

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers 9:00 p.m.

December 7, 2015

Paul Koomar, President of Council, presiding

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

Also Present: Law Director Ebert, Councilman-elect Marty Mace, Finance Director Mahoney, Director of Public Safety/Service Scott, Recreation Director Enovitch, Director of Operations Landers.

AUDIENCE

The following audience members signed in this evening: Christal and Simon Boutros, Robert and Matthew Kuehn, Lydia DeGeorge, Suzanne Graham, Warren Remein, Dick Majewski, Lawrence Kuh, Jeff Gallatin, Russell Thompson.

Mr. Koomar called the Regular Meeting of Council to order at 9:00 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Boy Scout Matthew Kuehn, 565 Cahoon Road.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held November 23, 2015. Mr. Clark **MOVED** to dispense with the reading and accept the minutes of November 23, 2015 as prepared and distributed. Motion carried 7-0.

ANNOUNCEMENTS

Mayor Sutherland stated that the leaf collection season is ending. Collections will probably go through the end of the month. The Mayor advised everyone to get their leaves out, noting that the City will be converting over to snow removal equipment.

REPORTS

Law Director Ebert had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch announced that this past Saturday the Recreation Department tipped off their basketball season, with over 50 teams, not including the 3 and 4 year-old division. On Saturday, December 19, the Bay Village Recreation Department will host the family event with Santa Claus at the Community Gym from 10 a.m. to 12 Noon. The families of Bay Village are invited to visit with Santa, make a holiday craft, enjoy face painting, and write a letter to the North Pole. All activities are free of charge.

Safety Service Director Thomas commented on the department's response to June flooding, and how many people the Service Department reached out and touched. He read the Summary of Activity 3, Sewer Crew Totals, for the period June 23, 2015 through November 20, 2015 reporting the following work accomplished during that period:

Camera Truck (50)

- Sanitary lateral footage filmed: 14,179.3 feet (2.69 miles)
- Storm lateral footage filmed: 1,090 feet (0.21 miles)
- Sanitary mainline footage filmed 2,960 feet (0.56 miles)
- Storm mainline footage filmed: 20,033.2 feet (3.79 miles)

Flush Vehicles (55 and 57)

- Sanitary mainline cleaned: 13,330 feet (2.52 miles)
- Storm mainline cleaned: 11,986 feet (2.27 miles)
- Total material removed from storm mainlines: 26 yards

AUDIENCE COMMENTS

Nancy Brown, Wolf Road, stated that on behalf of the Friends of the Bay Village Kennel the following two items are reported. Two dogs were loose in the Sunset Area since Thursday, December 3, 2015. The dogs have been captured and are sitting in the kennel. The Friends of the Kennel will work with the Bay Village Police Department to help find homes for the dogs. Two dogs were also abandoned this week. There is a trend of dogs being abandoned at Columbia Road Beach. Ms. Brown stated that perhaps next year when the Environment, Safety and Community Services Committee has their new assignment that might be something that can be addressed. A pattern is being seen for these abandonments at Columbia Road Beach and Ms. Brown noted that it is not a safe corner for pedestrians or animals.

Ms. Brown further stated that the Friends of the Bay Village Kennel are requesting, on behalf of most of the citizens of the City of Bay Village, that the kennel matter be put on an agenda for public input in 2016.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Mr. Lee read **Ordinance No. 15-81** authorizing the Mayor to enter into an agreement with the District Advisory Council of the Cuyahoga County General Health District to provide Public Health Services for the City of Bay Village during the Calendar Year 2016, and declaring an emergency. (First Reading November 23, 2015)

Mr. Koomar announced that **Ordinance No. 15-81** is placed on second reading.

Mr. Lee introduced and read **Ordinance 15-82** amending Chapter 377, Bicycles, and declaring an emergency.

Mr. Lee noted that this ordinance will remove the age language that has been in the ordinance from the 1970's.

Mr. Koomar announced that Ordinance No. 15-82 is placed on first reading.

FINANCE AND CLAIMS COMMITTEE

Mr. Clark read **Ordinance 15-78** establishing the effective date for the Refuse Collection Fee, and declaring an emergency, and moved for adoption. (First Reading November 16, 2015; Second Reading November 23, 2015)

Mr. Clark explained that this ordinance will set the rate for the fee for refuse collection for the year 2016, which is unchanged from what is currently charged.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 15-78.

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. 15-78, an emergency measure.

Motion by Clark to acknowledge receipt of the October, 2015 financial reports of the City of Bay Village prepared by Renee Mahoney, Director of Finance.

Motion passed 7-0.

Motion by Clark to acknowledge receipt of the November, 2015 financial reports of the City of Bay Village prepared by Renee Mahoney, Director of Finance.

Motion passed 7-0.

Mr. Clark introduced **Ordinance No. 15-83** to provide for temporary appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2016.

Mr. Clark explained that this ordinance will provide funding for the City for the first two months of 2016, pending completion of the 2016 Budget and the ordinance adopting the budget to be read for three full readings.

The temporary appropriation ordinance affects the General Fund, Special Revenue Fund, Debt Service, Capital Projects, Enterprise Funds, Internal Service, Trust Fund, Deposit Fund, and various transfers and advances primarily to the Parks and Recreation Fund. The ordinance is based on the first two months of the 2015 Budget as approved and amended by the City of Bay Village.

Mr. Koomar announced that Ordinance No. 15-83 is placed on first reading.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE

Mrs. Lieske had no further report other than what was shared in the Committee Meeting of Council this evening.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Tadych had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mr. Henderson had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Vincent introduced and read **Ordinance 15-80** authorizing the Mayor to enter into an agreement with Browning-Ferris Industries of Ohio, Incorporated, for solid waste collection and disposal, yard waste, and recycling materials collection and processing, and declaring an emergency, and moved for adoption. (First Reading November 16, 2015; Second Reading November 23, 2015)

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 15-80.

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. 15-80, an emergency measure.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, **Mr. Clark** moved to convene to Executive Session regarding Update Litigation: Burns v. City of Bay Village et al.; Gene Barry v. City of Bay Village BZA; Language enforcement/definition Section 1141.04 E; Planet Home Lending v. Jason B. Carney et al.

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

Also present in Executive Session were Mayor Sutherland, Law Director Ebert, Finance Director Mahoney, Councilman-at-large elect Marty Mace.

Council reconvened in an open meeting at 9:35 p.m. Present were: Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 9:38 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council