

## **AGENDA**

Agenda, Bay Village City Council  
Committee Meeting  
Conference Room  
Paul A. Koomar, President of Council, Presiding

June 30, 2014  
7:30 p.m.

### **ANNOUNCEMENTS**

### **AUDIENCE**

### **COMMITTEE OF THE WHOLE**

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

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

Replacement of Transfer Station Facility

### **FINANCE & CLAIMS COMMITTEE – Clark**

Administrative Compensation Ordinance

Outside Legal Contracts

### **PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske**

Chapter 1158 – Attached Residence District

Moratorium on Attached Residence District Development

### **RECREATION & PARK IMPROVEMENT COMMITTEE-Henderson**

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

### **MISCELLANEOUS**

**Motion** to convene to Executive Session – Contracts- Outside Legal/Personnel- Law

### **CAHOON MEMORIAL PARK TRUSTEES**

## MEMORANDUM

**TO:** Bay Village City Council Members  
**FROM:** Jim Sears  
**CC:** Scott Thomas, Service Director  
**DATE:** June 27, 2014  
**SUBJECT:** Transfer Station Facility

We received bids for the construction of the Transfer Station Facility on Thursday, June 19, 2014. We received a total of three bids.

The bid submitted by Industrial Contracting Company is the recommended lowest and best bid, totaling \$256,155.00.

The transfer station/salt storage building was demolished after the roof collapsed on May 29, 2010. The insurance company provided the City with the existing Clear-Span Salt Storage Facility, as well as reimbursement for the road salt that was lost due to roof debris.

After addressing these items, the balance from the insurance claim was \$192,000.00, which is shown in the Public Improvements Service Garage Building fund (492.790.55323).

Osborn Engineering provided a probable cost of \$280,000.00, so City Council approved an additional amount of \$100,000.00 to be budgeted in Capital Improvements Buildings Service Garage (490.790.55322).

The project pertains to just the construction of the Transfer Station Facility and does not include the concrete ramp or the immediate surrounding area. Our intentions would be to address the concrete ramp, gravel road area, and provide some landscaping with any available funds.

It is our recommendation to award this project so that we can begin the material ordering process as soon as possible.

Thank you.

JMS/jm

**BID OPENING  
2014 TRANSFER STATION  
June 19, 2014**

COMPANY	BID BOND CHECK	PRODUCT SPECIFICATIONS	ADDENDUM #1	ADDENDUM #2	TOTAL FOR ALL	NOTES
1. Apex Construction & Management	Bond		X	X	\$264,900.00	
2. Millstone Management Group	Bond	X	X	X	\$307,800.00	
3. ICC Industrial	Bond	X	X	X	\$256,155.00	

June 27, 2014

A Special Meeting of the Bay Village City Council will be held on **Monday, June 30, 2014, immediately following the Committee meeting of Council at 7:30 p.m.** in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on the items listed below:

1. Pledge of Allegiance to the Flag/Mr. Clark
2. Roll Call
3. Announcements/Audience/Miscellaneous

**Mayor Sutherland**

Reappointment of Dave Maddux to the Planning Commission for a 5-year term from 8-17-14 to 8-17-19

4. **Motion** to approve the minutes of the Special Meeting of Council held June 9, 2014  
**\*Clark\***
5. **Motion** to approve the minutes of the Cahoon Memorial Park Trustees Meeting held June 9, 2014.**\*Clark**
6. **Motion** authorizing and approving the attendance of Joan Kemper, Clerk of Council, at the Certified Public Records Training as designee for Paul Koomar, Dwight Clark, Steve Lee, David Tadych, Karen Lieske, Tom Henderson and Paul Vincent, members of Bay Village City Council, on June 23, 2014 at the Bay Village City Hall, fulfilling the requirements for the members of Bay Village City Council so named, under Ohio Revised Code Section 109.43 (B), effective September 29, 2007.**\*Clark\***
7. **Ordinance** amending Section 1 of Ordinance 14-37 regarding Rates of Compensation for the Officers and Employees of the General Administration Department and those employees of the City not covered by Separate Labor Contract for the Calendar Year 2014 and thereafter, and declaring an emergency**\*Clark\***
8. **Ordinance** establishing compensation for the Director of Law and fees for Outside Legal Services, Repealing Ordinance 13-136, and declaring an emergency.**\*Clark\***
9. **Resolution** authorizing the Mayor to enter into a Memorandum of Understanding with Cuyahoga County for the use of Cuyahoga County's mass notification system "Ready/Notify," and declaring an emergency.**\*Lee\***
10. **Resolution** authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District, and declaring an emergency.**\*Lee\***
11. **Resolution** ordering the repair of the public sidewalks abutting certain premises in the City of Bay Village, and declaring an emergency.**\*Tadych\***

12. **Ordinance** authorizing the Mayor to enter into an agreement with Industrial Contracting Company for the replacement of the Transfer Station Facility and declaring an emergency.\***Tadych**\*
13. **Ordinance** extending the Moratorium on the Development Under Chapters 1158 and 1158(B) Attached Residences in the City of Bay Village, and declaring an emergency.\***Lieske**\*
14. **Motion** to remove Capital Buildings (All Buildings 2-9-06) from the Matters Pending Before Council Committee List.\***Tadych**\*
15. **Motion** to remove Long Term Sewer Improvement (2-11-08) from the Matters Pending before Council Committee List.\***Tadych**\*
16. **Motion** to remove Wind Turbines (Public Improvements Committee Meeting 5-20-20) from the Matters Pending before Council Committee List.\***Tadych**\*
17. **Motion** to confirm the reappointment by Mayor Sutherland of Dave Maddux to the City Planning Commission for a 5-year term from 8-17-14 to 8-17-19.\***Lieske**\*
18. **Motion** to remove LEEDCo Resolution of Support for Off-Shore Wind Turbines from the Matters Pending before Council Committee List.\***Vincent**\*
19. **Motion** to convene to Executive Session – Contracts –Outside Legal/Personnel– Law.\***Clark**\*
20. Adjournment

Paul A. Koomar  
President of Council

Charter Reference 2.11

Agenda  
Special Meeting of Council  
June 30, 2014

Procedure

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

*Roll call on suspension of Charter Rules:*

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

*Roll call on suspension of Council Rules:*

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

*Roll call on inclusion of the emergency clause:*

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

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

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

# City of Bay Village

Council Minutes, Committee Session  
Conference Room

June 23, 2014  
7:30 p.m.

Paul A. Koomar, President of Council, Presiding

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

Not Present: Mr. Clark, Mr. Lee

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

## AUDIENCE

The following audience members were present this evening: Conda Boyd, Jerrie Barnett, Jeff Gallatin, Dick Majewski

## ANNOUNCEMENTS

**Mayor Sutherland** announced the Reappointment of Dave Maddux to the Planning Commission for a 5-year term from 8-17-14 to 8-17-19. Mr. Maddux also served eleven years on the Architectural Board of Review.

Mayor Sutherland advised that the City has received notification last week from the Ohio Environmental Protection Agency that a \$120,000 grant is being awarded to redo the Bay Village City Hall parking lot. The project includes adding in bio-swales, permeable pavers to deal with storm water control, and help with the tennis court water drainage. Mayor Sutherland gave kudos to Service Director Scott Thomas and his team for the grant award. The project will be planned and engineered this year with construction to follow.

Mr. Tadych asked what had to be submitted to receive this grant. Mr. Thomas stated that the grant application package really wasn't that large. A Surface Water Improvement Fund (SWIF) Grant application will be submitted for the Sunset area.

Mayor Sutherland advised that only two communities in the State of Ohio received the full \$120,000 grant for which they applied. The City will have to fund approximately \$100,000 for the city hall parking lot project to be completed along with the grant funds.

## **COMMITTEE OF THE WHOLE**

### **2014 Ordinance Codification Revisions (Updating)**

Law Director Ebert stated that he has asked the Walter Drane Company for a quotation for the codification update. Mr. Ebert suggested waiting for the updating of the codified ordinances until the rewriting of Chapter 1158 is finished.

Mr. Koomar asked Finance Director Mahoney if there is money budgeted for this codification updating. Mrs. Mahoney stated that she is sure it is built into the budget.

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

### **Cuyahoga Soil and Water Conservation District: Memorandum of Understanding**

Mayor Sutherland stated that this Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District is the annual contract that provides services for public and private projects involving over one acre of land. The services include the necessary reports to the Environmental Protection Agency as well as technical assistance related to natural resources conservation and storm water pollution prevention on construction sites. The Crestwood Drive Extension Project and the St. Raphael's Catholic Church Project will fall under their guidelines.

A resolution authorizing the Mayor to sign the Memorandum of Understanding will be placed on the Council's Special Meeting agenda of June 30, 2014.

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

### **2014 Sidewalk Replacement Program**

Mr. Tadych reported that the 2014 Sidewalk Replacement Program has been prepared and the work is to be done in-house this year. A listing of the addresses that will be included in this year's program was given to Council and will be reviewed further by Mr. Thomas. After the properties that are included on the list in Ward 1 are completed this year, the sidewalk replacement project will focus on the west end of the City in 2015. Mr. Tadych asked when notices will be mailed to residents. Mr. Thomas stated that when Council approves the resolution on June 30, 2014 notices will be sent to the property owners.

Cost for sidewalk replacement is estimated at \$4.86 per square foot. Mr. Thomas believes that the work done by the City Service Department will be superior to that done by private contractors in the past. Mr. Tadych noted that there were issues during the last replacement program.

### **Removal of following items from Matters Pending before Committee List**

Mr. Tadych will request, at the Special Meeting of Council to be held Monday, June 30, 2014, removal of the following items from the Matters Pending before Committee list.

**Capital Improvements (All Buildings 2-9-06)**  
**Long Term Sewer Improvement Plan (2-11-08)**  
**Wind Turbines (Public Improvements Committee Meeting 5-10-10)**

In regard to the Capital Improvements, Mr. Tadych commented if it were defined further down to a single building that would be preferable. In regard to the Long Term Sewer Improvement Plan, Mr. Tadych stated he would rather focus on a particular project rather than a long-term, overall plan.

**FINANCE & CLAIMS COMMITTEE – Clark**

There was no report this evening.

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

**Moratorium on Chapter 1158 expires in July**

Mrs. Lieske stated that the moratorium on Chapter 1158 expires in July. The Planning, Zoning Public Buildings and Grounds Committee is still working through the proposed ordinance, with a committee meeting scheduled for Monday, June 30, 2014 at 5:30 p.m.

Mr. Ebert commented that when the moratorium was initially established it was tied to a rezoning measure that was not passed by the electorate in Ward 2. He stated that the moratorium does not serve much of a purpose since the ordinance for Chapter 1158 has not yet been changed.

Mr. Koomar commented that when Mr. Lee was Chairman of the Planning, Zoning, Public Buildings and Grounds Committee, they wanted to have Chapter 1158 legislation in place and the moratorium was to show that there would not be any development until that legislation was finished. The moratorium will be allowed to expire.

Mrs. Lieske stated that in terms of Chapter 1158 revisions she is concerned because she will be on vacation from July 4 until July 21. Mr. Koomar stated that informal comments of the June 23 version of Chapter 1158 that has been prepared by the Law Department could be received prior to the June 30 Planning, Zoning, Public Buildings and Grounds Committee meeting. Mrs. Lieske suggested that if a first reading of the ordinance is considered for a special meeting during Council recess, she would strongly recommended second and third readings occur when Council reconvenes in September. Something of this magnitude for the community should not occur in two special meetings. Mr. Koomar agreed, noting that having it out in the public for review for a period of time is favorable.

Conda Boyd asked about the process for moving the legislation through. Is there a public hearing? Does it go back to the Planning Commission?

Mr. Koomar stated that the Planning, Zoning, Public Buildings and Grounds Committee is going to finalize the work on the Chapter 1158 legislation and bring it back to the Committee of the Whole

for final discussion. Mr. Ebert stated that a draft of the proposed ordinance would go back to the Planning Commission for their comments and input. There would not be a public hearing. The public hearing is the time the ordinance is reviewed before the Planning Commission and City Council. If there is input desired by the public, they can attend the Planning, Zoning, Public Buildings and Grounds Committee meeting on Monday, June 30, 2014 at 5:30 p.m., or at the Planning Commission meeting when it is reviewed, or when the draft of the ordinance is returned back to Council.

Mr. Koomar noted that assuming the Planning, Zoning, Public Buildings and Grounds Committee comes back with a recommendation, the draft ordinance would be forwarded to the Planning Commission for the August 6, 2014 meeting.

Mrs. Lieske will make a motion at the June 30 Special Meeting of Council confirming the Mayor's reappointment of David Maddux to the Planning Commission.

## **RECREATION & PARK IMPROVEMENT COMMITTEE-Henderson**

### **Bay Skate and Bike Park -- Update**

Mr. Henderson reported on the Recreation and Park Improvement Committee meeting held earlier this evening to review the Bay Skate and Bike Park proposal.

The Recreation and Park Improvement Committee talked about four main areas: the proposal itself, the site plan for a longer term view of the proposal, maintenance issues and safety. The committee determined there was ambiguity regarding the length, width and height of the proposal. In reviewing different minutes of meetings when the proposal was discussed, and measurements quoted, it was unclear what the exact height of the existing structure is now and what it would be in the future. Another fact that was learned in tonight's meeting was that the Bay Skate and Bike Park Foundation is planning to cease operations sometime in the near future. That could play into future discussions regarding the expense. The Recreation and Park Improvement Committee concluded that the committee does not have a formal recommendation at this time. They decided that the Bay Skate and Bike Park Foundation will work with the city to come up with, at a minimum, an architectural rendering or engineering technical documents that shows the exact height of the current structure as well as the proposed structure. Without knowing the exact height of the current and proposed structures, Mr. Henderson is not comfortable recommending to the Cahoon Memorial Park Trustees that we go forward with the project. A higher standard was set, if the Bay Skate and Bike Park Foundation wanted to meet it, which would be to have a long term vision document for the site. Emails have been received from residents, and a resident came to the meeting tonight, offering alternative opinions of what the site could be or should be in the future.

Mr. Koomar stated that the thought of ceasing operations would make you think a long term plan might not be in the offering.

Mr. Vincent asked who would propose new projects in the future. Mr. Ebert stated that when the Skate Park was finished it was donated to the City. The Parks Commission, in conjunction with

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the Cahoon Memorial Park Trustees would propose future projects. Mayor Sutherland stated that residents could also propose new projects.

Mr. Koomar confirmed with Mr. Henderson that Mr. Henderson, as Chairman of the Recreation and Parks Improvement Committee, is looking for more of a Planning Commission type document that includes actual specifications and measurements. Mr. Henderson agreed, noting that they are looking for the length, width, and height of the existing structure, relative to some sort of known baseline, whether it is grade or some other engineering reference point, and what the proposed current addition would be as far as length, width and height, because there was ambiguity in what was presented. The Bay Skate and Bike Park representative at the meeting was told that they could reach out to the City and talk about their plans and then reach out to Mr. Henderson when they are ready. Mr. Henderson can bring it back to another Recreation and Parks Improvement Committee meeting so they can review the formal plans.

Mr. Koomar noted that even though Council is on recess they can still hold the Recreation and Parks Improvement Committee meetings necessary.

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

##### **Removal of following item from Matters Pending before Council Committee List:**

##### **LEEDCo – Resolution of Support for Off-Shore Wind Turbines**

Mr. Vincent stated that he will make a motion at the June 30, 2014 Special Meeting of Council to remove LEEDCo Resolution of Support for Off-Shore Wind Turbines. The application of LEEDCo for off-shore funding did not receive approval.

Mr. Vincent reported that the Services, Utilities and Equipment Committee will meet on Monday, June 30, 2014 at 6:30 p.m. to discuss how potential video-taping of Council meetings could be accomplished.

#### **MISCELLANEOUS**

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session regarding Litigation, Personnel/Organization Structure – Police, Fire, Service, and Community Services, Contracts – Outside Legal.

**Roll Call Vote: Yeas- Henderson, Koomar, Lieske, Vincent, Tadych. Nays – None. Motion passed 5-0.**

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney and Service Director Thomas.

Council reconvened in an open meeting at 8:34 p.m. Present were: Henderson, Koomar, Lieske, Vincent, Tadych.

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There being no further discussion, the meeting adjourned at 8:35 p.m.

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Paul Koomar, President of Council

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Joan Kemper, Clerk of Council

# City of Bay Village

Council Minutes, Special Meeting  
Council Chambers 8:25 p.m.

June 9, 2014

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, Fire Chief Lyons, Recreation Director Enovitch, Operations Manager Landers.

President of Council Koomar called the meeting to order at 8:15 p.m. with a roll call and Pledge of Allegiance led by Councilman Thomas Henderson, Ward 4.

## ANNOUNCEMENTS

**Mayor Sutherland** did a shout-out to the Service Department in response to a compliment received from a lady on Lake Road who had a full wheel barrel and two of the Service Department men got out of their trucks and gave her assistance.

## AUDIENCE

The following audience members signed in this evening: Denny Wendell, Marty Mace, Russell Thompson, Jeff Gallatin, Leise Nainiger.

**Motion by Clark** to approve the minutes of the Regular Meeting of Council held June 2, 2014 as prepared and distributed.

**Motion passed 7-0.**

**Motion by Clark** acknowledging receipt of City of Bay Village May, 2014 Financial Reports.

**Motion passed 7-0.**

**Ordinance No. 14-66** was introduced and read by Mr. Lee Amending Codified Ordinance Section 129.02 regarding Division of Police; Members, 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. 14-66.

Roll Call on Suspension of Charter Rules:

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

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-66, an emergency measure, by a vote of 7-0.

**Mr. Lee** introduced and read **Resolution No. 14-67** Authorizing the Mayor to enter into an amendment to the Urban County Cooperation Agreement with Cuyahoga County to receive Community Development Block Grant Funds from the United States Department of Housing and Urban Development, 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. 14-67.

Roll Call on Suspension of Charter Rules:

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

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Resolution No. 14-67, an emergency measure, by a vote of 7-0.

**Mr. Clark** introduced and read **Ordinance No. 14-68** 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 Appropriations 14-02, 14-18, and 14-51, 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. 14-68.

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

Mr. Koomar announced adoption of Ordinance No. 14-68, an emergency measure, by a vote of 7-0.

**Mr. Clark** introduced and read **Ordinance No. 14-69** authorizing the Mayor to execute Change Order No. 1 for CT Consultants for the Cahoon Creek Aerial Sewer Replacement Project, 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. 14-69.

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

Mr. Koomar announced adoption of Ordinance No. 14-69, an emergency measure, by a vote of 7-0.

**Mr. Clark** read and introduced **Ordinance No. 14-70** Authorizing the Mayor to execute Change Order No. 2 for CT Consultants, Inc. for the Bradley/Naigle Intersection and Widening Improvements Project, 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. 14-70.

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

Mr. Koomar announced adoption of Ordinance No. 14-70, an emergency measure, by a vote of 7-0.

**Mr. Clark** read and introduced **Ordinance 14-71** authorizing Change Order No. 1 for Trax Construction Company, Inc. for the Cahoon Road Sanitary Sewer Replacement Project, 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. 14-71.

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

Mr. Koomar announced adoption of Ordinance No. 14-71, an emergency measure, by a vote of 7-0.

**Mr. Clark** introduced and read **Ordinance No. 14-72** Authorizing the Mayor to execute Change Order No. 1 for Karvo Paving Company for the 2013 Lake Road (US-6) Resurfacing Project, 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. 14-72.

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Roll Call on Suspension of Charter Rules:

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

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-72, an emergency measure, by a vote of 7-0.

**Mr. Tadych** read **Ordinance No. 14-60**, Amending Codified Ordinance Chapter 913 Regarding Connections to Sewers **amending by reading Chapter 913.05, Tap-in Fees, (a) Residential which shall be read as \$1,500 per dwelling unit, and (c) Office Building, less than 2000 square feet, \$1,500, each additional square foot 25 cents**, declaring an emergency, and moved for adoption. (First Reading 5-19-14 Amended by Reading) (Second Reading 6-2-14).

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-60, as amended.

Roll Call on Suspension of Charter Rules:

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

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-60, as amended, an emergency measure, by a vote of 7-0.

**Mr. Tadych** read by title only. **Ordinance No. 14-61** Amending Codified Ordinance 912.03 Regarding Limitations of Connection and declaring an emergency, and moved for adoption. (First Reading 5-19-14) (Second Reading 6-2-14).

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt

Ordinance No. 14-61.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-61, an emergency measure, by a vote of 7-0.

**Mr. Tadych** read by title only **Ordinance No. 14-62** Amending Codified Ordinance Chapter 921 Regarding Sewer Rental and declaring an emergency, and moved for adoption. (First Reading 5-19-14) (Second Reading 6-2-14).

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-62.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-62, an emergency measure, by a vote of 7-0.

**Mr. Tadych** read by title only **Ordinance No. 14-63** Amending Codified Ordinance 901 Regarding Streets and Sidewalks, and declaring an emergency, and moved for adoption.(First Reading 5-19-14) (Second Reading 6-2-14).

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-63.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-63, an emergency measure, by a vote of 7-0.

Special Meeting of Council  
June 9, 2014

**Mr. Tadych** read by title only **Ordinance No. 14-64** Amending Codified Ordinance Section 1305.02 Regarding Permit and Inspection Fees, and declaring an emergency, and moved for adoption. (First Reading 5-19-14) (Second Reading 6-2-14).

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-64.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-64, an emergency measure, by a vote of 7-0.

**Item No. 18** was removed from this evening’s agenda.

**Motion** by **Lieske** to grant extension of 60 days to the Planning Commission, from September 5, 2014 to November 4, 2014, to review plans submitted by Bradley Center Limited for the Crestview Drive Subdivision.

**Motion passed 7-0.**

**Motion** by **Clark** to recess regular meetings of Council for the months of July and August in accordance with Section 2.10 of the Bay Village City Charter subject to special meetings being called as necessary.

**Motion passed 7-0.**

Mr. Koomar issued a reminder that there will not be a Council meeting on Monday, June 16, 2014. A Special Council meeting will be held on Monday, June 30, 2014 to allow any of the Directors a last minute chance to conclude their Council activities before summer recess.

There being no further business to discuss, the meeting adjourned at 8:52 p.m.

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Paul A. Koomar, President of Council

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Joan Kemper, Clerk of Council

## CITY OF BAY VILLAGE

### CAHOON MEMORIAL PARK TRUSTEES

June 9, 2014

President of Council Koomar called the meeting to order at 8:52 p.m. in the Council Chambers of Bay Village City Hall.

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

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

### AUDIENCE

The following audience members signed in this evening: Denny Wendell, Marty Mace, Russell Thompson, Jeff Gallatin, Leise Nainiger

**Motion** by **Lieske** to deny the application submitted by the Bay Skate and Bike Park Foundation for an addition to the Bay Skate and Bike Park because the application should be in the Cahoon Memorial Park Trustees name as referenced to the Resolution passed November 1, 2010 donating the Bay Skate and Bike Park to the City of Bay Village.

**Motion passed 8-0.**

Mr. Koomar advised that Councilman Henderson will be calling a Recreation and Parks Improvement Committee meeting together to discuss the topic and give it further review per the direction of the City Planning Commission.

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 8:55 p.m.

\_\_\_\_\_  
Paul Koomar, President of Council

\_\_\_\_\_  
Joan Kemper, Clerk of Council

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AMENDING SECTION 1 OF ORDINANCE 14-37 REGARDING RATES OF  
COMPENSATION FOR THE OFFICERS  
AND EMPLOYEES OF THE GENERAL ADMINISTRATION DEPARTMENT AND  
THOSE EMPLOYEES OF THE  
CITY NOT COVERED BY SEPARATE LABOR CONTRACT FOR THE CALENDAR  
YEAR 2014 AND THEREAFTER,  
AND DECLARING AN EMERGENCY.**

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

**SECTION 1.** That July 1, 2014 the compensation to be paid to the officers and employees of the GENERAL ADMINISTRATION DEPARTMENT and those employees not covered by separate labor contract shall be:

	March 17, 2014 and thereafter	July 1, 2014 and thereafter
1. Director of Finance	\$91,555	\$91,555
2. Assistant Finance Director	\$66,385	\$66,385
3. Accounts Payable Coordinator	\$17.23 – \$19.73 per hour	\$17.23 – \$19.73 per hour
4. Part-time Clerical	\$11.45 – \$15.60 per hour	\$11.45 – \$15.60 per hour
5. Director of Law	\$70,878	\$70,878
6. Assistant to Law Director	\$20.89 per hour	\$20.89 per hour
7. Prosecutor	\$33,257	\$33,257
8. Dir. Public Service & Properties	\$88,740	\$88,740
9. General Foreman	\$71,985	\$71,985
10. Supervisor	\$74,005	\$74,005
11. Sewer Collections Foreman	\$58,000	\$58,000
12. Infrastructure Manager	\$63,000	\$63,000
13. Projects Coordinator	\$30.00 per hour	\$30.00 per hour

14. Part-time	\$7.95 – \$16.88 per hour	\$7.95 – \$16.88 per hour
15. Seasonal	\$7.95 – \$16.31 per hour	\$7.95 – \$16.31 per hour
16. Director of Recreation	\$71, 923	\$71, 923
17. Asst. Recreation Director	\$42,289	\$42,289
18. Assistant to Mayor	\$44,617	\$44,617
19. Clerk of Council	\$49,225	\$49,225
20. Fire Chief	\$98,886	\$98,886
21. Police Chief	\$98,886	\$98,886
22. Deputy Police Officer		
Start	\$22.43 per hour	\$22.43 per hour
After 2080 hours	\$24.93 per hour	\$24.93 per hour
After 4160 hours	\$28.25 per hour	\$28.25 per hour
After 6240 hours	\$32.19 per hour	\$32.19 per hour
23. School Guard	\$9.61 – \$13.89 per hour	\$9.61 – \$13.89 per hour
24. Jailer/Matron	\$13.89 per hour	\$13.89 per hour
25. Director of Community Services	\$63,659	\$63,659
<b>26. Interim Director of Community Services</b>	<b>0</b>	<b>\$23.00 per hour</b>
27. Senior Van Driver	\$8.94 – \$12.30 per hour	\$8.94 – \$12.30 per hour
<b>28. Safety Director</b>	<b>0</b>	<b>\$5,000</b>

The individual who may serve pro-tem as Secretary to Council or as Secretary to Planning Commission, Board of Zoning Appeals, Recreation Commission, Civil Service Commission, Architectural Board of Review, Tree Commission or Charter Review Committee shall be paid fifty dollars (\$50.00) for the first two hours of attendance and his or her hourly rate thereafter per regular or special meeting attended in lieu of wages.”

**and present Section 1 of Ordinance 14-37 is hereby repealed.**

**SECTION 2.** That it is found and determined that all formal actions concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to provide for compensation in conformance with agreements reached during labor negotiations and to secure adequate personnel for the City's needs, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

ORDINANCE NO.  
INTRODUCED BY:

AN ORDINANCE  
ESTABLISHING COMPENSATION FOR THE DIRECTOR OF LAW AND FEES FOR  
OUTSIDE LEGAL SERVICES, REPEALING ORDINANCE 13-136, AND DECLARING AN  
EMERGENCY

WHEREAS, the Mayor has appointed Gary Ebert as Director of Law, and

WHEREAS, the Director of Law and his firm of Seeley, Savidge, Ebert and Gourash, LPA, may be retained by the City from time to time as an independent contractor for extraordinary services under terms acceptable to the City, including those set forth herein; and

WHEREAS, the City desires to set forth the compensation for the Director of Law and fees and arrangements for outside legal services; and

WHEREAS, the Director of Law and the firm of Seeley, Savidge, Ebert and Gourash, LPA shall be responsible for their own supplies and equipment, and their own administrative costs;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Bay Village, State of Ohio, that:

SECTION 1. That the salary of the Director of Law shall be Sixty Nine Thousand Dollars (\$69,000.00) for the year commencing January 1, 2014 and ending December 31, 2014, for which he shall serve the Mayor, the Council, the administrative officers and departments and commissions and boards of the City as legal counsel.

SECTION 2. Extraordinary Services. For any professional services beyond those normally performed by the Director of Law in his capacity as Director of Law, including but not limited to representing the City in court or before administrative agencies, for professional services on any contested or litigated matter, or threats of same, or other services not normally performed by the Director of Law in his capacity as Director of Law, the Director of Law or members of the Director of Law's firm of Seeley, Savidge, Ebert and Gourash, shall be paid at the hourly rate as follows:

	<u>2013</u>	<u>2014 and Subsequent Years</u>
Director of Law/Attorneys	\$175.00-\$190.00 per hr.	\$200.00 per hr.
Associate Attorneys (Less than five [5] years)		\$175.00 per hr.
Paralegals	\$100.00 per hr.	\$100.00 per hr.

As well as being reimbursed for all out-of-pocket expenditures, including copies, long distance telephone charges, courier or overnight delivery charges based upon itemized monthly bills and

statements of services, which shall be submitted by the Director of Law and the firm and duly approved by the Mayor and Finance Director. The Director of Law is to notify Council at the commencement of extraordinary services and prepare a preliminary budget and advise Council on a monthly basis. The additional compensation set forth in this section shall not exceed \$95,000 per year for the year commencing January 1, 2014 and ending December 31, 2014.

SECTION 3. Ordinance No. 13-136 adopted December 30, 2013 is hereby repealed.

SECTION 4. This Council hereby declares and affirms that this Ordinance is in accordance with Ohio Revised Code Section 2941.421.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the City of Bay Village, by reason of the immediate necessity of permitting said change to occur at the earliest time allowed by law. Wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

ADOPTED:

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President of Council

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Clerk of Council

APPROVED:

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Mayor

**MEMORANDUM OF UNDERSTANDING**

-between-

**CUYAHOGA COUNTY**

-and-

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**For the Use of Cuyahoga County's Mass Notification System, hereinafter referred to as "ReadyNotify"**

This Memorandum of Understanding ("MOU") is made this \_\_\_ day of \_\_\_\_\_, 20\_\_ ("effective date"), between the **Cuyahoga County ("County")**, a County of the State of Ohio, through its Director of Public Safety, and \_\_\_\_\_, a municipality within Cuyahoga County, through its authorized representative.

WHEREAS, ReadyNotify is a mass notification system used by Cuyahoga County and participating municipalities to issue notifications to the public and internal employees.

WHEREAS, ReadyNotify delivers messages to residents by telephone, cellular phone, text message, electronic mail, or fax.

WHEREAS, ReadyNotify will be primarily used for emergency notifications, when prompt and accurate information is essential for immediate safety.

NOW, THEREFORE, the Parties understanding is as follows:

**SECTION I. PROVISION OF SERVICES**

The County is providing ReadyNotify to Cuyahoga County municipalities to assist in disseminating pertinent information regarding events within their jurisdictions.

The City of \_\_\_\_\_ has been granted access to the system which will provide them the ability to send notifications to their residents and internal employees.

Access to the ReadyNotify system consists of the following provisions:

- A. The County has assumed the costs associated with ReadyNotify, providing for the implementation, training and maintenance of the system.
- B. ReadyNotify is an unlimited service and does not contain any time usage restrictions.
- C. The County will provide training and technical support, as needed, to municipalities.
- D. The County, in conjunction with municipalities, will conduct an extensive public education campaign to promote ReadyNotify.
- E. Municipalities will designate one Point of Contact (POC) to manage ReadyNotify for their municipality.

- F. Usage of ReadyNotify will be determined by the municipality's operational needs, primarily addressing emergency and/or public safety issues, but ReadyNotify shall not be used for any political or commercial notifications.
- G. The County maintains the right to remove any municipality's access to ReadyNotify if said municipality is deemed to be in violation the above terms.

**SECTION II.            POINT OF CONTACT (POC)**

The participating Municipality shall designate one (1) Point of Contact (POC) as the individual responsible for management of the ReadyNotify system for their municipality. The identified individual is also the POC for all communications between the Cuyahoga County Department of Public Safety and Justice Services, as set forth below:

**Municipal Point of Contact (POC):**

Name:

Title:

Phone:

Email:

**Cuyahoga County Point of Contact (POC):**

Name: Jeff Harraman

Title: Planner/Program Officer 3

Phone: 216-698-6478

Email: [jharraman@cuyahogacounty.us](mailto:jharraman@cuyahogacounty.us)

**SECTION III.            TERM**

This MOU shall be in effect as of the effective date first above written and shall expire upon written notice from either Party to the other that they are withdrawing from this MOU. Either Party may withdraw from this MOU by giving the other Party at least 30 days prior written notice of withdrawal. No cancellation notice period is required for unsatisfactory services by City.

IN WITNESS WHEREOF, the Parties hereby have caused this MOU to be executed.

**FOR THE CITY OF**

\_\_\_\_\_ :

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Point of Contact

\_\_\_\_\_  
*(Print Name and Title)*

**FOR CUYAHOGA COUNTY:**

By: \_\_\_\_\_  
Director of Public Safety

RESOLUTION NO.  
INTRODUCED BY:

**A RESOLUTION**  
**AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF  
UNDERSTANDING WITH CUYAHOGA COUNTY FOR THE USE OF CUYAHOGA  
COUNTY'S MASS NOTIFICATION SYSTEM "READYNOTIFY",  
AND DECLARING AN EMERGENCY**

**WHEREAS**, ReadyNotify is a mass notification system used by Cuyahoga County and participating municipalities to issue notifications to the public and internal employees; and

**WHEREAS**, ReadyNotify delivers messages to residents by telephone, cellular phone, text message, electronic mail, or fax; and

**WHEREAS**, ReadyNotify will be primarily used for emergency notifications, when prompt and accurate information is essential for immediate safety;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Bay Village, Ohio:

**SECTION 1:** The Mayor is hereby authorized in the name of the City of Bay Village to enter into a Memorandum of Understanding with Cuyahoga County for the use of Cuyahoga County's Mass Notification System "ReadyNotify" to assist in disseminating pertinent information regarding events within Bay Village.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.11 of the Ohio Revised Code.

**SECTION 3.** That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

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MAYOR

6-12-14 11

RESOLUTION NO.  
INTRODUCED BY:

**A RESOLUTION**  
**AUTHORIZING THE MAYOR TO ENTER INTO A  
MEMORANDUM OF UNDERSTANDING WITH THE  
CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, cooperation between the Cuyahoga Soil and Water Conservation District (SWCD) and the City facilitates solutions to problems encountered by the City as it plans for the development/redevelopment and conservation of its environment, as well as, water quality improvements; and

**WHEREAS**, in making technical assistance and expertise available to the City, the SWCD seeks to influence local planning and regulatory capability toward better conservation of soil and water resources; and

**WHEREAS**, the SWCD has authority to enter into this Memorandum of Understanding (MOU) with the City pursuant to Chapter 1515 of the Ohio Revised Code; and

**WHEREAS**, recognizing the need for effective collaboration in carrying out mandated responsibilities, especially related to the Minimum Control Measures for the National Pollutant Discharge Elimination System (NPDES) for Storm Water as defined with the Ohio Revised Code 3745-39-04(B)(1) through (6), the City and SWCD agree to enter into this MOU as the document which describes the process for collaboration between the parties.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Bay Village, Ohio:

**SECTION 1:** The Mayor is hereby authorized in the name of the City of Bay Village to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for conservation of natural resources and storm water program technical assistance for the twelve month period effective July 1, 2014 and with an annual conservation appropriation (grant), not to exceed \$4,000.00 to be paid annually. Amount to be prorated for 2014.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.11 of the Ohio Revised Code.

**SECTION 3.** That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

6-18-14 II

RESOLUTION NO.  
INTRODUCED BY:

**A RESOLUTION**  
**ORDERING THE REPAIR OF THE PUBLIC SIDEWALKS**  
**ABUTTING CERTAIN PREMISES IN THE CITY OF BAY VILLAGE,**  
**AND DECLARING AN EMERGENCY.**

**WHEREAS**, an inspection of certain sidewalks in the City of Bay village has shown that those sidewalks are in need of repair and are an obstruction to pedestrian traffic;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Bay Village, Ohio:

**SECTION 1.** That the public sidewalks abutting certain premises are listed below are determined to be in need of repair and to be an obstruction and hazard to safe pedestrian traffic:

<u>ADDRESS</u>	<u>STREET</u>	<u>PARCEL NO.</u>
23717	Knickerbocker	204-26-056
23803	Knickerbocker	204-26-055
23824	Knickerbocker	204-26-049
23800	East Oakland	204-26-033
23812	East Oakland	204-26-035
23706	Russell	204-23-057
23710	Russell	204-23-056
23714	Russell	204-23-055
23724	Russell	204-23-053
23730	Russell	204-23-052
23721	Bruce	204-23-085
23724	Bruce	204-23-041
23727	Bruce	204-23-070
23728	Bruce	204-23-040
23807	Bruce	204-23-046
23814	Bruce	204-23-038
23815	Bruce	204-23-047
23816	Bruce	204-23-037
23712	Wolf	204-26-011
23718	Wolf	204-26-012
23721	Wolf	204-23-022
23730	Wolf	204-26-014
23812	Wolf	204-26-017

453	Clague	204-23-075
456	Clague	204-23-063
462	Clague	204-23-062
484	Clague	204-23-061
495	Clague	204-23-080
619	Clague Parkway	204-26-067
384	Fordham	204-22-014
23001	Lake Road	204-25-008
23011	Lake Road	204-25-010
23119	Lake Road	204-25-029
23401	Lake Road	204-24-010
23423	Lake Road	204-24-077
23521	Lake Road	204-23-073
23609	Lake Road	204-23-066
23713	Lake Road	204-23-030
23807	Lake Road	204-23-035
23815	Lake Road	204-23-036
23834	Lake Road	204-23-019
23904	Lake Road	204-22-010
23705	Cliff	204-23-010
23704 - 23700	Cliff	204-23-08 / 204-23-09
23714	Cliff	204-23-006
23804	Cliff	204-23-002
23821	Cliff	204-23-018
451	Queenswood	204-24-028
452	Queenswood	204-23-069
463	Queenswood	204-24-027
486	Queenswood	204-23-084
487	Queenswood	204-24-026
458	Devonshire Ct.	204-24-023
477	Devonshire Ct.	204-24-020
510	Devonshire Ct.	204-27-038
513	Devonshire Ct.	204-24-019
478	Edinburgh	204-25-040
486	Edinburgh	204-24-014
498	Edinburgh	204-24-016
502	Edinburgh	204-24-017
520	Edinburgh	204-24-018
521	Edinburgh	204-28-073

535	Edinburgh	204-28-072
540	Edinburgh	204-27-035
548	Edinburgh	204-27-034
557	Edinburgh	204-27-003
560	Edinburgh	204-27-032
561	Edinburgh	204-27-004
564	Edinburgh	204-27-031
572	Edinburgh	204-27-030
577	Edinburgh	204-27-007
580	Edinburgh	204-27-028
23017	Lincolnshire	204-28-062
23021	Lincolnshire	204-28-063
23025	Lincolnshire	204-28-064
23101	Lincolnshire	204-28-065
23106	Lincolnshire	204-28-069
23200	Lincolnshire	204-27-011
23206	Lincolnshire	204-27-010
23213	Lincolnshire	204-27-019
23218	Lincolnshire	204-27-008
23301	Lincolnshire	204-27-021
23304	Lincolnshire	204-27-027
23312	Lincolnshire	204-27-026
23313	Lincolnshire	204-27-024
568	Huntley Ct.	204-27-013
564	Huntley Ct.	204-27-014
565	Huntley Ct.	204-28-071
573	Huntley Ct.	204-28-070
455	Sandalwood	204-25-031
474	Sandalwood	204-25-038
485	Sandalwood	204-25-034
486	Sandalwood	204-25-037
502	Sandalwood	204-25-036
520	Sandalwood	204-28-052
521	Sandalwood	204-28-054
534	Sandalwood	204-28-051
535	Sandalwood	204-28-055
540	Sandalwood	204-28-050
541	Sandalwood	204-28-056
546	Sandalwood	204-28-049
549	Sandalwood	204-28-057
557	Sandalwood	204-28-058

564	Sandalwood	204-28-047
565	Sandalwood	204-28-059
572	Sandalwood	204-28-046
490	Humiston	204-25-015
503	Humiston	204-25-019
506	Humiston	204-25-017
533	Humiston	204-28-042
536	Humiston	204-28-006
542	Humiston	204-28-007
573	Humiston	204-28-034
577	Humiston	204-28-033
580	Humiston	204-28-015
587	Humiston	204-28-031
588	Humiston	204-28-017
603	Humiston	204-28-030
604	Humiston	204-28-018
607	Humiston	204-28-029
619	Humiston	204-28-028
621	Humiston	204-28-026
622	Humiston	204-28-022
628	Humiston	204-28-023

**SECTION 2.** That pursuant to Section 543.01 of the Codified Ordinances of the City of Bay Village, the Clerk of Council is hereby directed to serve notice by certified mail upon the owner of said premises ordering the repair of said sidewalk and the removal of said obstruction and hazard.

**SECTION 3.** That if the owner of said premises fails to comply with such notice to repair the sidewalk within 30 days of the delivery of said notice, the Director of Public Service and Properties shall cause the sidewalk to be repaired and the expenses and labor costs incurred in the making of repair will be entered upon the tax duplicate as a lien upon such land pursuant to C.O. Section 543.01.

**SECTION 4.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

**SECTION 5.** That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to have said sidewalk repaired to protect pedestrian traffic, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

6/25/14 ll

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH  
INDUSTRIAL CONTRACTING CO. FOR THE REPLACEMENT OF THE TRANSFER  
STATION FACILITY AND DECLARING AN EMERGENCY**

WHEREAS, the City of Bay Village Service Department Transfer Station Building was damaged when the roof collapsed on May 29, 2010; and

WHEREAS, the City filed an insurance claim, and said claim was settled through an appraisal agreement; and

WHEREAS, the City advertised and received competitive bids for the construction of a new transfer station facility;

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

**SECTION 1.** That the Mayor be and she is hereby authorized to enter into an agreement with Industrial Contracting Co., 5145 Brecksville Road, Richfield, Ohio 44286, to proceed with the construction of the new transfer station facility according to plans and specifications, it being hereby determined that the bid of said company is the lowest and best received after advertising by law. The total bid price for said project is Two Hundred Fifty Six Thousand One Hundred Fifty Five Dollars (\$256,155.00). Payment shall be made from the Public Improvements Service Garage Building Fund (492.790.55323).

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

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

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR  
6/27/14jk

ORDINANCE NO:  
INTRODUCED BY:

**AN ORDINANCE**  
**EXTENDING THE MORATORIUM ON THE ISSUANCE OF OCCUPANCY**  
**FOR DEVELOPMENT UNDER CHAPTERS 1158 AND 1158(B) ATTACHED**  
**RESIDENCES IN THE CITY OF BAY VILLAGE,**  
**AND DECLARING AN EMERGENCY.**

**WHEREAS**, it has been determined that there is a need to request further time to study the impact of Chapters 1158 and 1158(B) on Attached Residences in the City of Bay Village;

**WHEREAS**, this moratorium shall have no effect on the development in the Retail Business District under C.O. 1173; and

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

**SECTION 1.** That Council hereby enacts an additional ninety (90) day moratorium on development under Chapters 1158 and 1158(B) by City Council, Planning Commission, Board of Zoning Appeals, and any committee appointed by Council.

**SECTION 2.** That the Clerk of Council is hereby directed to forward a copy of this legislation to the Building Director, the Planning Commission, Board of Zoning Appeals, and any committee appointed by City Council for review of this legislation.

**SECTION 3.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

**SECTION 4.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons that it is immediately necessary to protect the planning process, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

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MAYOR

4/10/14 II