

May 19, 2016

A Special Meeting of the Bay Village City Council will be held on **Monday, May 23, 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
3. **Motion** to approve the minutes of the Regular Meeting of Council held May 16, 2016.  
**\*Clark\***
4. **Ordinance 16-32** approving certain Capital Expenditures and Personal Services Contracts previously approved by budget that exceed Twenty Thousand Dollars (\$20,000), and declaring an emergency. **\*Clark\*** (First Reading 5-9-16) (Second Reading 5-16-16)
5. **Ordinance** authorizing the Mayor to enter into a Labor Agreement with the International Association of Fire Fighters, Local 1144, and declaring an emergency. **\*Clark\***
6. **Motion** to convene to Executive Session: Personnel – Administrative Compensation; Contracts- Kiddie Kollege.
7. Adjournment.

Charter Reference 2.11

Paul A. Koomar, President of Council

Agenda  
Special Meeting of Council  
May 23, 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, Regular Meeting  
Council Chambers 8:00 p.m.

May 16, 2016

Paul A. Koomar, President of Council, presiding

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

Excused: Mr. Clark

Also Present: Law Director, Ebert, Finance Director Mahoney, Director of Community Services Selig, Director of Public Safety/Service Thomas, Human Resource Manager Demaline, Police Chief Spaetzel, Fire Chief Lyons, Recreation Director Enovitch, Chief Building Official of SAFEbuilt, Inc., John Cheatham.

### AUDIENCE

The following audience members signed in this evening: Lydia DeGeorge, Pam Cottam, Dick Majewski, Jerrie Barnett, Jennie Mace, Suzanne Graham, Eric Eakin, Patrick McGovern, Claire Banasiak, Richard Fink, Denny Wendell. In attendance also were family, friends, and past and present colleagues of Law Director Ebert.

Mr. Koomar called the Regular Meeting of Council to order at 8:00 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Councilman-at-large Marty Mace.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held May 9, 2016. Mr. Tadych **MOVED** to dispense with the reading and accept the minutes of the Special Meeting of Council held May 9, 2016 as prepared and distributed. Motion carried 6-0 and one abstention by Mr. Henderson. Mr. Koomar called for a reading of the Minutes of the Cahoon Memorial Park Trustees meeting held May 9, 2016. Mr. Tadych **MOVED** to dispense with the reading and accept the minutes of the Cahoon Memorial Park Trustees meeting held May 9, 2016 as prepared and distributed. Motion carried 7-0 and one abstention by Mr. Henderson.

### ANNOUNCEMENTS

**Mayor Sutherland** read and presented a proclamation to Gary Ebert, in honor of his thirty years of service as Law Director of the City of Bay Village.

**Former Mayor of Bay Village, Tom Jelep** gave a warm, congratulatory speech in honor of Mr. Ebert, highlighting the service of Mr. Ebert to the City of Bay Village.

**The Honorable Dave Greenspan**, Cuyahoga County Council, District Council 1, presented a proclamation of the County Council to Gary Ebert, Law Director recognizing his 30 years of dedication to the City of Bay Village.

## **REPORTS**

**Mayor Sutherland** reported that the first Stakeholder Meeting was held Monday, May 16 at 6:00 pm at the Police Department Community Room for the Cahoon Park Connectivity Study, facilitated by representatives of the Northeast Ohio Areawide Coordinating Agency (NOACA). Additional meetings will be held and information will be posted on the City website.

**Human Resource Manager** Jennifer Demaline advised that a Wellness Event will be held in the Community Room of the Police Station on Thursday, May 19, 2016 for the employees to do a health screening by MetroHealth System. Eight hour fasting is required, and the screening will establish a baseline for future testing. Council members are invited to attend, and Mrs. Demaline encouraged participation. Appointments for the screening can be made by contacting Jennifer Demaline.

**Recreation Director Enovitch** advised that Learn-to-Swim Classes, Session 1 registration opened today. Residents may register on line or in person for swim lessons for the upcoming session. The pool opens two weeks from today, Monday, May 30, 2016. Abbreviated hours will be in place until June 2, 3 p.m. to 7 p.m., and on June 3 the pool will be open 3 p.m. to 9 p.m. On June 4, and thereafter, the pool will be open regular hours, from 1 p.m. to 9 p.m., Monday through Saturday.

**Public Safety/Service Director Thomas** advised that milling of streets will be started this week on Naigle Road and Lincoln Road. The improvements will take about thirty days.

**Police Chief Spaetzel** had no report this evening.

**Fire Chief Lyons** advised that the annual hydrant flushing program has begun. Crews are out Monday through Friday flushing hydrants. If rust appears on clothing after being washed after hydrant flushing, packets to remove the rust are available for free at the Fire Station.

Lydia DeGeorge stated that the sound from the microphones is not coming through the speakers in the Council Chambers, making it difficult for the audience to hear.

Ms. DeGeorge asked Mayor Sutherland where the Cuyahoga County Planning Commission meeting for the Master Plan will be held on May 18. Mayor Sutherland stated that the meeting will be held at City Hall at 10 a.m.

Ms. DeGeorge asked if the Steering Committee meetings will be recorded and posted. Ms. Sutherland stated that they will have minutes and they will be posted. There will be a Public Visioning meeting on June 28, probably at the Dwyer Memorial Center.

Mr. Henderson asked if the group of people that is going to be on the committee has been finalized yet. Mayor Sutherland stated that applications are still being accepted for the Steering Committee and a decision will be made by June 1, 2016, with the first meeting to be held June 18, 2016. A letter of interest and/or resume should be submitted by interested parties. The Mayor stated that she is looking at demographics and trying to get representation from all four wards, but the demographic issue is important. It is hoped to have younger people who are going to be living in the City for the next twenty-five years.

### **McKeon Education Group Report to Council and Administration**

Police Chief Spaetzel introduced Loren McKeon, with the McKeon Education Group. The Chief explained that the City of Bay Village and the Bay Village Schools jointly contract to provide a vast array of very professional services.

Loren McKeon stated that she was a classroom teacher and taught girls who lived below the poverty level and were diagnosed with severe emotional behavior disorders. After leaving that occupation, Ms. McKeon went back to school to become a Behavior Interventionist. Fourteen years ago, she partnered with David Mack and opened the McKeon Education Group. They are an education and mental health consulting firm, based out of Sagamore Hills, Ohio. They serve Bay Village through the Bay Family Services providing programs for young men through their “Courage” program, and young women through their “Wings” program. Ms. McKeon complimented the collaboration of the Police Department, City and Schools of Bay Village in their support of the programs offered for those who may be struggling. Programs are run through the schools, they have an office at the Bay High School, but serve the entire school district and the entire City. They respond to crises, and work closely with the Police Department in the Juvenile Diversion Program. Part of that program is Community Service. McKeon Education Group has also extended their services to residents. They are serving eight people who don’t even have children in the schools presently, trying to help them through some difficult times. The Honor Group is run by McKeon Education Services in Bay Middle School for young men to explore what they are doing and set goals and guidelines. Every year they run a fundraiser, shining shoes all day, and making cupcakes for families struggling over the holidays.

Ms. McKeon expressed appreciation to the community for their support and opened the program for any questions.

Pam Cottam asked the type of license or certification held by the employee of McKeon Education Group who is stationed at the Bay High School? Do you have a particular ideology, psychological attitude or viewpoint that is used?

Ms. McKeon stated that they use the research based Resiliency Theory that there are protective factors that all persons need to move through life in a healthy way: a connection to community, a feeling of commitment, and high standards. Everything they do is based on research in Ohio Best Practices. Jamie, Janet and Dave, as well as Loren all have mental health backgrounds, whether it is a Licensed Social Worker or Mental Health Psychologist. They work very closely with the school counselors.

The Community Diversion Program works with juveniles who are arrested through a program with Police Chief Spaetzle and Detective Kevin Krolkosky that has been recognized as an "Ohio Best." They have a meeting with the parents of the minors and the magistrate, and Ms. McKeon works with the young residents over a period of nine weeks for redirection of behavior and thought process. The idea is to keep the juvenile out of Juvenile Court and get them back on track. Ms. McKeon noted that they have this program in many cities with the Diversion Program, and Bay's program is well-run due to the work of the Police Chief, Detective Krolkosky, and the support of the parents.

#### **ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE**

**Mr. Vincent** introduced and read **Ordinance No. 16-35** authorizing the Mayor to enter into an agreement with Hamburg Fireworks Company for the 2016 July 4<sup>th</sup> Fireworks Display, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 16-35

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the 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. 16-35 an emergency measure, by a vote of 6-0.

#### **FINANCE AND CLAIMS**

Minutes of Regular Meeting  
Bay Village City Council  
May 16, 2016

**Mr. Tadych** read, by title only, **Ordinance 16-32** approving certain Capital Expenditures and Personal Services Contracts previously approved by budget that exceed Twenty Thousand Dollars (\$20,000), and declaring an emergency. (First Reading 5-9-16).

Mr. Koomar announced that Ordinance No. 16-32 is placed on second reading.

**Mr. Tadych** introduced and read, by title only, **Ordinance No. 16-36** authorizing the Mayor to renew the Lease Agreement with SAFEbuilt, Inc. for the real estate located on the lower level at Bay Village City Hall, and declaring an emergency.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 16-36.

Roll Call on Suspension of the Charter Rules:

Yeas- Koomar, Lieske, Mace, Tadych, Vincent, Henderson  
Nays -None

Roll Call on Suspension of the Council Rules:

Yeas –Koomar, Lieske, Mace, Tadych, Vincent, Henderson  
Nays – None.

Roll Call on Use of the 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. 16-36 an emergency measure, by a vote of 6-0.

**Motion by Tadych** to acknowledge receipt of April, 2016 Financial Reports prepared and submitted by Renee Mahoney, Director of Finance.

**Motion passed 6-0.**

#### **PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE**

**Mrs. Lieske** commented that the Planning, Zoning, Public Buildings and Grounds Committee will meet in the near future to review proposed amendments to Codified Ordinance Chapter 1351, Determination of Grade.

#### **PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE**

**Mr. Henderson** had no report this evening.

#### **RECREATION AND PARK IMPROVEMENTS COMMITTEE**

**Mr. Mace** had no report this evening.

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE**

**Motion** by **Tadych** authorizing the Director of Finance to advertise for bids for electricity supply to City of Bay Village Municipal Buildings.

**Motion passed 6-0.**

**Mr. Tadych** introduced and read **Resolution No. 16-37** authorizing participation in the Ohio Department of Transportation Winter Contract (018-17) for Road Salt, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution No. 16-37.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Ordinance No. 16-37 an emergency measure, by a vote of 6-0.

**MISCELLANEOUS**

There being no further business to discuss, the meeting adjourned at 8:35 p.m.

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Paul A. Koomar, President of Council

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Joan Kemper, Clerk of Council

ORDINANCE NO. 16-32  
INTRODUCED BY: Mr. Clark

First Reading 5-9-16

**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 equipment, vehicles, public improvement projects and personal services contracts 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 single item capital expenditure that exceeds Twenty Thousand Dollars (\$20,000.00) and previously appropriated shall be submitted to Council for specific approval.

**SECTION 3.** Any personal services contracts that exceed Twenty Thousand Dollars (\$20,000.00) in the aggregate in a single year to the same vendor and previously appropriated shall be submitted to Council for specific approval.

**SECTION 3.** 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 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, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

4/26/16 ll

ORDINANCE NO.  
INTRODUCED BY:

**AN ORDINANCE**  
**AUTHORIZING THE MAYOR TO ENTER INTO A LABOR AGREEMENT  
WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1144,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, the International Association of Fire Fighters, Local 1144 and the City of Bay Village went through Collective Bargaining and since the parties were unable to reach an agreement, a Fact Finding hearing was held and a report was issued and since neither party filed an objection within the time frame, the report is deemed accepted;

**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 International Association of Fire Fighters, Local 1144, AFL-CIO, covering compensation and other employment provisions for municipal employees for the period from January 1, 2016 through December 31, 2018.

**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:

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PRESIDENT OF COUNCIL

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED:

\_\_\_\_\_  
MAYOR

1/27/16 ll