of the year, or very close to the end of this year. The Mayors have been very focused on Environmental Protection Agency and sewer issues which have taken up a lot of their focus.

Fire Inspector Update

Fire Chief Lyons stated that Council is looking to have their fire safety inspections completed on shift as best they can. One fire safety inspector is on shift now, and he is completing inspections as he is able. There is not an opportunity at this time to send anyone else to fire safety inspector school because the department is down in personnel. When the department is back up to full staffing there will be an opportunity to send two men to fire safety school.

Mr. Clark asked when it is anticipated that the Fire Department will be fully staffed. Chief Lyons stating that he is optimistically looking at November. Mr. Clark stated that he wondered if it would make sense to consider someone part time. Mr. Koomar noted that some of the schools and churches were already inspected this year, so there is some breathing room. Chief Lyons expressed that to begin interviewing part timers while in the process of trying to fill the full time ranks would be very challenging. Police Lieutenant Mark Spaetzel and Chief Lyons are working very hard toward getting the three new firefighters and are making good progress.

Mr. Koomar advised Mr. Young that he has asked Chief Lyons to provide the information regarding the training of the three new personnel to Mr. Young when he provides his budget submission for 2014.

Chief Lyons noted that he will be asking for a slight increase to cover overtime hours for the Bay High After-Prom event. That typically is a 40-hour project and a single fire inspector would provide consistency throughout the process, which includes meeting with the after-prom committee, going over their submissions, etc.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Mr. Miller had no report this evening.

FINANCE & CLAIMS COMMITTEE

Audit Release Notification

Mr. Young advised that there will be an audit review on September 30. Finance Director Mahoney noted that this is a private meeting, not open to the public.

2013 Codification of Ordinances

Mr. Young commented on the annual codification of ordinances which includes adoption of new state codes, such as texting while driving. Mr. Ebert noted that additional codification of ordinances will be forthcoming when the Building Department code changes are updated. Mr. Clark confirmed with Law Director Ebert that the codification of ordinances is a requirement of the state. An ordinance will be submitted for approval at the October 7, 2013 Council meeting.

Mr. Tadych asked if there is a way that the City could adopt one set of the ordinances encompassing them with the state regulations. Mr. Ebert stated that each code must be specified.

Mr. Tadych noted that it is costing the City \$3,000 for the portion of the new state codes to be adopted; the entire codification process is \$5,300 for 2013.

Mr. Lee asked if there will be a similar cost when implementing the changes to the Building Code. Mr. Ebert stated that there will be a similar cost. He noted that the Law Department has been working with Chief Building Official John Cheatham for quite some time on this. There are drafts prepared, and significant changes to the code forthcoming. Mr. Cheatham stated that he will be at conference next week, but he will ask for the documents to be given to Councilman Miller and Councilman Lee for their review prior to his return.

Mr. Miller noted that the Ohio Building Codes updates are a single sheet or series of sheets per section. He asked if the update of the City of Bay Village Building Code will be a replacement of the entire chapter, or just the page affected. Mr. Ebert stated that it will be the page affected, unless the whole chapter needs to be completely changed. Mr. Miller stated that if we are being cognizant of the page count, we can try to keep that cost to a minimum.

PLANNING, ZONING & PUBLIC GROUNDS AND BUILDINGS COMMITTEE

Fire Station Sign Installation

Mr. Lee stated that the sign and location has been approved by the Architectural Board of Review. The sign will be located just to the west of the drive at a 25-degree angle. There are stakes currently marking the proposed location.

Mr. Ebert noted that the foundation was poured today for the police station sign. It is hoped to have both signs installed before the end of the year.

Mr. Tadych noted that both signs look very similar, and were reviewed and approved by the Architectural Board of Review.

Mr. Koomar asked if there was thought to putting the fire station sign on the east side of the driveway. Mr. Ebert stated that the electricity was not available on the east side of the driveway, the access was not clearly defined by placing it on the east side, and there was a concern about having to cut down trees. Mr. Ebert noted that there is not a large amount of vehicular traffic coming into the fire department driveway.

Mr. Koomar noted that the fire station property is not in Cahoon Memorial Park and does not need Cahoon Memorial Park Trustee approval.

Moratorium on Development – C.O. 1158 and 1158 (B)

Mr. Lee stated that a draft ordinance has been prepared as a result of last week's extensive discussion of the concept of a moratorium on development as outlined in Chapter 1158 (B). The Council also discussed Chapter 1158. The ordinance in front of Council this evening was drafted contemplating a moratorium just on the parcels that were subject to the rezoning. The understanding of the discussion last week was maybe that consideration included a moratorium on

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Chapter 1158 and Chapter 1158 (B), except as it relates to Chapter 1173, and the Retail Business District. The idea is that it would be a six-month moratorium to allow for time to review the work of the Planning Commission on Chapter 1158 in total and hopefully get to the point where we don't need Chapter 1158 (B), eliminating that chapter and having one chapter that applies. It may still be necessary to determine what to do with Chapter 1158 (A), the Cashelmara chapter. There was some discussion as to what we could do about eliminating that as well.

Mr. Young questioned what would happen if there needed to be some slight changes or alterations to Cashelmara.

Mr. Miller asked if there should be a clause in the ordinance that defines the moratorium for a six-month period of time for the moratorium.

Mr. Ebert stated that he would add an exception to those parcels covered by Chapter 1173, which is the east side of the Cahoon Creek and the retail business parcels on Clague Road.

The moratorium ordinance, with the modifications discussed, will be placed on the agenda for the October 7, 2013 meeting of Council.

RECREATION AND PARK IMPROVEMENT COMMITTEE

Mrs. Lieske had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Expiration of Electric Government Aggregation

Mr. Ebert advised that two weeks ago he circulated a copy of the email informing the city administration that the contract for electricity aggregation expires December 25, 2014.

Mr. Koomar asked if there are options for the city to consider that should be investigated well before that deadline. Mr. Tadych asked if there would be a possibility of aggregating in combination with another city.

Mr. Ebert will send correspondence to First Energy regarding the time frame going forward and what some of the options may be.

Mr. Ebert will email the language of the agreement to Mr. Miller, at Mr. Miller's request.

CAHOON MEMORIAL PARK TRUSTEES

Bay Days – 2014

Set Up June 30, And July 1.

Open Wednesday, July 2 and will be held every day from 12:00 Noon to 11 p.m. through Saturday, July 5.

If Fireworks, they will be on Friday, July 4 with rain date for July 5.

Tear down, July 7.

Mayor Sutherland stated that she spoke with Tony Dostal during Bay Days this year and also spoke with the Police and Fire Chief. There has been a discussion about not having a rain date for fireworks due to the manpower needs. It is almost impossible to get the type of manpower that is needed for crowd control, etc.

Mr. Young asked the cost for including a rain date.

Mr. Ebert stated that the cost would have to be negotiated with the fireworks company.

Mayor Sutherland commented that this past summer drove it home over the Fourth of July holidays. It was very rainy and they did not know if they were going to be able to have the fireworks. Luckily it was o.k. More and more communities are getting rid of their fireworks, so our crowds are building and just to be able to round up the police, fire and auxiliaries the second night is impossible.

Mr. Koomar asked if the cost is in manpower or dollars. The Mayor stated it is strictly manpower. There is a lot of overtime, but the city also mobilizes every single auxiliary and they are volunteers. The Mayor asked if there has ever been a rain date. Chief Lyons stated that there was one probably thirty years ago. The Mayor said they didn't have the crowd then that there is today.

Mr. Clark suggested looking into an insurance policy for cancellation.

Mr. Koomar asked the Mayor to do additional due diligence and bring the matter back to Council for discussion.

The item will be placed on the agenda for the next meeting of Council.

MISCELLANEOUS

There being no further discussion, the meeting adjourned at 7:50 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council