

Agenda, Bay Village City Council
Regular Meeting, Council Chambers

October 20, 2014
8:00 p.m.
Caucus in Conference Room 7:30 p.m.
Public Welcome

Paul A. Koomar, President of Council, Presiding
Pledge of Allegiance/ David L. Tadych, Councilman, Ward 1
Roll Call
Reading of Minutes – Special Meeting of Council – October 13, 2014

Cleveland Restoration Society Representative to speak regarding Heritage Home Loan Program

ANNOUNCEMENTS

REPORTS

Mayor Sutherland	Director of Community Services Selig
Director of Law Ebert	Police Chief Spaetzel
Director of Finance Mahoney	Fire Chief Lyons
Director of Recreation Enovitch	
Director of Public Service Thomas	

COMMUNICATIONS

AUDIENCE

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Lee

Ordinance 14-89 to provide participation in the Heritage Home Loan Program. (First Reading 10-6-17) (Second Reading)

FINANCE AND CLAIMS- Mr. Clark

Ordinance No. 14-90 amending Section 1 of Ordinance 14-84 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. (Property Maintenance Inspector) (First Reading 10-6-14) (Second Reading 10-13-14)

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Tadych

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

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RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Henderson

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Vincent

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES

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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.



August 1, 2014

The Honorable Mayor Deborah Sutherland
Mr. Paul Koomar
City of Bay Village
350 Dover Center Road
Bay Village, Ohio 44140

Re: Join the Cleveland Restoration Society Heritage Home ProgramSM in time for our summer mailing to homeowners

Dear Mayor Sutherland and Council President Koomar,

This message is to extend an opportunity for Bay Village to join the Cleveland Restoration Society Heritage Home ProgramSM and participate in our summer mailing to homeowners. To participate in the mailing, you will need to join the program no later than **August 29, 2014**.

It is important to emphasize that homes do not have to be historic or architectural gems to participate in the Program. They just need to be 50 years old or older. A summary of the Program and recent changes we made to the Program is enclosed.

There are 4,139 houses in Bay Village that are more than 50 years old. The cost to Bay Village of offering these homeowners the Program for the rest of 2014 is a very modest \$2,200. If you would like to continue to participate in 2015, the cost will be \$5,800 per year.

There is substantial interest among the homeowners of Bay Village in the Heritage Home Program. In the last couple years, we have had over 12 inquiries about the Program from Bay Village residents. In addition, our website has had over 14 hits from your residents. Keep in mind, homeowner interest was not driven by any type of promotional or marketing efforts.

I realize that all cities in Ohio are going through budget problems but the Program pays for itself in increased tax base resulting from our projects. A study by CSU found that the Program increases housing values and increases neighborhood stability.



Please call or email me with any questions or comments. If you would like, we would be happy to make a presentation on the Program to the Bay Village Council if that would be helpful.

Thank you for considering joining the Heritage Home ProgramSM.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom". The signature is written in a cursive style and is positioned above the printed name and title.

Thomas A. Jorgensen
Chief Operating Officer



Summary of Heritage Home Program and Recent Changes

Cleveland Restoration Society is a non-profit organization dedicated to the maintenance and improvement of the housing stock of Cuyahoga County. CRS is supported by Cuyahoga Arts and Culture, Cuyahoga County, the Cleveland Foundation, many other foundations, the National Trust for Historic Preservation and 36 cities and villages in Cuyahoga County.

CRS sponsors the Heritage Home ProgramSM which is aimed at the repair, maintenance and improvement of houses over 50 years old throughout Cuyahoga County. The program involves free technical advice to homeowners about any issue involving their home. This can be questions about actual repairs and materials or about contractors to do maintenance work. Homeowners appreciate our unbiased and impartial advice. We do not sell any product or services so our advice is always well received by the homeowner.

The Program also includes a low interest loan program supported by the Treasurer of Cuyahoga County and administered by KeyBank and First Federal Lakewood (FFL). The FFL bank loans are 1.85% (2.0% at KeyBank) fixed rate mortgage loans for up to 10 years. The banks make all the credit decisions and they utilize their normal lending procedures when they consider loans under the Program.

As noted above, we have recently added FFL as a participating lending bank. It is offering a 1.85% fixed rate loan to owners of owner-occupied residences for terms up to 10 years. Please contact First Federal Lakewood to determine its rate on non-owner occupied residences.

CRS and FFL have developed the Heritage Home PURCHASE Program which allows a prospective homeowner to make a single application to obtain mortgage loans to buy and rehab a house that is more than 50 years old. This allows the prospective homeowner to find out how much of a loan will be available for rehab before he or she buys the house.

The Heritage Home ProgramSM was originally set up for a few areas in the City of Cleveland. It is now available to any city or village in Cuyahoga County that would like to participate.



As our answer to the decline in house values caused by the Great Recession, we have made a number of changes in the Heritage Home ProgramSM to make the Program extremely attractive to homeowners and cities:

1. We have lowered the interest rate on Heritage Home Loans to as low as 1.85% per year (down from 3.5% per year). This is a fixed rate for loans up to 10 years. This is the best financing tool for Bay Village residents to finance improvements to older homes – bar none!
2. We have lowered the fees to the homeowners. We used to charge a contract specifications fee of 2% to all borrowers. We lowered this fee to zero for loans under \$10,000 and 1% for loans from \$10,000 to \$25,000.
3. We lowered our escrow fee from \$500 to \$200 for loans that need to be escrowed.
4. We opened the Program to all houses which are 50 years old or older. The house does not have to be historic or be in an historic district.
5. We loosened our restrictions on homes that had previously had inappropriate changes made. We no longer require that the inappropriate changes be fixed immediately. Thus, if a house has inappropriate vinyl siding, we will assist the homeowner with another project without requiring that the vinyl siding be removed first. Of course, we will not fund the installation of vinyl siding on an older house.
6. We have made greater marketing efforts in our participating cities. We have done a direct mailing to every owner of a house which is 50 years old or older. We have also inserted graphic promotional pieces in newsletters, magazines, and newspapers that reach the owners of houses in the participating city.
7. We have set up a separate Heritage Home ProgramSM web site which can be branded by each participating city so that the Program can be known as the Bay Village Heritage Home ProgramSM. To see it, please go to www.heritagehomeprogram.org.



The changes in the Program do not change the following features of the program:

1. The homeowner is still provided free technical assistance with any maintenance, repair or rehab questions. This is a very time intensive effort involving CRS staff but an effort that is highly valued by the owners of older homes.
2. The structure must be zoned residential and not involve more than 3 residential units.
3. The project must either maintain or improve the property consistent with its architecture and design. We have a "do no harm" philosophy.
4. The owner of the home need not reside in it.
5. There is no income limit for the homeowner.
6. The homeowner will have to meet KeyBank or FFL's credit requirements and there will need to be adequate equity in the home after the project to be good security for the loan.
7. KeyBank and FFL will lend up to at least 90% of the after-rehab appraised value of the property (minus any existing mortgage loans).
8. The Program cannot fund loans on properties with a value over \$750,000.
9. The Program cannot fund luxury items such as hot tubs or swimming pools.

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 8:06 p.m.

October 13, 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, Police Chief Spaetzel, Fire Chief Lyons, Community Services Director Selig, Service/Safety Director Thomas, Operations Manager Landers

AUDIENCE

The following audience members signed in this evening: Marty Mace, Jerrie Barnett, Denny Wendell, Conda Boyd

President of Council Koomar called the meeting to order at 8:00 p.m. with a roll call and Pledge of Allegiance led by Councilman-at-large Steve Lee.

Mr. Koomar called for a reading of the minutes of the Regular Meeting of Council held October 6, 2014. **Motion** by **Lee** to dispense with the reading of the minutes and approve the minutes of the Regular Meeting of Council held October 6, 2014 as prepared and distributed.

Motion passed 7-0.

Mr. Clark read **Ordinance 14-90** amending Section 1 of Ordinance 14-84 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. (Property Maintenance Inspector) (Second Reading) (First Reading 10-6-14)

Mr. Koomar announced that Ordinance No. 14-90 is placed on second reading.

Mr. Clark introduced and read **Ordinance No. 14-93** 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 12-119 and 14-01, and Annual Appropriations 14-02, 14-18, 14-51, 14-68, 14-79 and 14-87, 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. 14-93.

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. 14-93, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced **Resolution No. 14-94** authorizing the Mayor to enter into an agreement with Cuyahoga County on behalf of the Department of Public Works, 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. 14-94.

Roll Call on Suspension of Charter Rules:

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

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Resolution No. 14-94, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read **Ordinance No. 14-95** authorizing the Mayor to enter into an Agreement with Fabrizi Trucking and Paving Co., Inc. for the replacement of a sanitary sewer line on Walmar Drive, and declaring an emergency, and moved for adoption.

Mr. Henderson stated that the ordinance mentions that the City did not advertise for bids. He noted that in the Committee meeting this evening Mr. Thomas stated that he had spoken with a couple of contractors. Mr. Thomas stated that he made telephone calls. Mr. Henderson asked Mr. Thomas if multiple companies were contacted and this was his perception of the best bid. Mr. Koomar and Mr. Ebert stated that they looked for competitive bids but they did not go

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through the formal process because it was an emergency and would have required posting and waiting 15 days, and then waiting for bids to come in which could push it back for a month.

Mr. Henderson stated that he thinks that process sounds good in this genuine emergency. He just wanted to make sure he understood the difference between what was said in the Committee session and what is being read in the ordinance.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-95.

Roll Call on Suspension of Charter Rules:

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

Nays-None

Roll Call on Suspension of Council Rules:

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

Nays–None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-95, an emergency measure, by a vote of 7-0.

Motion by Lieske to grant an extension of 60 days, to January 3, 2015 to the Planning Commission to review plans presented by Bradley Center Limited for the southern extension of Crestwood Drive and the Crestwood Drive Subdivision.

Motion passed 7-0.

There being no further business to discuss, the meeting adjourned at 8:10 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO. 14-89
INTRODUCED BY: Mr. Lee

First Reading - Oct. 6, 2014

AN ORDINANCE
**AUTHORIZING THE PARTICIPATION IN THE HERITAGE HOME LOAN
PROGRAM WITH THE CLEVELAND RESTORATION SOCIETY**

WHEREAS, the City of Bay Village in partnership with the Cleveland Restoration Society will provide our residents with free technical assistance and an optional low-interest rehabilitation loan to owners of older and historic homes in Bay Village through the Heritage Home Loan Program; and

WHEREAS, the City of Bay Village joins other cities in Cuyahoga County that utilize historic preservation as an important city-planning tool, and desires to continue participation in the program;

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

SECTION 1. That this Council authorizes the participation in the Heritage Home Program with Cleveland Restoration Society.

SECTION 2. That the Director of Finance is authorized to cover the cost of Cleveland Restoration Society fees which cover administrative costs and monitoring of the projects for one (1) year period beginning January 1, 2015 at a cost not to exceed \$5,800.00.

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 will be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

9-12-14 II

ORDINANCE NO. 14-90
 INTRODUCED BY: Mr. Clark

First Reading – October 6, 2014
 Second reading – October 13, 2014

AN ORDINANCE
**AMENDING SECTION 1 OF ORDINANCE 14-84 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 November 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:

	September 15, 2014 and thereafter	November 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. Prosecutor	\$33,257	\$33,257
7. Dir. Public Service & Properties	\$88,740	\$88,740
8. General Foreman	\$71,985	\$71,985
9. Supervisor	\$74,005	\$74,005
10. Sewer Collections Foreman	\$58,000	\$58,000
11. Infrastructure Manager	\$63,000	\$63,000
12. Property Maintenance Inspector	0	\$58,000
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	\$58,000	\$58,000
26. Senior Van Driver	\$8.94 – \$12.30 per hour	\$8.94 – \$12.30 per hour
27. Safety Director	\$5,000	\$5,000

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 14-84 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