AGENDA

Agenda, Bay Village City Council                                       Date: December 17, 2018
Committee Meeting                                                   Time: 7:30 p.m.
Conference Room, Bay Village City Hall                               
Dwight Clark, President of Council, Presiding

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

Council approval of Eric Tuck-Macalla as Building Director of the City of Bay Village as of December 17, 2018.

Approval of Labor Contracts: Police (Gold and Blue); Firefighters.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

FINANCE & CLAIMS COMMITTEE-Tadych

Annual Appropriation Ordinance – Year 2019.

Compensation for Director of Law and Prosecutor effective January 1, 2019.

Amended Annual Appropriation Ordinance.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE- Stainbrook

Sixmo Architectural Services.

Chagrin Valley Engineering Services.

Agreement with the Ohio Department of Transportation (ODOT) State Infrastructure Bank for Columbia Road Culvert Repairs.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

Revised Codified Ordinance Section 1310.01 (B) – Registration/Licensing of Contractors.

Service Department Vehicle Purchase: Concord Minuteman Truck Equipment Package.
Purchase of replacement pump for Huntington Lift Station.

AUDIENCE

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES

Approval of Partners Environmental Contract for work to be done in Cahoon Memorial Park.
President of Council Clark called the meeting called to order in the Conference Room of Bay Village City Hall at 7:30 p.m.

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, Recreation Director Enovitch, Fire Chief Lyons, Community Services Director Selig, Human Resource Director Demaline, Building Director (12-17-18) Eric Tuck-Macalla, Karen Kirsh, representing The Illuminating Company.

AUDIENCE

Clare Banasiak, Jeff Galatin, Cappi Mercer.

ANNOUNCEMENTS

Karen Kirsh, Area Manager
Illuminating Company

Mr. Clark introduced Karen Kirsh, Area Manager for The Illuminating Company, who has been the liaison for the City of Bay Village for twelve years. The last meeting with The Illuminating Company representatives was held in December of 2016, and it was thought timely to have Karen come in this evening and provide Council with an update and address concerns about power outages.

Mayor Koomar noted that First Energy has the opportunity to run energy audits, which are basically outage reports. Supervisors from the company will respond to these reports and come out to investigate. Many times the outages are caused by tree branches on private property, or shrubbery that can cause interruptions. In the Longbeach area, they are in the process of analysis at this time.

Karen Kirsh advised that John Skory, the President of the Cleveland Electric Illuminating Company and she were here in 2016, and made many promises to address issues. Primarily, the issues addressed were on Elmwood, Kenilworth, and Parkside Drives. When running the outage histories, there were between seven and nine outages over a nineteen month period. The company did some circuit patrols, manual controls, and thermal scans to detect hot spots that are not visible to the naked eye. The company had 200 hours of scheduled maintenance in 2017 for the four substations that serve Bay Village. Ms. Kirsh stated that she is happy to report that one of the worst problems that they had was on Elmwood with nine outages when they recorded it in 2016. It is now down to just one outage this last February for 100 minutes. Another area, Parkside Drive, has recently only had one four minute outage this past July. Ms. Kirsh stated that they have met their
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commitments, made improvements, and continue to address problems in these and other areas. Extra tree trimming was done on Knickerbocker Road and they recently found a problem tree on Bradley Road that was coming in contact with the primaries and causing multiple momentary outages. That situation has been cleared up. A large tree was removed this last month on Lincoln Road, which will help reliability. They also found and repaired an underground cable fault at Cashelmara Condominiums.

Ms. Kirsh asked Council to express their concerns.

Mr. Clark stated that a resident that lives on Northfield Drive reported outages to Council at a meeting about three weeks ago. Councilwoman Maier stated that the residents along Longbeach, Northfield, Pinewood and Goulders Green have reported outages. Ms. Maier noted that one of the things she noticed was that the outage map was not corresponding with what she was hearing from people. It wasn’t showing that there were outages in the process. If the information you are seeing on line isn’t up to date, that is a problem.

Ms. Kirsh stated that she had one situation like that on Lincoln, and they reported to the customer that their power was restored. The resident’s breakers tripped when the power went out. His power had been restored, but he did not know it until he flipped the breakers.

Ms. Maier stated that there were multiple residents affected, and the complaint was that the outage map was not in sync with the outages. Ms. Maier will supply Ms. Kirsh with more information specific to these complaints.

Ms. Maier asked Ms. Kirsh about the momentary outages, noting that it happens frequently on her street, Florence Street, where bi-weekly the lights flicker. She asked Ms. Kirsh to speak a little more about the causes of the momentary outages. Ms. Kirsh stated that tree branches, wind and animals may cause an outage. There is protection on the system in the event of a temporary fault. The fault is given three chances to clear itself. If a tree branch comes down and hits the wire, the company will shut it off temporarily to keep it from having a more severe effect, and if it doesn’t clear itself within three times, then the lights go out. If the power flickers three times and it stays on, someone else’s just went out. Underground cable faults are really difficult to detect.

Mr. Tadych stated that it is interesting to hear that underground cable, although thought to be a better system, has its own difficulties. It is not just the trees, so people that want everything underground may not be correct.

Ms. Kirsh stated that it does take a lot longer to locate an underground fault, and then it is required to be dug up and repaired, extending the life of an outage to three hours, compared to possibly 90 minutes on an overhead repair.

Mrs. Stainbrook stated that in reviewing the Environment, Safety and Community Services Committee meeting of December 12, 2016, one of the things mentioned that was helpful was the discussion about the tree trimming done on a four-year cycle. Also, Mr. Skory mentioned that residents can check with the Illuminating Company and if there are trees in the proximity of the wires where there have been outages, First Energy will take down that tree at the company’s cost. It
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does behoove residents to check in terms of whether a certain tree is causing outages, and does it need to be rectified. It could be a cost-effective way to handle these outages.

Ms. DeGeorge stated that during the last outages there was a group of residents whose power went out and it was out overnight. The power came back on for about three hours, and then it went out again.

Ms. Kirsh will investigate further, but stated that sometimes there is more than one tree on a circuit, and there may be multiple branches or trees down, especially in a storm.

Ms. DeGeorge stated that they questioned the transformer, and not the system, because it was the same area. Ms. DeGeorge will send Ms. Kirsh the addresses in question, noting that it seemed odd that it was off for so long, then came back on for a long period, and then went off again for a long period.

Ms. DeGeorge stated that there may have been some confusion in 2016 when the reliability complaints were discussed. There were different residents, same power outage in October, where one said they called and were able to log a reliability complaint, and others that called and were told that their complaints could not be taken because power is out everywhere.

Ms. Kirsch recommended waiting until after the storm to report a reliability complaint because the reliability complaint people are out restoring power.

Ms. Kirsh stated that outages should be reported to 888-lightss.

Ms. DeGeorge asked about the removal of poles, and disturbance to tree lawns. Ms. Kirsh stated that she has asked to be provided with addresses of the poles that are being replaced. She also will give Mr. Liskovec the name of the representative for AT&T.

Mr. Tadych stated that residents have complained that the pile of dirt next to the pole replaced comes up two to three feet. Mr. Tadych informs them that this is because of the settling and to make the poles substantial and strong. He asked if there is a period of time that this should happen and the City or the Illuminating Company should be notified for further remedy.

Ms. Kirsh stated that the hole for the old pole is to be filled in and the settling process for the dirt takes six months to a year.

Mr. Clark stated that a yearly summary of the work that The Illuminating Company has done, or actions that have been taken, would be helpful for the record. Ms. Kirsh will provide that summary.

Ms. Kirsh was thanked for her attendance and report this evening. Ms. Kirsh will be provided a copy of the minutes of this meeting.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Mace

BAYarts application for a D3 Liquor Permit.
Mr. Mace will move to not request a hearing by the Ohio Division of Liquor Control on the matter of an application by BAYarts for a D3 Liquor Permit. Police Chief Spaetzel has confirmed that the Police Department has no reason for objection to the issuance of a permit.

Heritage Home Loan Program 2019.

Mr. Mace will introduce an ordinance authorizing the City to apply for continuance as a participant in the Heritage Home Loan Program in 2019 with the Cleveland Restoration Society. Mr. Mace noted increased activity in the program in 2018, and with the housing stock in Bay Village and the need for maintenance, he encouraged maintaining participation in the program.

Mr. Clark expressed agreement in the continuance of the program, and noted that a larger percentage of homes in Bay Village have passed the 50 years of age mark. Mayor Koomar added that every year the number of eligible homes increases. The number of homes that are sent information regarding the program increases as well. For many folks, it is a first time event, and in other cases many have come back a second year to seek clarification regarding the changes in the program.

Submerged Land Lease, 30700 Lake Road.

Mr. Mace will introduce a resolution this evening at the Regular Meeting of Council to authorize the homeowners of 30700 Lake Road to apply to the Ohio Department of Natural Resources for a submerged land lease.

Meeting of Environment, Safety and Community Services Committee

Mr. Mace reported that a meeting was held this evening at 6:30 p.m. of the Environment, Safety and Community Services Committee to set the way forward in 2019 to review fence regulations in the City of Bay Village. The committee will review the ordinance to see if there will be any changes, or if the rules should be kept as they are presently. The next meeting will be held in the middle of January 2019 to delve into the ordinance, and to bring the conclusion forward by the end of April.

FINANCE & CLAIMS COMMITTEE-Tadych

Annual Appropriation Ordinance – Year 2019.

Mr. Tadych will present Ordinance No. 18-95, the Annual Appropriation Ordinance for second reading this evening. The ordinance represents the 2019 City Budget, and has been discussed for many weeks.

Compensation for Director of Law and Prosecutor effective January 1, 2019.

Mr. Tadych will present for second reading this evening, Ordinance No. 18-96, which provides the range of compensation for the Director of Law and Prosecutor for 2019.

Finance Director Mahoney has prepared and submitted an Amended Annual Appropriation Ordinance for 2018. A memorandum dated November 28, 2018 from Director Mahoney outlines the adjustments to the 2018 appropriations as follows:

- $60,562 to be appropriated from the General Capital (Fund 400) for the Queenswood Bridge.
- $5,100 to be appropriated from the Community Gym (Fund 231) for mats for the floors and walls.
- $6,665 for Fire Station Heat Repair.
- $20,000 for increased fuel costs to be appropriated from the Service Fund 270, General Fund for Composting, Community Service, Police, Fire, and Parks Fund 230.
- $4,500 to be appropriated for repair of Fiber Lines between Police and Fire Department necessary because of damage to the line on November 22, 2018.
- Appropriation of $111,070.78 from the General Fund to the General Reserve Fund.
- $5,500 appropriation to be funded from the Public Building Improvements (Fund 495) for Sixmo Architectural Services analysis of feasibility study of old library building.
- $22,030 appropriation from General Fund, Cahoon Park for payment to Partners Environmental for landfill evaluation of soccer field.
- $8,500 appropriation of grant funds for Fire Department hoods and gloves, Reimbursement will be received from the Bureau of Workers Compensation.

Mayor Koomar commented that the current analysis of Partners Environmental is to establish where the landfill was in Cahoon Memorial Park so that going forward that information is part of the official records. The soccer shed is on the edge of the landfill area, and part of the testing will be around the shed, which will help determine how to go forward within the deadline on using the State Infrastructure Funds. Several samples will be taken to provide an opportunity, without running afoul of the Environmental Protection Agency, to do some due diligence and understand what is there. Ten samples will be taken and more testing will be done in certain areas depending on the outline of the field design. If the samples are favorable, the shed can be extended out and work will commence with an architect to design the new restrooms and storage area. To save costs, the City is able to use their equipment and personnel for the test digs.

Ms. DeGeorge stated that there was discussion at the Council meeting on November 26, 2018 about including the words “range of” compensation in the title of Ordinance 18-96. Ms. DeGeorge asked if the other compensation ordinances of the City have the words “range of” in the title of the ordinance. Mr. Clark stated that this is the intention of the ordinances. Mr. Tadych stated that this schedule of wages for the Law Director and Prosecutor is going to the group of ranges that have already been set. Ms. DeGeorge stated that she understands that, but is the word “range” included in the title of the other compensation ordinances that have been adopted?

Human Resource Director Demaline will check and get back to Ms. DeGeorge.
Mr. Clark clarified that the gym mat price of $5,100 is for both wall and floor gym mats. Mr. Clark asked if this expenditure for the gym mats is subject to the two-thirds, one-third division of expenditures between the City and the Schools. All Capital Improvements for the Community Gym are to be split that way, based on the agreement between the City and the Schools for the Community Gym.

Mrs. Mahoney stated that she did not consider mats to be a Capital Improvement. Mr. Clark stated that he would consider the mats a Capital Improvement if they last longer than a year or two.

The Amended Appropriation for 2018 will be presented for adoption at the Regular Meeting of Council to be held this evening.

**PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Maier**

Ms. Maier had no report this evening.

**PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Stainbrook**

Enacting new Chapter 925, Grease Interceptor Installation and Disposal of Waste Legislation.

Mrs. Stainbrook stated that this ordinance is relative to the Rocky River Wastewater Treatment Plant. There is a multi-jurisdictional agreement between Bay Village, Fairview Park, Rocky River and Westlake for the operation of the plant. The Rocky River Wastewater Treatment Plant has requested that the four cities enact this legislation for regulating the grease emissions into the waste water by commercial enterprises.

Mayor Koomar noted that the Rocky River Wastewater Treatment Plant management, together with the Cuyahoga County Board of Health, has asked that this ordinance be adopted. They are not anticipating any major changes for the restaurant owners, but the Mayor would like verification of that before the ordinance is adopted. This ordinance is specific to the Rocky River Wastewater Treatment Plant, and is required by the Environmental Protection Agency. Many times the Board of Health has been enforcing these standards. The EPA wants to see that there are ordinances passed requiring it, and not just the Board of Health enforcement. The ordinance will be placed on first reading this evening, with possible adoption on December 17, 2018 or early January, 2019.

Sixmo Architectural Services.

Mrs. Stainbrook advised that Sixmo Architectural Services will do some work related to the current library building, and potential work related to the Dwyer Memorial Center. The contract also provides structural engineering services, provides and meets the requirements for the backup Chief Building Official.
Mayor Koomar stated that the contract includes a plans review option. Mayor Koomar introduced Eric Tuck-Macalla, the new Chief Building Official for the City of Bay Village effective January 1, 2019.

Mr. Macalla stated that he has been in the business of inspecting buildings for eighteen years. He began in Lakewood, worked in Shaker Heights for twelve years, was the Building Commissioner for the City of University Heights, and currently is the Building Commissioner in South Euclid. He advised that he has worked with Sixmo Architectural Services for the plans review process in University Heights, and they do a very nice job.

Mayor Koomar stated that he reviewed this with Mrs. Stainbrook last week. He is trying to build relationships that give some functional expertise. The City of Westlake uses Sixmo as well. The contract presented with the ordinance does not include any appropriated dollars, it is just to set up the relationship for the plans examiner. It will also be a great fit for the Fire Chief because they are responsible for looking at the fire code for new projects. For Liberty Townhomes, for example, Chief Lyons and his inspectors really needed someone to sit down with, and walk through the fire code and make sure the new construction the Planning Commission approves is safe, meets the ability to be constructed and puts things in place to get the project moving forward. That resource was lacking, keeping the City from moving forward as quickly as they could have. Sixmo is a local firm and the City of Westlake has used them as an ad hoc architect for small questions, and we have engaged them for two test projects. We need two back-up Chief Building Officials and a few plans examiners as well. In the event Sixmo did some work for the City that needed plans review, they could not review their own plans. We need to build out a few more relationships so there are no conflicts of interest.

Mr. Clark welcomed Mr. Macalla to the City of Bay Village, especially as a resident as well. Mr. Tadych noted that Mr. Tuck-Macalla resides in Ward 1 of the City.

Mrs. Stainbrook stated that all of the three ordinances are helping to build the infrastructure of the City related to everything in the Building Department including plans, architecture, etc. It puts the City in a position to be forward thinking. The ordinance approving the contract with Sixmo Architectural Services will be placed on first reading at the Regular Meeting of Council to be held this evening.

Chagrin Valley Engineering Services.

Mrs. Stainbrook will introduce an ordinance this evening to authorize a contract with Chagrin Valley Engineering Services, one of the top firms in northeast Ohio. Chagrin Valley will provide engineering consulting services to the City of Bay Village.

Mayor Koomar noted that he was talking with Mayor Licastro of the City of Bratenahl, who heads up the DOPWIC committee and Mayor Licastro has said that Chagrin Valley Engineering Services is considered one of the top firms and are very consistent in their approach. Councilwoman Maier has worked with Chagrin Valley Engineering Services through Metroparks. These are good recommendations from tough customers.
The Mayor explained that the reason there are two names in the proposed contract is because of the Rocky River Wastewater Treatment Plant. Jeffrey Filarski, P.E. focuses more on wastewater and pump stations, the stations that the City needs to look at for long term Capital planning. The pump stations have some very old generators and key pieces of equipment that need construction estimates.

The Mayor said that what he likes about this contract is that when the City goes out for an engineering estimate on a project, they have always been given an engineering estimate on how the project is calculated. When a construction estimate is obtained, this will help with the budget because they can determine how engineering services can be calculated and put in the budget for next year. It is based not on the actual construction estimate, which is how the Sunset Improvement Project was done, but it is actual construction costs. In a good bidding environment like the Columbia Road Culvert Project, that percentage for engineering would have dropped because of receiving a competitive bid. It is not tied to an estimated cost; it is tied to the actual construction cost.

Mrs. Stainbrook stated that the administration has done a good job of building these relationships and finding how these companies have done good work in other cities.

Mr. Tadych stated that the payment to the engineers in the Chagrin Valley Engineering contract states that their compensation is subject to the Public Employee Retirement System (PERS) withholding for both engineers. In calculating the 14% that the City will pay extra to put them on the retirement system, would that be $45,000 times 2 x 14%? Mayor Koomar stated that the total is $45,000 and $5,000 for a total of $50,000. Mr. Tadych stated that 14% amounts to $6,300. Mayor Koomar stated that this is correct, and their quote for engineering services based on the number of hours for this year was just about $56,000. Because of this new relationship, the Mayor stated that his budget was $50,000 and they agreed to meet that and cover the Public Employees Retirement System Cost.

Mr. Tadych stated that in all the years he has been here, this has never been done this way where we pay Public Employees Retirement System benefits for a company. Are they also getting PERS from other cities?

Mayor Koomar stated that it is a model to Chagrin Valley Engineering that is unique and is one of the things Mayor Koomar very much likes about the contract. We have public records law, records retention, and all these policies, and when you go somewhere you need to say this is my consulting engineer. The Mayor stated that he spent a lot of time talking with Jim Sears (former Director of Public Service) on this matter along with Service Director Liskovec and Law Director Barbour, and to have somebody that has a City of Bay Village email account and can respond as the City Engineer allows us to allocate responsibilities on different projects. Human Resource Director Demaline has personally experienced this in Avon, where Chagrin Valley Engineering is there, and they have a consulting engineer that can work with the Building Director. If there is a grade issue on a property that means that Jon Liskovec won’t be getting pulled in as a Service Director. You can look at the organization chart and focus these people with some responsibilities. It is also a commitment to the City. Lyndhurst, Bratenah, Avon, Maple Heights and others have said that Chagrin Valley Engineering Services is really committed to be part of the City structure. Rather
than just having a consulting engineer job, we could set this up for him to meet with residents and give us some more power and resources. There is a lot of ownership in that.

Mr. Tadych asked if this adds another employee to the City roster of employees. If we are paying PERS to these people, at an expense of ours…. Mr. Barbour stated that he is our employee. Mr. Tadych stated that he works for Chagrin Valley Engineering. Mayor Koomar stated that this is correct, but for that portion of the week that he is assigned to Bay Village, he is an employee.

Law Director Barbour stated that he has followed up with some Law Director friends and spoke at length with the Law Director of Maple Heights and Woodmere and he confirmed that all 17 of the municipalities Chagrin Valley Engineering Services works for (Bay Village will be the 18th), all 17 have the same relationship, where their engineer and/or assistant engineer are actual employees of the City on a part time basis. That is how they operate and the Mayors in other cities like it this way because of the element of input and control that you have when someone is an employee as opposed to a consulting engineer. Mr. Barbour stated that he looked into the legality of it as Law Director, and for 18 or 19 years, they have been doing this.

Mr. Tadych noted that this is the first time Bay Village has done it. Mayor Koomar stated that this is correct, but to Mrs. Stainbrook’s point, we have to make tracks on some things and move on some projects more quickly than we have moved. The one thing heard consistently is that they are built into the staff and it just works really well, with a lot accomplished.

Mrs. Stainbrook stated that the arrangement may provide a certain level of accountability, given that the public is going to see that person as an employee of the City.

Mr. Clark asked Mayor Koomar if he agreed to a cap of $50,000. The Mayor stated that they have agreed to $50,000, inclusive of PERS.

Law Director Barbour stated that all employees must be part of the Public Employees Retirement System, even the City Council.

Mr. Tadych stated that the engineer is a consulting fee that we are paying him, isn’t it? Are we going to give him a W2 form for $45,000? Mayor Koomar stated that he would be part of the City, be productive.

Mr. Tadych asked if this was done for Jasmyn (Jasmyn Stover, former part time Human Resource Director). Mrs. Mahoney stated it was not done for Jasmyn.

Mr. Tadych asked if the ordinance is up for adoption this evening. Mr. Clark stated that it will be placed on first reading.

Mr. Clark stated that he understands both sides of the equation. We have had Achilles Heels on two fronts. In the past two years we have relied on the Chief Building Official and we have relied on an engineer that represents our interests. We were shooting in the dark as far as what the contract costs would be, because we didn’t really feel like we had someone in our corner.
Mr. Tadych stated that we have had other engineers, going back many years.

Mr. Barbour stated that SAFEbuilt is not a useful analogy; they are not an employee of the City. I am talking about the difference between having a consultant, or an independent contractor and an employee.

Mr. Clark stated that he believes there is more control with a principal relationship as opposed to an agent.

Mrs. Stainbrook stated that there is cost associated with that with the state’s Public Employees’ Retirement System.

Mr. Tadych added – and a salary, so we are adding another person.

Mayor Koomar stated that it is in the budget.

Ms. DeGeorge stated that this is hiring an engineer and just an unusual way of doing the same thing.

Mr. Clark stated that we were paying CT Consultants annually.

Mr. Tadych stated that we did not pay retirement benefits.

Mrs. Stainbrook stated that you are talking about $6,300.

Mayor Koomar said that their initial quote was $56,000. He informed them that because of PERS they need to come in at $50,000.

Mr. Clark stated that you have to back the PERS out of the $50,000 so in essence you are paying $44,000.

Mr. Tadych stated that he has concerns.

Mr. Clark recommended placing the ordinance on first reading this evening.

Mr. Barbour suggested Council avail themselves of anybody who could comment on the quality of their work. He noted that he did do that as part of his assigned due diligence and their recommendations were extremely high.

Mr. Tadych stated that he is sure that the quality of their work is fine, it is just so unusual.

Mr. Winzig stated that Page 4 of the Sixmo document, Number 10, states that modifications “in” this agreement should be “of” this agreement. On Page 5, second paragraph, the last line says Sixmo, Inc. can provide the client, instead of the City. Mr. Winzig asked if an estimate is provided before something is authorized. Should the word “can” be changed to “will.”
Mayor Koomar stated that as a practical matter he always requires an estimate, whether it is for the Dwyer Center or the library feasibility study. The first mechanical-electrical contractor came in with a higher bid than we had expected, and they ended up walking the building with Mr. Liskovec and cut the bid down in half. We always will do our due diligence. The Mayor stated that he would ask for flexibility to move through the contract.

Mr. Tadych read Section 2 of the ordinance, as follows:

**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.

Mr. Tadych asked if Mr. Filarski is getting $5,000 subject to Public Employees Retirement, is Mr. Beirut getting $45,000 that is subject to Public Employees Retirement. He asked if we are getting two employees.

Mayor Koomar stated that we are and the reason is that he wanted a specialist for the Rocky River Wastewater Treatment Plant. Originally Mr. Beirut would have been given all the hours, but Mr. Filarski is known for being the specialist. Given what we are up against in Rocky River with the Environmental Protection Agency (EPA), the Mayor wanted their best person. Mr. Filarski could have come over under Mr. Beirut’s contract, but Mr. Filarski was put on as record because if there will be emails back and forth with the EPA and Rocky River Wastewater Treatment Plant, we want to be sure he is on record as representing the City of Bay Village in these discussions.

Mr. Tadych asked the Mayor if Jeff Filarski will get a W2 for $5,000 and Mr. Beirut for $45,000, and employee retirement on each of them. The Mayor stated that this is correct.

Mr. Clark stated that he heard a total of $50,000 that the Mayor agreed to, because otherwise it would have been $56,000 including PERS. Somehow it all has to fit within $50,000.

Ms. Maier stated that the total cost is $56,000 when you include the PERS. Mrs. Stainbrook stated that it would have been $56,000 with PERS on top of it. Now, it is $50,000 plus PERS.

**Partners Environmental Contract.**

Mrs. Stainbrook stated that the Partners Environmental Contract is related to Cahoon Memorial Park, assessing the landfill and providing documented information as to the location of the landfill boundaries. We will not have to guess every time that we want to look at work to be done in the park. Partners Environmental will perform all of the details required in Rule 13, including application, submittal, certification, on-site investigation, activities, meetings, lab-fees, and ten samples. It includes three days of on-site field activities. Based on the information they pull from the digs, it may be one, two, or three days. The opinion of the administration is that
these contracts build the infrastructure the City needs going forward to get some of the projects completed. Getting these ordinances on first reading keeps us from waiting until too far into the first quarter to get some of these shovels into the ground.

Mayor Koomar stated that it would be appropriate to have Mr. Dan Brown from Partners Environmental to come in to give the trustees an overview of the project and education on Rule 13. The rules have changed substantially over the last ten or fifteen years. Mr. Liskovec is always quick to point out that if we disturb an acre or more there are storm water management permits necessary.

Mr. Clark noted that if there were services like this fifteen or sixteen years ago we could have avoided some of the problems at the Police Station. It took many years to resolve the estate issue with the former architect. It is incumbent upon the City to do this the right way.

Ms. Maier called attention to the fact that there are soccer fields south of Parklane. She asked if it is contemplated to have storm water management for those fields.

Mayor Koomar stated that while we have the Rule 13F open we have talked about doing test digs in a number of places. Mayor Koomar will follow up and provide clarification.

Ms. Maier referred to Page 2 of the contract with Partners Environmental saying that future work on the property including the storm water management activities and the expansion of the restrooms/multi-user facility, will be handled under a separate Rule 13 Permit, as necessary and a proposal for that work will be prepared at a later date. She asked if this is more of a timing issue waiting to get the report before pursuing that or is there an opportunity for it to be bundled.

Mayor Koomar stated that as he understands it the test digs need to be done to know what type of work will be performed. Part of the digs will be the areas of the Inter Urban Right-of-Way. If we don’t find any issues there, that could be where some of the drainage could be. If we open it and find out there is fill, we might have to come up with a different plan. Until we have all the details it is hard to roll it all together.

Mr. Mace noted that approval of the Cahoon Memorial Park Trustees will be necessary for approval of work in Cahoon Memorial Park.

Mrs. Stainbrook will present the ordinance for Partners Environmental contract for adoption this evening.

Mr. Tadych asked the period of time for the contract for Chagrin Valley Engineering. Mayor Koomar stated that the contract is for one year. Mr. Tadych stated that he does not see that indicated in the contract.

RECREATION & PARKS IMPROVEMENT COMMITTEE- Winzig
Mr. Winzig advised that deer culling operations began this evening at the Service Department site. The Police Department dropped off notes to the neighbors informing them of the activity. Mr. Clark stated that receiving a tally after the culling is completed would be helpful.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-DeGeorge

Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for implementation of services for assistance related to education, stewardship and public involvement for the year 2019.

Memorandum of Understanding with the Cuyahoga Soil and Water Conservation District for technical assistance and expertise toward better conservation of soil and water resources for the year 2019.

Ms. DeGeorge stated that the price for these services from the Cuyahoga Soil and Water Conservation District has not changed from 2018. The services include public education and services related to soil drainage for new developments.

Mr. Liskovec stated that the Cuyahoga Soil and Water Conservation District provides monitoring of the storm water management for new construction sites, providing reports regarding inspections, and addressing field questions regarding erosion and sediment issues. They provide a wealth of knowledge for the small fee they are charging.

The public education component covers certain criteria that is highlighted through the City’s MS4 Permit which is the storm sewer system permit that the City must carry as a municipality. The services of Cuyahoga Soil and Water Conservation District address four of the six requirements of the MS4 Permit.

Ms. DeGeorge stated that the resolutions prepared to approve these services includes the word “grant” in Section 1.

Ms. DeGeorge noted also that there is no date in Section 1 of the second resolution for approval of the services, but in the first resolution there is the date of January 1, 2019.

Mr. Barbour stated that the inclusion of the word “grant” in both resolutions is a typographical error because no component of these services is a grant. In regard to the date in the second resolution, Mr. Barbour does not believe a date is required but will follow up with further review. He stated that technically these Memorandums of Understanding automatically renew by their language, so there is some question about whether we even need to come forward with a resolution, but we have always done so. When you look at the language they can be terminated with thirty days’ notice, and then they subsequently renew at twelve month intervals.

Mr. Liskovec noted that the Cuyahoga Soil and Water District is looking for notification by December 14, 2018.
Mr. Clark stated that when there is an expenditure of funds involved, approval is recommended. If it needs to be done by December 14, it will be presented for adoption this evening, amending by reading eliminating the word “grant” used in both resolutions.

Mr. Barbour noted that the resolution that does not have a date states that technical assistance is for the twelve month period effective upon execution of the Memorandum of Understanding. The reason that the resolutions might say grant because if a grant is received the grant money can be used as opposed to an appropriation.

Mr. Tadych suggested taking out the word grant because even if it is a grant it is still an appropriation. Mrs. Mahoney agreed, and Mr. Barbour suggested amending by reading.

Revised Codified Ordinance Section 1310.01 (B) – Registration/Licensing of Contractors.

Ms. DeGeorge stated that this came about through a discussion with Eric Tuck-Macalla. Mayor Koomar stated that he spent an inordinate amount of time with flippers to get them to complete a house. The latest one is on Glen Park. Unqualified contractors are hired, it is a hardship to neighbors, excavation is done and then they move onto another house and come back to it later. Mr. Barbour can speak to the legalese on what we are trying to achieve.

Mr. Barbour stated that the credit goes to Steve Vogel, Chief Building Official of SAFEbuilt, Inc. because he brought this up this summer. When someone applies for a permit, the current ordinance says that a permit applicant, be it an owner, firm or corporation, does not have to use a licensed contractor for work on property that they own. Someone who has an LLC buys residential property and we don’t have the full extent of impact over their job that we think we should have because we can’t pull their contractors registration to operate in the City, because they are not required to use a contractor that is registered in the City. The idea is to create an exception that in residential property the owner has to be an occupant, and doing the work themselves in order to not have a registered contractor license. Otherwise if it is residential property and you are not an individual or not the occupant you have to use a registered contractor. If there are problems, the job can be stopped more easily.

Mayor Koomar stated that you may find someone who buys multiple homes, some within Bay and some elsewhere. They might have eight to ten homes, bring a foundation guy through to work at each home, and then come back to do the next job, and the next, in that sequence. Our permits are good for a year, and we are up against the wall of getting the work done and the neighbors are up in arms. The City’s option is to take them to court, which doesn’t necessarily get the job done. Then you are constantly working with that LLC to try to coerce them into getting the work done. The idea is to tighten up the regulations, and get the legislation out for discussion and reading. In January, before the new season starts, the folks on Lincoln, Pellet, Glen Park, and Canterbury would be relieved of the ongoing construction.

Mr. Clark asked how other communities handle this situation.
Committee Meeting of Council  
December 3, 2018

Mr. Barbour stated that Mr. Tuck-Macalla brought the sample of legislation from the City of South Euclid. Mr. Vogel provided information about other SAFEbuilt, Inc. communities. The best option is to force the owner to use a registered contractor.

Mr. Clark stated that directionally the ordinance is the right way to go. To provide more clarity, we might look to see what others are doing.

Mr. Barbour stated that he will obtain ordinances from West Shore communities and provide those for Council for the next meeting of Council.

Mr. Winzig asked if there is any way to loop in a code of conduct with what is termed as these flippers. The reason for the ordinance is that it gives the City more strength and a legal position.

Going back to the Memorandums of Understanding of the Cuyahoga Soil and Water Conservation District, Ms. DeGeorge asked if Cuyahoga County will work in tandem with Lorain County in regard to the new Kopf Development on Walker Road.

Ms. Maier stated that she believes they do coordinate with political jurisdictions regarding water sheds. Mr. Liskovec will check further.

MISCELLANEOUS

The Council meeting of Monday, December 10, 2018 will be cancelled.

ANNOUNCEMENTS

There being no further discussion, the meeting adjourned at 8:57 p.m.

_________________________________  ________________________________  
Dwight A. Clark, President of Council                         Joan Kemper, Clerk of Council
SECTION 4.2 DIRECTORS OF DEPARTMENTS.

The head of each department shall be a director, appointed by the Mayor, and who shall serve at the pleasure of the Mayor. No appointment as a head of a department shall be effective except with the concurrence of a majority of the total number of Councilmen provided for in this Charter. Upon the expiration of the term of the office of the Mayor, due to lapse of time, the person filling the next succeeding term of the office of the Mayor, shall, at the first meeting of Council after he has assumed office, submit to Council, as if an original appointment the names of all department heads. Should a majority of the total number of Councilmen provided for in this Charter fail to approve any or all of the names so submitted within thirty (30) days after said first meeting of Council, the positions occupied by the persons who were not so approved shall become vacant at the expiration of said thirty (30) days, and such persons shall be automatically discharged from said position. The Director of Law shall be duly admitted to the practice of law in the State of Ohio.

(Ord. 82-67; approved by voters 11-2-82.)
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A LABOR AGREEMENT WITH
THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION (SERGEANTS AND
LIEUTENANTS), AND DECLARING AN EMERGENCY.

WHEREAS, a Memorandum of Understanding has been executed by and between The
Ohio Patrolman’s Benevolent Association (Sergeants and Lieutenants) and the City of Bay
Village;

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 a labor agreement
with The Ohio Patrolman’s Benevolent Association (Sergeants and Lieutenants), covering
compensation and other employment provisions for patrolmen for the period from January 1,
2019 through December 31, 2021, in accordance with the language set forth in the Memorandum
of Understanding.

SECTION 2. That it is found and determined that all formal actions of this Council
concerning and relating to the adoption of this ordinance were adopted in compliance with all
legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure
immediately necessary for the preservation of the public peace, health, safety and welfare, and
for the further reason that it is immediately necessary to provide for said compensation and other
employment provisions as agreed upon in labor negotiations so that personnel may be available
to the City, 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

121418 kek
ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A LABOR AGREEMENT
WITH THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION,
AND DECLARING AN EMERGENCY.

WHEREAS, a Memorandum of Understanding has been executed by and between The Ohio Patrolmen’s Benevolent Association and the City of Bay Village;

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 a labor agreement with The Ohio Patrolmen’s Benevolent Association, covering compensation and other employment provisions for patrolmen for the period from January 1, 2019 through December 31, 2021, in accordance with the language set forth in the Memorandum of Understanding.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to provide for said compensation and other employment provisions as agreed upon in labor negotiations so that personnel may be available to the City, 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

121418 kek
AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A LABOR AGREEMENT
WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1144,
AND DECLARING AN EMERGENCY.

WHEREAS, a Memorandum of Understanding has been executed by and between the
International Association of Fire Fighters, Local 1144 and the City of Bay Village;

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 a labor agreement
with the International Association of Fire Fighters, Local 1144, AFL-CIO, covering
compensation and other employment provisions for municipal employees for the period from
January 1, 2019 through December 31, 2021.

SECTION 2. That it is found and determined that all formal actions of this Council
concerning and relating to the adoption of this ordinance were adopted in compliance with all
legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure
immediately necessary for the preservation of the public peace, health, safety and welfare, and
for the further reason that it is immediately necessary to provide for said compensation and other
employment provisions as agreed upon in labor negotiations so that personnel may be available
to the City, 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

121418 kek
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 herby 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:

<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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Personal Service</td>
<td>Other</td>
<td>Capital Improvement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 Total General Fund</td>
<td>$7,875,933 $3,718,239 $54,700 $866,876 $12,515,748</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Special Revenue Fund Group - 200</td>
<td>$3,499,749 $1,056,444 $42,500 $ - $4,598,693</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Debt Service Fund Group - 300</td>
<td>$4,868,477 $ - $ - $4,868,477</td>
<td></td>
</tr>
</tbody>
</table>

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO. 18-95
By: Mr. Tadych

11/26/2018
Second Reading 12/3/2018
### 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>-</td>
<td>$1,450,000</td>
<td>$1,450,000</td>
</tr>
<tr>
<td>480</td>
<td>Walker Road Park</td>
<td>-</td>
<td>220</td>
<td>-</td>
<td>-</td>
<td>220</td>
</tr>
<tr>
<td>490</td>
<td>Public Improvement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>494</td>
<td>Infrastructure Improvements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>493</td>
<td>Municipal Building Improvements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>496</td>
<td>Public Building Roof Improvements</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>400</td>
<td>Total Capital Project Fund Group</td>
<td>$</td>
<td>-</td>
<td>220</td>
<td>$1,450,000</td>
<td>$1,450,220</td>
</tr>
</tbody>
</table>

### Enterprise Fund Group - 500

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>520</td>
<td>Pool</td>
<td>$237,450</td>
<td>$141,500</td>
<td>$30,000</td>
<td>-</td>
<td>$408,950</td>
</tr>
<tr>
<td>580</td>
<td>Sewer</td>
<td>$895,895</td>
<td>$1,457,846</td>
<td>$72,000</td>
<td>-</td>
<td>$2,425,741</td>
</tr>
<tr>
<td>500</td>
<td>Total Enterprise Fund Group</td>
<td>$1,133,345</td>
<td>$1,598,346</td>
<td>$102,000</td>
<td>-</td>
<td>$2,834,691</td>
</tr>
</tbody>
</table>

### Internal Service Fund Group - 600

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

### Trust Fund Group - 800

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

### Deposit Fund Group - 900

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

### Grand Total All Funds

- General Fund to Parks and Recreation: $350,000
- General Fund to General Capital: $300,000
- General Fund to Pool: $100,000
- General Fund to Community Gym: $9,076
- General Fund to Bay Family Services: $47,800
- General Fund to Fire Pension: $60,000
- Total Transfers: $866,876

### Itemized list of Transfers and Advances by Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund to Parks and Recreation</td>
<td>$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>Total Transfers</td>
<td>$866,876</td>
</tr>
<tr>
<td>General Capital to Infrastructure Improvement (Advance Repay)</td>
<td>$115,630</td>
</tr>
<tr>
<td>Total Advances and Advance Repayments</td>
<td>$115,630</td>
</tr>
<tr>
<td>Total Transfers and Advances</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>Other</th>
<th>Equipment Replacement</th>
<th>Transfers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>$67,400.00</td>
<td>$15,300.00</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>-</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>-</td>
<td>$270,490.00</td>
</tr>
<tr>
<td>Law</td>
<td>$128,790.00</td>
<td>$81,775.00</td>
<td>-</td>
<td>-</td>
<td>$210,565.00</td>
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<tr>
<td>Finance</td>
<td>$248,180.00</td>
<td>$25,250.00</td>
<td>$1,200.00</td>
<td>-</td>
<td>$274,630.00</td>
</tr>
<tr>
<td>Taxation</td>
<td>-</td>
<td>$217,800.00</td>
<td>-</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>-</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>-</td>
<td>$20,100.00</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>$5,000.00</td>
<td>-</td>
<td>$650.00</td>
<td>-</td>
<td>$5,650.00</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>$2,500.00</td>
<td>$600.00</td>
<td>-</td>
<td>-</td>
<td>$3,100.00</td>
</tr>
<tr>
<td>Service</td>
<td>$1,937,200.00</td>
<td>$2,191,613.00</td>
<td>$10,500.00</td>
<td>-</td>
<td>$4,139,313.00</td>
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<tr>
<td>Fire</td>
<td>$1,452,475.00</td>
<td>$110,475.00</td>
<td>$14,000.00</td>
<td>-</td>
<td>$1,576,950.00</td>
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<tr>
<td>Police</td>
<td>$2,870,600.00</td>
<td>$363,110.00</td>
<td>$27,000.00</td>
<td>-</td>
<td>$3,260,710.00</td>
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<tr>
<td>Central Dispatch</td>
<td>-</td>
<td>$128,000.00</td>
<td>-</td>
<td>-</td>
<td>$128,000.00</td>
</tr>
<tr>
<td>Building</td>
<td>$354,570.00</td>
<td>$45,390.00</td>
<td>-</td>
<td>-</td>
<td>$399,960.00</td>
</tr>
<tr>
<td>Architecture Board of Review</td>
<td>-</td>
<td>$25.00</td>
<td>-</td>
<td>-</td>
<td>$25.00</td>
</tr>
<tr>
<td>Community Services</td>
<td>$264,658.00</td>
<td>$19,650.00</td>
<td>$1,000.00</td>
<td>-</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>$866,876.00</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, 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

10/02/2018 JD
OVERVIEW

1. Action Requested
Approval for purchase of: One (1) 10MFC21-FR7HS vertical bottom suction pedestal mounted solids handling pumps, each with a flexible coupling, coupling guard, and 200hp/1200rpm motor from Cleveland Pump and Supply LLC; 1316 Lear Industrial Pkwy, Avon OH 44011.

2. Previous Action
Public advertisement for proposal to furnish above referenced equipment or approved equivalent.

3. Background/Justification for Current Action
Deadline for submission of proposals was 12/13/18 at 12:00 pm, of which at that time and after meeting the requirements for public advertisement, only one vendor submitted a proposal for the requested equipment. The above referenced vendor’s equipment meets or exceeds all requested requirements and therefore is recommended to award the purchase to.

4. Financial Impact
Expenditure of $78,225.00 from approved 2018 capital budget.

5. Implementation Plan
Initiate purchase through selected vendor upon council’s approval

6. High-Level Timeline/Schedule
6 – 9 months for manufacturing and delivery of equipment
OVERVIEW

1. Action Requested
Adjustments to appropriation ordinance as documented below.

2. Detail of Changes

Documented in the attached pages and summarized below:

General Fund (Fund 100):

Minor changes have been made to a few departmental budgets – the material changes are noted below:

Municipal Tax Expense – RITA charges 3% of income tax collections – current estimate for receipts in 2018 is $7.1 million which equates to $213,000. There are also some legal fees charged in addition to the 3%. Original budget for expenditures was $192,000. Would ask to increase budgeted expenditures to $215,000 to allow for increase in collections and legal fees.

Fire – When calculating the 2018 budget paramedic pay, acting pay, inspector pay, executive pay and squad pay were not included in error. Additional $50,000 in expenses added.

Building – Revenue receipts were budgeted for $304,500 and in reviewing actual receipts through 12/14/18 anticipate potential of $375,000. This increase along with change in payments to SafeBuilt from 80% to 85% increase expenditures by $140,000. Reallocated from previously budgeted wages so no net effect on overall budget.

Transfers and Advances:

Transfer to Pool (520). Previously noted at past Council meetings Pool Fund receipts did not cover expenditures to the amount of $30,000. Requesting transfer from General Fund to cover short fall.

Advance $144,000 from General Fund to Emergency Paramedic Fund until receipt of SCBA Grant. Grant funds will be received once expenditures are paid for which should be in early 2019.

Advance $12,000 to Grants Fund until receipt of grant funds in relation to Amy case.
Parks and Recreation (Fund 230):

Increase Personal Services budget by $35,000. Staff was used to complete the Bradley Park restrooms which increased wages in Parks funds. These employees were charged in this fund rather than other funds that they would have been allocated to (such as Streets, Fund 270).

Police and Fire Pension Funds (Funds 281 and 282):

Increase each by $10,000 to cover actual expenditures for employer costs of police and fire pensions.

Health Insurance (Fund 600):

Original budget of $1,339,700 for health care claims, actual expenditures estimated to be $1,500,000. However, at the end of October reserves on hand at Jefferson Health have grown to $243,000 which at the end of 2017 were actually negative. Increase appropriation by $175,000 to cover estimated expenditures.
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, 18-30, 49, 57, 66, 79, 80, 87 and 18-100.

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>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Personal Service</td>
<td>Other</td>
<td>Capital Improvement</td>
<td>Transfers/Advances</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>Total General Fund</td>
<td>7,396,511</td>
<td>4,006,144</td>
<td>76,258</td>
</tr>
<tr>
<td>200</td>
<td>Total Special Revenue Funds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>300</td>
<td>General Bond Retirement</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CITY OF BAY VILLAGE, OHIO
ORDINANCE NO. 18-100
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 General Capital Improvement</td>
<td>-</td>
<td>-</td>
<td>926,563</td>
<td>-</td>
<td>926,563</td>
<td></td>
</tr>
<tr>
<td>480 Walker Road Park</td>
<td>-</td>
<td>220</td>
<td>-</td>
<td>-</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>490 Public Improvement</td>
<td>-</td>
<td>-</td>
<td>52,000</td>
<td>-</td>
<td>52,000</td>
<td></td>
</tr>
<tr>
<td>494 Infrastructure Improvements</td>
<td>-</td>
<td>-</td>
<td>86,000</td>
<td>115,630</td>
<td>201,630</td>
<td></td>
</tr>
<tr>
<td>495 Municipal Building Improvements</td>
<td>-</td>
<td>25,185</td>
<td>91,500</td>
<td>-</td>
<td>116,685</td>
<td></td>
</tr>
<tr>
<td>496 Public Building Roof Improvements</td>
<td>-</td>
<td>26,624</td>
<td>-</td>
<td>-</td>
<td>26,624</td>
<td></td>
</tr>
<tr>
<td><strong>400 Total Capital Project Fund Group</strong></td>
<td>$</td>
<td>-</td>
<td>$52,029</td>
<td>$1,156,063</td>
<td>$115,630</td>
<td>$1,323,722</td>
</tr>
</tbody>
</table>

## Enterprise Fund Group- 500

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>520 Pool</td>
<td>$241,730</td>
<td>$121,600</td>
<td>$35,000</td>
<td>-</td>
<td>$398,330</td>
<td></td>
</tr>
<tr>
<td>580 Sewer</td>
<td>899,565</td>
<td>1,459,793</td>
<td>122,500</td>
<td>-</td>
<td>2,481,858</td>
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<tr>
<td><strong>500 Total Enterprise Fund Group</strong></td>
<td>$1,141,295</td>
<td>$1,581,393</td>
<td>$157,500</td>
<td>-</td>
<td>$2,880,188</td>
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</tbody>
</table>

## Internal Service Fund Group - 600

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>600 Health Insurance</td>
<td>$1,514,700</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>$1,514,700</td>
<td></td>
</tr>
<tr>
<td>601 General Insurance</td>
<td>-</td>
<td>173,100</td>
<td>-</td>
<td>-</td>
<td>173,100</td>
<td></td>
</tr>
<tr>
<td>602 Workers Compensation</td>
<td>109,020</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>109,020</td>
<td></td>
</tr>
<tr>
<td><strong>600 Total Internal Service Fund Group</strong></td>
<td>$1,623,720</td>
<td>$173,100</td>
<td>-</td>
<td>-</td>
<td>$1,796,820</td>
<td></td>
</tr>
</tbody>
</table>

## Trust Fund Group - 800

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>801 Unclaimed Monies</td>
<td>-</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>820 Cahoon Memorial</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>830 Cahoon Library</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>840 Waldeck</td>
<td>-</td>
<td>6,200</td>
<td>-</td>
<td>-</td>
<td>6,200</td>
<td></td>
</tr>
<tr>
<td>860 Dwyer</td>
<td>-</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td><strong>800 Total Trust Fund Group</strong></td>
<td>$</td>
<td>-</td>
<td>$13,200</td>
<td>-</td>
<td>$13,200</td>
<td></td>
</tr>
</tbody>
</table>

## Deposit Fund Group - 900

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>930 Building Deposits</td>
<td>$</td>
<td>-</td>
<td>$20,000</td>
<td>-</td>
<td>$20,000</td>
<td></td>
</tr>
<tr>
<td>931 Security Deposits</td>
<td>-</td>
<td>22,000</td>
<td>-</td>
<td>-</td>
<td>22,000</td>
<td></td>
</tr>
<tr>
<td><strong>900 Total Deposit Fund Group</strong></td>
<td>$</td>
<td>-</td>
<td>$52,000</td>
<td>-</td>
<td>$52,000</td>
<td></td>
</tr>
</tbody>
</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>$400,000</td>
</tr>
<tr>
<td>General Fund to Community Gym</td>
<td>$8,812</td>
</tr>
<tr>
<td>General Fund to Street Construction</td>
<td>$425,000</td>
</tr>
<tr>
<td>General Fund to Bay Family Services</td>
<td>$46,361</td>
</tr>
<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>
</tr>
<tr>
<td><strong>Total Transfers</strong></td>
<td>$1,098,744</td>
</tr>
<tr>
<td><strong>Total Transfers and Advances</strong></td>
<td>$1,370,374</td>
</tr>
<tr>
<td><strong>Total Transfers and Advance Repayments</strong></td>
<td>$271,630</td>
</tr>
</tbody>
</table>

## Itemized list of Transfers and Advances by Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund to Emergency Paramedic Fund</td>
<td>$144,000</td>
</tr>
<tr>
<td>General Fund to Grants Fund</td>
<td>$12,000</td>
</tr>
<tr>
<td>Infrastructure Improvement to General Capital</td>
<td>$115,630</td>
</tr>
<tr>
<td><strong>Total Advances and Advance Repayments</strong></td>
<td>$271,630</td>
</tr>
<tr>
<td><strong>Total Transfers and Advances</strong></td>
<td>$1,370,374</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>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>$64,425.00 $</td>
<td>$13,825.00</td>
<td>$5,058.00</td>
<td>-</td>
<td>$83,308.00 $</td>
</tr>
<tr>
<td>Clerk of Council</td>
<td>60,130.00</td>
<td>975.00</td>
<td>-</td>
<td>-</td>
<td>61,105.00</td>
</tr>
<tr>
<td>Mayor</td>
<td>243,200.00</td>
<td>11,200.00</td>
<td>-</td>
<td>-</td>
<td>254,400.00</td>
</tr>
<tr>
<td>Law</td>
<td>156,753.00</td>
<td>92,950.00</td>
<td>-</td>
<td>-</td>
<td>249,733.00</td>
</tr>
<tr>
<td>Finance</td>
<td>247,500.00</td>
<td>29,450.00</td>
<td>1,200.00</td>
<td></td>
<td>278,150.00</td>
</tr>
<tr>
<td>Taxation</td>
<td>-</td>
<td>215,000.00</td>
<td>-</td>
<td>-</td>
<td>215,000.00</td>
</tr>
<tr>
<td>General Administration</td>
<td>210,585.00</td>
<td>498,082.00</td>
<td>5,500.00</td>
<td>1,254,743.78</td>
<td>1,968,910.78</td>
</tr>
<tr>
<td>Civil Service</td>
<td>-</td>
<td>20,150.00</td>
<td>20,150.00</td>
<td></td>
<td>20,150.00</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>3,000.00</td>
<td>800.00</td>
<td>-</td>
<td>-</td>
<td>3,800.00</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>4,800.00</td>
<td>700.00</td>
<td>-</td>
<td>-</td>
<td>5,500.00</td>
</tr>
<tr>
<td>Service</td>
<td>1,849,176.00</td>
<td>2,145,968.00</td>
<td>25,500.00</td>
<td>-</td>
<td>4,020,644.00</td>
</tr>
<tr>
<td>Fire</td>
<td>1,444,540.00</td>
<td>125,165.00</td>
<td>9,000.00</td>
<td>-</td>
<td>1,578,705.00</td>
</tr>
<tr>
<td>Police</td>
<td>2,827,439.00</td>
<td>378,454.00</td>
<td>30,000.00</td>
<td></td>
<td>3,235,893.00</td>
</tr>
<tr>
<td>Central Dispatch</td>
<td>-</td>
<td>124,000.00</td>
<td>-</td>
<td>-</td>
<td>124,000.00</td>
</tr>
<tr>
<td>Building</td>
<td>25,400.00</td>
<td>330,700.00</td>
<td>-</td>
<td>-</td>
<td>356,100.00</td>
</tr>
<tr>
<td>Architecture Board of Review</td>
<td>-</td>
<td>25.00</td>
<td>-</td>
<td>-</td>
<td>25.00</td>
</tr>
<tr>
<td>Community Services</td>
<td>259,533.00</td>
<td>18,700.00</td>
<td>278,233.00</td>
<td></td>
<td>278,233.00</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$7,396,511.00</strong></td>
<td><strong>$4,006,144.00</strong></td>
<td><strong>$76,258.00</strong></td>
<td><strong>1,254,743.78</strong></td>
<td><strong>$12,733,656.78</strong></td>
</tr>
<tr>
<td>Fund</td>
<td>Description</td>
<td>Amount</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------------------------------------------------------------------</td>
<td>--------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment Replacement (240)</td>
<td>Computer Replacements (Including City Wide Server)</td>
<td>137,765.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community Service-Dodge Caravan</td>
<td>30,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fire - Completion of Ambulance</td>
<td>15,050.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Police - Cars 1152 and 1191</td>
<td>83,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Police - CAD/RMS System</td>
<td>14,575.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Service - Pick up Truck-2</td>
<td>62,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Service - Super Duty Dump</td>
<td>65,000.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Service - Asphalt Hauler</td>
<td>35,000.00</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Service - Five Ton Dump-2</td>
<td>350,000.00</td>
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<td>Service - Compact Tractor</td>
<td>40,000.00</td>
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<td><strong>Total Equipment Replacement (240)</strong></td>
<td><strong>832,390.00</strong></td>
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<td>Tennis Court Maintenance (238)</td>
<td>Bradley Tennis Courts</td>
<td>23,000.00</td>
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<td><strong>Total Tennis Court Maintenance (238)</strong></td>
<td><strong>23,000.00</strong></td>
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<td>Street Improvement (270)</td>
<td>Lake Road Resurfacing</td>
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<td><strong>Total Street Improvement (270)</strong></td>
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<td>General Capital (400)</td>
<td>Street Improvements</td>
<td>750,371.00</td>
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<td>Queenswood Bridge</td>
<td>169,192.00</td>
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<td><strong>Total General Capital (400)</strong></td>
<td><strong>919,563.00</strong></td>
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<td>Public Improvements (490)</td>
<td>Bradley Tennis Courts</td>
<td>24,000.00</td>
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<td>Bradley Park Playground</td>
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<td><strong>Total Public Improvements (490)</strong></td>
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<td>Infrastructure Improvements (494)</td>
<td>Columbia Culvert</td>
<td>86,000.00</td>
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<td>Advance to General Capital</td>
<td>108,630.00</td>
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<td><strong>Total Infrastructure Improvements (494)</strong></td>
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<td>Municipal Building Improvements (495)</td>
<td>NOPEC Energy Reimbursable Grant</td>
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<td>Dwyer Portico Pillars</td>
<td>20,000.00</td>
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<td>Fire Building Renovation</td>
<td>30,000.00</td>
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<td>Police Information Technology Room</td>
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<td>Rose Hill Engineering</td>
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<td><strong>Total Municipal Building Improvements (495)</strong></td>
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<td>Public Building Roof Improvements (496)</td>
<td>Misc. Building Roof Improvements</td>
<td>26,624.00</td>
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<td></td>
<td><strong>Total Public Building Roof Improvements (496)</strong></td>
<td><strong>26,624.00</strong></td>
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<td>Pool (520)</td>
<td>Diving Board Replacement</td>
<td>15,000.00</td>
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<td><strong>Total Pool (520)</strong></td>
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<td>Sewer (580)</td>
<td>Nantucket Remote Monitoring</td>
<td>5,500.00</td>
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<td></td>
<td>Huntington Pump Station Pump</td>
<td>80,000.00</td>
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<td></td>
<td><strong>Total Sewer (580)</strong></td>
<td><strong>85,500.00</strong></td>
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<td><strong>GRAND TOTAL</strong></td>
<td></td>
<td><strong>$ 2,263,268.00</strong></td>
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Total amount appropriated by fund may not be exceeded.
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:

________________________________________
PRESIDENT OF COUNCIL

______________________________
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 kek
REQUEST FOR PROPOSALS
Huntington Pump Station
Backup Pump & Motor Assembly

11/29/2018

The City of Bay Village is requesting Proposals from a Supplier to furnish and deliver a vertical centrifugal pump and motor assembly to be installed at a later date, by others, for the existing Huntington Pump Station. Proposals shall be submitted to Curtis Krakowski, Infrastructure Manager. Proposals can be delivered to Bay Village City Hall, 350 Dover Center Road, during regular business hours (Monday thru Friday, 8:30 am to 4:30 pm) or may be submitted electronically to ckrakowski@cityofbayvillage.com. If you have any questions or need additional information, please contact Curtis J. Krakowski, Infrastructure Manager, at (440) 899-3422.

Proposals to be submitted no later than 12:00 noon, on Thursday, December 13, 2018.

Scope of Work

1. The intent of the Work requested is for a Supplier to furnish and deliver a new waste water pump and motor assembly, matching the current configuration of the existing pumps, at the Huntington Pump Station.

2. The new pump and motor will be used as a “spare” and will be installed at a later date, by others.

3. The basis of design is to match the existing pump manufacturer’s specifications; Worthington Group, McGraw Edison Company (Serial #TP91429-2). Equal manufacturers meeting these specifications will be considered, but the proposed pump MUST meet or exceed the performance specifications indicated.

4. The proposed pump and motor assembly includes, but is not limited to, the pump, motor, motor base, volute casing, impeller, pump stand, suction elbow and pump coupling.

5. Proposal shall include all incidental costs associated with furnishing, delivering and unloading products. Supplier must provide a minimum 2-year Manufacturer’s Warranty from the date of delivery for pump and motor.

6. It is highly encouraged that the Supplier visits the site to examine the existing pumps and determine the extent of the requirements of this RFP. Please call (440) 871-1221 to schedule an appointment at the pump house.

7. The equipment is to be delivered at the Bay Village Service Garage, located at 31300 Naigle Road, Bay Village, Ohio 44140.

8. Existing pump station drawing “Section View - 10/44” is included to show current pump configuration and location of pump within existing building (see attachment).

9. Supplier MUST complete “RFP Form 2” included, submit the entire RFP and include proposed equipment specifications. Supplemental documents can be attached thereafter.
Performance Specifications

1. Pump:
   - Type: Centrifugal, handling waste water
   - Volute: 10" suction, 10" discharge
   - Impeller: 21"
   - Suction Elbow: (10" x 10") - 90 degree, with 8" diameter hand-hole
   - Pump Stand: Vertically mounted pump frame (heavy bearing)
   - Motor Base: Provide to match proposed motor type
   - Finish: Manufacturer standard

2. Motor:
   - RPM: 1,200
   - HP: 200
   - Voltage: 460 (3 Phase)
   - Poles: 6
   - Hz: 60

Proposal

1. Pump:
   - Manufacturer: Worthington / Flowserve
   - Pump Sub-total: $

2. Motor:
   - Manufacturer: Nidec
   - Motor Sub-total: $

Pump & Motor Proposal Total: $78,225.00 each assembly

Supplier: Cleveland Pump & Supply LLC
Contact Name: Don Polen
Contact Phone: 440-937-7867
E-Mail: sales@clevelandpump.com

Submission of this Proposal indicates our full understanding of the Scope of Work listed above and verification that we have visited the site to determine the extent of the labor and material needed to fully complete this Work. We also understand that the City of Bay Village reserves the right to accept or reject any and all Proposals and to award to the Bidder to be in the best interest of the City, as approved by Bay Village City Council.

Submitted by, (sign name) __________________________
representing Cleveland Pump & Supply on this 12 day of 12, 2018.
Cleveland Pump and Supply, LLC is acting as an equipment supplier only, not as a subcontractor. This proposal is limited to the supply of equipment for the detailed specifications listed below. No other commercial or technical specifications, referenced or not, have been considered in the preparation of this proposal, or the costing of this equipment.

Reference: The City of Bay Village Huntington Pump Station

I. Specification sections applicable to this proposal:
   A. Huntington Pump Station Backup Pump - RFP Form 1
   B. Drawing sheet 10/44 included with RFP

II. Solids handling pump equipment and accessories included as applicable:

   Services
   A. TP91429-2 Duplicate: One (1) 10MFC21-FR7HS vertical bottom suction pedestal mounted solids handling pumps, each with a flexible coupling, coupling guard, and 200hp/1200rpm motor.

   Materials of Construction:
   A. Pump materials per order TP91429
   B. Flexible coupling
   C. Coupling guard
   D. Fabricated suction elbow support
   E. Paint: Surface prep and gray enamel coating applied to the pump exterior
   F. Motor: NIDEC WPI 460V/3/60Hz, constant speed
   G. Testing: None
   H. Pump Analysis: None
   I. Spare parts for each service: None
   J. Field Services: None. Any further time or trips will require a separate PO. Note: Field Services personnel do not have tools and may not supervise or participate in the work in any fashion.

III. Items not included
   A. Off-loading at jobsite, any labor or tools for Assembly or Installation, Field operation, Field performance testing including Field vibration or noise testing instruments or analysis
   B. Suction or Discharge piping, mech couplings, supports, tie rods, leveling screws, fittings, etc.
   C. Air relief valves / Vacuum valves / Isolation valves, etc.
   D. Vibration isolation equipment
   E. Seal water or drain accessories such as piping, flow indicators, pressure reducing valves, Y strainers, fittings or tubing
   F. Gauges, T cocks, anchor bolts, templates or accessories
   G. VFDs or any type of Controls, Instrumentation, MCCs, Starters, Power Factor Correction Capacitors, Panels, cable, wiring, conduits, temperature or vibration probes, remote controls, or any auxiliary electrical equipment extraneous to the pump motors
   H. Standard tools or tool chests, lubricants, grease fitting extensions or guns
   I. Field painting, touch-up paint supply

V. Coordination Notes/Comments: Huntington Pump Station Backup Pump - RFP Form 1:
Scope of Work #5 – Warranty provided shall be 24 months from startup not to exceed 30 months from shipment.

VI. Freight Allowed

TERMS OF PAYMENT
15% Upon Submittal of General Arrangement Drawing
20% Upon Placement of Order for Major Castings/Fabrications
35% Upon Completion of Major Castings/Fabrications
20% Upon Completion of Machining
10% Upon Notice That Seller Is Ready to Ship
All Payments Are Due Net 30 Day
ORDINANCE NO.
INTRODUCED BY:

ORDINANCE

AUTHORIZING THE MAYOR TO MAKE AN APPLICATION AND ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK FOR A LOAN TO COMPLETE THE COLUMBIA ROAD CULVERT REPAIRS, AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Department of Transportation State Infrastructure Bank (SIB) is available to make interim loans to facilitate transportation infrastructure projects; and

WHEREAS, the City is seeking financial assistance from ODOT SIB in the amount of Eight Hundred Thirty-Five Thousand, Nine Hundred Forty Dollars ($835,940.00) to finance repairs to the Columbia Road culvert; and

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

SECTION 1. That the Mayor or his designee is hereby authorized and directed to make application to and enter into any and all agreements with ODOT SIB for a loan in an amount not to exceed Eight Hundred Thirty-Five Thousand, Nine Hundred Forty Dollars ($835,940.00) for funding assistance in completing repairs to the Columbia Road culvert.

SECTION 2. That the Mayor or his designee is hereby authorized to execute any and all documents necessary to effectuate the granting of the loan and repayment of same, including the pledge of the City’s Bond Retirement Fund, which is funded primarily by property tax receipts, to provide collateral for the guaranteed payment of the SIB loan.

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

SECTION 4. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, 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

__________________________
MAYOR
121418 kek
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
RESOLUTION NO.
INTRODUCED BY:

RESOLUTION
AUTHORIZING THE PURCHASE OF A SERVICE DEPARTMENT VEHICLE EQUIPMENT PACKAGE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Bay Village Service Department is in need of a truck equipment package for a service department vehicle, and the Council of the City of Bay Village has previously appropriated funds for the purchase of vehicles and related equipment; and

WHEREAS, the needed equipment package is available through the State of Ohio State Term Schedule; and

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

SECTION 1. That the Service Director is hereby authorized and directed to submit a purchase order to purchase the following equipment package:

- Concord Minuteman Truck Equipment Package Chassis from Concord Road Equipment Mfg., 348 Chester Street, Painesville, OH, 44077, per State of Ohio State Term Schedule (STS) Number 800507; Index Number ST515, Quote 68844, total cost $29,038.31

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

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

PASSED:

_________________________
PRESIDENT OF COUNCIL

_________________________
CLERK OF COUNCIL

APPROVED:

_________________________
MAYOR

121018  kek
November 8, 2018

Honorable Paul A. Koomar
Mayor
City of Bay Village
350 Dover Center Road
Bay Village, Ohio 44140

RE: Proposal for Rule 13 Permit Submittal and Landfill Investigation Activities
Cahoon Park – Soccer/Sports Fields
City of Bay Village, Cuyahoga County, Ohio

Dear Mayor Koomar:

Partners is pleased to submit this proposal to the City of Bay Village (City or Client) to provide environmental and engineering consulting services associated with the above referenced site located in the City of Bay Village, Cuyahoga County, Ohio. Partners understands that the site is a portion of larger parcels of land identified as Permanent Parcel Numbers (PPN) 203-02-001 and 203-01-003, owned by the City of Bay Village and also known as Cahoon Park (Property).

The Property encompasses approximately eight (8) acres of land currently being utilized as public soccer/sports fields with associated paved parking areas. The area to be evaluated as part of this investigation generally includes the soccer/sports fields located at the southwest corner of the intersection of Lake and Cahoon Roads and bounded to the west by the Metroparks’ Huntington Reservation and south by Park Lane (aka Harvey Yoder Parkway) and a parking area. The area of the current restrooms/multi-user facility and small soccer/sports fields, south of Park Lane, will also be included.

The City is currently looking into options related to managing storm water at the Property to improve the condition and use of the soccer/sports fields and to aid in the planning for future walking trails, and expansion of the restrooms/multi-user facility. Partners is currently under contract to complete a utilities investigation, a topographic/existing conditions survey and to create conceptual plan options for storm water management improvements to the soccer/sports fields. Because of the past use of the area as a solid waste landfill, additional obligations will be involved under Ohio’s Solid Waste regulations, specifically the applicability of Ohio Administrative Code (OAC) Section 3745-27-13, commonly referred to as “Rule 13”.

Background

Based on the documents reviewed by Partners, a solid waste disposal facility was in operation at the Property from as early as 1954 through at least 1986. A meeting at the Ohio Environmental Protection Agency (EPA) Northeast District Office (NEDO), which included representatives from the Ohio EPA, the Client and Partners, was conducted on October 18, 2018. The specific purpose and goal of the meeting was to obtain the Ohio EPA’s concurrence regarding what activities are subject to a Rule 13 permit in order to limit the scope of the permit and to avoid comments from the agency during the approval process. During the meeting, it was generally agreed upon that the limits of the waste placement are known and that the waste placement appeared to end prior to 1976.
Although it appears that all prior solid waste landfills operations that occurred on the Property ceased prior to July 29, 1976 and prior to the promulgation of landfill closure regulations, the Property is subject to Ohio Administrative Code (OAC) 3745-27-13 (A.K.A. Rule 13) should filling, grading, excavating, building, drilling or mining activities be conducted on land where a hazardous waste facility or solid waste facility was operated or within 300 horizontal feet. Since solid waste disposal activities were concluded prior to 1976, the proposed landfill investigation activities are subject to Paragraph F of the Rule 13.

This proposal is for services to prepare and submit documentation to the Ohio EPA as required under OAC 3745-27-13(F) so that further investigation of the landfill "cap" and extent of waste placement can be conducted. Specific activities to be conducted are further described in Task 2, below. Additional future work at the Property, including the storm water management activities and the expansion of the restrooms/multi-user facility, will be handled under a separate Rule 13 Permit, as necessary, and a proposal for that work will be prepared at a later date once the results of this investigation phase are completed.

The Rule 13 Permit submittal, in accordance is OAC 3745-27-13(F), must be received by the Ohio EPA 30 days prior to beginning filling, grading, excavating, building, drilling or mining activities.

**Scope of Work**

**Task 1 - Rule 13 Permit Application**

In order to apply to the Ohio EPA for the Rule 13 Permit for the investigative activities proposed under Task 2, the Client is required to prepare and submit documentation to the agency in accordance with OAC 3745-27-13(F). The documentation will be presented to the Ohio EPA 30 days prior to planned activities. Upon authorization from the Ohio EPA Director or 30 days after the Rule 13 Permit Application is submitted, activities may commence. The following documentation will be prepared by Partners and submitted to the Ohio EPA, as required for conducting these activities at the Property.

Provide information necessary for Ohio EPA to make a determination that the activities will be performed in a manner that will comply with the requirements of Chapter 3734 of the Revised Code, will not create a nuisance, and is unlikely to adversely affect the public safety or health or the environment, including as appropriate the following information in the following order:

1. Name of the facility, if any, and type of facility.
2. Address of the site.
3. County and township in which the site is located.
4. Name, address, and telephone number of person to contact for additional information regarding the activities at the site.
5. Size of site.
6. Identification of type and amount of waste present at the site, including a description of the process that created the waste and the time period of waste disposal.
7. Description of activities proposed at the site.
8. Description of any institutional control that applies to the site.
9. Description of the manner in which the control of air emissions, control of leachate, surface water run-on and runoff, explosive and toxic gas migration, and protection of ground water will be performed.
10. Letters of acknowledgement from the owners of all parcels of land to which the authorization pertains.
11. A statement that the requirements contained in paragraphs (H)(2) to (H)(10) of OAC 3745-27-13 will be followed.
(H)(1) – Not Applicable

(H)(2) – Filling, grading, excavating, building, drilling, or mining may occur thirty-one days after submitting a request for authorization to the director.

(H)(3) – Not Applicable

(H)(4) – If solid or hazardous waste or soils are removed from a closed facility, representative sampling of waste and potentially contaminated soil shall be performed. **No waste removal is proposed.**

(H)(5) – All filling, grading, excavating, building, drilling, or mining activities shall be performed in compliance with Chapters 3704, 3734, and 611 of the Revised Code and applicable local, state and federal laws and regulations pertaining to environmental protection, including but not limited to protection of ground water and control of air emissions, leachate, and surface water run-on and run-off.

(H)(6) – No excavation of waste shall occur unless the excavated waste is replaced within previously existing horizontal and vertical limits of waste placement or is treated or disposed of at a licensed, permitted treatment or disposal facility, in accordance with Chapter 3734 of the Revised Code and the regulations promulgated thereunder. Any wastes that are suspected or known to be hazardous and are removed from the horizontal and vertical limits of waste placement during filling, grading, excavating, building, drilling or mining activities, shall be stored in accordance with Chapter 3734 of the Revised Code until such time as these wastes are properly characterized and treated or disposed. Any liquid wastes released during filling, grading, excavating, building, drilling or mining activities shall be stored in accordance with Chapter 3734 of the Revised Code until such time as these wastes are properly characterized and treated or disposed. **No waste removal is proposed.**

(H)(7) – If excavation occurs outside the limits of waste at the site, the material used to backfill any excavated areas may not consist of solid or hazardous waste.

(H)(8) – Filling, grading, excavating, building, drilling, or mining activities shall be performed in a manner that prevents migration of leachate, explosive gas, or toxic gas from the facility.

(H)(9) – Upon completion of filling, grading, excavating, building, drilling, or mining activities at a closed facility, the condition of the facility cap shall be restored in accordance with the appropriate provisions of Chapter 3734 of the Revised Code and the rules promulgated thereunder as were applicable at the time the facility originally submitted certification of closure, or the rules the facility was required to comply with if certification was never submitted.

(H)(10) – The owner or operator shall provide a certification report within 60 days of completion of the filling, grading, excavating, building, drilling or mining activities. **(See the Certification Report Task).**

12. A statement that the applicable requirements contained in Chapter 3734 of the Revised Code will be followed by the applicant.

13. An affidavit affirming that the assertions made in this application are true.

Certification Report

In accordance with paragraph (H)(10) of OAC 3745-27-13, Partners will prepare a Certification Report, portions of which will need to be completed by the City, to be submitted to the Ohio EPA within 60 days of completion of the activities conducted in Task 2 under the Rule 13 permit.

The Certification Report shall contain the following:

- A verification to Ohio EPA that the following activities have been completed:
  - The owner or operator has filed with the board of health having jurisdiction and with the Ohio EPA, a plat or revised existing plat for the unit(s) of the solid waste facility or hazardous waste facility and information describing the acreage, exact location, depth, volume, and nature of the waste deposited in the unit(s) of the solid waste facility or hazardous waste facility that was impacted by the filling, grading, excavating, building, drilling or mining activities. *Partners will provide a Plat Map for this requirement.*
  - Because waste still remains on the Property, the owner shall update any prior recorded notation on the deed to the Property, in accordance with state law, to notify any potential purchaser of the Property that the land has been used as a hazardous waste facility or solid waste facility and that its use is restricted. The notation shall describe the acreage impacted by the filling, grading, excavating, building, drilling or mining activities; and the exact location, depth, volume, and nature of waste disposed of at the site. *The City shall conduct this requirement.*
- A notarized statement that if a protective layer, engineered cap, or surface soil on the site was disturbed, to the best of the owner's or operator's knowledge, the protective layer, engineered cap, or surface soil has been restored to a condition more protective than or equivalent to the condition prior to the activities being performed at the site.

Task 2 – Landfill Investigation

Site-Specific Health and Safety Plan (HASP) and Hazard Communication

Partners will prepare a site-specific HASP to be reviewed at the Property with all subcontractors and/or City staff prior to initiating field activities. Partners will conduct a brief Hazard Communication, on behalf of the City, for any City employees that will work on the site.

OUPS and OGPUPS Notification and Access

Partners will contact the Ohio Utility Protection Service (OUPS) and the Ohio Oil and Gas Producers Underground Protection Service (OGPUPS) at least 48 hours before initiating field activities. Marking or showing Partners the location of on-Property utilities, which are not part of the OUPS/OGPUPS locate, is the responsibility of the Client. Unless caused by Partners' negligence, Partners cannot be held liable for damage to any utilities during activities conducted as part of this investigation.

Test Pit Installation

Partners will supervise the excavation of several small test pits with a backhoe at the Property. We understand that the Client will provide the necessary labor and equipment for the backhoe and operator. Partners recommends that personnel used to operate the backhoe be trained under the Occupational Safety and Health Administration (OSHA) HAZWOPER requirements. Partners will prepare an appropriate Health and Safety Plan (HASP) but will not be responsible for the OSHA-defined safety of the Client's contractor/employees.

The purpose of the landfill investigation is to determine the condition and current attributes of the cap material and to generally confirm the limits of waste placement, to the extent possible, as they relate to the planned work.
In general, the activities can be summarized as follows:

- Excavate small test pits to determine general cap thickness and the edges of the landfill.
- Excavate small test pits in the parking area to determine if waste is present.
- Excavate small test pits to determine if fill materials are present in areas around current restrooms/multi-user facility.
- Collect photo documentation during excavation activities.
- Log visual observations associated with test pits, particularly as it pertains to the depth, thickness and composition of topsoil and cap materials.
- Install stakes or flags to mark the limits of the fill material and document the locations of those limits.
- Collect up to 10 samples of cap material for geotechnical testing.

We understand that the Client will provide the necessary labor and equipment for the backhoe and operator. Partners recommends that personnel used to operate the backhoe be trained under the Occupational Safety and Health Administration (OSHA) HAZWOPER requirements. Partners will prepare an appropriate Health and Safety Plan (HASP) but will not be responsible for the OSHA-defined safety of the Client's contractor/employees.

Prior to the beginning of the landfill investigation activities, Partners will meet at the Property with City personnel (and any other parties invited by the City) in order to locate and approve the desired locations of the test pits. Partners requests that the Client, or their representative, who is knowledgeable of utilities at the Property also meet with us to help identify acceptable test pit locations that will not impact utilities.

During the excavation of the test pits, Partners will collect up to 10 representative samples of existing cap material for laboratory analysis to determine pertinent physical characteristics. We anticipate that laboratory testing will include determining the moisture content, grain size distribution, and density, as well as Atterberg testing on the representative selected cap samples. The soil samples will be collected by hand or with a trowel directly from the backhoe bucket and submitted to a qualified laboratory on a standard turnaround time.

The Client will be responsible for backfilling the test pits with the removed materials, compacting with the backhoe and replacing topsoil and reseeding. Partners will not be responsible for site restoration or settlement.

Our proposal assumes that the Client will be able to provide and/or arrange sufficient access to the Property to allow completion of all proposed field activities.

Partners estimates that the scope of work for the landfill investigation will take approximately three (3) eight (8)-hour days to complete.

**Deliverable**

Based on the previous survey and information gathered from the test pit installations, Partners will create a topographic map that will include the current surface elevations as well as elevations of the top of fill and the top of the cap (bottom of topsoil).

Also included in this scope of work, Partners will coordinate a brief meeting with the City to discuss the results of the landfill investigation and plan for the next steps in the process, including the development of a final Conceptual Plan, based on those results. We anticipate that this work will lead to the proposed construction phase, which will also be subject to a subsequent and new Rule 13 permit. We also understand that the City is pursuing a grant to support funding for the construction. A proposal for the final Conceptual Plan will be provided to the City by Partners.
Limitations

- Partners is relying upon existing historical data and information for the Property.
- No waste material is planned to be disturbed or removed as part of this proposed work.
- The Client will be responsible for backfilling the test pits with the removed materials and compacting with the backhoe. Some unavoidable damage will result from the investigation and we cannot be held liable for these conditions.
- Costs associated with responding to any significant Ohio EPA comments are not included in this proposal.

Fees

Partners is prepared to undertake this project for the fees described below. The fees are presented on a Fixed Fee and Time and Materials (T&M) basis, where applicable. Partners will not exceed the amount presented below without prior written authorization. Our proposal is valid for 30 days. The following describes our costs for the project.

Task 1: Rule 13 Permit

Application Submittal .................................................. $ 6,250
Certification Report ....................................................... $ 1,480
Total $ 7,730 Fixed Fee

Task 2: Landfill Investigation Activities

Coordination, On-site Meeting and Field Activities (3 days) ...... $ 6,390
Equipment and Materials ................................................... $ 1,025
Laboratory Fees ($230/sample, estimated 10 samples) .......... $ 2,300
Reporting, Follow-up Meeting ........................................ $ 4,585
Total $ 14,300 T&M

An invoice for each task will be provided at the time of completion of the work outlined in this proposal or monthly, whichever comes first, and then proceed regularly as the project progresses. Payment terms are net 30 days. After 30 days, a compounded monthly 1.5% interest charge will be assessed on past due balances. Partners reserves the right to recover attorneys and other reasonable fees associated with the collection of past due balances.

 Closing

Partners appreciates this opportunity to provide Professional Consulting Services to you. If acceptable, please indicate your approval of this contract by signing in the space provided and returning to us by fax or e-mail.

Thank you in advance for your consideration of this proposal.

Sincerely,

Partners

Christopher J. Butcher
Project Manager

Dan B. Brown, CPG
President

Copyright © 2018, Partners
AUTHORIZATION

Agreed to this ___ day of ______________________, 2018

Agent For: ______________________________________

Signature: ______________________________________

Name: ______________________________________

Title: ______________________________________