

Agenda, Bay Village City Council
Regular Meeting, Council Chambers

June 6, 2016
8:00 p.m.

Committee Meeting 7:30 p.m. Conference Room
(Public Welcome)

Paul Koomar, President of Council, Presiding

Pledge of Allegiance/Councilman

Roll Call/Pledge of Allegiance led by Paul W. Vincent, Councilman Ward 2

Reading of Minutes – Special Meeting of Council held May 23, 2016

Cahoon Memorial Park Trustees Meeting held May 23, 2016

ANNOUNCEMENTS

REPORTS

Mayor Sutherland

Director of Law Ebert

Director of Finance Mahoney

Director of Recreation Enovitch

Director of Public Service/Safety Thomas

Director of Community Services Selig

Police Chief Spaetzel

Fire Chief Lyons

COMMUNICATIONS

AUDIENCE

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Vincent

FINANCE AND CLAIMS-Mr. Clark

Ordinance 16-32, as amended, 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) (Second Reading 5-16-16)

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

Resolution adopting a Tax Budget for the City of Bay Village for the Fiscal Year beginning January 1, 2017, submitting same to the County Fiscal Officer, and declaring an emergency. (First Reading)

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Resolution certifying unpaid tree removal charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency. (First Reading)

Resolution certifying sidewalk repair and/or construction charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency. (First Reading)

Resolution certifying unpaid sewer rental and refuse collection charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency (First Reading)

Resolution certifying unpaid grass cutting and cleaning charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency (First Reading)

Ordinance enacting revised Codified Ordinance Chapter 151 entitled Employment Provisions (First Reading)

Ordinance authorizing the Mayor to enter into an agreement with the McGowan Insurance Agency as agents of Argonaut Insurance for Public Officials Liability, Law Enforcement Professional and Firefighters Professional Liability, General Liability, Automobile Physical Damage and Liability, Property and Equipment, Boiler and Machinery, and Crime Coverage and Umbrella Insurance, and declaring an emergency.

Ordinance to amend appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2016 as previously appropriated in Annual Appropriation 16-09, and Ordinance No. 16-23.

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

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

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Tadych

Ordinance authorizing the Mayor to enter into an agreement with Direct Energy Business, LLC for PSC Services and Electricity for all Bay Village Municipal Buildings, and declaring an emergency.

MISCELLANEOUS

Motion to convene to Executive Session: Personnel – Administrative Compensation; Contracts-Medical Mutual.

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

May 23, 2016

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

Also Present: Law Director Ebert, Finance Director Mahoney, Director of Public Safety/Service Thomas, Director of Community Services Selig, Police Chief Spaetzle, Fire Chief Lyons, Human Resource Manager Jen Demaline.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lydia DeGeorge, Pam Cottam, Suzanne Graham.

President of Council Koomar called the meeting to order at 8:00 p.m. with roll call and the Pledge of Allegiance, led by Ward 1 Councilman David L. Tadych.

AUDIENCE COMMENTS

There were no comments from the audience this evening.

ANNOUNCEMENTS

Mayor Sutherland advised that she will be in Columbus, Ohio on Tuesday, May 24 and Wednesday, May 25, 2016 working on Local Government Fund issues. The Grand Army of the Republic Highway has been designated on Route 6. The Mayor displayed a plaque that will be hung at City Hall.

The Mayor stated that they were very shocked to learn that the City of Bay Village has just received a grant from the Ohio Department of Transportation in the amount of \$1,379,226, for the Queenswood Bridge Replacement Project. The amount of \$130,000 had been set aside in the 2016 Budget for repair of the bridge. Instead of the usual 80%/20% split between ODOT and the City, the match will be 95%/5%, so basically it will be only \$65,000 that the City has to spend for complete bridge replacement in 2019. The Mayor noted that Director of Public Safety/Service Scott Thomas and Osborn Engineering did a phenomenal job in securing this grant. The bridge is safe and there are some things that the City will do to make sure that water is diverted until the replacement takes place, and truck traffic will not be permitted. The Mayor noted that this is probably the largest grant the City has ever received.

Mr. Thomas stated that the \$130,000 appropriated for repairs to the Queenswood Bridge will no longer be needed. Mayor Sutherland stated that the funds can go for some of the other building issues that are under consideration. Mr. Mace asked if signs have been placed notifying drivers that truck traffic will not be permitted on the bridge. Mr. Vincent asked when the application

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was filed for the grant, and Mr. Thomas stated that it was filed in February of 2016. He noted that this was a unique year when there was money available from tolls for the turnpike. Not enough applicants had their projects ready to go. The City was told it was an extreme longshot but they proceeded and were successful. Mr. Tadych asked who came up with the amount for the bridge replacement. Mr. Thomas stated that Osborn Engineering provided the calculations for the bridge replacement.

Mr. Koomar stated that there will not be a Council meeting on Monday, May 30 due to the Memorial Day Holiday.

There being no further announcements, Mr. Koomar called for a reading of the minutes of the Regular Meeting of City Council held May 16, 2016. **MOTION** by Clark to dispense with the reading of the minutes of the Regular Meeting of City Council held May 16, 2016 and accept the minutes as prepared and distributed. **Motion carried 6-0, with one abstention by Mr. Clark.**

Mr. Clark introduced and read **Ordinance No. 16-38**, authorizing the Mayor to enter into a Labor Agreement with the International Association of Fire Fighters, Local 1144, and declaring an emergency, amending by reading to remove the reference to a Fact Finding hearing indicated in the Whereas clause, and moved for adoption.

The Mayor thanked Jen Demaline, Human Resource Manager, for an outstanding job negotiating the agreement, and expressed appreciation for her efforts.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 16-38, as amended.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the 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. 16-38, an emergency measure, by a vote of 7-0.

In compliance with Section 121.22 of the Ohio Revised Code, **Mr. Clark** moved to convene to Executive Session regarding Personnel: Administrative Compensation; Contracts: Kiddie Kollege.

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

Motion passed 7-0.

Also present in Executive Session were Mayor Sutherland, Finance Director Mahoney, Law Director Ebert, Human Resource Manager Jen Demaline.

Council reconvened in an open meeting following the Executive Session at 9:54 p.m. Present were: Clark, Henderson, Koomar, Mace, Lieske, Vincent.

There being no further business to discuss, the meeting adjourned at 9:35 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

May 23, 2016

President of Council Koomar called the meeting to order at 7:57 p.m. in the conference room of Bay Village City Hall.

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

Also Present: Also Present: Law Director Ebert, Finance Director Mahoney, Director of Public Safety/Service Thomas, Director of Community Services Selig, Police Chief Spaetzel, Fire Chief Lyons, Human Resource Manager Jen Demaline.

AUDIENCE

The following audience members signed in this evening: Dick Majewski, Lydia DeGeorge, Pam Cottam, Suzanne Graham, Al Paulus, Wayne Reese, Steve Ruscher, Mindy Stroh, Tallulah Swasey.

Mr. Al Paulus addressed the trustees, advising that he is the President of the Bay Village Foundation, and the Foundation is in the process of doing renovation work on the Play-in-Bay playground. As a result of many of the Foundation members travelling around the country recently and seeing what other people are doing in parks, they got an idea of adding some color and other things to the park. They went to the High School Art Classes and asked them to come up with some ideas of something they might be able to do with a Lake Erie theme that would allow them to brighten up a few of the spots in the playground.

Mr. Paulus introduced Mindy Stroh and Tallulah Swasey to describe their project. Also present with Mr. Paulus were former Councilman Wayne Reese, and Steve Ruscher from the Bay Village Foundation. Mr. Paulus thanked everyone for their efforts, noting that the Bay Village Foundation has raised almost \$100,000 at this point for Play-in-Bay, including \$10,000 from the City of Bay Village. Only a couple more thousand dollars is needed to do the last few things, such as a recognition ball for donors. It is hoped that the project will be finished in October of 2016 with a nice addition to the playground.

Tallulah Swasey, representing the art students at Bay High, presented the project to the Cahoon Memorial Park Trustees, advising that their idea is to have signs and chalkboard. The signs will be very colorful and lively, representing the fish in Lake Erie. The names they have chosen are Shark Shack, the Bass-ment, Steelhead Station, and Carp Castle. The main four names will be on the big towers to the right when you walk into the entrance, to the left by the sandbox, and by the swing set. The signs will be made out of Redwood, painted with Acrylic paint, and the letters will be wood burned into the surface. Redwood was chosen because it doesn't rot and it stays for a long time. The chalkboard will be across from the Amphitheatre in an alcove with the Tic-Tac-Toe play element. That will be placed there so parents can watch their children while they are in one area, and take away from the possibility of graffiti. It will say "Today I am..." in decorative letters with nautical symbols and waves at the bottom with flat black paint. A chalk box will be included that looks like a boat. They will start off with chalk, but people in Bay

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Cahoon Memorial Park Trustees
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Village like to bring things to the playground and will probably resupply the chalk. If there is time before the end of the school year, the art students will add a couple more fish features to their plan. Mr. Paulus noted that he saw a playground this past weekend where they had done something similar and where they mounted the fish they actually painted the board blue so that it looked like the water. Mr. Paulus stated that if they decide to do further work they will come back to the Trustees.

Mr. Koomar asked if the Service Department will assist with the installation of the chalkboards. Mr. Paulus stated that he will work that out with the City. Mindy Stroh noted that the art teacher has advised that the paint will not be needed to be touched up for another twenty years.

Mrs. Lieske asked Tallulah how many of her classmates working on this went to Play-in-Bay when they were growing up. Tallulah answered "all of them." Mrs. Lieske complimented Miss Swasey on her presentation this evening.

Motion by **Mace** to approve the plans by the Bay Village Foundation for the installation of the signs and artwork created by the Bay High students for the Play-in-Bay including 2-1/2 ft. chalkboards, and up to 10 individual fish signs to the different features within the park with the nautical motif of sailboats and waves.

Motion carried.

There being no further business to discuss, the meeting adjourned at 7:59 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

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

First Reading May 9, 2016
Second Reading May 16, 2016
Amended Version 6-6-16

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 contract that exceeds Twenty Thousand Dollars (\$20,000.00) 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:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

5/31/16 ll

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**ADOPTING A TAX BUDGET FOR THE CITY OF BAY VILLAGE FOR THE
FISCAL YEAR BEGINNING JANUARY 1, 2017 SUBMITTING SAME
TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.**

WHEREAS, there has heretofore been prepared a tentative tax budget for the City of Bay Village for the fiscal year beginning January 1, 2017 showing detailed estimates of all balances that will be available at the beginning of the year 2017 for the purpose of such year and of all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites and all other types or classes of revenues; also estimates of all said revenues or balances; and otherwise conforming with the requirements of law; and

WHEREAS, the budget will be available for public inspection; and

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

SECTION 1. That the tax budget of the City of Bay Village for the fiscal year beginning January 1, 2017 as heretofore prepared and submitted to Council, copies of which are on file in the office of the Director of Finance of the City and the Clerk of Council, be and it is hereby adopted as the official tax budget for the City of Bay Village for the fiscal year beginning January 1, 2017.

SECTION 2. That the Clerk of Council is hereby directed to certify a copy of said tax budget and a copy of this Resolution to the Cuyahoga County Fiscal Officer, Ohio.

SECTION 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution 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 4. 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 reason that it is immediately necessary to adopt such tax budget to provide funds for 2017 wherefore this Resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.

ADOPTED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

5/19/16 LL

RESOLUTION NO
INTRODUCED BY:

A RESOLUTION
**CERTIFYING UNPAID TREE REMOVAL CHARGES TO THE
CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

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

SECTION 1. That pursuant to Section 547.15 of the Codified Ordinances of the City of Bay Village, it is hereby determined and declared that the list of tree removal charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid tree removal charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested pursuant to statute, to cause said charges to be extended on the 2016 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 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 reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, 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

5/19/16 LL

RESOLUTION NO.
INTRODUCED BY

A RESOLUTION
**CERTIFYING UNPAID SIDEWALK REPAIR AND/OR CONSTRUCTION
CHARGES TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

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

SECTION 1. That pursuant to Section 543.01 of the Codified Ordinances of the City of Bay Village, it is hereby determined and declared that the list of sidewalk repair and/or construction charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid sidewalk repair and/or construction charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested pursuant to statute, to cause said charges to be extended on the 2016 tax duplicate for collection in semi-annual installments.

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, safety and welfare, and for the further reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds 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

5/19/16 LL

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**CERTIFYING UNPAID SEWER RENTAL AND REFUSE COLLECTION
CHARGES TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

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

SECTION 1. That pursuant to Section 921.05 and Section 923.04 of the Codified Ordinances of the City of Bay Village it is hereby determined and declared the list of sewer rental and refuse collection charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid sewer rental and refuse collection charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested, pursuant to statute, to cause said sewer rental charges to be extended in the 2016 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 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 reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, 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

05/19/16 LL

RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
**CERTIFYING UNPAID GRASS CUTTING AND CLEANING CHARGES
TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION,
AND DECLARING AN EMERGENCY.**

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

SECTION 1. That pursuant to Section 521.11 of the Codified Ordinances of the City of Bay Village, it is hereby determined and declared that the list of grass cutting and cleaning charges on file in the office of the Director of Finance of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Director of Finance is hereby directed to do all things necessary to cause said unpaid grass cutting and cleaning charges to be certified to the Cuyahoga County Fiscal Officer for collection as other taxes, and the Fiscal Officer is hereby requested pursuant to statute, to cause said charges to be extended on the 2016 tax duplicate for collection in semi-annual installments.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 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 reason that it is immediately necessary to cause said charges to be certified for collection in order to make funds available to the City, 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

5/19/16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
ENACTING REVISED CODIFIED ORDINANCE CHAPTER 151
ENTITLED EMPLOYMENT PROVISIONS

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

SECTION 1. That the Codified Ordinances of the City of Bay Village are hereby amended by enacting revised Chapter 151 to read as follows:

“CHAPTER 151
Employment Provisions

EDITOR’S NOTE: Compensation and bond requirements are not included in these Codified Ordinances due to the fact that they are subject to constant change.

| | | | |
|---------|---|--------|--|
| 151.01 | Payment to employees on Military leave. | 151.11 | Life insurance. |
| 151.02 | Payment of City wages during Jury duty. | 151.12 | Privacy Act rules. |
| 151.03 | Mileage allowance. | 151.13 | Surety bonds. |
| 151.031 | Legitimate expenses. | 151.14 | Equal employment opportunity Policies. |
| 151.04 | Holidays. | 151.15 | Compensation payment. |
| 151.05 | Vacations. | 151.16 | Uniforms and uniform Allowances. |
| 151.06 | Hospitalization. | 151.17 | PERS pick up. |
| 151.061 | Hospitalization eligibility. | 151.18 | Drug free Workplace and Harassment Policy. |
| 151.07 | Physical examinations. | 151.19 | PERS pickup of additional service Credit. |
| 151.08 | Sick leave. | 151.20 | Whistleblower protection for Employees. |
| 151.081 | Family Medical Leave Act. | | |
| 151.09 | Longevity | | |
| 151.10 | Overtime Compensation. | | |

151.01 PAYMENT TO EMPLOYEES ON MILITARY LEAVE.

(a) All regular full-time employees of the City who are on leaves of absence from their Municipal duties and in attendance in the military service, field training or other active duty of the Ohio National Guard, Ohio Defense Corps, Ohio Naval Militia, or as members of other Reserve components of the Armed Forces of the United States, shall be entitled to receive for the period of such service, training or active duty not in excess of thirty-one days in any one calendar year, their regular pay, less the pay received for participation in such service, training or other active duty. Reimbursed expenses, travel and subsistence pay and other similar allowances shall not be considered in determining the amount of pay received for such service, training or active duty. Provisions of this section shall not apply if such military service, field training or other active duty is less than seventy-two consecutive hours or longer than thirty-one consecutive days.

(b) Any such City employee may, at his election, credit all or any portion of such military leave of absence against his regular annual vacation and for such period so charged the employee shall receive his regular vacation pay without deduction for the pay received for such service, training or active duty.

151.02 PAYMENT OF CITY WAGES DURING JURY DUTY.

(a) All City employees shall receive their regular wages for time lost from their work with the City while serving as a member of a municipal, common pleas or federal court jury panel.

(b) In order to qualify for such pay, the employee shall notify his supervisor of such

service in advance and upon completion of such service present proof satisfactory to the Director of Finance from the court as to the time spent in such service.

(c) No time spent in such service shall be counted or used for purposes of determining eligibility for overtime pay or compensatory time off.

(d) The employee may keep any amount received from the court for such services, in lieu of reimbursement for any expenses associated with such service.

151.03 MILEAGE ALLOWANCE.

All employees and elected officials of the City shall receive, as reimbursement for the use of their personal motor vehicles on City business, a sum in accordance with the mileage allowance under the Internal Revenue Service Regulations, plus parking fees. The Director of Finance shall approve such reimbursement

151.031 LEGITIMATE EXPENSES.

Tips and gratuities which are included in any legitimate expense shall be paid by the City.

151.04 HOLIDAYS.

(a) (1) All full-time employees of the City, excluding employees covered under separate labor contract, shall have the following days off with pay:

| | |
|-----------------|---|
| New Year's Day | Columbus Day <u>Day After Thanksgiving</u> |
| Presidents' Day | Veterans' Day |
| Good Friday | Thanksgiving Day |
| Memorial Day | Christmas Day |
| July 4th | Martin Luther King Day |
| Labor Day | |

(2) In the event that any of the aforesaid holidays shall fall on a Saturday or Sunday, when such holiday is not being observed on the preceding Friday or succeeding Monday, such employee shall receive comparable time off with pay on a date designated by the Mayor or the department or division head, ~~except that regular hourly employees in the Service Department and full-time employees of the Parks and Recreation Department for hours worked on the holiday shall receive one and one half times the employee's regular rate of pay, which compensation shall be in addition to the regular holiday pay for the day involved. The above referred to employees of the Service Department and Parks and Recreation Department shall receive double time in addition to holiday pay for all emergency call-ins midnight to midnight on Christmas Day. (December 25th)~~

(3) The preceding provision shall not apply to swimming pool personnel or temporary, seasonal or per diem personnel. Refusal on the part of an employee to work on a holiday when requested to do so shall constitute a forfeiture of all benefits of holiday pay under this section. Failure of an employee to work on the scheduled work day preceding and the scheduled work day succeeding the holiday, unless excused by the Mayor or department or division head, or unless on vacation, shall constitute a forfeiture of all benefits of holiday pay under this section.

(b) No employee shall receive the benefit of the provisions of this section in more than one employment capacity with the City.

(c) No part time or seasonal employee will receive holiday pay.

151.05 VACATIONS.

(a) Effective January 1, 2014, full time employees shall accrue vacation time, as set forth in the schedule below, unless otherwise agreed to by contract. An increase in accrual rate due to increase in longevity will be implemented in the next full pay period following the anniversary date. The Finance Director is hereby authorized to account for the hourly accumulation of earned vacation time on the bi-weekly payroll check of all City employees entitled to vacation time.

| LENGTH OF SERVICE | ANNUAL VACATION IN WEEKS | BI-WEEKLY | ACCRUALS |
|---------------------|-----------------------------|--------------|--------------|
| | | 35 Hour Week | 40 Hour Week |
| 0 Months to 4 Years | 2 | 2.69 Hours | 3.08 Hours |
| 4 to 10 Years | 3 | 4.04 Hours | 4.62 Hours |
| 10 to 17 Years | 4 | 5.38 Hours | 6.15 Hours |
| 17 to 25 Years | 5 | 6.73 Hours | 7.69 Hours |
| 25 or More Years | 6 | 8.08 Hours | 9.23 Hours |

(1) More than thirty but less than forty hour employees. Employees who work less than a forty-hour week shall accrue vacation hours pro-rated, on the basis of a forty-hour week.

(b) Effective January 1, 2014, unless otherwise agreed by contract, no employee shall be entitled to accumulate more than three weeks of vacation time. Any vacation time accumulated in excess of such limit shall be forfeited if not used by the employee by December 31 of each year.

(b) Effective January 1, 2014, unless otherwise agreed by contract, no employee shall be entitled to accumulate more than three weeks of vacation time. Any vacation time accumulated in excess of such limit shall be forfeited if not used by the employee by December 31 of each year.

(c) Effective January 1, 2014, unless otherwise agreed by contract, all employees that have accumulated vacation time in excess of three weeks shall be permitted to sell back to the City any accrued time in excess of three weeks by November 30 of each year. The employee shall receive a one-time payment from the City in the first regular pay date in December. No employee will be paid more than three weeks of time under this provision unless approved by both the Mayor and Director of Finance. Any accrued time in excess of three weeks that an employee does not sell back or use prior to December 31 shall be forfeited.

(d) When an employee resigns, retires or dies, salary payments in lieu of unused vacation allowance shall be granted in accordance with the schedule set forth above, provided the employee is leaving in good standing and has given two weeks' notice of the separation, where applicable:

(1) Any employee who has less than one year of service shall not be entitled to a salary payment in lieu of vacation.

(e) Full time years of service accumulated by any employee in one department or division shall be credited to such employee who transfers to another department or division for purposes of computation of vacation time.

(f) No employee of the City shall receive the benefit of the provisions of this section in more than one employment capacity with the City.

(g) The period of vacation shall be designated by the Mayor or the appropriate department or division head, or in the case of employees of Council, by Council.

(h) Effective January 1, 2014, no employee of the City shall be permitted to perform work for the City, in any capacity, while simultaneously receiving vacation pay.

~~_____~~(i) No part-time or seasonal employee will receive vacation pay.

~~_____~~(j) Any employee who becomes an employee of the City of Bay Village in a position of Director or Assistant Director after being employed by another political subdivision shall for the purposes of computation of vacation time be credited with the total years of his prior service with such political subdivision. The maximum vacation allowance for such an employee may not exceed 4 weeks for their first year of employment with the City of Bay Village and shall increase by 1 week for each year of continued service until the employee meets the vacation schedule in Section 151.06(a).

151.06 HOSPITALIZATION.

(a) Effective January 1, 2010, the City shall pay the cost of hospitalization insurance determined by the Plan adopted annually by the City of Bay Village.

(b) An election to participate in the group shall be made only at such times as permitted by the insurance carrier.

151.061 HOSPITALIZATION ELIGIBILITY.

(a) Effective January 1, 2012, the City will provide medical, dental, vision and hearing benefits to eligible employees, in accordance with state and federal law. The cost of such benefits shall be determined annually by the City, unless otherwise agreed by contract.

(b) Eligible employees may receive family or employee only coverage per state and/or federal law and in accordance with the terms of the City of Bay Village's Health Plan.

(c) **In lieu of employer provided coverage an opt-out provision is offered as long as proof of coverage from other source is provided to the City, this opt-out amount will be \$100 per month single coverage or \$250 per month for family coverage.**

~~_____~~(d) **No part time employee shall receive healthcare.**

151.07 PHYSICAL EXAMINATIONS.

(a) Every new employee of the City, except seasonal employees, shall submit to a physical examination, if necessary to the performance of their job duties.

(b) After a period of illness which requires any employee to be absent from his employment for ten consecutive working days or more, the Mayor may require the employee to submit to a physical examination prior to being returned to employment.

(c) Any employee who refuses to undergo such physical examinations as required in subsections (a) through (b) hereof, may be subject to discharge from his employment by the City.

(d) The Mayor shall designate the person who is to perform such physical examinations, and the expenditure of the City funds from the correct account is hereby authorized.

151.08 SICK LEAVE.

(a) Every full-time employee shall be entitled for each completed eighty hours of compensated service to sick leave of 4.6 hours with pay. Such employees may use sick leave, upon approval of the responsible administrative officer of the employing department, for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and to illness, injury, or death as set forth in the Employee Handbook. Said Employee Handbook is incorporated herein and made a part hereof as if fully rewritten herein. For the purpose of this section:

- (1) Department heads (excepting the Director of Law) and division chiefs shall be considered to have a work week of 40 hours; and
- (2) "Completed compensated service" shall include paid holiday time, paid vacation time and paid sick time.

~~(b) — Effective January 1, 2010 permanent part-time employees compensated on an hourly basis shall receive sick leave as provided in Section 151.09(a) for salaried employees.~~

(b) Unused sick leave shall be cumulative without limit. When sick leave is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour of absence from previously scheduled work. There will be no reduction of sick leave time when an employee is absent due to job related injury and that employee has entered into a wage continuation agreement with the City.

(c) Any employee who, without resigning or retiring, transfers from one department of the City to another department of the City shall be credited with the unused balance of his accumulated sick leave.

(d) The responsible administrative officer of the employing department may require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. If medical attention is required, a certificate stating the nature of the illness from a licensed physician may be required to justify the use of sick leave. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including dismissal. No sick leave shall be granted an employee upon or after his retirement or termination of employment.

(e) Payment at Resignation, Retirement or Death.

- (1) Each employee with ten or more years of service with the City shall receive payment of his or her accrued but unused sick leave based on his or her rate of pay at resignation, retirement or death at the following schedule:

Twenty-five percent (25%) after ten years of service

Forty percent (40%) after fifteen years of service

Fifty percent (50%) after twenty years of service

up to a maximum payment of fifty percent (50%) of the employee's annual compensation, which payment shall be in full settlement of any and all accumulated sick leave. In the event of death, such payment shall be made to the surviving spouse, or if there is no surviving spouse, to the employee's estate. Employees who are discharged for cause forfeit all rights to payment under this subsection.

- (2) Employees laid off for more than one year will receive accumulated sick leave based upon the last day worked and paid in accordance with the above after lapse of one year if not recalled.

(f) The following circumstances will control the use of "sick leave" time for all employees of the City of Bay Village:

- (1) Illness of employee: All regularly scheduled working hours.
- (2) Death of employee's: son-in-law, daughter-in-law, or other relatives at the discretion of the respective department director. Sufficient time to attend funeral if scheduled to work, four hours maximum time.
- (3) Illness requiring hospitalization of: spouse, child, mother, father, brother, sister, and any other relative living in the employee's household.
 - A. Days of admittance to and discharge from hospital.
 - B. Day of surgery, including child birth.
 - C. Time certified as "critical" by attending physician.
- (4) Sudden illness or injury: To anyone living in the employee's household. Sufficient time to make temporary arrangements, but no more than four hours.

(g) The following circumstances shall control "bereavement leave" for all employees of the City of Bay Village, which excused leave shall not be charged against accumulated but unused sick leave time and for which the employee shall be compensated as though present in his or her employment with the City.

- (1) Death of employee's: employee's spouse, children, step-children, parents, parents-in-law, siblings and/or other relative living in the employee's household.
Scheduled working hours from time of death through and including day of funeral or memorial services.
- (2) Death of employee's: employee's siblings-in-law, grandparents, grandchildren, aunt, uncle and spouses grandparents, grandchildren, aunt and uncle. Day of funeral or memorial services if scheduled to work.

(i) For the purpose of administering the provisions of this section the following procedures shall be followed:

- (1) The Director of Finance shall establish for each employee and each department a sick leave time account.
- (2) Charges against the sum of such accumulated but unused sick leave time shall be made of one hour for every one hour of absence during regularly scheduled working hours.

151.09-XXX PAID TIME OFF

(a) (a) — Permanent part-time employees compensated on an hourly basis shall earn paid time off at a rate of .0575 hours earned per hour worked, per pay period. When paid time off is used, it shall be deducted from the employee's credit on the basis of one hour for every one hour absence from scheduled work.

(b) (b) Paid time off may be used when an employee requests scheduled time off upon a twenty-four (24) hour advance notice by the employee and the approval of the employee's supervisor. Paid time off may be taken with less than a twenty-four (24) hour advance notice at the employee's supervisor's discretion.

(c) (c) The maximum amount of paid time off an employee can use in one (1) calendar

year is one hundred twenty (120) hours. In the event an employee is on an approved Family Medical Leave Act (FMLA) absence, any amount of accrued paid time off can be used during the length of the approved FMLA absence.

(d) ~~(d)~~If PTO is used for an illness or injury refer to Section 151.08-Sick Leave. This article also applies to unused PTO in the event of resignation, retirement or death.

151.0984 FAMILY MEDICAL LEAVE ACT (FMLA).

Family Medical Leave shall be granted and administered in accordance with applicable Federal and State laws

151.1009 LONGEVITY.

(a) Effective January 1, 2001, there shall be paid to all non-elected regular full-time employees, excluding employees covered under separate labor contract, additional compensation based on their years of service, at the rate of one hundred dollars (\$100.00) per year of service, after completion of five years, to a maximum of three thousand dollars (\$3,000).

(b) For new hires after January 1, 2016 the following amendment shall apply: full-time employees shall receive longevity payments after five (5) years of continuous full-time employment in the following table:

5-9 years \$500 each year
10-14 years \$1,000 each year
15-19 years \$1,500 each year
20-24 years \$2,000 each year
25 years and above \$2,500 each year

~~(bc)~~ The calculation of "years of service" shall begin on the anniversary date of the employee's original date of hire by the City.

~~(ed)~~ No individual employed by the City in more than one capacity shall be entitled to the benefits of this compensation in other than his primary department.

~~(de)~~ Termination of employment, for any reason, either voluntary or involuntary, shall terminate all rights and accrued benefits and eligibility under this section, except that those retiring shall be paid a pro-rated amount at time of retirement. Any employee who retires and is hired full-time by another department of the City shall accrue benefits hereunder as if the employee were a new employee and prior service with the City shall not be counted.

~~(ef)~~ For the purpose of determining the eligibility for longevity only, "full-time" shall be defined as an employee working 35 hours or more each week. The Mayor shall receive longevity only if specifically provided for in the compensation ordinance for the term in question.

~~(fg)~~ The amounts due hereunder shall be paid only to full-time employees, as defined in Section 151.10(e), on the first regular pay date in December.

~~(gh)~~ In addition to the cash payments provided for in this chapter, the Mayor is authorized to present Service Award Pins to those full-time or part-time employees, members of boards and commissions, and such other persons as the Mayor may designate from time to time, whether paid or unpaid, who have at least five years' service with the City.

~~(hi)~~ Part-time and seasonal employees shall not be eligible for longevity compensation

hereunder

151.1~~19~~ OVERTIME COMPENSATION.

(a) Salaried/Exempt employees shall not be paid overtime for hours worked in excess of forty in workweek, unless otherwise agreed by contract.

(b) Hourly/Non-exempt employees shall receive overtime for hours worked in excess of forty in a workweek

(c) No employee who serves the City in more than one capacity may combine his total work hours for the calendar week for the purposes of overtime computation, but each position work hours are to be counted separately.

(d) Holiday, vacation and sick leave time shall be included in the computation of overtime hours for the calendar week.

(e) Payment of overtime compensation (except that for the Department of Public Safety) shall be made on the first regular payday occurring after the hours have been worked.

151.1~~42~~ LIFE INSURANCE.

The City shall pay the cost of group term life and accidental death and dismemberment insurance up to a maximum benefit of \$50,000 for employees who work thirty (30) hours or more in a given workweek, elect to participate, and are acceptable to the insurance company. However, once obtaining the age of sixty-five (65) said life insurance will be reduced to thirty-two ~~five~~ thousand five hundred dollars (\$325,5000.00) and once obtaining the age of seventy (70) said life insurance will be reduced to twenty five thousand dollars (\$25,000.00).

151.1~~32~~ PRIVACY ACT RULES.

The Mayor is hereby authorized to adopt such written rules and regulations as may be necessary for the purpose of interpreting and enforcing the Ohio Privacy Act, being Ohio R.C. 1347.01 et seq. Such rules and regulations shall not conflict with or waive any privileges as provided by this City's Charter or ordinances. Such rules and regulations shall be on file with the City, and all parties affected shall be advised of their contents.

151.1~~34~~ SURETY BONDS.

The surety bonds covering the employees of the City shall be as follows:

(a) Mayor - \$15,000 public official bond for term of office.

(b) Director of Finance - \$50,000 public official bond for an indefinite term.

(c) All other City employees - \$25,000 honesty blanket position bond.

151.1~~45~~ EQUAL EMPLOYMENT OPPORTUNITY POLICIES.

(a) Council formally declares that the City shall provide equal employment opportunities (EEO) to all employees and applicants for employment without regard to sex, race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability or handicap (except where age or handicap would be an obvious and bona fide obstacle to expected and required job performance), genetic information, marital status, amnesty status as a covered veteran or pregnancy in accordance with applicable federal, state and local laws. The City shall comply with a all applicable state and local laws governing non –discrimination in the employment in every location or facility. This policy applies to all terms and conditions of employment, including but not limited to recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

(b) Artificial barriers of personal attitudes and customs cannot be permitted to have effect in matters of personnel practices.

(c) The City expressly prohibits any form of unlawful employee harassment based on sex, race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age genetic information, disability, veteran status or pregnancy. Improper interference with the ability of the City's employees to perform their expected job duties is absolutely not tolerated.

(d) The Director of Finance, by direction of the Mayor, will have overall responsibility for the implementation of this policy. With the cooperation of appropriate personnel, the Director of Finance will conduct periodic reviews to determine whether or not this policy is being adhered to. Reports of these reviews will be the basis for appropriate action to correct deficiencies.

(e) When outside sources of recruitment are used they shall be informed that the City is an Equal Opportunity Employer and that legal advertisements for bids include the wording, "AN EQUAL OPPORTUNITY EMPLOYER" and that Equal Opportunity clauses be included in all major single purchase orders, leases and contracts.

(f) The Clerk of Council is hereby directed to post, or have posted, a copy of this resolution on all departmental bulletin boards as well as provide a copy of this resolution to all employees of the City.

151.156 COMPENSATION PAYMENT.

(a) Payment dates shall be:

- (1) For hourly employees. On February 14, 1975, and every other Friday thereafter, all hourly paid employees shall be paid for all hours worked during the previous two weeks;
- (2) For salaried employees and elected officials. All salaried employees and elected officials shall receive their appropriate annual compensation on a bi-weekly basis, payment to be made on the same dates as payment is made to hourly personnel. The Director of Finance shall adjust the pay period rate so that in each calendar year the precise annual compensation is paid regardless of the number of bi-weekly payment dates during the year.

(c) Should any payment date referred to herein fall on a holiday, payment shall be made on the last working day preceding such holiday.

151.167 UNIFORMS AND UNIFORM ALLOWANCES.

(a) Department of Public Safety.

- (1) Effective January 1, 1998, deputy police officers in the Division of Police shall receive a five hundred dollar (\$500.00) uniform allowance at the completion of each 1,040 hours of service.
- (2) The above payments may be made at any time during the thirty days following the date on which they are due as may be convenient to the Director of Finance.

(b) Department of Public Service and Properties. Effective January 1, 2014~~6~~, the Director of Public Services and Properties shall receive a Two Hundred Fifty Dollar (\$250.00) uniform allowance, and the Department of Public Service and Properties shall provide a uniform ~~voucher allowance~~ of ~~Five Hundred Seventy Five Dollars (\$575.00)~~ ~~Eight Hundered~~~~Hundred~~ ~~Dollars (\$800.00)~~ in 2016, ~~Eight Hundred Twenty Five Dollars (\$825.00)~~ in 2017 and ~~Eight Hundred Fifty Dollars (\$850.00)~~ in 2018 and thereafter for all full-time employees of the Department whose job requires manual labor outside the office of the Department. This allowance is to be paid within the 1st pay period in February.

(c) Police Chief and Fire Chief. Effective January 1, 2014~~6~~, the Chief of the Fire Division and the Chief of the Police Division shall receive an ~~allowance of~~ ~~Thirteen-Seven~~

~~Hundred Fifty Fifty Dollar (\$7501350.00)~~ nine hundred dollars (\$900.00) in 2016, one thousand dollars (\$1,000.00) in 2017 and one thousand three hundred fifty dollars (\$1,350.00) in 2018 to provide for uniform allowance.

151.178 PERS PICK UP.

(a) Effective July 1, 1993, the full amount of the statutorily required contributions to the Public Employees Retirement System of Ohio shall be withheld from the gross pay of each person within any of the classes established in subsection (b) hereof and shall be "picked up" (assumed and paid to the Public Employees Retirement System of Ohio) by the City. This "pick up" by the City is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Public Employees Retirement System of Ohio by each person within any of the classes established in subsection (b) hereof. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio directly instead of having it "picked up" by the City or of being excluded from the "pick up".

The City shall, in reporting and making remittance to the Public Employees Retirement System of Ohio report that the public employee's contribution for each person subject to this "pick up" has been made as provided by the statute.

(b) The "pick up" by the City provided by this section shall apply to all persons that:
Are employees of the City who are or become contributing members of the Public Employees Retirement System of Ohio.

(c) The City's method of payment of salary to employees who are participants in PERS is hereby modified as follows, in order to provide for a salary reduction pick-up of employee contributions to PERS.

(d) The total salary for each employee shall be the salary otherwise payable under the City policies. Such total salary of each employee shall be payable by the City in two parts: (1) deferred salary and (2) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by PERS to be paid as an employee contribution by that employee, and shall be paid by the City to PERS on behalf of that employee as a pick-up and in lieu of the PERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick-up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The City shall compute and remit its employer contributions to PERS based upon an employee's total salary. The total combined expenditures of the City for each employees' total salaries payable under applicable City policies and the pick-up provisions of this section shall not be greater than the amounts it would have paid for those items had this provision not been in effect.

(e) The Director of Finance is hereby authorized and directed to implement the provisions of this section to institute the "pick up" of the statutorily required contributions to the Public Employees Retirement System of Ohio for those persons reflected in subsection (b) hereof so as to enable them to obtain the result in Federal and State tax deferments and other benefits.

~~151.18 DRUGFREE WORKPLACE AND HARASSMENT POLICY.~~

(a) ~~44.01~~ All employees shall agree to a drug-free workplace program as defined by the State of Ohio Bureau of Workers' Compensation and in accordance with the Ohio Bureau of Workers' Compensation Drug-Free Safety Program-Advanced Level.

~~It is the policy of the City to maintain a workplace that is free from the effects of drug and alcohol abuse.~~

~~(1) Employees are prohibited from the illegal use, sale, dispensing,~~

distribution, possession, or manufacture of illegal drugs, unauthorized prescription drugs, controlled substances, narcotics, or alcoholic beverages on City premises or work sites. In addition, the City prohibits the off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when those activities adversely affect job performance, job safety, or the City's reputation.

~~(2) The City will not hire, subject to legal restrictions, alcoholics or drug abusers whose current use of those substances prevents them from performing their jobs or who would constitute a direct threat to the property or safety of others. Whenever applicants for employment are to be tested for the presence of illegal drugs or alcohol, they are to be informed in advance and in writing.~~

~~(3) Employees will be subject to disciplinary action, up to and including termination, for violations of this policy. Violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of those substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on City premises and work sites. Employees, their possessions, and City issued equipment and containers under their control are subject to search and surveillance at all times while on City premises or work sites or while conducting City business. Employees subject to the Drug Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report the conviction to the Personnel Department within five days, and the Personnel Department is then to take appropriate action as required by law.~~

~~(4) Upon reasonable suspicion, employees may be asked to take a test at any time to determine the presence of drugs, narcotics, or alcohol, unless the tests are prohibited by law. Employees that agree to take the test must sign a consent form authorizing the test and the City's use of the test results for purposes of administering its discipline policy. It is a violation of this policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs. Policy violations will result in discipline and may result in termination. Tests that are paid for by the City are the property of the City, and the examination records will be treated as confidential and held in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.~~

~~(5) Supervisors should report immediately to the Personnel Department any action by an employee who demonstrates an unusual pattern of behavior. The Personnel Department will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises.~~

~~(6) Employees must report their use of over the counter or prescribed medications to the Personnel Department if the use might impair their ability to perform their job safely and effectively. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.~~

~~(7) Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek counseling help. Participation in counseling, including City sponsored or required counseling, is confidential and should not have any influence on performance appraisals. Job performance, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.~~

~~(8) Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the Personnel Department that the employee is capable of performing his job. Failure to cooperate with an agreed upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other City policies.~~

~~(9) The City will, to the extent feasible, provide continuing awareness programs about the harmful effects of drug and alcohol abuse.~~

151.19 HARASSMENT POLICY.

~~(a)~~ It is the policy of the City to promote a productive work environment -and not to

tolerate verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, military status or sex. Each person has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate either explicitly or implicitly that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment. Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory or non-employees is also prohibited. This conduct includes, but is not limited to:

- (1) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances or propositions;
- (2) Verbal abuse of a sexual nature;
- (3) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress or body;
- (4) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs;
- (5) Demeaning, insulting, intimidating or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct or offensive conduct, directed at individuals because of their race, national origin, religion, disability, pregnancy, age or military status or sexually orientation is also prohibited.

Any employee who believes that a supervisor's, manager's, other employee's or non-employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible.

The report or complaint should be made to the employee's supervisor or to the department head or personnel manager if the complaint involves the supervisor or manager.

Complaints of harassment are to be handled and investigated under the City's grievance policy, unless special procedures are considered appropriate. Regardless, all complaints of harassment are to be investigated properly in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.

Any employee, supervisor or manager who is found to have violated this harassment policy will be subject to appropriate disciplinary action, up to and including termination of employment. The City prohibits any form of retaliation against employees for bringing bonifide complaints or providing information of harassment. However, if an investigation of a complaint shows that the complaint or information was false, the individual who provided the false information will be subject to disciplinary action, up to and including termination.

(eb) It is the policy of the City that an employee should have an opportunity to present complaints regarding harassment and to appeal the decision through a dispute resolution or grievance procedure. The City will attempt to resolve promptly all complaints. Employees who believe that they have been improperly harassed are to proceed as follows:

- Step 1: Promptly bring the complaint to the attention of the immediate supervisor. If the complaint involves the supervisor, then it is permissible to proceed directly to Step 2.
- Step 1a: The supervisor is to investigate the complaint, attempt to resolve it and give a decision to the employee within a reasonable time. The supervisor should prepare a written and dated summary of the complaint and proposed resolution for file purposes.
- Step 2: Appeal the decision of the department head if dissatisfied with the supervisor's decision or initiate the procedure with the department head if Step 1 has been bypassed, because the immediate supervisor is the subject of complaint. Such an appeal or initial complaint must be made in a timely fashion in a written form. The supervisor's version of the complaint and decision will then be submitted in writing as well. The department head

will, in a timely fashion, confer with the employee, supervisor, and any other persons considered appropriate; investigate the issues; and communicate a decision in writing to all parties involved.

Step 3: Appeal an unsatisfactory department head decision to the Mayor. The timeliness requirement and the procedures to be followed are similar to those in Step 2. The Mayor may take the necessary steps to review and investigate the complaint and will then issue a written, final and binding decision.

Final decisions on complaints will not be precedent or binding on future complaints. When appropriate, the decisions will be retroactive to the date of the employee's original complaint. Information concerning a complaint is to be held in confidence. Supervisors, department heads and other persons who investigate a grievance are to discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

Employees are not to be penalized for proper use of the complaint procedure, however, it is not considered proper use if an employee raises complaints in bad faith if solely for the purpose of delay or harassment or repeatedly raises meritless grievance complaints. Implementation of the complaint procedure by an employee does not limit the right of the City to proceed with any disciplinary action which is not in retaliation for the complaint procedure. The City may, at its discretion, refuse to proceed with any complaint it determines is improper under this policy.

151.2019 PERS PICKUP OF ADDITIONAL SERVICE CREDIT.

(a) Effective October 1, 1997, employees of the City of Bay Village, described in subsection (b) hereof, may purchase additional service credit, tax-deferred, and the City of Bay Village shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall pick up (assume and pay) such deduction to the Public Employees Retirement System of Ohio. A person electing this pick up deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the City of Bay Village. Members who have elected to participate in this plan cannot increase, decrease, or terminate the amount of the pickup deduction.

(b) The pickup deduction by the City provided by this section shall apply to all persons making the election within the following classes:
All employees, other than seasonal, of the City who are contributing members of the Public Employees Retirement System of Ohio.

(c) The Director of Finance is hereby authorized and directed to implement the provisions of this section to effect the pickup of the payroll deduction for the purchase of additional service credit to the Public Employees Retirement System of Ohio for those persons reflected in subsection (b) hereof.

151.201 WHISTLEBLOWER PROTECTION FOR EMPLOYEES.

(a) If any employee of the City of Bay Village becomes aware in the course of employment of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, and the employee's supervisor or Mayor has authority to correct the violation or misuse, the employee may file a written report identifying the violation or misuse with the supervisor or appointing authority. In addition to or instead of filing a written report with the supervisor or Mayor, the employee may file a written report with the office of internal auditing created under Section 126.45 of the Ohio Revised Code.

If the employee reasonably believes that a violation or misuse of public resources is a criminal offense, the employee, in addition to or instead of filing a written report with the supervisor, appointing authority, or the office of internal auditing, may report it to the Prosecutor, Director of Law, to the Chief of Police, the President of Council, or, if the violation or misuse of public resources is within the jurisdiction of the inspector general, to the inspector general in accordance with Section 121.46 of the Revised Code. In addition to that report, if the employee reasonably believes the violation or misuse is also a violation of Chapter 102., Section

2921.42, or Section 2921.43 of the Ohio Revised Code, the employee may report it to the Ohio Ethics Commission.

(b) Except as otherwise provided in subsection (c) hereof, no employee shall take any disciplinary action against any employee for making any report authorized by subsection (a) hereof, including, without limitation, doing any of the following:

- (1) Removing or suspending the employee from employment
- (2) Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled
- (3) Transferring or reassigning the employee
- (4) Denying the employee promotion that otherwise would have been received;
- (5) Reducing the employee in pay or position

(c) Any employee shall make a reasonable effort to determine the accuracy of any information reported under subsection (a) hereof. The employee is subject to disciplinary action, including suspension or removal, as determined by the employee's appointing authority, for purposely, knowingly, or recklessly reporting false information under subsection (a) hereof.

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 will be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK

MAYOR

[3/X/2016/29/20144-8-2016-4/20/16](#)

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
THE MCGOWAN INSURANCE AGENCY AS AGENTS OF
ARGONAUT INSURANCE FOR PUBLIC OFFICIALS LIABILITY,
LAW ENFORCEMENT PROFESSIONAL AND FIREFIGHTERS PROFESSIONAL
LIABILITY, GENERAL LIABILITY, AUTOMOBILE PHYSICAL DAMAGE AND
LIABILITY, PROPERTY AND EQUIPMENT, BOILER & MACHINERY AND
CRIME COVERAGE, AND UMBRELLA INSURANCE,
AND DECLARING AN EMERGENCY.

WHEREAS, the current agreement between the City of Bay Village and McGowan Insurance Agency as agents for the City's general liability and property insurance coverage as authorized by Ordinance No. 15-46 expires June 15, 2016;

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 agreement with McGowan Insurance Agency as agents of Argonaut Insurance for Public Officials Liability, Law Enforcement Professional and Fire Fighters Professional Liability, General Liability, Automobile Physical Damage and Liability, Property and Equipment, Boiler & Machinery and Crime Coverage, and Umbrella insurance for a one year period beginning June 15, 2016. The annual premium for Argonaut Insurance which includes Comprehensive Municipal Liability coverage, Public Officials Errors & Omissions, Automobile Liability & Physical Damage coverage, Police Professional Liability, Property (Business & Contents) coverage, Inland Marine coverage, Boiler & Machinery coverage, Electronic & Data Processing Equipment coverage, Valuable Papers & Records and Umbrella coverage is One hundred fifty-three thousand three hundred and seventy-six dollars (\$153,376.00). Payments shall be made from the appropriate account.

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 committees 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, safety and welfare, and for the further reason that it is immediately necessary to provide uninterrupted insurance coverage to protect the assets of 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

5-26-15 ll

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO.
By: Clark

To amend appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2016, as previously appropriated in annual appropriation 16-09 and amended by ordinance 16-23.

NOW, THEREFORE, be it ordained by the Council of the City of Bay Village, State of Ohio:

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2016, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein:

| General Fund - 100 | | | | | | |
|---------------------------|---------------------------|------------------|--------------|---------------------|--------------------|---------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| 100 | Total General Fund | \$ 6,813,167 | \$ 3,541,762 | \$ 40,700 | \$ 1,024,006 | \$ 11,419,635 |

| Special Revenue Fund Group - 200 | | | | | | |
|---|------------------------------------|---------------------|-------------------|---------------------|--------------------|---------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| 210 | Emergency Paramedic | \$ 1,143,720 | \$ 88,975 | \$ 12,000 | \$ - | \$ 1,244,695 |
| 230 | Parks and Recreation | 663,770 | 292,700 | 15,500 | - | 971,970 |
| 231 | Community Gym Capital Improvement | - | - | 5,000 | - | 5,000 |
| 235 | Bay Family Services | - | 43,700 | - | - | 43,700 |
| 236 | Community Diversion | - | 9,000 | - | - | 9,000 |
| 238 | Tennis Court Maintenance | - | - | 10,000 | - | 10,000 |
| 240 | Equipment Replacement | - | 5,000 | 800,320 | - | 805,320 |
| 245 | Private Property Maintenance | 13,555 | 32,500 | - | - | 46,055 |
| 250 | State Highway | - | 51,000 | - | - | 51,000 |
| 270 | Street Construction | 637,250 | 294,100 | 750,000 | 175,000 | 1,856,350 |
| 280 | Police Pension | 348,500 | - | - | - | 348,500 |
| 281 | Fire Pension | 471,100 | - | - | - | 471,100 |
| 282 | Accrued Benefits | 140,000 | - | - | - | 140,000 |
| 284 | Endowment Trust | - | 23,707 | - | - | 23,707 |
| 290 | Senior Programs | - | 49,500 | - | - | 49,500 |
| 292 | Law Enforcement | - | 28,000 | - | - | 28,000 |
| 293 | Drug Fine/Bail Forfeiture | - | 500 | - | - | 500 |
| 294 | Alcohol Intervention | - | 6,500 | - | - | 6,500 |
| 297 | Federal Equitable Sharing | - | 50,000 | - | - | 50,000 |
| 200 | Total Special Revenue Funds | \$ 3,417,895 | \$ 975,182 | \$ 1,592,820 | \$ 175,000 | \$ 6,160,897 |

| Debt Service Fund Group - 300 | | | | | | |
|--------------------------------------|--------------------------------|------------------|---------------------|---------------------|--------------------|---------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| 300 | General Bond Retirement | \$ - | \$ 4,591,935 | \$ - | \$ - | \$ 4,591,935 |

| Capital Project Fund Group - 400 | | | | | | |
|---|---|-------------------------|---------------|----------------------------|---------------------------|-------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| | 480 Walker Road Park | - | 220 | - | - | 220 |
| | 490 Public Improvement | - | - | 120,700 | - | 120,700 |
| | 494 Infrastructure Improvements | - | - | 130,000 | - | 130,000 |
| | 495 Municipal Building Improvements | - | - | 46,000 | - | 46,000 |
| | 400 Total Capital Project Fund Group | \$ - | \$ 220 | \$ 296,700 | \$ - | \$ 296,920 |

| Enterprise Fund Group- 500 | | | | | | |
|-----------------------------------|--|-------------------------|---------------------|----------------------------|---------------------------|---------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| | 520 Pool | \$ 222,000 | \$ 111,500 | \$ 10,000 | \$ - | \$ 343,500 |
| | 580 Sewer | 815,475 | 1,481,612 | 94,000 | - | 2,391,087 |
| | 500 Total Enterprise Fund Group | \$ 1,037,475 | \$ 1,593,112 | \$ 104,000 | \$ - | \$ 2,734,587 |

| Internal Service Fund Group - 600 | | | | | | |
|--|--|-------------------------|---------------------|----------------------------|---------------------------|---------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| | 600 Health Insurance | \$ - | \$ 1,297,250 | \$ - | \$ - | \$ 1,297,250 |
| | 601 General Insurance | - | 166,118 | - | - | 166,118 |
| | 602 Workers Compensation | 140,000 | - | - | - | 140,000 |
| | 600 Total Internal Service Fund Group | \$ 140,000 | \$ 1,463,368 | \$ - | \$ - | \$ 1,603,368 |

| Trust Fund Group - 800 | | | | | | |
|-------------------------------|-----------------------------------|-------------------------|------------------|----------------------------|---------------------------|------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| | 810 Cahoon Park | \$ - | \$ 66,900 | \$ - | \$ - | \$ 66,900 |
| | 820 Cahoon Memorial | - | 3,300 | - | - | 3,300 |
| | 830 Cahoon Library | - | 8,000 | - | - | 8,000 |
| | 840 Waldeck | - | 6,200 | - | - | 6,200 |
| | 860 Dwyer | - | 5,000 | - | - | 5,000 |
| | 800 Total Trust Fund Group | \$ - | \$ 89,400 | \$ - | \$ - | \$ 89,400 |

| Deposit Fund Group - 900 | | | | | | |
|---------------------------------|-------------------------------------|-------------------------|------------------|----------------------------|---------------------------|------------------|
| Fund # | Fund Activity | Personal Service | Other | Capital Improvement | Transfers/Advances | Total |
| | 930 Building Deposits | \$ - | \$ 30,000 | \$ - | \$ - | \$ 30,000 |
| | 931 Security Deposits | - | 22,000 | - | - | 22,000 |
| | 900 Total Deposit Fund Group | \$ - | \$ 52,000 | \$ - | \$ - | \$ 52,000 |

| | | | | | |
|------------------------------|----------------------|----------------------|---------------------|---------------------|----------------------|
| Grand Total All Funds | \$ 11,408,537 | \$ 12,306,979 | \$ 2,034,220 | \$ 1,199,006 | \$ 26,948,742 |
|------------------------------|----------------------|----------------------|---------------------|---------------------|----------------------|

| Itemized list of Transfers and Advances by Fund | |
|--|---------------|
| Description | Amount |
| General Fund to Parks and Recreation | \$ 430,000 |
| General Fund to Community Gym | 8,306 |
| General Fund to Street Construction | 425,000 |
| General Fund to Cahoon Income | 25,000 |
| General Fund to Cahoon Trust | 2,000 |
| General Fund to Cahoon Library | 10,000 |
| General Fund to Bay Family Services | 43,700 |
| General Fund to Accrued Benefits | 30,000 |
| General Fund to Fire Pension | 50,000 |
| Total Transfers | \$ 1,024,006 |
| Street Construction to Infrastructure Improvements | 175,000 |
| Total Advances and Advance Repayments | \$ 175,000 |
| Total Transfers and Advances | \$ 1,199,006 |

Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2016. shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 5: 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 an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and therefore shall take effect immediately upon its enactment and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

MAYOR

EXHIBIT "A"
SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND

| Department | Personal Service | Other | Equipment Replacement | Transfers | Total |
|------------------------------|-----------------------------|-----------------------|----------------------------------|-----------------------|------------------------|
| Council | \$ 60,400.00 | \$ 9,150.00 | \$ - | \$ - | \$ 69,550.00 |
| Clerk of Council | 52,610.00 | 900.00 | - | - | 53,510.00 |
| Mayor | 132,600.00 | 7,400.00 | 1,000.00 | - | 141,000.00 |
| Law | 111,340.00 | 112,000.00 | - | - | 223,340.00 |
| Finance | 275,791.00 | 35,500.00 | 1,200.00 | - | 312,491.00 |
| Taxation | - | 194,300.00 | - | - | 194,300.00 |
| General Administration | 190,900.00 | 463,672.00 | - | 1,024,006.00 | 1,678,578.00 |
| Civil Service | - | 24,150.00 | - | - | 24,150.00 |
| Planning Commission | - | 800.00 | - | - | 800.00 |
| Zoning Board of Appeals | - | 700.00 | - | - | 700.00 |
| Service | 1,812,620.00 | 1,880,600.00 | 10,500.00 | - | 3,703,720.00 |
| Fire | 1,274,600.00 | 96,650.00 | 14,000.00 | - | 1,385,250.00 |
| Police | 2,677,516.00 | 307,465.00 | 14,000.00 | - | 2,998,981.00 |
| Central Dispatch | - | 131,325.00 | - | - | 131,325.00 |
| Building | - | 261,275.00 | - | - | 261,275.00 |
| Architecture Board of Review | - | 25.00 | - | - | 25.00 |
| Community Services | 224,790.00 | 15,850.00 | - | - | 240,640.00 |
| GRAND TOTAL | \$6,813,167.00 | \$3,541,762.00 | \$ 40,700.00 | \$1,024,006.00 | \$11,419,635.00 |

EXHIBIT "B"
SCHEDULE OF CAPITAL PROJECTS AND EQUIPMENT APPROPRIATIONS BY FUND

| Fund | Description | Amount |
|--|---|------------------------|
| Equipment Replacement (240) | | |
| | Computer Replacements | 33,800.00 |
| | Phone System (From 2012) | 45,000.00 |
| | Fire - Equipment | 15,000.00 |
| | Police - Cars 1125 and 1151 | 90,420.00 |
| | Police - CAD/RMS System | 14,575.00 |
| | Police Equipment | 24,200.00 |
| | Service - Construction Trailer | 4,000.00 |
| | Service - Truck 19 - GMC 4wd | 30,000.00 |
| | Service - Truck 18 - Ford Explorer | 30,000.00 |
| | Service - Truck 71 - Pick up Truck 2wd | 35,000.00 |
| | Service - Truck 503 - Ford Tractor/Loader | 35,000.00 |
| | Service - Truck 66 F250 with Plow | 35,000.00 |
| | Service - Truck 21 Super Duty Dump | 60,000.00 |
| | Service - Truck 35 Five Ton Dump | 170,000.00 |
| | Service - Scareb - with Westlake | 178,325.00 |
| | Total Equipment Replacement (240) | <u>800,320.00</u> |
| Street Construction (270) | | |
| | Street Improvements | 700,000.00 |
| | Total Street Construction (270) | <u>700,000.00</u> |
| Public Improvement (490) | | |
| | Play in Bay Improvement | 10,000.00 |
| | Service - School Flashers Normandy | 6,000.00 |
| | Dwyer Window Replacement | 10,000.00 |
| | Dwyer - Kitchen Engineering | 20,500.00 |
| | Kiddie Kollege Floor | 13,000.00 |
| | Bay Lodge Floor | 13,000.00 |
| | SWIF Parking Lot Grant Completion | 25,000.00 |
| | PD Garage Light Replacement | 7,200.00 |
| | Rose Hill/Osborn House | 16,000.00 |
| | Total Public Improvements (490) | <u>120,700.00</u> |
| Infrastructure Improvement (494) | | |
| | Queenswood Bridge | 130,000.00 |
| Municipal Building Improvements (495) | | |
| | Service Painting Projects | 46,000.00 |
| Sewer (580) | | |
| | Computer Model Lake/Bradley Sanitary | 20,000.00 |
| | Porter Creek Sewer | 15,000.00 |
| | Huntington Pump Station CPU Design | 30,000.00 |
| | Huntington Pump Station Radiator/Heat Exchanger | 15,000.00 |
| | Total Sewer (580) | <u>80,000.00</u> |
| GRAND TOTAL | | <u>\$ 1,877,020.00</u> |

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
DIRECT ENERGY BUSINESS, LLC FOR PSC SERVICES AND ELECTRICITY FOR
ALL BAY VILLAGE MUNICIPAL BUILDINGS, AND DECLARING AN
EMERGENCY.**

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 agreement Direct Energy Business, LLC, 1001 Liberty Avenue, Pittsburgh, Pennsylvania 15222 to provide PSC Services and Electricity for all Bay Village Municipal Buildings, it being hereby determined that the bid of said company is the best bid received after advertising according to law. The cost of these services shall be \$0.06038 (\$/kWh).

SECTION 2. At the end of the Term, Direct Energy may choose to return Buyer to the Host Utility's service by providing reasonable advance notice to buyer, or if Buyer and Direct Energy have not entered into any written modification, amendment or renewal of this Agreement and Buyer has not elected to obtain service from another supplier, this Agreement shall automatically continue on a month to month basis.

SECTION 3. 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 4. That this ordinance is hereby declared to be an emergency measure immediately necessary, in order to assure the best electric rates for Municipal Buildings in the City of Bay Village, 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

5-31-16