

# City of Bay Village

Council Minutes, Special Meeting  
Council Chambers 7:55 p.m.

August 3, 2015

Paul Koomar, President of Council, Presiding

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

Excused: Mr. Vincent

Also Present: Law Director Ebert, Director of Public Service/Safety Thomas, Police Chief Spaetzel, Fire Chief Lyons, Operations Manager Landers, Bob Greytak, CT Consultants

President of Council Koomar called the meeting to order at 7:55 p.m. with a roll call and Pledge of Allegiance led by Tom Henderson, Councilman of Ward 4.

## ANNOUNCEMENTS

**Police Chief Spaetzel** announced that on September 12, 2015, from 12 Noon to 3 p.m., a Public Safety/Service Day will be held at the Bay Village Police Station, with Police, Fire, and Service Department having their equipment on display. Civic groups will also participate with their presence, and MetroHealth Medical Centers Lifeflight will land during the event. It is a great opportunity for families to learn about the services and equipment that are important to their health and safety.

## AUDIENCE

The following audience members signed in this evening: Marty Mace, Conda Boyd, Lydia DeGeorge, Suzanne Graham, Russell Thompson, Denny and Tara Wendell, Chandra Neely, Jeff Gallatin,

Mr. Koomar called for comments from the audience. There were no comments.

Councilman Lee stated that there was an Environment, Safety and Community Services Committee meeting held earlier this evening. During that meeting, a resident raised a question about the barriers in Cahoon Memorial Park along the lake, and what the plans are for a more permanent solution. Mr. Lee asked Service/Safety Director Thomas for an update on the plans for those barriers. Mr. Thomas stated that the cost range is high to update with some type of posts into the ground. In speaking with the Mayor, it has been determined that we want to be decorative but at the same time make sure it is safe. Obviously, we said we wanted to get those barriers out so people have a beautiful view of the lake. The recommendation is to lean towards the 6'x6' for now and if we need to add something decorative a little bit later that is something we can do at a cost savings. That is expected for this fall.

Mr. Lee stated that he knows the Finance Director is not present this evening, but he was going

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to ask if there is any update on the microphone project for this room and the conference room. Mayor Sutherland stated that there is a bit of an update; they are still waiting for one company, the Bay Village folks to submit their proposal. Mrs. Mahoney has gotten two proposals from vendors who are on state bid. We are just waiting for that one last one. Mr. Koomar asked if Mrs. Mahoney is going to contact the original bidder. Mayor Sutherland stated that she is awaiting contact information from Council.

Mr. Koomar called for approval of the minutes of the Special Meeting of Council held June 29, 2015. **Motion** by **Clark** to dispense with the reading of the minutes of the Special Meeting of Council held June 29, 2015, and approve the minutes as prepared and distributed. **Motion passed 6-0.**

**Mr. Lee** introduced and read **Resolution 15-57** authorizing the acceptance of a Safety Intervention Grant in the amount of \$40,000 from the Ohio Bureau of Workers' Compensation, Division of Safety and Hygiene, for the purpose of purchasing and installing two (2) Power LOAD Systems in Medic Units, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution 15-57.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Resolution No. 15-57, an emergency measure, by a vote of 6-0.

**Mr. Tadych** read and introduced **Ordinance 15-58** authorizing the Mayor to enter into an agreement with Licursi Company for the construction of the City Hall Green City Hall Parking Lot Improvements, and declaring an emergency.

Mr. Koomar stated that the City of Bay Village received a grant for \$120,000 to fund a majority of the project. Mayor Sutherland stated that the grant expires on June 30, 2016. A final report must be submitted to the state 45 days after that date for final reimbursement.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 15-58.

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Roll Call on Suspension of the Charter Rules:

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

Roll Call on Suspension of the Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Ebert announced that Ordinance No. 15-58 was not passed.

**Mr. Clark** read and introduced **Ordinance No. 15-59** authoring the Mayor to execute Change Order #1F for TRAX Construction Company for the Walmar Road Concrete Repair Contract of the 2015 Pavement Maintenance and Resurfacing Program, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 15-59

Roll Call on Suspension of the Charter Rules:

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

Roll Call on Suspension of the Council Rules:

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

Roll Call on Use of the Emergency Clause:

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

Roll Call on Adoption:

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

Mr. Koomar announced adoption of Ordinance No. 15-59, an emergency measure, by a vote of 6-0.

**Mr. Clark** introduced and read **Ordinance No. 15-60** authorizing the Mayor to execute Change Order #1F for Chagrin Valley Paving, Inc. for the Asphalt Resurfacing Contract of the 2015 Pavement Maintenance and Resurfacing Program, and declaring an emergency, and moved for adoption.

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There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance 15-60.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 15-60, an emergency measure, by a vote of 6-0.

**Mr. Clark** introduced and read **Ordinance 15-61** 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 by Ordinance No. 15-15, and 15-52, and moved for adoption.

Mr. Tadych asked if we are sure that the \$70,000 for Wolf Road is in this ordinance and not in the previous ordinance. Mr. Tadych stated it is important for him because he would rather see the money go to sewers. Mrs. Lieske stated that this is why she asked for clarification in the committee meeting held this evening. Mr. Tadych stated that he thinks they were misled. Mr. Koomar stated that Ordinance 15-61 indicates a transfer of \$70,000 in Infrastructure Improvements.

Mr. Clark stated that he feels the \$70,000 for Wolf Road is not included on the Chagrin Valley Paving Company ordinance because that was the scope of our original paving contract. Mr. Tadych asked Law Director Ebert if the \$70,000 for Wolf Road is in Agenda Item No. 8 (Chagrin Valley Paving Change Order), or Agenda Item No. 9 (Amended Appropriation Ordinance).

Mr. Clark stated that as he looks back at Ordinance No. 15-60, the Chagrin Valley Paving Change Order, Page 3 of the documents attached may have the answer. There is no one present from the administration to clarify that the additional costs noted as Wolf Road extra are the \$70,000. Mr. Clark asked if Ordinance No. 15-60 would have included the \$70,000 for Wolf Road. Mr. Ebert responded affirmatively. Mr. Tadych asked how he would get his vote reversed. Mr. Clark stated that Mr. Tadych would have to vote against the appropriation ordinance. Mr. Tadych stated that he will do that because he does not want the Wolf Road paving done.

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**Motion** by **Tadych**, second by **Lieske**, to vote for reconsideration of the adoption of Ordinance No. 15-60. Mr. Tadych explained that he wants the money to go for sewers, not roads. Vote resulted: Yeas – Henderson, Lieske, Tadych. Mr. Ebert announced that the motion for reconsideration has failed due to a lack of an affirmative vote of the majority of the members elected to Council.

Mr. Tadych commented that it would have been nice to have someone from the administration present to tell them what they were voting on in regard to the \$70,000. Mr. Ebert stated that he is not the Finance Director, and the discussion was held in the committee meeting earlier this evening.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance 15-61.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

Yeas–Lee, Clark, Henderson, Koomar, Tadych

Nays–Lieske

Mr. Koomar announced adoption of Ordinance No. 15-61, an emergency measure, by a vote of 5-1.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Clark **MOVED** to convene to Executive Session for the purpose of discussing Personnel (Service Department Reorganization).

**Roll Call Vote: Yeas- Lieske, Tadych, Clark, Henderson, Koomar, Lee. Nays – None. Motion passed 6-0.**

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Safety/Service Director Thomas.

Council reconvened in an open meeting at 8:29 p.m. Present were: Clark, Henderson, Koomar, Lee, Lieske, Tadych.

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

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Paul Koomar, President of Council

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Joan Kemper, Clerk of Council