

Agenda, Bay Village City Council
Regular Meeting, Council Chambers

February 1, 2016
8:00 p.m.
Caucus 7:30 p.m. Conference Room
(Public Welcome)

Paul Koomar, President of Council, Presiding
Pledge of Allegiance/Dwight Clark, Councilman-at-large
Roll Call
Reading of Minutes – Special Meeting of Council held January 25, 2016
Cahoon Memorial Park Trustees Meeting held January 25, 2016

ANNOUNCEMENTS

Mayor Sutherland

Re-appointment of Dr. Dennis Lekan to the Civil Service Commission for a six-year term ending February 1, 2022.

Appointment of the Reverend Sarah Shofstall to the Community Services Advisory Board for a three year term expiring February 1, 2019.

Appointment of Colby Sattler to the Tree Commission for a three-year term expiring January 1, 2019. (Codified Ordinance Section 146.01, Establishment of Tree Commission) states that the term shall expire on January 1 of the term-expiring year).

REPORTS

Mayor Sutherland	Director of Community Services Selig
Director of Law Ebert	Police Chief Spaetzel
Director of Finance Mahoney	Fire Chief Lyons
Director of Recreation Enovitch	
Director of Public Service/Safety Thomas	

COMMUNICATIONS

AUDIENCE

COMMITTEE OF THE WHOLE

Motion to confirm the re-appointment of Dr. Dennis Lekan to the Civil Service Commission for a six-year term ending February 1, 2022.

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ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Vincent

Motion to confirm the appointment of the Reverend Sarah Shofstall to the Community Services Advisory Board for a three year term expiring February 1, 2019.

FINANCE AND CLAIMS-Mr. Clark

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

Ordinance No. 16-02 authorizing the Mayor to enter into a ten-month contract with The Jefferson Group to provide administrative services for the City’s Health and Hospitalization Plan, and declaring an emergency.(Second Reading and Adoption) (First Reading 1-25-16)

Ordinance authorizing the Mayor to enter into a labor agreement with the Ohio Patrolmen’s Benevolent Association, and declaring an emergency.

Ordinance authorizing the Mayor to enter into a labor agreement with the AFSCME Ohio Council 8, Local 3816 Service, and declaring an emergency.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE – Mrs. Lieske

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Henderson

Motion to confirm the appointment of Colby Sattler to the Tree Commission for a three-year term expiring January 1, 2019. (Codified Ordinance Section 146.01, Establishment of Tree Commission) states that the term shall expire on January 1 of the term-expiring year).

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Tadych

Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District, and declaring an emergency.

MISCELLANEOUS

Motion to convene to Executive Session regarding Personnel, Labor Contracts for all Bargaining Units, and Contracts: Refuse Collection Contract.

CAHOON MEMORIAL PARK TRUSTEES

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Procedure

Section 2.14 - Effective Date
C.O. 111.10 - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ...at least 24 hours before any meeting of Council at which action...is contemplated.

Roll call on inclusion of the emergency.

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 8:00 p.m.
President of Council Paul A. Koomar, presiding

January 25, 2016

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

Also Present: Law Director Ebert, Finance Director Mahoney, Director of Public Service/Safety Director Thomas, Fire Chief Lyons, Director of Operation Landers, Human Resource Manager Jennifer Demaline

AUDIENCE

The following audience members signed in this evening: Russell Thompson, Lydia DeGeorge, Conda Boyd, Jerrie Barnett, Dick Majewski.

President of Council Koomar called the meeting to order at 8:00 p.m. with roll call and the Pledge of Allegiance, led by Tom Henderson, Councilman Ward 4.

Mr. Koomar called for a reading of the minutes of the Special Meeting of Council held January 11, 2016. **Motion** by **Clark** to dispense with the reading and approve the minutes of the Special Meeting of Council held January 11, 2016 as prepared and distributed.

Mr. Koomar called for a reading of the minutes of the meeting of the Cahoon Memorial Park Trustees held January 11, 2016. **Motion** by **Clark** to dispense with the reading and approve the minutes of the Special Meeting of Council held January 11, 2016 as prepared and distributed.

Mr. Clark introduced and read **Ordinance 16-01** amending Chapter 125 of the Codified Ordinances by enacting Section 125.54 relating to the establishment of a Tennis Court Maintenance Fund, and declaring an emergency, and moved for adoption.

Mr. Koomar called for a vote on the motion to adopt Ordinance No. 16-01.

Roll Call on Suspension of Charter Rules:

Yeas – Clark, Henderson, Koomar, Lieske, Mace, Tadych, Vincent

Nays – None.

Roll Call on Suspension of Council Rules:

Yeas – Clark, Henderson, Koomar, Lieske, Mace, Tadych, Vincent

Nays – None.

Roll Call on Inclusion of Emergency Clause:

Yeas – Clark, Henderson, Koomar, Lieske, Mace, Tadych, Vincent.

Nays – None.

Roll Call on Adoption:

Yeas – Clark, Henderson, Koomar, Lieske, Mace, Tadych, Vincent

Nays – None.

Mr. Koomar announced adoption of Ordinance No. 16-01, an emergency measure, by a vote of 7-0.

Mr. Clark introduced **Ordinance No. 16-02** authorizing the Mayor to enter into a ten-month contract with The Jefferson Group to provide administrative services for the City's Health and Hospitalization Plan, and declaring an emergency.

Mr. Koomar announced that Ordinance No. 16-02 is placed on first reading.

Mr. Vincent introduced and read **Resolution No. 16-03** authorizing the filing of an application and authorizing the Mayor to enter into an agreement with the Federal Emergency Management Association for the purpose of acquiring funds through the 2015 Assistance to Firefighters Grant Program, and declaring an emergency, and moved for adoption.

Roll Call on Suspension of Charter Rules:

Yeas – Henderson, Koomar, Lieske, Mace, Tadych, Vincent, Clark

Nays – None.

Roll Call on Suspension of Council Rules:

Yeas – Henderson, Koomar, Lieske, Mace, Tadych, Vincent, Clark

Nays – None.

Roll Call on Inclusion of Emergency Clause:

Yeas – Henderson, Koomar, Lieske, Mace, Tadych, Vincent, Clark

Nays – None.

Roll Call on Adoption:

Yeas – Henderson, Koomar, Lieske, Mace, Tadych, Vincent, Clark

Nays – None.

Mr. Koomar announced adoption of Resolution No. 16-03, an emergency measure, by a vote of 7-0.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, **Mr. Clark** moved to convene to Executive Session regarding Personnel: Labor Contracts for all Bargaining Units, and Contracts: Refuse Collection Contract, Health Insurance Contract, and Terms related to a donation. Also present in Executive Session were Mayor Sutherland, Finance Director Renee Mahoney, and Human Resource Manager Jennifer Demaline.

Council reconvened in an open meeting following the Executive Session. Present were: Clark, Henderson, Koomar, Mace, Lieske, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 8:45 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

January 25, 2016

President of Council Koomar called the meeting to order at 8:10 p.m. in the Council Chambers of Bay Village City Hall.

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

Also Present: Law Director Ebert, Finance Director Mahoney, Director of Public Safety/Service Thomas, Fire Chief Lyons, Director of Operations Landers, Human Resource Manager Demaline.

AUDIENCE

The following audience members signed in this evening: Russell Thompson, Lydia DeGeorge, Conda Boyd, Dick Majewski.

Motion by Mace to approve the use of the north side of Cahoon Memorial Park for the Bay Village Foundation ceremonies on May 30, 2016.

Motion carried 7-0, and one abstention by Mr. Henderson.

Motion by Mace to approve the Winterfest event at Play-in-Bay on Saturday, February 6, from 3 p.m. to 5 p.m. hosted by the Bay Village Foundation, pending receipt of insurance, with any raffle tickets being sold outside Cahoon Memorial Park property (City Hall Parking Lot).

Motion carried 7-0, and one abstention by Mr. Henderson.

There being no further business to discuss, the meeting adjourned at 8:12 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO A TEN MONTH CONTRACT
WITH THE JEFFERSON GROUP TO PROVIDE ADMINISTRATIVE
SERVICES FOR THE CITY'S HEALTH AND HOSPITALIZATION PLAN,
AND DECLARING AN EMERGENCY.**

WHEREAS, the current agreement between the City of Bay Village and Medical Mutual of Ohio to provide services as a third party administrator for the City's self-funded health and hospitalization plan expires February 29, 2016;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. The City of Bay Village hereby agrees to enter into a ten month contract with The Jefferson Group and agrees to pay premiums monthly for aggregate stop-loss insurance to be provided by The Jefferson Group.

SECTION 2. The City of Bay Village agrees to pay an administrative charge to The Jefferson Group per covered employee per month.

SECTION 3. The Jefferson Group shall provide specific stop-loss coverage in the amount of \$75,000.00 for each person covered by the City's health insurance plan.

SECTION 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 5. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to continue to provide for medical and hospitalization coverage for City employees in conformance with labor agreements, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO A LABOR AGREEMENT
WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION,
AND DECLARING AN EMERGENCY.**

WHEREAS, a Memorandum of Understanding has been executed by and between The Ohio Patrolmen's Benevolent Association and the City of Bay Village;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Mayor be and she is hereby authorized to enter into a labor agreement with The Ohio Patrolmen's Benevolent Association, covering compensation and other employment provisions for patrolmen for the period from January 1, 2016 through December 31, 2018, in accordance with the language set forth in the Memorandum of Understanding.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to provide for said compensation and other employment provisions as agreed upon in labor negotiations so that personnel may be available to the City, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

1/27/16 ll

ORDINANCE NO.
INTRODUCED BY

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A LABOR AGREEMENT
WITH THE AFSCME OHIO COUNCIL 8, LOCAL 3816, SERVICE,
AND DECLARING AN EMERGENCY.

WHEREAS, a Memorandum of Understanding has been agreed to by and between the AFSCME Ohio Council 8, Local 3816, Service, and the City of Bay Village;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Mayor be and she is hereby authorized to enter into a labor agreement with AFSCME Ohio Council 8, Local 3816, Service, covering compensation and other employment provisions for municipal employees for the period from January 1, 2016 through December 31, 2018, in accordance with the language set forth in the Memorandum of Understanding.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to provide for said compensation and other employment provisions as agreed upon in labor negotiations so that personnel may be available to the City, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE
CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT,
AND DECLARING AN EMERGENCY**

WHEREAS, cooperation between the Cuyahoga Soil and Water Conservation District (SWCD) and the City facilitates solutions to problems encountered by the City as it plans for the development/redevelopment and conservation of its environment, as well as, water quality improvements; and

WHEREAS, in making technical assistance and expertise available to the City, the SWCD seeks to influence local planning and regulatory capability toward better conservation of soil and water resources; and

WHEREAS, the SWCD has authority to enter into this Memorandum of Understanding (MOU) with the City pursuant to Chapter 1515 of the Ohio Revised Code; and

WHEREAS, recognizing the need for effective collaboration in carrying out mandated responsibilities, especially related to the Minimum Control Measures for the National Pollutant Discharge Elimination System (NPDES) for Storm Water as defined with the Ohio Revised Code 3745-39-04(B)(1) through (6), the City and SWCD agree to enter into this MOU as the document which describes the process for collaboration between the parties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1: The Mayor is hereby authorized in the name of the City of Bay Village to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for conservation of natural resources and storm water program technical assistance for the twelve month period effective July 1, 2016 and with an annual conservation appropriation (grant), not to exceed \$4,000.00 to be paid annually.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.11 of the Ohio Revised Code.

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

1-29-16 II