

City of Bay Village

Council Minutes, Committee Session
Conference Room
Dwight Clark, Vice President of Council, Presiding

November 14, 2016
7:40 p.m.

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

Also Present: Finance Director Mahoney, Recreation Director Enovitch, Community Services Director Selig, Police Chief Spaetzel, Operations Manager Landers.

AUDIENCE

The following audience members signed in this evening: Richard Fink, Jerrie Barnett, Tara Wendell, Jeff Gallatin.

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

Mr. Vincent had no report this evening.

FINANCE & CLAIMS COMMITTEE – Clark

Jefferson Health Care Contract

Mr. Tadych stated that the new Jefferson Health Care Contract brings the contract up to an annual basis. Presently it begins in April, and it is a positive change to have the contract on a twelve month basis beginning January 1, 2017. An ordinance approving the contract will be placed on first reading at the Special Meeting of Council to be held this evening, with adoption scheduled for November 21, 2016.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Mrs. Lieske had no report this evening.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

Rocky River Wastewater Treatment Plant

Mr. Henderson advised that he will present a resolution at the Special Meeting of Council this evening related to the Rocky River Wastewater Treatment Plant. Mayor Ebert stated that he

would like the resolution placed on reading this evening. It is his intention, after first reading, to send copies to the Mayors of Rocky River, Westlake, and Fairview Park asking for support. Basically, the City of Bay Village does not want to wait until sometime in 2017 for the testing of the wastewater that is sent to the Rocky River Wastewater Treatment Plant. The results of that testing would not have an effect on the amount charged to Bay Village until 2018, and he would prefer it be effective sometime in 2017. The change requested would be to have the testing done based on population as a basis for the charges. The City of Bay Village's most recent increase was to increase our share of cost to 24%.

Mr. Henderson noted that one of the recitals in the resolution mentions that the recent trial sampling by the Rocky River Wastewater Treatment Plant indicates the sampling yields erratic results and appears to confirm probably erratic sampling data from previous flow and strength studies. Mr. Henderson asked Mr. Ebert for his comments about what these erratic results mean on a basis for these recitals.

Mr. Ebert stated that the testing, prior to changing to flow and strength, was by population. The other communities who participate in the operation of the Rocky River Wastewater Treatment Plant have higher populations. Bay Village is probably the most condensed community, and the rate should not have increased to the current 24%. The City of Westlake has grown dramatically with Crocker Park and 1100 new employees of American Greetings, so it makes sense that their rate should be increased. The gentleman who actually does part of the testing model is Bob Greytak of CT Consultants, who has been doing it as a consultant for the Rocky River Wastewater Treatment Plant. Mr. Henderson stated that he thought that URS Corporation preformed that work. Mr. Ebert stated that URS did that many years ago.

Mr. Ebert continued, stating that everyone agrees there is a fault in the testing process, and there is no way that it should vary by this degree. But, what they did settle years ago was a formula that took flow and strength and population into account. Since that situation was looked at the last time, the Bay Village rate skyrocketed. The manager of the Rocky River Wastewater Treatment Plant, Carrieann Rosemark, stated that she has checked all over the country and no one uses a flow and strength study for their models to assess the various communities. Mrs. Mahoney stated that the strength factor is the one they are trying to remove.

Mr. Vincent asked who did the actual testing. Mr. Ebert stated that the plant did it two years ago. Mr. Henderson stated that the results were published by URS Corporation. Mrs. Mahoney stated that URS Corporation did the measuring. Mr. Ebert added that Bob Greytak is the consultant since the study came out. All three communities have agreed there is a problem with the testing.

Mr. Ebert reiterated that the resolution is to take the population as a major factor in determining the rates. Bay Village rates should not have gone up to 24% while Westlake's rates went down.

Mr. Clark commented that 6200 homeowners in Bay Village would be supportive of this measure. The risk is that the City of Bay Village would have to pay for that test. Mrs. Mahoney stated that the testing is just being moved up; they would have tested in the spring anyway.

Mr. Ebert stated that the comment at the last meeting of the officers of the Rocky River Wastewater Treatment Plant was that the rates as a result of the next testing would not take effect until 2018. He would like to make sure the rates are effective in 2017.

Mr. Clark confirmed with Mr. Ebert that the City of Bay Village has two votes out of the three votes needed from the participating communities to agree to move the testing forward. The risk is if we pay \$40,000 or \$45,000 for the testing there is a chance to save at least \$40,000 to \$45,000. Mr. Clark asked Mr. Ebert if it would provide him additional leverage if the resolution were to be passed this evening, as opposed to putting it on first reading. Mr. Ebert stated that this would probably be the case. There is not a downside to the resolution.

Mr. Greytak had suggested this resolution.

Mr. Ebert noted further that the population of Bay Village should be less during the daytime hours, and Westlake's should even be higher during the day because of the influx at Crocker Park.

Mr. Vincent asked if there has to be an agreement by the participating cities when the results of the test are released. Mr. Ebert stated that there does have to be an agreement. Mr. Vincent asked what the chances would be that there would not be an agreement. Mr. Ebert stated that all the Mayors understand there is a problem, but no one can propose a solution to the problem. Mr. Ebert is in favor of having the population as the determining factor until a better solution is found.

Mr. Henderson read Section 1 of the resolution as follows:

SECTION 1. That Council urges the Management Committee of the Rocky River Wastewater Treatment Plant to prescribe each community's population as the basis for establishing the sewage strength and that the prorated cost of solids treatment be calculated by dividing each community's population by the total population of the service area."

This will become the new base for the expenditures by each City to operate the sewer treatment plant. Bay Village's population divided by the sum of the population of all the communities will be the ratio on which the cost to Bay Village is calculated.

Mr. Henderson noted further that Mr. Ebert's point that Westlake has a growing population and Bay Village does not, and they ought to be covering the cost of that growing population is valid. The engineer has the position that the existing formulas don't work well and create erratic results.

Mr. Vincent asked if the population of communities takes into account employees. The population used for the strength calculations will be based on the United States Census Bureau estimates for the year the study is conducted excepting those portions of each community not served by the Rocky River Wastewater Treatment Plant.

Mr. Mace asked if the resolution passed at the last meeting of Council authorizing participation in a funding application from the Ohio Public Works Commission for the Rocky River

Committee Meeting of Council
November 14, 2016

Wastewater Treatment Plant for improvements to the facility in 2018 will have an allocation of costs for participating communities. Mr. Ebert stated that he does not know if there will be a shortfall, but he will check further.

Mr. Tadych stated that the City of Bay Village has been very diligent with their sewers, including cleaning them out and testing flow with meters. The City has spent a lot of money on their sewers.

The resolution will be moved for adoption at the Special Meeting of Council this evening.

RECREATION & PARKS IMPROVEMENT COMMITTEE-Mace

Mr. Mace had no report this evening.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Bailey Communications Contract Renewal

Mr. Tadych stated that he has spoken to the Mayor and several members of Council regarding this contract renewal. The contract is moving from \$25,000 per year to \$33,000 per year, an increase of about \$8,000. The contract is for 312 hours of work and calculates to about \$105.70 per hour. Mr. Tadych stated that he believes this to be a very large increase, even if they haven't had increases since 2010. Mr. Tadych noted that the City employees have not received that kind of an increase over the years.

Mr. Tadych stated he knows that the Finance Department has requested proposals, but has not advertised for bids. The increase is 32%. He suggested that consideration be given to advertising for bids.

Mrs. Mahoney stated that \$33,000 per year for IT services is not expensive. Mr. Tadych stated that a person could be hired part time at that rate. Mr. Clark suggested talking about the quality of work Bailey does for the City.

Mr. Vincent asked how many hours Bailey is on site per week. Mr. Tadych stated that the contract states four hours every week. Mrs. Mahoney stated that Bailey representatives accept calls at all times.

Mr. Henderson stated that the contract states Bailey is to be here every Tuesday for four hours and every other Thursday for four hours. That is the 312 hours. Immediately after that it says 360 hours. One of those two numbers is wrong. Mr. Henderson said that the growth rate is 4% as compared to the employees' salary increases of 2 to 2.5% per year. He suggested that the City might be well served by taking this out to competitive bid.

Mrs. Mahoney stated that there were five companies that had expressed interest but none of them offered a proposal except Bailey Communications.

Committee Meeting of Council
November 14, 2016

Mr. Tadych stated that all of Bailey Communications' references are from schools. They did not supply any references from cities.

Mr. Clark stated that Bailey Communications oversees the nerve center of the City. If Bailey has performed well for us in the past, why interrupt the continuity of service? Mr. Clark suggested going to Bailey with a proposal for a tiered pricing system.

Mr. Vincent suggested paying for the work Bailey Communications does on an invoice submittal basis. He noted that he has to keep track of hours and bill clients.

Mrs. Mahoney stated that her worry at this point is that the contract expires at the end of December and there is not time to seek additional proposals. Mrs. Mahoney suggested at the very least to sign a one year contract and then work on publicly bidding.

Mrs. Lieske asked what the neighboring communities do for their IT Services. Mrs. Mahoney stated that Olmsted Falls uses Bailey Communications. Mr. Clark suggested finding out what Olmsted Falls pays for their service.

Mr. Ebert will seek further information and get back to Council last week.

The ordinance authorizing the renewal of the contract for Bailey Communications will be placed on first reading on November 21, 2016.

AUDIENCE

Jerrie Barnett asked why the north end of Bay View Road has low water pressure. Mayor Ebert will get further information from Mrs. Barnett and call the Government Affairs representative at the Cleveland Water Department.

Richard Fink stated that he noticed the Cahoon Memorial Park Trustees are listed on the agenda under the Executive Session as a matter of litigation. Mr. Fink stated that the subject matter, plaintiff and defendant information should also be noted. Mayor Ebert stated that the matter is related to a recent inquiry from the Office of the Attorney General regarding the operation of the Skate Park. Mr. Ebert is responding to the Office of the Attorney General.

MISCELLANEOUS

Mayor Ebert stated that the lease agreement for the Village Bicycle Co-op is ready to be executed now that the improvements have been made by the City.

There being no further comments, the Committee meeting adjourned at 8:08 p.m.

Dwight Clark, Vice President of Council

Joan Kemper, Clerk of Council