

# City of Bay Village

Council Minutes, Special Meeting  
Council Chambers 9:18 p.m.

April 23, 2012

Paul A. Koomar, President of Council, Presiding

Present: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Acting Mayor Ebert

Not Present: Mayor Sutherland

Also Present: Finance Director Presley, Service Director Galli, Police Lieutenant Kirchner, Fire Chief Lyons, Community Services Director Bock, Recreation Director Enovitch, Operations Manager Landers

President of Council Koomar called the Special Meeting of Council to order at 9:17 p.m. in the Council Chambers with the Pledge of Allegiance led by Ward 3 Councilwoman Karen Lieske and roll call.

## AUDIENCE

The following members of the audience signed in this evening: Lawrence Kuh, Denny Wendell, John Suter, Eric & Cynthia Eakin, Russell Thompson, Jerrie Barnett, Tom Carey, John Suter

Mr. Koomar called for a reading of the Minutes of the Regular Meeting of Council held April 16, 2012. Mr. Pohlkamp **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 7-0.** Mr. Koomar called for a reading of the Minutes of the meeting of the Cahoon Memorial Park Trustees held April 16, 2012. Mr. Pohlkamp **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 7-0.**

Mr. Tadych read **ORDINANCE NO. 12-27 ENACTING NEW CODIFIED ORDINANCE CHAPTER 540 ENTITLED, "CEMETERY REGULATIONS" AND DECLARING AN EMERGENCY**, and moved for adoption.

Mr. Koomar thanked Mr. Tadych, Mr. Jim Sears, and Law Director Ebert for their work in writing this ordinance.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-27.

Roll Call on Suspension of the Charter Rules:

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

Nays – None

Roll Call on Suspension of Council Rules:

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Yeas – Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young  
Nays – None

Roll Call on Use of the Emergency Clause:

Yeas –Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young  
Nays - None

Roll Call on Adoption:

Yeas –Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young  
Nays –None.

Mr. Koomar announced adoption of **Ordinance No. 12-27**, an emergency measure, by a vote of 7-0.

Mr. Koomar advised that the Ordinance authorizing the Mayor to enter into a lease agreement with Kiddie Kollege, Inc. for the real estate located at 27400 Wolf Road, referred to as “Bayway Cabin” has been removed from tonight’s agenda.

**Motion** by Pohlkamp to authorize the Director of Public Service and Properties to advertise for bids for the renovation of the Dover Center Road Tennis Courts. **Motion carried 7-0.**

**Mr. Pohlkamp** introduced **ORDINANCE NO. 12-33** AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH DANE CONTRACTORS, INC. FOR THE REPAIR OF THE TRANSFER STATION BUILDING/SALT SHED AT THE BAY VILLAGE SERVICE CENTER, AND REPEALING ORDINANCE 11-54, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-33.

Roll Call on Suspension of Charter Rules:

Yeas –Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark  
Nays- None

Roll Call on Suspension of Council Rules:

Yeas – Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark  
Nays– None

Roll Call on Use of the Emergency Clause:

Yeas –Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark  
Nays - None

Roll Call on Adoption:

Yeas – Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Clark  
Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-33**, an emergency measure, by a vote of 7-0.

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Mr. Clark introduced **ORDINANCE NO. 12-34** AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH CLEVELAND STATE UNIVERSITY, CENTER FOR PUBLIC MANAGEMENT, FOR REVIEW OF THE ADMINISTRATIVE OPERATIONS OF THE CITY OF BAY VILLAGE, AND REPEALING ORDINANCE 11-22, AND DECLARING AN EMERGENCY, and moved for adoption.

Mrs. Lieske advised that she will be abstaining from the vote on the ordinance due to her employment with Cleveland State University.

Law Director Ebert advised that he spoke with Kevin O'Brien of Cleveland State University today who performed the financial portion of the review. Mr. O'Brien was not in agreement with the city's position on this issue.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-34.

Roll Call on Suspension of Charter Rules:

Yeas- Miller, Pohlkamp, Tadych, Young, Clark, Koomar

Nays- None

Abstained - Lieske

Roll Call on Suspension of Council Rules:

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

Nays– None

Abstained - Lieske

Roll Call on Use of the Emergency Clause:

Yeas-Miller, Pohlkamp, Tadych, Young, Clark, Koomar

Nays – None

Abstained - Lieske

Roll Call on Adoption:

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

Nays –None.

Abstained - Lieske

Mr. Koomar announced adoption of **Ordinance No. 12-34**, an emergency measure, by a vote of 6-0.

Mr. Clark introduced **RESOLUTION NO. 12-35** APPROVING USE BY LAURA CANCELLIERE OF SUBMERGED LANDS OF LAKE ERIE FOR SHORELINE IMPROVEMENTS, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Resolution No. 12-35.

Roll Call on Suspension of Charter Rules:

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

Nays- None

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Roll Call on Suspension of Council Rules:

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

Nays– None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Resolution No. 12-35**, an emergency measure, by a vote of 7-0.

**Motion** by **Young**, to remove “Budget for Fiscal Year 2012” from the list of Matters Pending before Council Committee

**Motion carried 7-0.**

There being no further business to discuss, the meeting adjourned at 9:33 p.m.

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Paul A. Koomar, President of Council

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Joan T. Kemper, Clerk of Council