

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers 8:20 p.m.

September 6, 2016

Paul A. Koomar, President of Council, presiding

Present: Clark, Henderson, Koomar, Lieske, Mace, Tadych, Vincent, Acting Mayor Ebert

Excused: Mayor Sutherland

Also Present: Finance Director Mahoney, Recreation Director Enovitch, Human Resource Manager Jen Demaline, Police Chief Spaetzle, Fire Chief Lyons, Chief Building Official of SAFEbuilt, Inc., Jeff Grassi, Director of Operations Landers.

AUDIENCE

The following audience members signed in this evening: Jerrie Barnett, Jeff Gallatin, Lydia DeGeorge, Beverly Beran, Conda Boyd, Pam Cottam, A.J. Silver, Denny Wendell, Dennis Driscoll, Sarah Shofstall, Pam Moran, Jan Keberle, Patrick Graham, Dick Majewski, Thomas and Janet Kauker, Nancy Trainer, Karen and Terry Peterson, Susan Murnane.

Mr. Koomar called the Regular Meeting of Council to order at 8:20 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Councilman Paul Vincent, Ward 2.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held August 8, 2016. Mr. Clark **MOVED** to dispense with the reading and accept the minutes of the Special Meeting of Council held August 8, 2016 as prepared and distributed. Motion carried 7-0. Mr. Koomar called for a reading of the Minutes of the Meeting of the Cahoon Memorial Park Trustees held August 8, 2016. Mr. Clark **MOVED** to dispense with the reading and accept the minutes of the Cahoon Memorial Park Trustees of August 8, 2016 as prepared and distributed. Motion carried 8-0.

REPORTS

Law Director Ebert had no report this evening.

Finance Director Mahoney had no report this evening.

Recreation Director Enovitch stated that Season No. 14 of the Bay Village Family Aquatic Center has been successfully and safely completed. It was a record breaking season for the number of days open with a great year for weather and a great year for turn-outs on a daily basis.

The Recreation Department flag and tackle football season kicks off on Saturday, September 10, 2016, with programs from first through sixth graders.

Police Chief Spaetzel advised that this Saturday, September 10, 2016 from Noon to 3 p.m. the Second Annual Touch-a-Truck will be held which will give the children of the community an opportunity to see and touch Fire, Police, and Service Department vehicles.

Two new full-time police officers have been hired to bring the complement of officers to twenty-three. The first officer hired is Scott Chase, a young man who graduated from Mount Union College with a degree in Criminal Justice. Patrolman Chase is currently enrolled at the Lorain County Police Academy. The second officer is Nick Yodice, a veteran of the Reminderville, Ohio Police Department.

The hiring process for part time Police Dispatchers is underway. Two full time dispatchers are in place and doing very well.

Fire Chief Lyons reported that the Bay Village Fire Department has been busy this summer with training. Appreciation was expressed to Recreation Director Enovitch for the use of the pool for training purposes, which proved valuable in near-drowning rescues this past summer. The Water Rescue Program continues to be very successful.

A Fire Department Open House was held in June with over 1,000 people attending. Chief Lyons also expressed personal thanks to the Fireworks Committee for the work that they do, and noted that the fireworks display this year was very well received as put together by resident Steve Ernst.

A retirement party was held this past June for a long-time member of the Fire Department, Lieutenant Dan Uldrich. Brandon Dimacchia, veteran firefighter with Bay Village, has been appointed to the position of Fire Lieutenant, and Eric Bartinelli has been hired as a firefighter coming to Bay Village with experience with the Valley City and Brunswick Hills Fire Departments. The Bay Village Fire Department is at their full complement of twenty-five men.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Motion to not request a hearing on the advisability of issuing a Wine and Liquor Permit for BAPA 95 LLC, dba Ross Wine & Liquor, 27313 Wolf Road.

Motion Passed 7-0.

Motion to not request a hearing on the advisability of issuing a Wine and Liquor Agency Contract to BABA 95 LLC, dba Ross Wine & Liquor, 27313 Wolf Road.

Motion Passed 7-0.

Motion to not request a hearing on the advisability of issuing a C1, C2 and D6 Liquor Agency Contract to Walgreen Co., dba Walgreens, 27251 Wolf Road.

Motion Passed 7-0.

FINANCE AND CLAIMS

Mr. Clark introduced and read **Ordinance No. 16-57** 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 appropriations 16-09 and amended by Ordinances Nos. 16-23, 16-46, and 16-55, and declaring an emergency, and moved for adoption.

Mr. Henderson noted for clarification purposes that the amount being appropriated for health care does not represent any increase in expected health care expenditures but rather a change in the way the funds are held. Finance Director Mahoney stated that this is correct. It is a moving of the reserve funds to an account with Jefferson Health Care.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 16-57.

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. 16-57, an emergency measure, by a vote of 7-0.

Mr. Clark introduced and read **Resolution No. 16-58** authorizing the Director of Finance to request Tax Advancements before Settlement Dates for Fiscal Year 2017, 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. 16-58.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Minutes of Regular Meeting
Bay Village City Council
September 6, 2016

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Resolution No. 16-58, an emergency measure, by a vote of 7-0.

Mr. Clark introduced and read **Resolution No. 16-59** accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies and certifying them to the County Fiscal Officer, 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. 16-59.

Roll Call on Suspension of the Charter Rules:

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

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Resolution No. 16-59, an emergency measure, by a vote of 7-0.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE

Mrs. Lieske introduced and read **Resolution No. 16-60** approving use by Peter and Elaine Korte, 31146 Lake Road, of submerged lands of Lake Erie for shoreline improvements, 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. 16-60.

Roll Call on Suspension of the Charter Rules:

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

Minutes of Regular Meeting
Bay Village City Council
September 6, 2016

Nays -None

Roll Call on Suspension of the Council Rules:

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

Nays – None.

Roll Call on Use of the Emergency Clause:

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

Nays -None

Roll Call on Adoption:

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

Nays–None.

Mr. Koomar announced adoption of Resolution No. 16-60, an emergency measure, by a vote of 7-0.

Motion to grant permission to St. Raphael’s Catholic Church, 525 Dover Center Road, to allow three yard signs, 24” x 18”, along the school/church driveway, between Dover Center and Douglas Roads, thanking parents for support of a fundraiser, to be erected on September 14, 2016, for one day only.

Motion passed 7-0.

Motion to grant permission to St. Raphael’s Catholic Church, 525 Dover Center Road, to allow a 4’x 8’ banner on the front lawn of the church, between the sidewalk and the church building, between fence posts on the ground from September 7, 2016 thru October 21, 2016.

Motion passed 7-0.

The motion to grant permission to Vivid Jewelers, 27205 Wolf Road, for overflow parking at Bay Village City Hall, will not be entertained with the advice of the Law Director that the permission is not required.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Henderson advised that he would like to reiterate that it is his expectation that the administration, whichever new administration comes in, will make new recommendations regarding the Bruce/Russell/Douglas area, and the Sunset neighborhood, that the Public Improvements Committee will pick up and still consider to be a high-priority project.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mr. Mace had no report this evening.

SERVICES, UTILITIES AND EQUIPMENT COMMITTEE

Mr. Tadych had no report this evening.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, **Mr. Clark** moved to convene to Executive Session – Potential Litigation, Edwards Financial Group, LLC, Personnel: Service Department, Vacancy of Mayor.

Roll Call Vote: Yeas- Mace, Tadych, Vincent, Clark, Henderson, Koomar, Lieske. Nays – None. Motion passed 7-0.

Also present in Executive Session was Law Director Ebert.

Council reconvened in an open meeting at 10:03 p.m. Present were: Clark, Henderson, Koomar, Lieske, Mace, Tadych, Vincent.

Mr. Koomar advised that there is one ordinance remaining on the agenda this evening. He stated that at the present time he has work commitments. If he would consider this position it would be in effect on October 1, 2016, so he will continue to look at that, but the City has to continue to operate and move forward. In addition to the Mayor leaving in October, Service Director Scott Thomas has also resigned. In order to move forward and make sure the City finishes strong this year, Mr. Clark will read the following ordinance.

Mr. Clark introduced and read, amending by reading, **Ordinance 16-61** approving the appointment of an interim Mayor for the City of Bay Village effective September 30, 2016 and thereafter, and declaring an emergency.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 16-61.

Roll Call on Suspension of the Charter Rules:

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

Nays - Lieske

Roll Call on Suspension of the Council Rules:

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

Nays – Lieske

Roll Call on Use of the Emergency Clause:

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

Nays -Lieske

Roll Call on Adoption:

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

Nays–Lieske

Mr. Koomar announced adoption of Ordinance No. 16-61, an emergency measure, by a vote of 6-1.

Minutes of Regular Meeting
Bay Village City Council
September 6, 2016

There being no further business to discuss, the meeting adjourned at 10:04 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council