

City of Bay Village

Council Minutes, Committee Session
Council Chambers

February 27, 2012
7:30 p.m.

Paul A. Koomar, President of Council, presiding

Present: Clark, Koomar, Lieske, Miller, Pohlkamp, Young, Mayor Sutherland

Absent: Mr. Tadych

Others

Present: Law Director Ebert, Finance Director Presley, Service Director
Galli, Police Chief Wright, Fire Chief Lyons, Community Services Director
Bock, Recreation Director Enovitch, Operations Manager Landers

President of Council Paul A. Koomar called the meeting to order at 7:30 p.m. in the Council Chambers of Bay Village City Hall and the meeting was open to the public.

Aqua Girls – Beach Clean Up Project

Kim Ray, leader for the Aqua Girls, part of the organization known as Destination Imagination, presented the Aqua Girls who gave details of their chosen project to clean up the beach on Saturday, April 28, 2012, from 1 p.m. to 3 p.m., as follows:

“The girls’ names are Eliza Aleksandrovic, Grace Chilton, Caroline Fowles, Ava Ransom, Audrey Ray, Olivia Reed and Patty Yuhas. They are 4th graders at Westerly Elementary. They are participating in a program called Destination Imagination. Destination Imagination is a program that fosters creative thinking, problem-solving and teamwork. In the early fall, Destination Imagination (www.idodi.org) reveals the challenges that groups begin to read and think about which they would like to work on. The Aqua Girls picked the community service challenge-World Canvas. At that time back in the fall, they had had a 4th grade field trip to Huntington Beach and they felt "sad" and "disgusted" to see the beach so dirty. So they decided to clean up the beach as their goal.

Then the girls rounded up community partners by making phone calls in the late fall and emailing contacts- The Great Lakes Initiative Restoration, Cleveland Metroparks, Adopt-a-Beach, The Bay Village Green Team and The Observer. Project Earth at Bay High School is also planning to help them.

The Metroparks recommended that they clean the beach on April 28 from 1-3. They have made advertisements, written about their project and the progress they are making in the Observer, and have even made a YouTube video (<http://tinyurl.com/aquagirls>) inviting the community to come to their clean up and learn how to keep it clean in the future in this video.

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They held a fundraiser to help fund their project at Westerly Elementary School called Pie Palooza. They sold tickets for 25 cents for a chance to throw a pie at a teacher's face. Their goal was \$75-100 and they made \$328.20.

They are competing in a regional Destination Imagination competition on Saturday, March 10. They are going to present their community service project in a "live and entertaining" skit that covers all the details of this project that they have written and rehearsed for a couple of weeks now."

Mayor Sutherland and Mr. Koomar thanked the girls for their presence this evening and promised to publicize the project by email blast and on the sign in front of city hall.

ANNOUNCEMENTS

Appointments to the Charter Review Commission

Mayor Sutherland advised of the following appointments to the Charter Review Commission in accordance with Article 13.6 of the Bay Village City Charter:

Clete Miller as the representative to City Council;
Dr. Gina Crawford to replace Joe O'Connor who is unable to participate due to family obligations

Mayor Sutherland called for a moment of silence for the tragic events that occurred today in the City of Chardon, Ohio.

AUDIENCE

The following members of the audience signed in this evening: Kent Silverberg, Jerrie Barnett, Dick Majewski, Detective Kevin Krolkosky, Suzanne Donofrio, Betsy Kopp, Denny Wendell, Susan Murnane

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Vicious Dog/Pit Bull Legislation

Mr. Clark stated that the Council packets included information on the current ordinance regarding vicious dogs. There has been much publicity recently in the newspapers due to a revision in the policy by the State of Ohio and the City of Cleveland in regard to the breed of pit bull dogs. Additional information will be received in the near future. Mr. Clark asked for the topic to be referred to the Environment, Safety and Community Services Committee to see if a change in the City of Bay Village ordinance is indicated.

Mr. Koomar referred the matter of Vicious Dog/Pit Bull Legislation Review to the Environment, Safety and Community Services Committee.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Pohlkamp advised that the Public Improvements, Streets, Sewers and Drainage Committee will hold a meeting on March 5, 2012 at 6 p.m. to discuss matters pending and additional items for the year 2012.

FINANCE & CLAIMS COMMITTEE

Personal Vehicle Use Policy

Mr. Young reviewed information concerning three different possible options for reimbursement to the city by employees for personal use of city vehicles. One option is for the employee to reimburse the city the standard IRS rate of 55 cents per mile, which would include mileage for commuting back and forth to work. There would be no charge for use of the vehicle for city business. The second option is a payment of a monthly fee of either \$250.00, \$300.00, or \$350.00 to the city depending on the mileage from home to work. The third option is to pay a monthly fee of \$250.00, \$375.00 and \$500.00 per month depending on the mileage.

Mr. Young stated that the Finance Committee wishes to present this to the Committee of the Whole for comments and/or suggestions. Mayor Sutherland has suggested that the police might possibly work a 12 hour shift which would affect the number of commutes back and forth to work.

Mayor Sutherland stated that the administration has not really looked at this in terms of vehicle usage.

Mr. Young presented additional information that he compiled for the four tiers of distance that employees who use city vehicles have from their homes to work. For city employees who live in the city and use city vehicles in their commute from home to work, there would be no charge for vehicle use. Those living 16 to 25 miles away would fall under the second tier, 26 to 39 the third tier, and those averaging 40 miles round trip would fall in the fourth tier. Calculating the total number of work days per year, Mr. Young's figures assume that the average number of days per month worked is 17.75, and based on 55 cents per mile the cost for the second tier is \$158.40, third tier \$257.40, and four tier \$396.00 for use of the vehicle to travel from home to work per month.

Mr. Pohlkamp asked if this is assuming that the city pays for the gasoline. Mr. Young responded affirmatively, noting that the city pays for everything.

Mayor Sutherland stated that it is her opinion, very respectfully given, that this interferes with departmental operations and her advice is to not pursue this course of action. The Mayor stated that she thinks this goes beyond the authority of Council and gets into administrative issues.

Mr. Young stated that he respectfully disagrees. The city did have a policy which the Finance Committee reviewed and felt that in comparison to the private market, the policy was wanting.

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The Finance Committee felt that a new policy should be looked at and presented the three different options in an endeavor to create a new policy.

Mr. Miller stated that the mileage in Option C, Tier 4, is indicated at 15 but less than 25, but Option B, Tier 4 states 15 miles or more. He asked if there is a reason why Option C restricted the mileage to 25 miles. Finance Director Presley stated that the 25 miles mirrors the restrictiveness that is in the contracts for the employees.

Mr. Pohlkamp asked if the Finance Committee took into consideration any best practices of other communities. Mr. Young stated that the committee looked at private more than other cities. The Mayor stated that again, respectfully, this is not the private sector; this is the public sector and we are dealing with public safety.

Mr. Koomar asked that the Council members who are not part of the Finance Committee review the information presented and feed their comments back to Mr. Young as to whether the Council should proceed in some fashion or not. Mr. Young noted that for emergency situations the travel policy rules for reimbursement do not apply; there is no cost to commute when using the vehicle for training, court appearances, or emergency calls.

Mrs. Lieske asked if the Finance Committee reviewed what the mileage used means in terms of replacement of vehicles and how that cost would possibly be offset. Mr. Young stated that the total mileage driven for is estimated at 57,000 miles per year, going back and forth from home. This could offset having to purchase a new car every three years.

Temporary Appropriation Ordinance for March, 2012

Mr. Young stated that this ordinance matches the January and February transfers of funds. It does not include the \$820,000 originally shown as a transfer in the budget. Mr. Presley stated that a temporary appropriation is necessary to continue operating the city because the annual appropriation will not be adopted by March 1.

Annual Appropriation Ordinance for 2012

Mr. Young stated that the annual appropriation ordinance is based on a February 24, 2012 budget document that the Finance Committee reviewed. He noted that there are transfers involved in the amount of \$90,000. In the past, transfers have been made from the capital accounts. In this case, the \$90,000 is \$30,000 from three different accounts; one is the Bond Retirement Fund and is possible due to the savings of \$30,000 per year of interest from changing the bond for the police station. The second fund transfer is from the Workers Compensation Account, and the third fund transfer is from the Accrued Benefits Account. There is an excess balance in both of those accounts.

Mr. Young commented that the cost for Bay Family Services is included in the 2012 budget. The crossing guard expenses have been reduced by \$33,750. The \$30,000 extra put into police part time can be used or moved around for overtime wages. The transfers to the Parks and Recreation Department have been reduced due to cutbacks such as flowers. A transfer from the Street

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Construction, Maintenance and Repair Fund has also been made by eliminating the purchase of a piece of equipment.

The 2012 Budget is still \$21,039 shy from appropriations to revenues. Mr. Young stated that there are a couple of moving parts that should fall into place by the time of the final reading of the ordinance, bringing the final number to zero in regard to transfers. The General Reserve Fund remains at \$54,000.

Mr. Pohlkamp affirmed that as the process continues the ordinance can be amended by reading, depending on how the negotiations go with the school relating to the crossing guards or a number of other situations.

Mr. Presley stated that after it is adopted in March, if something should come up in April or beyond, a supplemental appropriation ordinance can be adopted. The first annual appropriation must be adopted by March 31, 2012. The first reading is this evening; the second reading will occur March 5. Third and final reading will be placed on the agenda for the March 19 regular meeting of Council.

Mayor Sutherland stated that fireworks are not included in the budget. The city will look for corporate sponsorship. A small team is being put together to work with the Bay School Board and meet with Superintendent Keener to discuss the school related issues.

Mr. Clark stated that the city has experienced a three percent increase in the trash collection contract for 2012. This will be fully absorbed by the city and not passed along to the residents.

Mr. Young commented that the city does have capital funds. A new Master Plan is in the works which will have a great deal to say about a number of the public buildings as far as their usage and possible changes.

Law Director Ebert noted that a meeting was held with an insurance expert and an appraiser will be appointed to be the city's expert to dispute the insurance company regarding municipal building roof repairs.

Mr. Young stated that the city did complete a facilities study which recommended many repairs which are being held until the roof repairs are completed.

Mr. Young stated that the city has budgeted funds to begin renovation work at the Community House. He noted that especially with the removal of the librarian house it is a perfect time, considering the capital money that is in the budget and before the Master Plan is done, to look at spending and doing something to the Community House. He commented that the Community House and Rose Hill are the two true historic pieces of city property that the trustees are bound by the Cahoon Will to maintain. Mr. Young stated that he feels the trustees have fallen short on their duties as trustees to keep the Community House up-to-date and it is something that should be worked on this next year.

Mayor Sutherland advised that she has begun discussions with Service Director Galli as to how to get started. There was a study done by the Cleveland Restoration Society that outlines some of the major issues with the Community House. It is estimated that the city will need approximately \$500,000 to do what needs to be done including needed foundation and electrical work, HVAC, flooring, decorating, ADA accessibility and tuck pointing. The Mayor noted that the Community House will be a multi-year project and commented that it is very worthwhile since it is a plaqued building on the National Historic Register with importance not only to the city but to the country.

Mr. Young stated that there are a number of things to work on with the Infrastructure Funds in regard to roads and sewers.

Mr. Pohlkamp stated that there are \$3.5 million in projects to move forward in the next year-and-a-half which he will give an update on at the next committee session of Council.

Medical Mutual of Ohio Contract Renewal

Finance Director Presley stated that the city is looking at the stop-loss underlying insurances for the specific claims. For any individual covered by the policy, the city is liable for up to \$60,000 of medical claims, and then the specific stop-loss is activated. As an entire group, the aggregate stop-loss of \$1,505,000 is what the city will be liable for in claims. The attachment point is not changing for 2012. What is changing is a 12.5% increase in the two underlying insurance quotes, that is to buy the stop loss at \$60,000 per covered individual, or the aggregate stop loss as a total. The administration fee from Medical Mutual of Ohio is going up 3.5%. In knowing that Medical Mutual of Ohio can be notified of a cancellation to the overall plan, this gives the city some stability for this time period while knowing that Council would like to go out to bid and have a January 1 renewal date.

Mr. Koomar asked where the working through of some of the components of the contract by Mr. Presley stands at this point. Mr. Presley stated that he met with the volunteer consultant last Friday and he did provide information on four of those components which will be incorporated into the contract language.

Mr. Presley stated, in regard to the transfers mentioned by Mr. Young of \$30,000 from the Workers Compensation Fund and \$30,000 from the Accrued Benefits Fund, he is comfortable in doing those transfers for 2012 but needing to keep the funds stable in the Accrued Benefits Fund to pay out sick time and vacation liabilities, he would not feel comfortable saying that he would do that on an annual basis. He does feel comfortable doing this on a one-time basis but does not think this will be the answer going forward.

PLANNING, ZONING, PUBLIC GROUNDS AND BUILDINGS COMMITTEE

Mr. Miller advised that a meeting of the Planning, Zoning, Public Grounds and Buildings Committee was held earlier today. The committee met with the students from Baldwin Wallace University and discussed opportunities for sustainable ordinances. The students have been counseled and mentored by the Cuyahoga County Planning Commission and developed some

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model ordinances for the City of Eastlake which were adopted in June of 2010. The committee is considering similar ordinances for the City of Bay Village that would affect solar, wind, and possibly geo-thermal energy.

RECREATION & PARK IMPROVEMENT COMMITTEE

Restorative Work at Bayway Cabin/Lease

Mrs. Lieske stated that this topic is being addressed by Mr. Pohlkamp at tonight's special meeting of Council.

Service Director Galli stated that he is ready to receive proposals for a fire suppression system at the Bayway Cabin after making sure that the proposed use is in line with the plans that have been prepared.

Law Director Ebert advised that he has received a copy of a proposed lease and the use is indicated in the lease.

Mr. Galli commented further that the other restorative items are projects that will be done in-house with Service Department personnel.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

There was no report this evening.

MISCELLANEOUS

Bay Family Services Presentation

Mr. Sean McAndrews, Principal of Bay Middle School, and President of the Bay Family Services Board, made up of school, city and community members, addressed the administration and Council to ask for continued support of Bay Family Services. Mr. McAndrews submitted a report entitled "Bay Family Services Report to Bay Village City Council dated February 27, 2012" which is attached to the original copy of these minutes of Council as if fully incorporated herein.

Mr. McAndrews advised that Bay Family Services has existed since 1999, working hand-in-hand with the Bay Village Police Department in their diversion program. In the last few years they have developed a community service program with McKeon Education Group, allowing the program to keep hold of the juveniles here in the City of Bay Village instead of sending them to Juvenile Court in downtown Cleveland. In 2012 there were 62 youths handled by the diversion program. Mr. McAndrews stated that he feels that after 12 years Bay Family Services has engrained itself into the community as a whole, with families contacting Bay Family Services on their own without a referral. In recent years the programs provided have expanded into the Middle School, St. Raphael's, Westerly Elementary School with the main referrals coming from Bay High School. McKeon Education Group moves very fast with the programming that is

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needed for the schools. Bay Family Services takes many of the student groups into the community so that community members can interact with the students in a positive manner. An example is the Middle School Honor Ring, a group of young men who baked and decorated over 500 cookies for holiday baskets delivered to needy families in Bay Village. During the 2010-2011 school year a group of young ladies at the Middle School raised over \$1,000 for Providence House.

Mr. McAndrews stated that the city and the schools are receiving a phenomenal return on their investment. This year the city's portion of the Bay Family Service contract will be \$40,000 of the total \$80,000 split between the schools and the city. Mr. McAndrews commented that eight students he knew from Bay High School or the Middle School have died in the last ten years from drug or alcohol involvement. He stated that this should not be allowed to happen. The city and the schools are doing all that they can and one of the ways is to provide services through Bay Family Services and he is asking again for City Council and the Mayor to continue to provide the financial support to Bay Family Services.

Mayor Sutherland stated that one of the reasons the program has been so successful is because Detective Kevin Krolkosky has been so instrumental in really making sure that the relationships work. The Mayor advised that when she was a Councilperson in 1999 she was on the development/implementation team that got this started and it is a program that is very near and dear to her heart. The Mayor stated that she is very glad that Council would like to fund this. The only caution that she has is that it may need to be looked at in the summer because she is very worried about the manpower in the Police Department. There has been another resignation, putting the department down three officers and it will be a year to a year-and-a-half before new officers will be on the road by themselves. The Mayor is concerned about the ability to handle the program as far as manpower planning.

Detective Krolkosky agreed with the statements of Mr. McAndrews as to the growth, improvement and success of the program over the years, and stated that he also agreed with the Mayor that as we enter a period of time that we will be down three police officers, this will cause logistical problems. Detective Krolkosky and Detective Elish will be forced to cover the road more because patrol is the primary function. By doing that it consumes the time that Detective Krolkosky can review and evaluate cases. If there is more time on the road spent than investigative time spent the same backlog that exists with Juvenile Court will occur. Detective Krolkosky elaborated on the time it takes to hire and train a new police officer, and noted that all of those things contribute to the delay in providing the services to the city. The quicker they can bring their manpower up to sustainable levels, the better they are to do all those other things. He commented that the Bay Family Services program is outstanding and we do not want to backslide on the progress that has been made.

Chief Wright added an historical perspective of arresting juveniles and how the value of Bay Family Services has provided a service and interventions in dealing with juvenile offenders. He noted that our hope in Bay Village is that early intervention will prevent more serious crimes and support of the Bay Family Services program is critical and a good expenditure of public funds.

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Detective Krolkosky related the experience of a recent investigation where they were able to have referrals to Bay Family Services before actually charging because they were able to devote the necessary time.

Mr. McAndrews stated that McKeon Education Group has to make personnel moves by a certain time and asked if there is a time line when they would know if the program will continue. Mr. Koomar stated that the decision time would be mid-March when the budget is passed.

Mr. McAndrews was thanked for his presentation this evening.

There being no further business to discuss, the meeting adjourned at 8:17 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council