

# City of Bay Village

Council Minutes, Special Meeting  
Council Chambers 8:31 p.m.

June 25, 2012

Paul A. Koomar, President of Council, Presiding

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

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

President of Council Koomar called the Special Meeting of Council to order at 8:31 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: Bruce Geiselman, Jeff Gallatin, Jerrie Barnett, Tom Carey.

## ANNOUNCEMENTS

**Mayor Sutherland** acknowledged and thanked the Bay Village Safety forces for their response today at Huntington Beach when there were three near drownings. Mayor Sutherland asked everyone to keep the person who is in critical condition in their thoughts and prayers.

Mr. Koomar called for a reading of the Minutes of the Regular Meeting of Council held June 18, 2012. Mr. Pohlkamp **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 7-0.**

Mr. Clark read (third reading) **ORDINANCE NO. 12-46** AMENDING CODIFIED ORDINANCE SECTION 721.07 (a) and (b) REGARDING PEDDLERS AND SOLICITORS, 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. 12-46.

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. 12-46**, an emergency measure, by a vote of 7-0.

Mr. Clark introduced and read **ORDINANCE NO. 12-59** AMENDING CODIFIED ORDINANCE SUBSECTION 1179.10 (B) (3) REGARDING TEMPORARY SIGNS, AND DECLARING AN EMERGENCY, and moved for adoption.

Mr. Young commented that the committee wanted to make this change because of early voting. Voters are able to vote 35 days prior to the actual election date. This provision will allow an additional five days for signs to be put out before the 35 days prior to an election, or a total of 40 days prior to election day.

Mr. Clark commented that Bay Village is the first west side suburb to make a change in the political sign ordinance.

Mr. Tadych added that Bay Village had one of the strongest ordinances with the limit of thirty days prior to election for placement of signs. This amendment will reduce that restriction.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-59.

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. 12-59**, an emergency measure, by a vote of 7-0.

**Mr. Pohlkamp** introduced **ORDINANCE NO. 12-60** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DANE CONTRACTORS, INC. FOR THE ADA ACCESSIBILITY UPGRADES AND IMPROVEMENTS AT DWYER MEMORIAL SENIOR CENTER, 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. 12-60.

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Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays– None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-60**, an emergency measure, by a vote of 7-0.

**Mr. Tadych** introduced and read **ORDINANCE NO. 12-61** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CENTER CLEANING SERVICES FOR CONTINUED JANITORIAL SERVICES AT CITY HALL, SERVICE GARAGE, BAY LODGE AND THE KENNEL, 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. 12-61.

Roll Call on Suspension of Charter Rules:

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

Nays- None

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 **Ordinance No. 12-61**, an emergency measure, by a vote of 7-0.

Mr. Young introduced **ORDINANCE NO. 12-62** TO MAKE APPROPRIATIONS FOR THE CURRENT AND OTHER EXPENDITURES OF THE CITY OF BAY VILLAGE FOR THE FISCAL YEAR 2012, INCLUDING TEMPORARY APPROPRIATIONS HERETOFORE MADE IN ORDINANCES 11-102, 12-03, AND 12-10, AND ANNUAL APPROPRIATION ORDINANCE NO. 12-11, AND DECLARING AM EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-62.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays– None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-62**, an emergency measure, by a vote of 7-0.

Fiscal Officer's Certificate, signed by Steven Presley, Director of Finance, and dated June 25, 2012, was presented to the Council of the City of Bay Village, Ohio, certifying in connection with the proposed issue of bonds in the maximum amount of \$975,000 for the purpose of paying costs of acquiring motorized servicing vehicles, equipment and apparatus, together with the necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years.

**Mr. Young** introduced and read **ORDINANCE NO. 12-63 PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$975,000 FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING MOTORIZED SERVICING VEHICLES, EQUIPMENT AND APPARATUS, 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. 12-63.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays– None

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Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-63**, an emergency measure, by a vote of 7-0.

Fiscal Officer's Certificate, signed by Steven Presley, Director of Finance, and dated June 25, 2012, was presented to the Council of the City of Bay Village, Ohio, certifying in connection with the proposed issue of bonds in the maximum amount of \$25,000 for the purpose of paying costs of renovating and otherwise improving City Hall (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 20 years, being my estimate of the life or period of usefulness of that improvement. If and to the extent a portion of the proceeds of the Bonds may be determined to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the Bonds would still be at least 20 years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years.

**Mr. Young** introduced and read **ORDINANCE NO. 12-64 PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$25,000 FOR THE PURPOSE OF PAYING COSTS OF RENOVATING AND OTHERWISE IMPROVING CITY HALL, 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. 12-64.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays– None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-64**, an emergency measure, by a vote of 7-0.

Fiscal Officer's Certificate, signed by Steven Presley, Director of Finance, and dated June 25, 2012, was presented to the Council of the City of Bay Village, Ohio, certifying in connection with the proposed issue of bonds in the maximum amount of \$525,000 (the Bonds) for the purpose of paying costs of improving City streets by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 20 years, being my estimate of the life or period of usefulness of that improvement. If and to the extent a portion of the proceeds of the Bonds may be determined to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the Bonds would still be at least 20 years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years.

**Mr. Young** introduced and read **ORDINANCE NO. 12-65 PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$525,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING CITY STREETS BY RECONSTRUCTING, RESURFACING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING STORM SEWERS AND RELATED FACILITIES AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, 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. 12-65.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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. 12-65**, an emergency measure, by a vote of

7-0.

Fiscal Officer's Certificate, signed by Steven Presley, Director of Finance, and dated June 25, 2012, was presented to the Council of the City of Bay Village, Ohio, certifying in connection with the proposed issue of bonds in the maximum amount of \$80,000 for the purpose of paying costs of acquiring electronic equipment including (i) a new telephone system and (ii) equipment to enable migration to radio narrowband, together with all necessary appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years.

**Mr. Young** introduced and read **ORDINANCE NO. 12-66** PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$80,000 FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING ELECTRONIC EQUIPMENT INCLUDING (i) A NEW TELEPHONE SYSTEM AND (ii) EQUIPMENT TO ENABLE MIGRATION TO RADIO NARROWBAND, 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. 12-66.

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 - Clark, 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. 12-66**, an emergency measure, by a vote of 7-0.

**Mr. Young** introduced **ORDINANCE NO. 12-67** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AUTOMATIC DATA PROCESSING, INC. (ADP, Inc.) FOR AUTOMATIC TIME KEEPING AND PAYROLL SERVICES, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt

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Ordinance No. 12-67.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays– None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-67**, an emergency measure, by a vote of 7-0.

There being no further business to discuss, the meeting adjourned at 8:59 p.m.

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Paul A. Koomar, President of Council

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Joan T. Kemper, Clerk of Council