

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 6:20 p.m.

December 30, 2013

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, Service Director Thomas, Community Services Director Bock, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers

President of Council Koomar called the meeting to order at 6:20 p.m. with a roll call and Pledge of Allegiance led by Councilwoman Karen Lieske.

ANNOUNCEMENTS

Mayor Sutherland read the following proclamation to Ward 2 Councilman Clete Miller:

“In the City of Bay Village there dwells a man of good character, Clete Miller; and

WHEREAS, Councilman Cledith “Clete” Miller is the loving husband of Becky, and the very proud father of Rhys and Gwynn. Councilman Miller is departing as Ward 2 Councilman for the City of Bay Village after 2 years of dedicated service. His colleagues, staff and constituents who valued his professional expertise and exemplary leadership, not to mention friendship, will greatly miss his presence in City Hall. They sincerely thank him for his commitment to improving the lives of the citizens of our community; and

WHEREAS Clete has admirably served the residents in Ward 2 in the City of Bay Village as Councilman for 2 years. Clete served as the Chairman of the Planning, Zoning, Public Buildings and Grounds Committee and Recreation and Parks Improvements Committee as well as serving on the Public Improvements Committee. Clete served on the Charter Review Commission in 2012 and sponsored and wrote the City’s solar Energy and Back-up Generator ordinance. He devoted many hours to the residents of the sunset area designing needed improvements; and

WHEREAS, Clete has continually displayed his even temper while enjoying long meetings; and

WHEREAS: Clete has been known to be a source of entertainment at late night Council meetings, reading every word of every ordinance, slowly and deliberately, making sure all understood the legislation thoroughly despite the lateness of the hour;

NOW THEREFORE, I, Deborah L. Sutherland, Mayor of the City of Bay Village, on behalf of the City Council and the residents of this community, do hereby extend the sincerest of thanks to Clete Miller for his 2 years of service to the City of Bay Village.

Deborah L. Sutherland, Mayor”

Mayor Sutherland read the following proclamation to Ward 4 Councilman Mike Young:

“In the City of Bay Village there dwells a man of good character, Mike Young; and

WHEREAS, Councilman Mike Young is the loving husband of Susan and the very proud father of Beth and Rob, and proud grandfather of Amelia and Coraline. Councilman Young is departing as Ward 4 Councilman for the City of Bay Village after 8 years of dedicated service. His colleagues, staff and constituents who valued his professional expertise and exemplary leadership, not to mention friendship, will greatly miss his presence in City Hall. They sincerely thank him for his commitment to improving the lives of the citizens of our community; and

WHEREAS Mike has admirably served the residents in Ward 4 in the City of Bay Village as Councilman for 8 years, serving as Vice President of Council in 2013, Mike has served as the Chairman of the Finance Committee, Planning and Zoning, Recreation and Parks Improvement Committee, as well as serving on the Walker Road Park, Income Tax Board of Review, and as the Representative to the Tree Commission and Planning Commission; and

WHEREAS, Mike has continually displayed his even temper while enjoying long meetings; and

WHEREAS , Mike has been fond of calling early morning Finance Committee meetings, followed by early afternoon and early evening Finance Committee meetings, always the first on the scene with his ever-present smile;

NOW THEREFORE, I, Deborah L. Sutherland, Mayor of the City of Bay Village, on behalf of the City Council and the residents of this community, do hereby extend the sincerest of thanks to Mike Young for his 8 years of service to the City of Bay Village.

Deborah L. Sutherland, Mayor

AUDIENCE:

The following audience members signed in this evening: Councilman-elect Tom Henderson, Councilman-elect Paul Vincent, Dick Majewski, Jerrie Barnett, Denny Wendell, Jeff Gallatin

Councilwoman Lieske extended her heartfelt thanks on behalf of her family to the Police and Fire Departments for responding to a small fire that Mr. Lieske took all the blame for on Christmas Eve morning. Mrs. Lieske stated that she was in the upstairs of her home wrapping gifts and Mr. Lieske and their daughter, who had just flown in from New York, were busily involved in making the annual Christmas Stollen. Flames came out of the oven and the police and fire departments responded. Officer Ingham from the Police Department and Officer Stump from the Fire Department salvaged the oven so the Lieske's could still have Christmas dinner. Mrs. Lieske complimented the professionalism the men in the departments exhibited, and Mrs. Lieske was very impressed with how they responded and treated them.

Mr. Koomar called for a reading of the Minutes of the Regular Meeting of Council held December 16, 2013. It was **MOVED** by **Mr. Young** to approve the minutes of December 16, 2013 as prepared and distributed. Motion carried 7-0.

Mr. Young introduced **Ordinance No. 13-132** 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 Nos. 13-15, 13-34, 13-47, 13-59, 13-72, 13-86, and 13-92, and declaring an emergency, and moved for adoption. Mr. Young noted that there are a number of changes within funds but other than the \$325,000 needed for a transfer most did not have an effect on the General Fund budget.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-132.

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. 13-132, an emergency measure, by a vote of 7-0.

Special Meeting of Council
December 30, 2013

Mr. Young read **Ordinance 13-123** authorizing the Mayor to enter in to a lease agreement with SAFEbuilt Inc., for the real estate located on the lower level at Bay Village City Hall, and declaring an emergency, and moved for adoption.

Mr. Clark asked that the ordinance be amended by reading to read “SAFEbuilt Ohio, Inc.”

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-123, as amended.

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

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-123, as amended, an emergency measure, by a vote of 7-0.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Young **MOVED** to adjourn to Executive Session regarding regarding personnel salary adjustments and Contracts (Legal Services of Seeley Savidge, Ebert, and Gourash) at 6:50 p.m.

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

Also present in Executive Session were Law Director Ebert, Finance Director Mahoney, Councilman-elect Henderson, Councilman-elect Vincent.

Council reconvened in an open meeting at 7:33 p.m. Present were: Clark, Koomar, Lee, Lieske, Miller, Tadych, Young.

Mr. Miller introduced **Ordinance No. 13-133** authorizing the Mayor to execute Change Order No. 1 for Chagrin Valley Paving, Inc. for the 2013 Pavement Maintenance and Resurfacing Program, 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. 13-133.

Special Meeting of Council
December 30, 2013

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. 13-133, an emergency measure, by a vote of 7-0.

Mr. Miller introduced **Ordinance No. 13-134** authorizing the Mayor to execute Change Order No. 1 for Terrace Construction Company, Inc. for the Cahoon Creek Aerial Sewer Replacement, and declaring an emergency, and moved for adoption. Mr. Clark asked if the deduction in this contract amount will affect the Ohio Public Works Commission funding loan. Mrs. Mahoney stated that the deduction will be made accordingly with the city's debt schedule.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-134.

Roll Call on Suspension of Charter Rules:

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

Roll Call on Suspension of Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of Ordinance No. 13-134, an emergency measure, by a vote of 7-0.

Mr. Miller introduced **Ordinance No. 13-135** authorizing the Mayor to execute Change Order No. 1 for Chagrin Valley Paving, Inc. for the 2012 Pavement Maintenance and Resurfacing Program, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt

Special Meeting of Council
December 30, 2013

Ordinance No. 13-135.

Roll Call on Suspension of Charter Rules:

Yeas- Tadych, Young, Clark, Koomar, Lee, Lieske, Miller

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-135, an emergency measure, by a vote of 7-0.

Motion by Clark to remove “Do Not Knock Registry” from Items Pending before Council Committee.

Motion passed 7-0.

Mr. Young introduced **Ordinance No. 13-136** establishing fees for Outside Legal Services 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. 13-136.

Roll Call on Suspension of Charter Rules:

Yeas- Young, Clark, Koomar, Lee, Lieske, Miller, Tadych

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-136, an emergency measure, by a vote of 7-0.

Mr. Young introduced **Ordinance No. 13-137** authorizing an agreement between Seeley,

Special Meeting of Council
December 30, 2013

Savidge, Ebert, and Gourash for the City's Human Resource Consultant, and declaring an emergency, and moved for adoption. Mr. Koomar commented that Mayor Sutherland and Finance Director Mahoney have been very pleased with the services of the Human Resource Consultant Jazmyn Stover, and it has been a good benefit for Bay Village.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-137.

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. 13-137, an emergency measure, by a vote of 7-0.

There being no further business to discuss, the meeting adjourned at 7:45 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council