

## CITY OF BAY VILLAGE

Council Minutes, Regular Meeting  
Council Chambers, 8:00 p.m.

March 19, 2012

Scott Pohlkamp, Vice President of Council, presiding

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

Absent: Mr. Koomar

Others

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

Council and members of the administration had assembled at 7:30 p.m. in the conference room to review agenda items; this was open to the public.

During the review, Councilman Tadych advised that he will present a donation to the city this evening on behalf of the Bicentennial Committee. Mr. Tadych explained that the Bicentennial started planning in 2009, and is being concluded today with the money remaining in the fund. Mr. Tadych stated that he gave a donation to the Bay Village Schools last week, and he will also present a donation for the Waldeck Trust Fund. Those donations will completely use the Bicentennial fund balance.

Mr. Clark reviewed the resolution he will presented this evening for the filing of an application for the Safe Routes to School Project sponsored by the State of Ohio, Department of Transportation.

Jerrie Barnett asked for further information regarding this project. Mr. Clark stated that this is a collaboration of school officials to make sure there are safe routes for those students who are walking and bicycling to Bay Schools. There are funds available from the State of Ohio to provide safety education for these children. Mr. Pohlkamp noted that one of the concerns is that many communities are not built with bicycle traffic consideration. As a result of that, it is challenging not only for the motorists but for the bicyclists as well to safely arrive at their destination. There is a national agenda to teach children, as they are growing up, safe practices for riding their bikes under these circumstances, especially as we are promoting bicycle transportation more and more.

Susan Murnane asked if this will be coordinated with enforcing city ordinances on things such as shoveling sidewalks so that the kids will have a safe way to school. Mrs. Murnane's comments were acknowledged.

Mr. Clark also commented regarding the ordinance to be presented this evening amending and extending the agreement with Browning-Ferris Industries of Ohio, Inc. (BFI) for solid waste.

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collection and disposal, recycling services, and yard waste collection and processing. The goal is to try to reduce the cost of trash collection in the city.

Mr. Miller will present a motion to request proposals or quotations for the repair of the steps at Columbia Road Park. Service Director Galli commented that he will seek proposals or quotations as a design/build contract for the Columbia Road Park steps. Mr. Pohlkamp stated that the steps are in a state of disrepair. There is also concern about the condition of the parking lot across Lake Road from Columbia Road. It did not make sense to address the parking lot when the stairs going down to the lake need attention.

Mr. Young will present a resolution authorizing the Director of Finance to transfer monthly operating funds. The resolution is based on the 2012 budget passed on Monday, March 12. If there are amendments that need to be made for the first half of 2012, the June monthly transfers will be changed to be sure there is exactly 50% of the budgeted transfers in by June 30, 2012. Mr. Young asked Mr. Presley to provide Council of what the overall total will be a month in advance.

Mr. Young commented regarding the ordinance he will present this evening regarding rates of compensation for the officers and employees of the General Administration Department. This ordinance will cover changes in compensation for city employees due to changes in the Building Department.

Discussion followed concerning the extension of the BFI trash collection contract. Law Director Ebert stated that the ordinance sets forth the extension. The addendum to the contract will set forth the changes. The changes are that once this contract is extended, at some point before the end of the year, the day of collection will switch back from Friday to Tuesday. The recycling award points will also cease upon that date. There is significant savings to the city by discontinuing those award points. There have been other inquiries of interest for the city refuse pick up, but those inquiring cannot provide the city with the one-day-per-week refuse collection, nor guarantee automated collection.

Mr. Dave Kidder, of Browning-Ferris Industries, Inc. (BFI) addressed the Council regarding the bulk pick up collections. He stated that the bulk crews move from city to city, and North Ridgeville, North Olmsted and Bay are scheduled on the same first full work week of the month. Mr. Kidder stated that every resident will be supplied with a magnetic calendar for the entire year. The calendar highlighted in green will indicate bulk pick-up weeks. The calendar highlighted in blue will be the six holidays that would affect collection. This procedure will be done in Bay Village in 2013 when the day of collection is changed to Tuesday. The calendar will be mailed out at least thirty days in advance of the first collection. The date for the beginning of yard waste collection will be changed from April 15 to April 1.

Mr. Young noted the great participation in the recycling efforts in the city. He stated that having the awards program was an incentive toward that effort, and was almost redundant as opposed to a real benefit. Mr. Ebert noted that the savings to end the rewards program will be of benefit to the residents.

Mr. Ebert advised that the ordinance does reflect the change in the fuel recovery rate. Council will be provided with a copy of the addendum to the agreement.

Vice President of Council Pohlkamp called the regular meeting of Council to order at 8:00 p.m. in the Council Chambers with the roll call and Pledge of Allegiance led by Ward 3 Councilwoman Karen Lieske. Mr. Pohlkamp called for a reading of the minutes of the special meeting of Bay Village City Council held March 12, 2012 **MOTION** by **Clark** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 6-0.**

**Mr. Pohlkamp** called for a moment of silence in remembrance of Walter Rodgers, formerly the Chair of the City of Bay Village Planning Commission, who passed away recently, and the father of Jim Sears, who passed away last week. Condolences were extended to the families of Mr. Rodgers and Mr. Sears.

## **ANNOUNCEMENTS**

**Mayor Sutherland** accepted a donation from **Councilman David L. Tadych, Chairman of the Bay Village Bicentennial Committee.**

**Mr. Tadych** stated that the Bicentennial adventure began in 2009 and concludes this evening. The adventure was led by the Bicentennial Executive Committee consisting of Carole Roske, Evelyn Allen, Tom Phillips, and Mr. Tadych. All bills are now paid and the team ended with a positive bank balance. The money was received from residents and businesses throughout the city. Bay Schools received a check last week to help the children. A check is being presented this evening to the City of Bay Village, returning money left over to be used for the citizens of Bay Village. Additionally, a third check is being presented for the seniors to be used through the Waldeck Trust. The committee thanked all who came forward to make the celebration really a true success and they hope that 10.10.10 will stay memorable in the minds of the people for a long time to come.

Mr. Pohlkamp expressed appreciation to Mr. Tadych for the efforts of the Bicentennial Committee and for the distribution of the funds. Mr. Tadych stated that the check for the schools was in the amount of \$750, the check to the city is \$1,500, and the check to the Waldeck Trust is in the amount of \$323.23.

## **REPORTS**

**Mayor Sutherland** advised that all of the fifth grade classes of the DARE Program were successfully completed in the fall. Graduations were held in January. The DARE officer now is working with the seventh graders with a refresher course, reinforcing information that they learned in fifth grade. All of that content is going to be completed prior to the DARE officer's reassignment on April 1, 2012. In essence, this year's DARE Program has been successfully completed on a truncated schedule but the content has all been handled. The Mayor concluded her report by stating "Everyone went through the proper graduations and it did get completed successfully through the hard work of our shortly manned police department."

Mr. Pohlkamp expressed appreciation for the clarification.

**Law Director Ebert** had no report this evening.

**Finance Director Presley** had no report this evening.

**Recreation Director Enovitch** had no report this evening.

**Service Director Galli** advised that the house located at 459 Cahoon Road has been visited by Habitat for Humanity who took all of the items out of the home in which they had interest. The building has been boarded and will be turned over to the Fire Department for training for the next two weeks. Demolition will follow.

**Community Services Director Bock** reported that she is compiling the annual report of the Community Services Department as requested by the Mayor for her annual State of the City address. In looking at the statistics, there is a 25% increase from 2010 to 2011 for both activities and programs and the outreach activities. The ratio between the two has stayed the same. Two-thirds of services are outreach, and one-third activities and programs. For the first time ever, physical exercise (dancing and exercise classes) has surpassed the number of card players which is an indication of interest in both mind and body activity for the senior population.

**Police Chief Wright** had no report this evening.

**Fire Chief Lyons** had no report this evening.

## **AUDIENCE**

The following members of the audience signed in this evening: Denny Wendell, Jerrie Barnett, Susan Murnane.

Kendall Travis, 30816 Lake Road, at the intersection of Lake Road and Bradley Road, requested a meeting with the Environment and Safety Committee as there is an issue where people are travelling east bound on Lake Road and do not stop for the school bus. Mr. Clark stated that a meeting will be scheduled within the next week and that item will be included on the agenda.

Mayor Sutherland urged Mrs. Travis to contact the Chief of Police to try to resolve the issue. Mrs. Travis noted that a blinking traffic light was at the corner of Lake and Bradley when they moved into their home in 2005. She stated that if the intersection were safer, motorists might be more apt to stop. There is a traffic light at Huntington Beach and then six miles of open road.

Service Director Galli stated that he talked with Mrs. Travis and the concern regarding the stop light that used to be in place at that intersection. The same issue came up with putting a stop light at Columbia Road and Lake Road. CT Consultants is preparing a proposal for a traffic study.

The presentation scheduled regarding free tree planting for Arbor Day was not held this evening.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Clark **MOVED** to adjourn to Executive Session regarding contracts, labor contracts, personnel, and litigation, at 8:15 p.m.

Roll Call Vote: Yeas- Clark, Lieske, Miller, Pohlkamp, Tadych, Young. Nays – None. **Motion carried 6-0.**

Council reconvened in an open meeting at 8:45 p.m. Present were: Clark, Lieske, Miller, Pohlkamp, Tadych, Young, Also present: Mayor Sutherland, Law Director Ebert, Service Director Galli, Finance Director Presley.

### **ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE**

**Mr. Clark** read and introduced **RESOLUTION 12-14 AUTHORIZING THE FILING OF A SAFE ROUTES TO SCHOOL PROJECT SPONSORED BY THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, AND DECLARING AN EMERGENCY**, and moved for adoption.

There being no further discussion, Mr. Pohlkamp called for a vote on the motion to adopt Resolution No. 12-14.

Roll Call on Suspension of Charter Rules:

Yeas –Pohlkamp, Tadych, Young, Clark, Lieske, Miller

Nays- None

Roll Call on Suspension of Council Rules:

Yeas – Pohlkamp, Tadych, Young, Clark, Lieske, Miller

Nays– None

Roll Call on Use of the Emergency Clause:

Yeas –Pohlkamp, Tadych, Young, Clark, Lieske, Miller

Nays - None

Roll Call on Adoption:

Yeas –Pohlkamp, Tadych, Young, Clark, Lieske, Miller

Nays – None.

Mr. Pohlkamp announced adoption of **Resolution No. 12-14**, an emergency measure, by a vote of 6-0.

**Mr. Clark** introduced and read **Ordinance No. 12-15 AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION AND AMENDING THE AGREEMENT WITH BROWNING-FERRIS INDUSTRIES OF OHIO, INC. (BFI) FOR SOLID WASTE COLLECTION AND DISPOSAL, RECYCLING SERVICES, AND YARD WASTE COLLECTION AND PROCESSING, AND DECLARING AN EMERGENCY**, and moved for adoption.

Mr. Pohlkamp expressed appreciation to Mr. Jim Sears for the work he did in dealing with Allied Waste Management in negotiating the extension to the contract. Mr. Pohlkamp stated that Mr. Sears did a fantastic job and it is going to be great not only for the city and administration, but also for the residents in a very tight budget year, and over the next few years.

There being no further discussion, Mr. Pohlkamp called for a vote on the motion to adopt Ordinance No. 12-15.

Roll Call on Suspension of Charter Rules:

Yeas –Tadych, Young, Clark, Lieske, Miller, Pohlkamp

Nays- None

Roll Call on Suspension of Council Rules:

Yeas –Tadych, Young, Clark, Lieske, Miller, Pohlkamp

Nays– None

Roll Call on Use of the Emergency Clause:

Yeas –Tadych, Young, Clark, Lieske, Miller, Pohlkamp

Nays - None

Roll Call on Adoption:

Yeas –Tadych, Young, Clark, Lieske, Miller, Pohlkamp

Nays – None.

Mr. Pohlkamp announced adoption of **Resolution No. 12-15**, an emergency measure, by a vote of 6-0.

## **PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE**

**Motion** by **Clark** to remove the following items from the Matters Pending before Council list:

- Porter Creek
- Responsibility for Repair of Sewer Service Lines (C.). 914.02 (11-23-09)
- Historical Preservation Legislation (4-23-07) (2-9-09)

**Motion carried 6-0.**

**Motion** by **Clark** to request proposals or quotations for the repair of the steps at Columbia Road Park. Mr. Tadych noted that he has really looked forward to seeing this done. The steps are horrible and the people in Ward 1 and the city both deserve help in this direction.

**Motion carried 6-0.**

## **FINANCE & CLAIMS COMMITTEE**

**Mr. Young** read **RESOLUTION 12-16** AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER MONTHLY OPERATING FUNDS, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Pohlkamp called for a vote on the motion to adopt Resolution No. 12-16.

Roll Call on Suspension of Charter Rules:

Yeas –Young, Clark, Lieske, Miller, Pohlkamp, Tadych

Nays- None

Roll Call on Suspension of Council Rules:

Yeas –Young, Clark, Lieske, Miller, Pohlkamp, Tadych

Nays– None

Roll Call on Use of the Emergency Clause:

Yeas –Young, Clark, Lieske, Miller, Pohlkamp, Tadych

Nays - None

Roll Call on Adoption:

Yeas –Young, Clark, Lieske, Miller, Pohlkamp, Tadych

Nays – None.

Mr. Pohlkamp announced adoption of **Resolution No. 12-16**, an emergency measure, by a vote of 6-0.

**Mr. Young** read, by title only, **ORDINANCE NO. 12-17 AMENDING SECTION 1 OF ORDINANCE NO. 11-103 REGARDING RATES OF COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE GENERAL ADMINISTRATION DEPARTMENT AND THOSE EMPLOYEES OF THE CITY NOT COVERED BY SEPARATE LABOR CONTRACT FOR THE CALENDAR YEAR 2012 AND THEREAFTER, AND DECLARING AN EMERGENCY** and requested that Ordinance No. 12-17 be placed on First Reading.

Mr. Pohlkamp announced that **Ordinance No. 12-17** is placed on **First Reading**.

#### **PLANNING, ZONING, PUBLIC GROUNDS & BUILDINGS COMMITTEE**

**Mr. Miller** had no report this evening.

#### **RECREATION AND PARK IMPROVEMENTS COMMITTEE**

**Mrs. Lieske** had no report this evening.

#### **SERVICES, UTILITIES & EQUIPMENT COMMITTEE**

Mr. Tadych had no report this evening.

#### **MISCELLANEOUS**

There being no further business to discuss, the meeting adjourned at 9:10 p.m.

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Scott Pohlkamp, Vice President of Council

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Joan Kemper, Clerk of Council