

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers 8:30 p.m.

June 15, 2015

Paul Koomar, President of Council, presiding

Also Present: Law Director Ebert, Finance Director Mahoney, Police Chief Spaetzel
Catherine Timko, Executive Director, Lake Erie Nature and Science Center

AUDIENCE

The following members of the audience signed in this evening: Marty Mace, Richard Fink, Jerrie Barnett, Jeff Gallatin, Conda Boyd, Charles Ramer of Northeast Ohio Public Energy Council (NOPEC), Randy Risch, Patrick McGannon, David Madigan, Susan Murnane, Claire Banasiak.

Mr. Koomar called the Regular Meeting of Council to order at 8:30 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Steve Lee, Councilman-at-large.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held June 8, 2015. Mr. Clark **MOVED** to dispense with the reading and accept the minutes of June 8, 2015 as prepared and distributed. Motion carried 6-0 and 1 abstention by Mr. Vincent.

ANNOUNCEMENTS

Mayor Sutherland referred to a grant application to Northeast Ohio Areawide Coordinating Agency (NOACA) that was filed to improve accessibility of the east side of Cahoon Memorial Park to the west side of Cahoon Memorial Park. The grant, in the amount of \$40,000, was not received, but \$50,000 was received for technical assistance. There is no match to the grant, and the work will be done by NOACA in house in a 90-day period.

Also, they are still working on the Master Plan process, which will be good for a grant opportunity later this summer. Finance Director Mahoney and the Mayor, after discussing this with the Cuyahoga County Planning Commission would like to go forward on a community survey which would be an important component of setting the stage, at a cost of \$16,000 for printing and postage. The funding will be from monies saved on the renewal of the City's property damage and liability insurance. When the grant is available in August an application will be filed.

Mrs. Lieske asked if the community survey is something that will be happening, or is being discussed. Mayor Sutherland stated that it will happen, but they will work with the folks at the Cuyahoga County Planning Commission to develop that instrument. Mrs. Lieske noted that there is a meeting of the Planning Commission this Wednesday evening. The members of the Planning Commission have been very interested in a community survey, and Mrs. Lieske would

like to report back the timeline for conducting the survey. Mayor Sutherland stated that they will work on getting it all organized and in place this summer, to meld with the August grant application. They will reach out to the Planning Commission to see if there are specific questions they would like to include.

Mr. Tadych asked if the last survey done was for cable television. Mayor Sutherland stated that there was a survey done approximately three years ago, as well as a survey done in conjunction with the last Master Plan.

Mayor Sutherland announced that the City of Bay Village received third place ranking for safety from *The Cleveland Magazine*, which is a great tribute to Police Chief Spaetzel's leadership and his great staff. No. 12 ranking was received for Education, and No. 10 ranking for the City of Bay Village overall.

In relation to the technical assistance for Cahoon Memorial Park, Mr. Koomar stated that several years back it was necessary to remove the bridge. Mr. Koomar frequently receives many comments about the connection, due to the location of the pool. Mayor Sutherland stated that it will be part of the grant application to identify access points and connectivity to the lakefront under the Lake Road Bridge.

Catherine Timko – Lake Erie Nature and Science Center Presentation

President of Council Koomar introduced Catherine Timko, Executive Director of the Lake Erie Nature and Science Center.

Ms. Timko thanked the Mayor and Council for the opportunity to provide some updates about the Lake Erie Nature and Science Center. The Lake Erie Nature and Science Center is celebrating 70 years of being an institution, founded to educate children about nature and science. In addition to Bay Village, the Lake Erie Nature and Science Center is also serving ten communities in the area. They are open seven days a week, with free admission, due to an endowment and generous benefactors. While they are in Huntington Reservation, they do try to make sure people are aware that they are non-profit. They are independently funded and more than 50% of their budget is raised with grants and contributions. Another portion is with program fees and classes, and a grant from Cuyahoga Arts and Cultures. With all of this, they are able to provide services for 132,000 children and school students. They are the only facility in Cuyahoga County that provides wildlife rehabilitation.

In business for seventy years, the Lake Erie Nature and Science Center is in the middle of their largest transformations in three phases. They have undertaken capital renovations and endowment building as a result of a \$4 million campaign. In 2012 they updated and improved their Wildlife Rehabilitation Facility, which is the basement of the center. They receive about 4000 telephone calls and admit over 1300 animals every year for care, with the goal to release them. The main point is to educate people about wildlife.

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In the second phase of their renovations, they completely transformed their planetarium, completed in 2014. They have been able to triple their program offering at the planetarium, ranging from \$3.00 to \$5.00 per person, a well-loved program by children of all ages. The program brings all of the abstract ideas of space to a reality that children can understand.

The third phase will begin with the Board approving a budget this month to improve the Geo-thermal system which is 17 years old, and upgrade some of the public areas. They partnership with Bay Village Schools as well, who also have a Geo-thermal system. The school system has been very integral to helping with development of the programs presented to the public, making sure that they reach all of the high standards the schools require. The third phase will be completed by the end of June of 2016, with new carpet, wall furnishings, and an improved public area for visitors to enjoy.

Pre-school programs are also held at the Lake Erie Nature and Science Center. Wonderful access to Lake Erie is provided through the Cahoon Memorial Park, providing the children a good understanding of how the entire Eco System operates. This is made possible through field trips, Scout programs, and the pre-school programs. Consultation with Clint Keener, Superintendent of Schools, has led to the formation of a partnership with Cuyahoga Community College. For the first time the Lake Erie Nature and Science Center has started offering college courses through the planetarium, through Astronomy 101, allowing high school students to get post-secondary education option credits.

The Lake Erie Nature and Science Center has 22 full time equivalent employees, many of whom are Bay Village residents. Ms. Timko encouraged everyone to visit the Center.

Mr. Koomar asked Ms. Timko to speak further on their basement facilities and how the injured animals taken in are cared for and rehabilitated. Ms. Timko stated that their Wildlife Rehabilitation Facility is the only one in Cuyahoga County. They encourage calls from residents who have questions about wildlife. Their primary goal is to provide information about wildlife, receiving about 4,000 telephone calls a year. In the facility they care for ill or injured wildlife. They encourage people to call if they see an injured animal that may need help. They want to make sure the person remains safe while they are trying to help the animal. They do not go out and rescue animals and are thankful that local municipalities will refer calls to them. Special permits have been obtained through the U.S. Fish and Wildlife Department, the Ohio Department of Natural Resources, the Cuyahoga County Board of Health, and the United States Department of Agriculture to allow them to rehabilitate wildlife. The staff is certified through the International Wildlife Rehabilitation Council. Animals that cannot be released become ambassadors through part of the exhibits and educational programs for school children. They also share the animals that cannot be released with the Museum of Natural History, the Cleveland Zoo, and other facilities.

Mr. Koomar asked Ms. Timko to highlight the planetarium and the technological improvements that have been made. Ms. Timko stated that one year ago this week they reopened the planetarium. It was originally built in 1968 and the transformation installed an all-new production system, with two projectors. One is called an optical-mechanical, displaying the stars

on a dome. The new digital projector displays moving, three dimensional images on a full dome. They can literally take people to see the space station, to roam on Mars, and all the way through the galaxy. They teach a range of space science, astronomy and physics courses with the new planetarium with field trips from all over the region as well as many other counties. The planetarium offers shows daily, with programs from preschooler age through to adults who have a deeper interest in space. There are only 13 organizations in the country that have both kind of projectors.

Ms. Timko was thanked for her presentation this evening.

Law Director Ebert stated that the Village Bicycle Co-op Lease Extension will be held pending discussion regarding the amount of space being used. The lease continues month-to-month until Council decides what to do. Mayor Sutherland stated that the administration had decided that they are going to take a look at the Community House and look at how some of the groups are using it and how they are storing club things there. They have a letter that they are getting ready to send out to let them know that they will be inspecting the building. They will get back to Council to report their findings.

Finance Director Mahoney had no report this evening.

On behalf of **Community Services Director Selig**, Mayor Sutherland reported that the 90 years and older luncheon was held on Friday, June 12, 2015 at the Dwyer Memorial Center. There were 27 in attendance with the oldest participant 97 years old.

Police Chief Spaetzel stated that Benjamin Kitchen will be sworn in as a Bay Village Police Officer on June 22, 2015 and subsequently begin the field training program. It will take approximately five months before he is on the road. Mr. Kitchen has received his Ohio Police Officers Training Academy (OPOTA) certification and is currently a part-time police officer in Vermillion, Ohio.

Nancy Brown, Wolf Road, addressed the Mayor and Council to advise that the Friends of the Bay Village Kennel spent 18 man-hours on Saturday, June 13, 2015 cleaning and sanitizing the Bay Village Kennel. They scrubbed, sanitized, and power-washed the walls on the inside. It is now available and functional for emergencies. The six people that accomplished this task worked with Mr. Landers, and the Police Department. The Fire Department donated a smoke fire alarm which is now up and running. They tragically had to dispose of many items that were nasty from the rodents that were in the building. However, they had multiple businesses, residents and their benefactor provide them with things for replacement and replenishment. Since the kennel was in such poor condition from their last visit a year ago, they have suggested to Chief Spaetzel that they would like to clean it again in October, and do the cleaning on a six-month cycle. Don Landers will look at the door to put a larger plate on the door to save the door and eliminate access for the rodents.

Mr. Koomar thanked the Friends of the Kennel for their hard work, and asked if there is anything that was donated of a sizeable nature of which the Council should be aware. Ms. Brown stated

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that they had to dispose of the refrigerator, at the directive of the Fire Department. Rodents had nested in it and eaten the insulation and started to eat the electrical cords. They will put the need out and hopefully it will be replaced.

Conda Boyd, East Oakland, stated that she appreciates the fact that the administration is doing due diligence on the microphone project. They appreciate the administration sharing the formal request for proposal with the League of Women Voters who have promised to fund the majority of the project. Ms. Boyd asked if the administration has a written Request for Proposals. Mrs. Mahoney and Mayor Sutherland stated that they do not. Ms. Boyd asked how they are comparing apples to apples.

Mrs. Mahoney stated that they have one quote and will go out for a couple of other companies. You can pretty much tell what the product is going to be in the end, and she does not know if you need an RFP.

Ms. Boyd stated that since the League is the major donor they would like to understand the scope of the project. Is it including the upstairs room and the Council Chambers? The Mayor stated that the conference room is not being microphoned. The Council Chambers is, and they also had them take a look at the Dwyer Memorial Center which is over and above the scope of whatever was discussed with the League.

Mr. Koomar stated that when the microphone project was discussed in the conference room the Mayor was agreeable to it as long as the microphone could be removed or turned off. Mr. Koomar stated that he understands that the Mayor does not want the microphone during the week, but he thinks there is an option there for that. The Mayor stated that there may be.

Ms. Boyd stated that the League of Women Voters, when they initially talked about the donation, the understanding was that the scope of the project would include the committee room upstairs and this Council Chambers, and it would include the software and the capability for Joan, or whoever is the next Clerk of Council, to do the transcription of the minutes. Those things need to be included in the scope.

Mr. Koomar stated that the conference room is used during the week for other meetings and we had to make sure what could be plugged in to pick up committee minutes and commission minutes could be removed for internal meetings of sensitive matters. That is very important.

Mrs. Mahoney asked if the goal of the league is to get a clear audio recording on the web site. What is the end goal? Ms. Boyd stated that the end goal is transparency for the public and involvement of the public by putting it on the web site. If I can't make a meeting I can listen to it. A piece of that is Joan does wonderful minutes, she is unparalleled in creating minutes. She will not live forever, nor will I, nor will Steve Lee, but we want to have something in place that will allow the next person to create the excellent minutes Joan does. The software and the capability to turn those recordings into minutes is equally important. Ms. Boyd stated that if Dwyer Memorial Center is included, the League would certainly be interested to have that ability

to use recordings for candidate night. The League would be interested in holding Candidate Night there and also use the recordings.

Ms. Boyd stated that all know how near and dear the Planning Commission is to her heart, and she is thrilled to hear that Cuyahoga County might help us with a Master Plan. She is ecstatic to think we might have a new survey done. That data is just critical to understanding what the future of the City is. The County people are well qualified to help put a survey together. It is important for members of the Planning Commission to review that survey and to have input into that survey before it goes out.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE

Mr. Lee had no further report this evening.

FINANCE AND CLAIMS COMMITTEE

Mr. Clark introduced **Resolution No. 15-50** adopting a Tax Budget for the City of Bay Village for the Fiscal Year beginning January 1, 2016, submitting same to the County Fiscal Officer, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 15-45.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the 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. 15-50, an emergency measure, by a vote of 7-0.

Mr. Clark introduced and read **Ordinance No. 15-51** amending Section 1 of Ordinance No. 15-16 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 was discussed in the Committee meeting of Council this evening. The concept of

civilian dispatch has been discussed for about 18 months. The thought is to implement this in a relatively cost neutral situation to the City.

Ordinance No. 15-51 was placed on First Reading.

Mr. Clark introduced and read **Ordinance No. 15-52** to amend appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2015, as previously appropriated in Annual Appropriation 14-107, and Amended Appropriation Ordinance 15-15, and declaring an emergency, and moved for adoption. Mr. Clark noted that none of these amendments to the appropriation ordinance will be an additional cost to the City.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 15-52

Roll Call on Suspension of the Charter Rules:

Yeas- Henderson, Koomar, Lee, Lieske, Tadych, Vincent, Clark
Nays -None

Roll Call on Suspension of the Council Rules:

Yeas – Henderson, Koomar, Lee, Lieske, Tadych, Vincent, Clark
Nays – None.

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. 15-52, an emergency measure, by a vote of 7-0.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE

Mrs. Lieske introduced and read **Ordinance No. 15-53** extending the moratorium on the development under Chapter 1158 Attached Residences in the City of Bay Village, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 15-53.

Roll Call on Suspension of the Charter Rules:

Yeas- Koomar, Lee, Lieske, Tadych, Vincent, Clark, Henderson
Nays -None

Roll Call on Suspension of the Council Rules:

Yeas – Koomar, Lee, Lieske, Tadych, Vincent, Clark, Henderson
Nays – None.

Roll Call on Use of the Emergency Clause:

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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. 15-53, an emergency measure, by a vote of 7-0.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Tadych had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mr. Henderson had no further report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Vincent read, by title only, **Ordinance No. 15-47**, amending by reading a minor typographical error in two places in Section 2, authorizing the City to enter into the Northeast Ohio Public Energy Council (NOPEC) and the Execution and Delivery of the Agreement Establishing NOPEC and approving the Bylaws of NOPEC, and declaring an emergency.

Ordinance No. 15-47 was placed on second reading.

Mr. Vincent read, by title only, **Ordinance No. 15-48** authorizing the City to enter into a Natural Gas Program Agreement with the Northeast Ohio Public Energy Council (“NOPEC”), and declaring an emergency.

Ordinance No. 15-48 was placed on second reading.

Mr. Vincent read **Ordinance No. 15-49**, by title only, approving the Plan of Operation and Governance for the NOPEC Gas Aggregation Program for the purpose of Jointly Establishing and Implementing a Gas Aggregation Program, and declaring an emergency.

Ordinance No. 15-49 was placed on second reading.

MISCELLANEOUS

There being no further business to discuss, the meeting adjourned at 9:15 p.m.

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Paul Koomar, President of Council

Joan Kemper, Clerk of Council