Agenda, Bay Village City Council
Regular Meeting, Council Chambers

February 6, 2017
8:00 p.m.
Committee 7:30 p.m. Conference Room
(Public Welcome)

Dwight Clark, President of Council, Presiding
Roll Call/Pledge of Allegiance led by Paul Vincent, Councilman, Ward 2
Reading of Minutes – Special Meeting of Council held January 30, 2017

ANNOUNCEMENTS

City Council Vacancy

REPORTS

Mayor Koomar
Director of Community Services Selig
Director of Law Ebert
Police Chief Spaetzel
Director of Finance Mahoney
Fire Chief Lyons
Director of Recreation Enovitch
Chief Building Official Jeff Grassi
Director of Public Safety/Service

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

Motion to appoint Councilman David L. Tadych, Ward 1, as Vice President of Council, in accordance with Section 111.03 (b) of the Administrative Code of the City of Bay Village, entitled “Officers of Council.”

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Vincent

FINANCE AND CLAIMS- Mr. Clark

Motion to acknowledge receipt of the January, 2017 Financial Reports of the City of Bay Village as prepared by Finance Director Renee Mahoney.

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

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mr. Henderson
Motion to authorize the Service Department to advertise for bids for Road Materials and Supplies for the 2017 Road Maintenance Program

Motion to authorize the Service Department to advertise for the bids for the 2017 Pavement Maintenance and Resurfacing Contract.

RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Tadych

Ordinance No. 17-7 authorizing the Mayor to enter into an agreement with CT Consultants, Inc. as the Engineering Consultant for the City of Bay Village for the year 2017, and declaring an emergency (Second Reading) (First Reading January 23, 2017).

Resolution amending Resolution 17-8 authorizing the purchase of two law enforcement vehicles under Cooperative Purchasing Program, with the State of Ohio, and declaring an emergency.

MISCELLANEOUS

Motion to convene to Executive Session regarding: Cahoon Memorial Park – Library; Litigation- Medical Mutual Health Insurance Contract.

CAHOON MEMORIAL PARK TRUSTEES

Motion to permit the Green Team to conduct a Shredding Day and Habitat for Humanity Pick-up at the Bay Village Police Station parking lot on Saturday, April 22, 2017.
February 6, 2017
Agenda
Regular Meeting of Council

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.
Vice President of Council Dwight Clark, presiding

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

Also Present: Law Director Ebert

AUDIENCE

Lydia DeGeorge, Tara and Denny Wendell, Jeff Gallatin, Tom Kelly, Jenny Hartzell.

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

ANNOUNCEMENTS/AUDIENCE/MISCELLANEOUS

Mayor Koomar stated that he has received several comments today thanking the Service Department for their efforts this morning in clearing the roads of snow.

Motion by Tadych to approve minutes of Special Meeting of Council held January 23, 2017 as prepared and distributed.

Motion carried 6-0

Mr. Tadych asked to be recognized to deliver a few words. Mr. Clark granted permission to Mr. Tadych, and Mr. Tadych made the following statement:

“As we know, our City Council is, indeed, separate and individual in powers and duties from our city administration. Working together, the two bodies accomplish much to be proud of for our city and residents.

Bay’s Charter gives voters the authority to elect our membership. In certain instances, that voice of authority rests with us. I believe, we should not, and must not, relinquish to others any duties given to us to perform. We must focus on the aspects of these duties and not do anything that could be considered ‘setting a precedent.’

For two weeks four members’ voices have been locked in a vote over two candidates vying for the Council President’s seat. I thank those who supported me during this validation process. It is worth noting that neither of the two candidates have been asked to join this vetting process, except for questions and answers.

On December 6 of last year I applied to the Board of Elections and ‘pulled’ petitions for voters’ signatures allowing ballot placement in the 2017 election. I have completed the process for one
of these petitions and I am prepared to file.

Tonight, I urge this Council to come together and act as a unit of six instead of four in Executive Session. Do not relinquish any duties that we have the obligation to decide.

Thank you.”

**Mr. Henderson** stated that he thinks Mr. Tadych’s letter is well received and he would concur with his recommendation to convene Executive Session as a party of six.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Henderson **MOVED** to convene to Executive Session to discuss the office of President of Council.

Roll Call Vote: Yeas- Clark, Henderson, Lieske, Mace, Tadych, Vincent. Nays – None. Motion passed 6-0.

Council reconvened in an open meeting at 8:32 p.m. Present were: Clark, Henderson, Lieske, Mace, Tadych, Vincent, Mayor Koomar, Law Director Ebert, and members of the audience.

**Motion** by Tadych, **second by Henderson,** to appoint Dwight A. Clark President of Council pursuant to Bay Village City Charter Section 2.4 “Vacancies.”

Mr. Clark called for comments to the motion.

**Mr. Vincent** commented thanked both Mr. Clark and Mr. Tadych for putting their hats in the ring for the position of President of Council. He noted that the process was difficult, but he appreciates the work done by all.

Mr. Clark stated that he believes it was a very fair and equitable process based on the last couple of weeks when Messrs. Henderson, Mace, Vincent and Mrs. Lieske deliberated trying to do what they thought best for the City. Mr. Clark stated that he has a tremendous amount of respect and admiration for Mr. Tadych. Mr. Tadych has served on Council far longer than anybody else and has a lot more institutional knowledge of the City than anybody on Council.

Mr. Tadych thanked Mr. Clark for his comments and stated that he thinks the process itself has vetted out some problems that various people on this Board have thought should be taken care of and we are now more open about these things. Mr. Tadych expressed that he “hopes the Council, in itself, is more open between each of us when we speak of things.” “In the past it has not been all one team, and I want to make sure that it is one team together.”

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

Mr. Clark announced that the motion is adopted and thanked everyone for their confidence. He stated that we will move forward unified.
Special Meeting of Council
January 30, 2017

Mayor Koomar administered the oath of office to Dwight A. Clark as President of Council.

Mr. Clark thanked everyone for their presence this evening. There being no further business to discuss, the meeting adjourned at 8:45 p.m.

__________________________________   ____________________________
Dwight Clark, President of Council    Joan Kemper, Clerk of Council
AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CT CONSULTANTS, INC., AS THE ENGINEERING CONSULTANT FOR THE CITY OF BAY VILLAGE FOR THE YEAR 2017, AND DECLARING AN EMERGENCY.

WHEREAS, the City is in need of an ongoing engineering consultant; and

WHEREAS, the City has been utilizing CT Consultants for engineering services on various city projects on a project by project basis;

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

SECTION 1. That the Mayor is hereby authorized to enter into an agreement with CT Consultants, Inc., 8150 Sterling Court, Mentor, OH 44060, to proceed as the consulting engineer for the City for the year 2017. Said work is said to be performed under contract at a cost not to exceed Twenty Four Thousand Dollars ($24,000.00). Payment shall be made in monthly installments of Two Thousand Dollars from the Service Administration/Architectural and Engineering Fee Fund (100.160.53220).

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, property and safety, and for the further reason that it is immediately necessary to provide said engineering consulting services, 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

1/19/17 ll
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
AMENDING RESOLUTION 17-8 AUTHORIZING THE PURCHASE OF TWO LAW
ENFORCEMENT VEHICLES UNDER COOPERATIVE PURCHASING PROGRAM
WITH THE STATE OF OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the City of Bay Village has entered into a cooperative purchasing program
with the State of Ohio to participate in State contracts which the Department of Administrative
Services, Office of State Purchasing, has entered into for the purchase of supplies, services,
equipment and certain material pursuant to ORC §125.04; and

WHEREAS, the cooperative purchasing programs, after public bidding, will determine
the vendor that is the best vendor(s) for the vehicles listed below in Section 1. However, the
City of Bay Village can purchase those supplies, services and equipment from another
party upon equivalent terms, conditions and specifications but at a lower price than it can
through Cooperative Purchasing Program with the State of Ohio; and

WHEREAS, the City of Bay Village Police Department is in need of the vehicles listed
below meeting these specifications;

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

SECTION 1. That the Chief of the Division of Police is hereby authorized and directed
to submit purchase order(s) for the purchase of two (2) police vehicles outfitted with graphics,
lighting and security under the cooperative purchasing program of the State of Ohio. However, the
City of Bay Village can purchase those supplies, services and equipment from another
party upon equivalent terms, conditions and specifications but at a lower price than it can
through Cooperative Purchasing Program with the State of Ohio. Total contract price not to
exceed $62,000.00, including delivery; shall be paid from the Equipment Replacement Fund / Police (240.111.55220).

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 necessarily for the preservation of the public peace, health, safety and welfare, and
for the further reason that it is immediately necessary to submit said purchase order to meet the
cut-off date for ordering law enforcement vehicles, wherefore this resolution shall be in full force
and take effect immediately upon its passage and approval by the Mayor.
PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

___________________________
MAYOR

2-2-17 LL