

# City of Bay Village

Council Minutes, Committee Session  
Conference Room

March 24, 2014  
7:30 p.m.

Paul A. Koomar, President of Council, Presiding

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

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

## **AUDIENCE**

The following audience members signed in this evening: Dick Majewski, Russell Thompson, Denny and Tara Wendell, Conda Boyd, Lydia DeGeorge, Marty Mace, Lawrence Kuh, Patrick McGannon, Peg Ludwig, Jerrie Barnett, Dan Kreig, Joshua Radick, Jennifer Smillie, Jan Henderson, Susan Murnane.

## **ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE**

### Do Not Knock Registration Procedure

Mayor Sutherland advised that they are currently finalizing some of the language and working with the website designer to implement the procedure. When someone signs up it will be automatically downloaded to the registry. The registration process should be in place by April 15, 2014.

Mr. Lee asked if the list, which is the accumulation of names of those who have signed up, will also be available on the website. Mr. Ebert stated that it will be addresses only. When the contractor registers at the Police Department for a solicitor's permit, they will be handed a physical list.

Mr. Lee stated that the ordinance that was passed actually contemplates that the list will be available on line. Mr. Ebert stated that he will review this further.

Mr. Henderson asked if a registrant to the Do Not Knock Registry will receive a hard copy in the mail of confirmation of their registration. Chief Spaetzel stated that there is a confirmation process in place.

Mr. Koomar noted that registration is good for five years.

Resolution to accept the Fire Study Grant to be presented April 7, 2014.

Mr. Ebert stated that an ordinance has been prepared by all of the participating communities to accept the \$100,000 grant. Mayor Sutherland stated that there has to be a matching contribution of about \$70,000 but a vast majority of that is in-kind contributions such as office space, use of city vehicles, computers, etc.

Mr. Koomar asked what the cash portion of the matching contribution will be and if that will come out of Bay Village funds or Westshore Council of Government Funds (COG). Mayor Sutherland stated that it will come out of COG funds and it is extremely minimal.

Mr. Lee asked if COG has the funds to do that and it is not a situation where each of the cities will have to write a check. The Mayor stated that COG does have the necessary funds.

Mr. Ebert stated that the City of Westlake passed their ordinance last week.

Mr. Koomar asked which of the COG funds the money will be taken from. Mayor Sutherland stated that she would have to look at the fund list. There is a COG meeting on Wednesday of this week and they will be accepting their budget.

Mr. Lee asked if the acceptance of the grant by ordinance which will be presented on April 7, 2014 means that there is a time that this has to go forward quickly. Mr. Ebert stated that he understands that in addition to Westlake having already passed their ordinance, Rocky River and Fairview are considering their legislation this week. Mayor Sutherland stated that they would like to start moving on this because they have to expend the funds by July of 2015.

Susan Murnane asked where the office will be. Mayor Sutherland stated that has not been determined.

Marty Mace asked if the Westshore COG allows financing of a sub-group of cities. COG has seven cities and there are only four cities participating in the Fire Study. Mayor Sutherland stated that they already have a model with the Central Dispatch.

Amend Traffic Code/Right Turn Only from Westerly School Parking Lot

Police Chief Spaetzel stated that there is a traffic issue at the Westerly School. They have identified that traffic does not exit out of the parking lot at a decent rate. Everything backs up onto Wolf Road and south on Saddler. The idea is to facilitate the movement of traffic out of the parking lot as quickly as possible and in order to do that would be to eliminate left hand turns onto Wolf Road. There would be a right turn only out of the Westerly parking lot, with the exception of school busses. The restriction would be limited to school hours during the school day. This has been requested by the Board of Education.

Mr. Koomar asked if there is a traffic count of those vehicles trying to turn left. Chief Spaetzel stated that there is not a traffic count of this sort. Mr. Koomar asked if the modification would cause an inordinate amount of traffic going back down Ednil Road. He would like to get a sense

of how many people are trying to turn left. Chief Spaetzel stated that they will review that existing traffic pattern.

Mr. Koomar stated that at several of the school sites in Rocky River where there are similar traffic congestion issues there would always be a guard directing traffic or a Rocky River police officer would come for that short period of time when the traffic does back up. He asked if there has been any consideration for that type of assistance.

Chief Spaetzel stated that he does not have the manpower available during the day for that type of assistance and would have to pay someone overtime to come in and take that station, even for a short period of time.

Mr. Koomar asked if it could be done on a test basis. Chief Spaetzel stated that they would have to review that. One of the dangers in doing that is people become comfortable with it and when it is removed you are back to the same issue.

Mr. Koomar stated that it would be helpful for him to have that traffic count to avoid fixing one problem while creating a secondary issue.

## **PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Tadych**

### Award of Contracts - Street Resurfacing Program 2014 Materials and Supplies

#### Award of Contract – Street Striping Program – 2014

Service Director Thomas commented on the bid tabulations for the 2014 Street Resurfacing Program Materials and Supplies. Lafarge North America was the lowest and best bid of four bidders for the aggregate portion. On the asphalt patching, two bids were received and Allied Corporation came in as the lowest and best bid. Westview Concrete, Inc. was the lowest and best bid of two bidders for concrete.

Mr. Lee asked how the prices compare to last year. Mr. Thomas stated that the prices have increased.

Infrastructure Manager Curtis Krakowski reported that four bids were received for the 2014 Street Striping and Pavement Marking Program. The prices ranged from \$20,119.90 to \$28,549.35. Last year a contract was not awarded, but the previous year the cost was \$18,000. This year's estimate of cost is \$20,000, with \$22,000 budgeted for the program. Osborn, Nagle, and part of Cahoon Road were backed out of the contract because of the planned resurfacing project for these roads. The striping will be incorporated with the paving projects. It is recommended that Dura Mark, Inc. be awarded the contract this evening as the lowest bidder.

Application to the Ohio Environmental Protection Agency, Division of Surface Water for the 2014 Surface Water Improvement Fund Grant

Mr. Tadych asked who will apply for this grant. Mr. Thomas stated that the City of Bay Village is applying for the grant, which is actually being written by CT Consultants. The application is due April 11, 2014. The grant is for a parking lot for the city hall with permeable pavers and a retention area in the middle of the parking lot. There will be about 22 feet between angle spaces, with 7 feet added on each side with a bio-retention area of 14 feet in the middle of the parking lot. When water currently comes into the hard surfaces it goes directly into the water system. The goal of the Environmental Protection Agency in offering this grant opportunity is to reduce that water into the system. The pavers and retention area will cut down the water flow from the parking lot and take the water from down spouts from the city hall building into the bio-retaining area. The grant is in the amount of up to \$120,000. It is recommended that the legislation authorizing the application be approved. There are no matching funds and there are two years to complete the project after the grant is awarded. There will be no loss of existing parking spaces.

**FINANCE & CLAIMS COMMITTEE – Clark**

Fireworks Committee Report

Mr. Clark stated that there has been a volunteer effort to raise money for the 2014 Fireworks. A generous benefactor has assisted in funding the fireworks the last couple of years. A lot of work has gone into the effort this year and the committee is close to raising the entire \$11,000 for 2014 through a combination of city funding (\$5,500), and generous donors. Mr. Clark will publicly recognize all of the committee members at the time the contract for the fireworks is awarded in April.

Two grand prize raffles will be held. One will be a Cleveland Indians Package, and the other is a membership donated by the Freedom Boat Club. Mr. Robert Massey, a Bay Village resident, explained that the Freedom Boat Club is new to the Rocky River Marina as last year. They have 77 locations around the country. They keep their members from the hassle of boat ownership and supply them with boats to use on an unlimited basis at one of their three locations: Rocky River, Catawba, and Sandusky. They are supplying, for the grand prize raffle, a membership to the club that is paid for one year. Memberships can also be used anywhere in the United States. The boats range from 23 feet to 29 feet. Mr. Clark stated that they are in the process of printing raffle tickets for that drawing and there will be details forthcoming. If there is additional money raised beyond the needed \$11,000 for the contract they have options to either increase the quality or breadth of the fireworks display or have a carryover to next year.

Mr. Massey asked if a display boat advertising the raffle can be placed along Wolf Road, possibly in a grassy area. Mr. Koomar noted that it cannot be placed on Cahoon Memorial Park property. It will have to be placed on city property. Mayor Sutherland stated that they will work out the details. There will be no raffle activity on Cahoon Memorial Park property. Tickets will be \$25.00 each or five for \$100.

Mr. Clark reiterated that he will publicly announce the committee members in April, but acknowledged Mr. Tadych and Mr. Henderson as part of that group and thanked them for their assistance.

#### Administrative Compensation Ordinance

Mr. Clark noted that the changes in the Administrative Compensation Ordinance are very minor. They represent deductions in some of the seasonal, part time employee per-hour rates. Finance Director Mahoney stated that when the most recent compensation ordinance was passed she inadvertently increased the seasonal rates. They also had a request to lower the range on the part time to a minimum rate. It is recommended that the ordinance be moved for adoption this evening to expedite the hiring of seasonal workers.

Conda Boyd stated that there are a lot of benefits for employees that vary depending on the number of hours for the position. Holiday and vacation days are for full time employees, and vacation and sick leave are prorated according to the number of hours. Longevity pay is for non-elected full time employees which is defined as greater than or equal to 30 hours per work. Life insurance is greater than or equal to 30 hours per week. Ms. Boyd suggested adding a column to the compensation ordinance explicating spelling out the number of hours for each position. There is a separation of powers of Council actually authorizing the position and the money, versus the administration overseeing the details.

Mr. Koomar stated that Council appropriates the funds; the hiring is the responsibility of the administration.

Ms. Boyd stated that there is a position and the Council is responsible for defining that position including how many hours and benefits.

Mr. Koomar stated that this would be more operational, under the jurisdiction of the Mayor. Council might have a question on the total compensation that Council would be approving.

Director Mahoney stated that during the budget process the Council is informed of the employees and the hours required.

Ms. Boyd asked about the clause in the ordinance defining the duties of a Clerk pro tem. She was informed that this provision is for a substitute in the event the Clerk of Council or secretary to the Boards and Commissions cannot be present.

#### Sewer Rental Rates

Mr. Clark advised that this topic will be highlighted at the Town Hall Meeting on March 31, 2014. The pending ordinance will be moved to second reading this evening. The ordinance increases the rental rate per year to \$335.00 from the existing \$260.00.

Creation of New Fund for Property Maintenance Collections- Ordinance to be presented April 7, 2014

Mrs. Mahoney stated that there are three different things the city does on private property when necessary: fix sidewalks, take down trees, and cut grass, for which the city is reimbursed. The reimbursement for this work will be placed in one special revenue fund to provide a better tracking process. Additionally, a 3% administrative charge will be instituted for this service. When payment is not received for these services, the cost is attached to the property owners' real estate tax duplicate and certified for collection. Director Mahoney will work with the Law Director for the preparation of the necessary legislation creating the fund.

Mr. Tadych asked for clarification of the fact that if the homeowner repairs their own sidewalk as part of the sidewalk repair program or takes part in the city contract and reimburses the city for the cost, they are not included in this special fund. If the homeowner chooses not to take part in the city program and the city must go in and incur the cost of repair, only then would the 3% administrative fee be charged.

**PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE**

Mrs. Lieske advised that a meeting of the Planning, Zoning, Public Buildings and Grounds Committee was held earlier this evening. The committee was joined by three members of the Planning Commission to have a general discussion about the intent of Chapter 1158, and have a preliminary discussion about proposals that have been submitted by John Cheatham of SAFEbuilt, Chairman Persanyi of the Planning Commission, and the recommendations of the Planning and Zoning Committee in 2009. The Planning Commission is questioning the expectation of Council in the review of this Chapter. The next meeting of the Planning Commission is scheduled for April 2, 2014 and the time for review of the chapter by the Planning Commission ends April 8, 2014. There was also a discussion about what the Council members are considering in relation to this Attached Housing code. Mrs. Lieske informed the Planning Commission that the only discussion by Council has been in regard to tax abatement.

Mr. Koomar noted that as he recalls the first phase of the assignment to the Planning Commission was to comment on Mr. Cheatham's recommendation. It is always an option to work further with the Planning Commission at a later time.

**RECREATION & PARK IMPROVEMENT COMMITTEE**

Mr. Henderson had no report this evening.

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Vincent**

Participation in the Ohio Department of Transportation contract for Sodium Chloride (Rock Salt)

Mr. Vincent will introduce a resolution at the special meeting of Council this evening authorizing participation in the Ohio Department of Transportation (ODOT) purchase of sodium chloride for the upcoming winter of 2014-2015.

Committee Meeting of Council  
March 24, 2014

Service Director Thomas stated that having a summer bid will help a great deal in insuring an adequate supply of rock salt. We stockpile about 2000 tons and are 1100 down from where we should be to start next year. Mr. Thomas strongly recommended proceeding with this participation with ODOT. The cost for the summer program salt purchase has not yet been determined.

The Mayor added that the reason the city was short on salt was universal to all the municipalities. The supplier was not shipping.

Mr. Henderson asked if it is possible to purchase from more than one supplier. The Mayor stated there are only three suppliers and once you get into the season the prices are unreasonable. Mr. Tadych noted that at one time additives such as beet juice and molasses were added to the salt to make it adhere to the road surface.

There being no further business to discuss the meeting adjourned at 8:05p.m.

---

Paul Koomar, President of Council

---

Joan Kemper, Clerk of Council