

CITY OF BAY VILLAGE

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

April 7, 2014

Paul A. Koomar, President of Council, presiding

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

Absent: Tadych, due to illness; Lieske, due to illness

Others

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

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 Koomar advised that resumes have been received by Council for those individuals being announced as new appointments by the Mayor to the Tree Commission. Returning to the Tree Commission is Dave Patzwahl, for whom a resume is unnecessary due to past experience on that commission. Mary Munn is also returning to her position on the Community Services Advisory Board.

Mr. Lee advised that he attended the Ohio Municipal League's Council Training Session on March 29, 2014. He stated that he thought it was an excellent program. It is offered every other year. The topics covered this year included Home Rule, Local Control, Council Power and Procedures, Bidding, Purchasing Contracting, Finances, Liability, Open Meetings and Public Records. The material provided at the seminar will be on file in the office of the Clerk of Council for reference and review.

Mr. Lee further noted that he will introduce a resolution this evening authorizing the Mayor to accept a grant awarded by the Ohio Local Government Innovation Fund for the Phase II Study of the Westshore Regional Fire District in the sum of \$100,000. There is no match required from the city in cash. Mayor Sutherland stated that there is about a \$70,000 match within the Council of Governments (COG) and most of that is either in-kind, or if there is any cash outlay it is coming out of savings put aside for this purpose. Mr. Koomar verified with the Mayor that from the city standpoint for additional appropriations the funding would be through the COG.

Conda Boyd asked clarification of the procedure to actually form the fire district and whether if each of the cities would have to come back to their Councils. Mr. Koomar stated that his understanding is that this is just a study to explore it, no more, no less, no different than the first study.

Susan Murnane said that this is not what they heard when they were at the Westshore COG meetings. It was their understanding based on what was said at the Westshore COG meeting,

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that once this study is approved the Westshore COG can go ahead and approve the consolidation without coming back to city councils.

Mayor Sutherland stated that this is absolutely not accurate.

Ms. Murnane asked what will happen next.

Mayor Sutherland stated what will happen next is once this grant is accepted, then we can hire what we would call a facilitator or an executive director who will begin to work on some of the 76 suggestions made as far as operational efficiencies. That person will be responsible for beginning to pull some of those things together. It could be training. There are a lot of things that can be done that don't necessarily include consolidation. There is a whole continuum of things that can be done to zero from full consolidation. And, there will be much public discussion as this goes along. But, we are very much at the beginning stages of this and there is really no preconceived notion on how this is going to proceed. We've got this grant, we are going to continue to look at it. We think there is merit in the idea and that's what we are going to do.

Mr. Koomar stated that it is very similar to the last study of stay as you are, further collaboration, full consolidation.

Mayor Sutherland stated that she thinks they are going to drill it down a little bit more and look at what we actually need to do to sort of regionalize the training that goes on between the four departments, as an example.

Mr. Koomar stated that this was one of the three recommendations out of the last one but it was at a much higher level without a lot of detail. The question Mr. Koomar got from a resident last week was the regional study had more cities, now we are down to four, what is the potential effect on that.

Mayor Sutherland stated that there was a lot of discussion that took place during the meetings they had regarding whether they were going to stay with, potentially they could have nine communities involved. Bigger is not always better. The four communities that are involved now are also involved in Central Dispatch so there's already a sort of commonality of how they operate, what their communities are like. For instance, our community is very different from the needs of say, Lakewood. Over the course of the year and a half or two years it was discussed they all came to the conclusion that some cities were going to meld together better than others. So, they ended up with the core of the four communities of Westlake, Bay Village, Fairview Park, and Rocky River.

Mr. Koomar stated that in professional services they talk about hiring the procurement process with Ohio Revised Code. He asked if that will all be taken care of by COG or will that have to come back if we are hiring someone. Mayor Sutherland stated that will happen through the COG.

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Ms. Murnane thanked Mayor Sutherland, noting that her comments were very informative. She asked where the decisions are going to be made as to which of these recommendations are going to be adopted. At which level of government?

Mayor Sutherland stated that depending on what they are, something that is operational then it would be done with the Mayors and the Fire Chiefs. If it is not operational they will have to come back to all of their Councils.

Mr. Koomar asked Mayor Sutherland for an example of operational. Mayor Sutherland stated that, for instance, if the facilitator or executive director looks at operating procedures and sees something that is not in full line between the four entities he may say we can change this procedure. Mr. Koomar stated that if it would be more efficient for mutual aid, consolidating training, not a whole lot different than what we would do with Westshore HAZMET and things like that. Mayor Sutherland stated that if it is administrative it will happen with the Mayors and Fire Chiefs. Mr. Koomar asked about jointly buying a piece of equipment under another scenario that would probably be something that would be worked out no different than us buying composting equipment with Westlake. Both Councils would have to approve the appropriation but the operational component how it would be shared, where it would be stored, etc., is really a day-to-day operational matter.

Darrell Mattern, Winston Drive, stated that the only thing he is concerned about is if this is passed and a project manager hired to get this implemented, if you don't know where you are going it's like Nancy Pelosi saying we have to pass the bill to know what's in it. I am afraid that this will cause a lot of confusion and pain with the Affordable Health Care Act kind of similar to this situation where you are going to agree to do something but you don't even know what that is yet. It seems like it might be better to have a plan you can actually vote upon.

Mayor Sutherland stated that we are glad to have one of our retired Firefighters Darrell Mattern here tonight.

Mr. Koomar stated that part of this is to continue to look for efficiencies. With four cities what would those efficiencies be versus the seven or nine, of whatever it was to begin with, and what would those dollars be and what it would look like. I think this is more investigation. Mr. Koomar addressed Law Director Ebert and asked if there was going to be a full consolidation. Mr. Ebert stated that taxing entities and everything else would have to be changed by all the Councils. Mr. Koomar asked if this would require the approval of Council. Mr. Ebert stated that it would require the approval of Council. He stated that he has been attending a number of these meetings and this is to get some idea of the efficiencies of scale as far as what can be done with equipment, with training, and everything else. This is not thinking we are consolidating the fire departments; that is not the case. We have to walk before we run. The grant was there in order to hire someone with the expertise to actually look at the four cities, or how many cities are going to look at this, about efficiencies of scale, where the savings are, where the duplications are, as far as training, as far as equipment purchases. We talked about this many times. We share now mutual aid and it is things like that that this gentleman, whoever is going to be hired

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with the expertise, will come back with his recommendations. That is what the grant was for to go to the next step.

Mr. Koomar stated that just from the first study, as a point of reference, I will pick up one thing that didn't thrill me in the first study, was one of the potential recommendations was moving manpower outside of Bay Village and Bay Village pays for that. We have a high level of service in a lot of areas, such as snow plowing. Residents like that, they appreciate that. Those types of things just on an operational manner where this consultant didn't have a pulse of the city, those are all things that the Council and the administration would closely look at. I sure would.

Conda Boyd stated that she would like to hear that people are open to hiring a woman as well as a gentleman. The Civil Service Rules are under revision right now. She asked the Mayor to comment on how that might relate, are there any revisions to the rules to try to look forward and think about how that might impact a consolidation.

Mayor Sutherland stated that she does not think they are quite that far. They are back in 1960 something right now, Civil Service Rules, so they are trying to bring it up to date. Once they get it to that point then I think they can look forward.

Mr. Ebert stated that Ms. Boyd is talking about something where we would have a Regional Civil Service Commission, a Regional Fire District, a new Fire District created. That is way down the road. At the last election Bay had various issues. That was to try, since we were going to the ballot anyway, to start that process down the road. Because if you did that, if you created a district, or any type of tax entity, you don't have then four Civil Service Commissions. You have one that everything goes through. That was the effort for that but it failed. That is way down the line. It is like not even worry about buying the land let alone building the house.

Ms. Boyd stated that the Westshore COG has looked at times at the different source of requirements for their Civil Service people, and I am just wondering if there might be some thought that those could be brought into sync to share exams, to share eligibility lists.

Mayor Sutherland stated that they have talked about that and the main reason for trying to share exams is to not only save our dollars but to also save dollars for the candidates. We probably saved money for them and didn't save money for ourselves. There's still all kinds of scoring differences between the communities that each community would have to address and bring into sync, so again, this is a pretty lengthy process.

Mr. Koomar stated that sometimes you have officers applying from one city to the other. Mr. Ebert stated that we jointly have exams with Rocky River right now, so we have consolidated that part.

Mr. Koomar stated that the resolution will be placed on first reading this evening.

Mr. Henderson asked what the director's role would be versus the role that Fire Chief Lyons is going to have.

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Mayor Sutherland stated that Chief Lyons is going to be the Co-chair of the committee that will oversee this whole process. One of the reasons we wanted a grant in the first place was because they came to the conclusion that the four Mayors do not have the time nor the expertise to drive this forward in the level of detail that is necessary, and the four Chiefs also do not have time because it is a pretty big job. They decided that this was the best approach to go forward to try to see what else could be done on a regional basis.

Mr. Lee stated that he will also introduce a resolution this evening authorizing the filing of an Ohio Department of Public Safety Emergency Medical Services Grant.

Fire Chief Lyons stated that there are funds that are collected on an annual basis by the state from seat belt fines and those funds are made available for agencies like fire departments to apply for medical equipment. The Bay Fire Department has been successful over the past half-dozen years, receiving the grant every year. It totals between \$2,000 and \$3,000 with no matching funds required for the city.

Mr. Lee asked if there is a due date for when the grant application is due. Fire Chief Lyons stated that it does need to be moved forward expeditiously.

Mr. Koomar stated that he included in the Council kits this evening the current Mutual Aid Agreements. He asked if this matter could be placed on the Committee session next week just to talk more about how that works with other cities. Mayor Sutherland stated she would also like to include the Police Department. The two Chiefs can outline how it works and what is done.

Mr. Koomar stated that there has been more focus and more questions, especially with newer members, especially with the Fire District. Obviously the Police are always included in those discussions.

Mr. Clark stated that he will present Ordinance 14-28 regarding sewer rental rates for third and final reading this evening. He acknowledged the presence of Mr. Bob Greytak of CT Consultants. Mr. Greytak has presented information to Council and to the public at the Town Hall Meeting on March 31, 2014 regarding the strength and flow monitoring for sewers.

Four ordinances are to be presented by Mr. Clark this evening establishing a Private Property Maintenance Fund, Payment of Fees for City Services, Constructing, Cleaning and Repairing Sidewalks, and Non-Compliance and Assessment of Cost.

Finance Director Mahoney stated that the first ordinance is to create the Private Property Maintenance Fund in order to move any sidewalk, grass cutting, and tree removal on private property expenses and receipts to one fund, to see if the monies that we are expending to pay for these services are being recovered by the city.

Mr. Clark stated that the ordinances will be placed on first reading this evening, and second and final reading on April 14.

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Mrs. Mahoney noted that the first ordinance is to create the fund. The next three ordinances are to amend the codified ordinances in the references to General Fund previously, or the Sidewalk Fund previously to reference now to the Private Property Maintenance Fund.

Mr. Lee noted that the last ordinance has a reference to an administrative charge. He asked if there is more detail on how that will be determined. Mr. Ebert stated that this would be for the administrative cost to be paid that would be added to the payment. Mr. Lee asked if it is a set amount. Mrs. Mahoney stated that she had originally said maybe a 3% charge. Mr. Clark noted that it would have to be approved by Council ordinance. Mr. Lee asked if it would be approved as far as the ordinance being presented this evening. Mrs. Mahoney stated that it would be, but not the amount.

Mr. Ebert explained further that this is for the administrative cost associated with the payments. When the collections are certified to the County that cost certified to the County will be added to the cost levied for non-payment. If we have a filing cost or recording cost or a lien cost, or an out-of-pocket cost for someone hired to do the work that would be added.

Mr. Henderson asked if this would be a third party charging an administrative fee for some reason that would be passed on as the administrative charge. Mr. Ebert stated that this is correct. Mr. Henderson said we wouldn't pay, for example, the cost billed to us to service the lawn and then add our own administrative fee. Mr. Ebert agreed, stating that only the actual out-of-pocket cost can be assessed. That is when we hire out to do the work when our Service Department doesn't have the time.

Mr. Henderson stated that the language in the ordinance says we can charge the cost including an administrative charge. He suggested being more clear on the intent that we are not going to charge our own administrative charge on top of the actual cost.

Mr. Lee noted that the ordinances state the implementation of a new Chapter 125 in the first paragraph. He suggested that it should instead be a new Chapter 125.21, not a new Chapter 125. The ordinances will be placed on first reading with further clarification going forward. Mrs. Mahoney will provide further information by the end of the day on Wednesday, April 9, 2014.

Mr. Clark will present an ordinance this evening amending Ordinance 14-17 regarding the extension of the lease agreement with Kiddie Kollege. This is due to a change of name of the business to Kiddie Kollege Kids Club on the Lake, LLC, and follows the agreement and terms already established. All items needed for the transfer to the new entity, including proof of insurance have been received. Mr. Clark stated that we have also corroborated that they are current on their rental payments. Mrs. Mahoney responded affirmatively.

Mr. Clark will introduce a resolution this evening updating the city's policy for employees' cell phone usage. Mr. Lee asked if Mrs. Mahoney will circulate another copy of the policy in the Council packets on April 11.

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In the absence of Mr. Tadych, Mr. Lee will introduce an ordinance authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation (ODOT) to conduct bridge inspections. Mr. Lee asked Service Director Thomas to comment on how this agreement differs from the agreement approved for Cuyahoga County for bridge inspections. Mr. Thomas stated that the agreement with the County is a back-up plan just in case ODOT does not come through with their inspection program. They have done so, and with this agreement there is no cost to the city to participate with our two inspected bridges throughout the city. This agreement is for the Ashton Lane and Queenswood bridges.

Mr. Lee will introduce two motions this evening. The first will authorize the Director of Public Service to advertise for bids for the 2014 Pavement Repair and Maintenance Program. The second motion will authorize the Director of Public Service to advertise for bids for the renovation of the Walker/Nantucket Pump Station.

Mr. Bob Greytak of CT Consultants addressed Council and the administration, stating that they have prepared plans, specifications and engineer's estimate for the project. The project involves gutting the existing pump station equipment and replacing all of the equipment, all of the electrical components and replacing the four force mains that are part of the original pump station. The engineer's estimate for all of the work is \$88,000.

Mr. Henderson asked Mr. Greytak to comment further on the problem that created the need for this work.

Mr. Greytak stated that the original pump station was built in the 1950's. It was reconstructed in the 1980's. All of the equipment is in a severe environment and tends to go bad. The carbon steel rusts and deteriorates to the point where the guides for the pump are completely disintegrated. All of that equipment will be changed out to bring it up to current standards which includes going to stainless steel rather than carbon steel to withstand the environment to a much greater degree.

Mr. Henderson stated that residents in that area have spoken to him about flooding in the basements. He asked if this is something that will fix potentially some of those problems.

Mr. Greytak stated that the pump station is actually oversized for the areas that it serves. He is not quite sure if there is flooding in the basements that it is the pump station or some other ancillary things that are going on. They are not planning on upgrading the size of the pumps whatsoever.

Mr. Koomar asked if these improvements include a generator. Mr. Greytak stated that they do not include a generator. They talked about doing a generator, but the problem would be that it would be above ground and would have to have an enclosure and would become a curiosity for the people in the area. They spoke to the sewer crew about their current portable generators they use and they felt very confident that the two generators they have are sufficient to cover both this pump station and the Walker/Weimer Pump Station, as well as Lake Road. It was decided not to include a generator.

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Mr. Koomar asked if a generator could be added later if this requirement should change. Mr. Greytak stated that it could be added. It is a small generator overall but with the requirements in the electrical code regarding enclosures around it and clearances it would be a very obvious above-ground structure and it was decided not to pursue that at this time.

Mr. Koomar noted that there have been other structures over the years such as those for cable television. Mr. Greytak stated it would be much larger than that.

Mr. Clark stated that the funding for this project will be taken out of the Public Improvements Fund or we will consider borrowing for it at some point. Mrs. Mahoney stated that it will come out of the Sewer Fund right now. Mr. Clark added that the engineering component was approved for payment several months ago.

Mr. Lee noted that the timeline for the project is July through October.

Mr. Clark asked if this is another step in the Environmental Protection Agency (EPA) compliance requirements. Mr. Greytak stated that it is not; this is to make sure that the city does not go out of compliance. The pump station needs to be fully operational and it is not at the moment. If there would be a breakdown with the pump and they couldn't get the pumps out then new pumps wouldn't be able to be put back in to put the pump station back in service very quickly. A pump station out of service could cause basement flooding. It is not under EPA mandates.

Mr. Clark asked if the next pump station project is Lake Road. Mr. Thomas stated that the next project is the Longbeach pump station.

Mr. Henderson asked if traffic will be stopped on any of the roads during the project. Mr. Greytak stated that traffic will be stopped just while they are replacing the forced main. There is enough area in the intersection to store materials during construction. They do not anticipate any restrictions on traffic during construction.

In the absence of Mrs. Lieske, Mr. Lee reported for the Planning and Zoning Committee that the moratorium on development of attached residences that was passed last October is a six-month moratorium that will expire April 21, 2014. An extension to the moratorium may be something to consider for the agenda for Council for April 14, 2014. The Planning Commission has completed their review and a meeting of the Planning and Zoning Committee is scheduled for April 14 to continue working on Chapter 1158.

Mr. Koomar stated that if Council were to consider an extension of the moratorium would it be because the recommendations of SAFEbuilt Chief Building Official John Cheatham are in progress along a three-month window. Mr. Koomar stated that his hope would be that the changes that the Planning and Zoning Committee are working on would come before Council of the Whole and they would make a determination whether they wanted to pass those changes. Once the changes are adopted the moratorium would be terminated.

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 Councilman-at-large Dwight Clark.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held March 24, 2014. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 5-0. Mr. Koomar called for a reading of the Minutes of the Meeting of the Cahoon Memorial Park Trustees held March 24, 2014. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 6-0.

ANNOUNCEMENTS

Mayor Sutherland presented a Certificate of Outstanding Achievement to Trevor Lake, Bay High School Junior for capturing the Division II State Swimming Championship on February 21, 2014. Trevor won the 100 Free Style with a record time of 45:21, not only winning the championship title but setting a new state record. Trevor also won state championship in the 50 free style with a time of 20:93. A hearty round of applause followed for Trevor and his parents.

Mayor Sutherland announced the following appointments:

Tree Commission:

Patrick Graham for a one-year term beginning April 15, 2014 and expiring January 1, 2015
Dave Patzwahl for a two-year term beginning April 15, 2014 and expiring January 1, 2016
Liz Pim for a two-year term beginning April 15, 2014 and expiring January 1, 2016
Julia Shutt for a three-year term beginning April 15, 2014 and expiring January 1, 2017

Community Services Advisory Board:

Mary L. Munn to fill the unexpired term of Dr. Georganne Vartolla ending November 6, 2014.

REPORTS

Law Director Ebert had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch reported that the Easter Bunny will be visiting the Community Gym this Saturday, April 12 from 11 a.m. to 1 p.m., entertaining the children and their families with games and crafts.

Service Director Thomas will hold an open house at 11 a.m. on Thursday, April 10 at the City Service Garage on Nagle Road. The open house will include tours and refreshments. The

department is very proud of and would like to show off the accomplishments of the workers at the Service Department garage.

Community Services Director Bock had no report this evening.

Police Chief Spaetzel announced that Bay Village has been chosen as one of five cities to participate in Channel 5's "Building Better Neighborhoods: Keeping You Safe Where You Live" project. As part of that the Bay Village Police Department will sponsor a Safety Fair in May at which time they will have various booths set up for the community to attend for safety information. The Police Department will also be involved in Safety Town this year with the Bay Schools at the end of June, into early July.

Chief Spaetzel advised that since 1996 they have been cooperating with the schools on Bay Family Services, which is an intervention/prevention program for the students, basically providing a safety net for the kids and their families. They provide intervention, counselling services and through the City Council they have been able to fund that program since 1996. It is a great program that works in conjunction with the Juvenile Diversion Program. It keeps kids out of Juvenile Court and keeps them in our community where we can provide some wrap-around services for them.

The Police Department has also worked very closely with the schools to provide services in the case of an unfortunate incident, if there is some kind of critical incident that occurs in the schools. They are actually on the forefront of providing those types of services for our schools. Chief Spaetzel thanked Detective Krolkosky particularly for heading up their partnership with the schools.

The Police Department has also worked with the Bay Schools to provide a MARCS Radio System which is an emergency radio system so that the schools will have an emergency radio system where they can directly contact the Police Department to set up a two-way conversation. This is another step in the school safety plan.

The Police Department has also worked seamlessly with the schools in providing security for the schools at different events, whether it be football, basketball and the auxiliaries donate their time and energy for those events. They are also involved in different programs from reading in the schools, Walk to Work with Dad Day, and various speaking engagements. The Police Department is working very closely with the schools as they have been for a long time and appreciate that partnership with them.

Chief Spaetzel expressed appreciation to the School Guards who put up with a brutal winter this past year, standing outside making sure our kids got to school safely and did it in a fine fashion without any incidents whatsoever. They did an excellent job this winter.

Mr. Clark noted that the contract for Bay Family Services is to be renewed. The funds for the budget have been approved.

Mr. Koomar echoed the comments about what Bay Family Services does for the community and the collaboration we have with the schools. He noted it is a model for many other cities to follow.

Fire Chief Lyons announced that the Fire Department will have an open house on Saturday, June 14, 2014. The open house will be held mid-day, and since the Village Foundation is having an event earlier in the day there will be many families out on bicycles that day. Chief Lyons encouraged everyone to stop by to enjoy the activities for the children and tours of the station.

Chief Lyons advised that he was contacted today by the ISO representative, the International Association for Standards. Every-so-often communities have to undergo an examination of their Fire and EMS services. ISO will be coming in for the first time since 2002, in about one month.

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 1.3 trains per day travelled through the City of Bay Village during the month of February, 2014.

Cuyahoga County Board of Health Annual Report for the Year 2013 has been received and is on file for review and inspection.

AUDIENCE

The following signed in this evening: Greg, Torrey, and Trevor Lake, Bela Persanyi, Lydia DeGeorge, Kent Silverberg, Eric Eakin, Jerrie Barnett, Russell Thompson, Darrell Mattern, Denny Wendell, Susan Murnane, Conda Boyd, Dick Majewski

Mr. Eric Eakin reported that the Fireworks Fund Raising Committee is continuing to meet on a bi-weekly basis and have received great response from the residents. Mr. Eakin thanked the city for including an amount in their budget to assist with the fireworks. There will be fireworks at Bay Days, 2014. They have had some great donations that continue to come in. Raffle tickets can be purchased for two great prizes. One prize is a suite for 16 people at the Indians Game, Friday, August 22, 2014, including food, drinks, parking, and seating in the dugout to watch the fireworks show that evening at the ballpark. The second prize is unlimited use of one of four boats docked at Rocky River, Catawba, or Port Clinton for one year. The raffle tickets are \$25.00 each or 5 for \$100. The boat is on display just west of the City Hall building and the prize of use of the boat was donated by former Bay resident, Rob Massie.

To purchase tickets on line access Bayfireworks.org. There is an advertisement in the *Observer* this week as well with ticket purchase information. Mr. Eakin thanked the *Observer* for their support.

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Bela Persanyi asked Council why they did not decide to take care of this sewer issue the proper way that is based on a user charge. Bay is being charged for the operation of the Rocky River Wastewater Treatment Plant based on how much input we have into the plant. When Columbia Gas Company sends out their bill they don't send the same bill to everyone in Bay Village. They send a bill out for usage. This is a situation where the city's being billed on usage; why aren't the citizens being billed the same way? The cost of Bay's share of the operation of the plant is known. The City of Cleveland Water Department could easily tell the city how much water is being used and give you the exact amount that is being used by each residence in this town. If I go to a gas station and buy ten gallons of gas I pay for ten gallons. If my neighbor buys twenty gallons he pays for twenty gallons. I approached someone in Council thirty years ago and I was told we don't have that information. I am sure the City of Cleveland would be happy to supply Bay Village with the records of how much water is being charged to each residence. I am sure that a fifth grader at the Middle School could figure out a fairer way to come up with rates for each citizen.

Mayor Sutherland stated that there are actually two philosophies on how you charge for something like the sewers. One is the flat fee which is obviously what we are all paying now. The philosophy behind that is we're all paying an equal amount because we all have an equal interest in making sure the system works correctly and efficiently, etc. The other way is based on usage. We have always been flat fee. We are currently evaluating that. It is going to take us several months to get all the data and work those numbers. The one thing I would caution is, yes, we can get the numbers from the City of Cleveland, however, they would have to do all the billing for us and they are pretty expensive. That would get passed on to the residents and that is another reason for all these years we've always done a flat fee. It is cheaper to process and not an extra expense that we are passing on to the residents. For right now we are going to stay flat but if we're going to make a change we will be making at the beginning of 2015.

Mr. Persanyi stated that he is glad to hear that because some city expenses are hard to define on a per unit basis. Police and Fire protection we can't say how we are going to charge. But the cities pay different amounts for refuse disposal. We each get one bucket to fill, no matter how much we put in. So, I can understand some of those cannot be defined, cannot be quantified. But, this is a perfect case where we can quantify it even if there is infiltration with the storm water we know how much we are being charged by the Sewer Treatment Plant. So, it would be very easy to come up with a uniform rate. Just like the commercial properties are paying on a usage amount, not on a per unit amount. The homes in Bay Village should be paying the same way. I know a 98 year-old widow who lives on Glen Park living on fixed income and she pays the same rate for her water as someone who uses ten times as much water and all the water goes into our Sewage Treatment Plant. Fairness should be one of the things we look at down the road here instead of just saying one size fits all.

The Mayor stated that they would definitely be evaluating it and much more will be heard as the year goes on.

Mr. Ebert stated that there have been some case notes on this matter. The argument on a flat fee was that there was only one sewer in front of someone's house. That was the other argument for the flat fee. You don't have multiple sewers for a house that has more than one bathroom.

Mr. Persanyi stated that each house only has one outlet for the sanitary sewer. What goes into that sanitary sewer is a function of how much water is coming into the house. It is usage based, just like the tonnage we pay for getting rid of our refuse is usage based.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Lee

Mr. Lee introduced **Resolution No. 14-38** authorizing the Mayor to accept the grant awarded by Ohio Local Government Innovation Fund for Phase II of the Westshore Regional Fire District Study in the sum of \$100,000.00 and declaring an emergency.

Mr. Koomar announced that Resolution No. 14-38 is placed on first reading.

Mr. Lee introduced **Resolution No. 14-39** authorizing the filing of a 2014-2015 Ohio Department of Public Safety (ODPS) Emergency Medical Services Grant, 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. 14-39.

Roll Call on Suspension of Charter Rules:

Yeas- Clark, Henderson, Koomar, Lee, Vincent

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Clark, Henderson, Koomar, Lee, Vincent

Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Clark, Henderson, Koomar, Lee, Vincent

Nays -None

Roll Call on Adoption:

Yeas–Clark, Henderson, Koomar, Lee, Vincent

Nays–None.

Mr. Koomar announced adoption Resolution No. 14-39, an emergency measure, by a vote of 5-0

FINANCE & CLAIMS COMMITTEE

Mr. Clark read **Ordinance No. 14-28** amending Codified Ordinance No. 921.02(a) Sewer Rental Rates, and declaring an emergency (First Reading 3-10-14) (Second Reading 3-24-14), and moved for adoption.

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There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-28.

Roll Call on Use of the Emergency Clause:

Yeas –Henderson, Koomar, Lee, Vincent, Clark

Nays -None

Roll Call on Adoption:

Yeas–Henderson, Koomar, Lee, Vincent, Clark

Nays–None.

Mr. Koomar announced adoption Ordinance No. 14-28, an emergency measure, by a vote of 5-0.

Mr. Clark read by title only **Ordinance No. 14-40** amending Chapter 125 of the Codified Ordinances by enacting new Section 125.21 relating to the establishment of a Private Property Maintenance Fund, and declaring an emergency.

Mr. Koomar announced that Ordinance No. 14-40 is placed on first reading.

Mr. Clark read by title only **Ordinance No. 14-41** amending Codified Ordinance 521.11 regarding Payment of Fees for City Services, and declaring an emergency.

Mr. Koomar announced that Ordinance No. 14-41 is placed on first reading.

Mr. Clark read by title only **Ordinance No. 14-42** amending Codified Ordinance 543.01 regarding Constructing, Cleaning and Repairing Sidewalks, and declaring an emergency.

Mr. Koomar announced that Ordinance No. 14-42 is placed on first reading.

Mr. Clark read by title only **Ordinance No. 14-43** amending Codified Ordinance 547.15 regarding Written Order; Noncompliance; Assessment of Costs, and declaring an emergency

Mr. Koomar announced that Ordinance No. 14-43 is placed on first reading.

Mr. Clark introduced **Ordinance No. 14-44** 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.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-44.

Roll Call on Suspension of Charter Rules:

Yeas- Koomar, Lee, Vincent, Clark, Henderson

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Koomar, Lee, Vincent, Clark, Henderson

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Nays–None

Roll Call on Use of the Emergency Clause:

Yeas – Koomar, Lee, Vincent, Clark, Henderson

Nays -None

Roll Call on Adoption:

Yeas–Koomar, Lee, Vincent, Clark, Henderson

Nays–None.

Mr. Koomar announced adoption Ordinance No. 14-44, an emergency measure, by a vote of 5-0.

Mr. Clark introduced **Resolution No. 14-45** adopting updated formal policies governing the use of cell phones by employees of the City of Bay Village, and amending Resolution No. 04-153.

Mr. Koomar announced that Resolution No. 14-45 is placed on first reading.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Lee introduced **Ordinance No. 14-46** Authorizing the Mayor to Enter into an Agreement with the Ohio Department of Transportation to conduct Bridge Inspections, 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. 14-46.

Roll Call on Suspension of Charter Rules:

Yeas- Lee, Vincent, Clark, Henderson, Koomar

Nays-None

Roll Call on Suspension of Council Rules:

Yeas –Lee, Vincent, Clark, Henderson, Koomar

Nays–None

Roll Call on Use of the Emergency Clause:

Yeas –Lee, Vincent, Clark, Henderson, Koomar

Nays -None

Roll Call on Adoption:

Yeas–Lee, Vincent, Clark, Henderson, Koomar

Nays–None.

Mr. Koomar announced adoption Ordinance No. 14-46, an emergency measure, by a vote of 5-0

Motion by **Mr. Lee** authorizing the Director of Public Service to advertise for bids for the 2014 Pavement Repair and Maintenance Program.

Motion passed 5-0.

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Motion by **Mr. Lee** authorizing the Director of Public Service to advertise for bids for the repair and renovation of the Walker-Nantucket Pump Station.

Motion passed 5-0.

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

Mr. Lee said that the agenda for the Council meeting next week will include an extension of the moratorium for attached residence development.

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Henderson

Mr. Henderson had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Vincent

Mr. Vincent had no report this evening.

There being no further business to discuss, the meeting adjourned at 8:36 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council