

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 8:47 p.m.

October 12, 2015

Paul Koomar, President of Council, Presiding

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

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

AUDIENCE

The following audience members signed in this evening: Lydia DeGeorge, Marty Mace, Conda Boyd, Stephanie Bunsey, Jeff Bunsey, Katherine Bunsey, Caroline Bunsey, Russell Thompson.

Resident Stephanie Bunsey, Wolf Road, asked to be recognized. Mrs. Bunsey introduced the members of her family and stated that they are present this evening because they are having an issue with code enforcement. Mrs. Lieske very kindly forwarded Mrs. Bunsey's concerns to the entire Council some time ago. The Bay Village School District has agreed to fabricate and place shields on the lighting facing their property. Codified Ordinance 1176.08, states:

1176.08 LIGHTING.

Sources of light for illumination of structures, off-street parking areas, off-street loading areas or any other light sources shall be shielded so as not to be objectionable or hazardous to occupants of adjacent property or users of the public streets. (Ord. 61-24. Passed 3-20-61.)

Mrs. Bunsey explained that they had an issue with the lighting in the Westerly School Parking Lot three or four years ago. There was one light that was central in the parking lot. The light bulbs were changed and created a lot of light on their property. They went to the Schools and the City with their complaint. The City came to their home and looked at it after dark and found there was a violation and the School District created a shield to put on the light. Now, in 2015, with the new construction at the Westerly School, and the Bunsey property adjacent to the parking lot, they did not receive notice from the City of any kind talking about the construction, or inviting them to a comment session. The Bunsey's reached out to the City during construction when they noticed that three bases were being installed in the parking lot, versus the rendering on the School District website showing one light to be installed. Now, there are three. The Bunsey's questioned it and were told that if there was an issue after the lighting was installed, to let the City know, and Mr. Cheatham of SAFEbuilt is paid to enforce the code. After an exchange with him, he decided there was no violation without looking at the situation. He refused essentially to come in and visually inspect their complaint. Mrs. Lieske was kind enough to drive by in the morning when it was dark and she found that the lighting was extremely bright. She came to their home the next weekend. She got the ball rolling with Mr. Keener of the School District to get the fabrication handled for the fixtures on the light. They are not sure if that is going to resolve the issue because they have no idea if the angling has been studied, and if

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there is still going to be light on their property. What concerns them is that their property values have been compromised and they feel that if the process had gone the way it should have gone, with the public comment session, this could have all been avoided. Now we are stuck dealing with a lot of light on our property. July 15 was the first call made to SAFEbuilt. Two days later Mrs. Bunsey received a response from Mr. Cheatham who basically said he would not come out at 10 p.m. to inspect in person. Mrs. Bunsey stated that they wanted to put on record their complete and total dissatisfaction with the way the ordinance complaint was handled.

Mr. Ebert will be in contact with Superintendent of Schools Clint Keener. Mrs. Bunsey asked if they will be invited to attend the inspection of the lighting after the shields are installed. Mr. Ebert assured Mrs. Bunsey that they will be asked to be there.

Mrs. Bunsey's daughter commented that she has to put a blanket on her window because the light is coming in. Her window is right where the light is coming in. Mrs. Lieske asked if it has gotten any better since Mr. Keener said they have been looking at a timer and turning lights off manually. Mr. Bunsey stated that his initial response is that they don't have a problem when the lights are off, but still need the problem addressed when the lights are on.

President of Council Koomar called the meeting to order at 8:47 p.m. with a roll call and Pledge of Allegiance led by Councilwoman Karen Lieske, Ward 3.

Motion by Clark to approve the minutes of the Regular Meeting of City Council held October 5, 2015 as prepared and distributed. **Motion carried 7-0.**

Motion by Clark to approve the minutes of the meeting of the Cahoon Memorial Park Trustees held October 5, 2015 as prepared and distributed. **Motion carried 8-0.**

In compliance with Section 121.22 of the Ohio Revised Code, **Mr. Clark** moved to convene to Executive Session regarding Personnel – Labor negotiations for all bargaining units.

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

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney.

Council reconvened in an open meeting at 10:07 p.m. Present were: Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 10:08 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council