

## CITY OF BAY VILLAGE

Council Minutes, Regular Meeting  
Council Chambers 7:30 p.m.

December 15, 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

Council and members of the administration had assembled at 7:15 p.m. in the Conference Room to review agenda items; this was open to the public.

During the review, Mr. Clark advised that Ordinances 14-102 through 14-107 will be recommended for final adoption this evening, after completing the full three reading process. The ordinance for administrative compensation, Ordinance 14-112, will be moved from first to second reading this evening. An ordinance repealing Ordinance 13-137 will be recommended for adoption this evening.

Mr. Tadych will move to confirm the reappointment to be announced by Mayor Sutherland of Patrick Graham to the Tree Commission for a one year term expiring January 1, 2016. Mr. Tadych noted that he has worked with Mr. Graham on the Tree Commission this past year. Mr. Tadych and Mr. Graham attended the Freshman Class of the Tree Commission College together, and Mr. Graham is working hard in his position on the Tree Commission. His reappointment is recommended by Mr. Tadych.

Mrs. Lieske will move to confirm the reappointment of Warren Remein to the Planning Commission to complete the unexpired term of Richard Majewski. Mr. Remein's resume was provided to the members of Council.

Mrs. Lieske will also move to confirm the reappointment of Scott Bruno to the Board of Zoning Appeals for a five year term expiring January 1, 2020.

Mr. Vincent commented that he will introduce an ordinance this evening to begin the process of submission to the ballot of the NOPEC gas aggregation offer.

Mr. Clark stated that Finance Director Mahoney has presented a temporary list of amendments to the 2014 Appropriation Ordinance. A short Council meeting will be held prior to the end of the year to approve those amendments at a date and time to be announced.

Mr. Tadych commented that he would also like to remove the Saddler Beach Easement Storm Water System Improvements from the Matters Pending before Council Committee list, under the category of Public Improvements, Streets, Sewers and Drainage Committee.

Mr. Koomar called the Special Meeting of Council to order at 7:30 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Fire Chief Chris Lyons.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held December 8, 2014. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. Motion carried 7-0.

## **ANNOUNCEMENTS**

**Mayor Sutherland** administered the Oath of Office to the following recent appointees and promoted officers of the Bay Village Fire Department:

Captain David Stump (promoted from Lieutenant)  
Lieutenant Corey Gregg (promoted from Firefighter)  
Firefighter Jason Goodwin  
Firefighter Shawn Janecek  
Firefighter Eric Leitner  
Firefighter Mark Obran

**Fire Chief Lyons** commented that it is very true, as in any executive position, a Fire Chief is only as good as the people with whom he serves. He stated that these men are all outstanding, and thanked everyone who attended this evening, as well as all the members of the Bay Village Fire Department. A reception followed.

## **Mayor Sutherland**

Reappointment of Patrick Graham to the Tree Commission for a one year term expiring January 1, 2016.

Reappointment of Scott Bruno to the Board of Zoning Appeals for a five year term expiring January 1, 2020.

Appointment of Warren Remein to the Planning Commission to complete the unexpired term of Richard Majewski ending August 17, 2018.

## **REPORTS**

**Mayor Sutherland** had no further 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 Holiday Caring and Sharing program will distribute gifts to families and individuals this week, with about \$4,500 in cash contributed by individuals this year. Mrs. Selig stated that the generosity of this community is astounding.

**Police Chief Spaetzel** reported contributing \$540 to The Village Project today. The funds were raised by the Facial Hair Fundraising program of the Bay Village Police Department. Chief Spaetzel thanked Mayor Sutherland and Safety Director Thomas for allowing the Bay Village Police to have this program.

Chief Spaetzel also commented that in the last month there has been a rash of thefts from door steps of packages being delivered by the Post Office, UPS, and Fed-Ex. Chief Spaetzel advised that package deliveries be made to homes where someone is at home to receive the package.

#### **AUDIENCE**

The following audience members signed in this evening: Conda Boyd, Lydia DeGeorge, Pam Cottam, Suzanne Graham, Jerrie Barnett, Tara Wendell, Jeff Gallatin, Dick Majewski, Scott Bruno, Warren Remein. Also present were many family and friends of the newly appointed Firefighters and Officers of the Bay Village Fire Department.

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

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

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

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

**Mr. Clark** read **Ordinance 14-102** 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 12-1-14; Second Reading 12-8-14).

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-102, and moved for adoption.

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. 14-102, an emergency measure, by a vote of 7-0.

**Mr. Clark** read **Ordinance 14-103** authorizing the Mayor to enter into an agreement with the Ohio Attorney General for Delinquent Debt Collection, and declaring an emergency. (First Reading 12-1-14; Second Reading 12-8-14), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-103.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-103, an emergency measure, by a vote of 7-0.

**Mr. Clark** read **Ordinance 14-104** amending Codified Ordinance 921.02 regarding Sewer Rental Rates, and declaring an emergency, (First Reading 12-1-14; Second Reading 12-8-14), and moved for adoption.

Mr. Lee commented that his understanding is that residents will not see an increase over the quarterly bill that they have been receiving for the third and fourth quarter of 2014. Finance Director Mahoney responded that Mr. Lee’s understanding is correct. Mr. Lee noted that the ordinance is required to keep the amount on an annualized basis. Mrs. Mahoney expressed agreement.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-104.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-104, an emergency measure, by a vote of 7-0.

**Mr. Clark** read **Ordinance 14-105**, establishing the effective date for the Refuse Collection Fee, and declaring an emergency, (First Reading 12-1-14 amended by reading; Second Reading 12-8-14), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-105.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-105, an emergency measure, by a vote of 7-0.

**Mr. Clark** read **Ordinance 14-106** amending Codified Ordinance Section 181.36(b) regarding disbursement of Municipal Income Tax Funds, (First Reading 12-1-14; Second Reading 12-8-14) 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. 14-106.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-106, an emergency measure, by a vote of 7-0.

**Mr. Clark** read **Ordinance 14-107** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2015. (First Reading 12-1-14, amended by reading; Second Reading 12-8-14 amended by reading)

On behalf of the Finance Committee members, Mr. Tadych, Mr. Henderson, and Mr. Clark, as well as the City Administration, Finance Chairman Clark heartily recommended adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-107.

Roll Call on Use of the Emergency Clause:

Minutes of Regular Meeting  
Bay Village City Council  
December 15, 2014

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-107, an emergency measure, by a vote of 7-0.

**Mr. Clark** read Ordinance 14-112 amending Section 1 of Ordinance 14-98, 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. (First Reading 12-8-14 amended by reading).

Mr. Koomar announced that Ordinance 14-112 is placed on Second Reading.

**Mr. Clark** introduced and read **Ordinance No. 14-113** repealing Ordinance 13-137 authorizing an agreement with Seeley Savidge Ebert and Gourash as the City’s Human Resources Consultant, and declaring an emergency, and moved for adoption.

Mr. Henderson stated that last week at the vote on the Human Resource Position during the Special Meeting of Council, he made some comments that he wishes to clarify the interpretation of this evening. Last week he mentioned that he would like to see the Human Resource position create good job descriptions for all the positions, annual goals based on those job descriptions, robust performance evaluations based on those annual goals, and, if possible, look at ways to tie compensation in some way, shape or form, to those evaluations. Mr. Henderson stated that the clarification he would like to make is that the comment was not intended to disparage the previous person working in this capacity, nor their employer, but rather just to express his opinions on what he would like to see as the goals for the Human Resource part time position going forward.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 14-113.

Roll Call on Suspension of Charter Rules:

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

Nays -None

Roll Call on Suspension of Council Rules:

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

Nays -None

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 14-113, an emergency measure, by a vote of 7-0.

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

**Motion** by **Tadych**, to confirm the appointment by Mayor Sutherland of Patrick Graham to the Tree Commission for a one-year term expiring January 1, 2016.

**Motion passed 7-0.**

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

**Motion** by **Lieske** to confirm Mayor Sutherland’s appointment of Warren Remein to the Planning Commission to complete the unexpired term of Richard Majewski, ending August 17, 2018.

**Motion passed 7-0.**

**Motion** by **Lieske** to confirm Mayor Sutherland’s appointment of Scott Bruno to the Board of Zoning Appeals for a five year term expiring January 1, 2020.

**Motion passed 7-0.**

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

**Motion** by **Henderson** to remove Exercise Equipment at the Cahoon Memorial Park Walking Trail from Matters Pending before Council Committee List.

**Motion passed 7-0.**

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

**Mr. Vincent** introduced **Ordinance No. 14-114** authorizing all actions necessary to effect an Opt-Out Natural Gas Aggregation Program pursuant to Section 4929.26, Ohio Revised Code, directing the County Board of Elections to submit a Ballot Question to the Electors (First Reading)

Mr. Koomar announced that Ordinance No. 14-114 is placed on first reading.

**MISCELLANEOUS**

Minutes of Regular Meeting  
Bay Village City Council  
December 15, 2014

**Mr. Koomar** announced that the meeting of December 22, 2014 of City Council will not be held due to the holiday. Mr. Koomar wished everyone a Merry Christmas and Happy Holiday Season.

Council will have one final meeting in the Year 2014 the week of December 29, with an announcement forthcoming of the actual date and time of the meeting.

There being no further business to discuss, the meeting adjourned at 8:30 p.m.

---

Paul A. Koomar, President of Council

---

Joan Kemper, Clerk of Council