

Paul A. Koomar, President of Council, Presiding  
Pledge of Allegiance/ Councilman Thomas Henderson, Ward 4  
Roll Call  
Reading of Minutes – Regular Meeting of Council – November 17, 2014  
Cahoon Memorial Park Trustees- November 17, 2014

## **ANNOUNCEMENTS**

Tribute to Auxiliary Police Unit of the City of Bay Village and Ceremonial Oath of Office for new Auxiliary Officers

## **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**

Mr. Charles Ramer, NOPEC  
Gas Aggregation

## **ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Lee**

## **FINANCE AND CLAIMS- Mr. Clark**

**Ordinance** authorizing the Mayor to enter into an Amended Agreement with the Life Force Management, Inc. for medical services provided by the Bay Village Fire Division, and declaring an emergency. **(First Reading)**

**Ordinance** authorizing the Mayor to enter into an agreement with the Ohio Attorney General for Delinquent Debt Collection, and declaring an emergency. **(First Reading)**

**Ordinance** amending Codified Ordinance 921.02 regarding Sewer Rental Rates, and declaring an emergency. **(First Reading)**

**Ordinance** establishing the effective date for the Refuse Collection Fee, and declaring an emergency. **(First Reading)**

**Ordinance** amending Codified Ordinance Section 181.36(b) regarding disbursement of Municipal Income Tax Funds, and declaring an emergency. **(First Reading)**

Agenda  
Regular Meeting of Council  
December 1, 2014

**Ordinance** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2015 (**First Reading**)

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

**Ordinance** authorizing the Mayor to execute Change Orders # 1 and # 2 Final for Nerone & Sons, Inc., for the Walker-Nantucket Pump Station Improvements Project, and declaring an emergency.

**Ordinance** authorizing the Mayor to execute Change Order #1F for Chagrin Valley Paving, Inc., for the 2014 Pavement Maintenance and Resurfacing Program, and declaring an emergency.

**Ordinance** authorizing the Mayor to execute Change Order #1F for Dura Mark, Inc., for the 2014 Pavement Marking & Striping Program, and declaring an emergency.

**Ordinance** authorizing the Mayor to execute Change Order #3F for Karvo Paving Company for the 2013 Lake Road (US-6) Resurfacing Project, and declaring an emergency.

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

**RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Henderson**

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Vincent**

**MISCELLANEOUS**

**Motion** to convene to Executive Session regarding personnel (Administrative Compensation Ordinance), Potential Litigation.

**CAHOON MEMORIAL PARK TRUSTEES**

Agenda  
Regular Meeting of Council  
December 1, 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, Regular Meeting  
Council Chambers 8:15 p.m.

November 17, 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, Recreation Director Enovitch, Community Services Director Selig, Police Chief Spaetzel, Fire Chief Lyons, Service/Safety Director Thomas, Operations Manager Landers, Assistant Finance Director Popovich

### AUDIENCE

The following audience members signed in this evening: Conda Boyd, Lydia DeGeorge, Marty Mace, Mark and Terry Foster, Richard Sklodowski, Richard Wrenn, Joanne Solecki, Jim Dixon, Rob Pirnelli, Nancy Trainer, Susan Murnane, Mary Jo Mazzolini, Alex Margevicius, Gregg and Joan Boettcher, David Kriska, Clete Miller, Jane Hoffman, Carol Zeiders.

Mr. Koomar called the Regular Meeting of Council to order at 8:15 p.m., immediately following a Committee of the Whole Meeting of Council, in the Council Chambers of Bay Village City Hall, with the Pledge of Allegiance led by Ward 3 Councilwoman Karen Lieske.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held November 10, 2014. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 7-0

### REPORTS

**Mayor Sutherland** had no report this evening.

**Law Director Ebert** had no report this evening.

**Finance Director Mahoney** had no report this evening.

**Recreation Director Enovitch** had no report this evening.

**Service/Safety Director Thomas** had no report this evening.

**Community Services Director Selig** reported that the Assistant Community Services Director began her employment with the City today.

**Police Chief Spaetzel** advised that some of the police officers, including himself, are growing facial hair as part of a fund raiser. The officers have to pay Chief Spaetzel for the privilege of growing facial hair and the money raised will be donated to The Village Project in December.

The Bay Village Police Department and the Westlake Police Department, through the Boy Scout Explorer Post, are conducting a program for youth ages 14 through 21 interested in law enforcement as a career. Sixteen youth have turned out so far for this program.

**Fire Chief Lyons** expressed the sympathy and solidarity of the Bay Village Fire Department with the Avon Lake Fire Department who lost one of their members last week in a tragic accident. Officer Larry Heczko, a 22-year veteran of the Fire Service, will be missed.

**Mr. Koomar** called for comments from the audience. There were none.

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

**Mr. Lee** introduced and read **Ordinance No. 14-100** authorizing the Mayor to enter into an agreement with the District Advisory Council of the Cuyahoga County General Health District to provide Public Health Services for the City of Bay Village during the Calendar Year 2015, and declaring an emergency, and moved for adoption.

Mr. Lee asked Law Director Ebert if it is necessary to have the emergency clause for this piece of legislation which is effective January 1, 2015. Mayor Sutherland stated that they called today looking for the contract.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-100.

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. 14-100, by a unanimous vote of 7-0.

#### **FINANCE AND CLAIMS COMMITTEE**

**Mr. Clark** read, by title only, **Ordinance No. 14-98** amending Section 1 of Ordinance 14-97 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 2015 and thereafter, and declaring an emergency.

Mr. Clark commented that this ordinance provides for the compensation for the position of Human Resources Administrator, a part time position effective January 1, 2015, at \$28.00 per hour.

Ordinance No. 14-98 was placed on second reading.

**PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE**

**Mr. Tadych** introduced **Ordinance No. 14-101** authorizing Change Order No. 1 to the agreement with Fabrizi Trucking and Paving Co., Inc. for the replacement of a sanitary sewer line on Walmar Drive, and declaring an emergency.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-101.

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, 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. 14-101, by a unanimous vote of 7-0.

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

**Mrs. Lieske** had no report this evening.

**RECREATION AND PARK IMPROVEMENTS COMMITTEE**

**Motion** to approve the installation of exercise equipment at the Cahoon Memorial Park T. Richard Martin Walking Trail, pending receipt of necessary funds through private fund raising efforts.

Minutes of Regular Meeting  
Bay Village City Council  
November 17, 2014

Vote resulted: Yeas – Clark, Henderson, Koomar, Lee, Tadych  
Nays – Lieske, Vincent

Motion passed 5-2

**Motion** to approve The Bay Village Foundation Heritage Race on October 17, 2015 from 7 a.m. to 11 a.m.

Vote resulted: Yeas – Clark, Koomar, Lieske, Tadych, Vincent  
Abstained – Henderson, Lee.

Motion passed 5-0-2

Mr. Henderson and Mr. Lee are members of the Board of Trustees of the Village Foundation, the sponsoring organization of the race.

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

**Mr. Vincent** had no report this evening.

### **MISCELLANEOUS**

The regular meeting of City Council was adjourned briefly for a short meeting of the Cahoon Memorial Park Trustees.

Council reconvened at 8:37 p.m.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Clark **MOVED** to convene to Executive Session to discuss Contracts, specifically the Cleveland Water Service Contract.

**Roll Call Vote: Yeas- Lee, Lieske, Tadych, Vincent, Clark, Henderson, Koomar. Nays – None. Motion passed 7-0.**

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney, Safety/Service Director Thomas, Fire Chief Lyons, Alex Margevicius, Jason Wood. (Messrs. Margevicius and Wood were present representing the Cleveland Water Department)

Council reconvened in an open meeting at 10:28 p.m. Present were: Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 10:30 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

November 17, 2014

President of Council Koomar called the meeting to order at 8:31 p.m. in the Council Chambers of Bay Village City Hall.

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

Also Present: Law Director Ebert, Finance Director Mahoney, Recreation Director Enovitch, Community Services Director Selig, Police Chief Spaetzel, Fire Chief Lyons, Service/Safety Director Thomas, Operations Manager Landers, Assistant Finance Director Popovich

### AUDIENCE

The following audience members signed in this evening: Conda Boyd, Lydia DeGeorge, Marty Mace, Mark and Terry Foster, Richard Sklodowski, Richard Wrenn, Joanne Solecki, Jim Dixon, Rob Pirnelli, Nancy Trainer, Susan Murnane, Mary Jo Mazzolini, Alex Margevicius, Gregg and Joan Boettcher, David Kriska, Clete Miller, Jane Hoffman, Carol Zeiders.

**Mr. Henderson** asked if the motion he is about to introduce is approved, will the project be going to the Planning Commission for review. Mr. Koomar stated that he checked with Chief Building Official John Cheatham. Mr. Cheatham reviewed the code and said the project does not raise to the level that it needs to be referred to the Planning Commission. Law Director Ebert concurred.

**Motion** to approve the installation of exercise equipment at the Cahoon Memorial Park T. Richard Martin Walking Trail, pending receipt of necessary funds through private fund raising efforts.

Vote resulted: Yeas – Clark, Henderson, Koomar, Lee, Tadych, Mayor Sutherland  
Nays – Lieske, Vincent

Motion passed 6-2

**Motion** to approve The Bay Village Foundation Heritage Race on October 17, 2015 from 7 a.m. to 11 a.m.

Vote resulted: Yeas – Clark, Koomar, Lieske, Tadych, Vincent, Mayor Sutherland  
Abstained – Henderson, Lee.

Motion passed 6-0-2

Minutes of a Meeting of  
Cahoon Memorial Park Trustees  
September 29, 2014

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 8:37 p.m.

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Paul Koomar, President of Council

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Joan Kemper, Clerk of Council

## Joan Kemper

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**From:** Mark Spaetzel  
**Sent:** Tuesday, October 14, 2014 5:14 PM  
**To:** Deborah Sutherland; Scott Thomas; Gary Ebert; Joan Kemper  
**Cc:** Calvin E. Holliday  
**Subject:** Auxiliary officers swearing in at Council meeting

Mayor, Scott and Gary,

As we have discussed in the past, I would like to honor and recognize our hardworking Auxiliary Unit at a Council meeting. Many of our new officers have never been sworn in and many supervisors were never sworn in to their new positions. I would like to right this wrong at the Council meeting on December 1, 2014. I would also like to, at least verbally, acknowledge each auxiliary officers' years of service with the unit. Depending on how many show, we could have up to 20+ attending with many getting sworn in. Not sure if we could do this as a group, but that is what I would recommend (i.e. officers, sergeants and lieutenants each as a separate group).

Please let me know if this works and I will work with Lt. Holliday on arrangements and keep you advised.

*Mark A. Spaetzel*  
Chief of Police  
Bay Village Police Department  
28000 Wolf Rd  
Bay Village, Ohio 44140  
O: (440) 899-3465  
F: (440) 899-3478  
[mspaetzel@cityofbayvillage.com](mailto:mspaetzel@cityofbayvillage.com)

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED**  
**AGREEMENT WITH LIFE FORCE MANAGEMENT, INC. FOR MEDICAL**  
**SERVICES PROVIDED BY THE BAY VILLAGE FIRE DIVISION,**  
**AND DECLARING AN EMERGENCY**

**WHEREAS**, Council entered into an Agreement with Life Force Management, Inc. establishing service and support charges provided by the Bay Village Fire Division by Ordinance No. 12-04 passed February 6, 2012; and

**WHEREAS**, it is the desire of this Council and City Administration to establish new rates for all EMS Services;

**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 Amended Agreement with Life Force Management, Inc. for services regarding billing and charges for medical services per incident provided by the Bay Village Fire Division effective upon passage of legislation as follows:

Basic Life Support (BLS) Emergency	\$650.00
Advanced Life Support (ALS) 1 Emergency	\$750.00
ALS2 Emergency	\$850.00
BLS/ALS Mileage	\$ 14.00/mile
Oxygen Administration	\$20.00
Treatment but no Transport	\$175.00

**SECTION 2.** That Ordinance 12-04 is hereby amended.

**SECTION 3.** That funds collected by Life Force Management for the City of Bay Village shall be deposited into the General Fund.

**SECTION 4.** 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 5.** 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 billing for said medical service transport be amended effective immediately, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH  
WITH THE OHIO ATTORNEY GENERAL FOR DELINQUENT DEBT COLLECTION,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Attorney General of Ohio will undertake the collection of delinquent debt owed to political subdivisions in Ohio pursuant to O.R.C. §131.02; and

**WHEREAS**, the Mayor and Director of Finance have recommended that the City enter into an agreement with the Attorney General for collection of delinquent ambulance debt for non-residents of the City;

**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 and directed to enter into an agreement with the Ohio Attorney General for the collection of delinquent ambulance debt for non-residents of the City, which agreement is attached hereto as Exhibit "A", with such changes as may be made by the Director of Law without changing the substance thereof.

**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 cause said charges to be certified for collection in order to make funds available to the City, 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

APPROVED:

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MAYOR

11/26/14 11

EXHIBIT "A"



**MIKE DEWINE**  
\* OHIO ATTORNEY GENERAL \*

Collections Enforcement  
Office 614-466-8360  
Fax 614-752-9070

150 East Gay Street, 21<sup>st</sup> Floor  
Columbus, OH 43215  
[www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)

**DELINQUENT DEBT COLLECTION AGREEMENT  
BETWEEN THE  
OHIO ATTORNEY GENERAL  
AND**

**I. PARTIES**

- 1.1. THIS DELINQUENT DEBT COLLECTION AGREEMENT (this "Agreement") is between the Ohio Attorney General (hereinafter "Attorney General") and  
  
("Political Subdivision"), collectively referenced herein as the "Parties."

**II. PURPOSE**

2.1. The Political Subdivision has requested that the Attorney General undertake, and the Attorney General agrees to undertake, the collection of delinquent debt owed to the Political Subdivision, pursuant to Ohio Revised Code ("O.R.C.") § 131.02. This Agreement sets forth the rights, duties and obligations of the Parties and the amounts to be charged, collected and allocated between the Political Subdivision and Attorney General. This Agreement will become effective in ten business days once fully executed ("Effective Date").

**III. CERTIFICATION OF DEBT**

3.1. The Parties agree that this Agreement shall apply to amounts owed to Political Subdivision that meet the criteria specified on the attached Exhibit "A" (hereinafter the "Debt"). The Parties may, from time to time, change the categories of debt to be certified to the Attorney General by amending Exhibit "A" pursuant to the discretion of the Section Chief of the Collections Enforcement Section of the Attorney General and \_\_\_\_\_ of the Political Subdivision. Such changes to the categories of debt identified on Exhibit "A" shall not be construed as an amendment or termination of this Agreement.

3.2. Political Subdivision hereby warrants that all Debts certified to the Attorney General for collection pursuant to this Agreement are or will be legally due and owing to Political Subdivision at the time of certification.

3.3. Political Subdivision hereby warrants that it has complied or will comply with all conditions precedent to the legality of certifying the Debt for collection prior to certifying the Debt to Attorney General pursuant to this Agreement.

3.4. Political Subdivision hereby warrants that it has obtained the approval of any person or entity whose approval is required as a condition to entering into this Agreement. True and correct copies of any such approvals shall be attached hereto as Exhibit "B."

3.5. Political Subdivision shall identify and itemize the amounts owed in any bills or mailings issued to the debtors prior to certifying the Debt pursuant to this Agreement. Such itemization shall separately identify penalties, fees, costs and interest, if any, added to the principal balance of the amounts owed. For all Debt certified under this Agreement, Political Subdivision shall maintain account records documenting the principal balance of the amounts owed, as well as any penalties, fees, costs and interest, from the date such debt becomes due and owing to Political Subdivision until the debt is paid in full, resolved or written off as specified herein.

3.6. Political Subdivision shall make all account records related to the Debt fully available to specified Attorney General personnel in order for the Attorney General to actively identify and pursue collection activities. Political Subdivision shall retain account records related to the Debt so long as the Debt remains outstanding, or until the Debt is resolved or written off as specified herein.

3.7. Political Subdivision agrees and shall forward all payments received on certified Debt to the Attorney General. In the event that Political Subdivision accepts a debtor's payment on Debt certified to the Attorney General, Political Subdivision agrees to promptly notify the Attorney General of the details of the payment, including date, amount, remitter, check or instrument number and forward the payment to the Attorney General.

3.8. In the event that any debtor owing Debt certified to the Attorney General files bankruptcy or other insolvency proceeding, Political Subdivision shall immediately notify the Attorney General of such filing. The Attorney General shall cease all collection efforts with regard to such Debt. Political Subdivision remains exclusively and solely responsible for protecting its interest in bankruptcy & other insolvency proceedings. Upon notice that Debt certified to the Attorney General is subject to bankruptcy or other insolvency proceeding, the Attorney General shall close the affected accounts and such accounts shall no longer be considered to be certified to the Attorney General. Other insolvency proceeding may include but is not limited to receivership or foreclosure.

#### IV. ALLOCATION OF FEES AND COLLECTION COSTS

4.1 The client may choose for each account certified to the Attorney General to bear interest (hereinafter "AGI") at the annual rate established by the Tax Commissioner under O.R.C. § 5703.47. Upon recovery AGI is paid to Political Subdivision, not to Attorney General. AGI may be waived, either by Political Subdivision or the Attorney General. Political Subdivision also has discretion to request that AGI not be assessed as an additional obligation of debtors. If this request is indicated, the cost of AGI will not be added to the Debt. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision as to AGI. If no preference is indicated, Attorney General may waive AGI at its discretion, and the addition of AGI to the Debt will increase the debtors' obligation. The AGI is in place of any separate accruing interest of the Political Subdivision on the Debt once certified to the Attorney General.

4.2 Pursuant to O.R.C. § 131.02, the Attorney General is authorized to deduct the Attorney General's collection cost from all amounts collected, calculated upon all certified amounts recovered, plus interest and fees accruing from the date of certification to Attorney General. Attorney General collection costs may be waived, either by the Attorney General or jointly by the Political Subdivision and the Attorney General. The Parties agree that the Attorney General will pass all Attorney General collection costs on to the debtor as an additional obligation of debtor. The Attorney General collection cost is 10% pursuant to O.R.C. § 109.08.

4.3 Upon agreement, the Attorney General may also hire third party vendors to collect claims for Political Subdivision and to pay such third party vendors for their services ("TPV Fees") from funds collected by them. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision with respect to the assignment of Debt to TPVs. If no preference is indicated the Attorney General will assign Debt to TPVs in accordance with an established assignment strategy. TPV fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all TPV Fees on to debtors as an additional obligation of the debtors.

4.4 Upon agreement the Attorney General may appoint special counsel to collect claims for Political Subdivision and to pay such special counsel for their services ("Special Counsel Fees") from funds collected by them. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision with respect to the assignment of Debt to Special Counsel. If no preference is indicated the Attorney General will assign Debt to Special Counsel in accordance with an established assignment strategy. Special Counsel Fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all Special Counsel Fees on to debtors as an additional obligation of the debtors.

4.5 Political Subdivision may execute a different Service Level Agreement for each category of debt certified pursuant to this Agreement, and each Service Level Agreement shall be attached as additional pages of Exhibit "C."

4.6 Political Subdivision may change or terminate the Service Level Agreement(s) attached hereto as Exhibit "C" upon appropriate written notice as specified therein, and any change or termination of the Service Level Agreement(s) shall not be construed as an amendment or termination of this Agreement.

## V. DISBURSEMENT PROCESS/PAYMENT OF COLLECTION COSTS

5.1 On a weekly basis the Attorney General shall disburse to the Political Subdivision the full amounts collected on the Debt minus any applicable collection costs or fees as outlined herein. The Political Subdivision and Attorney General shall have the authority to settle or compromise any account in the Debt which is agreed upon by the Political Subdivision and Attorney General as payment in full based on the best interests of the Parties. At the time of the Attorney General's disbursement to the Political Subdivision, the Political Subdivision will receive the amount collected minus the Attorney General's collection costs and any applicable TPV Fees or Special Counsel Fees pursuant to this Agreement.

5.2 The Parties agree that court cases and judgment liens shall not be dismissed or deemed satisfied without the Political Subdivision's consent that all the fees have been paid by the debtor liable for costs under the court case and/or judgment lien.

5.3 Disbursements to the Political Subdivision of amounts due hereunder may be made via state check or by Automated Clearing House ("ACH") deposit, at the Attorney General's discretion. Political Subdivision acknowledges that the Attorney General prefers to remit all payments by ACH deposit, and Political Subdivision agrees to execute an ACH payment authorization in accordance with the form attached hereto as Exhibit "D" within thirty (30) days after the Effective Date of this Agreement.

## VI. CERTIFICATION AND CANCELLATION OF DEBT

6.1. Political Subdivision will certify only Debt to the Attorney General which is past due and final, in accordance with O.R.C. § 131.02(A). O.R.C. § 131.02 provides that the Attorney General and Political Subdivision may determine an appropriate time beyond the regular 45-day requirement to certify delinquent debt. Such exceptions may be made as the Attorney General and the Political Subdivision mutually agree are appropriate.

6.2. The Parties acknowledge and agree that O.R.C. §131.02 empowers the Attorney General to, with the consent of the chief officer of an entity reporting a debt, cancel the debt or cause the same to be canceled. O.R.C. § 131.02(F)(2) provides a general statute of limitations of forty (40) years from the date of certification to collect claims. O.R.C. § 131.02(F)(1) allows the Attorney General to cancel uncollectible claims earlier, with the approval of the Political Subdivision. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision. If no preference is indicated, the write off period will be fifteen (15) years after the date of certification. Exceptions revising the write off period for specified claims or categories of debt may be agreed to by the Attorney General and the Political Subdivision as amendments to the Service Level Agreement, and such amendments shall not be construed as an amendment or termination of this Agreement.

## VII. CONFIDENTIALITY

7.1. Any confidential debtor information made available to Attorney General in the course of performance of this Agreement shall be used only for the purpose of carrying out the provisions of this Agreement pursuant to the Attorney General's statutory obligations. Additionally, the Attorney General shall not sell any debtor information to any third parties.

## VIII. LIABILITY

8.1. Each Party shall be responsible for its own acts and omissions and those of its officers, employees and agents.

**IX. CHOICE OF LAW**

9.1. This Agreement is made and entered into in the State of Ohio and shall be governed and construed in accordance with the laws of Ohio. Any legal action or proceeding related to this Agreement shall be brought in Franklin County, Ohio, and the Parties irrevocably consent to jurisdiction and venue in Franklin County, Ohio.

**X. COMPLIANCE WITH LAW**

10.1. The Parties, in the execution of their respective duties and obligations under this Agreement, agree to comply with all applicable federal, Ohio and local laws, rules, regulations and ordinances.

**XI. RELATIONSHIP OF THE PARTIES**

11.1. It is fully understood and agreed that a Party's personnel shall not at any time, or for any purpose, be considered as agents, servants, or employees of the other Party.

11.2. Except as expressly provided herein, neither Party shall have the right to bind or obligate the other Party in any manner without the other Party's prior written consent.

**XII. MODIFICATION**

12.1. This Agreement constitutes the entire agreement between the Parties, and any changes or modifications to this Agreement shall be made and agreed to by the Parties in writing.

**XIII. TERMINATION/EXPIRATION**

13.1. Either party may terminate this Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination, to the other Party via e-mail, facsimile transmission, mail, certified mail or personal delivery to the other Party's signatory to this Agreement.

13.2. If there is pending litigation in connection with any Debt, termination shall not be effective until the Attorney General terminates the legal representation in the litigation matter. The Attorney General shall be compensated for Debt collected and received prior to termination. The Parties agree to cooperate so as to effectuate a speedy and efficient transfer of the work to Political Subdivision.

**XIV. SIGNATURES**

14.1. The Parties may submit their signatures to the Agreement in counterparts, which taken together will constitute a valid enforceable Agreement. Facsimile or copied signatures shall be considered valid and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

\_\_\_\_\_

\_\_\_\_\_ Date

OHIO ATTORNEY GENERAL  
MICHAEL DEWINE

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

Lisa J. Iannotta  
Section Chief

\_\_\_\_\_ Date

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AMENDING CODIFIED ORDINANCE 921.02 REGARDING SEWER  
RENTAL RATES, AND DECLARING AN EMERGENCY**

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

**SECTION 1.** That Codified Ordinance Section 921.02 which presently reads as follows:

“921.02 RENTAL RATES.

There is hereby established and imposed a charge upon all improved lots, lands and parcels of real estate within the City, except Municipal facilities, which are served by the City’s water system or any other public or private water system and which are capable of being connected to the City’s sewerage system by reason of the proximity of a public sewer on a street or easement abutting the lot, land or parcel to be charged, whether actually connected or not, at the following rates:

Rates in Effect for:	<b><u>1/1/2014 &amp; Thereafter</u></b>
<u>User Class</u>	
(a) Single-family	<b><u>\$335.00/yr*</u></b>
(b) Double-family	<b><u>420.00/yr</u></b>
(c) Apartments	
2 bedroom or more	<b><u>214.00/yr</u></b>
1 bedroom or less	<b><u>130.00/yr</u></b>
(d) Commercial	<b><u>30.03/MCF</u></b>
(e) Industrial	<b><u>30.03/MCF</u></b>

**Commercial and industrial rate will be \$30.03 per MCF but not less than \$246.00 per year.**

**be and the same is amended to read:**

“921.02 RENTAL RATES.

There is hereby established and imposed a charge upon all improved lots, lands and parcels of real estate within the City, except Municipal facilities, which are served by the City’s water system or any other public or private water system and which are capable of being connected to the City’s sewerage system by reason of the proximity of a public sewer on a street or easement abutting the lot, land or parcel to be charged, whether actually connected or not, at the following rates:

Rates in Effect for:	<b><u>1/1/2015 &amp; Thereafter</u></b>
<u>User Class</u>	
(a) Single-family	<b><u>\$360.00/yr</u></b>

(b)	Double-family	<u>445.00/yr</u>
(c)	Apartments	
	2 bedroom or more	<u>239.00/yr</u>
	1 bedroom or less	<u>155.00/yr</u>
(d)	Commercial	<u>30.03/MCF</u>
(e)	Industrial	<u>30.03/MCF</u>

**Commercial and industrial rate will be \$30.03 per MCF but not less than \$246.00 per year.**

**and present Section 921.02 is hereby repealed.**

**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 necessary for the daily operation of the Finance Department, 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

11-6-14 II

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**ESTABLISHING THE EFFECTIVE DATE FOR THE REFUSE**  
**COLLECTION FEE, AND DECLARING AN EMERGENCY.**

WHEREAS, the effective date for the refuse fee was re-established through December 31, 2014 by Ordinance 13-120 passed December 16, 2013; and

WHEREAS, it is the desire of Council and the Administration of the City of Bay Village to continue the refuse collection fee through 2014;

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

**SECTION 1.** That Section 2 of Ordinance 13-120 passed December 16, 2013 is hereby repealed.

**SECTION 2.** The fee established in Section 923.01 shall be effective through December 31, 2015.

**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 reason that it is necessary to make these fee adjustment, 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

APPROVED:

\_\_\_\_\_  
MAYOR

11/6/14 II

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AMENDING CODIFIED ORDINANCE SECTION 181.36(b) REGARDING**  
**DISBURSEMENT OF MUNICIPAL INCOME TAX FUNDS,**  
**AND DECLARING AN EMERGENCY.**

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

**SECTION 1.** That Codified Ordinance Subsection 181.36(b) which presently reads as follows:

“(b) The balance remaining after payment of the expenses referred to in subsection (a) hereof, effective **January 1, 2014**, shall be deposited as follows:

**98%** in General Fund  
**2%** in the Accrued Benefits Fund”

be and the same is hereby amended to read:

“(b) The balance remaining after payment of the expenses referred to in subsection (a) hereof, effective **January 1, 2015**, shall be deposited as follows:

**98%** in General Fund  
**2%** in the Accrued Benefits Fund”

and present Subsection 181.36(b) is hereby repealed.

**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 necessary to provide a formula for deposits to facilitate bookkeeping procedures, 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

APPROVED:

\_\_\_\_\_  
MAYOR

10-1-14 II

CITY OF BAY VILLAGE, OHIO  
ORDINANCE NO.

By:

To make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2015.

NOW, THEREFORE, be it ordained by the Council of the City of Bay Village, State of Ohio:

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2015, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein:

**General Fund - 100**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
100	Total General Fund	\$ 6,970,962	\$ 3,451,250	\$ 39,200	\$ 647,464	\$ 11,108,876

**Special Revenue Fund Group - 200**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
210	Emergency Paramedic	\$ 981,240	\$ 65,075	\$ 12,200	\$ -	\$ 1,058,515
230	Parks and Recreation	632,560	265,400	4,500	-	902,460
231	Community Gym Capital Improvement	-	-	10,000	-	10,000
235	Bay Family Services	-	42,400	-	-	42,400
236	Community Diversion	-	5,400	-	-	5,400
240	Equipment Replacement	-	-	895,000	-	895,000
245	Private Property Maintenance	-	23,255	-	-	23,255
250	State Highway	-	50,000	-	-	50,000
270	Street Construction	656,930	430,600	687,000	-	1,774,530
280	Police Pension	368,016	-	-	-	368,016
281	Fire Pension	478,723	-	-	-	478,723
282	Accrued Benefits	140,000	-	-	-	140,000
284	Endowment Trust	-	25,188	-	-	25,188
290	Senior Programs	-	35,500	-	-	35,500
292	Law Enforcement	-	4,000	-	-	4,000
293	Drug Fine/Bail Forfeiture	-	500	-	-	500
294	Alcohol Intervention	-	1,500	-	-	1,500
200	Total Special Revenue Funds	\$ 3,257,469	\$ 948,818	\$ 1,608,700	\$ -	\$ 5,814,987

**Debt Service Fund Group - 300**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
300	General Bond Retirement	\$ -	\$ 3,668,490	\$ -	\$ -	\$ 3,668,490

**Capital Project Fund Group - 400**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
490	Public Improvement	-	-	280,000	-	280,000
<b>400</b>	<b>Total Capital Project Fund Group</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 280,000</b>	<b>\$ -</b>	<b>\$ 280,000</b>

**Enterprise Fund Group- 500**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
520	Pool	\$ 214,700	\$ 116,500	\$ 70,000	\$ -	\$ 401,200
580	Sewer	792,225	1,555,164	196,000	-	2,543,389
<b>500</b>	<b>Total Enterprise Fund Group</b>	<b>\$ 1,006,925</b>	<b>\$ 1,671,664</b>	<b>\$ 266,000</b>	<b>\$ -</b>	<b>\$ 2,944,589</b>

**Internal Service Fund Group - 600**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
600	Health Insurance	\$ -	\$ 1,420,920	\$ -	\$ -	\$ 1,420,920
601	General Insurance	-	200,600	-	-	200,600
602	Workers Compensation	230,444	-	-	-	230,444
<b>600</b>	<b>Total Internal Service Fund Group</b>	<b>\$ 230,444</b>	<b>\$ 1,621,520</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,851,964</b>

**Trust Fund Group - 800**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
810	Cahoon Park	\$ -	\$ 68,200	\$ -	\$ -	\$ 68,200
820	Cahoon Memorial	-	3,300	-	-	3,300
830	Cahoon Library	-	8,000	-	-	8,000
840	Waldeck	-	5,500	-	-	5,500
860	Dwyer	-	5,000	-	-	5,000
861	Community Gardens	-	2,500	-	-	2,500
<b>800</b>	<b>Total Trust Fund Group</b>	<b>\$ -</b>	<b>\$ 92,500</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 92,500</b>

**Deposit Fund Group - 900**

Fund #	Fund Activity	Personal Service	Other	Capital Improvement	Transfers/Advances	Total
930	Building Deposits	\$ -	\$ 30,000	\$ -	\$ -	\$ 30,000
931	Security Deposits	-	22,000	-	-	22,000
<b>900</b>	<b>Total Deposit Fund Group</b>	<b>\$ -</b>	<b>\$ 52,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 52,000</b>

<b>Grand Total All Funds</b>	<b>\$ 11,465,800</b>	<b>\$ 11,506,242</b>	<b>\$ 2,193,900</b>	<b>\$ 647,464</b>	<b>\$ 25,813,406</b>
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**Itemized list of Transfers and Advances by Fund**

Description	Amount
General Fund to Parks and Recreation	\$ 430,000
General Fund to Community Gym	8,064
General Fund to Street Construction	100,000
General Fund to Cahoon Income	25,000
General Fund to Cahoon Trust	2,000
General Fund to Cahoon Library	10,000
General Fund to Bay Family Services	42,400
General Fund to Accrued Benefits	30,000
<b>Total Transfers</b>	<b>\$ 647,464</b>

Total Advances and Advance Repayments	\$	-
Total Transfers and Advances	\$	647,464

Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2015 shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

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 an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and therefore shall take effect immediately upon its enactment and approval by the Mayor.

PASSED:

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

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

\_\_\_\_\_  
MAYOR

**EXHIBIT "A"**  
**SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND**

Department	Personal Service	Other	Equipment Replacement	Transfers	Total
Council	\$ 59,200.00	\$ 9,150.00	\$ -	\$ -	\$ 68,350.00
Clerk of Council	51,510.00	900.00	-	-	52,410.00
Mayor	129,900.00	7,400.00	1,000.00	-	138,300.00
Law	109,120.00	112,000.00	-	-	221,120.00
Finance	269,441.00	30,250.00	1,200.00	-	300,891.00
Taxation	-	183,000.00	-	-	183,000.00
General Administration	195,900.00	505,800.00	-	647,464.00	1,349,164.00
Civil Service	-	4,550.00	-	-	4,550.00
Planning Commission	-	950.00	-	-	950.00
Zoning Board of Appeals	-	900.00	-	-	900.00
Service	1,836,377.00	1,813,600.00	10,500.00	-	3,660,477.00
Fire	1,487,536.00	95,300.00	14,000.00	-	1,596,836.00
Police	2,609,070.00	290,150.00	12,500.00	-	2,911,720.00
Central Dispatch	-	128,750.00	-	-	128,750.00
Building	-	255,075.00	-	-	255,075.00
Architecture Board of Review	-	25.00	-	-	25.00
Community Services	222,908.00	13,450.00	-	-	236,358.00
<b>GRAND TOTAL</b>	<b>\$ 6,970,962.00</b>	<b>\$ 3,451,250.00</b>	<b>\$ 39,200.00</b>	<b>\$ 647,464.00</b>	<b>\$ 11,108,876.00</b>

**EXHIBIT "B"**  
**SCHEDULE OF CAPITAL PROJECTS AND EQUIPMENT APPROPRIATIONS BY FUND**

Fund	Description	Amount
Equipment Replacement (240)	Computer Replacements	26,000.00
	Phone System (From 2012)	50,000.00
	Council Microphones (outside funding)	18,000.00
	Fire - Equipment	60,000.00
	Fire - Car 18	30,000.00
	Police - Car 1129	43,000.00
	Police - CAD/RMS System	33,000.00
	Service - Scareb (from 2014)	230,000.00
	Service - Fuel Dispensing System	30,000.00
	Service - Truck 31 Super Duty Dump	60,000.00
	Service - 14 Utility Body	50,000.00
	Service - 560 Grooming Mower	13,000.00
	Service - 50 Sewer Video Inspection Truck	252,000.00
Total Equipment Replacement (240)		<u>895,000.00</u>
Street Construction (270)	Walmar	75,000.00
	Fire Parking Lot	12,000.00
	Streets TBD	600,000.00
Total Street Construction (270)		<u>687,000.00</u>
Public Improvement (490)	Fire - Building Assessment	15,000.00
	City Hall - Parking Lot	240,000.00
	Bay Lodge	25,000.00
Total Public Improvement (490)		<u>280,000.00</u>
Pool (520)	Aquatic Repair	<u>60,000.00</u>
Sewer (580)	Sunset Engineering	136,000.00
	Douglas/Russell/Lake Source Control	30,000.00
	Huntington/Longbeach Lift Station	30,000.00
Total Sewer (580)		<u>196,000.00</u>
<b>GRAND TOTAL</b>		<b>\$ 2,118,000.00</b>

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDERS**  
**#1 AND #2 FINAL FOR NERONE & SONS, INC. FOR THE WALKER-NANTUCKET**  
**PUMP STATION IMPROVEMENTS PROJECT,**  
**AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City had an original agreement with Nerone & Sons, Inc. for the Walker-Nantucket Pump Station Improvements Project in the amount of \$105,650.00 as authorized by Ordinance No. 14-59 passed on May 19, 2014; and

**WHEREAS**, the final quantities for the Project have been determined; and

**WHEREAS**, the Substantial Completion Date for the Project has been determined; and

**WHEREAS**, Nerone & Sons, Inc. submitted Change Order #1 and #2 FINAL for approval by the City;

**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 execute Change Order #1 and #2 FINAL for Nerone & Sons, Inc., 19501 S. Miles Road, Warrensville Hts., Ohio 44128, for the Walker-Nantucket Pump Station improvements, changing the Completion Date to 10/17/2014 and deducting the amount of one thousand, six hundred seventy five dollars and ninety four cents (\$1,675.94) from the total of said contract and bringing the final contract price to one hundred three thousand, nine hundred seventy four dollars and six cents (\$103,974.06) and payments shall be made from the Sewer Fund / Capital Improvements (580.330.55410).

**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, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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

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CLERK OF COUNCIL

APPROVED:

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MAYOR

11/21/14 11

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1F FOR  
CHAGRIN VALLEY PAVING, INC. FOR THE 2014 PAVEMENT MAINTENANCE  
AND RESURFACING PROGRAM, AND DECLARING AN EMERGENCY.**

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

**WHEREAS**, the City had an original agreement with Chagrin Valley Paving, Inc. in the amount of five hundred thousand, one hundred fifty three dollars and ninety cents (\$500,153.90) as authorized by Ordinance No. 14-54 passed on May 5, 2014; and

**WHEREAS**, the final quantities for the Project have been determined; and

**WHEREAS**, Chagrin Valley Paving, Inc. submitted Change Order #1F for approval by the City;

**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 execute Change Order #1F for Chagrin Valley Paving, Inc., 17290 Munn Road, Chagrin Falls, Ohio, 44023 , for the 2014 Pavement Maintenance and Resurfacing Program, deducting the amount of twenty two thousand, twelve dollars and eighty cents (\$22,012.80) from the total of said contract and bringing the final contract price to four hundred seventy eight thousand, one hundred forty one dollars and ten cents (\$478,141.10) and payments shall be made from the Street Maintenance and Repair Fund / Capital Roads Improvements (270.310.55430).

**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, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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

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CLERK OF COUNCIL

APPROVED:

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MAYOR

11/21/14 11

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1F FOR  
DURA MARK, INC., FOR THE 2014 PAVEMENT MARKING & STRIPING  
PROGRAM, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City had an original agreement with Dura Mark, Inc. in the amount of Twenty Thousand, One Hundred Nineteen and 90/100 (\$20,119.90) as authorized by Ordinance No. 14-34 passed on March 24, 2014; and

**WHEREAS**, the final quantities for the Project have been determined; and

**WHEREAS**, Dura Mark, Inc. submitted Change Order #1F for approval by the City;

**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 execute Change Order #1F for Dura Mark, Inc., 11384 Chamberlain Road, Aurora, Ohio 44202, for the 2014 Pavement Marking and Striping Program, deducting the amount of Three Thousand, Nine Hundred Fifteen dollars and 65/100 (\$3,915.65) from the total of said contract and bringing the final contract price to Sixteen Thousand, Two Hundred Four Dollars and 25/100 (\$16,204.25) and payments shall be made from the Street Maintenance and Repair Fund / Road Striping (270.310.54750).

**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, 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

11-26-14 ll

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #3F FOR  
KARVO PAVING COMPANY FOR THE 2013 LAKE ROAD (US-6) RESURFACING  
PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City had an original agreement with Karvo Paving Company for the 2013 Lake Road (US-6) resurfacing project in the amount of \$582,593.90 as authorized by Ordinance No. 13-68 passed on August 27, 2013; and

**WHEREAS**, the City executed Change Order #1 adjusting the project quantities, adding \$49,545.15 to the original contract price, bringing the total contract amount to \$632,139.05, as authorized by Ordinance No. 14-72, passed on August 27, 2013; and

**WHEREAS**, the City executed Change Order #2 authorizing Karvo Paving Company to proceed with the work to adjust the existing storm sewer catch basins, adding \$44,100.00 to the contract price, bringing the total contract amount to \$676,239.05, as authorized by Ordinance No. 14-88, passed on September 29, 2014; and

**WHEREAS**, the final quantities for the adjustment to the existing storm sewer catch basins have been determined; and

**WHEREAS**, Karvo Paving Company submitted Change Order #3F for approval by the City;

**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 execute Change Order #3F for Karvo Paving Company, 4524 Hudson Drive, Stow, Ohio, 44224, for the 2013 Lake Road (US-6) Resurfacing LPA Project No. 95505, deducting the amount of \$4,200.00 to the total of said contract and bringing the final contract price to \$672,039.05 and payments shall be made from the Street Maintenance and Repair Fund / Capital Road Improvements (270.310.55430).

**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, 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

11-26-14 II