

City of Bay Village

Council Minutes, Committee Session
Conference Room

January 13, 2014
7:30 p.m.

Paul A. Koomar, President of Council, Presiding

Present: Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent, Mayor Sutherland

Also Present: Law Director Ebert, Finance Director Mahoney, Service Director Thomas, Assistant Service Director Sears, Community Services Director Bock, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers, John Cheatham, Chief Building Official, SAFEbuilt, Inc.

AUDIENCE:

The following audience members signed in this evening: Conda Boyd, Marty Mace, Kent Silverberg, Mike O'Boyle, Russell Thompson, Melissa Henderson, Nancy Trainer, Patrick McGannon, Eric Ritter (LEEDCo), Dave Karpinski (LEEDCo), Dick Majewski, Dennis Wilk, Ernie Minichello, Dan and Mary Barringer.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Amendments to Codified Ordinance Chapter 377, Bicycles- Add to Matters Pending before Council Committee list

Mr. Lee commented that by adding this to the matters pending list it is continuing the work that the committee has done in the fourth quarter of last year. Law Director Ebert is working on a draft ordinance. He commented that by going to the next level which is legal American Bicycles includes certain requirements, versus just updating the ordinances. Mr. Koomar stated that Mr. Lee would like to add this to his committee list so that the Environment, Safety and Community Services Committee can do further research and bring it back to the Committee of the Whole. Mr. Lee noted that there is a desire to get this in place before a certain date, qualifying the city for some recognition that Bay Village is a Bike Friendly Community. Mr. Clark stated that the desire was to try to do the base line changes to convert to the Ohio Revised Code. Mr. Ebert stated that the city is already there on the codified ordinances. What the interested residents are asking is for the city to go to the next step which is a designated bicycle city, which then requires engineering and things of that nature which Mr. Ebert does not believe we are ready for, but can be gone through by the committee.

Mr. Lee will schedule an Environment, Safety and Community Services Committee meeting when the committee members' schedules can be coordinated.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Removal of Salt Dome from Matters Pending before Council Committee list

Mr. Tadych will request removal of the topic “Salt Dome” from the list of matters pending before Council committee.

Agreement with CT Consultants, Inc. as the City’s Engineering Consultant

An ordinance will be presented authorizing the Mayor to enter into a contract with CT Consultants to serve the city as an engineering consultant. Service Director Thomas stated that he would like to have a consulting engineering for the city. Mr. Thomas feels it is very important to have someone available when needed so that when problems are encountered professional assistance is readily available. The fee for these services is \$2,000 per month. The contract can be terminated with 30-days notice.

Mr. Koomar noted that the fee is included in the 2014 budget. Due to the inclement weather last week and the resultant cancellation of the Council meeting, the ordinance is just being presented for the first time this evening. The ordinance will be placed on first reading this evening. Mr. Tadych noted that he would like to see the ordinance passed by the end of the month.

Authorizing for the Service Director to advertise for bids for the 2014 Pavement Marking and Street Striping Program, and for 2014 Annual Construction Materials

Director of Public Service and Properties Thomas stated that he would like to bring these things forward as quickly as possible in the beginning of the year in case there are any questions.

Mr. Henderson asked if the contract for CT Consultants locks the city in for projects in the future. Mr. Ebert explained that contracts for specific projects are separate from the consulting engineering contract.

FINANCE & CLAIMS COMMITTEE

Cable Television Franchise Fees

Mr. Clark advised that a Finance Committee meeting was held earlier this evening to discuss revenue, expenses, operating and capital budgets. An ordinance increasing the percentage of cable television bills payable to the city from 3% to 5% will be placed on first reading at the next meeting of Council. This decision is based on a study of the fee charged by other communities. Mr. Ebert stated that he has notified Time-Warner, Mr. Kevin Lynch, and WOW Cable of the proposed increase. After Council passes the ordinance, Mr. Ebert will send a formal letter advising of the increase in the franchise fee. In addition to that notification, there is a requirement that the cable customers receive 60-days notice of the increase. The notice will be very clear that the franchise fee is based only on the cable television portion of their bill, not on

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the internet service or telephone. Mr. Ebert will provide a copy of the notification to City Council.

Temporary Appropriation Ordinance (February, 2014)

An ordinance will be presented to City Council this evening providing for temporary appropriations through the month of February, 2014 to maintain city services while awaiting the passage of the annual appropriation ordinance.

Mr. Koomar noted that this is being addressed this evening due to the cancellation of the January 20, 2014 meeting in observance of Dr. Martin Luther King, Jr. Day.

Annual Appropriation Ordinance (First Reading)

The 2014 Annual Appropriation Ordinance will be presented for first reading this evening. The budget has been refined to close proximity of where it is intended to be, with some additional fine-tuning remaining to be done. The Finance Committee is comfortable with placing the ordinance on first reading this evening.

ANNOUNCEMENTS

Reappointment of Barry Tyo to the Board of Zoning Appeals for a 5-year term expiring January 1, 2019.

Mayor Sutherland announced that this will be the third term of service of Barry Tyo on the Board of Zoning Appeals. The Mayor stated that Mr. Tyo has always been responsible and responsive, and she recommends reappointment.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE

Mrs. Lieske commented that there is still an opening on the Planning Commission to be filled.

Mayor Sutherland stated that she is very pleased to announce that former Councilman Mark Barbour has agreed to be appointed to the Planning Commission.

Extension of time for Planning Commission to review application of Robert Gulla for a proposed restaurant at 27115 East Oviatt, for a period of sixty days, from January 25, 2014 to March 16, 2014

Extension of time for Planning Commission to review application of the Bay Village Board of Education for review of plans for additions to the Westerly Elementary School for a period of sixty days, from February 2, 2014 to April 3, 2014.

Extension of time for Planning Commission to review application of the Bay Village Board of Education for review of plans for additions to the Normandy Elementary School for a period of sixty days, from February 2, 2014 to April 3, 2014.

Mrs. Lieske will make the motions this evening during the special meeting to extend the time for these three applications pending before the Planning Commission. Mr. Koomar noted that when someone submits an application to the Planning Commission they have 60 days for review. If additional time is needed Council may grant an extension of time. If an extension of time is not requested prior to approval, the application automatically becomes approved. (Codified Ordinance Section 115.04)

Mrs. Lieske further noted that public hearings were held on January 8, 2013 by the Planning Commission for the Westerly School and Normandy School additions. These matters were referred to the Architectural Board of Review and the Tree Commission.

CAHOON MEMORIAL PARK TRUSTEES

Mr. Henderson will introduce the following motions this evening during the meeting of the Cahoon Memorial Park Trustees.

Motion to approve the request of the Village Project to hold the Project Pedal event in Cahoon Memorial Park on June 14, 2014 to raise awareness and operational funds for the Village Project.

Motion to approve the request of Bay Village Heritage Foundation to conduct an event in Cahoon Memorial Park on October 18, 2014 from 7 a.m. to 11 a.m. to raise awareness for the Bay Village Heritage Foundation.

Mrs. Lieske commented that on the applications for these activities there were no figures given in terms of any cost for the Service Department and the Police Department. Mayor Sutherland stated that probably those costs have not been analyzed yet. Mr. Ebert stated that this is always handled administratively.

Mr. Koomar requested that in the future these motions be changed to add approval of these activities in Cahoon Memorial Park subject to proof of insurance.

MISCELLANEOUS

Mr. Tadych stated that he would like to inquire about the Tree Commission. Mr. Tadych has been appointed the Council representative to the Commission, and he does not think there is anyone on the commission whose term has not expired. Mr. Tadych asked if anything is going to happen with this commission, or will the ordinance be changed to put in a disclaimer that the commission is non-existent.

Mayor Sutherland stated that she believes it should be existent, as needed. If there is an architectural project that comes up that would require landscaping and that type of thing it would cycle through the Tree Commission for review. Mr. Tadych stated that there are projects now.

Mr. Lee advised that at the last Planning Commission meeting the additions to the Westerly Elementary School and the Normandy Elementary School were referred to the Tree Commission.

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Mayor Sutherland stated that they are researching where vacancies need to be filled. The Law Director's assistant is the keeper of the list.

There being no further business to discuss, the meeting adjourned at 7:50 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council