

AGENDA

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

March 21, 2016
7:30 p.m.

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

Leslie Selig, Director of Community Services – Dwyer Memorial Kitchen Restoration and plans for future programs including providing meals for seniors twice per week

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

FINANCE & CLAIMS COMMITTEE – Clark

Amending Section 125.08 of the Codified Ordinances of the City of Bay Village – Departmental Petty Cash Funds

Enacting Section 125.55 of the Codified Ordinances of the City of Bay Village – Unclaimed Monies Fund

Enacting Section 125.56 of the Codified Ordinances of the City of Bay Village – Federal Forfeiture Fund

Discussion for certain capital expenditures and personal services

RECREATION & PARK IMPROVEMENT COMMITTEE-Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Westlake/Bay Ecological Composting Facility Agreement

AUDIENCE

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES

City of Bay Village

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

March 14, 2016
7:30 p.m.

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

Excused: Councilwoman Karen Lieske, Ward 3

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

AUDIENCE

The following audience members signed in this evening: Richard Majewski, Conda Boyd, Clair Banasiak, Russell Thompson, Lydia DeGeorge, Jerrie Barnett, Denny and Tara Wendell, Jeff Gallatin.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE

There was no report this evening due to the fact that Mrs. Lieske is on vacation.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Mr. Vincent had no report this evening.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Review of Bids for Road Material Contracts for Street Maintenance – 2016

Mr. Henderson advised that the ordinances authorizing the Mayor to enter into the agreements for the road surfacing materials such as aggregate, (stone), asphalt, and concrete. The City went out to bid on March 4, 2016 for these materials and Council received a report of the bids received this past weekend. Mr. Henderson asked Safety/Service Director Scott Thomas for his comments regarding these bids.

Director of Public Safety/Service Thomas reported that of the three bidders for aggregate the lowest bidder was Shelly Materials, Inc., and the City does have previous experience with this company. An award of contract to Shelly Materials, Inc. was recommended by Mr. Thomas.

Westview Concrete and Shelly Materials bid on the concrete needed for the road maintenance program, with Westview Concrete Corporation, as the lowest bidder, recommended by Mr. Thomas for the contract.

Stoneco, Inc., dba Allied Corporation was the lowest bidder for asphalt and Mr. Thomas recommended an award of contract to Stoneco.

Mr. Henderson reminded everyone that these contracts are for road resurfacing materials only for the year 2016, and not the contracts for the 2016 Road Improvement Program, which will be presented in April. Mr. Henderson recommended moving forward with acceptance of the bids as presented this evening.

Update on Planning Process for Public Improvement Projects

Mr. Henderson advised that President of Council Koomar has asked for an update on the planning process for the Public Improvements Projects. There are at least two large projects for which the committee has been working through the details: the Sunset Improvement Project, and the Bruce/Russell/Douglas Project. There were a couple of meetings throughout the year to work out some of the details of these projects, and since then Mr. Henderson has had conversations with Mayor Sutherland, Mr. Thomas and Consulting Engineer Bob Greytak. Mr. Henderson stated that he wants to prepare a project list that would include the steps needed to be taken for Council's approval of the project. Mr. Henderson sent Mr. Thomas and Mr. Greytak an illustrative chart where he was expecting they would list what those steps are, and to put a timeline to those steps to define how long it will take to get to the project. One of the things that Mr. Thomas sent back was a general schedule for assessment projects, which is very helpful. One of the things Mr. Henderson would like Mr. Thomas to do with him is to take this general assessment projects timeline and put some actual dates to it and fill in some of the gaps that have been discussed.

There are a few items that will be required before having the next Public Improvements, Streets, Sewers and Drainage Committee meeting. Mr. Ebert is working on getting the appraisal of property. Mr. Ebert stated that they came back this morning with questions on the right-of-way. There are substantial issues that need to be resolved. There are a number of restrictions on what the City can do with the right-of-way in the future. The use of the right-of-way must be clarified. A memorandum has been prepared indicating why the City cannot accept some of the restrictions and Mr. Ebert will copy Council on the memorandum when it goes out on March 15, 2016.

Mr. Tadych asked the date of the comments of the Sunset representatives to Mr. Ebert. Mr. Ebert stated that it was two weeks ago, maximum.

Mr. Ebert noted further that the whole concept is that the City is acquiring a twenty-foot right-of-way. The owners want to make sure the City does not put any monuments above without having approval. That is understood, but there are other issues concerning how we maintain and what can go underneath the right-of-way. We can't control what the utilities are going to do underground.

Mr. Henderson stated that this is a good example of what he is trying to document. He is trying to document a list of steps that have to happen and the dependencies among those steps, just like a project. We need to have a project plan to get us to the point where we are ready to approve

the project. The appraisal of the land would flow into the financial analysis. The sources and uses would flow into an adjusted version of an initial assessments worksheet. Mr. Henderson has asked Finance Director Mahoney to create some sort of analysis that shows historically from other projects in the past, what the assessments were charged to individual addresses on an inflation adjusted basis in today's dollars. One of the key things is the Sunset Project in particular has a wide range with some very high numbers of potential assessments and we want to make sure these are not out of line with some of the medians and maximums from those previous projects. Once we get the work from Mr. Ebert and the work from the engineer to do the map on the assessments, we would want to have something to compare it to. This is what Finance Director Mahoney is working on.

Mr. Ebert noted that Sunset is unique in that it is one of the three areas in the City that has never been assessed. The residents never wanted the improvements because the project was going to be very costly. Because of the cost, we talked about how the City could justify paying something. The right-of-way is one thing they are going to give up in the way of park land. Bassett Road residents and Cahoon Road residents were assessed previously, so the percentage was less than it will be for Sunset because it never was assessed. Mr. Koomar added that looking at the Cahoon Road assessment would be a good exercise in comparison. Mayor Sutherland added that another unique point in the area is that they have a homeowners association that comes into play. Part of the reason is that there were no improvements made in the past is because the homeowners association could not agree or reach consensus.

Mr. Tadych noted that there must be five plans he has seen for the area that were refused by the residents due to the cost. Mr. Ebert noted that one home has three frontages. There is another home that gets the benefit of the roadway and not the storm sewer. The storm sewer is connected to Lake Road. That is another unique situation. An assessment equalization board will hear the concerns once the assessments are sent out.

Mr. Henderson stated that another key idea he would like to get into the project plan is the last time he spoke with the Mayor and Safety/Service Director there was an indication that they would like to move forward with the Sunset Project before the Bruce/Russell/Douglas Project. The concerns Mr. Henderson has heard is that the Bruce/Russell/Douglas Project has an EPA mandate behind it, whereas the Sunset Project does not. One of the steps in getting ready to authorize the Sunset Project to move forward would be to understand what the costs are most likely going to be for the Bruce/Russell/Douglas Project for reasonable assurance from the Finance Director and the Finance Committee that we can move forward, from a debt capacity standpoint, to do both projects before we move forward with the Sunset Project first.

Mayor Sutherland stated that Mr. Henderson will probably receive an estimate but they are still talking big picture. They are pretty close to having an accurate estimate on the Sunset Project. The engineering is done. The engineering has not been started for Bruce/Russell/Douglas Project and that is going to take probably months. So, we can get an estimate, but it is unknown how accurate it can be without doing the engineering. We work off of projects that are in the pipeline. We always have projects in various stages of development. There may be engineering going on, or maybe pre-engineering, and Sunset is ready to come out of the pipeline pretty much based on the action Council will have to take over the next couple months. But, we will be ready

Committee Meeting of Council
March 14, 2016

to start construction. If we do not do Sunset and start that this year, there will be no sewer project of any magnitude. Then you are working on things backing up.

Mr. Henderson stated that is why he wanted to get to the point of rather than just having a list of steps he would like to have the list of steps have some dates on it. The Mayor stated that there is a lot of Council work that is going to have to be filled in with dates. They do not control that.

Mr. Clark stated that we have to look at the totality of project costs and if we look at a general allocation of what the City is going to cover versus what the residents will pay, the residents may say they do not want any part of the assessment. To go through all those deliverables might be self-defeating. Mr. Clark stated he agrees with the template but there is work to be done up front on that as well. We haven't been out with new term financing that is going to cost us money for a while; the only debt we have done in the last couple of years on a long term basis is the Cahoon Aerial Sewer and the Cahoon Sanitary Sewer, and those were both zero percent loans. There is no cost to borrowing. This has a cost to it. And both projects have a cost for the residents in the City who will have to pay some part of it.

Mr. Koomar stated that Bruce/Russell/Douglas is a mandate that we obviously have to keep moving forward on and making progress on. It started at \$100,000 and now we are in that \$4 million range. The question on the table is what is the resident component and how much is the City going to absorb. We can put a new storm system in but if we don't have the residents on board and they don't want to connect to it that is not money well spent. Where does that currently stand and what are the expectations. That is a cost piece that is not included in the number right now.

Mr. Thomas stated they are working with one resident who has taken the steps they have asked them to do. They will be working with the resident to get the exact cost of the lateral line, sump pump and disconnecting the actual footer tiles in front of the sanitary line. That information should be available soon.

Mr. Koomar stated that some of the questions are how the Service Department will be working with the homeowners. What is the process and communication to determine those costs? It could vary by house. Possibly you will have to do ten houses and come up with an average. Mr. Thomas stated that the plumber could possibly give an across the board cost. They will check on all of that.

Mr. Koomar asked if there is consideration to doing something like the sidewalk program where we go out and get a competitive bid. The resident piece and getting them on board and willing to connect is an important component that could have some cost to it.

Mr. Thomas stated that they will look at all the options.

Mr. Henderson stated that these types of conversations will plug into the timeline of Sunset even though it is a Bruce/Russell/Douglas conversation because we want to make sure we keep the City positioned to bear costs for both of the projects before we move forward with the Sunset

Project because we want to make sure we achieve the EPA mandate for Bruce/Russell/Douglas at some point.

Mayor Sutherland stated that the City has handled \$7 million in projects. The Police Station was \$7 million, and that came right on the heels of the Community Gym and the Aquatic Facility. It is not like we can't incur debt to that level.

Mr. Henderson stated that the next iteration of the Bruce/Russell/Douglas Project planning might be a level of detail that could work into the timeline of the Sunset Project. The Mayor stated that it is hard to say. The engineer has given us an estimate but we are not going to go to a very detailed resolve in a week. There is a lot of work that has to be done.

Mr. Henderson noted that there were estimates for the Bruce/Russell/Douglas Project of \$300,000 on the low end and something like \$4 million on the high end. The Mayor stated that there has to be a decision made by Council as to their preferences. Mr. Henderson stated that we are narrowing down on that range of decisions. Once we make that decision we can start plugging that into the Sunset Project decision process with the Finance Director to make sure there is that capacity for both projects.

The Mayor stated that for the Bruce/Russell/Douglas Project we can certainly try for a no interest loan through the State Issue No. 1 Funding. Because there is an EPA mandate, that will allow extra points. We will try definitely go after trying to package some outside funding.

Mr. Clark suggested tasking the Finance Director and the Finance Committee to have discussions on a tandem basis on what our debt capacity is given these two projects as the year goes through.

Mr. Tadych stated that you are not only talking about assessments to the homeowners of the Sunset Area, but to their association as well for the park property. That entity is going to be divided somehow back to the residents for the park. When they see both numbers it will complicate their agreement or disagreement with the whole project. It is a very deep project.

Mr. Henderson stated that the Assessment Equalization Board will likely be convened at some point to hear people's points of view. Mr. Ebert stated that the Assessment Equalization Board makes a report and submits it to Council. If Council rejects the report, you start over with a new Assessment Equalization Board. The process of the Equalization Board does not slow down the construction process.

The Mayor noted that if Council makes the necessary decisions this spring and there is an Equalization Board, but the City wanted to go out to bid in August, the equalization process will not deter going forward. Mr. Ebert stated that the Assessment Equalization Board process just determines who is going to pay: the City or the homeowner. Mr. Clark noted that at some point in time you want to have the cost before you go full board on the project. If the residents say the cost to them and the association is going to be so punitive, do we spend a lot of time burning resources on trying to finance construction on the project? Mr. Tadych stated that he does not think that it has worked that way in the past. Mr. Ebert stated that if you are committed to

making an improvement project, whether the City is picking up the tab or the residents are picking up the tab, you are going forward with the project.

Mr. Koomar noted that he heard from the representative of the association that they really want to know what the number is for the residents before they agree. Mr. Ebert stated that they will know their number before that even started. He stated that Mr. Henderson is trying to have Mr. Thomas and Mr. Greytak build out in detail what Council's component is, what the administration's component is, what CT Consultant component is, and what the residents' component is. Mr. Henderson stated that he would like to indicate on the Assessment Procedure sheet Mr. Thomas sent before the responsible party, whether it is the engineering team or the Service Director's team, the administration team, Council, residents of Sunset and calendar date estimates. While understanding this is a base line plan, it is important for all of us to have a base line plan and the dependencies. Is the project dependent upon completion and acceptance of Council by the report of the Assessment Equalization Board before we move forward with construction, or is it not. Mayor Sutherland stated that they would have Bob Greytak, the consulting engineer do the sheet with that information.

Mr. Henderson stated that if we see the timelines we talked about verbally on a piece of property it sounds like we would be going to bid in the third quarter of the year. We have had conversations around this table that that is not the normal time of the year to go out to bid. Mr. Henderson would like to know how that project time would work around the winter versus going out to bid and starting a project in the spring of 2017 rather than starting in the fall of 2016.

Mayor Sutherland stated that there is a certain amount of work that could be done in the fall and the Cahoon Road Sewer Project was worked on in the winter. If we don't get good bids we can always rebid. Mr. Koomar noted that there is a cost to rebidding. The Mayor stated if there are no responses or it is out of kilter, it is worth rebidding. It is our option. Sewer projects are different than road projects. Road projects must go out in the spring because of the shorter opportunity for construction. The Mayor stated that she would hate to not get started on a major project this year.

Mr. Henderson concluded his report, stating that he wants to make sure Council is staying somewhat in sync with the conversations he is having with the administration. He asked if there are any other ideas or concepts that are on Council's mind that he thinks should be an item on the Project Plan. Mr. Clark stated that Mr. Henderson has mentioned that he has to have certain deliverables and a timeline, you have to get to a point in time where you assess whether this is a no-go project this year dependent on the assessment and valuation share of cost. We have made progress so far. We have had the engineering done, and conversations with the homeowners association. We have made more progress than we have with previous starts. We will stay on task with this. To have the calendar put together will be helpful.

Mr. Koomar asked Mr. Thomas what his thoughts are right now on how much or how little the City is going to absorb on the private property piece of the Bruce/Russell/Douglas Project. Mr. Thomas stated that he has seen costs on a new lateral storm line from \$900 to \$1500. There are 188 homes to receive a new storm line. Mr. Clark stressed the importance of moving this project forward because of the EPA mandate.

Mayor Sutherland stated that they are always moving projects forward.

Mr. Henderson stated that fundamentally his goal is to get a revised version of the project sheet he was given by Mr. Thomas so that everyone has a game plan with the steps noted and when approximately those will take place, and who is responsible. Once we have a draft of that and the next iteration of the Bruce/Russell/Douglas plan there will be another Public Improvements Committee meeting to cover these subjects in depth.

FINANCE AND CLAIMS COMMITTEE

Mr. Clark advised that the Finance Committee held a meeting earlier this evening and working with the assistance of Finance Director Mahoney they have determined what the borrowing program for 2016 will be and will look to finalize that on the third and final reading of the Annual Appropriation Ordinance. With the lower than anticipated cost of the composter being purchased in partnership with the City of Westlake, that will allow the scheduling to go ahead in 2016 with two projects that were originally scheduled for 2017: the Kiddie Kollege floor restoration and a new floor at the Bay Lodge.

2016 Budget

Mr. Clark stated that the Annual Appropriation Ordinance will move to second reading this evening. There has been discussion of the ordinance, in particular Section 5, and the concern of the administration in terms of the language and whether this is an appropriate place to have that clause. There is a feeling among Council that they like to have a checks and balance but the question is whether it belongs in the appropriation ordinance or in a separate ordinance. Mr. Clark opened the topic for comments.

Mayor Sutherland stated that their feeling is that the clause in Section 5 is inappropriate to be in the budget. It should be a separate ordinance. She stated that she has no problem with checks and balances, but also would like to point out that according to our Charter we mimic state law as far as bid level which is at \$50,000. As far as professional services, the Mayor is empowered to sign those contracts up to that level. Mr. Koomar stated that he thinks that Council agrees with all of that. In past practice, Council has seen more detail which answers a lot of questions. For example, in 2014, the Mayor submitted the CT Consultants contract for a lesser amount. That type of give and take answers a lot of questions for Council. We definitely agree on the \$50,000 level.

Mayor Sutherland stated they actually talked with Mr. Henderson and Mr. Clark earlier this evening. She noted it is wonderful having Ruth Popovich, the Assistant Finance Director, since she has so much experience of working with the State Auditor for 30 years. She has a very deep understanding of municipal budget law and state requirements. One of the things that came up that she is very concerned about is changing our level of control. In 2004, based on the directives they were getting from the State Auditor's office, we used to have a level of control that was by line item. If we would go over \$25.00 over we would be cited by the Auditor. Their

directive was to put all line items under “Operating.” That is what they have been working off. They really don’t want to go against the Auditor’s directive.

Ms. Popovich stated that one of the concerns she has is if we pass something that is sitting in an operating budget, for example, a fire truck repair, something big that could exceed our \$15,000, would that then require us to come back to Council and have that separately approved, or would the Finance Director have the authority because money is appropriated within the repair line item to authorize expenditures. Ms. Popovich stated that she spoke with the Finance Director and the Mayor about possibly having Section 5 in a separate ordinance where we could define what it is at a certain level, \$15,000, \$20,000, \$25,000, that Council wants to see because we can’t cherry pick between Capital and Operating. Once we establish our legal level of control we want to maintain that rather than causing ourselves a violation.

Mr. Koomar stated that he does not think there is a problem with a separate ordinance.

Ms. Popovich stated that the feedback from Council needed is what is it that would require Council notification or Council approval, and at what dollar amount. Mr. Clark stated that they are not trying to restrict the routine.

Mr. Koomar stated that what Council has approved is at a high level they pass a budget every year for vehicles. Going back to Mr. Martin’s and Mr. Cruse’s leadership, all of the vehicles would come to Council individually for approval. Council also knows that changes are going to be made in operating decisions, for example, a 4x4 truck gets in an accident and we have to buy an extra one, and the administration will manage it. But, Council historically has always had those things come to them historically.

Finance Director Mahoney stated that Mr. Clark and she had this conversation when she first started. Mrs. Mahoney asked at that time if they really want her to go to Council for every single item on the Capital list. So, she created a list of every Capital purchase so Council is approving it by the approval of the appropriation ordinance. It does indicate the truck number and Mrs. Mahoney would not have the authority to change the item purchased. She does follow the list, and if Council still wants an ordinance for each item, she will remove the list from the appropriation ordinance.

Mr. Koomar stated he just knows what we have done historically and if we want to have a broader discussion on that and get some feedback from Council we can. The Bailey contract for IT is always something that we have historically done. Also, on Capital projects, on any level, we have done change orders, pluses or minuses, even if it is \$4,000 or \$5,000. The point is that it is better transparency so we know how a project ends up. The Mayor and Finance Director said that they do that. Mrs. Mahoney asked what Council hasn’t seen that they want to see.

Mr. Clark stated that the feeling on Council is that they want to respect both sides. We would like to move this along as well. He asked if we are comfortable doing a separate ordinance with the wording that is acceptable to Council and the administration, drafted by Mr. Ebert. Council agreed. Mr. Clark stated that they would remove Section 5 from the appropriation ordinance. Mr. Ebert suggested the level be \$25,000 rather than \$20,000 for Council approval. Mrs.

Mahoney stated that the amount of \$15,000 was the state level for public bidding. It changed years ago to \$25,000. Because it was \$15,000 everything came to Council. When it went to \$25,000 Finance was not obligated because they were still following the bid budget. About four years it went to \$50,000.

Mr. Koomar stated that historically when that went up they were still looking at things at \$15,000. It has always been consistent that we were a bit more conservative. The bidding limit is \$50,000; there is no argument there.

Mr. Clark will ask that the appropriation ordinance be moved to second reading this evening. There will be some changes on the third and final reading, as it relates to some of the Capital components and the removal of Section 5. Hopefully that will be done by Monday, March 21.

Mr. Tadych asked if it is anticipated having the bidding part done by Monday, March 21 for first reading. Mr. Clark stated that he did not know but he thinks that all are in agreement that we will have a separate ordinance, and the ordinance will be similar to what we are trying to propose. Mr. Clark believes that \$50,000 is too high and \$15,000 is too low and there can be a compromise. He would like to keep that process going.

SAFEbuilt, Inc. Contract

Mayor Sutherland stated that Finance Director Mahoney and she met with representatives from SAFEbuilt, Inc. two weeks ago and the contract states that if we are happy with them after three years we can extend it another two years. Their rent will be increased by 2% starting in May and then another 2% the following year. The Mayor has discussed with them that they are very close to the point where the City's percentage would go to 20% rather than 15% of permit fees. Basically, there is nothing else in the contract that needs to be changed.

Mr. Clark suggested that the City negotiate the 80%/20% share at this point, noting he would prefer that rather than the 2% rent increase. The Mayor stated that they will discuss this further.

Mrs. Mahoney stated that in 2012 the Building Department had a net deficit of almost \$185,000, not including the cost of cars and equipment. In 2016 under SAFEbuilt, Inc., the City had a net profit of \$65,000.

Mayor Sutherland stated Superintendent of Schools Clint Keener expressed gratitude to the Mayor for the services of SAFEbuilt, Inc. during the schools' construction projects.

Mr. Koomar asked about Mr. Cheatham's role and the City's expectations for attending Planning Commission and other meetings.

Mr. Vincent noted that Mr. Cheatham had attended Architectural Board of Review Meetings initially but has not attended for a while. A representative of the company did attend recently, and it is helpful for the members of the Architectural Board of Review to have his attendance.

Committee Meeting of Council
March 14, 2016

Mr. Vincent noted that Mr. Cheatham is the City of Bay Village Chief Building Inspector. He asked if he has that role in any other cities. Mayor Sutherland stated that he is at Olmsted Falls. The Mayor said he has staff on site.

Mr. Koomar stated that he believes they have done a good job. He would hate to see the continuity of Mr. Cheatham end.

Mr. Vincent asked the starting date of the new contract. Mayor Sutherland stated it starts at the end of the present contract. Mr. Vincent asked if there is any chance of SAFEbuilt, Inc. leaving the City of Bay Village. Mayor Sutherland stated that she does not think so. They are growing by leaps and bounds and are doing things such as large inspection projects for other entities. Rocky River is looking at them right now for taking over commercial work. They are a well-run company with a good handle on the work.

Mr. Mace asked if SAFEbuilt, Inc. is taking care of the home maintenance complaints. Mayor Sutherland stated that this has reverted back to the City under the care of Bob Lyons who does the home maintenance program and the sidewalk replacement program.

RECREATION AND PARKS IMPROVEMENT COMMITTEE

Mr. Mace had no report this evening.

SERVICES, UTILITIES AND EQUIPMENT COMMITTEE

Westlake-Bay Ecological Composting Facility Agreement

Mr. Tadych stated that copies of the agreement were included in the Council packets this past weekend. He is looking for direction as to whether there should be a Services, Utilities and Equipment Committee to discuss the contract, or if it should be reviewed by the Committee of the Whole.

Mr. Koomar stated that he would suggest Committee of the Whole, unless Mr. Tadych preferred reviewing it at a Services, Utilities and Equipment Committee meeting. Mr. Tadych agreed, and noted that there are two exhibits missing from the draft of the agreement. The contract expired in 2009. The exhibits will be included in the Council kits the weekend of March 18.

Mr. Henderson suggested that Mrs. Mahoney indicate that this contract/equipment improvement should be included in the five-year Capital plan sheets.

Mr. Ebert stated that the acceptance of the bid of the Scareb composting machine is the exhibit information and that is to be presented for approval at the March 21, 2016 meeting of Council.

Telephone System for the City

Mr. Tadych stated that he would like to see the plans for the equipment to be purchased.

Microphone Wiring of the Conference Room

Mr. Tadych stated he would like to know when the conference room will be wired and when the equipment will be installed. Mr. Vincent stated that JAVS, the microphone contractor, will install beginning March 15. They did a walk-through of the committee room two weeks ago and feel they are ready to install. The League of Women Voters representative assured Mrs. Mahoney that the check for the microphones will be sent to her shortly.

MISCELLANEOUS

Dover Center Road/Wolf Road Crossing Guard

Mr. Vincent asked consideration for the inclusion of the cost of a school crossing guard at the Dover Center Road and Wolf Road intersection. This would improve consistency throughout the City in providing crossing guards for the children going to and from school.

Mayor Sutherland stated that the No Turn on Red signs were incorporated at intersections. Mr. Vincent stated that Dover Center Road and Wolf Road is the heart of our City and is where the major traffic flows.

Mr. Koomar stated that the expenditure is akin to the Tree Commission receiving \$5,000. We haven't had any accidents there, but at the same time having a consistent level of safety at all of the Wolf Road intersections, seems like a good investment for a few thousand dollars. All of the other intersections with the No Turn on Red signs have crossing guards. We have a lot of kids crossing and it seems like it would make sense in the heart of the City.

Chief Spaetzel stated that they did not recommend a guard at the Dover/Wolf intersection because of the age of the children that cross there. It is the middle school and high school age children. They did an extensive study last year and all of the kids crossed properly using the lights. They can cross two ways now in the allotted time and it seems to work quite well.

Mr. Vincent stated that there is operational money available and he thinks it is worth the money. He is concerned that the age of those kids is the age where they are using cell phones and may be distracted. Mr. Vincent stated that he hopes it is a waste of money and no one gets hurt, but he strongly recommends the guard at that intersection.

Mr. Koomar noted that fifth and sixth graders use that intersection a lot and there isn't that much difference between them and a fourth grader. It is still a potential issue.

Mr. Tadych noted the presence of St. Raphael School on Dover Center Road and there could conceivably be kids crossing for that school as well.

Mr. Clark asked how long it would take to hire someone. Mr. Tadych suggested hiring as soon as the signs go up. Mr. Koomar suggested putting someone in and watching it for the remainder of the year.

Committee Meeting of Council
March 14, 2016

Mr. Clark will request that \$5,000 be added to the budget for the school crossing guard at Dover Center and Wolf for the remainder of the present school year.

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

Paul Koomar, President of Council

Joan Kemper, Clerk of Council

DRAFT

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
APPROVING CERTAIN CAPITAL EXPENDITURES AND PERSONAL
SERVICES CONTRACTS PREVIOUSLY APPROVED BY BUDGET
THAT EXCEED TWENTY THOUSAND DOLLARS,
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bay Village annually provides a budget which is approved by Council and is subject to certain State bidding limitations; and

WHEREAS, the Finance Director may approve expenditures submitted by the department directors or as directed by Council within amounts appropriated by Council; and

WHEREAS, Council shall approve capital assets, vehicles, professional consulting services that are in excess of Twenty Thousand Dollars (\$20,000.00) provided that the funds have been appropriated by Council;

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

SECTION 1. The Finance Director may approve expenditures provided that the amounts have been appropriated by Council.

SECTION 2. Any and all amounts that exceed Twenty Thousand Dollars (\$20,000.00) and previously appropriated shall be submitted to Council for specific approval which are not subject to State bid limitations.

SECTION 3. That this policy shall also apply to any group purchases from the same vendor annually which collectively exceed the Twenty Thousand Dollar (\$20,000.00) limit.

SECTION 4. Expenditures for Cahoon Memorial Park which are not subject to bid limitations shall be in accordance with the Cahoon Will and the authority granted to the Trustees under the jurisdiction of the Cuyahoga County Probate Court.

SECTION 5. 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 6. 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 necessary to award said contract to ensure the fireworks display takes place in a timely manner during the Fourth of July celebration, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

DRAFT

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

3/18/16 ll

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN ECOLOGICAL
COMPOSTING FACILITY AGREEMENT WITH THE CITY OF WESTLAKE,
AND DECLARING AN EMERGENCY.**

WHEREAS, the Cities of Bay Village and Westlake, on or about August 7, 1989, established an Ecological Composting Facility at the former Westlake landfill (the "Facility"); and

WHEREAS, the Cities of Bay Village and Westlake jointly purchased a windrow composting machine to implement and operate a community composting program; and

WHEREAS, the Cities of Bay Village and Westlake have determined that the health and welfare of the Cities would be promoted and preserved by the continued operation and maintenance of said Facility and the continued implementation of composting programs; and

WHEREAS, the Cities of Bay Village and Westlake entered into a Westlake-Bay Ecological Compost Facility Agreement which expired February 28, 2009; and

WHEREAS, both communities face a continued need to address leaf disposal;

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 an Ecological Composting Facility Agreement with the City of Westlake. The Agreement shall be effective from the date of execution and shall remain in effect until the 31st day of December, 2026 unless terminated earlier as provided for in said Agreement. However, at the end of the initial five (5) year term the parties shall review the contract and mutually agree on any price adjustment going forward for the next five (5) years. Said agreement shall be approved by the Director of Law.

SECTION 2. 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 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, property and safety, 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

3/16/16 II