

City of Bay Village

Council Minutes, Committee Session
Conference Room

November 25, 2013
7:30 p.m.

Paul A. Koomar, President of Council, Presiding

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

Absent: Mr. Lee (Excused)

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

AUDIENCE:

The following audience members signed in this evening: Tom Henderson, Conda Boyd, Paul Vincent, Marty Mace, Suzanne Graham, Lydia DeGeorge.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Bicycle Ordinances

Mr. Clark commented that an Environment, Safety and Community Services Committee meeting was held on October 28, 2013 with representatives of the Village Bicycle Cooperative in attendance. The first goal cited at that meeting is to make sure that we endeavor to take the current ordinances we have for the City of Bay Village regarding bicycles and convert those to be in conformity with the Ohio Revised Code, as amended. An application is to be made for the City of Bay Village to obtain the Bicycle Friendly City designation. The deadline for that application is February 14, with the designation by May of 2014. Mr. Clark will follow up with Law Director Ebert to have those ordinances amended in the very near future.

Safe Routes to School

The Environment and Safety Committee meeting also included discussion about school cross walks. There are points in Bay Village where there seems to be higher traffic volume and it is questioned whether there needs to be crosswalks in these areas. Requests were also made by Councilman Young and Councilwoman Lieske in this regard. We will look at the city in its entirety to see if there are needs for crosswalks in places of higher density and higher risk where the children walk to school. This project will be focused on in 2014.

Mr. Koomar noted that he asked Mr. Clark to send Chief Spaetzel the information he had regarding these topics. Questions have also been received from residents relative to some type of

community effort with the issues going on with folks approaching our school children, and this may be a combination of things that can be discussed.

Mr. Young stated that there is funding available on the state level for the Safe Routes to School Program. If the application is made before March of 2014 the city can get reimbursed for some of the changes for the crosswalks. The application procedure begins January 1, 2014, and closes out in March of 2014. The email link gives the information from the Ohio Department of Transportation program and it is something that should be done to assist with our costs.

Mr. Tadych asked about the possibility of an ad hoc committee to assist with this endeavor. Mr. Young stated that he would like to have an ad hoc committee with representatives from the police and the Village Bicycle Cooperative.

Lawrence Kuh, Director of the Bike to School Challenge Program, stated that last year he applied for the Safe Routes to School Program through the schools. Mr. Kuh has the document completed and it can be reviewed, modified and re-submitted in 2014.

Mayor Sutherland stated that the help with the grant writing would be appreciated.

Mr. Kuh stated further that there is discussion with the Bike to School Challenge Committee to put temporary signage up during the month of May in areas where there is high traffic reminding drivers to be aware that there is high bicycle traffic with the children travelling to school.

Mr. Clark stated that there are four to six elements that are involved in this safety issue, and asked the Mayor to consider how to put together an ad hoc committee to discuss these measures.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Mr. Miller had no report this evening.

FINANCE & CLAIMS COMMITTEE

2014 Budget:

Continuation of Refuse Collection Fee

Mr. Young stated that the city established a refuse collection fee in the past when there were changes to the refuse collection contract to incorporate recycling and address diesel fuel costs. A fee established at that time covered the increase in the contract. It was decided to review the fee annually every year to see if it is still needed. As chairman of the Finance Committee, Mr. Young suggested that the fee be approved again for the coming year. He noted the revenue challenges faced by the city and the loss of revenue from the state level.

Mr. Koomar asked Finance Director Mahoney if the assumption of the fee being approved to continue into 2014 is included in her 2014 Budget protections. Mrs. Mahoney stated that it is included in the budget, and amounts to approximately \$290,000. The cost of trash pick-up is

well over \$1 million. The fee covers a small portion of the trash collection. Mr. Clark noted that the city pays 75% of the cost of trash collection.

Mr. Clark suggested waiting on the legislation until there is more clarity in the operating budget. He noted the loss of \$400,000 in Estate Tax revenue in the coming year.

Mr. Koomar stated that one concern he would have about adjusting the trash fee is for the senior citizens of the city. They do not really have as much trash as a family and if we are going to look at increasing that the discussion should include how you properly implement that between a family of five and a single senior. We have to be careful about that before we move forward on any adjustment.

Mr. Clark stated that as Council vets revenue opportunities down the road they must make sure they vet that very thoroughly before doing anything.

Sewer Rental Fee

Mr. Young stated that there has been a cost increase applied to the City of Bay Village for water treatment at the Rocky River Wastewater Treatment Plant in the amount of 8% of \$600,000, or approximately \$50,000. Mr. Young stated that there is a sewer fee established by Codified Ordinance 921.06 which includes the cost of the water treatment. There may have to be an increase in the sewer rental fee to cover that increase by the Rocky River Wastewater Treatment Plant.

Mr. Clark commented that there have been some quarterly increases over the past few years to pay for the cost of that service. If Council does not legislate an increase, the fee will remain the same in 2014.

Mr. Young suggested that he does not see another choice and suggested increasing the sewer rental fee to cover the cost. Mr. Clark would like to look at what the cost of operating the system will be in 2014 and make a decision based on that information. Mayor Sutherland stated that the sewer fund is being used as an enterprise fund for operations. There will still need to be capital investments when considering the serious issues at Long Beach and Huntington Pump Stations. They both were hit very hard last year after Hurricane Sandy, and we were down to one pump. There were many corrections, repairs and rewiring projects done. The system is working but we need to upgrade and make sure we have the latest and greatest there. If those facilities go down half of Bay Village ends up with sewage in their basement. It is a very high priority.

Mr. Young noted that there is approximately \$1 million left in the Infrastructure Fund. We are down significantly because we have been spending some of those funds for some of the capital sewer improvements made for the last year-and-a-half. He noted that these projects have a 30-year life and if there is a cost it is relatively low per year.

Mr. Clark stated that the city has had to take the roll of the bank the last couple of years, advancing the money for the projects. Once it is completed, the city is reimbursed and that money is used to advance for the next sewer project. We have just finished the process of

finishing \$2.5 million of sewer projects, not including the Lake Road Interceptor and the Bradley/Naigle Intersection project.

Mrs. Lieske asked if someone operates a business out of their home they would be classified as a single family for the sewer rates. If the same business was run out of the shopping center, it would be classified as commercial in the sewer rate schedule.

Mr. Young stated that if there are any projects for sewers within the next year or so, in addition to what we have already funded, the Council must be apprised of those so we can give people an idea of what that might mean on a sewer fee basis. Mr. Clark commented that it is necessary to isolate the cost of operating and the cost of capital improvements and how to best sustain ourselves going forward without putting too much pressure on the residents. We have hit a pivot point now where we are running out of options because we haven't raised any rates on anything other than a couple of dollars per quarter on sewers over the past couple of years, in light of the fact that we have gone from \$1.2 million to zero in Estate Tax revenue. Mr. Clark does not anticipate getting additional revenue from the state in terms of other revenue funds. Mayor Sutherland stated there may be a very slight uptick in the Local Government Fund because of the formula and because it is based on the state receipts and they are running ahead of budget. It will not, however, be significant. Mr. Clark stated that the revenue will still be below what was budgeted for Local Government Fund this year.

Mayor Sutherland noted that House Bill 5 has now moved to the Ohio Senate. The City of Bay Village will probably be ok, but there will be municipalities in southern Ohio that will find it hurtful. She noted that this could change, and will be watched very carefully.

Mr. Young noted in reading the sewer rates that the connection fee has not changed since 1959. He suggested looking at the sewer connection fees in surrounding communities and considering a change in that connection fee.

Review of Ordinance No. 13-16 regarding disbursement of Municipal Income Tax Funds

Ninety-six percent of Municipal Income Tax Funds are deposited into the General Fund. The remaining 4% is divided equally between the Accrued Benefits Fund and the Equipment Replacement Fund. In the past few years, the disbursement was changed annually according to the needs in specific funds, amount of revenue through other funds, and a change in interest rates for bonding. If Council does not pass an ordinance for 2014 regarding the disbursement of Municipal Income Tax Funds, the disbursement will revert back to 94% General Fund, 2% in the Accrued Benefits Fund, and 4% in the Equipment Replacement Fund. Mr. Young recommended that Council pass legislation to retain the 98% disbursement to the General Fund, and 2% to the Accrued Benefits Fund in 2014.

PLANNING, ZONING & PUBLIC GROUNDS AND BUILDINGS COMMITTEE

Chapter 13 – Building Code Amendments

Mr. John Cheatham, Chief Building Official, SAFEbuilt, stated that the Planning, Zoning, Public Grounds and Buildings Committee is looking at bringing Chapter 13 into compliance with state laws. This was supposed to be done in 2007 and many jurisdictions throughout the state did not do so. The City of Bay Village has been given until May 1, 2014 to have it done. Many other places are getting 30 to 60 days. At the same time, other ordinances are being reviewed for amendment. Law Director Ebert elaborated that one would be grade level for construction purposes. Mr. Tadych asked if it is the fact that the city uses an outside source to establish grade level. Mr. Ebert stated that Mr. Tadych's statement is correct. Mr. Cheatham stated that there is a combination of things. The ordinances do not define yards, lawns, driveways, and do not require grass in yards. There was recently a case where someone put all concrete on their entire lawn. Mr. Ebert stated that the ordinance for driveways is actually in the traffic code and should be coordinated with the building code.

Mr. Cheatham will meet with Mr. Lee and Mr. Ebert in the very near future to begin moving these ordinances forward.

RECREATION AND PARK IMPROVEMENT COMMITTEE

Mrs. Lieske had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Tadych had no report this evening.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Young **MOVED to** convene to Executive Session for discussion of Labor Contracts (Police Gold, Police Blue, AFSCME Service and Administration,) Personnel/Service Department, Litigation (Ohio Citizens Action Group-Inglefield), Litigation (Radick) and Contract /SAFEbuilt/lease.

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

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney.

Council reconvened in an open meeting at 8:16 p.m. Present were: Clark, Koomar, Lieske, Miller, Tadych, Young.

There being no further business to discuss, the meeting adjourned at 8:17 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council

Committee Meeting of Council
November 25, 2013