

AGENDA

Agenda, Bay Village City Council
Committee Meeting
Conference Room
Paul Koomar, President of Council, Presiding

February 22, 2016
7:30 p.m.

ANNOUNCEMENTS

Mayor Sutherland

Reappointment of Anne Kerka to the Parks and Recreation Commission for a four-year term expiring February 22, 2020.

Reappointment of Patrick Graham to the Tree Commission for a three-year term expiring January 1, 2019.

COMMITTEE OF THE WHOLE

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

FINANCE & CLAIMS COMMITTEE – Clark

2016 Budget Review

RECREATION & PARK IMPROVEMENT COMMITTEE-Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

AUDIENCE

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES

City of Bay Village

Council Minutes, Committee Session
Council Chambers
Paul Koomar, President of Council, Presiding

February 8, 2016
7:30 p.m.

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

Excused: Mr. Clark

Also Present: Law Director Ebert, Finance Director Mahoney, Police Chief Spaetzel, Safety/Service Director Thomas, Recreation Director Enovitch, Operations Manager Landers.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lydia DeGeorge, Richard Fink, Tara Wendell, Conda Boyd, Alex Dade.

ANNOUNCEMENTS

Mayor Sutherland advised receiving notification on Friday, February 5, that the City has received the grant from Cuyahoga County to do the Master Plan.

Mayor Sutherland introduced Glenn Coyne, FAICP, Executive Director of the Cuyahoga County Planning Commission, and a very experienced community planner. Mayor Sutherland stated that Glenn and she began talking several months ago about the need for a new Master Plan. In preparation, Mr. Coyne suggested going ahead to fund a community survey to help prioritize and pick the pulse of the community on several vital issues to community planning. That was done in the fall, and Mr. Coyne is ready to present the results this evening.

Mr. Coyne introduced Patrick Hewitt, Planner, who did the analysis of the survey.

Mr. Coyne advised that he has been the Executive Director of the Cuyahoga County Planning Commission for just over three years. They have gone to more of a consultant business model where they are in existence to help cities, villages and townships with their planning, economic development, and environmental analysis.

There are eleven members on the Cuyahoga County Planning Commission. Three are appointed by the county, and eight are Mayors from around the region, one being the Mayor of the City of Cleveland and seven other suburban Mayors. Mayor Patton of Fairview Park is the Mayor that represents the district that encompasses Bay Village. The members are appointed for terms of three years at a time.

The Cuyahoga County Planning Commission is currently working on four Master Plans. They are currently finishing up with Cleveland Heights, University Heights, Parma Heights, and

Olmsted Falls, through the same grant program for which Bay Village applied. They have just completed the Beachwood Master Plan, and they did a survey as well of the residents and businesses of Beachwood. They are also working on a county-wide housing study. There is a lot of demolition going on around the County and they thought that instead of demolition they could have some kind of policies about what else they can do with housing, either after it is demolished or before. He noted that the demolition is pervasive throughout all the communities and not just limited to lower income areas. The other thing they worked on through development is looking at economic development and using place-based criteria and looking at strategic areas that might present as targets. They have been working with several communities regarding the NASA Glenn and airport communities for redevelopment.

A new on-line tool for the Cuyahoga County Planning Commission is called Reprint, which is a very interesting, dynamic, up-to-date, real time way to look at green space, rivers, floodplains, and all the different types of things classified under green.

The East Side Greenway is a plan for twenty communities on the east side where trails and a connectivity network have been developed. Projects have different priorities: near term, long term, and transformative. They have just completed an application to complete a plan to do the rest of the County, west and south, which would include Bay Village, to truly end up with a county-wide greenway. The results of that grant will be announced in June of 2016.

Patrick Hewitt presented a Power Point Presentation of the results of the survey, which will be included in these minutes when they are received from the Planning Commission through Mayor Sutherland's office. The exhibit attached hereto is the City of Bay Village 2015 Survey Results, Executive Summary.

Mr. Hewitt stated that he is happy to answer any questions.

Mr. Alex Dade asked if the slides presented this evening will be available. Mr. Hewitt stated that they would provide an electronic copy to the city administration. Mr. Dade asked if the public will be able to download those slides. Mayor Sutherland stated that they will be posted to the website.

Mrs. Lieske stated that she had sent some comments to the Mayor when the survey was being developed. She stated that she was curious when people would select up to four options, why the County Planning Commission chose not to have them rank order, for example from the most important as Number 1, down the scale to Number 4, instead of just selecting four.

Mr. Hewitt stated that they have not done a ranking in any of their other surveys. It ultimately becomes very difficult with weighting and almost makes the answers convoluted to come up with something that is useful. They felt the way they presented it was a way to get some quick and easily understood data.

Mrs. Lieske stated that they have been waiting anxiously and people in the community will really appreciate the work that was done. There were some other questions and perhaps Council can follow up with their own committees. In terms of Bay Days, it would have been interesting to

know for the respondents how many attended the carnival aspect with the rides and games as opposed to how many attended the fireworks. There has been a major effort underway for residents to provide funding for the fireworks.

Mr. Hewitt stated the fireworks were not necessarily something he remembers coming up in the comments. There were hundreds of comments, but he does not particularly remember anything about fireworks.

Mrs. Lieske asked if there were any other specific things about the Community Gym that came out that Mr. Hewitt can recall. Mrs. Lieske noted that at one time there had been discussion when several years ago members of Council went to visit the Community Gym. Mrs. Lieske is curious about how many people who responded to the survey actually have other gym memberships and what they would look for at the Community Gym. Were there any comments about what residents would like in terms of improvements with the Community Gym?

Mr. Hewitt stated that he believed there were a number of comments on the Community Gym. He believes it was the quality of the gym equipment there, but he does not specifically recall anything more than that. There wasn't anything in the survey about other gyms, and why people would or would not use that one. Mr. Coyne added that there was a high number of folks who chose not to have an opinion on that one. Mrs. Lieske noted that there are 80 or 90 members now of the Community Gym.

Mr. Koomar asked if the reference to "Multi-Family" housing is more like an apartment building. Mr. Hewitt stated that typically they will outline multi-family as an apartment building, and mixed-use as something that has retail on the first floor and residential above. Townhouses and attached housing would be next to each other; clustered housing would be a number of attached units focusing inward on a communal open space.

Mr. Vincent asked if the comments have been compiled in any order. Mr. Hewitt stated that they did categorize the comments. They did their best to come up with categories that made sense.

Mr. Coyne stated that now that they know they are going to do the Master Plan it is really important to have the survey results. Only 576 households were represented but there will still be public meetings, and a chance to talk about folks priorities. Mr. Coyne stated that the survey was fun to do, they received a great response, and people took their time with the answers.

Mr. Tadych asked if any were received back after the cut-off dates that were not used in the survey, and, if so, was that a meaningful number.

Mr. Hewitt stated that they did receive a number after the close of the deadline. They tried to include most of them, but there were three that came in after the report was finished.

Conda Boyd asked Mr. Coyne to outline the cost to develop a new Master Plan, and the timeline that process might take.

Mr. Coyne stated that normally it will take about a year. They hope to get started by the end of

the spring, beginning of summer, or the May/June timeframe. Typically what they do is put together a schedule where they come up with the visions, goals, and priorities, and how to implement those. They are really big on giving the City a table of implementation; how these things will happen, who is responsible, and where the money comes from. It is a year-long process with a series of public meetings throughout the process, however, the number of those public meetings has not been determined as yet. They would like to have a steering committee of local folks numbering 10 or 12, who can get together monthly to help the Cuyahoga County Planning Commission to be sure they are making progress in the right way. They typically come back to Council a couple of times during the process to make sure they know that progress is being made.

Mr. Coyne encouraged all to look at the Cuyahoga County Planning Commission website and review the City of Beachwood Master Plan they recently completed as an example. They do not spend a lot of time on things that are not of importance to the community. They focus on the things the community wants to hear about and delivers on those things. The old Master Plans from years ago are very thick and heavy on data and very thin on recommendations. They now feel it is important to focus on recommendations.

Mayor Sutherland stated that during the last Master Plan process it was basically the steering committee and nobody else. The Mayor asked if there will be public visioning included. Mr. Coyne stated that typically they will have, at a minimum, a public meeting at the beginning and at the end of the process, and at least one midway to show where they are headed. These are large public meetings, probably set up as an open house type where people can walk around and interact instead of the County Planning Commission delivering lectures. Also, the steering committee meetings are open to the public.

Mr. Coyne and Mr. Hewitt were thanked for their presentation this evening.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE

Mayor Sutherland advised that she went back to the Cuyahoga Soil and Water District regarding the Memorandum of Understanding renewal. The representative of the Cuyahoga Soil and Water District informed the Mayor that she could just write her a letter that says we will operate under the existing Memorandums of Understanding and just cut a purchase order. The Mayor said that is what they will do.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Mr. Vincent will introduce a motion at the Special Meeting of Council this evening to confirm the reappointment by Mayor Sutherland of Greg Ernst to the Architectural Board of Review.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Mr. Henderson advised that he was considering holding a Public Improvements, Streets, Sewers and Drainage Committee meeting this week to review the specifications for road materials. However, after initial discussions it has been decided to handle that through a telephone call.

The advertisement for bids is for asphalt for filling chuck holes, concrete for road projects, and stone in different sizes for different types of contracts they may be working with including sidewalk repair and roadway repair.

Mr. Henderson stated that he would like the Public Improvements, Streets, Sewers and Drainage Committee to begin looking at the street side of the programs. He noted that the County Planning Commission presentation this evening made it clear to him that the streets and the sewers were in the quadrant you don't want things to be in, and those need to be focused on considerably. We have been talking a great deal about sewers, and he would like, while not losing focus on the sewers, to shift some focus and spend a little time on understanding the streets program.

FINANCE AND CLAIMS COMMITTEE

Finance Director Mahoney has prepared a second temporary appropriation ordinance to carry the City's finances through the month of March. The ordinance is in the amount of one-twelfth of the City's budget and is added to the original temporary appropriation ordinance passed December 14, 2015.

RECREATION AND PARKS IMPROVEMENT COMMITTEE

SERVICES, UTILITIES AND EQUIPMENT COMMITTEE

Mr. Tadych will introduce a motion at the Special Meeting of Council to be held this evening to confirm the reappointment by Mayor Sutherland of Dave Patzwahl to the Tree Commission.

MISCELLANEOUS

Mr. Henderson advised that he heard from the Police Chief last week that the police officers had gone out and spoken with residents who live near the Walker Road Park regarding the deer culling. Mr. Henderson stated that he appreciates this communication and it is very important to the residents of Ward 4 that they received this direct and personal communication. Mr. Henderson expressed appreciation on behalf of those who live near the Walker Road Park, and asked Chief Spaetzel to provide a brief update on how the culling went with Avon Lake last week.

Chief Spaetzel stated that they notified all the residents that abut the Walker Road Park that the culling would take place. The culling took place at the Walker Road Park and seven deer were culled from the herd. There are no plans to go back at this point but that is subject to change based on the United States Department of Agriculture schedule. When the Police Officers went door-to-door to notify park-abutting residents, at least two thirds of the people were home and were spoken to directly. Notes were left for those not at home. A vast majority of the people were in favor of the culling effort.

Committee Meeting of Council
February 8, 2016

Mr. Tadych asked how the billing for the culling works. Mayor Sutherland stated that Avon Lake will just invoice Bay Village for the seven deer multiplied by \$600 each. Bay Village will pay half.

Mr. Tadych commented that he was speaking to a resident of Avon Lake and learned that someone is going around in a dark truck shooting arrows at deer in the street and leaving them to die.

Mr. Koomar asked Director of Public Safety/Service Thomas if the City Hall Parking Lot can be lighted since the project is almost completed. Mr. Thomas stated that it was supposed to be done last week but the crews got busy. Within the next week or two the lights should be back on. First Energy was supposed to take care of it earlier, but there was more of an issue that they had to deal with concerning the connection. They just did not get back to it. Mayor Sutherland stated that they followed up with the Governmental Representative of First Energy.

There being no further discussion, the meeting adjourned at 8:14 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council

February 19, 2016

A Special Meeting of the Bay Village City Council will be held on **Monday, February 22, 2016**, immediately following the Committee Meeting of Council at **7:30 p.m.** in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. Roll Call/Pledge of Allegiance/ /David L. Tadych, Councilman, Ward 1

2. Announcements/Audience/Miscellaneous

Mayor Sutherland:

Reappointment of Anne Kerka to the Parks and Recreation Commission for a four-year term expiring February 22, 2020.

Reappointment of Patrick Graham to the Tree Commission for a three-year term expiring January 1, 2019.

3. **Motion** to approve the minutes of the Special Meeting of Council held February 8, 2016.*Clark*

4. **Motion** to acknowledge receipt of the City of Bay Village Financial Statements for the month of January, 2016, as prepared by Finance Director Mahoney.*Clark*

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

6. **Motion** to confirm the reappointment by Mayor Sutherland of Patrick Graham to the Tree Commission for a three-year term expiring January 1, 2019.*Tadych*

7. **Motion** to confirm the reappointment by Mayor Sutherland of Anne Kerka to the Parks and Recreation Commission for a four-year term expiring February 22, 2020.*Mace*

8. **Motion** to convene to Executive Session regarding Personnel: Labor Contracts for Bargaining Units; Contracts: Composting Facility Agreement; Litigation: Jewell Burns vs. City of Bay Village, et.al.

9. Adjournment.

Charter Reference 2.11

Paul A. Koomar, President of Council

Agenda
Special Meeting of Council
February 22, 2016

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 clause:

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 provisions. 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 8:14 p.m.
President of Council Paul A. Koomar, presiding

February 8, 2016

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

Excused: Mr. Clark

Also Present: Law Director Ebert, Finance Director Mahoney, Police Chief Spaetzel, Safety/Service Director Thomas, Recreation Director Enovitch, Operations Manager Landers.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lydia DeGeorge, Richard Fink, Tara Wendell, Conda Boyd, Alex Dade.

President of Council Koomar called the meeting to order at 8:00 p.m. with roll call and the Pledge of Allegiance, led by Marty Mace, Councilman-at-large.

ANNOUNCEMENTS

Mayor Sutherland

Reappointment of Dave Patzwahl to the Tree Commission for a three-year term expiring January 1, 2019.

Reappointment of Greg Ernst to the Architectural Board of Review for a three-year term expiring January 1, 2019.

Mr. Koomar called for a reading of the minutes of the Regular Meeting of Council held February 1, 2016. **Motion** by **Tadych** to dispense with the reading and approve the minutes of the Regular Meeting of Council held February 1, 2016 as prepared and distributed.

Mr. Vincent introduced and read **Ordinance 16-06, amending by reading Section 2 to say at a cost not to exceed \$6,000**, authorizing the participation in the Heritage Home Loan Program with the Cleveland Restoration Society and declaring an emergency, and moved for adoption.

Mr. Koomar noted that this is a renewal, annual program. Statistics were presented last week noting that there has been quite a bit of activity in the past. This is a reinstatement of the program that was stopped a few years back because of the economic downturn. Mayor Sutherland stated that Section 2 of the ordinance states that the cost of the program is \$8,000. The cost will actually be \$5,290 for this year. Mr. Vincent has amended the ordinance by reading to state at a cost not to exceed \$6,000.

Mr. Koomar called for a vote on the motion to adopt Ordinance No. 16-06, as amended by reading.

Roll Call on Suspension of Charter Rules:

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

Nays – None.

Roll Call on Suspension of Council Rules:

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

Nays – None.

Roll Call on Inclusion of Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of Ordinance No. 16-06, as amended, an emergency measure, by a vote of 6-0.

Motion by Henderson to authorize the Director of Public Safety/Service to advertise for bids for road materials for the 2016 Road Maintenance Program.

Motion passed 6-0.

Motion by Henderson to authorize the Director of Public Safety/Service to advertise for bids for the 2016 Street Striping Program.

Motion passed 6-0.

Mr. Henderson read and introduced **Ordinance No. 16-07** to provide for temporary appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2016, and declaring an emergency, and moved for adoption.

Roll Call on Suspension of Charter Rules:

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

Nays – None.

Roll Call on Suspension of Council Rules:

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

Nays – None.

Roll Call on Inclusion of Emergency Clause:

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

Nays – None.

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of Ordinance No. 16-07, an emergency measure, by a vote of 6-0.

Removed from Agenda - Ordinance authorizing the Mayor to enter into a labor agreement with the AFSCME Ohio Council 8, Local 3816, Administrative, and declaring an emergency.

Motion by **Tadych** to confirm the reappointment by Mayor Sutherland of Dave Patzwahl to the Tree Commission for a three-year term expiring January 1, 2019. Mr. Tadych commented that Dave Patzwahl has been a resident of Ward 1, is an important member of the Commission, and is really a great guy.

Motion passed 6-0.

Motion by **Vincent** to confirm the reappointment by Mayor Sutherland of Greg Ernst to the Architectural Board of Review for a three-year term expiring January 1, 2019.

Motion passed 6-0.

In compliance with Section 121.22 of the Ohio Revised Code, **Mr. Tadych** moved to convene to Executive Session regarding Personnel, Labor Contracts for all Bargaining Units, and Contracts: Refuse Collection Contract.

Roll Call Vote: Yeas- Lieske, Mace, Tadych, Vincent, Henderson, Koomar. Nays – None.

Motion passed 6-0.

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

Council reconvened in an open meeting at 8:46 p.m. Present were: Koomar, Henderson, Lieske, Mace, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 8:48 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO.
INTRODUCED BY:

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

WHEREAS, a Memorandum of Understanding has been agreed to by and between the AFSCME Ohio Council 8, Local 3816, Administrative, 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, Administrative, 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

1/27/16 ll