

## CITY OF BAY VILLAGE

Council Minutes, Regular Meeting  
Council Chambers 8:00 p.m.

March 3, 2014

Paul A. Koomar, President of Council, presiding

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

Absent: Tadych, due to illness

Others

Present: Law Director Ebert, Finance Director Mahoney, Chief Building Official Cheatham, Operations Manager Landers, Service Director Thomas, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Community Services Director Bock

Council and members of the administration assembled at 7:30 p.m. in the conference room to review agenda items; this was open to the public.

During the review, President of Council announced that a Town Hall Meeting has been scheduled for March 31, 2014, at 7:30 p.m., at the Dwyer Memorial Center, 300 Bryson Lane. There will not be a Council meeting on Monday, March 17, 2014.

Mr. Koomar stated that he discussed with the Mayor the idea of holding the Council meeting on March 31, 2014 at the Dwyer Memorial Center and allowing the residents to see what the Council does each and every Monday night, and letting them know there is an audience participation section. As part of that structure, Mr. Koomar would like each Council representative to provide an overview of their committee responsibilities and what they are planning to do in the upcoming year. The Department Directors are asked to provide the same type of report.

After the meeting there will be a break-out session to allow residents time to talk with each of the Council representatives and Directors individually. Mr. Koomar encouraged the residents to come to the Council meetings every Monday with their questions or comments.

Spring break is Monday, April 21, 2014. There will be no Council meeting that evening.

Mrs. Barnett asked if the Town Hall Meeting on March 31, 2014 at 7 p.m. will be advertised on the sign in front of the city hall building. Mr. Koomar passed this request on to the Mayor.

Mr. Lee advised that this evening he has six ordinances that he would like to place on first reading. These ordinances all relate to the work that the Environment, Safety and Community Services Committee has been doing to update the city's bicycle ordinances. The ordinances were last updated in the 1970's .

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The number one objective in looking at these ordinances is safety; the second objective is uniformity, or uniform rules for the road. Mr. Lee recognized and thanked Mr. Patrick McGannon and Lawrence Kuh, and other members of the sponsoring organizations: the Village Bicycle Cooperative, the Bay Skate and Bike Park, the Bay Village Green Team, and Bike Cleveland. This group has done an excellent job of presenting issues and they will be involved in the education side of this as the new laws roll out to the community.

Mr. Lee also expressed appreciation to Law Director Ebert, Police Chief Spaetzel, Prosecutor Gary Hotz, Councilman Dwight Clark, and Councilwoman Lieske for their assistance.

The intention is to put all of these ordinances on first reading this evening and to follow with three readings before there is a vote for adoption. The emergency clause is included and the ordinances will become effective immediately upon passing. The goal is to have these ordinances effective by May 1, 2014, which is the beginning of Bike-to-School Month here in Bay Village.

The objective is to maintain and enhance Bay Village as a Bicycle Friendly Community, with safety being priority number one.

Mr. Lee highlighted the key provisions of the ordinances as follows:

Current Code – Does not permit bicycles on all streets. Heavily traveled streets can be designated as No-Bike Street.

New Code – Permits bicycles on all streets.

Current Code – Permits single-file riding only throughout the city.

New Code – Permits two abreast on all streets in the city other than Lake Road.

Current Code – Requires bicycles to ride within three feet of the right side of the roadway.

New Code – Would read “As near to the right side as practicable.” Studies have shown that the safest place for bikes to ride is where the right tire of a car would drive on the road, out of the debris field at the edge of the curb and away from culverts and other objects that can be adjacent to the edge of the street.

New Code – Permits riding on sidewalks, except in congested areas such as Bay Days or parade time when the sidewalks might be full of pedestrians. It also provides that certain areas can be designated as not for riding on the sidewalk, e.g., the business district when signage is installed indicated that the area is a “No Bicycle Riding District.”

New Code – Updates the lighting requirements for riding after dark and it also includes language prohibiting texting while riding a bicycle as well as prohibits the use of headphones or two earphones at the same time while riding a bicycle. Ideally, the left ear should be left open so that traffic noise can be heard.

Chapter 377 is the first ordinance to be introduced this evening. This document is essentially a re-write as there is a fair amount of language that carries over from the old ordinance.

The second item is an amendment to Section 331.03, regarding “Vehicles Overtaking, Passing to the Left, Drivers’ Duties, and Declaring an Emergency.” This ordinance adds Items 4 and 5 to our existing code. Items 1, 2, and 3, of Section 331.03 are in the existing code. Items 4 and 5 specifically provide for language clarifying distances and clearances for passing a bicycle on the road. Two options were distributed to Council for consideration. Mr. Lee is presenting for first reading this evening Option Number Two, which reads that the motor vehicle when overtaking a bicycle proceeding in the same direction shall leave a safe distance but not less than three feet when passing a bicycle. For commercial vehicles, trucks or busses, the distance shall be not less than six feet.

The third item is an amendment to Codified Ordinance 331.10 adding Items 5 and 6. Items 1 through 4 are currently in the code. Items 5 and 6 deal with vehicles turning at intersections or into alleys or driveways.

The fourth item is adopting an updated definition of bicycles from the Ohio Revised Code. That section also represents motorized bicycles; that definition is not changing.

The fifth item is adopting an updated definition of vehicle from the Ohio Revised Code. That ordinance section is 301.51. Bicycles are included within the definition of vehicle. Bicycles are expected to operate following the rules of the road.

The sixth item is an amendment to Section 351.08, specifically adding references to bicyclists in our existing code dealing with opening vehicle doors on the traffic side. Motor vehicle operators should be looking for bicycles when they are opening their door into the traffic.

Mr. Lee stated that he believes everything proposed this evening is consistent with what the bicycle advocates have proposed to the city with the exception of the riding two abreast on Lake Road. The committee discussed this in detail and it was their feeling they should follow the recommendation of the Police Chief, recognizing that Bay Village is different than the neighbors to the east and to the west on Lake Road. There was some discussion about expanding the restriction about riding two abreast on other streets in the community that are heavily trafficked but at the conclusion the committee felt that the only restriction should be on Lake Road.

Mr. Clark advised that he will introduce an ordinance to extend the lease for the rental of the Bayway Cabin to Kiddie Kollege, Inc. The ordinance will be placed on first reading this evening pending finalization of the lease renewal contract.

An ordinance to amend appropriations will be introduced by Mr. Clark and recommended for passage this evening. He noted that the changes are insignificant and fairly small in scope. Councilman Henderson has assisted with a close review of the ordinance. Mr. Henderson stated

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that there was a transfer for \$1,000 that was temporarily double counted. A corrected version of the ordinance has been provided to Council.

Regarding the Kiddie Kollege lease extension, Mr. Koomar asked if it is acceptable, from a timing aspect, to put the ordinance on first reading this evening. Mayor Sutherland stated that she would prefer that Council go ahead and pass the ordinance, but it is up to Council. Mr. Clark stated that if the final agreement is ready he would like to not have to go to three readings on this ordinance. If a special meeting is held on March 10, he would like to pass it at that time if it fits the desire of both parties and doesn't cause a problem for the city.

Mr. Henderson noted that at the Finance Committee meeting on February 24, 2014 they talked about needing to have a full accounting of where the cash has been collected from the rent had been accredited to over time. Mrs. Mahoney stated that they talked about that last week. Mr. Clark stated that Mrs. Mahoney sent that information around. It was a little independent of the actual lease extension but they wanted to get clarity on that. Mr. Clark stated that he did not want to hold up the lease renewal for that purpose. If we are going to go into a three year extension we should have a contract finalized and there is not a reason for three readings because they are current with the lease.

Mr. Koomar stated that there will be a special meeting on March 10, 2014. Mrs. Mahoney stated that Mr. Clark's concern was that the money for the rent was not going to the Cahoon Memorial Park Fund, and actually all of the money is getting deposited into the Cahoon Memorial Park Fund but about \$16,000 is owed back to the city's Fund 233. Mr. Clark reiterated that he does not want to hold up the renewal for that purpose.

The motion for approval by the Cahoon Memorial Park trustees for the extension of the lease will be removed from tonight's agenda and placed on the March 10 agenda of Council and the Cahoon Memorial Park Trustees agenda.

A resolution authorizing the sale of property received into possession by the City of Bay Village will be introduced by Mr. Clark this evening. Service Director Thomas stated that a fairly substantial inventory is at the garage and a trailer is currently being rented to store this material that is not being used. They would like to use this resource to get rid of the materials and stop paying rent on the trailer. The Police Department has been successful in using Govdeals.com.

Mr. Clark commented regarding Ordinance No. 14-08 amending Codified Ordinance Section 151 that will be moved to third and final reading this evening. Mr. Henderson stated that he circulated an email about including domestic partner in the bereavement section of the ordinance for consideration. The concept would be to extend for bereavement leave privileges to domestic partners in addition to spouses and other definitions in the document. He stated that it seems like a reasonable time for that consideration prior to passage of the ordinance.

Mayor Sutherland stated that they have some very delicate personnel issues that are going on and she would request that this be discussed in executive session. Law Director Ebert pointed out that the bereavement policy is up to the discretion of the director of the department so the

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director would have that ability to give time off in these circumstances. As the Mayor said, there are some lingering issues that need to be kept intact so he would encourage not to amend the ordinance at this time. It can always be amended later. Mr. Koomar suggested including this discussion in executive session on March 10. Mr. Henderson stated that he is not interested in holding up passage of the ordinance.

Mr. Clark will introduce an ordinance this evening for the refinancing of the 2012 note to finance equipment and vehicles in the Public Improvements category. Seven additional ordinances will be introduced for the purchase of new equipment and vehicles for Public Improvements. The reason there are so many ordinances is because there is a one-purpose bond rule that Council has suggested we utilize to classify the ordinances by purpose. All of the numbers are in agreement with the numbers agreed to in the appropriations ordinance approved February 3, 2014. These ordinances will be placed on first reading this evening to be completed by early April and be in a position to be in the market sometime in April.

Mr. Lee commented that the notes that were sold last year of \$1.25 million will be paid off and refinanced with \$1 million. New debt of \$1.32 million will be issued. Mr. Clark stated that every resource available will be used to pay these notes as if they are five-year obligations so the debt is not run a long time into the future. Interest rates will continue to stay good; they are at or below the level of last year's note issue. Mr. Lee noted that the ordinances state a 5% rate but if we were to borrow today the rate will be about one-half of one percent per year based on the city's rating. We have 90 days prior to the maturity of the 2012 note to refund and we will pick a time and date that will be most beneficial to the city.

The ordinance authorizing the Mayor to enter into an agreement with Cuyahoga County Department of Public Works for Bridge Inspection will be held until March 10 to enable Service Director Thomas to inquire as to a contract for all the city's bridges, rather than just Ashton Lane and Queenswood Drive. Mr. Thomas noted that the city currently has 19 culverts, 3 state structures, 2 unknown structures, 1 municipal structure, 2 county structure culvers, and 5 county-inspected bridges. He noted that the Ohio Department of Transportation is offering a program that to inspect all bridges in municipalities for free. Mr. Thomas suggested that the contract with the county be in place just in case.

Mr. Lee noted that the fee quoted for inspecting Ashton Lane Bridge is \$420.00 by the county. Mr. Lee stated that he assumes Mr. Thomas will have numbers for the whole scope of the contract.

Councilwoman Lieske will introduce a motion this evening to extend the time for the Planning Commission to review Chapter 1158 for a period of thirty days to April 8, 2014. A Planning Commission meeting will be held this Wednesday, March 5, 2014.

Mrs. Lieske will read three ordinances this evening relative to Building Code changes that had been held to clarify the definitions and titles. Those have been clarified to refer to the Building Director as Chief Building Official and are in line for second reading of one ordinance and passage of the other two ordinances this evening.

President of Council Koomar called the meeting to order at 8:00 p.m. in the Council Chambers of Bay Village City Hall, with the Pledge of Allegiance led by Boy Scouts Zak Hamil, and Khaled Hamil, who were present this evening for their Citizenship in Community Merit Badge.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held February 24, 2014. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 6-0. Mr. Koomar called for a reading of the Minutes of the Meeting of the Cahoon Memorial Park Trustees held February 24, 2014. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 7-0.

## **ANNOUNCEMENTS**

**Mayor Sutherland** announced that the Green Team has received a grant in the amount of \$5,000. The Mayor noted that this is the fourth grant in succession that the Green Team has received.

Mayor Sutherland stated that as promised last fall, they have implemented a work-order system in the Service Garage, thanks to the efforts of Service Director Thomas. Not only can they actually track employees by the job that they are working on, but they are also tracking equipment. The amount of \$5,097.85 was used over this past weekend in labor and salt. Mayor Sutherland expressed kudos to the Service Department for all of the weather-related demanding work recently.

**Mr. Koomar** reiterated his earlier announcement that a Town Hall Meeting will be held on Monday, March 31, at 7:30 p.m. at the Dwyer Memorial Center.

## **REPORTS**

**Law Director Ebert** had no report this evening.

**Finance Director Mahoney** had no report this evening.

**Recreation Director Enovitch** reported that registration for Recreation Department Summer programs is now open, on line.

**Service Director Thomas** had no report this evening.

**Community Services Director Bock** announced that they are happy to host the Town Hall Meeting at the Dwyer Memorial Center on March 31, 2014 and are very proud that attendees will have an opportunity to observe the recent interior painting of the Dwyer Center.

**Police Chief Spaetzel** had no report this evening.

**Fire Chief Lyons** announced that two new Firefighter Paramedics were sworn in by the Mayor and started their work today. Two of the three vacant positions at the Fire Department are now filled by Jason Lee Goodwin, and Shawn Michael Janecek

## **COMMUNICATIONS**

The following communications were received and are on file in the Clerk of Council office for public inspection:

Norfolk and Southern Train Report for the month of February, 2014 advising that an average of 1.4 trains per day travelled through the City of Bay Village during the month of January, 2014.

An e-mail communication from Alicia Howerton, Agency Relations and Development Concierge for the Cleveland Sight Center, advising how much the visit of the Dwyer Center Group was enjoyed and complimenting driver Mike Gore for his services.

## **AUDIENCE**

The following signed in this evening: Ted Vovos, Tom Beers, Bill Sillasen, Lawrence Kuh, Mark S. Kasmery, Patrick McGannon, Chris Alvarado (Bike Cleveland), Conda Boyd, Peg Ludwig, Marty Mace, Denny and Tara Wendell, Jerrie Barnett, Zak and Khaled Hamil, Russell Thompson, George Faulkner, Michael Roach, Jerrie Barnett, Chad Marks, Susan Murnane.

Lawrence Kuh, 28412 West Oviatt, as a member of the Bike Advocacy Groups working on the bicycle ordinances gave a shout-out to the whole committee, and to Steve Lee as Chairman. He stated that it was truly a collaborative effort and expressed appreciation to those in the audience who came forth to support the amendments.

Patrick McGannon, 344 Bradley Road, expressed appreciation for the work on bringing these bike ordinances forward for passage. He noted that the regulations are in uniformity with the state law and most of the language in the ordinances reiterates what is written in state law.

Chris Alvarado, Bike Cleveland, expressed appreciation for the cooperation with citizen groups and stated that Bike Cleveland is in support of these efforts. He emphasized the importance of having uniformity throughout the community, especially with the laws that would permit two bicyclists to ride abreast. He appreciates the Police Chief's concern regarding Lake Road, but stated that it actually safer to ride two abreast because it creates less of a difference for a motorist to overtake two cyclists riding abreast than two cyclists riding one in front of another.

Jerrie Barnett, 316 Bayview Road, asked Mr. Clark when the increase in video service provider fees will take effect. Mr. Clark stated that the city is required to advise each of the three cable companies. It is believed the increase should go in place around May 1, 2014. Mrs. Barnett stated that her fee is 2.52%, and is she correct that it will go up to 5%. Mr. Clark stated it will go up to 5% on the portion of the cable bill. Mrs. Barnett expressed objection to calling this an increase in revenue since she feels it is a tax. Mr. Clark stated that with the loss of revenue from

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the Estate Tax it was thought that this would be one way to increase revenue since it has not been raised since its inception. Many of the surrounding communities collect the 5% video service provider fee. Mrs. Barnett noted that sewer and trash bills will go up as well, and water bills are out of sight. She suggested increasing real estate tax. Mr. Koomar supported the comments of Mr. Clark noting the loss of revenue through the Estate Tax and Local Government Fund.

A Bay Middle School student's mother asked what can be done to clean up Cahoon Road to West Oakland so people can exit going right out of the Bay Middle School parking lot, and turn right on West Oakland to exit the area. Service Director Thomas stated that the area at the school on Cahoon is used as a staging area for the construction vehicles. He noted that traffic has been changed to allow a left turn on Cahoon from the Middle School Parking lot to go out to Wolf Road. The mother noted that this is a real problem for the students. Mr. Koomar stated that this will be taken under consideration.

Conda Boyd stated that the traffic pattern was established when the Middle School was built and was designed to avoid putting traffic on West Oakland. She noted that it is a quiet residential street and anything that would increase the traffic on West Oakland would be counter-productive, particularly since there are so many parking on the street in violation of the parking laws. An ambulance or safety vehicle would have difficulty accessing the area during drop-off and pick-up time.

Director Thomas stated that the sewer project on Cahoon will be completed in June. Mr. Koomar asked if there is any flexibility to accommodate student drop-off and pick-up times.

The mother of the Bay Middle School student questioned why the project had to be done during the school year. She suggested that any construction done near the schools be scrutinized for the impact to the students and for student safety.

George Faulkner, former resident of Bay Village, referenced the prohibition against riding two abreast on Lake Road. He asked if the Law Director has considered a conflict between Ohio Revised Code 4511.55(b) which allows two cyclists abreast on a single lane. Mr. Ebert stated that being a charter city this has been carefully looked at by the Police Department, and Police Chief Spaetzel. The concern in Bay Village is that the city opted for curbs, gutters and sidewalks on Lake Road when the state did the project versus the bicycle lane that Avon Lake has. It is the most heavily, and fastest, traveled area in Bay Village. The concern going two abreast is that a car would be pushed beyond the center line. With one cyclist, a motorist shouldn't have to go over the center line even with the three feet passing requirement of the proposed ordinance.

Police Chief Spaetzel thanked all the groups that were involved in the bicycle legislation. The ordinance being done is overdue. The Chief noted that he is a bicyclist himself and travels Lake Road in the summer every day coming back and forth to work, and is very familiar with riding Lake Road. He stated that even he gets nervous riding down Lake Road riding close to the curb. Lake Road, except for where there is a turn lane, is a 15 ft. lane width. You can actually go around a single rider without crossing over the hazard zones. With two abreast, you must go across the line. Chief Spaetzel stated that he understands theoretically why all this is being

proposed, but when you look at Bay Village it is almost like a funnel. You come out of Rocky River with very wide two lanes and into Bay Village with narrow two lanes. While riding two abreast on Lake Road complies with the state law as it is currently written, motorists don't understand it. It creates a situation where anybody who is backed up behind those cyclists get aggravated. Very irate motorists create hazardous situations because of that. We would like to avoid that. Chief Spaetzel stated his concern is not anything but the safety of the bicycle riders, one of which is himself. He noted that this is how they came to that conclusion. They would certainly be amenable to posting at the entrance to the city and any laterals that run into Lake Road that it is single file for this section only as part of the uniformity concerns to make people aware.

Mr. Faulkner commented further stating that as a former resident of Lake Road for years he understands the frustration with the drivers and cyclists on Lake Road. He asked how citations will be reconciled in Rocky River Court for violations of the ordinance. Mr. Ebert stated that the police are very sensitive to the issue and someone would have to be very defiant to get to that point in time. Even last year when Lake Road was repaved the issue was the bicycle grates and the catch basins. There was a problem with some of the grates that were lower than the pavement. Mr. Ebert noted that it is understood that it is a deviation from the state law but this is the only road where this is being required.

Lawrence Kuh stated that the whole nature of the ordinance is to increase safety. He is hearing the opinion of two individuals in the whole situation that think it is safer to ride single file, when there have been multiple examples that riding two abreast is safer. Bike Cleveland and other organizations have stated that riding two abreast, regardless of whether the road is wide or narrow, is safer. How are we now saying it is not safer? We want people to ride the cars across the center; that's what is safer when passing a bicycle – to pass like you are passing a car.

Mr. Koomar thanked everyone for their comments. He noted that the ordinances are going on first reading tonight. Part of this is to get everyone's input for consideration.

## **COMMITTEE OF THE WHOLE**

### **Presentation by Cleveland Clinic of Lifesaving Assistance App**

**Fire Chief Lyons** introduced Mr. Bill Sillasen, Regional EMS Director for the Cleveland Clinic and Mr. Thomas Beers, EMS Manager for the Cleveland Clinic to demonstrate the application called PulsePoint. In the summer of 2013, the Cleveland Clinic approached the Westshore Fire Chiefs with the idea of implementing this new technology. The PulsePoint is a location-aware phone application that empowers everyday citizens to provide life-saving assistance to victims of Sudden Cardiac Arrest. Communities can now use the application to dispatch citizens to major cardiac emergencies where the potential need for bystander CPR is high. Notifications are made simultaneously with the dispatch of paramedics to anyone within the area that has indicated their willingness and ability to assist during a sudden cardiac emergency. These notifications are only made if the victim is in a public place and only to potential rescuers that are in the immediate

vicinity of the emergency. When notifications do occur they intend to target potential citizen rescuers that are primarily within walking distance of the event. To install the PulsePoint app simply search *PulsePoint* in the [Apple App Store](#) or in Android Apps on [Google Play](#).

Mr. Sillasen and Mr. Beers were thanked for the presentation of PulsePoint this evening. Chief Lyons reminded everyone that the Bay Village Fire Department has CPR for Family and Friends at no charge at the Bay Village Fire Station every third Wednesday of the month, from 7 p.m. to 10 p.m. Call the Fire Station at 440-871-1212 to register.

#### **ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Lee**

**Mr. Lee** introduced Ordinance No. 14-11 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.

Mr. Koomar announced that Ordinance No. 14-11 is placed on first reading.

Mr. Lee introduced Ordinance No. 14-12 Amending Codified Ordinance 331.03 Regarding Vehicles Overtaking, Passing to Left; Drivers Duties, and Declaring an Emergency.

Mr. Koomar announced that Ordinance No. 14-12 is placed on first reading.

Mr. Lee introduced Ordinance No. 14-13 Amending Codified Ordinance 331.10 Regarding Vehicles Turning at Intersections, and Declaring an Emergency.

Mr. Koomar announced that Ordinance No. 14-13 is placed on first reading.

Mr. Lee introduced Ordinance No. 14-14 Amending Codified Ordinance 301.04 Regarding “Bicycle; Motorized Bicycle” of the Traffic Code of the City of Bay Village, and Declaring an Emergency.

Mr. Koomar announced that Ordinance No. 14-14 is placed on first reading.

Mr. Lee introduced Ordinance No. 14-15 Amending Codified Ordinance 301.51” “Vehicle” of the Traffic Code of the City of Bay Village, and Declaring an Emergency.

Mr. Koomar announced that Ordinance No. 14-15 is placed on first reading.

Mr. Lee introduced Ordinance No. 14-16 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.

Mr. Koomar announced that Ordinance No. 14-16 is placed on first reading.

**FINANCE & CLAIMS COMMITTEE**

**Mr. Clark** introduced **Ordinance No. 14-17** 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.

Mr. Koomar announced that Ordinance No. 14-17 is placed on first reading.

**Mr. Clark** introduced **Ordinance 14-18** 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

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-18.

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 Ordinance No. 14-18, an emergency measure, by a vote of 6-0.

Mr. Clark introduced **Resolution No. 14-19** Authorizing the Sale of Property Items Received into Possession by the City of Bay Village, and Declaring an Emergency.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-19.

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

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Nays -None  
Roll Call on Adoption:  
Yeas–Henderson, Koomar, Lee, Lieske, Vincent, Clark  
Nays–None.

Mr. Koomar announced adoption Ordinance No. 14-19, an emergency measure, by a vote of 6-0

**Mr. Clark** read **Ordinance No. 14-08** amending Codified Ordinance Section 151 regarding Employment Provisions.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-08.

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 Ordinance No. 14-18, an emergency measure, by a vote of 6-0.

Mr. Clark introduced **Ordinance No. 14-20** 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.

Mr. Koomar announced that Ordinance No. 14-20 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-21** 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.

Mr. Koomar announced that Ordinance No. 14-21 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-22** 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.

Mr. Koomar announced that Ordinance No. 14-22 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-23** 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 Equipment for Use in Performing the Functions of the City's Police Department, And Declaring an Emergency.

Mr. Koomar announced that Ordinance No. 14-23 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-24** 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.

Mr. Koomar announced that Ordinance No. 14-24 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-25** 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.

Mr. Koomar announced that Ordinance No. 14-25 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-26** 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.

Mr. Koomar announced that Ordinance No. 14-26 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-27** 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.

Mr. Koomar announced that Ordinance No. 14-27 is placed on first reading.

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

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

**Motion passed 6-0.**

**Mrs. Lieske** read **Ordinance No. 13-131** amending Codified Ordinance Chapter 1322 regarding Residential Code of Ohio for One, Two, and Three-Family Dwellings.

Mr. Koomar announced that Ordinance No. 13-131 is placed on second reading.

Mrs. Lieske read **Ordinance No. 13-97** amending Codified Ordinance 1301 regarding Department of Building, Engineering, and Inspection; Enforcement.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 13-97.

Roll Call on Adoption:

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

Mr. Koomar announced adoption Ordinance No. 13-97, by a vote of 6-0.

**Ordinance 13-106** amending C.O. Section 1344.03 regarding Residential, Commercial and Accessory Structure Maintenance Definitions.

Roll Call on Adoption:

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

Mr. Koomar announced adoption Ordinance No. 13-106, by a vote of 6-0.

Mrs. Lieske thanked everyone for working on the clarifying of the definitions in these ordinances.

## **RECREATION AND PARK IMPROVEMENTS COMMITTEE**

**Mr. Henderson** had no report this evening.

## **SERVICES, UTILITIES & EQUIPMENT COMMITTEE**

**Mr. Vincent** had no report this evening.

## **MISCELLANEOUS**

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Clark **MOVED** to convene to Executive Session regarding Contracts (Rocky River Wastewater Treatment Plant), Litigation (Wischmeyer Creek), and Personnel (Restructuring of Service Department).

Minutes of Regular Meeting  
Bay Village City Council  
March 3, 2014

**Roll Call Vote: Yeas- Clark, Henderson, Koomar, Lee, Lieske, Vincent. Nays – None.  
Motion passed 6-0.**

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney, Service Director Thomas, and from the Rocky River Wastewater Treatment Plant: Jeff Harrington and Dave Matty.

Council reconvened in an open meeting at 10:29 p.m. Present were: Clark, Henderson, Koomar, Lee, Lieske, Vincent.

There being no further business to discuss, the meeting adjourned at 10:31 p.m.

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Paul A. Koomar, President of Council

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Joan Kemper, Clerk of Council