

Agenda, Bay Village City Council
Regular Meeting, Council Chambers

March 3, 2014
8:00 p.m.
Caucus 7:30 p.m.

Paul A. Koomar, President of Council, Presiding
Pledge of Allegiance/ Councilman Dwight Clark
Roll Call
Reading of Minutes – Special Meeting of Council – February 24, 2014
Cahoon Memorial Park Trustees – February 24, 2014

ANNOUNCEMENTS

President of Council Koomar

Town Hall Meeting will be held March 31, 2014 at the Dwyer Memorial Senior Center at 7:30 p.m.

REPORTS

Mayor Sutherland	Director of Community Services Bock
Director of Law Ebert	Police Chief Spaetzel
Director of Finance Mahoney	Fire Chief Lyons
Director of Recreation Enovitch	
Director of Public Service Thomas	

COMMUNICATIONS

AUDIENCE

COMMITTEE OF THE WHOLE

Presentation by Cleveland Clinic of Lifesaving Assistance App

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Lee

An Ordinance Authorizing The Adoption Of New Codified Ordinance Chapter No. 377 Concerning Bicycles For Increased Safety For Motor Vehicles And Bicyclists In The City Of Bay Village, And Declaring An Emergency **(First Reading)**

An Ordinance Amending Codified Ordinance 331.03 Regarding Vehicles Overtaking, Passing To Left; Drivers Duties, and Declaring an Emergency **(First Reading)**

An Ordinance Amending Codified Ordinance 331.10 Regarding Vehicles Turning at Intersections, and Declaring an Emergency **(First Reading)**

An Ordinance Amending Codified Ordinance 301.04 Regarding “Bicycle; Motorized Bicycle” of the Traffic Code of the City of Bay Village, and Declaring an Emergency **(First Reading)**

Agenda
Regular Meeting of Council
March 3, 2014

An Ordinance Amending Codified Ordinance 301.51 "Vehicle" of the Traffic Code of the City of Bay Village, and Declaring an Emergency **(First Reading)**

An Ordinance Amending Codified Ordinance 351.08 "Opening Vehicle Door on Traffic Side" of the Traffic Code of the City of Bay Village, and Declaring an Emergency **(First Reading)**

FINANCE & CLAIMS COMMITTEE – Mr. Clark

Ordinance To Authorize the Mayor to enter Into An Extension Of The Lease Agreement With Kiddie Kollege, Inc., For The Real Estate Located At 27400 Wolf Road Referred To As "Bayway Cabin", And Declaring An Emergency

Ordinance to Amend Appropriations for the Current and other Expenditures of the City of Bay Village for the Fiscal Year 2014, as previously appropriated in Temporary Appropriations 13-119 and 14-01, and Annual Appropriation 14-02, and Declaring an Emergency

Resolution Authorizing the Sale of Property Items Received into Possession by the City of Bay Village, and Declaring an Emergency

Ordinance No. 04-08 amending Codified Ordinance Section 151 regarding Employment Provisions **(Amended)** (First Reading February 3, 2014) (Second Reading February 24, 2014)

Ordinance Providing For The Issuance And Sale Of \$1,000,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of (I) Improving Streets By Resurfacing, Paving And Making Other Improvements As Designated In The Plans Approved Or To Be Approved By Council, (Ii) Improving The City's Parks And Recreational Facilities By Improving Basketball And Tennis Courts, Aquatic And Related Facilities And Their Sites, (Iii) Renovating And Otherwise Improving City Hall, (Iv) Renovating And Otherwise Improving The City's Service Garage And (V) Improving The City's Community House By Installing A New Fire Alarm System, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$525,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Improving Streets By Resurfacing, Paving And Making Other Improvements As Designated In The Plans Approved Or To Be Approved By Council, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$340,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Acquiring Motor Vehicles And Equipment And Acquiring And Installing A Work Order System For Use In Performing The Functions Of The City's Department Of Public Services And Properties, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$133,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Acquiring Motor Vehicles And

Agenda
Regular Meeting of Council
March 3, 2014

Equipment For Use In Performing The Functions Of The City's Police Department, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$129,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Improving The City's Parks And Recreational Facilities By Constructing And Improving Lighting Facilities At Hartman Field, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$90,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Acquiring Office Equipment For Use In Performing The Administrative Functions Of The City, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$60,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Acquiring A Bus For Use In Performing The Functions Of The City's Department Of Community Services, And Declaring An Emergency.**(First Reading)**

Ordinance Providing For The Issuance And Sale Of \$43,000 Of Notes, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying Costs Of Acquiring A Motor Vehicle And Equipment For Use In Performing The Functions Of The City's Fire Department, And Declaring An Emergency.**(First Reading)**

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Tadych

Ordinance Authorizing the Mayor to Enter Into an Agreement with Cuyahoga County Department of Public Works for Bridge Inspections, and Declaring an Emergency

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE – Mrs. Lieske

Motion to extend the time for the Planning Commission to review Chapter 1158 for a period of thirty days to April 8, 2014.

Ordinance No. 13-131 amending Codified Ordinance Chapter 1322 regarding Residential Code of Ohio for One, Two, and Three-Family Dwellings (Second Reading) (First Reading December 16, 2013)

Ordinance No. 13-97 amending Codified Ordinance 1301 regarding Department of Building, Engineering, and Inspection; Enforcement (First Reading December 2, 2013) (Second Reading December 16, 2013)

Agenda
Regular Meeting of Council
March 3, 2014

Ordinance 13-106 amending C.O. Section 1344.03 regarding Residential, Commercial and Accessory Structure Maintenance Definitions (First Reading December 2, 2013) (Second Reading December 16, 2013)

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Henderson

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Vincent

MISCELLANEOUS

Motion to convene to Executive Session regarding Contracts (Rocky River Wastewater Treatment Plant), Litigation (Wischmeyer Creek), and Personnel (Restructuring of Service Department)

CAHOON MEMORIAL PARK TRUSTEES

Motion to approve the extension of the lease of the Bayway Cabin to Kiddie Kollege
Henderson

Agenda
Regular Meeting of Council
March 3, 2014

Procedure

Section 2.14 - Effective Date
C.O. 111.10 - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ...at least 24 hours before any meeting of Council at which action...is contemplated.

Roll call on inclusion of the emergency clause:

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency provisions. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.

City of Bay Village

Council Minutes, Committee Session
Council Chambers

February 24, 2014
7:30 p.m.

Paul A. Koomar, President of Council, Presiding

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

Absent: Mr. Tadych, excused due to illness.

Also Present: Law Director Ebert, Finance Director Mahoney, Service Director Thomas, Community Services Director Bock, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers

Mr. Koomar extended a warm welcome Brian Henke, Webelos 1 Den Leader and Cub Scout Pack No. 729 to this meeting of Council.

AUDIENCE:

The following audience members signed in this evening: Dick Majewski, Doug and Gary Borchert, Kevin Krol, Russell Thompson, Denny and Tara Wendell, Barry Ward, Conda Boyd, Marty Mace, Bob Dorin, Ernie Minichello

ANNOUNCEMENTS

Mayor Sutherland announced that there was a meeting today of the Fire District's Implementation Committee and they did vote to elect Dennis Clough as the Chair and Bay Village Fire Chief Lyons as the Assistant Chair. They will be coming back to all of their respective Council's with legislation to accept the \$100,000 grant that was received from the State of Ohio. More details to follow.

The Mayor announced the following appointments:

Appointment of Dr. Dennis Lekan to the Civil Service Commission to complete the unexpired term of Joseph O'Connor, ending January 24, 2016.

Appointment of Kevin Krol to the Architectural Board of Review for a three-year term expiring February 24, 2017.

COMMITTEE OF THE WHOLE

Mr. Robert Greytak, CT Consultants
Rocky River Wastewater Treatment Plant Flow Study

Mr. Greytak stated that they have conducted a review of the Rocky River Wastewater Treatment Plant (RRWTP) Flow Study and crafted a letter to the RRWTP committee regarding their thoughts about some of the anomalies that were in the results of the flow study. A meeting was held with the RRWTP committee approximately three weeks ago, and as expected there was push-back from the committee members. After some discussion, a review was promoted going forward as to how this flow study is done. It has been done every three or four years in the same way as it was done in 1996, insofar as sampling and locations, but it never really has been looked at as far as whether the approach makes sense. There are swings between flows and pollutants and most of those swings are between Bay Village and Westlake. Part of it is because of weighing the samples. For example, Westlake has one interceptor that goes into the RRWTP, and they do their pollutant sampling out of that one interceptor. Bay Village has three lines going into the RRWTP, all three have flow meters on them but only one is sampled. Mr. Greytak's firm does not think this is the way to proceed in the future, especially since one of the other lines that they don't sample is the other major interceptor, which is the 42 inch relief sewer. They suggested that maybe going forward that they sample not just one of Bay Village's interceptors but two of the major ones. This will give a better representative sample of the strength of the sewage coming in and be more consistent with the sampling done in the other three communities.

There was concern about the lack of rainfall data. The rain gauge they had at city hall during the sampling period was not functioning during 80% of the rainfalls. The push-back from Westlake in particular was that even if Bay Village had the highest rainfall and was even 5% higher than the highest rainfall in the other three communities the change in the rate would only be \$3,200 per year. Their claim was that the rainfall was a minor component of the study. Mr. Greytak questioned why it is being done if it is such a minor component. That is something that will be looked at in the future.

CT Consultants asked the committee to look at having the next flow strength study in three years time rather than in four years time, and that they have an opportunity at that time to review the protocol and procedures. There has been some discussion as to why CT Consultants does not do their own flow monitoring and take that information to the committee. That would result in one set of data from each year of 2013 and 2014. It is doubtful that anyone would agree that one takes precedence over the other. It also could be that the results are the same after spending the additional money to conduct the monitoring.

Mr. Greytak stated that he agrees it is advantageous for the city to look at the protocols and procedures and make sure that everything is covered adequately and try to come up with an approach when we see these swings from metering session to metering session, particularly on the pollutants. The pollutants should not change between metering sessions. There may also be some ideas about changing the flow metering to another location.

Mr. Koomar asked if it is definitive that there will be remetering in three years. Mayor Sutherland stated that there was discussion. Mr. Greytak concurred but there was concern whether that would be a one-time event or whether that it is something that would be done every three years. That has not been advanced beyond the discussion stage at this time.

Mr. Koomar stated that assuming it is three years from now, is there any reason with the work that Mr. Greytak has put into it that we wouldn't go to an exercise right now and decide right now how that study should be conducted?

Mr. Greytak stated that he does think this coming year we should get that nailed down so that when they put out their requests for proposals the next time they have the protocol revised. Mr. Koomar asked if there is any reason in the next four months that we can't decide what those would be. In three or four years, who knows if within the three or four member cities things will change, why not agree at this point in time of the different components of the study so that when it comes up for bid in a couple of years we are not going to open this up and relive it again. Mr. Koomar noted that it would give him peace of mind to know all the things that are being talked about this evening are not going to have to be recalled three years from now, trying to remember what they are.

Mr. Greytak stated it is certainly something they can get on the agenda for further discussion. At this point it will have to be a discussion item they will have to memorialize. It is something we will be able to advance and see before the end of the year.

Mr. Lee stated that looking at the per dwelling and per capital discharge from Bay Village we were off the charts in 2013 in comparison to our neighbors. He asked Mr. Greytak if that is still his conclusion after digging deeper into the data and the URS reports.

Mr. Greytak stated that he asked for the raw data from URS but cannot find anything in the data that suggests there are errors in it. The metering sites are not the best sites; they are not as concise or tight as Mr. Greytak would like to see them. But, they have always been those metering sites. Part of the problem is with the way the flow keeps changing at metering sessions that these are not good sites to meter from. Let's look at some other sites that may be more representative and have better control on them than the sites they have been using all these many years.

Mr. Clark stated that his concern is whether the numbers were really accurate. One of the three interceptors was tested. The economic consequences to Bay Village are significant. It is \$450,000 per year to the city. The residents have to bear that cost. We are looking at a 25% to 30% sewer bill increase, for at least three years.

Mayor Sutherland commented that there are five members of the committee that vote. They alternate on an annual basis as to which community gets the extra vote. This year Westlake has two votes. That's why it is difficult right now to try to make any changes because we already had two votes against remetering. Mr. Clark noted that he would like to have testing done every year.

Mr. Greytak reiterated that the pollutant strength should not change that much at each metering session. They may be able to advance the idea of not sampling but just use population figures as a representative sample. We do flow monitoring of all three sewers, but only a strength sample on one of the three right now. The two major ones are the ones we want to sample. The third

one is a local sewer, without much flow. We at least ought to be able to get the two major interceptors coming in from Bay Village.

Mr. Clark clarified that with the absence of metering for each home the cost for sewer use would be the same for each resident. The increased yearly cost will have to be divided by the number of households. Mr. Greytak stated that the only variable will be the amount of flow coming from each community.

Mayor Sutherland stated that the city does not have the capability of doing a usage per resident. The only way that could be done would be to bill it through the Cleveland Water Department. Mr. Clark asked if we know what that cost would be to do that. Mayor Sutherland stated that they have not looked at that lately. Mr. Clark stated his concern that someone on a fixed income is paying the same amount as someone else who is using much more water flow.

Mr. Lee asked if part of this exercise of evaluating the amount of the increase we can relook at the availability of that data from the Cleveland Water Department and being able to do more of a usage-based billing as opposed to a fixed charge per resident. The best proxy we have would be the amount of water each home is consuming because we don't have separate meters at each sewer and storm outflow for each resident to determine what each resident is contributing.

Mayor Sutherland will keep Council posted. She expressed the thought that the RRWTP may have another meeting toward the end of March to further discuss the issue. Mr. Koomar stated he would like to have a plan in place for later this summer or fall. Mayor Sutherland stated that she is sure they will, and now is the time to try to get that all ironed out.

Conda Boyd stated that she would like to believe that this will all be looked at again in a few years, but the lawyers for the Rocky River Wastewater Treatment Plant said that the change in the frequency would require a change in the basic agreement. Ms. Boyd would like to see on the horizon some kind of agreement among the four cities that they will actually get another look at it in three years. Three years down the road, people may have forgotten the discussion.

Mayor Sutherland stated that this is what they would do but they have to work through the process. And then they would come back to respective Councils. They will have to pass an addendum. We have done that in the past. It could be a very detailed addendum, or something that is very simple. Once we get an agreement with all the parties, we wouldn't sit on it; we would go ahead and bring it to our Councils. Mr. Greytak stated that he would expect whatever addendum comes back to Council will be more comprehensive than just a flow study every three years, and that other things will be included in that.

Mr. Lee asked if it takes a majority of the cities' votes to amend the agreement, or is it more complicated than that. Mayor Sutherland stated that as a management committee the Mayors would have to vote on the language. Once they agree on it then it has to go to all the different city councils. Mr. Lee stated that it sounds like Westlake has two votes on that management committee. Is it just a majority vote? How many votes are there total? Mayor Sutherland stated that there are five votes, with Westlake having two of the five. Bay Village has one. Fairview Park has one. Rocky River has one. We would have to have three to vote for it. Mayor

Sutherland stated that back in 2009 the City of Bay Village, at their expense, had a remetering because a sewer line in Wischmeyer Creek was running into the pipe. The best that we can do without circumstances of that type are to take a vigorous look going forward and make some of those changes. They were amenable to getting rid of the rain gauges. All of the communities had made significant investment in the collection system and it may be waiting for four years might be too long of a time frame. Going too soon might produce wild variations due to the construction projects.

Mayor Sutherland noted that the Environmental Protection Agency is going to continue to ratchet down on Bay Village and all of the communities.

Mr. Greytak was thanked for his presentation this evening.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Mr. Lee stated that at the special meeting this evening there will be the third and final reading of Ordinance No. 14-04 which is correcting the number of places where we are posting notices to three from five. Posting of public notices occurs at the Library, City Hall, and the city's website.

Mr. Lee is scheduling an Environment, Safety and Community Services Committee meeting this Thursday, February 27, at 5:30 p.m. in the conference room of Bay Village City Hall to continue their work on the bicycle ordinance. The objective is to have the ordinance on the agenda for the regular meeting of Council on March 3, 2014.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE

There was no report this evening.

FINANCE & CLAIMS COMMITTEE – Clark

Mr. Clark reported that a Finance Committee meeting was held earlier this evening to discuss January financial results, plan of Finance for 2014 for borrowings, the Kiddie Kollege lease, and the capital budget on a five-year go-forward basis.

Ordinance No. 14-05 increasing video service provider fees will be read this evening for the third and final reading.

Ordinance No. 14-06 with regard to rates of compensation for those employees who are not involved in a collective bargaining or labor contract unit is being moved to third and final reading this evening.

A second reading will occur for Ordinance No. 14-08 amending Codified Ordinance Section 151 regarding employment provisions that the Council and administration have been working diligently through the last six weeks.

Mr. Koomar noted that Ordinance No. 14-08 has a clause about benefits (holidays and vacation pay) for part time employees. On a recent copy there was a change defining part time as less than thirty hours per week. Mr. Lee stated that historically part time was not so defined. Mr. Koomar stated that all Council wanted removed was the reference to the year 1995 and stating that all part time employees will not receive holiday or vacation pay.

Director Mahoney stated that all the federal legislation considers 30 hours to be a full time employee so that is why they defined part time as people working less than 30 hours per week.

Mr. Koomar stated that the federal government considers 30 hours subject to health care. They are not making a full time equivalent statement. Mrs. Mahoney stated that to be consistent they consider anyone who works less than 30 hours per week to be not eligible for any benefits.

Mr. Koomar stated that he understands that we have the healthcare law and the new discriminatory rules and the other section of the law that says for 30 hours we have to provide health care, but to his knowledge the healthcare law is silent as to whether we would provide sick or vacation pay. Mrs. Mahoney stated that is true, but just to be consistent anyone who is part time does not get holiday or vacation pay, and most of the part time employees work less than 30 hours per week.

Mr. Koomar stated that the healthcare law does not address sick or vacation pay, and historically the city has said that part time people will not get sick or vacation time. He is asking that it remain the same. He is happy the healthcare law is out there but these are two different things.

Mrs. Mahoney stated that historically the part time people get sick pay, but no vacation or holiday pay.

Mr. Lee asked if the insertion of the reference to 30 hours per week actually puts someone into receiving holiday or vacations that haven't been received historically. Mrs. Mahoney stated it would not. Mr. Lee asked if by taking that out we are not taking away from someone who is already getting that benefit. Mrs. Mahoney stated that is true.

Mr. Koomar asked that the change be made in the ordinance.

Mr. Henderson advised that the Ordinance No. 14-08 also contains a couple of lists in the document at various points. One example is on Page 8, there is a list of unlawful employee harassment categories. This list appears in at least three places in the document but the list varies in those three places. Mr. Henderson will email Mr. Ebert those three locations where the lists should be made to match.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Westview Drive right-of-way

Mrs. Lieske advised that Law Director Ebert has received a request on January 17, 2014 from C. Thomas Roehl on Nantucket Row, stating their interest to purchase a part of the eastern sideyard of

31005 Nantucket Row and requesting an opportunity to purchase the eastern portion of the right-of-way equal to the depth of the adjacent parcel to the south at 30907 Nantucket Row. The question is how Council will respond to this request concerning the right-of-way.

Mr. Ebert produced a map, a copy of which has been distributed to City Council prior to the meeting, stating that Westview Drive is a paper street that has been there ever since the development on Nantucket Row was established. Assistant Service Director Sears did check the records as far as whether we have any utility easement there. There is none showing on the map, nor did Mr. Sears or Service Department employee Curtis Krakowski find an easement in that area. The paper street is not wide enough for a dedicated public street. Nothing could be built there because the land backs up to two properties.

Generally in these situations they look at the properties and see if we are going to offer to divide it between the homeowners where that paper street goes through at a nominal price. Mr. Ebert would like to put a committee together to look at the property and devise a proposal for all the properties and not just the one corner.

Mr. Koomar noted that if the one parcel only is sold we would run the risk of not having access to the remaining parcels for purposes of maintenance.

Mr. Lee asked if the right-of-way is currently intact the whole distance. Mr. Ebert responded affirmatively. It runs all the way to Plymouth Road.

The property is undeveloped; it would not increase real estate taxes unless developed. The deeds would show additional footage.

Mr. Henderson asked what would happen if there was a piece right in the middle that was not purchased. Mr. Ebert stated that the city would still own that small piece or sliver of land.

Mrs. Lieske asked the timeframe for this process. Mr. Ebert will create a letter for all of the residents to offer what is being planned.

Mr. Lee asked if the needs of the Roehls would be solved if they only purchased half of the property area they have requested. Mr. Ebert stated that there would have to be a variance to the square footage required to be able to build.

Mr. Lee asked if the homeowners will bear the cost of recording fees, deed preparation, etc. in addition to the cost to acquire the property. Mr. Ebert answered affirmatively and stated that there will be no cost to the city.

Mr. Koomar confirmed with Mr. Ebert that the next step in the process is a Law Department matter.

Extension of time for Planning Commission to review Chapter 1158 – Expires March 8, 2014

Mrs. Lieske stated that this extension was discussed at the last Planning Commission meeting, noting the desire on the part of City Council to try to get Chapter 1158 concluded in a timely

fashion. It is viewed as being somewhat necessary to do so, since there are no developers right now who have expressed an interest, and the Council would like to have this taken care of before anybody comes forth. It would also give us time if something needs to be put on the ballot.

The Planning Commission will again review Chapter 1158 on March 5, 2014. After talking with Mr. Koomar, it was thought that Council might want to give the Planning Commission an extra thirty days to conclude their work after the March 5, 2014 meeting as a goodwill gesture, noting that Council really needs to get this completed. Mr. Koomar noted that there was some turnover on the Planning Commission and it is the desire to give them some time, but the Council would like to get this put into place without a developer waiting. As we've said in the past the recommendations from the Building Department are a starting point but do not mean that it cannot be added to or enhanced over time.

Mr. Lee noted that a moratorium on development under Chapter 1158 was passed by Council in 2013 for a period of six months. We may want to track that expiration date.

The motion to extend the time of 30 days for the Planning Commission to review Chapter 1158 will be placed on the March 3, 2014 agenda of Council.

Regarding the Building ordinances to be read this evening, most for the third time, Mrs. Lieske commented that we are looking at consistency in the wording of the Building titles in the ordinances. There is one ordinance that refers to Building Director/Building Official. The others, for the most part, still refer to Director of Building, Building Director, etc. To maintain consistency, Ordinance No. 13-97 will be changed to clarify the definition of the department. We are also pulling Item No. 23 on the agenda, Ordinance 13-106 to provide an opportunity to clarify any definitions so they will be consistent throughout.

Mrs. Lieske will work with Mr. Ebert to be sure these meet with her approval after the adjustments are made. They will be included in the agenda for March 3, 2014.

Mr. Koomar noted that Items 18 and 19 on this evening's special meeting agenda will contain the emergency clause so that they can take effect immediately since they are fee-based and the building season will soon begin.

RECREATION & PARK IMPROVEMENT COMMITTEE-Henderson

Hartman Field Lighting

Mr. Henderson stated that this evening he will introduce two resolutions related to a lighting project at Hartman Field, just north of the swimming pool in the park center.

Recreation Director Enovitch stated that the Hartman Field lighting is archaic and not functioning at times. After many years of looking at the possibility of replacing and/or repairing the lights, they thought it was time to do a complete renovation.

Mr. Henderson stated that the Finance Committee has been discussing this since last year. The original estimate last year was anywhere from \$128,000 to \$138,000. The committee put \$130,000 in the Capital Budget for the project this year. Once they got the actual costs fully developed, it looks like it is going to be \$139,900. Rather than increasing the total expenditures out of the fund, there will be a reduction in expenditures from the City Hall component of the fund.

From a cost standpoint, looking at this from both a capital cost and an operating cost perspective, the operating costs are lower than the alternative lighting since this is a green technology using less energy with fewer bulbs and better control. The lighting can actually be controlled over the internet so it can be scheduled and controlled more precisely. The up-front capital costs are surprisingly lower than an alternative system. The proposal was reviewed this evening with a consultant. The reason for this is because it is a prefabricated system with fewer parts and is quicker and easier to install. This system is about 34% cheaper overall than going with a traditional lighting system even though it is a green system. It is good on both fronts; it is lower energy and less money at the same time.

The first resolution to be introduced this evening is to allow participation in a purchasing network, Keystone Purchasing Network, the vehicle through which the products will be procured. Mr. Koomar noted that the Law Director has verified that purchasing through the cooperative allows us to know that we are getting the lowest and best bid. Mr. Henderson noted that we have used this process with the purchase of recreation equipment in the past. The bulbs are called Halite, which is a green product. Mr. Enovitch stated that the contract comes with a 25-year warranty for parts and labor. They will replace all burned out bulbs during that 25-year period within 24 hours of outage.

The second resolution will authorize the actual purchase of the product. Mr. Lee commented that the lighting company has guaranteed that the level of illumination will be equal to or better than what we have currently.

Mr. Henderson commented further that he will recommend these resolutions be passed this evening even though they are on first reading to assure that the lighting will be completed by the end of April which fits well with the schedule for use of the field. If we push this out to three readings, that would not be the case. This is why he is recommending Council accelerate these particular resolutions.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Vincent

Mr. Vincent had no report this evening

CAHOON MEMORIAL PARK TRUSTEES (MEETING REVIEW)

Mr. Henderson will also seek permission of the Cahoon Memorial Park Trustees in regard to the installation of Hartman Field lighting this evening.

Mayor Sutherland explained that the Bay Village Garden Club has donated projects on an annual basis. This year they would like to donate a Blue Star Memorial, which is a tribute to the armed forces of the United States and will be placed in the Rose Garden. This is appropriate since there is already a Vietnam Veterans memorial in the Rose Garden. Mr. Koomar noted that the trustees established consistent signage throughout the park and this definitely fits in with what was discussed a few years back. The Mayor noted that this memorial is consistent on a national basis.

Mr. Henderson asked the value of the donation. Mayor Sutherland stated it is about \$1300 and when it is ready the city will accept the donation formally.

MISCELLANEOUS

The Executive Session on the agenda will not be held this evening based on the information received through Mr. Greytak's presentation.

There being no further business to discuss, the meeting adjourned at 8:29 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 8:29 p.m.

February 24, 2014

Paul A. Koomar, President of Council, Presiding

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

Absent: Mr. Tadych

Also Present: Law Director Ebert, Finance Director Mahoney, Service Director Thomas, Community Services Director Bock, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers.

AUDIENCE:

The following audience members signed in this evening: Dick Majewski, Doug and Gary Borchert, Kevin Krol, Russell Thompson, Denny and Tara Wendell, Barry Ward, Conda Boyd, Marty Mace, Bob Dorin, Ernie Minichello

President of Council Koomar called the meeting to order at 8:29 p.m. with a roll call and Pledge of Allegiance led by Tom Henderson, Councilman of Ward 4.

ANNOUNCEMENTS

Mayor Sutherland announced the following appointments:

Appointment of Dr. Dennis Lekan to the Civil Service Commission to complete the unexpired term of Joseph O'Connor, ending January 24, 2016.

Appointment of Kevin Krol to the Architectural Board of Review for a three-year term expiring February 24, 2017.

Mr. Koomar called for a reading of the Minutes of the Regular Meeting of Council held February 3, 2014. It was **MOVED** by **Mr. Clark** to approve the minutes of February 3, 2014 as prepared and distributed. Motion carried 6-0.

Motion by **Clark** to confirm the appointment of Dr. Dennis Lekan to the Civil Service Commission to complete the unexpired term of Joseph O'Connor, ending January 24, 2016.

Motion passed 6-0.

Motion by **Vincent** to confirm the appointment of Kevin Krol to the Architectural Board of Review for a three year term expiring February 24, 2017.

Motion passed 6-0.

Mr. Henderson introduced and read **Resolution No. 14-09** authorizing the participation in the Keystone Purchasing Network for cooperative purchasing and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Resolution No. 14-09.

Roll Call on Suspension of Charter Rules:
Yeas- Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays-None
Roll Call on Suspension of Council Rules:
Yeas –Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays–None
Roll Call on Use of the Emergency Clause:
Yeas –Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays -None
Roll Call on Adoption:
Yeas–Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays–None.

Mr. Koomar announced adoption of Resolution No. 14-09, an emergency measure, by a vote of 6-0.

Mr. Henderson read Resolution No. 14-10 authorizing the purchase of lighting for Hartman Field under the Keystone Purchasing Network Contract for cooperative purchasing and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Resolution No. 14-10.

Roll Call on Suspension of Charter Rules:
Yeas- Henderson, Koomar, Lee, Lieske, Vincent, Clark
Nays-None
Roll Call on Suspension of Council Rules:
Yeas –Henderson, Koomar, Lee, Lieske, Vincent, Clark
Nays–None
Roll Call on Use of the Emergency Clause:
Yeas –Henderson, Koomar, Lee, Lieske, Vincent, Clark
Nays -None
Roll Call on Adoption:
Yeas–Henderson, Koomar, Lee, Lieske, Vincent, Clark
Nays–None.

Special Meeting of Council
February 24, 2014

Mr. Koomar announced adoption of Resolution No. 14-10, an emergency measure, by a vote of 6-0.

Mr. Lee read **Ordinance 14-04** amending Codified Ordinance Section 115.08 regarding Notice of Public Hearing This ordinance will change the requirement for posting Notice of Public Hearing in five places within the city to the three places where ordinances and resolutions are posted.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-04.

Roll Call on Suspension of Charter Rules:

Yeas- Koomar, Lee, Lieske, Vincent, Clark, Henderson

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Koomar, Lee, Lieske, Vincent, Clark, Henderson

Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Koomar, Lee, Lieske, Vincent, Clark, Henderson

Nays -None

Roll Call on Adoption:

Yeas–Koomar, Lee, Lieske, Vincent, Clark, Henderson

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-04 by a vote of 6-0.

Mr. Clark read **Ordinance No. 14-05** amending Codified Ordinance Subsection 753.01 (a) regarding Video Service Provider Fees, 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. 14-05.

Roll Call on Suspension of Charter Rules:

Yeas- Lee, Lieske, Vincent, Clark, Henderson, Koomar

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Lee, Lieske, Vincent, Clark, Henderson, Koomar

Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Lee, Lieske, Vincent, Clark, Henderson, Koomar

Nays -None

Roll Call on Adoption:

Yeas–Lee, Lieske, Vincent, Clark, Henderson, Koomar

Nays–None.

Special Meeting of Council
February 24, 2014

Mr. Koomar announced adoption of Ordinance No. 14-05, an emergency measure, by a vote of 6-0.

Mr. Clark read **Ordinance No. 14-06** amending Section 1 of Ordinance 13-95 regarding rates of compensation for the officers and employees of the General Administration Department, and those employees of the City not covered by separate labor contract, for the Calendar Year 2014 and thereafter, 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. 14-06.

Roll Call on Suspension of Charter Rules:

Yeas- Lieske, Vincent, Clark, Henderson, Koomar, Lee

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Lieske, Vincent, Clark, Henderson, Koomar, Lee

Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Lieske, Vincent, Clark, Henderson, Koomar, Lee

Nays -None

Roll Call on Adoption:

Yeas–Lieske, Vincent, Clark, Henderson, Koomar, Lee

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-06, an emergency measure, by a vote of 6-0.

Mr. Clark read **Ordinance No. 14-08 (Second Reading, as amended)** amending Codified Ordinance Section 151 regarding Employment Provisions.

Mr. Koomar announced that Ordinance No. 14-08, as amended, is placed on second reading.

Mrs. Lieske read **Ordinance No. 13-131** amending Codified Ordinance Chapter 1322 regarding Residential Code of Ohio for One-, Two- and Three-Family Dwellings (Second Reading) (First Reading December 16, 2013)

Mr. Koomar announced that Ordinance No. 13-131 is placed on Second Reading.

Mrs. Lieske read **Ordinance 13-98** enacting new Codified Ordinance Chapter 1150 regarding Foundation Facing (Amended) (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-98.

Special Meeting of Council
February 24, 2014

Roll Call on Adoption:

Yeas–Vincent, Clark, Henderson, Koomar, Lee, Lieske
Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-98 by a vote of 6-0.

Mrs. Lieske read Ordinance 13-99 amending Chapter 1149 regarding Accessory Use or Structure, Residence Districts (Amended) (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-99.

Roll Call on Adoption:

Yeas–Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-99 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-100** amending Codified Ordinance Subsection 1303.06 (a) regarding Posted Notice Of Application; Complaints; Board Hearing (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-100.

Roll Call on Adoption:

Yeas–Henderson, Koomar, Lee, Lieske, Vincent, Clark
Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-100 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-101** Amending Codified Ordinance Section 1305.02 regarding Permit and Inspection Fees, and declaring an emergency (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-101.

Roll Call on Emergency Clause:

Yeas – Koomar, Lee, Lieske, Vincent, Clark, Henderson

Roll Call on Adoption:

Yeas–Koomar, Lee, Lieske, Vincent, Clark, Henderson
Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-101, and emergency measure, by a vote

Special Meeting of Council
February 24, 2014

of 6-0.

Mrs. Lieske read **Ordinance 13-102** amending Codified Ordinance Chapter 1307 regarding Plan Review Fees, and declaring an emergency (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-102.

Roll Call on Emergency Clause:

Yeas –Lee, Lieske, Vincent, Clark, Henderson, Koomar

Roll Call on Adoption:

Yeas–Lee, Lieske, Vincent, Clark, Henderson, Koomar

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-102, an emergency measure, by a vote

Mrs. Lieske read **Ordinance 13-103** repealing Codified Ordinance Chapter 1321 regarding Adoption of Regional Dwelling House Code (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-103.

Roll Call on Adoption:

Yeas– Lieske, Vincent, Clark, Henderson, Koomar, Lee

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-103 by a vote of 6-0.

Mrs. Lieske read Ordinance **13-104** amending Codified Ordinance Chapter 1331 regarding the Ohio Building Code (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-104.

Roll Call on Adoption:

Yeas–Vincent, Clark, Henderson, Koomar, Lee, Lieske

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 13-104 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-105** repealing Codified Ordinance Chapter 1333 regarding adoption of Regional Building Code (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-105.

Roll Call on Adoption:

Yeas—Clark, Henderson, Koomar, Lee, Lieske, Vincent

Nays—None.

Mr. Koomar announced adoption of Ordinance No. 13-105 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-107** amending Codified Ordinance Section 1344.04 regarding Basic Standards for Residential and Commercial Building (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-107.

Roll Call on Adoption:

Yeas—Henderson, Koomar, Lee, Lieske, Vincent, Clark

Nays—None.

Mr. Koomar announced adoption of Ordinance No. 13-107 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-108** amending C.O. Section 1303.02 regarding Applications for Permits (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-108.

Roll Call on Emergency Clause:

Yeas—Koomar, Lee, Lieske, Vincent, Clark, Henderson

Roll Call on Adoption:

Yeas—Koomar, Lee, Lieske, Vincent, Clark, Henderson

Nays—None.

Mr. Koomar announced adoption of Ordinance No. 13-108, and emergency measure, by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-109** amending Codified Ordinance 1303.04(a) regarding Conditions for the Issuance of Permits (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-109

Roll Call on Adoption:

Yeas--Lee, Lieske, Vincent, Clark, Henderson, Koomar
Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-109 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-110** amending Codified Ordinance Subsection 1304.01(h) regarding Final Inspection (First Reading December 2, 2013) (Second Reading December 16, 2013) and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-110.

Roll Call on Adoption:

Yeas--Lieske, Vincent, Clark, Henderson, Koomar, Lee
Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-110 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-111** amending Codified Ordinance Section 1304.03 regarding Inspection Check List (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-111

Roll Call on Adoption:

Yeas--Vincent, Clark, Henderson, Koomar, Lee, Lieske
Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-111 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-112** amending Codified Ordinance Section 1310.05 regarding Bond (First Reading December 2, 2013) (Second Reading December 16, 2013) and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-112.

Roll Call on Adoption:

Yeas--Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays--None.

Special Meeting of Council
February 24, 2014

Mr. Koomar announced adoption of Ordinance No. 13-112 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-113** amending Codified Ordinance Subsection 1341.04(e) regarding Rules during Work (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-113.

Roll Call on Adoption:

Yeas--Henderson, Koomar, Lee, Lieske, Vincent, Clark

Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-113 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-114** amending Codified Ordinance Section 1344.08 regarding Conflict (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-114.

Roll Call on Adoption:

Yeas--Koomar, Lee, Lieske, Vincent, Clark, Henderson.

Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-114 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-115** amending Codified Ordinance Subsection 1355.03(b) (1) regarding Permit Application Fee (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-115.

Roll Call on Adoption:

Yeas--Lee, Lieske, Vincent, Clark, Henderson, Koomar

Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-115 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-116** amending Codified Ordinance Subsection 1355.07(f) regarding Duties of Permittee (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

Special Meeting of Council
February 24, 2014

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-116.

Roll Call on Adoption:

Yeas--Lieske Vincent, Clark, Henderson, Koomar, Lee
Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-116 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-117** amending Codified Ordinance Section 1365.10 regarding Housing License Issuance (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-117.

Roll Call on Adoption:

Yeas--Vincent, Clark, Henderson, Koomar, Lee, Lieske
Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-117 by a vote of 6-0.

Mrs. Lieske read **Ordinance 13-118** amending the reference of Building Code to Building "Standards" in Chapter 1300-Codified Ordinances of the City of Bay Village (First Reading December 2, 2013) (Second Reading December 16, 2013), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-118.

Roll Call on Adoption:

Yeas--Clark, Henderson, Koomar, Lee, Lieske, Vincent
Nays--None.

Mr. Koomar announced adoption of Ordinance No. 13-118 by a vote of 6-0.

There being no further business to discuss, the meeting adjourned at 8:55 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

February 24, 2014

President of Council Paul Koomar called the meeting to order at 8:55 p.m. in the Council Chambers of Bay Village City Hall.

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

Absent: Mr. Tadych

Also Present: Law Director Ebert, Finance Director Mahoney, Service Director Thomas, Community Services Director Bock, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers

AUDIENCE:

The following audience members signed in this evening: Dick Majewski, Doug and Gary Borchert, Kevin Krol, Russell Thompson, Denny and Tara Wendell, Barry Ward, Conda Boyd, Marty Mace, Bob Dorin, Ernie Minichello.

Motion by Henderson to approve the installation of new lighting at Hartman Field in Cahoon Memorial Park.

Motion passed 7-0.

Motion by Henderson to approve the request of the Bay Village Garden Club for placement of Blue Star Memorial Marker in Cahoon Memorial Park Rose Garden.

Motion passed 7-0.

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 8:57 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE ADOPTION OF NEW CODIFIED ORDINANCE
CHAPTER NO. 377 CONCERNING BICYCLES FOR INCREASED
SAFETY FOR MOTOR VEHICLES AND BICYCLISTS
IN THE CITY OF BAY VILLAGE,
AND DECLARING AN EMERGENCY

WHEREAS, in the interest of uniformity with the bicycle safety codes of the City of Bay Village and the State of Ohio, it is necessary to replace Codified Ordinance Chapter 377 concerning bicycles.

BE IT ORDAINED, by the Council of the City of Bay Village, Ohio:

SECTION 1: That Council hereby adopts replacement Chapter 377 concerning bicycles for increased safety for motor vehicles and bicyclists in the City of Bay Village.

CHAPTER 377
Bicycles

REGULATIONS

- 377.01 Code Application to Bicycles.**
- 377.02 Definitions.**
- 377.03 Parent's responsibility.**
- 377.04 Obedience to traffic control devices.**
- 377.05 Riding Bicycle on Right Side of Roadway; Obedience to Traffic Law; Passing.**
- 377.06 Riding on sidewalks.**
- 377.07 Riding upon seats; Handlebars.**
- 377.08 Emerging from alley or driveway.**
- 377.09 Attaching bicycle or sled to vehicle.**
- 377.10 Riding bicycles abreast.**
- 377.11 Lights and reflector on bicycle; Brakes.**
- 377.12 Signal device on bicycle**
- 377.13 Impounding of bicycles.**
- 377.14 Reckless operation; Control, course and speed.**
- 377.15 Parking of bicycle.**

PENALTY

- 377.99 Penalty.**

CROSS REFERENCES

- Bicycle defined - see TRAF. 301.04(a)
- Bicycles prohibited on freeways - see TRAF. 303.06
- Motorized bicycles (Mopeds) - see TRAF. Ch. 379

REGULATIONS

377.01 CODE APPLICATION TO BICYCLES.

These regulations are applicable to bicycles whenever a bicycle is operated upon any sidewalk or street, subject to those exceptions stated herein.

- (a) Every person riding a bicycle upon a street shall be granted all of the rights and shall be subject to all duties applicable to the driver of a vehicle. Every person riding a bicycle upon a sidewalk shall be granted all of the rights and shall be subject to all of the duties applicable to a pedestrian.
- (b) Except as provided in subsection (c) of this section, a bicycle operator who violates any section of this Code described in subsection (d) of this section that is applicable to bicycles may be issued a ticket, citation or summons by a law enforcement officer for the violation in the same manner as the operator of a motor vehicle would be cited for the same violation. A person who commits any such violation while operating a bicycle shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit or probationary license under Ohio R.C. 4510.036.
- (c) Subsection (b) of this section does not apply to violations of Section 333.01 of this Traffic Code. (ORC 4511.52)
- (d) The provisions of this Traffic Code shall apply to bicycles except those provisions, which by their nature are not applicable.

377.02 DEFINITIONS.

As used in this chapter, certain words are defined as follows:

- (a) "Bicycle" has the same meaning as defined in Section 301.04(a) of this Traffic Code.
- (b) "Bicyclist" means a person utilizing a bicycle.

377.03 PARENT'S RESPONSIBILITY.

The parent and/or guardian of any child, under the age of 18, or of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

377.04 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

(a) Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other traffic control devices applicable to vehicles, unless otherwise directed by a police officer or unless the traffic signals are otherwise malfunctioning, including the failure of a vehicle detector or detect the vehicle. In the case of a malfunctioning light, operator must:

- (1) Stop at a clearly marked stop lines, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;

(2) Yield the right-of-way to all vehicles in the intersection or approaching an intersection road, if the vehicles will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways; and

(3) Exercise ordinary care while proceeding through the intersection.

(b) Whenever authorized signs are erected that no right, left or "U" turns are permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

377.05 RIDING BICYCLE ON RIGHT SIDE OF ROADWAY; OBEDIENCE TO TRAFFIC RULES.

It shall be legal to ride a bicycle upon a street or public way, subject to the following:

(a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) This section does not require a person operating a bicycle to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it is otherwise unsafe or impracticable to do so, including if the lane is too narrow for the bicycle and an overtaking vehicle to travel safely side by side within the lane.

(c) At no time shall a bicyclist under the age of seven operate a bicycle on a street, unless accompanied by a parent or legal guardian.

(d) A person riding a bicycle upon a street shall yield the right of way to any pedestrian.

(e) When a bicycle is operated on the roadway, the operator shall give hand signals to other vehicle operators in the vicinity before turning or changing lanes. Such signals shall conform with the motor vehicle laws of Ohio. The signal shall be made not less than one time but is not required to be continuous. A bicycle operator is not required to make a signal if the bicycle is in a designated turn lane, and a signal shall not be given when the operator's hands are needed for the safe operation of the bicycle.

377.06 RIDING ON SIDEWALKS.

It shall be legal to ride a bicycle upon a sidewalk or public way, or upon any path set aside for the exclusive use of bicycles, subject to the following:

(a) Except as provided in section (b) below, it shall be legal to operate a bicycle upon a sidewalk when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, any bicycle operator using the sidewalk shall walk the bicycle.

(b) No person shall ride a bicycle upon a sidewalk along which signs have been erected by authority of the Mayor or Director of Public Safety prohibiting such bicycle riding.

(c) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. This audible signal may be given by the voice or by a bell or other warning device capable of giving an audible signal and shall be given at a distance and in such a manner as not to startle a person being overtaken and passed.

(d) A person operating a bicycle upon a sidewalk, before overtaking and passing a blind person carrying a white cane or guided by a dog, shall dismount and overtake or pass on foot, if necessary for safety.

(e) A person shall not operate a bicycle from a sidewalk so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(f) No person shall operate a bicycle on a sidewalk at a speed greater than an ordinary walk when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crosswalk or driveway.

377.07 RIDING UPON SEATS; HANDLEBARS.

(a) A person operating a bicycle shall not ride other than astride the permanent and regular seat attached thereto, or carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle other than upon such a firmly attached and regular seat.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(c) The provisions of parts (a) and (b) above shall not be construed as prohibiting the carrying of a child in a seat or trailer designed for carrying children and firmly attached to the bicycle.

(d) Every person operating a bicycle shall maintain at least one (1) hand on the handle bars at all times and no person operating a bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one (1) hand upon the handle bars.

377.08 EMERGING FROM ALLEY OR DRIVEWAY.

(a) The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right of way to all pedestrians approaching on such sidewalk area and upon entering the street shall yield the right of way to all vehicles approaching on such street.

(Ord. 73-166. Passed 10-4-73.)

(b) When any bicycle has been seized and so impounded, notice shall be made forthwith by the officer in charge to the owner of the bicycle or, in the event the person is a minor under the age of eighteen years, such notice shall be made to the parent or guardian of the licensee of the bicycle. The notice shall contain a full explanation of the reason for seizing and impounding the bicycle.

(c) Any bicycle impounded under the provisions of this Traffic Code shall be surrendered to the owner or to the parents or guardian of any minor upon showing sufficient proof of ownership of the bicycle, but nothing herein shall relieve the offender of any penalty that may be imposed under the general penalty section of this chapter.

(d) It shall be the duty of the police officer or the person in charge of records to keep in an appropriate book or file the names and addresses of all owners of bicycles impounded, the name and address of the violator if he is not the owner, the license number and the serial number of the bicycle, together with the nature and circumstances of each violation, as well as the disposition of each case.

377.14 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

(a) No person shall operate a bicycle:

- (1) Without due regard for the safety and rights of pedestrians, drivers and occupants of all other vehicles, and so as to endanger the life, limb, or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;
- (2) Without exercising reasonable and ordinary control over such bicycle;
- (3) In a weaving or zigzag course unless such irregular course is necessary for the safe operation in compliance with law;
- (4) While wearing more than one earphone attached to a radio, tape player, MP3 player, mobile telephone or other audio device.
- (5) While using a handheld electronic communications device to write, send or read text-based communications.

377.15 PARKING OF BICYCLE.

(a) A bicycle shall be parked in a designated bicycle parking area when provided. No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic, or upon a roadway so as to unduly interfere with vehicular traffic.

(b) When a designated parking area is not provided, bicycles shall be parked in such a manner as not to interfere with building entrances.

PENALTY

377.99 PENALTY.

(a) Whoever violates any provision of Sections 377.01 to 377.15, inclusive is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree, on each subsequent offense within one year of the first offense, the person is guilty of a misdemeanor of the third degree, and

377.09 ATTACHING BICYCLE OR SLED TO VEHICLE

(a) No person riding upon any, bicycle, coaster, scooter, roller skates, sled or toy vehicle shall attach the same or self to any vehicle upon a roadway.

(b) No operator shall knowingly permit any person riding upon any bicycle, coaster, scooter, roller skates, sled or toy vehicle to attach the same or self to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle, nor to the towing of a trailer designed for this purpose.

377.10 RIDING BICYCLES ABREAST.

Persons riding bicycles upon a roadway shall not ride more than two (2) abreast in a single lane, however, persons riding on Lake Road shall ride single file only.

377.11 LIGHTS AND REFLECTOR; BRAKES.

(a) Every bicycle when in use at the times specified in Section 4513.03 of the Ohio Revised Code shall be equipped with the following:

(1) A lamp mounted on the front of either the bicycle or the operator that shall emit a white light visible from a distance of at least five hundred (500) feet to the front and three hundred (300) feet to the sides. A generator powered lamp, which emits light only when the bicycle is moving, may be used to meet this requirement;

(2) A red reflector on the rear of a type that shall be visible from all distances from one hundred (100) feet to six hundred (600) feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle; and

(3) A light emitting either flashing or steady red light visible from a distance of five hundred (500) feet to the rear shall be used in addition to the red reflector. If the light performs as a reflector such that it is visible as specified in subsection (2) above, it shall satisfy the requirement for a reflector;

(b) Additional lights and reflectors may be used in addition to those required under part (a) above except that red lights and reflectors shall not be used on the front of the bicycle nor shall white or colorless lights or reflectors be used on the rear of the bicycle.

(c) Every bicycle shall be equipped with an adequate brake when used on a street, sidewalk or highway.

377.12 SIGNAL DEVICE ON BICYCLE.

A bicycle may be equipped with a device capable of giving audible, signal, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

377.13 IMPOUNDING OF BICYCLES.

(a) Whenever any person operates a bicycle in violation of any section of this Traffic Code, the bicycle may be seized by any member of the Police Department and the Chief of Police shall have the authority to impound any bicycle at the police station. An impounded bicycle shall not be released to a minor.

shall be punished as provided in Section 303.99(b), and the court may prohibit such violator from riding a bicycle for a period not to exceed six months. Whoever violates any provision of this chapter may be punished by having his bicycle impounded for a period not exceeding thirty days.

(b) Except as provided in subsection (c) of Section 377.01, in the case of a violation of any section of this Traffic Code described in subsection (d) of Section 377.01 by a bicycle operator or by a motor vehicle operator when the trier of fact finds that the violation by the motor vehicle operator or the bicycle operator endangered the lives of bicycle riders at the time of the violation, the court, notwithstanding any provision of this Traffic Code to the contrary, may require the bicycle operator or motor vehicle operator to take and successfully complete a bicycling skills course approved by the court in addition to or in lieu of any penalty otherwise prescribed by the Traffic Code for that violation.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to update the Codified Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

ORDINANCE NO.
INTRODUCED BY:

OPTION 1

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 331.03 REGARDING
VEHICLES OVERTAKING, PASSING TO LEFT; DRIVERS DUTIES,
AND DECLARING AN EMERGENCY

WHEREAS, due to the implementation of new Chapter 377 relating to bicycles and motor vehicle safety, it is necessary to amend Chapter 331.10 regarding overtaking, passing to left and driver's duties.

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Subsection 331.03 which presently reads as follows:

331.03 OVERTAKING, PASSING TO LEFT; DRIVER'S DUTIES.

(a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction:

(1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall, except as provided in subsection (a)(3) hereof, signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.

(3) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided street or highway as defined in Section 331.31, a limited access highway as defined in Ohio R.C. 5511.02 or a highway with four or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

be and the same is amended to read:

331.03 OVERTAKING, PASSING TO LEFT; DRIVER'S DUTIES.

(a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction:

(1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall, except as provided in subsection (a)(3) hereof, signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.

(3) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided street or highway as defined in Section 331.31, a limited access highway as defined in Ohio R.C. 5511.02 or a highway with four or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed.

(4) Except as provided in division (5) of this section, the operator of a motor vehicle overtaking a bicycle proceeding in the same direction on a roadway shall leave a safe distance when passing the bicycle and shall maintain that distance, and shall not increase the speed of his or her vehicle, until safely past the overtaken bicycle.

(5) The operator of a motor vehicle overtaking a bicycle proceeding in the same direction on a roadway shall vacate the lane in which the bicycle is located if the roadway has two or more marked lanes running in the same direction, unless the driver can meet the requirements of division (4) of this section.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
(ORC 4511.27)

and present 331.03 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to update the Codified Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

II 2/28/14

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 331.03 REGARDING
VEHICLES OVERTAKING, PASSING TO LEFT; DRIVERS DUTIES,
AND DECLARING AN EMERGENCY

WHEREAS, due to the implementation of new Chapter 377 relating to bicycles and motor vehicle safety, it is necessary to amend Chapter 331.10 regarding overtaking, passing to left and driver's duties.

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Subsection 331.03 which presently reads as follows:

331.03 OVERTAKING, PASSING TO LEFT; DRIVER'S DUTIES.

(a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction:

(1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall, except as provided in subsection (a)(3) hereof, signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.

(3) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided street or highway as defined in Section 331.31, a limited access highway as defined in Ohio R.C. 5511.02 or a highway with four or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

be and the same is amended to read:

331.03 OVERTAKING, PASSING TO LEFT; DRIVER'S DUTIES.

(a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction:

(1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall, except as provided in subsection (a)(3) hereof, signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.

(3) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided street or highway as defined in Section 331.31, a limited access highway as defined in Ohio R.C. 5511.02 or a highway with four or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed.

(4) Except as provided in division (5) of this section, the operator of a motor vehicle overtaking a bicycle proceeding in the same direction on a roadway shall leave a safe distance, **but not less than three (3) feet**, when passing the bicycle and shall maintain that distance, and shall not increase the speed of his or her vehicle, until safely past the overtaken bicycle. **The same requirements shall apply to the operator of a commercial motor vehicle, commercial truck, commercial unit, or bus, except that the safe distance shall not be less than six (6) feet.**

(5) The operator of a motor vehicle overtaking a bicycle proceeding in the same direction on a roadway shall vacate the lane in which the bicycle is located if the roadway has two or more marked lanes running in the same direction, unless the driver can meet the requirements of division (4) of this section.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(ORC 4511.27)

and present 331.03 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare,

and for the further reason that it is immediately necessary to update the Codified Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

II 2/28/14

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 331.10 REGARDING
VEHICLES TURNING AT INTERSECTIONS,
AND DECLARING AN EMERGENCY

WHEREAS, due to the implementation of new Chapter 377 relating to bicycles and motor vehicle safety, it is necessary to amend Chapter 331.10 regarding turning at intersections.

BE IT ORDAINED, by the Council of Bay Village, Ohio:

SECTION 1: That Codified Ordinance Subsection 331.10 which presently reads as follows:

331.10 TURNING AT INTERSECTIONS.

(a) The driver of a vehicle intending to turn at an intersection shall be governed by the following rules:

(1) Approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(3) At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane of the roadway being entered lawfully available to the traffic moving in that lane.

(4) Markers, buttons or signs may be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when such markers, buttons or signs are so placed, no operator of a vehicle shall turn such vehicle at an intersection other than as directed and required by such markers, buttons or signs.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

be and the same is amended to read:

331.10 TURNING AT INTERSECTIONS.

(a) The driver of a vehicle intending to turn at an intersection shall be governed by the following rules:

(1) Approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(3) At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane of the roadway being entered lawfully available to the traffic moving in that lane.

(4) Markers, buttons or signs may be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when such markers, buttons or signs are so placed, no operator of a vehicle shall turn such vehicle at an intersection other than as directed and required by such markers, buttons or signs.

(5) The operator of a vehicle within an intersection intending to turn to the left shall yield the right of way to any vehicle, including a bicycle, approaching from the opposite direction.

(6) When a motor vehicle and a bicycle are traveling in the same direction on any roadway, the operator of the motor vehicle overtaking such bicycle traveling on the right side of the roadway shall not turn to the right in front of the bicycle at the intersection or at any alley or driveway until such vehicle has overtaken and is safely clear of the bicycle.

(b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(ORC 4511.36)

and present 331.10 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this

Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to update the Codified Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

II 2/28/14

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 301.04 "BICYCLE; MOTORIZED BICYCLE"
OF THE TRAFFIC CODE OF THE CITY OF BAY VILLAGE AND DECLARING AN
EMERGENCY

WHEREAS, due to the implementation of new Chapter 377 relating to bicycles and motor vehicle safety, it is necessary to amend Section 301.04, which is the definition of "Bicycle; Motorized Bicycle";

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Subsection 301.04 which presently reads as follows:

301.04 BICYCLE; MOTORIZED BICYCLE.

(a) "Bicycle" means every device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power, upon which any person may ride having two tandem wheels or one wheel in the front and two wheels in the rear or two wheels in the front and one wheel in the rear, any of which is more than fourteen inches in diameter.
(ORC 4511.01(G))

(b) "Motorized bicycle" means any vehicle having either two tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled and is equipped with a helper motor of not more than fifty cubic centimeters piston displacement which produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.
(ORC 4511.01(H))

be and the same is amended to read:

301.04 BICYCLE; MOTORIZED BICYCLE.

(a) "Bicycle" means every device, other than that is designed solely for use as a play vehicle by a child, that is propelled solely by human power, upon which a person may ride, and that has two or more wheels , any of which is more than fourteen inches in diameter.

and present 301.04(a) is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to update the Codified

Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

II 2/28/14

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AMENDING CODIFIED ORDINANCE 301.51 "VEHICLE" OF THE TRAFFIC CODE
OF THE CITY OF BAY VILLAGE AND DECLARING AN EMERGENCY**

WHEREAS, due to the implementation of new Chapter 377 relating to bicycles and motor vehicle safety, it is necessary to amend Section 301.51, which is the definition of "Vehicle";

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Subsection 301.51 which presently reads as follows:

301.51 VEHICLE

"Vehicle" means every device, including a motorized bicycle, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, electric personal assistive mobility device, or any device, other than a bicycle, that is moved by human power. (ORC4511.01(A))

be and the same is amended to read:

301.51 VEHICLE

"Vehicle" means every device, including a motorized bicycle, in, upon or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, electric personal assistive mobility device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power (ORC4511.01(A))

and present Section 301.51 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to update the Codified Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 351.08 “OPENING VEHICLE DOOR ON TRAFFIC SIDE” OF THE TRAFFIC CODE OF THE CITY OF BAY VILLAGE AND DECLARING AN EMERGENCY

WHEREAS, due to the implementation of new Chapter 377 relating to bicycles and motor vehicle safety, it is necessary to amend Section 351.08 of the Traffic Code of the City of Bay Village regarding the Opening of the Vehicle Door on the Traffic Side;

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Subsection 351.08 which presently reads as follows:

351.08 OPENING VEHICLE DOOR ON TRAFFIC SIDE.

No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.
(ORC 4511.70 (C))

be and the same is amended to read:

351.08 OPENING VEHICLE DOOR ON TRAFFIC SIDE.

No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, including bicyclists, nor shall any person leave a door open on the side of a vehicle available to moving traffic, including bicyclists, for a period of time longer than necessary to load or unload passengers.
(ORC 4511.70(C))

and present 351.08 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council, and of any committees, that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to update the Codified Ordinances, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION
OF THE LEASE AGREEMENT WITH KIDDIE KOLLEGE, INC.,
FOR THE REAL ESTATE LOCATED
AT 27400 WOLF ROAD REFERRED TO AS "BAY WAY CABIN",
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bay entered into a Lease Agreement with Kiddie Kollege, Inc., for a term commencing on July 1, 2012 and ending June 30, 2014.

WHEREAS, the City of Bay Village and Kiddie Kollege, Inc. have agreed to a three (3) year extension of the Lease as set forth in the Lease Agreement on file at Bay Village City Hall.

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Mayor be and she is hereby authorized to enter into an extension of the Lease Agreement on behalf of the city with Kiddie Kollege, Inc., 660 Dover Center Road, Bay Village, Ohio, 44140, for the use of real estate located at 27400 Wolf Road referred to as "Bay Way Cabin". Term of said Lease Agreement shall be for three (3) years, with negotiations for years four (4) and five (5) taking place during the third year of the Agreement (in a form approved by the Law Director).

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to execute said Lease Agreement, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

2/28/14

MEMORANDUM

TO: MEMBERS OF COUNCIL
FROM: RENEE MAHONEY, DIRECTOR OF FINANCE
SUBJECT: ADJUSTMENTS TO APPROPRIATIONS
DATE: FEBRUARY 28, 2014

There have been a few things that have come to my attention that require changes in the appropriation ordinance as noted below:

1. Increase appropriation in Community Diversion (Fund 236) to \$7,000 from \$4,000.

Please see attached e-mail correspondence from Detective Kevin Krolkosky noting increases in funding and anticipated expenses.

2. Move \$10,000 from Capital City Hall Improvements to Hartman Field Lighting.

Council approved contract with Musco Lighting per Resolution 14-10. The original estimated cost was \$130,000 but is anticipated to be \$139,900. Funds should be moved from City Hall Improvements to cover the additional cost. This will have no effect on total appropriated for capital improvements.

3. Increase General Fund, Building Department Fund by \$2,000.

The original budget did not allow for charges that are still paid from the operation of Safebuilt specifically Postage (\$300) and the State Fees (\$1,600) paid monthly. Postage is billed back to Safebuilt on a quarterly basis and receipted as a reimbursement. State fees are collected by Safebuilt and deposited to the City which are then paid through a check issued by the City.

4. Correct the City funding of the Community Band from a transfer to Fund 284 (Endowment Trust) to be included in the Transfer to Parks and Recreation.

Historically any funding by the City provided to the Community Band was paid for from Fund 230 (Parks and Recreation). In the original budget this was budgeted in Fund 284 which should be reserved only for receipts collected by the Band itself. This is a correction of the original appropriation.

Renee Mahoney

From: Kevin Krolkosky
Sent: Monday, February 24, 2014 7:33 PM
To: Renee Mahoney
Subject: 2014 CDP Budget
Attachments: SKMBT_42014022418080.pdf

Hi Renee,

Regarding CDP funding for 2014, we will receive a total of \$8,550 from Cuyahoga County Juvenile Court in the following manner:

1. \$4,800 received in monthly installments of \$400 as per the standard agreement between Bay Village and Juvenile Court
2. \$3,750 in three payments of \$1,250, these payments will be made in the Spring, Summer, and Fall of 2014. This money is our portion of a grant awarded to Juvenile Court in 2013.

Our known and anticipated expenditures for 2014 are:

1. \$4,200 to McKeon Education Group, we will be billed in December 2014 for services rendered during the course of the year.
2. \$1,800 for training, specifically attendance at the 2014 Dallas Crimes Against Children's conference
3. \$500 for salaries
4. \$500 for drug testing

At this time I would like the remaining monies not to be encumbered, as we have used extra money in the past for counseling services and sex offender assessments for juveniles in CDP, along with other training opportunities which might arise.

Additionally, I have attached a copy of our agreement with Juvenile Court indicating the amount of money we will receive. If you have any questions or concerns please let me know.

Thanks,

Kevin

Detective Kevin Krolkosky

*Bay Village Police Department
28000 Wolf Road
Bay Village, Ohio 44140
(440) 899 3485 (Direct Line)
(440) 899-3448 (Fax)
kkrolkosky@cityofbayvillage.com*

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO.
By:

To amend appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2014, as previously appropriated in temporary appropriations 13-119 and 14-01 and annual appropriation 14-02.

Whereas changes are needed to various funds per the attached memorandum from Director of Finance, Renee Mahoney:

NOW, THEREFORE, be it ordained by the Council of the City of Bay Village, State of Ohio:

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2014, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein:

General Fund - 100						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
100	Total General Fund	\$ 6,635,626	\$ 3,399,197	\$ 36,700	\$ 569,329	\$ 10,640,852

Special Revenue Fund Group - 200						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
210	Emergency Paramedic	\$ 1,048,791	\$ 62,175	\$ 12,200	-	\$ 1,123,166
230	Parks and Recreation	637,390	236,360	4,500	-	878,250
231	Community Gym Capital Improvement	-	-	11,500	-	11,500
232	Youth Activities	-	-	-	-	-
234	Play in Bay	-	-	-	-	-
235	Bay Family Services	-	41,300	-	-	41,300
236	Community Diversion	-	7,000	-	-	7,000
237	Bay Bike and Skate Park	-	-	-	-	-
240	Equipment Replacement	-	-	734,000	-	734,000
250	State Highway	-	50,000	-	-	50,000
270	Street Construction	650,320	380,100	525,000	250,000	1,805,420
280	Police Pension	348,215	-	-	-	348,215
281	Fire Pension	466,503	-	-	-	466,503
282	Accrued Benefits	140,000	-	-	-	140,000
284	Endowment Trust	-	8,050	-	-	8,050
290	Senior Programs	-	38,000	-	-	38,000
291	FEMA	-	-	-	-	-
292	Law Enforcement	-	3,500	-	-	3,500
293	Drug Fine/Bail Forfeiture	-	500	-	-	500
294	Alcohol Intervention	-	1,500	-	-	1,500
295	Dare	-	-	-	-	-
296	Grant Commission Fund	-	-	-	-	-
200	Total Special Revenue Funds	\$ 3,291,219	\$ 828,485	\$ 1,287,200	\$ 250,000	\$ 5,656,904

Debt Service Fund Group - 300						
Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
300	General Bond Retirement	\$ -	\$ 2,788,215	\$ -	\$ -	\$ 2,788,215

Capital Project Fund Group - 400

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
400	Sidewalk Construction & Repair	\$ -	\$ 23,000	\$ 60,000	\$ -	\$ 83,000
480	Walker Road Park	-	500	-	-	500
490	Public Improvement	-	-	344,000	-	344,000
492	Salt Garage	-	-	192,000	-	192,000
493	Bradley Road	-	-	-	-	-
494	Infrastructure Improvements	-	-	-	-	-
495	Municipal Building Improvements	-	-	-	215,000	215,000
496	Roof Repair	-	-	-	-	-
400	Total Capital Project Fund Group	\$ -	\$ 23,500	\$ 596,000	\$ 215,000	\$ 834,500

Enterprise Fund Group- 500

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
520	Pool	\$ 210,400	\$ 116,000	\$ 90,900	\$ -	\$ 417,300
580	Sewer	796,925	1,372,682	110,000	780,000	3,059,607
500	Total Enterprise Fund Group	\$ 1,007,325	\$ 1,488,682	\$ 200,900	\$ 780,000	\$ 3,476,907

Internal Service Fund Group - 600

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
600	Health Insurance	\$ -	\$ 1,464,752	\$ -	\$ -	\$ 1,464,752
601	General Insurance	-	189,600	-	-	189,600
602	Workers Compensation	157,860	-	-	-	157,860
600	Total Internal Service Fund Group	\$ 157,860	\$ 1,654,352	\$ -	\$ -	\$ 1,812,212

Trust Fund Group - 800

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
810	Cahoon Park	\$ -	\$ 67,200	\$ -	\$ -	\$ 67,200
820	Cahoon Memorial	-	3,300	-	-	3,300
830	Cahoon Library	-	8,000	-	-	8,000
840	Waldeck	-	5,500	-	-	5,500
860	Dwyer	-	5,000	-	-	5,000
861	Community Gardens	-	4,000	-	-	4,000
800	Total Trust Fund Group	\$ -	\$ 93,000	\$ -	\$ -	\$ 93,000

Deposit Fund Group - 900

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
930	Building Deposits	\$ -	\$ 42,000	\$ -	\$ -	\$ 42,000
931	Security Deposits	-	21,000	-	-	21,000
900	Total Deposit Fund Group	\$ -	\$ 63,000	\$ -	\$ -	\$ 63,000

Grand Total All Funds	\$ 11,092,030	\$ 10,338,431	\$ 2,120,800	\$ 1,814,329	\$ 25,365,590
------------------------------	----------------------	----------------------	---------------------	---------------------	----------------------

Itemized list of Transfers and Advances by Fund

Description	Amount
General Fund to Parks and Recreation	\$ 403,000
General Fund to Community Gym	7,829
General Fund to Street Construction	50,000
General Fund to Cahoon Income	25,000
General Fund to Cahoon Trust	2,000
General Fund to Cahoon Library	10,000
General Fund to Bay Family Services	40,500
General Fund to Accrued Benefits	30,000
General Fund to Community Band	1,000
Municipal Building Improvements to Public Improvements	215,000
Total Transfers	\$ 784,329

Street Construction to Infrastructure Improvement		250,000
Sewer Maintenance to Infrastructure Improvement		780,000
Total Advances and Advance Repayments	\$	1,030,000
Total Transfers and Advances	\$	1,814,329

- Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.
- Section 4: That all expenditures within the fiscal year ending December 31, 2014 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).
- Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.
- Section 6: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and therefore shall take effect immediately upon its enactment and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

MAYOR

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND

Department	Personal Service	Other	Equipment Replacement	Transfers	Total
Council	\$ 58,200.00	\$ 9,150.00	\$ -	\$ -	\$ 67,350.00
Clerk of Council	50,430.00	900.00	-	-	51,330.00
Mayor	127,300.00	7,400.00	1,000.00	-	135,700.00
Law	128,670.00	102,400.00	-	-	231,070.00
Finance	231,416.00	43,150.00	1,200.00	-	275,766.00
Taxation	-	180,000.00	-	-	180,000.00
General Administration	184,800.00	497,542.00	-	569,329.00	1,251,671.00
Civil Service	-	5,050.00	-	-	5,050.00
Planning Commission	-	950.00	-	-	950.00
Zoning Board of Appeals	-	900.00	-	-	900.00
Service	1,799,885.00	1,808,600.00	10,500.00	-	3,618,985.00
Fire	1,359,185.00	98,390.00	14,000.00	-	1,471,575.00
Police	2,482,260.00	289,465.00	10,000.00	-	2,781,725.00
Central Dispatch	-	125,000.00	-	-	125,000.00
Building	-	217,475.00	-	-	217,475.00
Architecture Board of Review	-	25.00	-	-	25.00
Community Services	213,480.00	12,800.00	-	-	226,280.00
GRAND TOTAL	\$ 6,635,626.00	\$ 3,399,197.00	\$ 36,700.00	\$ 569,329.00	\$ 10,640,852.00

EXHIBIT "B"
SCHEDULE OF CAPITAL PROJECTS AND EQUIPMENT APPROPRIATIONS BY FUND

Fund	Description	Amount
Equipment Replacement (240)	Police Vehicles (2)	\$ 86,000.00
	Police Equipment (MARCS Radios)	47,000.00
	Service (#30) Super Duty	60,000.00
	Service (#116) Composter	230,000.00
	Service (#45) Utility Body	30,000.00
	Work Order System	20,000.00
	Phone System (From 2012)	50,000.00
	Fiber Optic and Computers	90,000.00
	Vehicle Community Service (From 2013)	18,000.00
	Community Service Bus	60,000.00
	Fire Equipment	43,000.00
Total Equipment Replacement (240)		734,000.00
Street Construction (270)		
	Streets TBD	525,000.00
Total Street Construction (270)		525,000.00
Public Improvement (490)	Fire Facility Improvements	15,000.00
	Hartman Field Lighting	140,000.00
	Service - Transfer Station	100,000.00
	Rose Hill Exterior	24,000.00
	City Hall Entrance	40,000.00
	Dwyer Building Improvements	25,000.00
Total Public Improvement (490)		344,000.00
Salt Garage (492)	Transfer Station	192,000.00
Pool (520)	Aquatic Repair	85,000.00
GRAND TOTAL		\$ 1,880,000.00