July 13, 2017

A Special Meeting of the Bay Village City Council will be held on Monday, July 17, 2017 at 6:30 p.m., in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. Roll Call; Pledge of Allegiance led by Ward 1 Councilman David L. Tadych.

2. Motion to approve Minutes of Special Meeting of Council held June 26, 2017*Mace*

3. Motion to approve minutes of Special Meeting of Council held June 29, 2017*Mace*

4. Announcements/Audience/Miscellaneous

   b. Northeast Ohio Areawide Coordinating Agency (NOACA) -Presentation regarding Connectivity Study.

5. Ordinance 17-48, as amended, fixing the salary of the Mayor of the City of Bay Village, repealing Ordinance No. 17-3, and declaring an emergency.*Tadych* (First Reading 6-12-17) (Second Reading 6-19-17).

6. Ordinance 17-56 fixing the salary of the President and Members of Council and repealing Ordinance No. 15-56, and declaring an emergency.*Tadych* (First Reading 6-26-17).

7. Resolution authorizing the replacement of the Ground Sign in Cahoon Memorial Park, and declaring an emergency*Mace*

8. Motion to confirm the reappointment of Ellen Screwvala to the Community Services Advisory for a three year term ending July 17, 2020.*Stainbrook*

9. Adjournment

Dwight Clark, President of Council

Charter Reference 2.11
Procedure

Section 2.14 - Effective Date
C.O. 111.10 - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ...at least 24 hours before any meeting of Council at which action...is contemplated.

Roll call on inclusion of the emergency clause:

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency provisions. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.
Agenda, Cahoon Memorial Park Trustees  
Council Chambers  
Immediately Following Committee Meeting of Council at 6:30 p.m.  
Dwight A. Clark, presiding

**Motion** to approve the replacement of the ground sign in Cahoon Memorial Park with a new LED ground sign.**Mace**
City of Bay Village

Council Minutes, Committee Session
Dwight A. Clark, President of Council, presiding

June 26, 2017
Conference Room 7:30 p.m.

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

Also Present: Law Director Ebert, Fire Chief Lyons, Community Services Director Selig, Interim Director of Public Service and Properties Liskovic, Human Resources Administrator Demaline, Chief Building Official Grassi.

AUDIENCE


ANNOUNCEMENTS

Mayor Koomar – Reappointment of Victoria Stavlas to Community Services Advisory Board for a three year term ending June 30, 2020

Mayor Koomar stated that Victoria Stavlas has served on the Community Services Advisory Board in the past, and has been very active and helpful to Community Services Director Leslie Selig. Director Selig stated that Ms. Stavlas is very thoughtful about everything she does for the Board.

Mayor Koomar noted that there are two openings on the Community Services Advisory Board and applications will be taken for the second position.

Bay Days starts Friday, June 30, 2017. The Fire Department and Building Department will perform their inspections on the rides. The Fire Department looks for certifications from the State Department of Agriculture that it inspects the rides for the mechanical component. Much work is done between the Fire Department and the Building Department electrical inspectors for safety and proper loads before Bay Days becomes operational.

Mr. Clark noted that the agenda tonight does address whether there will be rides offered on July 5, 2017 in the event of the cancellation of the fireworks on July 4 because of rain, and having the fireworks display on July 5. Mayor Koomar stated that he spoke with Tony Dostal about that prospect. This year they have decided to hold on that option due to a staffing standpoint with safety forces. The thought is to plan for it next year.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

Update – Animal Control Officer

1
Committee Meeting of Council  
June 26, 2017

Human Resource Administrator Jen Demaline stated that the selection process has resulted in the narrowing down to five candidates. Background packets have been completed by the candidates and mailed back to the Police Department. Chief Spaetzel and his team will be doing the initial interviews. Those interviews will be completed by mid-July. A full panel interview will be done from there and it is hoped by the week of August 28, 2017 to have the Animal Control Officer on board.

Mayor Koomar stated that he would like the hiring to be a bit sooner, and they are working on that objective. Chief Spaetzel is off this week because his daughter is getting married next week.

Councilman Henderson stated that it looks like nice progress has been made. The process started months ago with a part time position here in the City alone, and there were no applicants. Once we pursued the idea of sharing a full time position with another City, there were applicants. Ms. Demaline said they received many applications and narrowed it down to six that were qualified. The five being interviewed have previous experience in the field.

Mr. Clark noted that many residents are awaiting a comprehensive deer management plan.

FINANCE & CLAIMS COMMITTEE-Clark

Amended Appropriation Ordinance

Finance Director Mahoney stated that bids have been received for the Dwyer Memorial Center generator. The lowest bid was $63,500, which is over the $50,000 grant received from Cuyahoga County. The appropriation ordinance will be amended to add $18,500 representing the $13,500 amount over the grant, and $5,000 in contingency funds for unexpected costs for the project. Interim Public Service Director Liskovic stated that the contingency funds will be used for electric disconnects and reconnects that are not part of the bid package. This is for a separation of power in the area. The cost for this portion is approximately $1,000. There is also a gas line component to the project at a cost of approximately $300 to have the correct pressure to sustain the generator.

Mr. Tadych stated that the ordinance awarding the contract states that the cost of the generator purchase and installation is $64,000. Mrs. Mahoney stated that the bid of Nerone and Sons is $63,500. The ordinance will be amended by reading to say $63,500.

The amount of $63,500 plus $5,000 for contingencies will be appropriated from Fund 495.

Mr. Henderson asked the total wattage size for the generator. Mr. Liskovic stated that it is 60 watts. The Service Department has done load counts on the building for existing usage and for a tentative, proposed commercial kitchen for the pending senior lunch program.

Mr. Tadych asked how the $50,000 grant works. Does the City pay for the generator and then get reimbursed by the County? Mrs. Mahoney stated that once the City pays and submits the invoices to the County the City receives reimbursement. The additional $18,500, maximum, is the City’s responsibility.
Mr. Henderson stated that on the agenda for the Special Meeting of Council this evening is the salary ordinance for Mayor Koomar. Mr. Henderson will discuss this further during the miscellaneous portion of tonight’s committee meeting.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Kiddie Kollege Zoning Research

Mrs. Lieske reported that Law Director Ebert is conducting research about whether or not Kiddie Kollege would be classified as a public or private school for purposes of the Bay Village zoning ordinance.

Mr. Ebert stated that he sent correspondence dated June 19, 2017 to Council regarding Kiddie Kollege entering into a contract for the property directly behind Crossroads Church on Bassett Road. The question is whether rezoning would be required for the Kiddie Kollege use of this land. Mr. Ebert has determined that it is First Residence District, with the following exceptions: places of worship, schools, both public and privately owned, public libraries, public museums, municipally owned buildings and structures. It is further questioned whether Kiddie Kollege would be defined as a school. Mr. Ebert conducted the research to determine if it would qualify as Conditional Use under Section 1141.05 of the Codified Ordinances of the City of Bay Village.

After doing the research, it is Mr. Ebert’s opinion, supported by case law, Kiddie Kollege is not classified as a school as conditional use because they are not teaching the entire time of operation, and not specifically certified by the State of Ohio. Mr. Ebert circulated this information to Council in a memorandum dated June 20, 2017. Mr. Ebert recommended that the use of this land by Kiddie Kollege would have to be submitted as a petition for rezoning, or by Council placing the issue on the ballot. The filing deadline for submitting to the Cuyahoga County Board of Elections is August 24, 2017 (later determined as August 9.) If it is submitted by Council, there will be three readings of the ordinance required, and a public hearing. These meetings would be held in July and August in order to meet the Board of Elections deadline. The alternative is for the applicant to have a referendum petition signed by ten percent of those who voted in the last November election.

Mr. Ebert noted that the land use does not affect many residents because it abuts the railroad tracks. Mrs. Lieske has asked whether this new building would house all of the Kiddie Kollege clients, including those who are currently served by the Dover Junction facility, and the clients who will be misplaced by the end of the lease of Bayway Cabin in September. Mr. Ebert has not yet received the answer to this question which he posed to the owner of Kiddie Kollege.

Mr. Tadych asked for clarification for passage on the ballot. Mr. Ebert stated that it must pass both in the ward, and citywide. He noted that he must check the map further, since the property may be partially in Ward 3 and partially in Ward 4. If that is the case, it will have to pass in both wards, and citywide.

Mr. Tadych asked if the result is also determined by precinct. Mayor Koomar stated that local option for liquor licenses are determined by precinct vote.
Mr. Vincent asked if the Kiddie Kollege petitions for the ballot are they responsible for the cost for putting the issue on the ballot. Mr. Ebert stated that the City will be charged their proportionate share of ballot language. He will find out those details with the Board of Elections and report back to Council. Mr. Vincent noted that if the City places the issue on the ballot the Kiddie Kollege will be saved the work of having the petitions signed. Mr. Ebert stated that he does not feel it is realistic to have Kiddie Kollege do that work. Mr. Tadych noted that Kiddie Kollege is an asset to the City.

Mr. Ebert commented that the last rezoning Council did was the property formerly owned by the Shell Gasoline Station.

Mr. Vincent stated that this will be a new build. Part of our hope with amending our ordinance (Chapter 1358) was to require folks to present their plans at a public hearing. Would the Kiddie Kollege owners have time to complete all those requirements? Mr. Ebert stated they would still have to complete all the requirements to go forward. The ordinance could be introduced and placed on first and second reading, and passed when the requirements are met. Mayor Koomar stated that they will go to the Planning Commission, but Council as a body may want to see more than drawings, renderings and setbacks. Mr. Vincent clarified with Mr. Ebert that the Kiddie Kollege application would fall under Chapter 1129, the Approval Process.

Mayor Koomar explained that the Cahoon Ledges property was rezoned by Council placing it on the ballot. They came with renderings and discussion points, and after it was passed on the ballot they went to the Planning Commission. It was in their best interest to inform the residents what this project would look like as part of the rezoning effort.

Mr. Vincent asked the final date for the third meeting of Council for the rezoning issue in order to file with the Board of Elections by August 24, 2017. (It was later determined that the true date is August 9, 2017). Mr. Ebert stated that if they really want to move ahead they will have an architect get the drawings done very soon. Mr. Dade asked to what classification the property would be rezoned. Mr. Ebert stated that it is First Residence District now and would be rezoned to Third Residence District.

Mr. Henderson stated that the process is in place and we should make sure that they use it correctly. We are looking for initial indications at this point for the favor of Council taking this action as opposed to requiring the owners to undertake the petition process. The reason I feel that way is because it is the strategic plan of the City to put the library in the location that is currently occupied by this business, so Kiddie Kollege would be misplaced. It is for the benefit of the people, it is my thought it would be reasonable to help them with the process. Mr. Henderson stated he would be in favor of Council action.

Mrs. Lieske stated that she would support it too, even if it meant having to have meetings within a short time. By discussing it this evening, it is in the minutes and the word is getting out in the community that this could be a possibility. If they could get together what they need to come before Council, Mrs. Lieske would support not requiring them to get signatures.
Committee Meeting of Council
June 26, 2017

Mr. Ebert stated that a letter will be sent to Kiddie Kollege on Tuesday, June 27, 2017 asking them for more specific details. Mayor Koomar asked how advanced Council would like their preparations to be. Mr. Tadyeh stated that he is very interested in how they would get to the property: the access route. Mr. Mace stated that he would also be interested in the access route, and the actual location on the property. It is a big tract of land and they may not be putting in access through the Crossroads Church parking lot. Mrs. Stainbrook would like to see the general scope of the project. Mr. Clark stated that the who, what, when, where and why of the project is important. This has been a good discussion. We plan to displace them so this is an opportunity for Council to step in. Mrs. Lieske stated that she would like to know if they plan on using both the existing facility and the new facility, and about how many children will be enrolled.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

Update on Porter Creek

Interim Director of Public Service stated that the Service Department is revisiting this project that was started last year. After seeing the initial estimates last year, the project was put aside, and brought back this year. There are three contractors bidding on the project, one of which is Nerone and Sons, who have made modifications to last year’s proposal. Information from all three bidders has been submitted to CT Consultants for their advice and recommendation.

Update on Lake Road Sewer Cleaning

Mr. Liskovic stated that he is soliciting competitive bids and comparing those to the bids received in 2015. There has also been discussion with the County regarding this project. CK Industrial has bid on this project in the past and have adjusted their bid received in 2015. There were discrepancies concerning disposal of material, and Mr. Krakowski has been asked to verify the accuracy of the information. Mayor Koomar noted that CK Industrial has done good work for the City in the past.

Update on 2017 Road Overlay Program

The 2017 Road Overlay Program is well underway. All milling has been completed and Mr. Krakowski has been out marking areas for concrete repair.

Update on White Creek Improvement Project

The project has been completed. The sidewalks repairs related to the project will be done in-house by the Service Department staff. The final inspection process for the project is underway. Mayor Koomar noted that the residents are very happy with the work that has been done.

2017 Sidewalk Repair and Replacement Project

Property Inspector Bob Lyons has completed his walk through and marking of sidewalks that need repair or replacement. He has put together a list of residents that will be contacted for
Committee Meeting of Council
June 26, 2017

replacement of their sidewalks. Letters will be sent to the residents with all the information they need for the sidewalk work, either through their own contractor or by having the City do the work. The neighborhood inspected this year consists of Plymouth, Walker, Nantucket Row, Narragansett, Manchester, and Arlington Circle. Next year they will carry over to the areas between Bassett and Bradley. The amount of streets covered this year was smaller than in the past, but the amount of sidewalk panels was actually bigger. Mr. Liskovic stated that he believes the price for the City to replace the sidewalk is $6.00 per square foot, which he will verify. Last year the price was $5.50 per square foot. If the homeowner does not pay for the cost of replacement, the bill is certified to the County Fiscal Officer for payment through property tax bills in September of 2018.

Mr. Henderson stated that he appreciates the updates on these projects. The Porter Creek Project is especially important for discussion by the Public Improvements Committee because there are so many different designs being proposed.

Sunset Area Project

Mr. Henderson asked if there are any updates on the engineering work for the Sunset Area Project. Mr. Liskovic stated that he has just received the results from the house-to-house surveys regarding the storm sewers. Regarding the sanitary sewers, there are five residents who have been sent letters regarding the need for inspection. Two of those homes have been assessed, and two others have contacted the Service Department for appointments. One resident has yet to respond.

Mr. Henderson stated that it is his understanding that when this investigative and inspection work is completed the administration will be in a position to review cost estimates and determine a revised total project budget for consideration by the Public Improvements Committee.

Mayor Koomar stated that they want to look at those costs, confer with CT Consultants, and come back to Council.

Mr. Henderson stated that they want to look at the assessments that will be going to people, and also an estimate of the private costs that will be incurred. Mayor Koomar stated that Jeff Foster of the Homeowners Association will present that to the residents and review where the City is with the project.

Mr. Henderson asked Mayor Koomar if he has an estimate of when that information will be ready for the Public Improvements Committee to review. Mayor Koomar stated that depending on Engineer Greytak’s schedule, he would estimate that this would be completed by the first half of July. Mr. Liskovic stated that they just have to verify the number of residents and see if they have to reach out to anyone else.

Mayor Koomar stated that they would like to go back to those residents that may have basements that would potentially be affected by a sanitary line connection. That data was just provided today.
Committee Meeting of Council  
June 26, 2017  

Mr. Henderson will look forward to having a Public Improvements Committee meeting this summer.

Mayor Koomar noted that there was concern regarding two properties on Lakeview having a rear sanitary connection. They are actually on a corner and they can go out the back and connect into Kenmore. This provides relief for them rather than having to connect in the front.

Walker Road Park

Mr. Henderson asked if there is any update on information to be received from Avon Lake regarding Walker Road Park. Mr. Liskovic stated that he met with Avon Lake Engineer Joe Reitz. Mr. Reitz has provided some documentation and promised the rest later this week.

Mr. Henderson stated that there are some residents that are very interested in that situation.

Pellet Drive Residents regarding First Energy

Mr. Liskovic is working with Karen Kirsch of First Energy to resolve issues for a resident on Tuttle Lane and Aldrich Drive.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Mace

Update on Pool Boiler/Heat Exchanger

Mr. Mace stated that last Monday, June 19, 2017, Director Enovitch informed the Council that the pool boiler/heat exchanger would be installed in three weeks. Mr. Liskovic stated that O.P. Aquatics has informed him that the boiler will be shipped on July 17. Installation will only take two and a half days. Mrs. Lieske asked if anything can be done to expedite the shipment. Mayor Koomar will follow-up. Mr. Liskovic stated that the pool is still functioning with 60% of the heat for the pool water.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Generator Purchase and Installation Contract – Dwyer Memorial Center

Mr. Tadych noted the award of the $50,000 grant for the generator installation at the Dwyer Center which is very helpful in providing this much-needed equipment for the senior center.

Purchase of One (1) Wheel Loader (approved for 2017 Capital Budget)

Mr. Tadych stated that the wheel loader was approved for the 2017 Capital budget. The loader is being purchased under budget, with $24,000 being realized for the trade-in of the old equipment. Mr. Henderson asked if there is any difference between trading in the old equipment versus selling it on Gov.deals. Mrs. Mahoney stated that there is really little difference. Mr. Clark noted that for trading in the equipment an ordinance is not needed. If the equipment were sold, an ordinance authorizing the sale would be required if the equipment sold for over $5,000.
Committee Meeting of Council
June 26, 2017

MISCELLANEOUS

Construction Trucks on Wolf Road

Mr. Tadych has spoken with Mr. Liskovic about construction traffic on Wolf Road. Mr. Liskovic stated that the drivers are trying to find the quickest way to state routes. Mr. Krakowski did relay information to the contractor before the onset of the project that they are to do their best to avoid Wolf Road. Mr. Tadych stated that the trucks are heavy and Wolf Road needs to be kept in good condition. The trucks belong on Lake Road. Mrs. Lieske asked if the Police Department could help in this regard. Mayor Koomar will notify the Police Department.

AUDIENCE

Mr. Bill Selong asked if the Crossroads Church were to retain ownership of a parcel of their property rather than selling it to Kiddie Kollege for daycare purposes, and build and lease the building to Kiddie Kollege, would that require a zoning change. Mr. Ebert stated that it would still have to be certified as a school by the church. Mr. Selong noted that other churches operate day care as part of their program. Mr. Ebert stated that those day cares are part of the churches’ program. In the Kiddie Kollege case, it is totally separate. Mr. Selong stated that he is just wondering if there is a path to achieve what they want to in a different way than with rezoning. Mr. Henderson commented that the difference between the other churches’ day care is that Kiddie Kollege is a for-profit business.

MISCELLANEOUS

Mayor’s Salary Ordinance

Mr. Henderson stated that he appreciates all the work that everyone has done on this legislation and he is generally supportive of the ordinance. Mr. Henderson spoke with Mrs. Demaline today and the intent that he understands is similar to the intent that Mrs. Demaline describes. He also spoke with Mr. Tadych about it and we all are similar in our understanding about the intent. Mr. Henderson stated that he would like to talk about Section 2. Where it says “The Mayor’s base salary will increase,” the words “base salary” should be replaced with “compensation.” Because, Section 3 says that beginning 1-1-19 through 12-31-21 the Mayor’s base salary will increase annually, etc. Mr. Henderson stated that it is his understanding that is not our intent. The reason we wanted potentially use the word “municipal” was to clarify it is not the Board of Education. Mr. Henderson is still in favor of including the word “municipal” somewhere in the sentence, e.g., “four years of municipal experience.”

Mr. Tadych stated that several of the members of Council have had conversations about how this is going to work in the fifth year of service as Mayor. We all seem to be in agreement that if a person coming in as Mayor has no experience, and is elected, and reelected for the next four year period, it is expected that in the fifth year that Mayor would receive $1,000 of compensation according to this ordinance. Mrs. Demaline stated that this is correct. The problem is, the interpretation among us is very solid. What this group is going to be four to eight years in the
future could be different, and it may not be received that way. Mr. Tadych stated that he is trying to make it real clear in the ordinance.

Mr. Ebert stated that if there is a question in the interpretation, the minutes would be referenced for the discussion. Mr. Tadych stated that he would hate to have to go back through all those minutes. He asked if there is a way to put reading in the ordinance to uncomplicate and secure it.

Mr. Henderson suggested the use of a table that lists this compensation out. Discussion followed as to whether the table would be included as part of the ordinance or as a separate exhibit. It was determined to list the table in the ordinance.

Mr. Tadych stated that another question that was presented to him was what happens after the eight year. Is there another $1,000? The answer is absolutely no.

Mr. Henderson stated that another question brought forth was whether this was to be paid in regular pay periods across the board, or, at the end of the year. Mr. Ebert stated that the compensation is annualized.

To summarize, Mr. Clark stated that in Section 2 of the ordinance the words “base salary” shall be replaced with “compensation,” the word “municipal” will be added in front of the word “experience,” and a table will be added.

Mr. Ebert suggested putting the ordinance on second reading tonight as amended. Mr. Henderson will amend the ordinance by reading.

Conda Boyd stated that it is very important to have whatever it is in front of you. She had proposed what she thought was some simple wording that solved all of the issues. The thing that we haven’t mentioned tonight is that the amount up to $8,000 is not to be compounded. Mr. Henderson stated that this was clarified a few minutes ago when we talked about replacing the words base salary with compensation in Section 2. Ms. Boyd also suggesting changing Section 3 to Section 2, and Section 2 to Section 3. Ms. Boyd noted the importance of having the correct ordinance in front of Council when adopted, because it can only be changed every four years. As Mr. Henderson pointed out, what is written on the paper is going to become the precedent for the next four year ordinance. If memories are different, the meaning can slide. Ms. Boyd stated that she has no quarrel with the amounts. The concepts are good, and she applauds paying Council people and the administration fair compensation.

**Rocky River Wastewater Treatment Plant**

Mr. Clark asked if the flow and strength testing for the Rocky River Wastewater Treatment Plant will be completed this week. Mayor Koomar stated that it will be completed at the end of June. A management committee meeting will be held Thursday, July 6 with more information expected.

**Master Plan**
Committee Meeting of Council
June 26, 2017

Mrs. Lieske stated that there was a great deal of discussion about Action 4.1 the last time Council discussed the Master Plan, and not having this Action item being part of what is adopted. Mrs. Lieske did not see a draft motion that clarified anything in the Council material to this regard.

Mayor Koomar stated that Mr. Clark had asked him to reach out to Glen Coyne, Executive Director of the County Planning Commission, for his feedback. Mr. Coyne stated that things like this have come up in the past. What they have seen is the Master Plan is adopted, but below it very specifically a Council member amends the motion to say that while the entire Master Plan is being adopted, there are concerns on Section 4.1 on Page 76 regarding the zoning and much additional work will be needed. Mr. Coyne related to Mayor Koomar that the Steering Committee felt very strongly that Action 4.1 was best practice, and in the spirit of supporting the volunteer work of these members for fifteen months, it is recommended to adopt the whole plan, but specifically list concerns.

Mr. Clark noted that the Charter Review Commission meets again in six years and could consider an amendment to the Charter be sent to the ballot at that point in time regarding the referendum for rezoning.

Mr. Tadych stated that if the Charter Review Commission says they would like to see this again it would be up to them at that particular time to do it. Mr. Tadych stated that he feels strongly that he would like to see Action 4.1 removed.

Mrs. Stainbrook said that she has the opposite view for a couple of reasons, but she does feel that a lot of people worked on committees, with input from residents. There are a lot of things in the Master Plan such as the potential Architectural Board of Review on Page 50, and things like Goal No. 4, increase the rate of property inspections for code enforcement to maintain a high quality housing stock, and Page 51, develop design guidelines that insure future residential development in Bay is consistent with character that makes it desirable. There may folks on Council that have issues with items like that as well. Mrs. Stainbrook said that she doesn’t want to say to a resident that I am not sure of your input so let’s remove that section.

Mr. Tadych stated that those items Mrs. Stainbrook just mentioned are not taking anything away from the residents, whereas this says we should look at taking the vote away from the residents.

Mrs. Stainbrook stated that is because input was received that it is a possibility; it is an option. She is not in favor of removing an option that was presented, especially when it has the opportunity that it would have to go to the Charter.

Mr. Vincent stated that he totally agrees. There are a number of steps to jump through where this has any impact. The problem is if you frame it the way you are proposing it means you agree with everything else. If you are not striking those particular provisions, what is the difference?

Mr. Tadych reiterated that you are not taking away the vote of the people with those other things. He stated that voting is a very sacred thing.
Committee Meeting of Council  
June 26, 2017

Mrs. Lieske stated that the other things in the Master Plan are looking at housing, commercial, parks, recreation, and all those kinds of amenities. Whereas, the input from all the members of the Steering Committee and everyone who participated is very valuable, but it is questionable whether this Action 4.1 really belongs in a Master Plan discussion because it is not in the same character as the other kinds of things.

Mr. Henderson noted that on Page 120 of the Master Plan, third paragraph down, it states that the second concern is with the proposal to change from referendum zoning to Council approval of rezoning. County Planning recommends this action based on professional experience and standard operating procedures in most jurisdictions. Mr. Henderson stated that what is written here is consistent with what at least one resident who reached out to Mr. Henderson with concern about this, said, that many public hearings expressed disagreement with this recommendation and the response from the County planning official was that it is based on profession experience and standard operating procedures, not from the consensus of the Steering Committee. Mr. Henderson is curious about the original source of the recommendation from the Steering Committee.

Mayor Koomar replied that Director Coyne said the Steering Committee recommendation played into it. He said it is a best practice out there for many communities, so he is sure it did come from the County Planning Commission, but that best practice, as Glen Coyne explained to him, was supported by the Steering Committee.

Mrs. Lieske stated that she is concerned that if this Action 4.1 remains it will have the appearance that Council supported it because it is still in the Master Plan. Mayor Koomar suggested expressing concerns of Action 4.1 as part of the adoption motion.

Mr. Clark supported putting the Master Plan up for adoption this evening. If there is concern you make yourself heard; if you are very concerned vote no.

There being no further discussion, the meeting adjourned at 8:40 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council
City of Bay Village

Council Minutes, Special Meeting
Council Chambers 8:46 p.m.
President of Council Dwight Clark, presiding

June 26, 2017

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

Also Present: Law Director Ebert, Finance Director Mahoney, Director of Community Service Selig, Interim Director of Public Service and Properties Liskovic, Human Resources Administrator Demaline.

AUDIENCE


President of Council Clark called the meeting to order at 8:46 p.m. with roll call by the Clerk of Council and the Pledge of Allegiance led by Nancy Stainbrook, Councilwoman-at-large.

ANNOUNCEMENTS

Mayor Koomar announced that the annual Bay Days begins on Friday, June 30, 2017 in Cahoon Memorial Park. The festivities will run from Friday, June 30 through Tuesday, July 4, 2017, with no activities on Sunday, July 2, 2017. A gala fireworks show will be held on Tuesday evening, July 4, at approximately 9:45 p.m.

COMMENTS FROM THE AUDIENCE

Mrs. Jerrie Barnett, Bayview Drive, asked for information as to the activity yesterday in the Promenade near Crocker Park in Westlake. Mr. Vincent informed Mrs. Barnett that Crocker Park displays their annual Fourth of July fireworks the Sunday before the holiday.

APPROVAL OF MINUTES

Motion by Mr. Tadych to dispense with the reading and approve the minutes of the meeting of the Special Meeting of Council held June 15, 2017 as prepared and submitted.

Motion carried 7-0.

Motion by Mr. Tadych to dispense with the reading and approve the minutes of the meeting of the Regular Meeting of Council held June 19, 2017 as prepared and submitted.

Motion carried 5-0, with two abstentions (Mr. Clark, Mr. Vincent).
Special Meeting of Council  
June 26, 2017

Regarding Ordinance No. 17-46 amending Section 1351 of the Codified Ordinances of the City of Bay Village for the determination of grade lines, Mrs. Lieske stated that the version that Council had in their packets is slightly different than the one that was distributed this evening. Since Council will need to meet over the course of the summer, Mrs. Lieske proposed that this ordinance be included at a special meeting at that time.

Mr. Clark asked if Council has seen the ordinance that was distributed this evening. Mrs. Lieske stated that the difference is Section 1351.04 referencing the consulting engineering, and the correct copy references the Building Department or its designee for setting grade. Law Director Ebert recommended proceeding with passage of the ordinance this evening, because the correct version of the ordinance had been included in Council packets when the ordinance was placed on first and second readings on June 12 and June 19, 2017. Mrs. Lieske agreed.

Mrs. Lieske read, by title only, Ordinance 17-46 amending Section 1351 of the Codified Ordinances of the City of Bay Village regarding determination of grade lines, and declaring an emergency, and moved for adoption, noting that this ordinance has been discussed at length many times. (First Reading 6-12-17) (Second Reading 6-19-17).

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 17-46.

Roll Call on Suspension of the Charter Rules:

Yeas- Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
Nays - None

Roll Call on Suspension of the Council Rules:

Yeas – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
Nays – None.

Roll Call on Inclusion of the Emergency Clause:

Yeas – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
Nays – None.

Roll Call on Adoption:  

Yeas–Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent  
Nays–None.

Mr. Clark announced adoption of Ordinance No. 17-46, an emergency measure, by a vote of 7-0.

Mr. Tadych read, by title only, Ordinance 17-48, as amended, fixing the salary of the Mayor of the City of Bay Village, repealing Ordinance No. 17-3, and declaring an emergency.(First Reading 6-12-17) (Second Reading 6-19-17).

Mr. Tadych stated that a new version of the ordinance was just distributed to Council. Mr. Ebert stated that the new version of the ordinance is a result of the discussion in the Committee meeting of Council held this evening. Mr. Henderson stated that there were four changes to the ordinance agreed to in the Committee meeting. The first, that the words “base salary,” in which is now Section 3, will change to “compensation.” That change has been made. The word “municipal” has been added in front of the word “experience,” in what is now Section 3. A table has been added in
Special Meeting of Council  
June 26, 2017

Section 3 which looks like what Mr. Henderson would expect it to look like. Sections 2 and 3 have been reworded. Mr. Henderson stated that his initial response is that the ordinance looks like he expects it to look, but he will need more time for review of the new version.

Mr. Tadych recommend keeping Ordinance 17-48, as amended, on second reading. Mr. Clark noted that it is helpful to receive the draft this evening so the intention matches what has been written in the ordinance. Mr. Clark noted that Council has done a thorough analysis of the Mayor’s salary. Mr. Tadych stated that it is much more complicated with the $8,000 additional compensation. Mr. Henderson thanked Human Resource Administrator Jen Demaline for making the change in the ordinance so quickly.

Mr. Clark stated that Ordinance 17-48, as amended, will remain on second reading.

Mr. Vincent moved to confirm the reappointment by Mayor Koomar of Victoria Stavlas to the Community Services Advisory Board for a three-year term ending June 30, 2020. Mr. Clark noted that Mrs. Stavlas has been a member of the Community Services Advisory Board since 2008, and called for a vote on the motion to confirm the reappointment.

Motion carried 7-0.

Mr. Henderson introduced and read, by title only, Resolution 17-52 ordering the repair of the public sidewalks abutting certain premises in the City of Bay Village, and declaring an emergency, and moved for adoption. Mr. Henderson stated that this matter was discussed in the Committee meeting of Council this evening. Interim Director of Public Service and Properties Liskovic has provided Council with the necessary information. The repair of the public sidewalks this year is being done in the northwestern part of the City. The City will notify the residents whose sidewalks have been marked for repair informing them that they can take care of this themselves, or the City can cause the repairs to be done and bill the resident for the work. This is a relatively standard process that is done every year.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 17-52.

Roll Call on Suspension of the Charter Rules:
  Yeas- Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark  
  Nays -None

Roll Call on Suspension of the Council Rules:
  Yeas – Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark  
  Nays – None.

Roll Call on Inclusion of the Emergency Clause:
  Yeas – Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark  
  Nays – None.

Roll Call on Adoption:
  Yeas–Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Clark  
  Nays–None.
Special Meeting of Council  
June 26, 2017

Mr. Clark announced adoption of Resolution No. 17-52, an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read **Ordinance No. 17-53** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2017 as previously appropriated in Annual Appropriation 16-84 and amended in Ordinances 17-10, 17-19, 17-26, 17-42, and 17-49, and declaring an emergency, and moved for adoption.

Mr. Clark expressed appreciation for the providing to Council of the previous amended appropriation ordinance. There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 17-53.

Roll Call on Suspension of the Charter Rules:  
Yeas - Lieske, Mace, Stainbrook, Tadych, Vincent, Clark, Henderson  
Nays - None

Roll Call on Suspension of the Council Rules:  
Yeas - Lieske, Mace, Stainbrook, Tadych, Vincent, Clark, Henderson  
Nays – None.

Roll Call on Inclusion of the Emergency Clause:  
Yeas – Lieske, Mace, Stainbrook, Tadych, Vincent, Clark, Henderson  
Nays – None.

Roll Call on Adoption:  
Yeas – Lieske, Mace, Stainbrook, Tadych, Vincent, Clark, Henderson  
Nays – None.

Mr. Clark announced adoption of Ordinance No. 17-53, an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read **Ordinance No. 17-54** authorizing the Mayor to enter into an agreement with Nerone and Sons for the purchase and installation of a Generator at the Dwyer Senior Center, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 17-54.

Roll Call on Suspension of the Charter Rules:  
Yeas - Mace, Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske  
Nays - None

Roll Call on Suspension of the Council Rules:  
Yeas – Mace, Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske  
Nays – None.

Roll Call on Inclusion of the Emergency Clause:  
Yeas – Mace, Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske  
Nays – None.

Roll Call on Adoption:  
Yeas – Mace, Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske  
Nays – None.
Mr. Clark announced adoption of Ordinance No. 17-54, an emergency measure, by a vote of 7-0.

Mr. Tadych introduced and read Resolution No. 17-55 authorizing the purchase of a 2017 Caterpillar 930M, DCA1 Wheel Loader, under the Cooperative Purchasing Program with the State of Ohio, and declaring an emergency, and moved for adoption. Mr. Tadych noted that the City is receiving a $24,000 trade-in value for the existing wheel loader.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 17-55.

Roll Call on Suspension of the Charter Rules:
Yeas- Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske, Mace
Nays -None

Roll Call on Suspension of the Council Rules:
Yeas – Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske, Mace
Nays – None.

Roll Call on Inclusion of the Emergency Clause:
Yeas – Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske, Mace
Nays – None.

Roll Call on Adoption:
Yeas – Stainbrook, Tadych, Vincent, Clark, Henderson, Lieske, Mace
Nays – None.

Mr. Clark announced adoption of Resolution No. 17-55, an emergency measure, by a vote of 7-0.

Mrs. Lieske stated that in reference to Item No. 12 on the agenda this evening, the Motion to adopt the 2016 Master Plan of the City of Bay Village, another member of Council may wish to present the item for adoption. Mrs. Lieske stated that she has comments regarding the matter.

Motion by Mr. Vincent to adopt the 2016 Master Plan of the City of Bay Village.

Mrs. Lieske stated that she had totally intended to vote yes on the Master Plan this evening after discussion at the last Council Committee meeting. It seemed like there was a great deal of concern among many of Mrs. Lieske’s fellow colleagues on Council, including Mrs. Lieske, about Action 4.1 amending the City Charter to repeal referendum zoning in favor of City Council review and approval of rezoning requests. Mrs. Lieske stated that she respects what Mayor Koomar said would be an option to go ahead and vote yes and have some type of statement that would state the parts for which she would be in opposition. Mrs. Lieske’s concern is, going forward, having served on the Planning Commission for almost four years and referring so many times to the previous Master Plan, if this is left in there will be people in the future who think that Mrs. Lieske supported possibly taking away the referendum right of the residents. If this were to be removed as a group, Mrs. Lieske stated she would vote yes and be very strong in her support because there are other things in the Master Plan that could be worked with the Boards and Commissions, but this is something she cannot support. Mrs. Lieske stated that she will vote no if Action 4.1 stays in the Master Plan.
Special Meeting of Council  
June 26, 2017  

Mr. Clark thanked Mrs. Lieske for her comments and called for comments from others.

Mr. Tadych stated that he would also like to talk about Action 4.1. Mr. Tadych stated that he, too, would not even suggest to take away the vote of the people, so he will be voting no.

Mr. Mace stated that he also opposes Action 4.1 and can't state strongly enough that he is greatly opposed to the referendum vote of the people being taken away. Mr. Mace stated that he would prefer Action 4.1 be stricken from the document altogether, however, he does not feel a yes vote is inappropriate with his statements as to how strongly he feels about Action 4.1.

Mr. Henderson stated that he feels very similarly to Mr. Mace. He also opposes Action 4.1 of the Master Plan. However, he was swayed by Mr. Vincent's argument that calling out one particular item he disagrees with might imply or cause others to infer that he supports all of the other items in the Master Plan, which Mr. Henderson does not. For that reason, although he does oppose Action 4.1, Mr. Henderson stated that he is going to vote in favor of adopting the document.

Mr. Henderson stated further that he would like to make one or two small points. First, the City of Westlake has special treatment in its Charter for townhouses. It is treated differently in their Charter than just black or white. Mr. Henderson recommended that if the Charter Review Commission in the future were to look at Action 4.1 and consider that recommendation that they look at how Westlake does it because they have special treatment for rezoning when a townhouse is involved.

Mr. Henderson stated that the other point he would like to make is that when Council spoke most recently about Chapter 1158, one of the things talked about was that this ordinance refers to the Master Plan. This Master Plan has scattered about it, in numerous locations, references to townhouses, cottage housing, condos and mixed-use residential zoning. Mr. Henderson recommended that the Planning, Zoning, Public Grounds and Buildings Committee undertake a process to take information out of this document and map it visually so everyone can understand where this document is recommending this type of zoning be considered.

Mr. Tadych stated that he would like also to say that he would like to see a unanimous vote on this motion and he would like to ask again to have Section 4.1 removed.

Mrs. Lieske stated that there was so much work from so many people in the community to go through this whole process. The other sections of the Master Plan really include things you would think a Master Plan includes, in terms of housing, recreation, commercial, all of these other topics. But, the Charter referendum is not as much something for the Master Plan. Mrs. Lieske stated agreement with Mr. Tadych that she would like to see it unanimous too.

Mr. Henderson presented a technical question on procedure. He asked if it is possible for Mr. Tadych to make a secondary motion to amend the Master Plan by reading, or is that not possible because we are not the preparers of the document. Law Director Ebert stated that it is the Cuyahoga County Planning Commission plan, submitted by the County. Council is required to make an up/down vote to accept or not accept this document as is.
Special Meeting of Council
June 26, 2017

Mr. Tadyeh stated that this is confusing because the suggestion was made earlier that we could amend. Mr. Ebert stated that you could vote for it with comment as part of the record. When people look at the record, the record will indicate you voted yes but you have problems with Action 4.1 or somebody might have another section they do not agree with. The Master Plan is a guide; it is not law.

Mr. Henderson stated that the record would then show that we discussed whether or not it was possible to amend this by reading, and the record will show that it was not possible. It is an up/down vote.

Mr. Vincent stated that he, of course, does not support amending the Charter to reclude the power and the vote from the people. He stated that his point of view is that this is a document of ideas. Not every idea is the perfect idea, or even a good idea. It is about ideas; it is about making progress; it is about thinking differently of what we are doing in our City and taking it for what it’s worth. It has nothing to do with how he is going to vote in the future. It is just a tool to draw from when we are looking for ideas. So, it means that everyone put all their time in and he is glad to support it, even the provisions with which he disagrees.

Mrs. Lieske stated that there are so many instances with the last Master Plan: was it adopted by the City; was it approved by the City; what is the status in terms of the City. Having been at so many of those meetings where these topics came up, Mrs. Lieske can see going forward what the interpretation could be around the Action 4.1. People will see what the vote was; that it passed. They won’t be looking for the extra comments.

Mr. Tadyeh stated that he believes this came up in a city in Lorain County in their Master Plan. He believes this recommendation was in their Master Plan and they found some difficulty with it after it was approved.

Mrs. Stainbrook stated that she does not support taking away the vote of the people, but she thinks this is a wonderful Master Plan, a strategic document, a planning tool to use going forward. Mrs. Stainbrook does not see a problem with voting to adopt it, and going forward. There are so many built in checks and balances regarding different things being moved forward, or not being moved forward, being voted on, changing the Charter, etc. Mrs. Stainbrook is comfortable with those checks and balances that are included.

Mr. Henderson stated that he knows there are six of the seven people on Council that have expressed that they do not support Action 4.1. It would be powerful in the minutes if it were unanimous among Council that we felt this way, even if we voted to pass this. Mr. Henderson asked Mr. Clark if he would be willing to share his opinion on Action 4.1.

Mr. Clark stated that there are checks and balances in the documents as well. It is not as if Council has unilateral power to change the City Charter. We are six years away from that. The Charter Review Commission would have to review this. They would have to put this on the ballot for the citizens to repeal the right to have to do that. Mr. Clark stated that this is why he believes in serious checks and balances as well. This is not a legislative document. By saying no to this, it is a strong no vote because what it says is all the work the Steering Committee, the Oversight Committee, and
everyone put into this document, including the county, went for naught. We can argue accept versus adopt, but in the spirit of the things there are 150 pages in the document; we focused on one page. I believe it important to vote on this document as is. Vote your conscience.

Mr. Clark called for a roll call vote on the motion in front of Council to adopt the Master Plan of the City of Bay Village of 2016.

**Roll Call Vote:**
Yea's—Vincent, Clark, Henderson, Mace, Stainbrook
Nays—Tadych, Lieske

**Motion passed 5-2.**

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session regarding 1. Personnel – Finance Specialist; 2. Council Salaries; and 3. Litigation – Probate Court Declaratory Judgement Action.

**Roll Call Vote:**
Yea's—Vincent, Clark, Henderson, Lieske, Mace, Stainbrook, Tadych
Nays—None.

**Motion carried 7-0.**

In addition to the members of Council, Mayor Koomar, Law Director Ebert, Human Resources Administrator Demaline, and Finance Director Mahoney were present in Executive Session.

Council reconvened in an open meeting at 10:09 p.m. Present were: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, and Mayor Koomar. Also present: Law Director Ebert, Human Resource Administrator Demaline, and Finance Director Mahoney.

**Mr. Tadych** introduced and read **Ordinance 17-56** fixing the salary of the President and Members of Council and repealing Ordinance No. 15-56, and declaring an emergency.

Mr. Clark thanked all members of Council for having a very brisk, yet courteous, discussion on this topic.

Mr. Clark announced that Ordinance No. 17-56 is placed on first reading.

**Motion** by **Tadych** to adjourn Regular Meetings of Bay Village City Council during the months of July and August in accordance with City Charter Section 2.10, Meetings.

**Motion passed 7-0.**

There being no further business to discuss, the meeting adjourned at 10:13 p.m.
Special Meeting of Council
June 26, 2017

Dwight Clark, President of Council

Joan Kemper, Clerk of Council
City of Bay Village

Council Minutes, Special Meeting                      June 29, 2017
Council Chambers 7:30 a.m.
President of Council Dwight Clark, presiding

Present:       Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent.

Excused:       Mayor Koomar

Also Present:  Law Director Ebert, Finance Director Mahoney, Human Resources Administrator Demalone.

AUDIENCE

Conda Boyd, Sam Gmetro, John Suter, Richard Fink.

President of Council Clark called the meeting to order at 7:30 a.m. with roll call by the Clerk of Council and the Pledge of Allegiance led by Marty Mace, Councilman-at-large.

ANNOUNCEMENTS

Law Director Ebert announced that a ruling has been made on the Declaratory Judgement matter of Frances Mentch vs. Mayor and City Council of the City of Bay Village. The Court of Common Pleas, Probate Division ruled in the City’s favor on June 23, 2017.

AUDIENCE COMMENTS

Mr. John Suter stated that he has absolutely no question that employees should be compensated fairly. But, what bothered him is that he can’t find anywhere where there is accountability. He does not see job descriptions or performance standards. That is something Council should be addressing, rather than just providing an automatic increase.

Mr. Clark stated that from the administrations’ standpoint, they are working towards the request of Council to provide job descriptions. The position being considered today has had a job description provided to City Council by the Human Resource Administrator.

Mr. Clark stated further that this has been an issue for Council over the past couple of years, because you must have accountability standards if you are going to: a) set a pay range, or b) go along each year, providing a COLA or increase. People should be held accountable for their performance. That is what Council has been gearing towards.

Mr. Suter asked about the rating procedure for the Finance Department. Finance Director Mahoney said that she does the rating for the Finance Department employees. The Finance Director is rated by the Mayor.
Special Meeting of Council
June 29, 2017

Mr. Clark stated that the ordinance in front of Council this morning is for Council to be in a position to approve a full time Finance Specialist, which is an opportunity to make the City more efficient.

Councilwoman Stainbrook stated that Position No. 3 in the ordinance is highlighted. When an Administrative Compensation ordinance is presented, all non-bargaining positions are shown, but changes are highlighted. The highlighted position in today's ordinance is for Finance Specialist, for which there has been provided a job description.

Conda Boyd asked why there is such a wide range of salary, minimum and maximum, for the Finance Specialist, and if the position be advertised.

Finance Director Mahoney stated that Mrs. Demaline worked on getting comparables. There are not a lot of cities that have this structure similar to what is being proposed. A couple similar cities were Lakewood and Olmsted Falls. Their range was about $20,000. The lowest point of the range is based on the current accounts payable person salary on an annual basis of $41,500. She is part time so she does not make a large salary. And, then use a range of $20,000, similar to Lakewood and Olmsted Falls.

Councilwoman Stainbrook stated that $20,000 is generally a normal range.

Mr. Suter asked Mrs. Mahoney how part time is defined. Mrs. Mahoney stated that part time is defined as under 30 hours per week.

Mrs. Mahoney stated that the current structure is a part time payroll person, part time accounts payable, and a full time Assistant Finance Director. With the resignation there will be an Assistant Finance Director and a payroll person. To make the office more efficient they will have one job description of Finance Specialist and two full time people so that coverage will be provided at all times. After the Assistant Finance Director has retired, that position will be eliminated and we will have two Finance Specialists instead of those three positions. They will both be responsible for all items on the job description, one person more heavily in payroll and the other person in accounts receivable and accounts payable. Their job duties include being responsible for backing up each other and the Finance Director. The Assistant Finance Director is a more highly paid position, and by eliminating that position, we will have two full time Finance Specialists. The one position will be filled by our current accounts payable part time person. She will be posting payroll and general accounting duties. We will advertise for the other position, but still need to work it out with the union before we can post the position. The payroll person was a union person and once we get through that we will post the other position.

Mr. Tadych stated that the City has many different hourly schedules for people when you call them full time. Would it not be proper to put the number of hours on this job description, of how many hours this person is indeed expected to work? We have some that are working 35 hours that are called full time. We have others that are making 37 hour commitments, and 40 hour commitments. The job description should have the number of hours. There is no way you can look at this job description and take the hourly rate and figure out how much this person is making in a year.
Mr. Vincent asked if the position is exempt or non-exempt. Mrs. Demaline said that it is non-exempt, and it should be stated on the job description.

Mrs. Lieske stated that the job description should also specify what the normal hours would be. We had discussed the other evening that for the most part the schedule would be 8 a.m. to 5 p.m. Most job descriptions spell that out. Also included would be the statement that the hours may vary with permission of the supervisor, and may even include occasional evenings and weekends. If the person is needed to attend a Council meeting or there is something scheduled for a Saturday, that possibility would be included in the job description.

Mrs. Lieske asked what would happen to these two positions in the event that the union does not approve the request.

Law Director Ebert stated that if the union does not approve this the hours are going to be a problem as far as the contract is concerned. He noted that the 35 hours per week began with the labor contract. Most people think full time is 40 hours per week. It isn’t any more. It is over 29 hours per week for benefits. There are some City employees that work 8:30 a.m. to 4:30 p.m.; some work longer hours than that – a 40 hour work week. It is all over the board. It is part of the labor contract with the union. This position will be non-exempt and there is the ability to set forth the hours when someone is hired.

Mr. Tadych asked that the number of hours per week be included on the job description for Finance Specialist, because overtime would apply at some point. At what point does overtime apply?

Mrs. Lieske stated that she would like to see the hours, the schedule, and the statement that the hours may vary with permission of the supervisor, and may even include occasional evenings and weekends.

Mrs. Demaline said that she does not think they will include the actual work hours because we talked about if someone wanted to work 7:30 a.m. to 4:30 p.m., we would be flexible to the needs of the employee. Mrs. Demaline stated that she does not think it is necessary to define the actual number of hours, but she would be in agreement to include the fact that the job is 40 hours per week on the job description.

Mr. Henderson stated that he sees many job descriptions that identify specifically the working hours, e.g., 8 a.m. to 5 p.m. for people who work 7 a.m. to 4 p.m. or 7 a.m. to 11 p.m. It is okay to include the hours based on assumption, as long as you say elsewhere in the job description that at the discretion of the manager flexibility can be achieved.

Mrs. Stainbrook stated that she thinks there is some confusion on job description versus job posting. A job description is what we have here with duties in general and classifications. Job posting would be a job posted somewhere on line or internally and a lot of times does include the other information being talked about here. If I were searching for a new job and posting something that I see I would want to know if it is full time or part time, and I might want to
know the hours, and the location. There is a little bit of difference between a job posting, the
general and specific duties of the job versus the logistics of the job: hours, location, part time,
full time.

Mr. Henderson stated that he has seen it the other way. At his work they include the specific
details in the job descriptions. Mrs. Lieske agreed.

Mr. Tadych stated that he believes the number of hours is an important factor in calculating the
cost to the City. If it isn’t written anywhere on any of the structured pieces of paper, we are not
able to adhere to the requirement.

Mr. Henderson confirmed with Mrs. Mahoney that the intention for the Finance Specialist is 40
hours per week. It is a non-exempt, hourly paid position, so if the person were to work over 40
hours they would be entitled to overtime. Mrs. Mahoney stated that this is correct. Mr.
Henderson stated that because it is over 30 hours per week, they would be entitled to benefits.
Mrs. Mahoney stated that this is correct.

Mrs. Stainbrook agreed that the status is important: exempt or non-exempt.

Mr. Henderson agreed, and noted that the hours are important as well. There are different laws
right now regarding overtime versus benefits. We have to make sure we are clear on the number
of hours.

Mr. Henderson addressed Mrs. Mahoney stating that this is a large change in structure in the
Finance Department. He asked Mrs. Mahoney to comment on what effect this change will have
on internal controls. Mrs. Mahoney stated that one person focused on payroll and the other
focused on accounts payable. The Finance Department is very small. There are three
employees, technically. The Finance Director has to approve everything that goes through
payroll. It is all electronic; it goes to the bank. There are dual controls on everything. Because
it is such a small department, Mrs. Mahoney noted that she receives anything that relates to the
bank, and vice-versa. If Mrs. Mahoney puts a payment to the bank, someone else has to approve
it. One of these people would do that.

Mr. Henderson asked the name of the software system that is used for payroll. Mrs. Mahoney
stated that it is the CMI system.

Mr. Henderson asked if CMI has individual user level log-ins, and if each user has their own,
individual log-in. Mrs. Mahoney stated that each user has their log-in. Mr. Henderson asked if
Mrs. Mahoney will be able to tell which of the two employees accessed and made entries to
either payroll or any of the other systems. Mrs. Mahoney stated that she would be able to
recognize the user.

Mr. Henderson stated that Mrs. Mahoney chose to propose that there would be two FTE’s with
the exact same job title and job description. An alternative could be that one person could focus
on accounts payable and receivable with supporting duties for payroll and general accounting,
whereas the other person is focused on payroll and general accounting with supporting duties for
accounts payable and receivable. Why did you not choose to create two identical job descriptions rather than primary focuses with the supplementary duties to support when the person is out, and, in addition, how will this affect your department’s succession planning?

Mrs. Mahoney said that the one problem we have now is that we cannot do cross training, which is a big problem. For example, if the payroll person is out, currently we do have the accounts payable person trained. The Assistant Finance Director probably should have been trained in payroll as well. The Assistant Finance Director’s main day-to-day task is accounts receivable. If she is out, I can fill in for that position. Having one job description and having both these people know they are responsible for having to know all the positions in the Finance Department will require more cross-training abilities. If one of the three of us are out, then any of the other two can pick it up. I want everyone to know that they are responsible, so having a job description that has all the duties is the best way. When they are evaluated at the end of each year, that is something they will be evaluated on. Are you able to handle accounts payable, accounts receivable, payroll and general Finance as well? As far as succession planning, we talked a little bit about this. When the past Finance Director left, it was Council’s intention to have a Certified Public Accountant in the position. We don’t have that currently in the other positions. If I were to leave you would have to advertise outside, as you did when the previous Finance Director left. I don’t know the qualifications of the new person that I am going to hire so I can’t speak as if either of these people could sometime seek that degree so that person could step up into my role. For the day-to-day, for me to go on vacation, I feel confident, especially the person I know that works for me, could handle the day-to-day tasks, maybe not in the area of budget and investments, but getting through the week or two weeks while I am on vacation.

Mr. Henderson asked Mrs. Mahoney if she is comfortable with the educational level that does not require a degree. Mrs. Mahoney stated that she is comfortable with that level. She stated that when she will receive the resumes and applications for the open position, if someone has a degree they would absolutely get more preference.

Mrs. Lieske asked Mrs. Demaline if she will create an excel spreadsheet listing all the applicants all the left, putting the minimum qualifications across the top, and then the preferred, including the Bachelor’s degree, or possibly C.P.A., and have points for the preferred and rank the people and the ones with the most points are the ones that are interviewed. Is that the system you would use?

Mrs. Mahoney stated that the system will be decided between Mrs. Demaline and herself. Mrs. Demaline stated that it is a good option. Mrs. Lieske stated that it is one that she has seen many times and it works well to sort out the strong candidates.

Mr. Suter asked what would happen in the event of a long term disability of the Finance Director. Would you be training somebody toward that, not to fill in but to take over? Mrs. Mahoney stated that at this point I don’t feel there has been enough cross training. This new structure that we will work towards will provide that cross training.

Mr. Henderson stated that it was mentioned earlier that the range we are putting down here is relatively wide. It is Mr. Henderson’s understanding that this is for the time frame while we are
Special Meeting of Council
June 29, 2017

working towards finding the person. Once we find the person to fill each of these two positions, we will make a specific offer to those individuals and work through the negotiation process and there will be a final rate of pay for each person. He asked Mrs. Demaline if it is her expectation that the pay will slightly not be perfectly equal for the two people. Mrs. Demaline stated that this is correct, the experience that person is bringing into the payroll will be based on whatever point we are going to plot their salary within the range.

Mr. Henderson stated that if the person happened to have a C.P.A. or be a Certified Payroll Professional, those would be the things that would cause you to consider to offer them a higher rate than someone who would not have those additional optional qualifications. Mrs. Demaline stated that this is correct.

Mr. Henderson asked that if it is correct then to assume that in the future at some point we will be looking at a new ordinance with only two line items as the two people will have different rates of pay.

Mrs. Demaline stated that a range is being approved; you are not approving the employees specific rate of pay.

Mr. Henderson stated that when the Animal Control Officer range was discussed, we said that when we hire the person there would be a specific number.

Mrs. Demaline stated that the Animal Control Officer is a unique position so it is actually going to be removed from the salary ordinance anyway and be included in the labor contract.

Mr. Henderson asked if in the future, for example, Council approved across-the-board increase, say 2% for all of these positions, the following year, would the individuals in this position be part of that 2% then or would there be flexibility within the Executive Branch to give them different raises.

Mrs. Demaline stated that is something that would be tied to a performance system and we are not there yet.

Mr. Henderson stated that is something he hoped Mrs. Demaline would say. If Council approves a 2% across the board increase on all of these, they would get 2% increases individually based on their own rates of pay at the time, and we are not talking about implementing at this time, a merit-based pay system, even though we are putting in a range. Mrs. Demaline stated that this is correct.

Mr. Henderson stated that he does want to reiterate that there is a trend towards that and when we get to the point where we get job descriptions, annual goals, performance evaluations and a policy for merit based pay, he would be all for it. Especially before the end of the year, so he can be included in the vote.

Mrs. Mahoney stated that in the budget process, Council’s authority is to set the budget so if they don’t want the pay for those positions it cannot be paid. That is how Council has the authority.
Mr. Vincent asked the chances of finding a C.P.A. out of the work force for a while as a stay-at-home parent, now returning for, between $20 to $30 per hour, noting that Mrs. Mahoney was recently at the Finance Directors conference where there may have been someone interested in the position.

Mrs. Mahoney stated that possibly an older, retired person, but someone her age or younger, she does not think so. Mrs. Mahoney stated that she is hoping for a young C.P.A. The group of government accountants is growing older. She is not sure that the younger people are going into governmental accounting.

Mrs. Lieske suggested that Mrs. Mahoney create an account at Cleveland State University in the Careers Connection System for the City of Bay Village and when ready to post the job. It will be widely advertised free of charge with broad visibility to alumni and current graduates.

Mr. Clark stated that this has been a very detailed, courteous and informative discussion. We are here today because we are facing a change in some of the employment status of two employees and we want to insure that the payroll and accounts receivable functions proceed smoothly through transition.

Conda Boyd stated that she would like to reinforce the idea of knowing how many hours the person will work. She stated that she has always found this particular administrative compensation ordinance opaque to the general public. She noted she can’t tell how much is being approved when there is a specific number there and not a number of hours. Ms. Boyd would like to see it not just in the job description, but in the ordinance as well.

Mr. Clark stated that there are checks and balances that are in the system. The Finance Committee oversees the budget process and there are three readings of the budget before it is passed. He would be against putting the hours in the actual compensation ordinance, but not against putting it in the job description.

Ms. Boyd stated that given there is an advantage to transparency for the public. Why would you prefer not to put the hours in the compensation ordinance?

Mr. Clark stated that this is a Finance document, a salary document. His thought is that it would be ample in the job description. We did not have job descriptions for years in the City, to my knowledge. This may be a philosophical discussion for another day.

Mrs. Stainbrook stated that she doesn’t know how many different hours for employees are set, 35, 37 or 40 hours per week. If you back it up to root cause maybe that is more of a policy question. If we want to have that kind of variety. She stated she is not talking about flexibility of work day, but policy of full time is 40 hours per week, separating out the collective bargaining agreements. The broader question is why we have such variety, again, not flexibility in hours worked in a day, but why do we have some people 40, some people 35 hours per week? If we can get more consistency then the transparency is automatic.
Mr. Tadych stated that he personally feels there should be more of a stepping stone towards the director position. It is really up to the Mayor to decide if he or she would like this opportunity that we are putting in front of us. I don’t think it is any of our business as long as the Mayor is comfortable with it, but I personally would like to see a built-in stepping stone so that if something did happen it could be covered with some ease, although there is difficulty in all changes. Mrs. Lieske concurred.

**Mr. Tadych** introduced and read **Ordinance No. 17-57**, amending Section 1 of Ordinance 17-41 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2017 and thereafter, amending by reading Number 8, Interim Director of Public Service and Properties changing the figure of $85,000 to $90,000 in the July 17 column to one figure of $80,000, and Number 25 Animal Control Officer in the first column from a part time position to a full time position, and declaring an emergency, and moved for adoption.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Ordinance No. 17-57.

Roll Call on Suspension of the Charter Rules:
- **Yea**- Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
- **Nay**- None

Roll Call on Suspension of the Council Rules:
- **Yea** – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
- **Nay** – None.

Roll Call on Inclusion of the Emergency Clause:
- **Yea** – Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
- **Nay** – None.

Roll Call on Adoption:
- **Yea**– Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent
- **Nay**– None.

Mr. Clark announced adoption of Ordinance No. 17-57, an emergency measure, by a vote of 7-0.

There being no further business to discuss, the meeting adjourned at 8:15 a.m.

______________________________  ________________________________
Dwight Clark, President of Council                  Joan Kemper, Clerk of Council

8
ORDINANCE NO. 17-48
INTRODUCED BY: Mr. Tadych

First Reading 6-12-17
Second Reading 6-19-17
Amended by Reading

AN ORDINANCE
FIXING THE SALARY OF THE MAYOR OF THE CITY OF BAY VILLAGE,
REPEALING ORDINANCE 17-3 AND DECLARING AN EMERGENCY.

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

SECTION 1. That the Base Salary for the Mayor of the City of Bay Village
shall be as follows:

<table>
<thead>
<tr>
<th>Base Salary</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>$86,120.00</td>
<td>1/1/2017</td>
</tr>
<tr>
<td>$90,000.00</td>
<td>1/1/2018</td>
</tr>
</tbody>
</table>

SECTION 2. Beginning 1/1/2019 and continuing through 12/31/2021 the
Mayor's Base Salary will increase annually at the same percentage agreed upon in the
Collective Bargaining Agreements.

SECTION 3. In addition, the Mayor’s Compensation will increase by
$1,000 per year, up to a maximum of $8,000, after 4 full years of Municipal experience
with the City of Bay Village, in either an elected or a Director level position:

<table>
<thead>
<tr>
<th>Full Years of Experience</th>
<th>Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>$0</td>
</tr>
<tr>
<td>Year 2</td>
<td>$0</td>
</tr>
<tr>
<td>Year 3</td>
<td>$0</td>
</tr>
<tr>
<td>Year 4</td>
<td>$0</td>
</tr>
<tr>
<td>Year 5</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Year 6</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Year 7</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Year 8</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Year 9</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Year 10</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Year 11</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>Year 12</td>
<td>$8,000.00</td>
</tr>
</tbody>
</table>

SECTION 4. That the Mayor shall be entitled to hospitalization insurance
and all other fringe benefits provided for by the City which are not excluded by ordinance.

SECTION 5. That Ordinance No. 17-3 be and the same is hereby repealed.
SECTION 6. That the Clerk of Council is directed to forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County immediately upon its adoption and approval by the Mayor.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 8. 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 compensation before filing deadline, 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

6-26-17 JD
ORDINANCE NO. 17–56
INTRODUCED BY: Mr. Tadych

+5% increase
First Reading 6–26–17

**AN ORDINANCE**

**FIXING THE SALARY OF THE PRESIDENT AND MEMBERS OF COUNCIL AND REPEALING ORDINANCE NO 15-56,**
AND DECLARING AN EMERGENCY.

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

**SECTION 1.** That effective on the dates listed below, the salaries for the office of President of Council and Members of Council shall be as follows:

<table>
<thead>
<tr>
<th>Position</th>
<th>Salary</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>President of Council</td>
<td>$9,410.00 per annum</td>
<td>1/1/2015</td>
</tr>
<tr>
<td></td>
<td>$9,598.00 per annum</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>$9,790.00 per annum</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>$9,985.00 <strong>10,280.00</strong> per annum</td>
<td>1/1/2018</td>
</tr>
<tr>
<td></td>
<td>$10,184.00 <strong>10,794.00</strong> per annum</td>
<td>1/1/2019</td>
</tr>
<tr>
<td>Ward Councilman</td>
<td>$8,635.00 per annum</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>$9,067.00 <strong>per annum</strong></td>
<td>1/1/2018</td>
</tr>
<tr>
<td></td>
<td>$9,520.00 <strong>per annum</strong></td>
<td>1/1/2019</td>
</tr>
<tr>
<td>Councilman-at-Large whose</td>
<td>$8,300.00 per annum</td>
<td>1/1/2015</td>
</tr>
<tr>
<td>Term expires 12/31/2017</td>
<td>$8,466.00 per annum</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>$8,635.00 per annum</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>$9,067.00 <strong>per annum</strong></td>
<td>1/1/2018</td>
</tr>
<tr>
<td></td>
<td>$9,520.00 <strong>per annum</strong></td>
<td>1/1/2019</td>
</tr>
<tr>
<td>Councilman-at-Large whose</td>
<td>$8,300.00 per annum</td>
<td>1/1/2015</td>
</tr>
<tr>
<td>Term expires 12/31/2019</td>
<td>$8,466.00 per annum</td>
<td>1/1/2016</td>
</tr>
<tr>
<td></td>
<td>$8,635.00 per annum</td>
<td>1/1/2017</td>
</tr>
<tr>
<td></td>
<td>$8,807.00 per annum</td>
<td>1/1/2018</td>
</tr>
<tr>
<td></td>
<td>$8,983.00 per annum</td>
<td>1/1/2019</td>
</tr>
</tbody>
</table>

**SECTION 2.** That ordinance No. 15-56 be and the same is hereby repealed.

**SECTION 3.** That the Clerk of Council is directed to forward a certified copy of this ordinance to the board of Elections of Cuyahoga County immediately upon its adoption and
approval by the Mayor.

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, and for the further reason that it is immediately necessary to provide said compensation before deadline, 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

6-19-17 JD
Thank you.

Please let me know if it is okay for Joan to put in the packets for Council.

Attached is the motion from last night's Ad Hoc meeting regarding the new sign for the City of Gay Village to be placed between Cahoon and Wool Road.

Good Morning.

Motion AGR 7:22:77
Motion AGR 7:22:77
Joan Kemper
Gay Village Gay Village SSCE
Thursday, July 13, 2017 10:26 AM
Kristine Jones

Attachments:
Subject:
To:
Sent:
From:

Joan Kemper
Motion by Ernst, second by Chernisky to approve the sign as submitted for the City of Bay Village with the following stipulations:

1. Allow a variance for 3 additional square feet to go from 30 square feet for the LED portion of the sign to go to 33 square feet.
2. A change to the sighting of the sign itself. That a line at the center point of Cahoon and Wolf Road would be drawn from that center point to the center point between the north Wolf Road sidewalk and the west Cahoon Road sidewalk and that the sign will be perpendicular to the center point of the sidewalks. It is also our understanding that the new sign will be closer than the existing sign, the old sign will be removed and the electrical will be extended over to the new sign.
3. The Sign will be turned on in accordance with the hours of the other public LED signs in the City of Bay Village and the sign will be turned off at 10 p.m.
1179.10 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS.

The purpose of this section is to specify permitted signs on private property in residential districts.

(A) All permitted land uses other than residences shall apply the provisions of Sections 1179.01 through 1179.11, and in addition, the following signs when specially authorized by resolution of Council:

1. An announcement sign or bulletin board for the use of public, charitable or religious institution lawfully occupying and using the premises.

2. A sign identifying the occupant of any permitted building or structure other than a dwelling or apartment house and indicating the nature of the permitted use. Such sign shall not exceed twelve square feet in area and, if illuminated must have the light source shielded from highways and adjoining properties.

(B) Single family and two-family homes are permitted:

1. Sign not exceeding two square feet in area bearing the house number and name of the occupant of any permitted dwelling. A physician, surgeon or dentist, etc., using a part of his home as a professional office, as permitted under Section 1141.04(D), may include an identification of his profession on this sign. No window display or other sign may be used.

2. One temporary sign, not exceeding six square feet in area, advertising the premises on which it is maintained as being for sale or lease, and one temporary sign, not exceeding six square feet in area, advertising the fact that the property has been sold, which latter sign may remain for a period of no longer than two weeks from the date of sale, provided, however, two such signs shall be permitted on a single parcel which abuts two or more streets. Such sign shall not extend more than thirty-six inches above grade level. (Ord. 76-63. Passed 6-7-76.)

3. Temporary signs in support of or in opposition to political candidates or issues, which signs may be erected no sooner than forty days before an election and which must be removed within two days following an election. Such sign shall not exceed fifteen square feet, and shall not extend more than four feet above grade level. The responsibility for removing the sign shall be on the candidate or on the organization supporting or opposing the issue, as the case may be. (Ord. 12-59. Passed 6-25-12.)

4. Temporary signs shall not be illuminated.

5. Any sign found to be placed on public property which is in violation of the provisions of this subsection (b) shall be confiscated by the City and removed to the City Police Station. The owner of such sign may claim the same upon the payment of a storage charge of five dollars ($5.00).

(Ord. 76-63. Passed 6-7-76.)
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
AUTHORIZING THE REPLACEMENT OF THE GROUND SIGN IN
CAHOON MEMORIAL PARK,
AND DECLARING AN EMERGENCY.

WHEREAS, permission has been granted by the Architectural Board of Review and the
Chief Building Official;

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

SECTION 1. That this Council hereby authorizes the replacement of the ground sign in
Cahoon Memorial Park under C.O. Section 1179.10(A). Said sign shall be maintained in an
attractive manner and in a state of good repair.

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 that is immediately necessary to grant permission so that the sign may be erected
without further delay, 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
7-13-17 LL
140.04 COMMUNITY SERVICES ADVISORY BOARD.

(a) Creation. There is hereby created an advisory board to be known as the Community Services Advisory Board which shall consist of eight members appointed by the Mayor and confirmed by a majority of the members of Council provided for in the Charter, and a representative appointed by Council. Each member shall serve for a term of three years, except that in the event a high school student is appointed and qualified as one of the eight members, he or she shall serve for a term of two years. Any vacancy shall be filled in the same manner as an original appointment for the unexpired term.

(b) Powers and Duties. The Community Services Advisory Board shall meet quarterly, or more frequently as deemed necessary, for the purpose of advising and assisting the Director in the establishment of policies and procedure with respect to prospective programs or activities deemed necessary to carry out the purpose of the Department as outlined in this chapter. The Board shall also confer with the Mayor and Council relative to the establishment of programs designed to meet the human needs of the residents of the City.