

## **CITY OF BAY VILLAGE**

### **CAHOON MEMORIAL PARK TRUSTEES**

April 16, 2012

Paul Koomar, President of Council, Presiding

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

Others

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

### **AUDIENCE**

The following members of the audience signed in this evening: Jerrie Barnett, Dan Krieg, Tom Carey, Russell Thompson, Ray and Linda Gruss, Susan Murnane.

Mr. Koomar called the meeting to order at 7:37 p.m. in the Council Chambers of Bay Village City Hall.

### **Lease Agreement for Bayway Cabin**

Law Director Ebert advised that he has sent a copy of the proposed lease agreement to the trustees. One of the provisions added is the necessity of formal action by the Cahoon Memorial Park Trustees for any extensions of the lease. The initial lease term is for a period of two years. Mr. Ebert stated that it is his understanding that the lease agreement will be passed at the next meeting of Council because of the necessity of the daycare establishment, Kiddie Kollege, Inc., to begin registering participants for next year's daycare program. Mayor Sutherland commented that Kiddie Kollege is a Bay Village based business and the owner grew up in Bay Village and still resides here. Mr. Koomar noted that his understanding is that one of the things they will be able to offer is after-school care, which is a void now that the youth center has ceased operations.

Mr. Clark will clarify minor adjustments to the lease with Mr. Ebert.

Mr. Tadych asked how much of Cahoon Memorial Park will be fenced in front of the Bayway Cabin for the security of the children. Mr. Ebert stated that he will have to find out that information and get back to Mr. Tadych. Mr. Tadych noted that it is a significant issue to the people in the city that use the property. Mr. Ebert stated that the area in front of the Bayway Cabin is not generally used, but he will determine the amount to be fenced and provide that information to Mr. Tadych.

Mr. Koomar asked if there are any issues relative to the Cahoon Will in the leasing of the building and property. Mr. Ebert stated that there are no issues. The Cahoon Memorial Park has had rentals, up to and including the home that was just demolished. There are also rentals that occur at the Community House and the Dwyer Memorial Center.

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Mr. Tadych asked the amount of the real estate taxes that will be assessed to the Bayway Cabin now that it is being used as a rental facility. Mr. Presley stated that the taxes will be paid by Kiddie Kollege. Mr. Presley was informed that the lease indicates that the taxes will be paid by the lessor, the City of Bay Village. The lessee, Kiddie Kollege, Inc. pays personal property taxes but the lessor is required to pay the real estate taxes, according to Article XXI of the draft of the lease agreement. Mr. Tadych noted that this may be a significant amount that could eat away at the rental proceeds. Mr. Presley will advise the trustees of the potential amount of the taxes.

Mr. Koomar noted that if these matters are resolved passage of the agreement will be considered on April 23, 2012.

Mr. Young asked if the lease agreement contains information as to hours of operation of the Kiddie Kollege. Mr. Ebert stated that a schedule of the hours of operation could be attached to the lease agreement. There will be no Sunday usage that Mr. Ebert is aware of. Mayor Sutherland noted that there has been Sunday usage of buildings in Cahoon Memorial Park rented in the past. A church rented the Bayway Cabin at one time.

Mrs. Lieske asked if anything needs to be clarified in terms of a time frame under the Miscellaneous clause of the lease agreement, Article XXX, stating that "Lessor and Lessee agree to continue discussions to permit Lessee to occupy the separate office space on the west end." Mr. Ebert stated that Mayor Sutherland has spoken with the tenant concerning when the Recreation Department office would be moving out. It was left up to the city as to the implementation of that move. Mayor Sutherland stated that in her discussions with Mrs. Moell, the owner of Kiddie Kollege, Inc., the Recreation Department could occupy the office up to one year. It will be dependent upon the city mobilizing the workers in-house to make modifications to the downstairs of city hall to accommodate the Recreation Department.

Mrs. Lieske stated that Article XXX, Miscellaneous also states that the city (Lessor) shall make all necessary repairs and corrections. Mrs. Lieske asked if those necessary repairs and corrections are those listed on the sheet received by the Cahoon Memorial Park Trustees dated April 3, 2012. Mr. Ebert responded affirmatively.

Mr. Tadych suggested that the three months free rent being given to the Lessee cease if the business should become operational during that three month preparation period. Mr. Koomar stated that he believes it will take the Lessee the entire three months to prepare for becoming operational, but agreed to definitely watch the situation.

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 7:48 p.m.

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Paul Koomar, President of Council

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Joan Kemper, Clerk of Council