Agenda, Bay Village City Council
Regular Meeting, Council Chambers
December 3, 2018
8:00 p.m.

Dwight A. Clark, President of Council, Presiding
Roll Call
Pledge of Allegiance led by Sara Byrnes Maier, Councilwoman, Ward 3.

Reading of Minutes – Special Meeting of Council held November 26, 2018

ANNOUNCEMENTS

REPORTS

Mayor Koomar                          Director of Community Services Selig
Director of Law Barbour                Police Chief Spaetzel
Director of Finance Mahoney            Fire Chief Lyons
Director of Recreation Enovitch       Chief Building Official Steve Vogel
Director of Public Service and Properties Liskovec
Human Resources Director Demaline

AUDIENCE

COMMUNICATIONS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE – Mr. Mace

Motion to not request a hearing on the advisability of issuing a D3 Permit by the Ohio Division of Liquor Control to Baycrafters, dba BAYarts, 28795 Lake Road, and Porch and Upper Deck.

Ordinance authorizing continued participation in the Heritage Home Loan Program with the Cleveland Restoration Society, and declaring an emergency.

Resolution approving use by William R. and Jill S. Oatey of Submerged Lands of Lake Erie for shoreline improvements, and declaring an emergency.

FINANCE AND CLAIMS-Mr. Tadych

Ordinance 18-95 to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2019 and declaring an emergency. (Second Reading) (First Reading Nov. 26, 2018)
Ordinance 18-96 providing the compensation of the Director of Law and Prosecutor commencing January 1, 2019, and thereafter. (Second Reading) (First Reading Nov. 26, 2018)

Ordinance to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2018 as previously appropriated in Annual Appropriations 17-96, 18-5, 18-25, 18-30, 18-49, 18-57, 18-66, 18-79, 18-80, and 18-87, and declaring an emergency.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE-Ms. Maier

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE-Mrs. Stainbrook

Ordinance enacting new Chapter 925, entitled, “Grease Interceptors, Installation and Disposal of Waste” of the Streets and Public Service Code, and declaring an emergency. (First Reading).

Ordinance authorizing the Mayor to enter into a contract with Sixmo, Inc. and declaring an emergency. (First Reading)

Ordinance authorizing the Mayor to enter into a contract with Chagrin Valley Engineering, Ltd., establishing related compensation, and declaring an emergency. (First Reading)

Ordinance authorizing the Mayor to enter into an agreement with Partners Environmental Consulting, Inc. for services related to Cahoon Park, and declaring an emergency.

RECREATION AND PARK IMPROVEMENTS COMMITTEE –Mr. Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE –Ms. DeGeorge

Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District, and declaring an emergency. (Public Educational Component).

Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District, and declaring an emergency. (Technical Expertise Component).

Ordinance enacting Codified Ordinance Section 1310.01 (B) Registration/Licensing of Contractors, and declaring an emergency. (First Reading).

MISCELLANEOUS

Motion to convene to Executive Session regarding Personnel: Administrative Compensation; Contracts: Collective Bargaining Agreements for AFSCME, Police, Fire; SAFEbuilt, Chagrin Valley Engineering.
ADJOURNMENT

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

Council Minutes, Special Meeting                   November 26, 2018
Council Chambers 8:00 p.m.
President of Council Dwight A. Clark, presiding

Present:           Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Mayor Koomar

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

AUDIENCE

The following members of the audience signed in this evening:  Clare Banasiak, Jeff Gallatin,
John Suter, Karen Donnelly, Janis Fisk.

President of Council Clark called the meeting to order at 8:00 p.m. with roll call and the Pledge
of Allegiance led by Councilwoman Lydia DeGeorge, Ward 2.

Motion by Tadych to dispense with the reading of the minutes of the meeting of the Regular
Meeting of Council held November 19, 2018, and approve the minutes as prepared and
distributed.

Motion passed 7-0.

Mr. Tadych read Ordinance 18-92, by title only, amending Codified Ordinance Chapter 921.05
regarding sewer penalties for late payment and declaring an emergency, and moved for adoption.
(Second Reading-November 19, 2018) (First Reading November 5, 2018).

Mr. Tadych noted that with adoption of this ordinance the penalty for late sewer service
payments will increase from $10.00 to $25.00. Finance Director Mahoney stated that the penalty
proceeds will be deposited in the Sewer Fund.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of
Ordinance No. 18-92.

Roll Call on Suspension of the Charter Rules:
   Yeas- Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.
   Nays- None.

Roll Call on Suspension of the Council Rules:
   Yeas –Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.
   Nays –None.

Roll Call on Inclusion of the Emergency Clause:
   Yeas – Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.
   Nays – None.
Special Meeting of Council
November 26, 2018

Roll Call on Adoption:
   Yeas– Clark, DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig.
   Nays – None.

Mr. Barbour announced adoption of Ordinance No. 18-92, an emergency measure, with a vote of 7-0.

Mr. Tadych introduced and read, by title only, Ordinance No. 18-95 to make appropriations for the current and other expenditures of the City of Bay Village for the Fiscal Year 2019 and declaring an emergency. (First Reading)

Mr. Tadych commented that this ordinance is the culmination of many meetings and discussions regarding the ordinance, which represents the City of Bay Village Budget for 2019.

Mr. Clark expressed appreciation for the Finance Committee’s work with the administration on this budget. He noted that it involves several components of the Capital budget, and Council will amend the 2019 budget once the agreement on the bargaining level is satisfied, as well as the Capital spending.

Mr. Barbour announced that Ordinance No. 18-95 is placed on first reading.

Mr. Tadych introduced and read Ordinance No. 18-96, amending by reading to add the words “range of” in the title providing the compensation of the Director of Law and Prosecutor commencing January 1, 2019, and thereafter.(First Reading)

Mr. Barbour announced that Ordinance No. 18-96 is placed on first reading.

Mrs. Stainbrook introduced and read Resolution No. 18-97 authorizing Funds and Documents necessary for replacement of the Queenswood Drive Bridge, and declaring an emergency, and moved for adoption.

Law Director Barbour commented that it would be beneficial to adopt the resolution this evening in order to keep moving forward with additional documents that need to be executed once this resolution is approved. Mr. Clark concurred with the recommendation of Law Director Barbour.

There being no further discussion, Mr. Clark called for a vote on the motion for adoption of Resolution No. 18-97.

Roll Call on Suspension of the Charter Rules:
   Yeas– DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark
   Nays– None.

Roll Call on Suspension of the Council Rules:
   Yeas – DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark
   Nays – None.

Roll Call on Inclusion of the Emergency Clause:
   Yeas – DeGeorge, Mace, Maier, Stainbrook, Tadych, Winzig, Clark
Mr. Barbour announced adoption of Resolution No. 18-97, an emergency measure, with a vote of 7-0.

AUDIENCE

Mr. John Suter, Parkside Drive, Bay Village, spoke on behalf of the Tuesday night Bridge players who play at the Dwyer Memorial Center on Tuesday evenings from 7 p.m. to 9 p.m., stating that Tuesday night Bridge started over 15 years ago, by the late Gerda Potz, who knew Chicago or party bridge rules and was the absolute authority on playing the game.

Mr. Suter explained that there are people who can’t play during the normal business hours at Dwyer Center, and this allows the City a greater use of the building. During Mr. Suter’s time at Tuesday night Bridge, there have been no incidents, either medical or physical. When entering the building at night, there are two from the group and the same when they lock up and leave, which is a safety feature as well as a buddy check system. They have members who know CPR and are prepared to call the Fire Department should EMS services be needed, or the police for untoward activity. With this two person buddy system, there have been no acts of vandalism or theft from the building during their watch.

Mr. Suter stated further that they have been trying to get the 60+ group at Dwyer interested so they can get them playing Bridge at a younger age. He noted that it has been proven that Bridge is one of the top ways to keep the brain active and ward off some problems associated with aging. Those who have day jobs and can’t attend during the day are prime candidates for Tuesday night Bridge. Mr. Suter and his friends will teach them the game in a relaxed atmosphere.

The last point Mr. Suter made is that they have fun. Unlike duplicate Bridge, which is very disciplined and rigidly structured, they gather as a social group as well as improving their Bridge playing game. They normally have 8 to 12 people playing, and are encouraging all attendees to check in to reflect an accurate count.

Mr. Suter asked the Mayor why Tuesday night Bridge is being ended. He ended his statement by promising that they aren’t going down without making sure everyone possible they can contact knows this activity is being taken away from a dedicated group of senior citizens.

Mayor Koomar responded that they are looking at all options to keep the Bridge going. In this day and age, an activity without staff present presents a liability question for consideration. They would like to find a way to make this work, but also have to protect the City and find that balance.

Mr. Suter asked if staff at Dwyer Memorial Center can be realigned.
Special Meeting of Council
November 26, 2018

Mayor Koomar stated that is what they are taking a look at right now.

**Mrs. Stainbrook** thanked Mr. Suter for bringing this matter forward. Mrs. Stainbrook has received emails from residents about the Tuesday night Bridge. She would like to figure out how they can make it work. Mrs. Stainbrook noted that she has a strong concern about liability, and appreciates all the information Mr. Suter presented this evening, especially the process of the buddy system and the opening and closing of the building. Mrs. Stainbrook stated that she is always of the philosophy of hoping for the best, but from a City liability standpoint we have to plan for the worst.

Mrs. Stainbrook asked Mr. Barbour for his thoughts, noting that the process described by Mr. Suter seems to have worked for a long time. However, with liability issues, if something were to happen, the City is wide open and liable if it is not a City function with staff available.

Law Director Barbour stated that there is a risk to the City anytime there is a function in a City building. There is also equipment and property in the building that belongs to the City. The Bridge club may not want to assume all of the liability that could go with that use. There is a risk, anytime we let anyone use one of our buildings for an event. It is a real risk to the City, while not doubting the group’s ability or attentiveness. The City would bear responsibility if something happened.

**Janis Fisk**, Roberta Drive, asked if any other groups use the building without direct supervision from the staff at any point of time during the month, and, if so, what conditions are made for them that could be made for the Bridge group.

**Community Services Director Selig** stated that ballroom dance is in the building on Saturday nights. There is also square dancing, but there is an instructor there that is in charge. Mr. Tadych asked if the instructor is given the necessary papers and understands her liability for the activity. Mrs. Selig stated that she would look into that further. She noted the importance of keeping a record of the number of people coming to the activity.

Law Director Barbour commented that people who use the Bay Lodge in Bay Village assume liability for any damage or misuse. There is not the same level of property in the Bay Lodge that is present in the Dwyer Center. They also post a deposit and sign a contract assuming liability.

Mayor Koomar stated that it is on the radar to review over the next few weeks and come back to Council by December 17, 2018.

Mr. Clark expressed appreciation to Mr. Suter for his comments.

**MISCELLANEOUS**

Mr. Clark acknowledged receipt of a nice thank you note from one of the residents for a nice act performed by one of the Bay Village police officers on patrol.
The next meeting of Council will be held on Monday, December 3 at 7:30 p.m., preceded by an Environment, Safety and Community Services Committee meeting at 6:30 p.m.

There being no further discussion, the meeting adjourned at 8:35 p.m.

_______________________________  __________________ ________
Dwight A. Clark, President of Council  Joan Kemper, Clerk of Council
AN ORDINANCE AUTHORIZING CONTINUED PARTICIPATION IN THE HERITAGE HOME LOAN PROGRAM WITH THE CLEVELAND RESTORATION SOCIETY, AND DECLARING AN EMERGENCY

WHEREAS, the City of Bay Village in partnership with the Cleveland Restoration Society provides free technical assistance and optional low-interest rehabilitation loans to owners of older and historic homes in Bay Village through the Heritage Home Loan Program, and desires to continue participation in the program; and

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

SECTION 1. That this Council authorizes the continued participation in the Heritage Home Program with Cleveland Restoration Society.

SECTION 2. That the Director of Finance is authorized to cover the cost of Cleveland Restoration Society fees which cover administrative costs and monitoring of the projects for one (1) year period beginning January 1, 2019 at a cost not to exceed $6,940.00.

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 necessarily 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

111318 kek
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
APPROVING USE BY WILLIAM R. AND JILL S. OATEY OF
SUBMERGED LANDS OF LAKE ERIE FOR SHORELINE IMPROVEMENTS,
AND DECLARING AN EMERGENCY.

WHEREAS, William R. and Jill S. Oatey, 30700 Lake Road, Bay Village, Ohio 44140, are in need of a lease with the Ohio Department of Natural Resources for use of submerged lands to construct the proposed structure as described in Submerged Land Lease Application, SUB-1049-CU; and

WHEREAS, said improvements will take place in submerged lands of Lake Erie, which is under the jurisdiction of the State of Ohio and Cuyahoga County, Ohio; and

WHEREAS, it is determined by the Council of the City of Bay Village, Ohio, pursuant to ORC §1506.11(B) that the City of Bay Village has no need for said designated parcel of submerged lands for any planned use such as ports or docks, nor any other contemplated use for such submerged lands; and further has no objection to said use and does hereby approve said use of the submerged lands for the purpose herein stated;

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

SECTION 1. That William R. and Jill S. Oatey be permitted to proceed with such construction as requested on said submerged lands, subject to any other necessary approvals, and pursuant to a lease to be executed for and in consideration as will be hereinafter determined by the State of Ohio.

SECTION 2. The Council of the City of Bay Village through its action on the submerged land lease resolution, has considered only the needs of the City for the future use of the land and water involved in the request and has not reviewed the impact of said lease on the landowners which adjoin or abut the property involved in the lease application. This impact should be expressed to the Ohio Department of Natural Resources or through the public hearing process held by that office on the submerged land lease application.

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

SECTION 4. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.
November 30, 2018

Mayor Paul A. Koomar  
City of Bay Village  
350 Dover Center Road  
Bay Village, Ohio 44140  
pkoomar@cityofbayvillage.com

Re: Professional Services Proposal 50010318r1  
Code Compliance Consulting

Mayor Koomar,

We appreciate the opportunity to provide you with this professional services proposal regarding the above referenced services. We have discussed your objectives in depth in an effort to develop a thorough understanding of the project parameters. This understanding is reflected in the following proposal for professional services.

Please review this document and feel free to contact me if you have any questions or comments in its regard. I am also normally available 7:30 - 5:00 EST at our office at 216-767-5400, extension 100, and always available via email at pthornton@sixmoae.com.

Sincerely,

Patrick E. Thornton, AIA  
Principal  
Sixmo, Inc.
Understanding

The City of Bay Village is seeking professional consulting services regarding building code compliance and miscellaneous consulting for the City serving as a professional Architect.

Scope of Services

The scope of professional services for this project shall include the following services, executed by Sixmo acting as an independent contractor:

1. Provide Plans Examination Services, acting as the Prime Plans Examiner for the City, in accordance with the State of Ohio Board of Building Standards requirements for such services, and the following:
   a. Sixmo shall act as an independent contractor and shall act in an expeditious and timely manner while supervising and taking charge of the review of the general building plans and specifications for buildings which are referred by the City.
   b. Sixmo shall undertake a thorough examination, either alone or in concert with authorized personnel of the Building and/or Fire Departments, of all such plans and specifications to determine conformity with applicable sections of the Ohio Building Code as they apply to any such proposed building structure.
   c. After completion of a plan review, Sixmo shall mark plans so reviewed as being “approved”, “non-conformance approval”, “conditional approval”, “phased approval”, “annual approval”, or “insufficient construction documents”, and shall issue a Document Examination Review Record identifying code deficiencies, if any, as a condition of plan approval. Plans and Document Examination Review Record shall be returned to the City for further disposition to the applicant.
   d. At the request of the City, Sixmo shall (upon reasonable notice) meet with the City or authorized representatives and shall (as directed) visit construction sites under the jurisdictional authority of the City and make whatever observation reports that the City may request.

2. Provide services in accordance with the State of Ohio Board of Building Standards acting as the Back-up Building Director, when directed by the Mayor.
3. Provide consulting services to the City, when directed by the Mayor, in the role of Consulting Architect, or Consulting Structural Engineer, including:
   a. Sixmo shall attend, when directed by the City, meetings and work sessions in connection with the business matters involving the Building Department and/or other City Commissions and shall represent the City of Bay Village in matters when so instructed by the Mayor.
   b. Sixmo shall provide professional architectural design services to the City upon request by the Mayor.

**Deliverables**

Sixmo shall provide the following deliverables as a part of the base scope of work:

1. PDF files for all deliverables, delivered via email.

Additional hard copies of deliverables are available to the Client at Sixmo's cost of reproduction and labor, plus 10%.

**Clarifications and Exceptions**

1. Sixmo shall perform all services in a professional manner in accordance with the Code of Ethics and Professional Conduct of the American Institute of Architects and as consistent with that degree of care and skill ordinarily exercised by members of the same profession. Sixmo shall comply with all applicable local, state, and federal laws.
2. Sixmo shall provide sufficient personnel to accomplish all services as set forth herein.
3. Insofar as the services for plans examination under this Agreement may require, the City agrees to furnish Sixmo with either one (1) complete hard copy set of plans and specifications, or one (1) complete digital copy of plans and specifications received from each applicant.
4. Should the scope of services be greatly changed after the commencement of this agreement, or should it become necessary to supply additional services, this agreement shall be amended from time to time in writing to provide for the inclusion of such additional required services and shall be signed by the parties hereto and submitted to Council for approval as amended.
5. City agrees that if a project covered by the Agreement and performed by the Architect shall be suspended or abandoned, the City shall notify
Sixmo in writing of such suspension or abandonment of said project. City shall pay Sixmo for all actual services rendered in accordance with the payment terms of this agreement.

6. Sixmo understands and agrees that the relationship of Sixmo to the City arising out of this agreement shall be that of independent contractor. It is understood that Sixmo or its representatives, staff, and employees are not employees of the City, and are therefore not entitled to any benefits provided by the City. Sixmo shall be responsible for reporting and accounting for all State, Federal, Social Security, and local taxes where applicable.

7. Unless otherwise provided herein, all notices to the City shall be made to Mayor Paul A. Koomar, City of Bay Village, 350 Dover Center Road, Bay Village, Ohio 44140. Notices to Sixmo shall be made to Patrick E. Thornton, Principal, Sixmo Inc. 28045 Clemens Road, Suite D, Westlake, Ohio 44145.

8. Sixmo understands that this agreement is a contract for personal services of Sixmo and that it is made by the City in reliance upon Sixmo's skill and knowledge in the activities to be performed. Accordingly, this agreement is non-assignable by Sixmo without the City's written consent. In addition,

9. Sixmo reserves the right to subcontract services related to the scope of work that Sixmo does not provide in-house, only upon written consent of the City.

10. This agreement constitutes the entire agreement between the parties pertaining to the subject matter and supersedes all prior contemporaneous agreements and understandings of the parties in connection with this subject matter. No modifications or this agreement shall be effective unless in writing and signed by all parties.

11. Sixmo shall maintain at all times during the duration of performance of this agreement such General Liability Insurance as approved by the City as to limit, form, and amount. Professional Liability Insurance shall be secured and maintained in full force during the term of this agreement in an amount not less than $1,000,000.00 per claim. A Certificate of Insurance evidencing coverage shall be provided to the City and the City shall be added as an additional insured.

Schedule

We are available to begin this work immediately. The term of this proposal/agreement shall be for the 2019 Calendar Year.
Professional Fees

The professional services outlined herein shall be provided for an hourly rate of **$95.00** per hour.

Additional Services not outlined herein will be charged at an hourly rate of **$95.00**. Additional services will only be executed upon written direction from the Client. Sixmo Inc. can provide the Client with an estimate to complete for all hourly additional services prior to the initiation of any task.

Expenses

Expenses included in the professional fees above include:

1. Reproduction of deliverables and in-house progress documents required to execute our services.
2. Mileage/Travel costs related to project meetings, and other local travel required to execute the scope of work.

Expenses that shall be considered reimbursable, shall include:

1. Reproductions not included in the base scope of services.
2. Mileage/Travel over and above that specifically indicated as included in the base scope of services. This includes mileage and travel expenses incurred resulting from any additional services not specifically addressed above.
3. Postage/shipping costs for other than normal day-to-day firm operations, including the cost of shipping hard copies of construction documents and revisions to authorities having jurisdiction and to the Client.

Additional expenses, besides those described above, will be invoiced based on cost +10%. Additional expenses will only be incurred upon written direction from the Client.

Method of Payment

Payment for the proposed professional services will be invoiced monthly, based on the services provided and expenses incurred between the first and last day of the month or upon completion of the scope of services. Payments are **due Net 30 Days** from their receipt.
Consequential Damages

Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the Client nor the Consultant, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the Client and the Consultant shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

Third-Party Beneficiaries

Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder. The Client and Consultant agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors and other entities involved in this Project to carry out the intent of this provision.
Acknowledgement

Please acknowledge acceptance of this proposal by signing below and returning a copy to Sixmo Inc.

Acknowledgement and Acceptance:
Sixmo Inc.

Acknowledgement and Acceptance:
The City of Bay Village

By: Patrick E. Thornton, AIA
Title: Principal
Date: November 30, 2018

By: Paul A. Koomar
Title: Mayor
Date: ____________________
To make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2019.

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, 2019, 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:

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<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>General Fund - 100</th>
<th>Special Revenue Fund Group - 200</th>
<th>Debt Service Fund Group - 300</th>
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<td>Personal Service</td>
<td>Other</td>
<td>Personal Service</td>
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<td>Bay Family Services</td>
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<td>Tennis Court Maintenance</td>
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<td>Equipment Replacement</td>
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<td>290</td>
<td>Senior Programs</td>
<td>-</td>
<td>49,500</td>
<td>-</td>
</tr>
<tr>
<td>292</td>
<td>Law Enforcement</td>
<td>-</td>
<td>14,000</td>
<td>-</td>
</tr>
<tr>
<td>293</td>
<td>Drug Fine/Bail Forfeiture</td>
<td>-</td>
<td>5,000</td>
<td>-</td>
</tr>
<tr>
<td>294</td>
<td>Alcohol Intervention</td>
<td>-</td>
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</tr>
<tr>
<td>295</td>
<td>DARE</td>
<td>-</td>
<td>564</td>
<td>-</td>
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<tr>
<td>297</td>
<td>Federal Equitable Sharing</td>
<td>-</td>
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<tr>
<td>299</td>
<td>Grant Funds</td>
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<td>8,000</td>
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<tr>
<td>200</td>
<td>Total Special Revenue Funds</td>
<td>$ 3,499,749</td>
<td>$ 1,056,444</td>
<td>$ 42,500</td>
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<tr>
<td>300</td>
<td>General Bond Retirement</td>
<td>-</td>
<td>$ 4,868,477</td>
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</table>
### Capital Project Fund Group - 400

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal</th>
<th>Capital</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Service</td>
<td>Improvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>400</td>
<td>General Capital Improvement</td>
<td>-</td>
<td>-</td>
<td>1,450,000</td>
<td>$ 1,450,000</td>
</tr>
<tr>
<td>480</td>
<td>Walker Road Park</td>
<td>-</td>
<td>220</td>
<td>-</td>
<td>220</td>
</tr>
<tr>
<td>490</td>
<td>Public Improvement</td>
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</tr>
<tr>
<td>494</td>
<td>Infrastructure Improvements</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>
</tr>
<tr>
<td>496</td>
<td>Public Building Roof Improvements</td>
<td>-</td>
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<td></td>
<td><strong>400 Total Capital Project Fund Group</strong></td>
<td>-</td>
<td>220</td>
<td>-</td>
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### Enterprise Fund Group - 500

<table>
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<tr>
<th>Fund #</th>
<th>Fund Activity</th>
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<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Service</td>
<td>Improvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>520</td>
<td>Pool</td>
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<td>141,500</td>
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<td>$ 408,950</td>
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<tr>
<td>580</td>
<td>Sewer</td>
<td>895,895</td>
<td>1,457,846</td>
<td>72,000</td>
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<tr>
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<td><strong>500 Total Enterprise Fund Group</strong></td>
<td>1,133,345</td>
<td>1,599,346</td>
<td>-</td>
<td>$ 2,834,691</td>
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### Internal Service Fund Group - 600

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal</th>
<th>Capital</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Service</td>
<td>Improvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>600</td>
<td>Health Insurance</td>
<td>1,426,764</td>
<td>-</td>
<td>-</td>
<td>$ 1,426,764</td>
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<tr>
<td>601</td>
<td>General Insurance</td>
<td>-</td>
<td>154,570</td>
<td>-</td>
<td>154,570</td>
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<tr>
<td>602</td>
<td>Workers Compensation</td>
<td>109,770</td>
<td>-</td>
<td>-</td>
<td>109,770</td>
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<td><strong>600 Total Internal Service Fund Group</strong></td>
<td>1,536,534</td>
<td>154,570</td>
<td>-</td>
<td>$ 1,691,104</td>
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### Trust Fund Group - 800

<table>
<thead>
<tr>
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<th>Fund Activity</th>
<th>Personal</th>
<th>Capital</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Service</td>
<td>Improvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>801</td>
<td>Unclaimed Monies</td>
<td>5,000</td>
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<td>-</td>
<td>5,000</td>
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<tr>
<td>810</td>
<td>Cahoon Park</td>
<td>-</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>820</td>
<td>Cahoon Memorial</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>830</td>
<td>Cahoon Library</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>840</td>
<td>Waldeck</td>
<td>-</td>
<td>8,215</td>
<td>-</td>
<td>8,215</td>
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<tr>
<td>860</td>
<td>Dwyer</td>
<td>-</td>
<td>10,000</td>
<td>-</td>
<td>10,000</td>
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<td></td>
<td><strong>800 Total Trust Fund Group</strong></td>
<td>-</td>
<td>23,215</td>
<td>-</td>
<td>$ 23,215</td>
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</table>

### Deposit Fund Group - 900

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<thead>
<tr>
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<th>Fund Activity</th>
<th>Personal</th>
<th>Capital</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Service</td>
<td>Improvement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>930</td>
<td>Building Deposits</td>
<td>-</td>
<td>30,000</td>
<td>-</td>
<td>30,000</td>
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<tr>
<td>931</td>
<td>Security Deposits</td>
<td>-</td>
<td>22,000</td>
<td>-</td>
<td>22,000</td>
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<td></td>
<td><strong>900 Total Deposit Fund Group</strong></td>
<td>-</td>
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<td>$ 52,000</td>
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</table>

### Grand Total All Funds

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund to Parks and Recreation</td>
<td>$ 350,000</td>
</tr>
<tr>
<td>General Fund to General Capital</td>
<td>$ 300,000</td>
</tr>
<tr>
<td>General Fund to Pool</td>
<td>$ 100,000</td>
</tr>
<tr>
<td>General Fund to Community Gym</td>
<td>$ 9,076</td>
</tr>
<tr>
<td>General Fund to Bay Family Services</td>
<td>$ 47,800</td>
</tr>
<tr>
<td>General Fund to Fire Pension</td>
<td>$ 60,000</td>
</tr>
<tr>
<td><strong>Total Transfers</strong></td>
<td>$ 866,876</td>
</tr>
<tr>
<td>General Capital to Infrastructure Improvement (Advance Repay)</td>
<td>$ 115,630</td>
</tr>
<tr>
<td><strong>Total Advances and Advance Repayments</strong></td>
<td>$ 115,630</td>
</tr>
<tr>
<td><strong>Total Transfers and Advances</strong></td>
<td>$ 982,506</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, 2019, 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>Equipment Replacement</th>
<th>Transfers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>67,400.00</td>
<td>-</td>
<td>-</td>
<td>82,700.00</td>
</tr>
<tr>
<td>Clerk of Council</td>
<td>60,960.00</td>
<td>875.00</td>
<td>-</td>
<td>61,835.00</td>
</tr>
<tr>
<td>Mayor</td>
<td>257,900.00</td>
<td>11,590.00</td>
<td>1,000.00</td>
<td>270,490.00</td>
</tr>
<tr>
<td>Law</td>
<td>128,790.00</td>
<td>81,775.00</td>
<td>-</td>
<td>210,565.00</td>
</tr>
<tr>
<td>Finance</td>
<td>248,180.00</td>
<td>25,250.00</td>
<td>1,200.00</td>
<td>274,630.00</td>
</tr>
<tr>
<td>Taxation</td>
<td>-</td>
<td>217,800.00</td>
<td>-</td>
<td>217,800.00</td>
</tr>
<tr>
<td>General Administration</td>
<td>225,700.00</td>
<td>486,036.00</td>
<td>866,876.00</td>
<td>1,578,612.00</td>
</tr>
<tr>
<td>Civil Service</td>
<td>-</td>
<td>20,100.00</td>
<td>-</td>
<td>20,100.00</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>-</td>
<td>650.00</td>
<td>5,650.00</td>
<td>5,650.00</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>5,000.00</td>
<td>600.00</td>
<td>3,100.00</td>
<td>1,100.00</td>
</tr>
<tr>
<td>Service</td>
<td>1,937,200.00</td>
<td>2,191,613.00</td>
<td>10,500.00</td>
<td>4,139,313.00</td>
</tr>
<tr>
<td>Fire</td>
<td>1,432,475.00</td>
<td>110,475.00</td>
<td>14,000.00</td>
<td>1,576,950.00</td>
</tr>
<tr>
<td>Police</td>
<td>2,870,600.00</td>
<td>363,110.00</td>
<td>27,000.00</td>
<td>3,260,710.00</td>
</tr>
<tr>
<td>Central Dispatch</td>
<td>-</td>
<td>128,000.00</td>
<td>128,000.00</td>
<td></td>
</tr>
<tr>
<td>Building</td>
<td>354,570.00</td>
<td>45,390.00</td>
<td>399,960.00</td>
<td></td>
</tr>
<tr>
<td>Architecture Board of Review</td>
<td>-</td>
<td>25.00</td>
<td>25.00</td>
<td></td>
</tr>
<tr>
<td>Community Services</td>
<td>264,658.00</td>
<td>19,650.00</td>
<td>1,000.00</td>
<td>285,308.00</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>7,875,933.00</strong></td>
<td><strong>3,718,239.00</strong></td>
<td><strong>54,700.00</strong></td>
<td><strong>12,515,748.00</strong></td>
</tr>
</tbody>
</table>

**EXHIBIT “B”**

**SCHEDULE OF CAPITAL PROJECTS AND EQUIPMENT APPROPRIATIONS BY FUND**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennis Court Maintenance (238)</td>
<td>Bradley Tennis Courts</td>
<td>7,500.00</td>
</tr>
<tr>
<td>Total Tennis Court Maintenance (238)</td>
<td></td>
<td>7,500.00</td>
</tr>
<tr>
<td>General Capital (400)</td>
<td>Street Improvements</td>
<td>700,000.00</td>
</tr>
<tr>
<td></td>
<td>Columbia Culvert</td>
<td>750,000.00</td>
</tr>
<tr>
<td>Total General Capital (400)</td>
<td></td>
<td>1,450,000.00</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td></td>
<td><strong>1,457,500.00</strong></td>
</tr>
</tbody>
</table>

Total amount appropriated by fund may not be exceeded.
AN ORDINANCE
PROVIDING THE *Range of* COMPENSATION OF THE DIRECTOR OF LAW AND PROSECUTOR COMMENCING JANUARY 1, 2019, and thereafter.

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 range for the Director of Law shall be set at a minimum of Sixty Thousand Three Hundred and Twenty Dollars ($60,320.00), a mid-point of Seventy Five Thousand Four Hundred and One Dollars ($75,401.00), and a maximum of Ninety Thousand Four Hundred Eighty-One Dollars ($90,481.00) for the year commencing January 1, 2019, 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 set at a minimum of Twenty Eight Thousand Three Hundred Three Dollars ($28,303.00), a mid-point of Thirty-Five Thousand Three Hundred Seventy-Nine Dollars ($35,379.00), and a maximum of Forty Two Thousand Four Hundred Fifty-Four Dollars ($42,454.00) for the year commencing January 1, 2019, 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 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, wherefor 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

10/02/2018 JD
To make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2018 as previously appropriated in annual appropriations 17-96, 18-5, 25, 18-30, 49, 57, 66, 79, 80 and 18-87.

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 are hereby set aside and appropriated from the funds herein specified as follows:

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

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>General Fund - 100</th>
<th>Special Revenue Fund Group - 200</th>
<th>Debt Service Fund Group - 300</th>
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<tr>
<td></td>
<td></td>
<td>Personal Service</td>
<td>Other</td>
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<td>72,258</td>
<td>1,098,744</td>
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<td></td>
<td></td>
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<td></td>
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<td></td>
<td>1,066,890</td>
<td>-</td>
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<td></td>
<td></td>
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<td>5,403,306</td>
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<tr>
<td>210</td>
<td>Emergency Paramedic</td>
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<td></td>
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<td>1,345,755</td>
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<td>Parks and Recreation</td>
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<td>309,250</td>
<td>46,400</td>
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<td></td>
<td>914,690</td>
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<td>Community Gym Capital Improvement</td>
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<td>49,500</td>
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<td></td>
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<td></td>
<td>10,100</td>
<td></td>
</tr>
<tr>
<td>235</td>
<td>Bay Family Services</td>
<td>-</td>
<td>46,400</td>
<td>25,507</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>64,977</td>
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<tr>
<td>236</td>
<td>Community Diversion</td>
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<td>6,000</td>
<td>46,400</td>
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<td></td>
<td></td>
<td></td>
<td>6,000</td>
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</tr>
<tr>
<td>238</td>
<td>Tennis Court Maintenance</td>
<td>-</td>
<td>23,000</td>
<td>23,000</td>
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<tr>
<td>240</td>
<td>Equipment Replacement</td>
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<tr>
<td>245</td>
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<td>30,500</td>
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<td></td>
<td>100,000</td>
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<tr>
<td>250</td>
<td>State Highway</td>
<td>-</td>
<td>50,000</td>
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<tr>
<td>270</td>
<td>Street Construction</td>
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<td>250,000</td>
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<tr>
<td>280</td>
<td>Police Pension</td>
<td>374,100</td>
<td>-</td>
<td>374,100</td>
</tr>
<tr>
<td>281</td>
<td>Fire Pension</td>
<td>504,800</td>
<td>-</td>
<td>504,800</td>
</tr>
<tr>
<td>282</td>
<td>Accrued Benefits</td>
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<td>140,000</td>
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<tr>
<td>284</td>
<td>Endowment Trust</td>
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<td>25,507</td>
</tr>
<tr>
<td>290</td>
<td>Senior Programs</td>
<td>-</td>
<td>49,500</td>
<td>49,500</td>
</tr>
<tr>
<td>292</td>
<td>Law Enforcement</td>
<td>-</td>
<td>26,000</td>
<td>26,000</td>
</tr>
<tr>
<td>293</td>
<td>Drug Fine/Bail Forfeiture</td>
<td>-</td>
<td>1,750</td>
<td>1,750</td>
</tr>
<tr>
<td>294</td>
<td>Alcohol Intervention</td>
<td>-</td>
<td>5,800</td>
<td>5,800</td>
</tr>
<tr>
<td>297</td>
<td>Federal Equitable Sharing</td>
<td>-</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>299</td>
<td>Grants</td>
<td>-</td>
<td>30,000</td>
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</table>

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO. 18-
By: Mr. Tadych
### 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>400</td>
<td>General Capital Improvement</td>
<td>-</td>
<td>-</td>
<td>926,563</td>
<td>-</td>
<td>926,563</td>
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<tr>
<td>480</td>
<td>Walker Road Park</td>
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<td>220</td>
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<td>220</td>
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<tr>
<td>490</td>
<td>Public Improvement</td>
<td>-</td>
<td>-</td>
<td>52,000</td>
<td>-</td>
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</tr>
<tr>
<td>494</td>
<td>Infrastructure Improvements</td>
<td>-</td>
<td>-</td>
<td>86,000</td>
<td>115,630</td>
<td>201,630</td>
</tr>
<tr>
<td>495</td>
<td>Municipal Building Improvements</td>
<td>-</td>
<td>25,185</td>
<td>91,500</td>
<td>-</td>
<td>116,685</td>
</tr>
<tr>
<td>496</td>
<td>Public Building Roof Improvements</td>
<td>-</td>
<td>26,624</td>
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<td>Total Capital Project Fund Group</td>
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<td>$52,029</td>
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### Enterprise Fund Group - 500

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<th>Total</th>
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<tbody>
<tr>
<td>520</td>
<td>Pool</td>
<td>$231,730</td>
<td>$131,600</td>
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<td>580</td>
<td>Sewer</td>
<td>899,565</td>
<td>1,459,793</td>
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<td>Total Enterprise Fund Group</td>
<td>1,131,295</td>
<td>1,591,393</td>
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### Internal Service Fund Group - 600

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<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
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</tr>
</thead>
<tbody>
<tr>
<td>600</td>
<td>Health Insurance</td>
<td>$1,339,700</td>
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<td>601</td>
<td>General Insurance</td>
<td>-</td>
<td>173,100</td>
<td>-</td>
<td>-</td>
<td>173,100</td>
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<tr>
<td>602</td>
<td>Workers Compensation</td>
<td>109,020</td>
<td>-</td>
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<td>600</td>
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<td>$173,100</td>
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### Trust Fund Group - 800

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<tr>
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<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
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<td>801</td>
<td>Unclaimed Monies</td>
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<td>2,000</td>
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<td>820</td>
<td>Cahoon Memorial</td>
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<td>830</td>
<td>Cahoon Library</td>
<td>-</td>
<td>6,200</td>
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<td>6,200</td>
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<tr>
<td>840</td>
<td>Waldeck</td>
<td>-</td>
<td>5,000</td>
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<td>-</td>
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<td>800</td>
<td>Total Trust Fund Group</td>
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<td>$13,200</td>
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### Deposit Fund Group - 900

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<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>900</td>
<td>Building Deposits</td>
<td>-</td>
<td>$30,000</td>
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<td>$30,000</td>
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<td>931</td>
<td>Security Deposits</td>
<td>-</td>
<td>22,000</td>
<td>-</td>
<td>-</td>
<td>22,000</td>
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<td>-</td>
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### Grand Total All Funds

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>General Fund to Parks and Recreation</td>
<td>$400,000</td>
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<tr>
<td>General Fund to Community Gym</td>
<td>$8,812</td>
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<tr>
<td>General Fund to Street Construction</td>
<td>$425,000</td>
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<tr>
<td>General Fund to Bay Family Services</td>
<td>$46,361</td>
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<tr>
<td>General Fund to Fire Pension</td>
<td>$100,000</td>
</tr>
<tr>
<td>General Fund to General Reserve</td>
<td>$111,071</td>
</tr>
<tr>
<td>General Fund to Grants Fund</td>
<td>$7,500</td>
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<tr>
<td><strong>Total Transfers</strong></td>
<td>$1,098,744</td>
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<tr>
<td><strong>Infrastructure Improvement to General Capital</strong></td>
<td>$115,630</td>
</tr>
<tr>
<td><strong>Total Advances and Advance Repayments</strong></td>
<td>$115,630</td>
</tr>
<tr>
<td><strong>Total Transfers and Advances</strong></td>
<td>$1,214,374</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). For any Capital Project Funds (400 Series) the appropriation herein approved shall lapse only upon completion of all specified projects; therefore, any appropriation balance unexpended at the end of the fiscal year shall be carried forward to subsequent fiscal years.

Section 5: That 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 any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

Section 6: 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 reason that it is necessary for 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>
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<tbody>
<tr>
<td>Council</td>
<td>$ 64,400.00</td>
<td>$ 13,850.00</td>
<td>$ 5,058.00</td>
<td>-</td>
<td>$ 83,308.00</td>
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<tr>
<td>Clerk of Council</td>
<td>58,230.00</td>
<td>875.00</td>
<td>-</td>
<td>-</td>
<td>59,105.00</td>
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<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>
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<td>Law</td>
<td>156,783.00</td>
<td>92,950.00</td>
<td>-</td>
<td>-</td>
<td>249,733.00</td>
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<td>Finance</td>
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<td>29,450.00</td>
<td>1,200.00</td>
<td>-</td>
<td>278,150.00</td>
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<td>Taxation</td>
<td>-</td>
<td>192,000.00</td>
<td>-</td>
<td>-</td>
<td>192,000.00</td>
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<tr>
<td>General Administration</td>
<td>209,585.00</td>
<td>499,082.00</td>
<td>5,500.00</td>
<td>1,098,743.78</td>
<td>1,812,910.78</td>
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<td>Civil Service</td>
<td>-</td>
<td>20,150.00</td>
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<td>Planning Commission</td>
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<td>-</td>
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<td>Zoning Board of Appeals</td>
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<td>700.00</td>
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<td>3,300.00</td>
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<td>Service</td>
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<td>Fire</td>
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<td>120,150.00</td>
<td>14,000.00</td>
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<td>1,528,705.00</td>
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<td>Police</td>
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<td>388,454.00</td>
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<td>3,235,993.00</td>
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<td>Central Dispatch</td>
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<td>Building</td>
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<td>Architecture Board of Review</td>
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<td>25.00</td>
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<td>Community Services</td>
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<td>18,700.00</td>
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<td><strong>GRAND TOTAL</strong></td>
<td><strong>$ 7,483,586.00</strong></td>
<td><strong>$ 3,851,869.00</strong></td>
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<td><strong>$ 12,506,456.78</strong></td>
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<td>-------------------------------</td>
<td>--------------------------------------------------</td>
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<td></td>
<td></td>
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<tr>
<td>Equipment Replacement (240)</td>
<td>Computer Replacements (Including City Wide Server)</td>
<td>137,765.00</td>
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<td></td>
<td>Community Service-Dodge Caravan</td>
<td>30,000.00</td>
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<td></td>
<td>Fire - Completion of Ambulance</td>
<td>15,050.00</td>
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<td></td>
<td>Police - Cars 1152 and 1191</td>
<td>83,000.00</td>
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<td></td>
<td>Police - CAD/RMS System</td>
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<td>Service - Pick up Truck-2</td>
<td>62,000.00</td>
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<td>Service - Super Duty Dump</td>
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<td>Service - Asphalt Hauler</td>
<td>35,000.00</td>
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<td>Service - Five Ton Dump-2</td>
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<td>Service - Compact Tractor</td>
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<td>Bradley Tennis Courts</td>
<td>23,000.00</td>
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<td>Total Tennis Court Maintenance (238)</td>
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<td>Street Improvement (270)</td>
<td>Lake Road Resurfacing</td>
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<td>Queenswood Bridge</td>
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<td>Bradley Tennis Courts</td>
<td>24,000.00</td>
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<td>Bradley Park Playground</td>
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<td>Total Public Improvements (490)</td>
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<tr>
<td>Infrastructure Improvements (494)</td>
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<td>Columbia Culvert</td>
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<td>Total Infrastructure Improvements (494)</td>
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<td>NOPEC Energy Reimbursable Grant</td>
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<td>Fire Building Renovation</td>
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<td>Police Information Technology Room</td>
<td>31,000.00</td>
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<td>Rose Hill Engineering</td>
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<tr>
<td>Public Building Roof Improvements (496)</td>
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<td>26,624.00</td>
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<td></td>
<td>Misc. Building Roof Improvements</td>
<td>26,624.00</td>
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</tr>
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<td>Total Public Building Roof Improvements (496)</td>
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<td>26,624.00</td>
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<td>Pool (520)</td>
<td>Diving Board Replacement</td>
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<tr>
<td>Total Pool (520)</td>
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<tr>
<td>Sewer (580)</td>
<td>Nantucket Remote Monitoring</td>
<td>5,500.00</td>
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<tr>
<td></td>
<td>Huntington Pump Station Pump</td>
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<td>Total Sewer (580)</td>
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<td>GRAND TOTAL</td>
<td></td>
<td>2,263,268.00</td>
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</table>

Total amount appropriated by fund may not be exceeded.
ORDINANCE NO.
INTRODUCED BY:

ORDINANCE
ENACTING NEW CHAPTER 925 “GREASE INTERCEPTORS, INSTALLATION AND DISPOSAL OF WASTE” OF THE STREETS AND PUBLIC SERVICES CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bay Village is a party to a Multi-Jurisdictional Agreement among the Cities of Bay Village, Fairview Park, Rocky River, and Westlake, under which the Cities share joint use and obligations of the Rocky River Wastewater Treatment Plant; and

WHEREAS, the Rocky River Wastewater Treatment Plant has determined that regulation of fats, oil, and grease entering the wastewater system is needed to protect the sanitary sewer system and the environment and has requested that all member Cities enact specific legislation for that purpose; and

WHEREAS, this Council finds that enacting new Chapter 925 “Grease Interceptors, Installation and Disposal of Waste” of the Streets and Public Services Code of the Codified Ordinances of the City of Bay Village promotes the public health, safety, and welfare of the City and its residents.

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

Section 1. New Chapter 925 “Grease Interceptors, Installation and Disposal of Waste” of the Streets and Public Services Code, of the Codified Ordinances of the City of Bay Village is enacted to read as follows:

“CHAPTER 925
GREASE INTERCEPTORS, INSTALLATION AND DISPOSAL OF WASTE

925.01 PURPOSE.

(a) The purpose of this article is the regulation of the collection and disposal of grease interceptor waste for the protection of the City sanitary sewer system and the environment.

(b) The objective of this ordinance is to reduce the operational and maintenance costs to the City of maintaining the sanitary sewer system by preventing the accumulation of grease within the collection system lines.

(c) This ordinance shall apply to the City of Bay Village and to persons outside the City who, by contract, agreement or otherwise with the City, are users of the City’s sanitary sewer.
925.02 DEFINITIONS.

(a) “BMP” means Best Management Practices.

(b) “City” means the City of Bay Village, Ohio.

(c) “Control Authority” means the City of Rocky River through a Multi-Jurisdictional Agreement among the Cities of Bay Village, Fairview Park, Rocky River, and Westlake, as duly adopted by their Councils and Mayors, with amendment thereof subject to the terms of said Agreement.

(d) “FOG” means Fats, Oils, and Grease.

(e) “FSE” means Food Service Establishment.

(f) “SOP” means Standard Operating Procedure.

(g) “WWTP” means the Rocky River Wastewater Treatment Plant.

925.03 ADMINISTRATION.

The City and/or Control Authority shall administer, implement, and enforce the provisions of this regulation. The City and/or Control Authority may contract with the Cuyahoga County Board of Health to conduct inspections and monitoring and to assist with enforcement actions.

925.04 ENFORCEMENT.

Any entity in violation of this Chapter who does not rectify the violation within a reasonable time period shall be penalized as provided in the State statute or as determined by the Director of Public Safety-Service and Council and shall not be less than the damage incurred to the collection system or the treatment system.

925.05 APPLICABILITY.

(a) Waste which contains grease shall be discharged into the sanitary sewer system only under the conditions of this ordinance. The following facilities shall discharge all waste from sinks, dishwashers, drains, and any other fixtures through which grease may be discharged, into an adequately sized, properly maintained and functioning grease interceptor before the discharge enters the sanitary sewer. The following facilities shall also provide a grease-interceptor(s) inlet-flow control-device inspection port and a grease-interceptor effluent monitoring port:

(b) Every commercial food-preparation and food-service facility, including but not limited to

(1) Bakeries, boardinghouses, butcher shops, cafes, clubhouses, commercial kitchens, delicatessens, ice-cream parlors, hospitals, restaurants, schools, soap factories, and similar facilities, especially where meat, poultry, seafood, dairy products or fried foods are prepared or served; and
(2) All shopping centers that have food-processing facilities; and

(3) All food courts; and

(4) All other facilities discharging grease in amounts that, in the opinion of the City and/or Cuyahoga County Board of Health, will, alone or in combination with other substances from the discharges of the same or other facilities, have a reasonable chance to inhibit the flow in the sanitary sewer; and

(5) All new areas of intensified use or dwelling, including, but not limited to adult day-care facilities, assisted-living facilities, convalescent homes, day nursing and childcare facilities, in which food preparation occurs, homes for the mentally challenged, hotels, maternity homes, motels in which there is a commercial food-preparation service, nursing homes, retirement and life-care communities and homes, and truck stops with commercial food service, shall be required to have grease interceptors. Modifications to existing facilities that do not add new buildings or new grease-generating activities are exempt from this requirement; and

(6) Interceptors shall not be required for single-family residences, duplexes, triplexes, quadplexes, or apartment complexes, unless the City and/or Control Authority first determines there are discharges from the property that may create problems in the sanitary sewer system. The determination shall be made based upon an investigation of the property and a comparison of the content and amount of discharge from the property with the discharges of other properties similar in size and use. Upon a determination that the discharges may create problems in the sanitary sewer system, the City and/or Control Authority may require the installation of a sufficiently sized grease interceptor to treat the discharges.

925.06 COMPLIANCE AND TIMELINE.

(a) On or after the effective date of the ordinance codified in this chapter, an existing facility (excepting those existing facilities described in Section 3 (a)(6) above) shall be required to install an approved, adequately sized, and properly operated and maintained grease interceptor when any of the following conditions exist:

(1) It is found by the City, Control Authority and/or Cuyahoga County Board of Health to be contributing grease in potential quantities sufficient to inhibit sanitary sewer flow or necessitate increased maintenance on the sanitary sewer collection system in order to keep impairments to the main line flow from occurring.

(2) It is remodeling the food preparation or kitchen waste plumbing facilities in such a manner to be subject to a permit issued by the City building department.

(3) Its interceptor allows a discharge of oil or grease in excess of 250 mg/l.

(4) It is required by this or other applicable Ordinance to maintain a grease interceptor and is found to be equipped with an undersized grease interceptor. Such a facility
shall, within 90 days of the effective date of this Ordinance, install an adequately sized grease interceptor in accordance with the specifications of this Ordinance.

(5) It is required by this or other applicable ordinances to maintain a grease interceptor and is found not to be equipped with a grease interceptor. Such a facility shall, within 60 days of the effective date of this Ordinance, install an adequately sized grease interceptor in accordance with the specifications of this Ordinance.

(b) New facilities required by this or other applicable ordinances to maintain a grease interceptor shall install such a unit prior to commencement of discharge to the sanitary sewer system.

(c) Any requests for extensions to installation dates must be made in writing to the City, and/or Control Authority and Cuyahoga County Board of Health, at least thirty (30) days in advance of the compliance date. The written request shall include the reasons for the facility’s failure or inability to comply with the compliance date set forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays. The City and/or Cuyahoga County Board of Health shall determine the date for compliance.

(d) Existing facilities required by this or other applicable ordinances to maintain a grease interceptor that demonstrate that the installation of a grease trap is not feasible may use bioremediation as an alternative. The City, and/or Control Authority and/or Cuyahoga County Board of Health will determine whether a facility may exercise this option for sanitary sewer maintenance. The bioremediation method and product must be approved by the City, and/or Control Authority and/or Cuyahoga County Board of Health in writing prior to use in the drainage system. In addition, the operator must maintain written documentation of a current contract with a bioremediation supplier approved through the City, and/or Control Authority and/or Cuyahoga County Board of Health.

925.07 DISCHARGE CRITERIA.

(a) Where oil and grease are a byproduct of food preparation and/or cleanup, reasonable efforts shall be made to separate waste oil and grease into a separate container for proper disposal. Except as contained in byproducts of food preparation and/or clean up, waste oil and grease shall not be discharged to any drains or grease interceptors. Such waste shall be placed in a container designed to hold such waste and either utilized by industry or disposed of at suitable locations.

(b) None of the following agents shall be placed directly into a grease interceptor, or into any drain that leads to the interceptor:

(1) Emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers, or any type of product that will liquefy grease interceptor wastes,

(2) Any substance that may cause excessive foaming in the sanitary sewer system, or
(3) Any substance capable of passing the solid or semi-solid contents of the grease interceptor to the sanitary sewer system.

(c) The influent to interceptors shall not exceed 140 degrees Fahrenheit (140° F). The temperature at the flow-control-device inspection port shall be considered equivalent to the temperature of the influent.

(d) Toilets, urinals, and other similar fixtures shall not discharge through a grease interceptor.

(e) Waste shall only enter the grease interceptor through the inlet-flow-control device.

(f) Where food-waste grinders are installed, the waste from such units shall discharge directly into the building drainage system without passing through a grease interceptor. Living quarters, as defined in Section (a)(6), are exempted from this requirement.

**925.08 REQUIREMENTS FOR GREASE INTERCEPTORS AND TRAPS.**

(a) The operator must apply for all necessary permits prior to installation of any grease trap or interceptor.

(b) The inspector assigned by the City and/or Control Authority will oversee the installation of the trap or interceptor.

(c) Grease traps shall be installed a minimum distance of ten (10) ft. from sinks and dishwashers to allow for adequate cooling of wastewater. Water temperatures must be less than 150 degrees Fahrenheit (150°F) prior to entering grease trap.

(d) Sample port. A sample port shall be installed on the effluent line of each grease trap. The port shall be a minimum of six (6) inches in diameter and be connected to the sewer line at a 90° degree angle to allow for sampling activities. The port shall be installed in such a manner as to be protected from storm water contamination and maintained in a safe and proper operating condition. The plug on the sample port must be easily removable.

**925.09 INTERCEPTOR MAINTENANCE.**

(a) It shall be unlawful for a grease or grit generator to allow grease or grit interceptor waste to be removed from his premises by a transporter who does not have all applicable Federal, State, or local permits or registrations, including any permit required by the Cuyahoga County Board of Health Waste Haulers.

(b) If a vacuum truck company is used to remove the grease from the interceptor or trap, the following information must be kept on file with the operator and submitted to the City, and/or Control Authority and/or Cuyahoga County Board of Health:

(1) The vacuum truck company name, address, and telephone number,

(2) The name of a primary and secondary contact person at the vacuum truck company,
(3) The Cuyahoga County Board of Health permit number,

(4) Be signed and dated by an authorized representative of the vacuum truck company indicating acceptance of the terms of the contract,

(5) The name, address, and telephone number of the disposal site,

(6) The signature of the facility representative present when the grease trap was cleaned.

(c) The vacuum truck company shall provide a Certificate of Insurance, Certificate of Assurance, and Certificate of Indemnification.

(d) Facilities are responsible for maintaining grease traps in continuous proper working condition. Further, facilities are responsible for inspecting, repairing, replacing, or installing apparatus and equipment as necessary to ensure proper operation and function of grease traps and compliance with discharge limitations at all times.

(e) Records of maintenance are required to be maintained on site for three (3) years. (90-day maintenance frequency assumes proper sizing and installation consistent with this guidance).

(f) The facility shall maintain adequate documentation that the grease interceptor is appropriately cleaned and inspected.

925.10 REQUIRED PUMPING FREQUENCY.

(a) Unless otherwise specified in writing by the City, and/or Control Authority and/or Cuyahoga County Board of Health each grease interceptor in active use shall be cleaned at least once every calendar quarter or more frequently as needed to prevent carry over of grease into the sanitary sewer system, unless it is demonstrated to the City, and/or Control Authority and/or Cuyahoga County Board of Health that the pumping frequency can be performed at greater intervals without impairment of the operation of the public sewer. Any grease generating facility desiring a schedule less frequent than quarterly shall submit a request to the City, and/or Control Authority and/or Cuyahoga County Board of Health.

(b) FSE’s are required to maintain on site copies of disposal manifests and invoices for a period of not less than three years. If these documents show greater than 25% of grease and solids, pumping frequency is to be increased to the extent required to maintain less than 25% solids. This increase in frequency is to occur within 14 days of notification by the disposal agent.

(c) The facility shall be responsible for providing such additional pumping as needed.

(d) All grease interceptors shall be maintained by the facility at the facility’s expense.

925.11 INTERCEPTOR MAINTENANCE LOG.
(a) All new and unregistered FSE’s must register with WWTP in written document form as a FOG discharger. The document should include the FSE size and type of establishment, and documents pertaining to interceptor cleaning, pumping, and maintenance logs.

(b) Every facility having a grease interceptor shall maintain an Interceptor Maintenance Log indicating each pumping for the previous three (3) years. This log shall include the date, time, amount pumped, hauler and disposal site, initials of individual recording the information, and shall be kept in a conspicuous location on the premises of the facility for inspection. Said log shall be made immediately available to any authorized inspector.

(c) All FSE’s shall develop and implement a BMP program. The BMP shall be designed to minimize FOG discharge into the sewer. The BMP shall include:

(1) Pumping frequency requirements,

(2) Manufacturer instructions,

(3) Records of inspection, hauling, and cleaning,

(4) SOP’s for staff on the proper handling of food wastes, cleaning, and grease disposal,

(5) Logs of training on above,

(6) The BMP shall be signed and dated by a responsible company official and reviewed annually.

925.12 FEES.

(a) The City, with the approval of City Council, has the option to establish permit fees under this ordinance.

(b) The fees for such permits shall be for a permit issued for a period of one (1) year. All permits will expire at 12:00 midnight on the date specified on the permit as determined by the City.

925.13 VIOLATION.

(a) It is unlawful for any person and/or facility to discharge into the sanitary sewer system in any manner that is in violation of this Ordinance, or of any condition set forth in this Ordinance. No person shall cause or permit the plugging or blocking of, or otherwise interfere with or permit the interference of the operation of a grease interceptor or the sanitary sewer system, including alteration or removal of any flow constricting devices so as to cause flow to rise above the design capacity of the interceptor.

(b) No person and/or facility shall discharge grease in excess of 250 mg/l to the sanitary sewer system.
(c) The Control Authority may suspend water or sewer service when such suspension is necessary, in the opinion of the Control Authority, in order to stop an actual or threatened discharge which:

(1) Presents or may present an imminent or substantial endangerment to the NPDES or health or welfare of persons or the environment;

(2) Causes or may cause stoppages or excessive maintenance to be required to prevent stoppages in the sanitary sewer collection system;

(3) Causes interference to the sanitary sewer system; or

(4) Causes the City and/or Control Authority to violate any condition of its NPDES or City Discharge Permit.

(d) Any person notified of a suspension of the water or sewer service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with a suspension order, the City and/or Control Authority may take such steps as deemed necessary, including immediate termination of water or sewer service, to prevent or minimize actual or threatened damage to the sanitary sewer system or sewer connection or endangerment to any individuals. The City and/or Control Authority shall reinstate the water or sewer service upon receipt of proof that such conditions causing the suspension have passed or been eliminated. A detailed written statement submitted by the facility describing the cause(s) of the harmful discharge and the measure(s) taken to prevent any future occurrence shall be submitted to the City and/or Control Authority within fifteen (15) days of the date of occurrence.

(e) Any person who violates any provision of this ordinance, or who shall fail to comply with any provision hereof, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than two thousand dollars ($2,000.00) for each violation and each day a violation continues, shall constitute a separate offense and shall be punished accordingly.

(f) In addition to any applicable fines or penalties, a violator shall be liable to the City and/or Control Authority for any expense, loss, or damage occasioned by the City and/or Control Authority for clean-up and proper disposal of said materials. The violator shall be further required to pay an administrative fee equal to one-half (1/2) of assessed clean-up costs.

(g) The City and/or Control Authority has the option to take additional action against any facility that has caused three (3) or more sanitary sewer blockages in one calendar year due to excess grease accumulation.

925.14 SEVERABILITY.

If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the remaining parts of this chapter. The governing body declares that it would have passed the remaining parts of this chapter if it had known that such part or parts thereof would be declared invalid."
Section 2. 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 of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including O.R.C. Section 121.22.

Section 3. 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 reasons stated in the preamble hereof, 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
AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH
SIXMO, INC. AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Basic Building Code requires that for buildings other than one, two, or three family dwellings, an architect or professional engineer registered in the State of Ohio shall examine and approve the building plans and specifications filed with the City; and

WHEREAS, based on a review of alternatives and qualifications, the Mayor would like to engage Sixmo, Inc. ("Sixmo"), registered architects in the State of Ohio, to provide architectural services to the City.

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

SECTION 1. That the Mayor is hereby authorized and directed to enter into a contract with Sixmo, "Professional Services Proposal 50010318," attached hereto as Exhibit A and incorporated herein by reference, to provide architectural services to the City. The Mayor is further hereby authorized to enter into any renewal contracts as provided for by agreement of the parties.

SECTION 2. That the Finance Director is hereby authorized to pay Sixmo such sums to which it may be entitled for the performance of work under and by virtue of the contract with the City, including any renewal periods as contracted for by the Mayor.

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 necessarily 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

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CLERK OF COUNCIL

APPROVED:

_____________________________
MAYOR

112818 kek
AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH
CHAGRIN VALLEY ENGINEERING, LTD., ESTABLISHING RELATED
COMPENSATION, AND DECLARING AN EMERGENCY

WHEREAS, the City of Bay Village desires to retain a professional engineer to further
the interests of the City and its residents; and

WHEREAS, based on a review of alternatives, recommendations provided by other cities,
and conversations with Chagrin Valley Engineering, Ltd. ("CVE"), the Mayor would like to
engage CVE to provide engineering services to the City.

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

SECTION 1. That the Mayor is hereby authorized and directed to enter into the
"Contract for the Provision of Municipal Engineering Consulting Services to the City of Bay
Village" attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. That Donald P. Beirut, P.E. as a principal with CVE shall receive the
annual sum of Forty-Five Thousand Dollars ($45,000), and Jeffrey J. Filarski, P.E. shall receive
the annual sum of Five Thousand Dollars ($5,000) as compensation for the services described in
Section 2 of the Contract, commencing with pay period number two of 2019, payable in bi-weekly
installments and subject to payroll and Public Employee Retirement System withholding taxes.

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 necessarily 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
112018 kck
AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PARTNERS ENVIRONMENTAL CONSULTING, INC. FOR SERVICES RELATED TO CAHOON PARK, AND DECLARING AN EMERGENCY.

WHEREAS, the City is in need of environmental and engineering consulting services to prepare documentation required by the Ohio EPA and conduct an investigation in relation to the landfill in Cahoon Park; and

WHEREAS, the City has received a Proposal for Rule 13 Permit Submittal and Landfill Investigation Activities from Partners Environmental Consulting, Inc., 31100 Solon Road, Suite G, Cleveland, OH 44139 (“Partners”);

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

SECTION 1. That the Mayor is hereby authorized to enter into an agreement with Partners to proceed with the proposed services at a cost not to exceed Twenty-Two Thousand and Thirty Dollars ($22,030.00).

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

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

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CLERK OF COUNCIL

APPROVED:

________________________________________
MAYOR

113018 kek
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE
CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT,
AND DECLARING AND EMERGENCY

WHEREAS, cooperation between the Cuyahoga Soil and Water Conservation District (SWCD) and the City facilitates solutions to problems encountered by the City as it plans for water quality improvements and the development/redevelopment and conservation of its environment, and;

WHEREAS, implementation of conservation education, stewardship, and public involvement activities that correspond to the City’s Municipal Separate Storm Sewer System (MS4) permit is necessary for the conservation of soil and water resources; and

WHEREAS, a Memorandum of Understanding (MOU) has been presented that agrees to a scope of services for assistance related to education, stewardship, and public involvement for the conservation of soil and water resources to reach residents, staff, and school children in the City; and

WHEREAS, the SWCD has authority to enter into this MOU with the City pursuant to Chapter 940 of the Ohio Revised Code; and

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

SECTION 1. The Mayor is hereby authorized in the name of the City of Bay Village to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for the twelve month period effective January 1, 2019 and with an annual conservation appropriation (grant), not to exceed $5,500.00 to be paid annually.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.11 of the Ohio Revised Code.

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

PASSED:
Resolution – SWCD Education

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

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MAYOR

112818 kek
RESOLUTION NO.
INTRODUCED BY:

A RESOLUTION
AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH THE
CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT,
AND DECLARING AND EMERGENCY

WHEREAS, cooperation between the Cuyahoga Soil and Water Conservation District (SWCD) and the City facilitates solutions to problems encountered by the City as it plans for water quality improvements and the development/redevelopment and conservation of its environment, and;

WHEREAS, in making technical assistance and expertise available to the City, the SWCD seeks to influence local planning and regulatory capability toward better conservation of soil and water resources; and

WHEREAS, the SWCD has authority to enter into this Memorandum of Understanding (MOU) with the City pursuant to Chapter 1515 of the Ohio Revised Code; and

WHEREAS, recognizing the need for effective collaboration in carrying out mandated responsibilities, especially related to the Minimum Control Measures for the National Pollutant Discharge Elimination System (NPDES) for Storm Water as defined with the Ohio Revised Code 3745-39-04(B)(1) through (6), the City and SWCD agree to enter into this MOU as the document which describes the process for collaboration between the parties.

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

SECTION 1. The Mayor is hereby authorized in the name of the City of Bay Village to enter into a Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for conservation of natural resources and storm water program technical assistance for the twelve month period effective upon execution of the Memorandum of Understanding and with an annual conservation appropriation (grant), not to exceed $4,120.00 to be paid annually.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.11 of the Ohio Revised Code.

SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reasons stated in the preamble hereof, wherefore this resolution shall be in full force and take effect immediately upon its passage and approval by the Mayor.
Resolution – SWCD Collaboration

PASSED:

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

APPROVED:

_______________________________
MAYOR

112818 kek
ORDINANCE NO.
INTRODUCED BY:

ORDINANCE
ENACTING REVISED CODIFIED ORDINANCE SECTION 1310.01(B)
REGISTRATION/LICENSING OF CONTRACTORS, AND DECLARING AN
EMERGENCY

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

SECTION 1. That Codified Ordinance Chapter 1310 - Registration/Licensing of
Contractors, Section 1310.01 - Registration requirement, Subsection (b), which presently reads as
follows:

“(b) No provision of this chapter shall be interpreted to require that a person, firm or corporation
who is an owner or lessee of premises shall be registered to perform work upon such
premises owned by such person, firm or corporation. Persons employed by the owner of
the property in the capacity of a Building Custodian shall not be required to register or be
otherwise subject to any provision of this chapter.”

is hereby amended by enacting revised Subsection 1310.01(b) to read as follows:

“(b) The provisions of this chapter shall not apply to:

1) a person, firm or corporation who is an owner or lessee of non-residential premises
for the performance of work upon such premises
2) persons employed by the owner or lessee of non-residential premises in the capacity
of a building custodian for such premises
3) an individual owner-occupant of residential premises for the performance of work
upon such premises.”

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

PASSED:

__________________________
PRESIDENT OF COUNCIL

__________________________
CLERK OF COUNCIL

__________________________
MAYOR
112918 kek