

# City of Bay Village

Council Minutes, Special Meeting

September 4, 2012

Council Chambers 8:14 p.m.

Paul A. Koomar, President of Council, Presiding

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

Others

Present: Law Director Ebert, Finance Director Presley, Service Director Galli, Operations Manager Landers

President of Council Koomar called the Special Meeting of Council to order at 8:14 p.m. in the Council Chambers with the Pledge of Allegiance led by Councilwoman Karen Lieske, Ward 3, and roll call.

## AUDIENCE

The following members of the audience signed in this evening: Gerald W. Phillips, Dick Majewski, Ben Ockner, Dave Maddux, Denny Wendell, John Suter, Alex Dade, Bela Persanyi, Bruce Geiselman, Jerrie Barnett, John O'Neill

## ANNOUNCEMENTS

**Mr. Koomar** called upon Director of Public Service Dan Galli for an update on the progress of the traffic signalization at the Bradley/Naigle Road intersection

Mr. Galli stated that in September of 2009 the project was submitted for financial assistance to the Ohio Public Works Commission, with approval granted in early 2010. Engineering and bidding documents were completed at the end of 2010, and construction began in July 2011. The roadway portion of the project was done in 2011. From there, the signalization work was installed through the winter and was to be activated by June 2012. During the late spring of 2012, the city was notified that the railroad would be required to install additional redundancy crossing notification equipment at this intersection, as the result of retroactive requirements by the Ohio Rail Development Commission and the Ohio Department of Transportation. After a number of meetings, the plan was to activate the equipment on July 18, 2012. Advance notification and placing the traffic signals in the "flash mode" was required. A test just prior to the July 18 date revealed that the current equipment could not work because the coordination between the railroad and traffic control devices did not pass requirements. As such, the city was advised not to place the intersection under active control of the traffic lighting as intended.

Mayor Sutherland stated that one of the reasons the city could not activate the signals because it would be best if the arms came down and the lights turned red. These signals were not engineered to work that way. They were engineered so that when the arms came down the lights went green. There was no way the city would activate the lights in that manner.

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Mr. Galli continued, stating that a number of meetings were held with CT Consultants, who designed the project, as well as the railroad consultants, to find out when the new equipment would be received. The city was informed last week that the engineering was done and is being sent to CT Consultants. The intersection will most likely not be activated until the end of 2012. Due to this schedule, it was determined to return the intersection to its preconstruction traffic controls. The stop signs were pulled and the message boards changed.

Mr. Koomar asked if new pieces of equipment will be required. Mr. Galli stated that new cabling will be required along the tracks. Mr. Tadych asked how much this time and effort will cost the city. Mr. Galli stated that the quotation from the railroad is \$29,000 to do the work. Mr. Galli noted that the basic contract for the project is finished with \$50,000 under estimate remaining. He noted that the railroad bids the project, even though the city is paying for it. The railroad picks the contractor and bills the city for the actual work done.

Mayor Sutherland noted that the city decided to pull the stop signs because of accidents occurring because motorists were disregarding the signs. After consultation with the Police Department, the decision was made to pull the stop signs, except for the stop sign on Naigle Road.

Mr. Galli stated that the \$2.5 million project will come in at approximately \$500,000 less than the \$2.5 million. At this time, CT Consultants work will coordinate the traffic signals with the railroad signals.

Mr. John Suter asked who was responsible for the coordination of the signals. Mr. Galli stated that working with the railroad is difficult. Mr. Suter asked if specifications were drawn and followed. Mr. Koomar explained that he believes Mr. Suter's question is if the responsibility fell upon CT Consultants, or the railroad's consultants.

Mr. Young commented that this is not the first time traffic lights and railroad gates have been coordinated to work together. It should be able to be accomplished on this project as it has been on other jobs in the State of Ohio. Mr. Galli expressed agreement, noting that what make this one different is that the difficulty comes in because it is a three-way stop.

Jerrie Barnett asked if the tracks are in Bay Village or Westlake. Mrs. Barnett was informed that the tracks are in Bay Village. The new equipment being required by the Ohio Department of Transportation and the Ohio Rail Development Commission will be an additional cost of \$29,000 and will be paid by the City of Bay Village.

Mr. Tadych called attention to the noise of the overhead fan in Council Chambers which interferes with hearing those speaking during the meetings. Mr. Tadych would like to see this problem corrected.

**Mayor Sutherland** announced the appointment of David Maddux to the Planning Commission to fill the unexpired term of Will Krause ending August 17, 2014. Mayor Sutherland advised that Mr. Maddux served on the Architectural Board of Review for several years and will bring the quality and expertise to the Planning Commission being lost with the resignation of Will

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Krause. The Mayor expressed appreciation to Will Krause for his many years of service on the Planning Commission and wish Mr. Krause and his wife, Debbie, the best of luck as they downsize into a neighboring community.

Mr. Koomar noted that he served with Mr. Maddux on the Architectural Board of Review and believes he will be of great benefit to the Planning Commission.

Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held August 14, 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 Cahoon Memorial Park Trustees held August 14, 2012. Mr. Clark **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 8-0.**

**Motion by Pohlkamp** to approve the appointment by Mayor Sutherland of David Maddux to the Planning Commission to fill the unexpired term of Will Krause ending August 17, 2014.

**Motion carried 7-0.**

Mr. Pohlkamp introduced **ORDINANCE NO. 12-75** AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LCI CONSTRUCTION, INC. FOR THE CAHOON MEMORIAL PARK TENNIS COURT 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 Ordinance No. 12-75.

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. 12-75**, an emergency measure, by a vote of 7-0.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Pohlkamp **MOVED** to adjourn to Executive Session regarding contracts, labor contracts, personnel, and litigation. at 8:30 p.m. Roll Call Vote: Yeas- Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young. Nays – None. Motion carried 7-0.

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Council reconvened in an open meeting at 9:02 p.m. Present were: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young.

Mr. Koomar stated that Items No. 8 (based on the Law Director's opinion and earlier discussion in this evening's committee session of Council) and No. 10 will be removed from this evening's Council meeting agenda.

There being no further business to discuss, the meeting adjourned at 9:08 p.m.

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Paul A. Koomar, President of Council

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Joan T. Kemper, Clerk of Council