

City of Bay Village

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

November 9, 2015
7:37 p.m.

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

Excused: Mr. Lee

Also Present: Law Director Ebert, Councilman-elect Marty Mace, Director of Public Safety/Service Thomas, Finance Director Mahoney, Police Chief Spaetzle, Fire Chief Lyons, Director of Operations Landers

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Jeff Gallatin, Thomas Kramer, Chanda Neeley, Lydia DeGeorge, Pam Cottam, Richard Fink.

President of Council Koomar called the meeting to order at 7:39 p.m.

ANNOUNCEMENT

COMMITTEE OF THE WHOLE

Deer Culling in Walker Road Park Update

Mr. Koomar stated that Council is not quite ready for this discussion. Mr. Henderson has expressed an interest in having a Walker Road Park Ad Hoc Committee meeting. Mayor Sutherland has spoken to Mayor Zilka of Avon Lake, and the police chiefs of Avon Lake and Bay Village have discussed the proposed culling. A committee meeting is being held in Avon Lake on this issue on Wednesday, November 11, 2015 at 6 p.m. at the Avon Lake City Hall. Mayor Zilka has indicated that the deer culling could begin next month. Goeff Westerfield from the Ohio Department of Natural Resources has met with the police chief in Avon Lake. Mr. Koomar stated that once that meeting on Wednesday, November 11 is held, we should have a better sense of how they will communicate with the residents. Mr. Koomar will reach out to the President of Council of Avon Lake to make preparations for a Walker Road Park Ad Hoc Committee meeting.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Chapter 1158, Attached Residence District

Mr. Koomar stated that since last week's discussion there have been a couple of minor tweaks in the ordinance. Mr. Henderson has pointed out his preference of a maximum of ten units per acre, making clear that ten is not a requirement and the wording should be "up to a maximum of ten units

per acre.” Reference to the Master Plan and the Retail Improvement Strategy has also been inserted into the ordinance.

Mr. Henderson stated that he appreciates Mr. Koomar including pages from the 1999 Master Plan and the 2004 Retail Improvement Strategy in the Council packets this past weekend. Mr. Henderson stated that these documents do not help him as to where these residences could go for a vote in the future. He personally does not know how to look at Exhibit 8.18 and know which sections of the map to which the exhibit applies. The wording on the map mentions Commercial, Industrial, Institutional, Multi-Family etc. Those aren’t the words used in the rest of the sentence. How do you link the map to the paragraph?

Mr. Koomar stated that the original thoughts from the administration and Mr. Paul LeBlanc is just referencing the last Master Plan. Mr. Henderson stated that he thought it might make sense to reference specific exhibits and/or page numbers since they are long documents. If someone was looking to read Chapter 1158 and understand where, this very long document would be helpful to that person if they are going to be doing development. For a resident, they would like to know where this development could or could not be considered in the future.

Mr. Ebert stated that any rezoning in the City must go to the vote of the people, in accordance with the City Charter. The Master Plan serves as a guide for proposed development and is not to be taken as the only areas mentioned in the Master Plan areas where that development could happen.

Mrs. Lieske stated that she thinks this is very confusing, not just for Council, but also for the residents. This is why, Mrs. Lieske stated, she had initially suggested proceeding slowly and looking at more of a reference to the central business district. We don’t want residents to be concerned that this is initially going to be city-wide. This is something I have heard from people: they don’t want to be concerned about having it in their backyards. People are initially supportive of this in the business district; we can already do something across there. If something is developed there and people are pleased, then we can always come back and revisit it. But, to have something in here that makes people think it could be anywhere in town, then the reference to the Charter, it is not consistent with what I hear from residents.

Mr. Vincent asked if the development can occur anywhere in town if someone accumulated the required five acres according to the existing ordinance, if rezoning is approved by the people. Mr. Ebert responded affirmatively.

Mr. Tadych stated that Mrs. Lieske is trying to confine development of attached residences to the business district. Mr. Vincent asked if this would mean we would have to change our Charter. Mr. Ebert responded affirmatively.

Mr. Henderson asked the purpose of approving the Master Plan until such time as a new Master Plan is created. What is the purpose of doing that as a City Council if this has no governing control?

Mr. Koomar stated that developers are business people. When they come into a City they want to know if there are certain areas that have been identified that may be ripe for development for their

investment dollars. Because those areas have been identified by the City, they probably look upon that as a favorable business relationship and one they can thrive in, not going in and getting petitions and going against the will of the people. Those are likely places developers want to go. You want to have a collaborative environment to attract alternative uses. Updating the Master Plan, or the current Master Plan, or the Retail Improvement Strategy will say here are areas that we have already identified and the developer would know that the City is open to that development. The Charter rules, but we can guide.

Mr. Henderson noted Section 1158.04 (A) Spatial Requirements which indicates that there is no minimum site area of square feet for development. He asked what opportunity that creates for risk. Mayor Sutherland stated that Mr. Henderson would have to ask Paul LeBlanc. Mr. Henderson asked if a townhouse could go next to a regular house if that was the area that was requested for rezoning. Mr. Tadych stated that he believes it says it can. Mrs. Lieske agreed, noting that there is no minimum acreage requirement.

Mr. Koomar stated that the Master Plan indicates to a developer where they should focus their efforts for rezoning, and where there would likely be collaboration, such as the Dover Center Road corridor where there is mixed use. Mrs. Lieske stated that this is what she would like to focus on initially.

Mr. Ebert reiterated that the reference to the Master Plan is useful as a guide if a developer comes in and wants to go to the expense of petitioning rezoning and placing it on the ballot.

Mr. Koomar asked Council to send them any further thoughts regarding the draft.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Lee

There was no report this evening.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Tadych

Mr. Tadych had no report this evening.

FINANCE & CLAIMS COMMITTEE – Clark

Refuse Fee Renewal Discussion

Mr. Clark stated that each year the trash collection fee for residents ends at the end of December. Council must, by ordinance, vote to eliminate or extend the fee into the next year. The overall discussion of Council has been to extend the fee into 2016. Mr. Vincent's Service, Utilities and Equipment Committee will review the bids for the contract for trash collection, which is due for renewal in March of 2016. Mr. Clark would like to place the ordinance to extend the trash collection fee of \$12.00 per quarter on first reading as soon as possible.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Vincent

Review of Bids and Proposed Contract for Refuse Removal

Mayor Sutherland and Mr. Thomas commented on the bids received for the new trash contract. Mayor Sutherland stated that the bid results have been reviewed by Diane Bickett, an attorney who heads up the Cuyahoga County Solid Waste District. Ms. Bickett stated that the bids are pretty much in line with what is going on on the east side of Cleveland and the only way to get a cheaper price would be to discontinue the yard waste collection. The Mayor stated that none of the administration wants that to happen.

Mr. Thomas distributed the bid results from the September 25, 2015 bid opening. Republic Services, the current contractor, Kimball-Midwest, and Rumpke Waste and Recycling were the three bidders. Four options were requested. Option 1 is the current one day pick up on Tuesdays. Republic Services is the only company that submitted a bid for Option 1. Option 3 is a five-day pick up and was bid by Rumpke Waste and Recycling. An alternate option of five-day pickup and weekly bulk pickup was bid by Kimball-Midwest and Rumpke Waste and Recycling. Mr. Thomas stated that the administration would recommend Option No. 1 as the successful bid.

Mr. Thomas further noted that yard waste will be extended to the first week of December. Republic will extend that service beginning this December 1. There has also been discussion about doing something with the fuel surcharge. The surcharge is based on the price of fuel the week that the bids are opened. An alternate plan for fuel surcharge is being discussed.

Mr. Thomas stated that the administration is also formulating a plan to have a dumpster at the City Service Garage one day a month, in the middle of the month, for residents to drop off extra bulk. Mayor Sutherland will send out information in her email blasts and City newsletter.

Mayor Sutherland noted that the option for the two-day pick up would save the City some money, however the confusion caused is not worth the savings.

An ordinance will be prepared for first reading in order for Council to move forward with acceptance of bids to meet the 60-day deadline.

RECREATION & PARK IMPROVEMENT COMMITTEE-Henderson

Mr. Henderson reported that the fitness equipment has been installed along the Walking Trail in Cahoon Memorial Park. Mr. Henderson stated that the equipment looks very nice and the work of the Service Department in getting that project completed this fall and doing such a good job with installation is appreciated. Mr. Koomar complimented Mr. Thomas on the work the Service Department did on the placement of the equipment and the tucking of it away behind trees. He noted that no views are compromised.

AUDIENCE

There were no comments from the audience this evening.

MISCELLANEOUS

Mr. Koomar stated that November 30, 2015 is the fifth Monday of the month and the scheduling of a Council meeting will depend on whether there is needed work on the budget. The schedule for December thus far is meeting on December 7, December 14, off on December 21, 2015 due to the holidays, and holding a special meeting on Monday, December 28 for end-of-year appropriation amendments if needed.

Mayor Sutherland noted that she will not be in attendance on November 30, 2015.

Mr. Clark gave a shout-out to the Bay Village Boys Soccer Team and the Bay Football Team. They both won their play-offs recently and are in final play. The Boys Football Team game will be held in Lakewood Stadium.

There being no further discussion, the meeting adjourned at 8:25 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council