

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

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.

Committee Meeting of Council
June 23, 2014

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

Paul Koomar, President of Council

Joan Kemper, Clerk of Council