Agenda, Bay Village City Council
Regular Meeting, Council Chambers

December 4, 2017
8:00 p.m.
Committee 7:30 p.m. Conference Room
(Public Welcome)

Dwight A. Clark, President of Council, Presiding
Roll Call/Pledge of Allegiance led by Councilman Marty Mace, Council-at-large
Reading of Minutes – Special Meeting of Council held November 27, 2017
Cahoon Memorial Park Trustees meeting held November 27, 2017

ANNOUNCEMENTS

REPORTS
Mayor Koomar
Director of Law Ebert
Director of Finance Mahoney
Director of Recreation Enovitch
Interim Director of Public Service and Properties Liskovec
Human Resources Administrator Demaline

Director of Community Services Selig
Police Chief Spaetzlel
Fire Chief Lyons
Chief Building Official Steve Vogel

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Vincent

Ordinance 17-89 amending Section 505.06 of the Codified Ordinances of the City of Bay Village regarding poisoning animals, and declaring an emergency. (Second Reading)(First Reading 11-27-17)

Ordinance 17-90 amending Section 505.33 of the Codified Ordinances of the City of Bay Village regarding feeding of deer prohibited, and declaring an emergency. (Second Reading) (First Reading 11-27-17)

Ordinance 17-91 amending Section 505.99 of the Codified Ordinances of the City of Bay Village regarding penalty, and declaring an emergency. (Second Reading) (First Reading 11-27-17)

Ordinance 17-92 amending Section 539.03 of the Codified Ordinances of the City of Bay Village regarding park property, and declaring an emergency. (Second Reading) (First Reading 11-27-17)
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**Ordinance 17-93** amending Section 549.08 of the Codified Ordinances of the City of Bay Village regarding discharging of firearms, and declaring an emergency. (Second Reading) (First Reading 11-27-17)

**Ordinance 17-94** amending Section 549.09 of the Codified Ordinances of the City of Bay Village regarding throwing or shooting missiles, and declaring an emergency. (Second Reading) (First Reading 11-27-17)

**Ordinance 17-95** allowing the City to manage the White-Tailed Deer Population within the City of Bay Village and amending Section 505.16 “Hunting Prohibited,” and declaring an emergency. (Second Reading) (First Reading 11-27-17)

**FINANCE AND CLAIMS - Mr. Clark**

**Ordinance No. 17-86** amending Section 1 of Ordinance 17-74 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 2018 and thereafter, and declaring an emergency. (Second Reading 11-27-17) (First Reading 11-13-17)

**Ordinance 17-96** to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2018. (Second Reading) (First Reading 11-27-17)

**Ordinance** establishing the effective date for the Refuse Collection Fee, and declaring an emergency.

**Ordinance** amending Section 1 of Ordinance No. 17-86 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 2018 and thereafter, and declaring an emergency. (First Reading)

**Ordinance** providing the compensation of the Director of Law and Prosecutor for the year commencing January 1, 2018 and ending December 31, 2018. (First Reading)

**Ordinance** authorizing the Mayor to enter into a One Year Contract with the Jefferson Group to provide Administrative Services for the City’s Health and Hospitalization Plan, and declaring an emergency.

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

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

**RECREATION AND PARK IMPROVEMENTS COMMITTEE – Mr. Mace**
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SERVICES, UTILITIES & EQUIPMENT COMMITTEE – Mr. Tadych

MISCELLANEOUS

Motion to convene to Executive Session regarding Personnel: Administration Salary and Wage; Litigation: Probate Court

CAHOON MEMORIAL PARK TRUSTEES
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Procedure

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

Roll call on suspension of Charter Rules:

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

Roll call on suspension of Council Rules:

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

Roll call on inclusion of the emergency.

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

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

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.
City of Bay Village

November 27, 2017

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

Also Present: Law Director Ebert, Finance Director Mahoney, Interim Director of Public Service and Properties Liskovac, Recreation Director Enovitch, Police Chief Spaetzel, Fire Chief Lyons, Director of Community Services Selig.

AUDIENCE

The following members of the audience signed in this evening: Lydia DeGeorge, Sam Gmetro, Claire Banasiak, Sara Byrnes Maier, Jeff Gallatin, Denny and Tara Wendell, Mary Krauss.

President of Council Clark called the meeting to order at 8:50 p.m. with roll call, and the Pledge of Allegiance led by Ward 4 Councilman Tom Henderson.

ANNOUNCEMENTS

Mayor Koomar reminded everyone of the Cahoon Christmas event, “Light up Bay Village for the Holiday Season”, hosted by the Bay Village Historical Society and the Bay Village Kiwanis, to be held this Sunday, December 3 in Cahoon Memorial Park from 2 p.m. to 6 p.m. Santa will ride through the City on a fire truck and arrive at the Community House on a fire truck at approximately 3 p.m. to join the festivities. Entertainment will be provided by the Bay High School Choraliers and there will be crafts, sale of Christmas merchandise at the Rose Hill Museum, and the lighting ceremony of the Community Tree in the Cahoon Memorial Park Gazebo.

Motion by Vincent to apply for Cuyahoga County Supplemental Development Grant to upgrade the Technology Room at the Bay Village Police Station.

Motion passed 7-0.

Motion by Tadych to approve the minutes of the Special Meeting of Council held Monday, November 13, 2017. Motion carried 6-0-1. (Abstained- Councilwoman Stainbrook).

Motion passed 7-0.

Mr. Vincent introduced Ordinance No. 17-89 amending Section 505.06 of the Codified Ordinances of the City of Bay Village regarding poisoning animals, and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-89 is placed on first reading.
Special Meeting of Council
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Mr. Vincent introduced Ordinance No. 17-90 amending Section 505.33 of the Codified Ordinances of the City of Bay Village regarding feeding of deer prohibited, and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-90 is placed on first reading.

Mr. Vincent introduced Ordinance 17-91, amending by reading, amending Section 505.99 of the Codified Ordinances of the City of Bay Village regarding penalty, and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-91, as amended by reading, is placed on first reading.

Mr. Vincent introduced Ordinance 17-92 amending Section 539.03 of the Codified Ordinances of the City of Bay Village regarding park property, and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-92 is placed on first reading.

Mr. Vincent introduced Ordinance No. 17-93 amending Section 549.08 of the Codified Ordinances of the City of Bay Village regarding discharging of firearms, and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-93 is placed on first reading.

Mr. Vincent introduced Ordinance No. 17-94 amending Section 549.09 of the Codified Ordinances of the City of Bay Village regarding throwing or shooting missiles, and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-94 is placed on first reading.

Mr. Vincent introduced Ordinance No. 17-95 allowing the City to manage the White-Tailed Deer Population within the City of Bay Village and amending Section 505.16 “Hunting Prohibited,” and declaring an emergency.

Mr. Clark announced that Ordinance No. 17-95 is placed on first reading.

Mr. Tadych read, by title only, Ordinance No. 17-86 amending Section 1 of Ordinance 17-74 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 2018 and thereafter, and declaring an emergency.(Second Reading) (First Reading Nov. 13, 2017).

Mr. Clark announced that Ordinance No. 17-86 is placed on second reading.

Mr. Tadych read, by title only, Ordinance No. 17-96 to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2018.
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Mr. Clark announced that Ordinance No. 17-96 is placed on first reading.

**Motion** by Lieske to grant the City Planning Commission an extension of 60 days to review and act on the application of Liberty Development for the development of town houses at the former Shell Station Property, 27401 Wolf Road.

Motion carried 7-0.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Tadych **MOVED** to convene to Executive Session for discussion concerning Administration Personnel, Salary and Wage.

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

Also in attendance in Executive Session were Mayor Koomar, Law Director Ebert, Finance Director Mahoney, Human Resource Manager Demaline, Consultant Joseph Lenczewicz, Council Elect Sara Maier, Council Elect Lydia DeGeorge.

Council reconvened in an open meeting at 9:45 p.m. Present were: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent.

There being no further business to discuss, the meeting adjourned at 9:47 p.m.

Dwight Clark, President of Council

Joan Kemper, Clerk of Council
CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

President of Council Clark called the meeting to order at 8:37 p.m. in the Council Chambers of Bay Village City Hall.

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

Also Present: Law Director Ebert, Finance Director Mahoney, Interim Director of Public Service and Properties Liskovec, Recreation Director Enovitch, Police Chief Spaetzel, Fire Chief Lyons, Director of Community Services Selig.

AUDIENCE

The following members of the audience signed in this evening: Lydia DeGeorge, Sam Gmetro, Claire Banasiak, Sara Byrnes Maier, Jeff Gallatin, Denny and Tara Wendell, Mary Krauss.

Request of the Bay Village Kiwanis for the Annual Bay Days Celebration and Festivities in 2018, in accordance with the following schedule:

- Saturday, June 30 12 Noon to 10:30 p.m.
- Monday, July 2 12 Noon to 10:30 p.m.
- Tuesday, July 3 12 Noon to 10:30 p.m.
- Wednesday, July 4 12 Noon to 10:30 p.m.

Fireworks Wednesday, July 4

(Set up June 28, and 29, 2018)

Mr. Clark advised that the trustees discussed this matter at their last meeting, and he believes there are two options to consider this evening. Option A is what is in front of the trustees this evening, with the fireworks scheduled for Wednesday, July 4. There are also indicators that those dates would be acceptable with a rain date on Thursday, July 5 for the fireworks. Mr. Clark opened the matter for discussion.

Mr. Tadych stated that he would prefer having a rain date. Mrs. Stainbrook stated that she would also like a rain date. Mr. Mace stated that he would agree, noting that public funds through donations are going to be used.

Mrs. Mahoney stated that the cost of police and fire services for the fireworks is about $6,000. If there is a rain date, an additional cost of $6,000 will be incurred.

Mayor Koomar stated that he had suggested the option of the fireworks on July 3 and a rain date for the fireworks of July 4. This would reduce the possibility of holiday overtime for the safety forces which is not an inexpensive number.

Mr. Henderson stated that having thought about the Mayor's suggestion, he actually thought it is a nice idea. One of the reasons is that a lot of people have the Fourth of July off work. If the
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fireworks are on July 3, you can see them that evening and have the next day off. And, also, there would not be the extra cost if there was a rain delay from July 3 to July 4. There is a tradition of having the fireworks on the Fourth of July, which Mr. Henderson respects, but he does not mind the idea of putting it on July 3.

Mr. Tadych stated that you would have the extra cost if the rain date was on July 4 because it is the same $6,000. Mrs. Mahoney stated that if it was on July 3 and there was no rain date, it would save the City money because double time is paid on the holiday. Mr. Henderson stated he thought the extra cost for the rain date on July 5 would be because there would not be any safety forces covering on July 5 unless it rains and so there is an incremental cost to put people to work on July 5. Whereas, if it is scheduled on July 3, and held on July 3, they are going to be there working. If it is scheduled for the rain date on July 4, the safety forces would be working anyway because the festivities are ongoing that day. Further discussion followed.

Mr. Clark stated that the same discussion was held a year ago and he was outvoted 6-1 when he said no rain date. Council must vote according to what they think their constituents would want.

Mrs. Stainbrook stated that it causes confusion to do it on a day other than July 4. Constituents will feel that if it rains on the Fourth of July and there is no rain date, they have missed something that they are used to and tradition has not been followed.

Mr. Clark stated that we have the funds to pay the Police overtime. This is what he would support.

It is the will of Council to have a rain date for fireworks on July 5, 2018. Mr. Henderson noted that he prefers the schedule of fireworks on July 3, with a rain date of July 4, but will respect the tradition and the will of the majority of Council.

**Motion by Mace** to grant permission to the Bay Village Kiwanis for the Annual Bay Days Celebration and Festivities in 2018, in accordance with the following schedule:

- **Saturday, June 30** 12 Noon to 10:30 p.m.
- **Monday, July 2** 12 Noon to 10:30 p.m.
- **Tuesday, July 3** 12 Noon to 10:30 p.m.
- **Wednesday, July 4** 12 Noon to 10:30 p.m.
- **Fireworks Wednesday, July 4**
- **Rain Date for Fireworks, Thursday, July 5.**

(Set up June 28, and 29, 2018)

**Motion carried 8-0.**

**Motion by Mace** to modify agreement with Ohio Department of Transportation granting 0.57 acres of permanent right-of-way of property adjacent to Lake Road in connection with the construction of a new bridge and required stormwater management, from 0.57 acres to 0.69 acres comprised of 0.529 acres permanent, and 1.62 temporary acres for construction.
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Motion carried 8-0.

Meeting adjourned at 8:47 p.m.

Dwight A. Clark, President of Council

Joan Kemper, Clerk of Council
AN ORDINANCE
AMENDING SECTION 505.06 OF THE CODIFIED ORDINANCES OF THE CITY OF
BAY VILLAGE REGARDING POISONING ANIMALS,
AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 505.06 which presently reads as follows:

505.06 POISONING ANIMALS.

(a) No person shall maliciously, or willfully administer poison, except a licensed veterinarian
acting in such capacity, to a farm animal, dog, cat, poultry or other domestic animal. No person
shall, willfully place any poisoned food where it may be easily found and eaten by any of such
animals, either upon his own lands or the lands of another. This section does not apply to
trespassing animals as set forth in ORC.
(b) Whoever violates this section is guilty of a misdemeanor of the second degree.
(Ord. 03-07. Passed 4-7-03.)

be and the same is hereby amended to read:

505.06 POISONING ANIMALS.

(a) No person shall maliciously, or willfully administer poison, except a licensed veterinarian
acting in such capacity, to a farm animal, dog, cat, poultry, deer or other domestic animal. No
person shall, willfully place any poisoned food where it may be easily found and eaten by any of
such animals, either upon his own lands or the lands of another. This section does not apply to
trespassing animals as set forth in ORC.
(b) Whoever violates this section is guilty of a misdemeanor of the second degree.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately
necessary for the preservation of the public peace, health, safety and welfare, wherefore this
ordinance shall be in full force and take effect immediately upon its passage and approval by the
Mayor.
AN ORDINANCE
AMENDING SECTION 505.33 OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE REGARDING FEEDING OF DEER PROHIBITED AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 505.33 which presently reads as follows:

505.33 FEEDING OF DEER PROHIBITED.
(a) Definitions. In this section "food" means corn, fruit, oats, hay, wheat, alfalfa, salt or mineral blocks, grain, vegetables, human food scraps, commercially sold wildlife feed, birdseed, or livestock feed. "Food" does not include shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen from trees to the ground.
(b) Feeding of Deer Prohibited. No person shall intentionally feed deer or make food available for consumption by deer on private or public property within the City of Bay Village. A person shall be presumed to have intentionally fed deer, or made food available for consumption by deer, if the person places food or causes food to be placed on the ground or any alternative feed venue outdoors.
(c) Affirmative Defense. It is an affirmative defense to prosecution under this section if a person places food, in good faith, for the purpose of feeding domestic animals owned and located on the involved property.
(d) Penalty. Whoever violates this Section shall receive a warning on the first offense, and is guilty of a minor misdemeanor on subsequent offenses. Penalty shall be as provided in Section 501.99. (Ord. 12-37. Passed 5-7-12.)

be and the same is hereby amended to read:

505.33 FEEDING OF DEER PROHIBITED; EXCEPTION.
(a) Definitions. In this section "food" means corn, fruit, oats, hay, wheat, alfalfa, salt or mineral blocks, grain, vegetables, human food scraps, commercially sold wildlife feed, birdseed, or livestock feed. "Food" does not include shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen from trees to the ground.
(b) Feeding of Deer Prohibited. No person shall intentionally feed deer or make food available for consumption by deer on private or public property within the City of Bay Village. A person shall be presumed to have intentionally fed deer, or made food available for consumption by deer, if the person places food or causes food to be placed on the ground or any alternative feed venue outdoors.
(c) Bait. The City is permitted to place bait for deer as part of the City's Deer Management Plan as approved by the Ohio Division of Wildlife.
(d) **Affirmative Defense.** It is an affirmative defense to prosecution under this section if a person places food, in good faith, for the purpose of feeding domestic animals owned and located on the involved property.

(e) **Penalty.** Whoever violates this Section shall receive a warning on the first offense, and is guilty of a minor misdemeanor on subsequent offenses. Penalty shall be as provided in Section 501.99. (Ord. 12-37. Passed 5-7-12.)

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

**SECTION 3.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, 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

11-16-17 LL
AN ORDINANCE
AMENDING SECTION 505.99 OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE REGARDING PENALTY, AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 505.99 which presently reads as follows:

505.99 PENALTY.
(a) Whoever violates any provision of Sections 505.01, 505.02, 505.08, and 505.09, is guilty of a minor misdemeanor and shall be punished as provided in Section 501.99(b), provided however, that any person who is cited for a violation under the above referred to sections may appear at the police station within seventy-two hours of the time appearing on such citation and enter a plea of guilty and pay a waiver fine of forty-five dollars ($45.00). After the expiration of the seventy-two hour period, any person so cited may appear at the police station and enter a plea of guilty to such charge and pay a waiver fine of sixty dollars ($60.00), provided a summons has not been issued for such person or a warrant issued for the arrest of such person. In the event of the issuance of a summons or warrant, the matter shall be docketed in Rocky River Municipal Court and the penalties shall be as provided in Section 501.99 (b).
(b) Penalties for other sections of this chapter shall be as stated in Section 501.99 (b).
(Ord. 03-07. Passed 4-7-03.)

be and the same is hereby amended to read:

505.99 PENALTY.
(a) Whoever violates any provision of Sections 505.01, 505.02, 505.08, 505.09, and 505.33 is guilty of a minor misdemeanor and shall be punished as provided in Section 501.99(b), provided however, that any person who is cited for a violation under the above referred to sections may appear at the police station within seventy-two hours of the time appearing on such citation and enter a plea of guilty and pay a waiver fine of forty-five dollars ($45.00). After the expiration of the seventy-two hour period, any person so cited may appear at the police station and enter a plea of guilty to such charge and pay a waiver fine of sixty dollars ($60.00), provided a summons has not been issued for such person or a warrant issued for the arrest of such person. In the event of the issuance of a summons or warrant, the matter shall be docketed in Rocky River Municipal Court and the penalties shall be as provided in Section 501.99 (b).
(b) Penalties for other sections of this chapter shall be as stated in Section 501.99 (b).

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.
SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

__________________________
PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

__________________________
MAYOR

11-16-17 LL
ORDINANCE NO. 17-92                                      First Reading 11-27-17
INTRODUCED BY: Mr. Vincent

AN ORDINANCE
AMENDING SECTION 539.03 OF THE CODIFIED ORDINANCES OF THE CITY OF
BAY VILLAGE REGARDING PARK PROPERTY,
AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 539.03 which presently reads as follows:

539.03 PARK PROPERTY.
No person in a park shall:
(a) Buildings and Other Property.
  (1) Disfigure or removal. Willfully mark, deface, disfigure, injure, tamper with or
      displace or remove any building, bridges, tables, benches, fireplaces, railings, paving or paving
      material, water lines or other public utilities or parts or appurtenances thereof, signs, notice or
      placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers,
      or other structures or equipment, facilities, grounds or park property or appurtenances
      whatsoever, either real or personal.
  (2) Restrooms and washrooms. Fail to cooperate in maintaining restrooms and washrooms
      in a neat and sanitary condition. No person over the age of five years shall use the restrooms and
      washrooms designated for the opposite sex.
  (3) Removal of natural resources. Dig or remove any beach sand, whether submerged or
      not, or any soil, rock, stones, trees, shrubs or plants, downtimber or other wood or materials, or
      make any excavation by tool, equipment, blasting or other means or agency, without the prior
      written consent of the Director.
  (4) Erection of structures. Construct or erect any building or structure of whatever kind,
      whether permanent or temporary in character, or run or string any public service utility into,
      upon or across such lands without the prior written consent of the Director.
(b) Trees, Shrubbery, Lawns.
  (1) Injury and removal. Damage, cut, carve, transplant or remove any tree or plant or injure
      the bark, or pick the flowers or seeds, of any tree or plant, or attach any rope, wire or other
      contrivance to any tree or plant, or dig in or otherwise disturb grass areas, or in any other way
      injure or impair the natural beauty or usefulness of any area, without the prior written consent of
      the Director.
  (2) Climbing trees, etc. Climb any tree or walk or stand or sit upon monuments, vases,
      fountains, railings, fences or gun-carriages or upon any other property not designated or
      customarily used for such purposes.
(c) Wild Animals, Birds, Etc.
  (1) Hunting. Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at
      any animal, reptile or bird; nor remove or have in his possession the young of any wild animal,
      or the eggs or nest or young of any reptile or bird; nor collect, remove, have in his possession,
      give away, sell or offer to sell, or buy or offer to buy, or accept as a gift, any specimen, alive or
      dead, of any of the group of tree snails. Exception to the foregoing is made in that snakes known
(d)  **Deer**  
   (1) **Hunting.** Hunting of deer is permitted as part of the City’s Deer Management Plan as approved by the Ohio Division of Wildlife.

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

**SECTION 3.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance 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

__________________________

CLERK OF COUNCIL

APPROVED:

__________________________

MAYOR

11-16-17 LL
AN ORDINANCE
AMENDING SECTION 549.08 OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE REGARDING DISCHARGING OF FIREARMS, AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 549.08 which presently reads as follows:

549.08 DISCHARGING FIREARMS.
(a) No person shall discharge any air gun, rifle, shotgun, revolver, pistol or other firearm within the City.
(b) This section does not apply when firearms are used in self-defense, in the discharge of official duty or when otherwise lawfully authorized by Council such as a permit to operate a firing range.
(c) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

be and the same is hereby amended to read:

549.08 DISCHARGING FIREARMS.
(a) No person shall discharge any air gun, rifle, shotgun, revolver, pistol or other firearm within the City.
(b) This section does not apply when firearms are used in self-defense, in the discharge of official duty or when otherwise lawfully authorized by Council such as a permit to operate a firing range.
(c) This section does not apply when firearms are used as part of the City’s Deer Management Plan as approved by the Ohio Division of Wildlife.
(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:
CLERK OF COUNCIL

APPROVED:

MAYOR

11-16-17 LL

PRESIDENT OF COUNCIL
ORDINANCE NO. 17-94
INTRODUCED BY: Mr. Vincent

AN ORDINANCE
AMENDING SECTION 549.09 OF THE CODIFIED ORDINANCES OF THE CITY OF BAY VILLAGE REGARDING THROWING OR SHOOTING MISSILES, AND DECLARING AN EMERGENCY.

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

SECTION 1. That Codified Ordinance Section 549.09 which presently reads as follows:

549.09 THROWING OR SHOOTING MISSILES.
(a) No person shall throw, shoot or propel an arrow, missile, pellet, stone, metal or other similar substance capable of causing physical harm to persons or property, within City limits, with the exception of the police shooting range facility.
(Ord. 08-71. Passed 7-7-08.)
(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

be and the same is hereby amended to read:

549.09 THROWING OR SHOOTING MISSILES.
(a) No person shall throw, shoot or propel an arrow, missile, pellet, stone, metal or other similar substance capable of causing physical harm to persons or property, within City limits, with the exception of the police shooting range facility.
(Ord. 08-71. Passed 7-7-08.)
(b) This section does not apply when firearms and/or arrows are used as part of the City’s Deer Management Plan as approved by the Ohio Division of Wildlife.
(c) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, 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

11-16-17 LL
AN ORDINANCE
ALLOWING THE CITY TO MANAGE THE WHITE-TAILED DEER POPULATION
WITHIN THE CITY OF BAY VILLAGE AND AMENDING SECTION 505.16
"HUNTING PROHIBITED", AND DECLARING AN EMERGENCY.

WHEREAS, the overpopulation of white-tailed deer within the City of Bay Village negatively impacts public health and safety primarily due to an excessive number of deer-related vehicular accidents, as well as destruction of natural habitats and biodiversity, the increased risk of disease transmission to humans from deer parasites, and potential damage to private and public property; and

WHEREAS, the City has considered various options to control the deer population with the assistance of the Ohio Department of Natural Resources and recommends a comprehensive and multifaceted approach to managing the deer population as the most efficient strategy; and

WHEREAS, Council desires to provide the Mayor, as the Director of Public Safety, with a deer management program to address deer overpopulation.

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

SECTION 1: That Section 505.16 entitled “HUNTING PROHIBITED” be and the same is hereby amended to read:

505.16 HUNTING PROHIBITED; EXCEPTIONS
(A) The hunting of animals or fowl within the City is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means, except as follows:
   (1) The limited hunting of white -tailed deer by crossbow or long bow may be permitted within the City under the following terms and conditions:
      (a) The Police Chief or his designated representative may, in his sole discretion, issue a Municipal Deer Control Permit to a qualified archer applicant;
      (b) As a corollary to and following the issuance by the ODNR of its own Deer Damage Control Permit or license to allow only bow-hunting (long bow and crossbow) of white-tailed deer;
      (c) In areas of not less than two (2) contiguous acres by a qualified archer, on such forms and subject to such rules and regulations as the Chief may prescribe;
      (d) Hunting shall be conducted from an elevated platform of no less than 10' only;
      (e) Written permission from the property owner(s) has been obtained;
      (f) Qualified archer shall be defined as an individual having obtained an approval/certification from approved archery proficiency test site, a valid Ohio hunting license, if applicable, and all other state requirements;
      (g) Compliance with all laws, rules and regulations of the City and State;
(h) All applicants shall agree, in writing, to defend and indemnify the City for any negligent acts or damages committed by the applicant;

(i) Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents as determined solely by the Chief of Police;

(j) Chief of Police is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provision of this section and all other rules and regulations necessary to insure public health and safety;

(k) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

(B) Whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 505.99.

(C) No person shall trap by use of clam-type traps or similar devices game animals, game birds or other animals or birds within the City.

(D) The City may utilize firearm trained personnel to cull white-tailed deer as part of a City Deer Management Plan. Culling may take place on city-owned land and on private properties that exceed 2 acres, either individually or combined, at the request of the property owner, provided all of the following conditions apply:

1. The Chief of Police, or his designee, has determined that such culling can be conducted safely on such property; and
2. Such personnel are employed by or associated with a federal agency, state agency or local law enforcement; and
3. Such culling has been approved by the Ohio Department of Natural Resources, Division of Wildlife.
4. No person shall, for the purpose of hindering or preventing the lawful culling of white-tailed deer pursuant to this section, knowingly engage in any of the following conduct:
   a. Block, obstruct, impede or attempt to block, obstruct or impede a person lawfully engaged in such culling;
   b. Erect a barrier with the intent to deny ingress or egress from the areas where such culling is lawfully being conducted;
   c. Make or attempt to make loud noises or gestures, set out or attempt to set out animal baits, scents, lures or human scent, use any other natural or artificial visual, aural, olfactory or physical stimuli, or engage in or attempt to engage in any other similar action or activity in order to interfere with such culling;
   d. The prohibition set forth in subsection (a) does not apply to deer culling population management programs sponsored by and conducted on land owned or managed by the Cleveland Metropolitan Park District.

(E) Whoever violates this section is guilty of a misdemeanor of the first degree.
and present C.O. 505.16 is repealed.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to implement effective deer control measures, 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

11-27-17 LL
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
ALLOWING THE CITY TO MANAGE THE WHITE-TAILED DEER POPULATION
WITHIN THE CITY OF BAY VILLAGE AND AMENDING SECTION 505.16
“HUNTING PROHIBITED”, AND DECLARING AN EMERGENCY.

WHEREAS, the overpopulation of white-tailed deer within the City of Bay Village
negatively impacts public health and safety primarily due to an excessive number of deer-related
vehicular accidents, as well as destruction of natural habitats and biodiversity, the increased risk
of disease transmission to humans from deer parasites, and potential damage to private and
public property; and

WHEREAS, the City has considered various options to control the deer population with
the assistance of the Ohio Department of Natural Resources and recommends a comprehensive
and multifaceted approach to managing the deer population as the most efficient strategy; and

WHEREAS, Council desires to provide the Mayor, as the Director of Public Safety, with
a deer management program to address deer overpopulation.

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

SECTION 1: That Section 505.16 entitled “HUNTING PROHIBITED” be and the same is
hereby amended to read:

505.16 HUNTING PROHIBITED; EXCEPTIONS

(a) The hunting of animals or fowl within the City is prohibited. No person shall hunt, kill or
attempt to kill any animal or fowl by the use of firearms or any other means, except as
follows:

(1) The limited hunting of white-tailed deer by crossbow or long bow may be permitted
within the City as part of the Deer Management Plan under the following terms and
conditions:

(a) The Police Chief or his designated representative may, in his sole
discretion, issue a Municipal Deer Control Permit to a qualified archer applicant;
(b) As a corollary to and following the issuance by the ODNR of its own Deer
Damage Control Permit or license to allow only bow-hunting (long bow and
crossbow) of white-tailed deer;
(c) In areas of not less than two (2) contiguous acres by a qualified archer, on
such forms and subject to such rules and regulations as the Police Chief may
prescribe;
(d) Hunting shall be conducted from an elevated platform;
(e) Written permission from each property owner that encompasses the required two (2) contiguous acres;

(f) Qualified archer shall be defined as an individual who meets all the requirements outlined in the rules established by the Police Chief;

(g) Compliance with all laws, rules and regulations of the City and State.

(h) All applicants shall agree, in writing, to defend and indemnify the City for any negligent acts or damages committed by the applicant;

(i) Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents as determined solely by the Chief of Police;

(j) Chief of Police is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provision of this section and all other rules and regulations necessary to insure public health and safety;

(k) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

(2) The City may utilize firearm trained personnel to cull white-tailed deer as part of a City Deer Management Plan. Culling may take place on city-owned land and on private properties that exceed 2 acres, either individually or combined, at the request of the property owner, provided all of the following conditions apply:

(a) The Chief of Police, or his designee, has determined that such culling can be conducted safely on such property;

(b) Such personnel are employed by or associated with a federal agency, state agency or local law enforcement;

(c) Such culling has been approved by the Ohio Department of Natural Resources, Division of Wildlife.

(b) No person shall, for the purpose of hindering or preventing the lawful culling of white-tailed deer or authorized bow hunting pursuant to this section, knowingly engage in any of the following conduct:

(1) Block, obstruct, impede or attempt to block, obstruct or impede a person lawfully engaged in such culling or hunting;

(2) Erect a barrier with the intent to deny ingress or egress from the areas where such culling or hunting is lawfully being conducted;

(3) Make or attempt to make loud noises or gestures, set out or attempt to set out animal baits, scents, lures or human scent, use any other natural or artificial visual, aural, olfactory or physical stimuli, or engage in or attempt to engage in any other similar action or activity in order to interfere with such culling or hunting.

(c) The prohibition set forth in section (a) does not apply to deer culling population management programs sponsored by and conducted on land owned or managed by the Cleveland Metropolitan Park District.
DRAFT

(d) No person shall trap by use of clam-type traps or similar devices game animals, game
birds or other animals or birds within the City.

(e) Whoever violates this section is guilty of a misdemeanor of the first degree and shall be
subject to the penalty provided in Section 505.99.

and present C.O. 505.16 is repealed.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately
necessary for the preservation of the public peace, health, safety and welfare, and for the further
reason that it is immediately necessary to implement effective deer control measures, 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

12-1-17 LL
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
ALLOWING THE CITY TO MANAGE THE WHITE-TAILED DEER POPULATION
WITHIN THE CITY OF BAY VILLAGE AND AMENDING SECTION 505.16
"HUNTING PROHIBITED", AND DECLARING AN EMERGENCY.

WHEREAS, the overpopulation of white-tailed deer within the City of Bay Village
negatively impacts public health and safety primarily due to an excessive number of deer-related
vehicular accidents, as well as destruction of natural habitats and biodiversity, the increased risk
of disease transmission to humans from deer parasites, and potential damage to private and
public property; and

WHEREAS, the City has considered various options to control the deer population with
the assistance of the Ohio Department of Natural Resources and recommends a comprehensive
and multifaceted approach to managing the deer population as the most efficient strategy; and

WHEREAS, Council desires to provide the Mayor, as the Director of Public Safety, with
a deer management program to address deer overpopulation.

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

SECTION 1: That Section 505.16 entitled “HUNTING PROHIBITED” be and the same is
hereby amended to read:

505.16 HUNTING PROHIBITED; EXCEPTIONS

505.16 HUNTING PROHIBITED; EXCEPTIONS
(a) The hunting of animals or fowl within the City is prohibited. No person shall hunt, kill or
attempt to kill any animal or fowl by the use of firearms or any other means, except as follows:
(1) The limited hunting of white-tailed deer by crossbow or long bow may be permitted
within the City as part of the Deer Management Plan under the following terms and
conditions:
(a) The Police Chief or his designated representative may, in his sole
discretion, issue a Municipal Deer Control Permit to a qualified archer applicant;
(b) As a corollary to and following the issuance of the ODNR of its own Deer
Damage Control Permit or license to allow only bow-hunting (long bow and
crossbow) of white-tailed deer;
(c) In areas of not less than two (2) contiguous acres by a qualified archer, on
such terms and subject to such rules and regulations as the Police Chief may
prescribe;
(d) Hunting shall be conducted from an elevated platform; of no less than 10
feet.

Commented [MAS1]: Westfield suggests allowing the option of a property owner to apply for a deer damage permit
with the DOW. If granted, they then can apply for a bow hunting permit out of season.

Commented [PV31]: Sounds like a good idea. It just provides another option.

Commented [MAS3]: Do we want to limit the number of properties that make up the 2 contiguous acres?

Commented [PV4R3]: I would say no. I think if we get buy-in from a group of residents, that can work just as well.
Actually, the more involved, I think the better.

Commented [MAS5]: Place information on platforms in rule to allow maximum flexibility.
(e) Written permission from the each property owner(s) has been obtained that encompasses the required two (2) contiguous acres;
(f) Qualified archer shall be defined as an individual having obtained an approval/certification from approved archery proficiency test sites who meets all the requirements outlined in the rules established by the Police Chief—a valid Ohio hunting license, if applicable, and all other state requirements;
(g) Compliance with all laws, rules and regulations of the City and State;
(h) All applicants shall agree, in writing, to defend and indemnify the City for any negligent acts or damages committed by the applicant;
(i) Any other requirements as deemed necessary to preserve and protect the health, safety and welfare of the residents as determined solely by the Chief of Police;
(j) Chief of Police is hereby authorized to promulgate any and all rules and regulations necessary to carry out the provision of this section and all other rules and regulations necessary to insure public health and safety;
(k) Nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

(b) Whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 455.99.

(a) Except as provided in division (c) of this section, no person shall hunt, kill or attempt to kill any animal or fowl by any means within the City, whether with or without a license, in or out of season.

(b) No person shall trap by use of clam-type traps or similar devices game animals, game birds or other animals or birds within the City.

(2) The City may utilize sharpshooters (firearm trained personnel) to cull white-tailed deer as part of a City Deer Management Program Plan. Sharpshooters may use firearms as approved by the Chief of Police or his designee. Culling may take place on city-owned land and on private properties that exceed 2 acres, either individually or combined, at the request of the property owner, provided all of the following conditions apply:

(1) (a) The Chief of Police, or his designee, has determined that such sharpshooting culling can be conducted safely on such property; and
(2) (b) Such sharpshooters are safety forces approved by the Chief of police or his designee who have been tested for firearm proficiency or have been certified by a Federal or State agency and personnel are employed by or associated with a federal agency, state agency or local law enforcement;
(3) (c) Such culling has been approved by the Ohio Department of Natural Resources, Division of Wildlife.
(4) An application for a Municipal Deer Control Permit has been submitted to the Chief of Police during a designation application period containing:

i. A map, with boundaries outlined on the map, of the property or properties (collectively, the “Subject Property”) on which the applicant(s) wishes to take deer and the approximate location(s) of the Subject Property where the shooter(s) will be stationed;

ii. The County Auditor’s parcel numbers of the Subject Property and total acreage;

iii. Signatures of all owners of the Subject Property;

iv. A list of all names, current residence addresses and ages of all shooters that are applying to shoot on the Subject Property;

v. Verification that each shooter identified in the application has a current Ohio Hunting License; and

vi. Verification that each shooter identified in the application has satisfactorily completed the Ohio Hunter Education Course.

(b) No person shall, for the purpose of hindering or preventing the lawful culling of white-tailed deer, or authorized bow hunting pursuant to this section, knowingly engage in any of the following conduct:

(1) Block, obstruct, impede or attempt to block, obstruct or impede a person lawfully engaged in such culling or hunting;

(2) Erect a barrier with the intent to deny ingress or egress from the area where such culling or hunting is lawfully being conducted;

(3) Make or attempt to make loud noises or gestures, set out or attempt to set out animal baits, scents, lures or human scent, use any other natural or artificial visual, aural, olfactory or physical stimuli, or engage in or attempt to engage in any other similar action or activity in order to interfere with such culling or hunting.

(c) The prohibition set forth in section (a) does not apply to deer culling population management programs sponsored by and conducted on land owned or managed by the Cleveland Metropolitan Park District.

(d) No person shall trap by use of clam-type traps or similar devices game animals, game birds or other animals or birds within the City.

(e) Whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to the penalty provided in Section 505.99.

and present C.O. 505.16 is repealed.

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

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to implement effective deer control measures, wherefore
DRAFT

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

11-3-17 LL
Joan Kemper

From: Mark Spaetzel  
Sent: Tuesday, November 28, 2017 12:51 PM  
To: Council& Clerk  
Cc: Paul Koomar; Gary Ebert; Mark Adkins  
Subject: Deer Management Plan  
Attachments: Deer Management Plan - Draft ver1.0.pdf

This is a rough draft that I have been periodically working on over the last month. I will continue to work on it and revise once the final CO's are approved. I am open to any comments or suggestions. In some cases, the information provided are merely placeholders until final determinations are made.

Thanks for your support of this process.

Mark A. Spaetzel  
Chief of Police  
Bay Village Police Department  
28000 Wolf Rd  
Bay Village, Ohio 44140  
O: (440) 899-3465  
F: (440) 899-3478  
mspaetzel@cityofbayvillage.com
City of Bay Village
Ohio
Deer Management Plan

Submitted to the Ohio Division of Wildlife

December 2017

Submitted by:
Bay Village Police Department
28000 Wolf Road
Bay Village, Ohio 44140
Bay Village is located on the far western edge of Cuyahoga County. Bay Village is surrounded by Lake Erie, to the east by Rocky River, to the south by Westlake and to the west by Cuyahoga County. Bay Village is approximately 4.63 miles with a population of 20,166 (2016 estimate). Bay Village is over 90% residential and densely populated with smaller retail areas and four parks, including the 112 acre Cahoon Park, and the Huntington Reservation, an 103 acre park owned and maintained by Metroparks. (See Appendix A for city map)

The City of Bay Village completely prohibited any hunting or removal of deer from within the municipality by City Ordinance. As a result, the number of deer damage, deer incidents and deer/vehicle accidents had increased yearly. The City determined that deer had become a concern and were obligated to act on behalf of the citizens.

The August/September of 2017 helped to identify the concerns of the community and over 1,400 respondents. Over 72% of the respondents felt the deer population increased, 88% have experience some type of deer issue and 65% felt the deer population decreased. Nearly 60% felt the City should be doing more to address the issue. The most common issue noted was various types of landscaping damage, hitting a deer with their car. Over 76% have concerns about deer.

Complaints
- Deer damage to property
  - Gardens
  - Lawns
  - Personal property

- Deer/vehicle crashes
  - Deer hitting a deer
  - Deer hitting a person
  - Deer hitting a vehicle

- Deer/property damage
  - Damage to structures
  - Damage to landscaping

- Deer/vehicle/property damage
  - Damage to both

- Other issues
  - Noise
  - Property damage

Appendix C for survey results
...statistical charts)

...towards people and pets, no fear of humans, injured or dead deer etc.
...voiced concerns about their personal safety when confronting...no longer fear human interaction. Reports have also been made...deer being aggressive towards both humans and domestic animals. E...also concerned about the spread of ticks potentially carrying the...e.

...circumstance to get determine the exact number of deer within a...nt be considered in light of seasonal movement, reproduction rates,...es and the inherent difficulties in field surveying techniques...of flyover to determine the deer population.

...account in March of 2017 however weather conditions were not...as deemed unreliable and discarded. A new survey will be...2017. Antidotal information suggests a steady increase in...lic opinion, increase in numbers of deer-related calls and actual...oughout the City. In addition, bait site counts will also be retained...lected from culled animals to supplement the population estimation...

...duction in the number of car/vehicle crashes
...number or respondents who report damage to private property...results.
...osite with educational information on deer management by May of

...specifically the City and Police Department Facebook pages, two...relevant deer management techniques and information.
...o track deer vehicle accidents, deer related nuisance calls, deceased
...ervice Department.
...urvey of residents regarding deer related issues and concerns.
...er 31, 2018 ordinances related to deer management and make...changes if warranted.

...technique can successfully resolve the issues associated with white-
...of Bay Village. A combination of non-lethal and lethal methods must...reach the goals. The City is also cognizant of the residents who are
Management Plan

Deer and must be sensitive to their concerns. A full evaluation will be

methods

Distance methods

Station

s

c, sound, smell, fencing, etc.

Station

Station

nated permits

on

t

Station

will be determined by comparing the numbers of deer/vehicle crashes, a map of deceased deer with prior statistics. In addition, a survey will be

imate the deer population from year to year.

nances

Results
AN ORDINANCE
AMENDING SECTION 1 OF ORDINANCE 17-74 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 2018 AND THEREAFTER, AND DECLARING AN EMERGENCY.

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

SECTION 1. That compensation to be paid to the officers and employees of the GENERAL ADMINISTRATION DEPARTMENT and those employees not covered by separate labor contract shall be:

<table>
<thead>
<tr>
<th>Position</th>
<th>August 7, 2017 and Thereafter</th>
<th>January 1, 2018 and Thereafter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Director of Finance</td>
<td>$97,397</td>
<td>$97,397</td>
</tr>
<tr>
<td>2. Finance Specialist-Full Time</td>
<td>19.95-29.57 per hour</td>
<td>19.95-29.57 per hour</td>
</tr>
<tr>
<td>3. Administrative Project Leader</td>
<td></td>
<td>$38,400 - $57,600</td>
</tr>
<tr>
<td>4. Part-time Human Resources Administrator</td>
<td>29.20 per hour</td>
<td>29.20 per hour</td>
</tr>
<tr>
<td>5. Part-time Clerical</td>
<td>$12.18 – $16.60 per hour</td>
<td>$12.18 – $16.60 per hour</td>
</tr>
<tr>
<td>6. Director of Law</td>
<td>$75,401</td>
<td>$75,401</td>
</tr>
<tr>
<td>7. Administrative Assistant</td>
<td></td>
<td>$13.46 - $19.38 per hr.</td>
</tr>
<tr>
<td>8. Prosecutor</td>
<td>$35,379</td>
<td>$35,379</td>
</tr>
<tr>
<td>9. Building Director</td>
<td></td>
<td>$72,000-$108,000</td>
</tr>
<tr>
<td>10. Interim Dir. Public Service &amp; Properties</td>
<td>$80,000</td>
<td>$80,000</td>
</tr>
<tr>
<td>11. Public Works Supervisor of Operations</td>
<td>$78,727</td>
<td>$78,727</td>
</tr>
<tr>
<td>12. Public Works Supervisor</td>
<td>$73,007</td>
<td>$73,007</td>
</tr>
<tr>
<td>Position</td>
<td>Salary</td>
<td>Full Time Salary</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------------</td>
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</tr>
<tr>
<td>13. Sewer Maintenance Supervisor</td>
<td>$63,787</td>
<td>$63,787</td>
</tr>
<tr>
<td>15. Property Maintenance Inspector</td>
<td>$61,701</td>
<td>$61,701</td>
</tr>
<tr>
<td>16. Projects Coordinator</td>
<td>$31.91 per hour</td>
<td>$31.91 per hour</td>
</tr>
<tr>
<td>17. Part-time</td>
<td>$8.15 – $17.96 per hour</td>
<td>$8.15 – $17.96 per hour</td>
</tr>
<tr>
<td>18. Seasonal</td>
<td>$8.15 – $17.35 per hour</td>
<td>$8.15 – $17.35 per hour</td>
</tr>
<tr>
<td>19. Director of Recreation</td>
<td>$75,012</td>
<td>$75,012</td>
</tr>
<tr>
<td>20. Asst. Recreation Director</td>
<td>$46,311</td>
<td>$46,311</td>
</tr>
<tr>
<td>21. Assistant to Mayor</td>
<td>$47,463</td>
<td>$47,463</td>
</tr>
<tr>
<td>22. Clerk of Council</td>
<td>$52,366</td>
<td>$52,366</td>
</tr>
<tr>
<td>23. Fire Chief</td>
<td>$105,196</td>
<td>$105,196</td>
</tr>
<tr>
<td>24. Police Chief</td>
<td>$105,196</td>
<td>$105,196</td>
</tr>
<tr>
<td>25. Deputy Police Officer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Start</td>
<td>$23.87 per hour</td>
<td>$23.87 per hour</td>
</tr>
<tr>
<td>After 2080 hours</td>
<td>$26.52 per hour</td>
<td>$26.52 per hour</td>
</tr>
<tr>
<td>After 4160 hours</td>
<td>$30.06 per hour</td>
<td>$30.06 per hour</td>
</tr>
<tr>
<td>After 6240 hours</td>
<td>$34.24 per hour</td>
<td>$34.24 per hour</td>
</tr>
<tr>
<td>27 Animal Control Officer</td>
<td>$18.00-22.00 per hour (full time)</td>
<td>$18.00-22.00 per hour (full time)</td>
</tr>
<tr>
<td>28. Jailer/Matron</td>
<td>$14.78 per hour</td>
<td>$14.78 per hour</td>
</tr>
<tr>
<td>29. Full time Dispatch</td>
<td>$17.89-22.50 per hour</td>
<td>$17.89-22.50 per hour</td>
</tr>
</tbody>
</table>
30. Part time Dispatch $16.10-20.25 per hour $16.10-20.25 per hour
31. Director of Community Services $61,701 $61,701
32. Assistant Director of Community Services $37,233 $37,233
34. Safety Director $5,000 $5,000

The individual who may serve pro-tem as Secretary to Council or as Secretary to Planning Commission, Board of Zoning Appeals, Recreation Commission, Civil Service Commission, Architectural Board of Review, Tree Commission or Charter Review Committee shall be paid fifty dollars ($50.00) for the first two hours of attendance and his or her hourly rate thereafter per regular or special meeting attended in lieu of wages.”

and present Section 1 of Ordinance 17-74 is hereby repealed.

SECTION 2. That it is found and determined that all formal actions 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 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to provide for compensation in conformance with agreements reached during labor negotiations and to secure adequate personnel for the City’s needs, 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

11-3-17 LL
To make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2018.

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

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2018, the following sums be and they are hereby set aside and appropriated from the funds herein specified as follows, to wit:

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

### General Fund - 100

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>Total General Fund</td>
<td>7,454,468</td>
<td>3,682,720</td>
<td>62,200</td>
<td>1,057,173</td>
<td>12,246,661</td>
</tr>
</tbody>
</table>

### Special Revenue Fund Group - 200

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>210</td>
<td>Emergency Paramedic</td>
<td>1,057,780</td>
<td>92,075</td>
<td>12,000</td>
<td>-</td>
<td>1,201,855</td>
</tr>
<tr>
<td>230</td>
<td>Parks and Recreation</td>
<td>589,940</td>
<td>307,750</td>
<td>15,500</td>
<td>-</td>
<td>913,190</td>
</tr>
<tr>
<td>231</td>
<td>Community Gym Capital Improvement</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
<td>-</td>
<td>5,000</td>
</tr>
<tr>
<td>235</td>
<td>Bay Family Services</td>
<td>-</td>
<td>46,400</td>
<td>-</td>
<td>-</td>
<td>46,400</td>
</tr>
<tr>
<td>236</td>
<td>Community Diversion</td>
<td>-</td>
<td>4,300</td>
<td>-</td>
<td>-</td>
<td>4,300</td>
</tr>
<tr>
<td>238</td>
<td>Tennis Court Maintenance</td>
<td>-</td>
<td>21,000</td>
<td>-</td>
<td>-</td>
<td>21,000</td>
</tr>
<tr>
<td>240</td>
<td>Equipment Replacement</td>
<td>-</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
</tr>
<tr>
<td>245</td>
<td>Private Property Maintenance</td>
<td>34,234</td>
<td>30,500</td>
<td>-</td>
<td>-</td>
<td>64,734</td>
</tr>
<tr>
<td>250</td>
<td>State Highway</td>
<td>-</td>
<td>50,000</td>
<td>-</td>
<td>-</td>
<td>50,000</td>
</tr>
<tr>
<td>270</td>
<td>Street Construction</td>
<td>616,430</td>
<td>261,850</td>
<td>750,000</td>
<td>-</td>
<td>1,628,280</td>
</tr>
<tr>
<td>280</td>
<td>Police Pension</td>
<td>374,100</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>374,100</td>
</tr>
<tr>
<td>281</td>
<td>Fire Pension</td>
<td>504,800</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>504,800</td>
</tr>
<tr>
<td>282</td>
<td>Accrued Benefits</td>
<td>140,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>140,000</td>
</tr>
<tr>
<td>284</td>
<td>Endowment Trust</td>
<td>-</td>
<td>23,707</td>
<td>-</td>
<td>-</td>
<td>23,707</td>
</tr>
<tr>
<td>290</td>
<td>Senior Programs</td>
<td>-</td>
<td>49,500</td>
<td>-</td>
<td>-</td>
<td>49,500</td>
</tr>
<tr>
<td>292</td>
<td>Law Enforcement</td>
<td>-</td>
<td>26,000</td>
<td>-</td>
<td>-</td>
<td>26,000</td>
</tr>
<tr>
<td>293</td>
<td>Drug Fine/Bail Forfeiture</td>
<td>-</td>
<td>1,750</td>
<td>-</td>
<td>-</td>
<td>1,750</td>
</tr>
<tr>
<td>294</td>
<td>Alcohol Intervention</td>
<td>-</td>
<td>5,800</td>
<td>-</td>
<td>-</td>
<td>5,800</td>
</tr>
<tr>
<td>297</td>
<td>Federal Equitable Shoring</td>
<td>-</td>
<td>25,000</td>
<td>-</td>
<td>-</td>
<td>25,000</td>
</tr>
<tr>
<td>200</td>
<td>Total Special Revenue Funds</td>
<td>3,367,284</td>
<td>960,632</td>
<td>782,500</td>
<td>-</td>
<td>5,090,416</td>
</tr>
</tbody>
</table>

### Debt Service Fund Group - 300

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>300</td>
<td>General Bond Retirement</td>
<td>-</td>
<td>5,264,941</td>
<td>-</td>
<td>-</td>
<td>5,264,941</td>
</tr>
</tbody>
</table>
### Capital Project Fund Group - 400

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>401</td>
<td>General Capital Improvement</td>
<td>$ -</td>
<td>$ 220</td>
<td>$ -</td>
<td>$ -</td>
<td>220</td>
</tr>
<tr>
<td>480</td>
<td>Walker Road Park</td>
<td>-</td>
<td>220</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>490</td>
<td>Public Improvement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>494</td>
<td>Infrastructure Improvements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>495</td>
<td>Municipal Building Improvements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>496</td>
<td>Public Building Roof Improvements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>400</td>
<td>Total Capital Project Fund Group</td>
<td>$ -</td>
<td>$ 220</td>
<td>$ -</td>
<td>$ -</td>
<td>220</td>
</tr>
</tbody>
</table>

### Enterprise Fund Group - 500

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>520</td>
<td>Pool</td>
<td>$ 231,730</td>
<td>$ 131,600</td>
<td>$ 20,000</td>
<td>-</td>
<td>383,330</td>
</tr>
<tr>
<td>580</td>
<td>Sewer</td>
<td>899,565</td>
<td>1,444,793</td>
<td>52,000</td>
<td>-</td>
<td>2,396,358</td>
</tr>
<tr>
<td>500</td>
<td>Total Enterprise Fund Group</td>
<td>$ 1,131,295</td>
<td>$ 1,576,393</td>
<td>$ 72,000</td>
<td>-</td>
<td>2,779,688</td>
</tr>
</tbody>
</table>

### Internal Service Fund Group - 600

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>600</td>
<td>Health Insurance</td>
<td>$ 1,359,700</td>
<td>-</td>
<td>-</td>
<td>$ -</td>
<td>1,359,700</td>
</tr>
<tr>
<td>601</td>
<td>General Insurance</td>
<td>-</td>
<td>173,100</td>
<td>-</td>
<td>-</td>
<td>173,100</td>
</tr>
<tr>
<td>602</td>
<td>Workers Compensation</td>
<td>109,020</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>109,020</td>
</tr>
<tr>
<td>600</td>
<td>Total Internal Service Fund Group</td>
<td>$ 1,448,720</td>
<td>$ 173,100</td>
<td>$ -</td>
<td>-</td>
<td>1,621,820</td>
</tr>
</tbody>
</table>

### Trust Fund Group - 800

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>801</td>
<td>Unclaimed Monies</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
<td>$ -</td>
<td>2,000</td>
</tr>
<tr>
<td>810</td>
<td>Cahoon Park</td>
<td>-</td>
<td>71,900</td>
<td>-</td>
<td>-</td>
<td>71,900</td>
</tr>
<tr>
<td>820</td>
<td>Cahoon Memorial</td>
<td>-</td>
<td>3,500</td>
<td>-</td>
<td>-</td>
<td>3,500</td>
</tr>
<tr>
<td>830</td>
<td>Cahoon Library</td>
<td>-</td>
<td>9,800</td>
<td>-</td>
<td>-</td>
<td>9,800</td>
</tr>
<tr>
<td>840</td>
<td>Waldeck</td>
<td>-</td>
<td>6,200</td>
<td>-</td>
<td>-</td>
<td>6,200</td>
</tr>
<tr>
<td>860</td>
<td>Oswyer</td>
<td>-</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
</tr>
<tr>
<td>800</td>
<td>Total Trust Fund Group</td>
<td>$ -</td>
<td>$ 96,400</td>
<td>$ -</td>
<td>-</td>
<td>96,400</td>
</tr>
</tbody>
</table>

### Deposit Fund Group - 900

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>930</td>
<td>Building Deposits</td>
<td>30,000</td>
<td>-</td>
<td>-</td>
<td>$ -</td>
<td>30,000</td>
</tr>
<tr>
<td>931</td>
<td>Security Deposits</td>
<td>22,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>22,000</td>
</tr>
<tr>
<td>900</td>
<td>Total Deposit Fund Group</td>
<td>$ -</td>
<td>$ 52,000</td>
<td>$ -</td>
<td>$ -</td>
<td>52,000</td>
</tr>
<tr>
<td></td>
<td>Grand Total All Funds</td>
<td>$ 13,391,767</td>
<td>$ 11,798,406</td>
<td>$ 906,700</td>
<td>$ 1,057,173</td>
<td>27,154,046</td>
</tr>
</tbody>
</table>

### Itemized list of Transfers and Advances by Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund to Parks and Recreation</td>
<td>$ 400,000</td>
</tr>
<tr>
<td>General Fund to Community Gym</td>
<td>$ 8,812</td>
</tr>
<tr>
<td>General Fund to Street Construction</td>
<td>$ 425,000</td>
</tr>
<tr>
<td>General Fund to Cahoon Income</td>
<td>$ 86,000</td>
</tr>
<tr>
<td>General Fund to Cahoon Trust</td>
<td>$ 2,000</td>
</tr>
<tr>
<td>General Fund to Cahoon Library</td>
<td>$ 10,000</td>
</tr>
<tr>
<td>General Fund to Bay Family Services</td>
<td>$ 46,361</td>
</tr>
<tr>
<td>General Fund to Fire Pension</td>
<td>$ 100,000</td>
</tr>
<tr>
<td><strong>Total Transfers</strong></td>
<td>$ 1,057,173</td>
</tr>
</tbody>
</table>

Total Advances and Advance Repayments

Total Transfers and Advances

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 1,057,173</td>
</tr>
</tbody>
</table>
Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2018, shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

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

PASSED:

________________________________________
PRESIDENT OF COUNCIL

________________________________________
CLERK OF COUNCIL

________________________________________
MAYOR

________________________________________
DATE
## Exhibit "A"

**Schedule of Budgets by Department for General Fund**

<table>
<thead>
<tr>
<th>Department</th>
<th>Personal Service</th>
<th>Other</th>
<th>Equipment Replacement</th>
<th>Transfers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>$64,400.00</td>
<td>$6,650.00</td>
<td>$-</td>
<td>$-</td>
<td>$73,050.00</td>
</tr>
<tr>
<td>Clerk of Council</td>
<td>58,230.00</td>
<td>875.00</td>
<td>$-</td>
<td>$-</td>
<td>59,105.00</td>
</tr>
<tr>
<td>Mayor</td>
<td>243,200.00</td>
<td>10,000.00</td>
<td>1,000.00</td>
<td>$-</td>
<td>254,200.00</td>
</tr>
<tr>
<td>Law</td>
<td>133,460.00</td>
<td>92,950.00</td>
<td>$-</td>
<td>226,400.00</td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td>247,500.00</td>
<td>29,450.00</td>
<td>1,200.00</td>
<td>$-</td>
<td>278,150.00</td>
</tr>
<tr>
<td>Taxation</td>
<td>-</td>
<td>192,000.00</td>
<td>$-</td>
<td>$192,000.00</td>
<td></td>
</tr>
<tr>
<td>General Administration</td>
<td>203,800.00</td>
<td>499,082.00</td>
<td>5,600.00</td>
<td>1,057,173.00</td>
<td>1,765,665.00</td>
</tr>
<tr>
<td>Civil Service</td>
<td>-</td>
<td>20,160.00</td>
<td>$-</td>
<td>$20,160.00</td>
<td></td>
</tr>
<tr>
<td>Planning Commission</td>
<td>5,200.00</td>
<td>800.00</td>
<td>$-</td>
<td>$6,000.00</td>
<td></td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>2,600.00</td>
<td>700.00</td>
<td>$-</td>
<td>3,300.00</td>
<td></td>
</tr>
<tr>
<td>Service</td>
<td>1,849,176.00</td>
<td>2,030,039.00</td>
<td>10,500.00</td>
<td>$-</td>
<td>3,889,714.00</td>
</tr>
<tr>
<td>Fire</td>
<td>1,394,540.00</td>
<td>104,000.00</td>
<td>14,000.00</td>
<td>$-</td>
<td>1,512,540.00</td>
</tr>
<tr>
<td>Police</td>
<td>2,827,439.00</td>
<td>357,600.00</td>
<td>20,000.00</td>
<td>$3,208,039.00</td>
<td></td>
</tr>
<tr>
<td>Central Dispatch</td>
<td>-</td>
<td>128,000.00</td>
<td>$-</td>
<td>128,000.00</td>
<td></td>
</tr>
<tr>
<td>Building</td>
<td>165,400.00</td>
<td>190,700.00</td>
<td>$-</td>
<td>356,100.00</td>
<td></td>
</tr>
<tr>
<td>Architecture Board of Review</td>
<td>-</td>
<td>25.00</td>
<td>$-</td>
<td>25.00</td>
<td></td>
</tr>
<tr>
<td>Community Services</td>
<td>259,533.00</td>
<td>17,700.00</td>
<td>$-</td>
<td>277,233.00</td>
<td></td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>$7,454,468.00</strong></td>
<td><strong>3,882,720.00</strong></td>
<td><strong>$52,200.00</strong></td>
<td><strong>$1,057,173.00</strong></td>
<td><strong>$12,246,661.00</strong></td>
</tr>
</tbody>
</table>
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
ESTABLISHING THE EFFECTIVE DATE FOR THE REFUSE
COLLECTION FEE, AND DECLARING AN EMERGENCY.

WHEREAS, the effective date for the refuse fee was re-established through December 31, 2017 by Ordinance 16-79 passed December 16, 2016; and

WHEREAS, it is the desire of Council and the Administration of the City of Bay Village to continue the refuse collection fee through 2018;

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

SECTION 1. That Section 2 of Ordinance 16-79 passed December 6, 2016 is hereby repealed.

SECTION 2. The fee established in Section 923.01 shall be effective through December 31, 2018.

SECTION 3. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to make this fee adjustment, 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

APPROVED:

_________________________________________
MAYOR

11-29-17 LL
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING SECTION 1 OF ORDINANCE 17-86 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 2018 AND THEREAFTER,
AND DECLARING AN EMERGENCY.

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

SECTION 1. That compensation to be paid to the NON-EXEMPT categorized officers and
employees of the GENERAL ADMINISTRATION DEPARTMENT and those employees not
covered by separate labor contract shall be:

NON-EXEMPT WAGE/SALARY STRUCTURE FOR
NON-BARGAINING EMPLOYEES

<table>
<thead>
<tr>
<th>PAYGRADE</th>
<th>MINIMUM</th>
<th>MIDPOINT</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>$51,880 (24.942)</td>
<td>$62,260 (29.933)</td>
<td>$74,715 (35.921)</td>
</tr>
<tr>
<td>6</td>
<td>$43,235(20.786)</td>
<td>$51,880(24.942)</td>
<td>$62,260 (29.933)</td>
</tr>
<tr>
<td>5</td>
<td>$36,030(17.322)</td>
<td>$43,235(20.786)</td>
<td>$51,880 (24.942)</td>
</tr>
<tr>
<td>4</td>
<td>$30,025(14.435)</td>
<td>$36,030(17.322)</td>
<td>$43,235 (20.786)</td>
</tr>
<tr>
<td>2</td>
<td>$20,850(10.024)</td>
<td>$25,020 (12.028)</td>
<td>$30,025 (14.435)</td>
</tr>
<tr>
<td>1</td>
<td>(minimum wage)</td>
<td>$20,850(10.024)</td>
<td>$25,020 (12.028)</td>
</tr>
</tbody>
</table>

Non-exempt employees hired in one of the following employment categories shall be positioned
in one of the above paygrade levels, as determined by the Department Director and the Human
Resource Director, and will be subject to the above wage/salary structure:

- Full-time – employees scheduled to work 37.5 to 40 hours per week.
- Statutory Full-time – employees scheduled to work more than 29 hours but less than 40
  hours per week.
- Regular Part-time – employees scheduled to work a set number of hours per week not to
  exceed 29 hours per week.
- Intermittent Part-time – employees scheduled to work sporadic hours during a week not to
  exceed 29 hours per week.
- Seasonal – employees scheduled to work any number of hours per week for a specified
  period not to exceed six (6) consecutive months per year.
If an employee’s rate of pay at the time of assignment to a job classification exceeds the maximum of the paygrade range for that job classification, the employee’s rate of pay, at the Administration’s discretion, may be retained. However, the employee will not receive or be eligible for a rate change until the employee vacates that classification or the salary structure maximum is revised and exceeds the employee’s rate of pay.

If an employee’s rate of pay at the time of assignment to a job classification is below the minimum of the paygrade range for that job classification, the employee’s rate of pay, at the Administration’s discretion, may be adjusted between the minimum and the midpoint of the paygrade range at the time of assignment or receive six (6) month incremental increases until the employee’s rate of pay is within the paygrade range.

NON-EXEMPT EMPLOYEE JOB CLASSIFICATION PAYGRADES

<table>
<thead>
<tr>
<th>JOB CLASSIFICATION</th>
<th>PAYGRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Police Officer</td>
<td>7</td>
</tr>
<tr>
<td>Administrative Assistant (Mayor’s Office)</td>
<td>6</td>
</tr>
<tr>
<td>Administrative Assistant (Legal)</td>
<td>4</td>
</tr>
<tr>
<td>Office Coordinator</td>
<td>4</td>
</tr>
<tr>
<td>Police Dispatcher</td>
<td>4</td>
</tr>
<tr>
<td>Jailer</td>
<td>3</td>
</tr>
<tr>
<td>Receptionist/Clerk</td>
<td>3</td>
</tr>
<tr>
<td>Part-time</td>
<td>2</td>
</tr>
<tr>
<td>School Guard</td>
<td>2</td>
</tr>
<tr>
<td>Seasonal “A”</td>
<td>2</td>
</tr>
<tr>
<td>Senior Van Driver</td>
<td>2</td>
</tr>
<tr>
<td>Seasonal “B”</td>
<td>1</td>
</tr>
</tbody>
</table>

SECTION 2. That compensation to be paid to the EXEMPT categorized officers and employees of the GENERAL ADMINISTRATION DEPARTMENT and those employees not covered by separate labor contract shall be:

EXEMPT EMPLOYEE SALARY STRUCTURE

<table>
<thead>
<tr>
<th>PAYGRADE</th>
<th>MINIMUM</th>
<th>MIDPOINT</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>$86,000</td>
<td>$103,200</td>
<td>$123,840</td>
</tr>
<tr>
<td>7</td>
<td>$71,670</td>
<td>$86,000</td>
<td>$103,200</td>
</tr>
<tr>
<td>6</td>
<td>$59,725</td>
<td>$71,670</td>
<td>$86,000</td>
</tr>
<tr>
<td>5</td>
<td>$49,770</td>
<td>$59,725</td>
<td>$71,670</td>
</tr>
<tr>
<td>4</td>
<td>$41,475</td>
<td>$49,770</td>
<td>$59,725</td>
</tr>
<tr>
<td>3</td>
<td>$34,560</td>
<td>$41,475</td>
<td>$49,770</td>
</tr>
<tr>
<td>2</td>
<td>$28,800</td>
<td>$34,560</td>
<td>$41,475</td>
</tr>
<tr>
<td>1</td>
<td>$24,000</td>
<td>$28,800</td>
<td>$34,560</td>
</tr>
</tbody>
</table>
Exempt employees hired in one of the following employment categories shall be positioned in one of the above paygrade levels, as determined by the Department Director, Human Resource Director and/or the Mayor, and will be subject to the above salary structure:

- Full-time – employees scheduled to work 40 hours per week.
- Statutory Full-time – employees scheduled to work more than 29 but less than 40 hours per week.
- Regular Part-time – employees scheduled to work a set number of hours per week not to exceed 29 hours per week.
- Intermittent Part-time – employees scheduled to work sporadic hours during a week not to exceed 29 hours per week.

If an employee’s rate of pay at the time of assignment to a job classification exceeds the maximum of the paygrade range for that job classification, the employee’s rate of pay, at the Administration’s discretion, may be retained. However, the employee will not receive or be eligible for a rate change until the employee vacates that job classification or the salary structure maximum is revised and exceeds the employee’s rate of pay.

If an employee’s rate of pay at the time of assignment to a classification is below the minimum of the paygrade range for that job classification, the employee’s rate of pay may be adjusted between the minimum and midpoint of the paygrade range at the time of assignment or receive six (6) month incremental increases until the employee’s rate of pay is within the paygrade range.

### EXEMPT EMPLOYEE JOB CLASSIFICATION PAYGRADES

<table>
<thead>
<tr>
<th>JOB CLASSIFICATION</th>
<th>PAYGRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief of Police</td>
<td>8</td>
</tr>
<tr>
<td>Fire Chief</td>
<td>8</td>
</tr>
<tr>
<td>Building Director</td>
<td>7</td>
</tr>
<tr>
<td>Director of Public Services &amp; Properties</td>
<td>7</td>
</tr>
<tr>
<td>Finance Director</td>
<td>7</td>
</tr>
<tr>
<td>Director of Community Services</td>
<td>6</td>
</tr>
<tr>
<td>Director of Recreation</td>
<td>6</td>
</tr>
<tr>
<td>Human Resources Director</td>
<td>6</td>
</tr>
<tr>
<td>Infrastructure Manager</td>
<td>6</td>
</tr>
<tr>
<td>Projects Coordinator</td>
<td>6</td>
</tr>
<tr>
<td>Public Works Supervisor</td>
<td>6</td>
</tr>
<tr>
<td>Public Works Supervisor of Operations</td>
<td>6</td>
</tr>
<tr>
<td>Sewer Maintenance Supervisor</td>
<td>6</td>
</tr>
<tr>
<td>Assistant Director of Recreation</td>
<td>5</td>
</tr>
<tr>
<td>Clerk of Council</td>
<td>5</td>
</tr>
<tr>
<td>Finance Assistant</td>
<td>5</td>
</tr>
<tr>
<td>Property Maintenance Inspector</td>
<td>5</td>
</tr>
<tr>
<td>Administrative Project Leader</td>
<td>4</td>
</tr>
<tr>
<td>Assistant Director of Community Services</td>
<td>4</td>
</tr>
</tbody>
</table>
The individual who may serve pro-tem as Secretary to Council or as Secretary to Planning Commission, Board of Zoning Appeals, Recreation Commission, Civil Service Commission, Architectural Board of Review, Tree Commission or Charter Review Committee shall be paid fifty dollars ($50.00) for the first two hours of attendance and his or her hourly rate thereafter per regular or special meeting attended in lieu of wages.”

and present Section 1 of Ordinance 17-74 is hereby repealed.

SECTION 3. The individual who serves as Safety Director shall be compensated at an annualized amount of $5,000.00.

SECTION 4. That it is found and determined that all formal actions 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 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 necessary to provide for compensation in conformance with agreements reached during labor negotiations and to secure adequate personnel for the City’s needs, 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

12-1-17 JD
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE

PROVIDING THE COMPENSATION OF THE DIRECTOR OF LAW AND PROSECUTOR FOR THE YEAR COMMENCING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018

WHEREAS, the Mayor desires to set forth the compensation for Law Director and Prosecutor;

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

SECTION 1. That the salary of the Director of Law shall be Seventy-Five Thousand Four Hundred and One Dollars ($75,401.00) for the year commencing January 1, 2018 and ending December 31, 2018, for which he will serve the Mayor, the administrative officers and departments, Council, officers and boards of the Municipality as legal counsel and attorney, and represents the City in all proceedings in court or before any administrative body.

SECTION 2. That the salary of the Prosecutor shall be Thirty-Five Thousand Three Hundred Seventy-Nine Dollars ($35,379.00) for the year commencing January 1, 2018 and ending December 31, 2018, for which he will prosecute all cases brought before the courts having criminal jurisdiction of violation of ordinances or statutes committed within the City or any appeal therefrom, and to perform the duties, as they are applicable thereto, as required of the prosecuting attorney of the County.

SECTION 3. That it is found and determined that all formal actions 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 4. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

______________________________
PRESIDENT OF COUNCIL

______________________________
CLERK OF COUNCIL

APPROVED:
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A ONE YEAR CONTRACT
WITH THE JEFFERSON GROUP TO PROVIDE ADMINISTRATIVE
SERVICES FOR THE CITY'S HEALTH AND HOSPITALIZATION PLAN,
AND DECLARING AN EMERGENCY.

WHEREAS, the current agreement between the City of Bay Village and Jefferson
Health Plan to provide services as a third-party administrator for the City's self-funded health and
hospitalization plan expires December 31, 2017;

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

SECTION 1. The City of Bay Village hereby agrees to enter into a one year contract
with The Jefferson Group and agrees to pay premiums monthly for aggregate stop-loss insurance to
be provided by The Jefferson Group.

SECTION 2. The City of Bay Village agrees to pay an administrative charge to The
Jefferson Group per covered employee per month.

SECTION 3. The Jefferson Group shall provide specific stop-loss coverage in the
amount of $75,000.00 for each person covered by the City's health insurance plan.

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 continue to provide for medical and hospitalization
coverage for City employees in conformance with labor agreements, 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
12-1-17