

AGENDA

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

May 4, 2015
7:30 p.m.

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Lee

Norfolk and Southern Railroad Agreement

Police Dispatch

Mutual Aid/Fire Department

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Tadych

FINANCE & CLAIMS COMMITTEE – Clark

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

RECREATION & PARK IMPROVEMENT COMMITTEE-Henderson

Summer Recreation Schedule

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Vincent

League of Women Voters Donation for Council Chambers Microphones and Speaker System –
Donation to be presented May 11, 2015

MISCELLANEOUS

AUDIENCE

CAHOON MEMORIAL PARK TRUSTEES

Request of The Cleveland Shakespeare Festival to sponsor a performance at the Gazebo in Cahoon Memorial Park, from 7 p.m. to 9 p.m. on Friday, June 19, 2015, including the use of the Community House from 8 a.m. to 11 p.m. per the contract approved by the Mayor, subject to receipt of Certificate of Insurance.

City of Bay Village

Council Minutes, Committee Session
Conference Room
Paul Koomar, President of Council, Presiding

April 27, 2015
7:30 p.m.

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

Absent: Mr. Henderson, due to illness.

Also Present: Law Director Ebert, Finance Director Mahoney, Safety/Service Director Thomas, Director of Operation Landers

AUDIENCE

The following audience members signed in this evening: Pam Cottam, Lydia DeGeorge, Dick Majewski, Jerrie Barnett, Jeff Gallatin, Denny Wendell, Conda Boyd, Russell Thompson

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Lee

Amendment to Chapter 527 regarding Littering (Residential Delivery of Printed or Other Materials).

Mr. Lee stated that a revised version of the ordinance was circulated to Council that included the term "unsolicited" in reference to the printed materials. The ordinance will only apply to items that a resident has not subscribed to or requested be delivered to homes. Mr. Ebert added that this is to avoid snow blowers being damaged by buried material.

Mr. Lee noted that the ordinance is not in violation of the statute that would be considering littering, but if you have not subscribed to a newspaper and the company wants to provide you with free samples, they would have to leave them at your door.

Mr. Ebert suggested sending a copy of the signed ordinance to the circulation department of newspapers.

The ordinance will be placed on first reading on May 4, 2015.

Amendment to Codified Ordinance Section 543.11 regarding sidewalks to be cleaned of ice and snow.

Mr. Lee stated that this is similar to the lawn mowing that is done during the summer when the property owner has failed to respond to notices from the City. The ordinance would allow the City to have the snow removed, if the sidewalks have not been cleared during a certain time period, and then bill the resident.

Committee Meeting of Council
April 27, 2015

Mr. Vincent asked if the fact that violations of the ordinance will be driven by complaints should be noted in the ordinance. Mr. Ebert stated that he would not list it in the ordinance because of selective enforcement. He would hope to have the ordinance publicized in the City newsletter in the fall so that people who spend their winters elsewhere can prepare for snow removal in their absence.

The ordinance will be placed on first reading on May 4, 2015.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Tadych

Fabrizi Trucking and Paving Co., Inc. Contract for replacement of Sanitary Sewer Line on Walmar Drive - Change Order for addition to total amount of contract.

Mr. Tadych will introduce an ordinance this evening authorizing a final change order to the contract with Fabrizi Trucking and Paving Co., Inc. for replacement of the sanitary sewer line on Walmar Drive. The first change order was for \$11,900; this second and final change order is in the amount of approximately \$20,000.

Mr. Koomar recommended adoption of the ordinance this evening.

Ordinance 15-26 enacting Chapter 916, Foundation Drain Disconnect will be held on first reading due to many questions coming from residents. Mr. Ebert noted that Mayor Sutherland will identify a date for residents to come in to a public meeting for the answering of questions by the city administration.

Mr. Tadych stated that the committee meeting notes list the chapters as backwards as to what chapter is being changed. It says Chapter 915 instead of Chapter 916, and should say Chapter 916 instead of Chapter 915.

FINANCE & CLAIMS COMMITTEE – Clark

2015 Debt Issuance: refunding 2013 and 2014 debt and new funding for 2015 capital acquisitions.

Mr. Clark stated that the City is entering into their 2015 borrowing season. Finance Director Mahoney has been working with Squire Patton Boggs bond attorneys to put together these documents which are required by law to be a specific ordinance for each department. The thought would be to have a Finance Committee meeting on Monday, May 4, 2015 at 6:30 p.m. to discuss these in further detail. The ordinances will be moved to first reading this evening.

Mr. Clark stated that we have borrowed money for projects that have not been funded, e.g., the parking lot improvement for the City, and he would like to discuss these at the Finance Committee next Monday.

Director Mahoney stated that the parking lot project for the City is moving along. Mr. Scott is meeting with City Engineer Bob Greytak on Tuesday, April 28 regarding a time frame for the

project. The cost is \$240,000 for the project with the City paying \$120,000, and the remainder funded by a grant. Mr. Clark stated that he would like discussion regarding the Sunset Project engineering as well, in terms of when plans can be expected.

The debt ordinances will be read for the full three readings and Mr. Clark commented on taking advantage of the good interest rate market. Last year the City was able to capture 0.38% and we want to continue to be short term. The City is paying down a little over a half million dollars of our debt of previous issuances in 2013 and 2014. This plan is to pay off those previous note issues over five years.

Mr. Tadych stated that residents have called and asked that the entrance to the city hall be a zero entrance to the doorway from the parking lot without a step-up. Mr. Thomas stated that this is part of the design.

Mr. Clark noted that each ordinance is accompanied by a Fiscal Officer's Certificate signed by Director of Finance Mahoney.

Mr. Lee asked what happens with the City's net debt position with these anticipated borrowings and the pay-off.

Mrs. Mahoney stated that the City is in a good position as long as we have two years of debt payments in the Debt Service Fund. The actual revenues allocated from Property Tax is enough to pay this off.

Mr. Lee asked if the total amount of indebtedness of the City increases, decreases or stays the same.

Director Mahoney stated that it is increasing. Mr. Clark stated that it is not increasing significantly because we have paid down rapidly some of the other debt. We insured when we went through the process last year to make sure that we did not incur so much incremental debt that it outstripped the property tax receipts that we are using for debt service. We did allow for the street paving note portion to be amortized over seven years. Whereas, in the previous two years we did it very conservatively over five years. In the past, prior to Mrs. Mahoney's serving as Director of Finance, it was seven years.

There being no further discussion, the meeting adjourned at 7:53 p.m. for a brief Cahoon Memorial Park Trustees Meeting, after which the Council convened to a Special Meeting of Council in the Council Chambers.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council

Joan Kemper

From: Lorree Lewis
Sent: Friday, May 01, 2015 8:59 AM
To: Council&Clerk
Subject: Train/Westshore Communities/Conference Call

The below email was sent to the Mayors (Bay Village, Rocky River, Lakewood) per my conference call with Bruno Maestri who negotiated the Agreement with me. This will address some of council's questions concerning same.

----- Original message -----

From: "Lorree J. Lewis" <LLewis@sseg-law.com>
Date: 04/27/2015 2:52 PM (GMT-05:00)
To: "DSutherland@cityofbayvillage.com" <DSutherland@cityofbayvillage.com>, mayor@rrcity.com, mayor@lakewoodoh.net, william.harris@nscorp.com
Cc: Gary Ebert <GAEbert@sseg-law.com>
Subject: Train/Westshore Communities/Conference Call

Dear Mayors:

I was originally planning to meet with Bruno Maestri in Washington during my Board of Directors meeting with IMLA (International Municipal Law Officers Association last week, but due to throwing my back out I was unable to attend but did convene a telephone conference. Bruno and I discussed the recent increase in train traffic, length of trains, the idling of trains at the Rocky River siding and quiet zones. Since Bruno and I were parties to negotiations of the Memorandum of Agreement he was familiar with these various issues in general but was unaware of some of the impact the increase of traffic may be having on the Westshore communities. Although the traffic is in accordance with the expired Agreement, he assured me he would look into these issues and get back to me within 10 days to two weeks. He did indicate that the increase of traffic may be the result of work being done at the Vermillion and Cloggsville locations.

Therefore, I will be back in touch as soon as Bruno reports back to me concerning these issues to determine what can be done to address our concerns. Bruno indicated that he is planning on being in Cleveland sometime in the next month or so and I plan on scheduling a time for the Mayors to meet with him to discuss these and other issues.

SENT ON BEHALF OF GARY A. EBERT

Lorree Lewis
Assistant to Gary Ebert, Law Director
City of Bay Village Law Department
440-899-3412

CITY OF BAY VILLAGE, 350 DOVER CENTER RD., BAY VILLAGE, OHIO 44140

Email: Desk@cityofbayvillage.com Phone: (440) 899-3407

BUILDING RENTAL AND USE AGREEMENT

BAY LODGE

COMMUNITY HOUSE

GAZEBO

Event Date: June 19, 2015 (Friday) Time: (ALL DAY) 8 AM - 11 PM
 Name of Organization: Cleveland Shake Space Festival (Include set up/breakdown time)
 Contact Person: BRIAN PEDAGI Email: cleveshake@gmail.com
 SECURITY DEPOSIT refunded to: (Organization or contact & address if different from above.)
 Address: 2843 Washington Blvd Phone: (440) 794-1058
 Cell Phone: Cleveland, Ohio 44118 Type of Event: OUTDOOR Theatre
 Security Deposit: N/A Rental Fee: N/A
 (Due at time of reservation) (Due two weeks before event)

ALCOHOL: If renting the Bay Lodge on a Friday or Saturday and alcohol is to be served after 8pm the renter is required to hire a police officer. Call 871-1234 and speak to Calvin Holliday to reserve an officer and supply us with the officer's name. If you cancel your event, you are responsible for notifying the Police Department.

BAY LODGE SECURITY OFFICER REQUIRED: YES NO

Police Officer: _____ will be at our event.

There will be no alcohol served at this event. _____

(Signature of Renter)

THIS RESERVATION IS NOT CONFIRMED UNTIL THE SECURITY DEPOSIT & SIGNED CONTRACT ARE RECEIVED. IF THE CHECK COMES BACK NSF, THE CONTRACT WILL BE VOID & THE RESERVATION CANCELLED. Due by: _____

I have read Conditions and Terms of Agreement and agree to abide by all. I am a resident of the City of Bay Village & I am 21 years of age or older.

Signature of Renter/User: _____ Date: _____

(Buildings are for rental/use by Bay Village residents and groups only, above is responsible for all persons in group)

City Representative: _____ Date Received: _____

Date Contract Sent: 4/24/15 Initials: Rm

S.D. Receipt #: _____ Check #: _____ Date Rec'd: _____ Dep. refunded: _____

Rent Receipt#: _____ Check #: _____ Date card issued: _____

Desk

From: Desk
Sent: Friday, April 24, 2015 10:16 AM
To: 'Cleveland Shakespeare Festival'
Subject: RE: Cleveland Shakespeare Festival at Cahoon Park?

Brian,

As you probably already know the Mayor has agreed to allow the performance at Cahoon park. You may use the Community House & Gazebo on June 19th, 2015. There is no charge however we need a signature on a contract . I can email the contract to you for your signature, please return it asap so we can be sure to forward the key card to you in the mail. Please call with any questions.

Just to be sure, the Community House does not allow alcohol to be served or on the premise, there is no A/C unit and currently there are no handicap accessible elevator. It is an historical facility and beautiful but with that comes restrictions.

Following this email you will receive the contract please print out and return to us.

Thank you,

Robin Munoz
City of Bay Village
Finance Department
440-871-2200

From: Cleveland Shakespeare Festival [mailto:cleveshakes@gmail.com]
Sent: Monday, April 20, 2015 10:30 AM
To: Desk
Subject: Cleveland Shakespeare Festival at Cahoon Park?

Greetings,

I represent the Cleveland Shakespeare Festival, a non-profit theater group that is beginning our 18th season of presenting free outdoor theater to the residents of the Greater Cleveland area. We've recently expanded our schedule, and there are still a couple of dates I'm trying to fill on our schedule. I scouted out Cahoon Park (at the gazebo) as a potential location that would suit our needs.

I'm writing to see if the city would be interested in sponsoring a stop there on Friday, June 26th (our first choice) or Friday, June 19th. We would begin loading in at 5pm, the performance would start at 7pm and we'd be done and loaded out around 9pm.

Scene Magazine recently recognized us as the "Best Outdoor Arts Experience" in their Best Of Cleveland 2015 edition.

In sponsoring our performance, all we ask is that you allow us to use the space free of charge, and optionally help us secure a backup rain space in the event of inclement weather. Also, any promotional assistance that you

could offer (on community calendar webpages/mailings, signage,etc) would be appreciated but not mandatory. In exchange, we'll present THE LIFE OF TIMON OF ATHENS, one of Shakespeare's lesser known works (written in cooperation with another playwright of the time) but one that's still very timely given its themes of conspicuous consumption, debt and ruin, and bought friendship. Here's a quick synopsis for our adaptation:

Timon was the most admired man on campus — and generous to a fault. Betrayed by his friends when he runs out of money, he abandons civilization and goes "back-to-the-land". As unrest grows in Athens, both sides appeal for his help. Set at a certain state university in 1970 against a backdrop of unpopular war and student unrest, "The Life of Timon of Athens" is a hilarious history of hip hypocrisy.

We carry full insurance and require no additional support except access to power and restrooms for audience members.

I apologize for the urgency of this request - we're looking to finalize our summer tour ASAP. I look forward to discussing this with you further, and to answer any additional questions you may have.

I can be reached during the day at 216-221-0336 or via email at cleveshakes@gmail.com.

Brian Pedaci
Operations Director
The Cleveland Shakespeare Festival
2843 Washington Blvd.
Cleveland, OH 44118

(440) 794-1CSF
cleveshakes.org