

City of Bay Village

Council Minutes, Committee Session
Conference Room

September 10, 2012
7:30 p.m.

Paul A. Koomar, President of Council, presiding

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

Absent: Mr. Clark, Mr. Pohlkamp

Others

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

President of Council Paul A. Koomar called the meeting to order at 7:30 p.m. in the Conference Room of Bay Village City Hall, and the meeting was open to the public.

AUDIENCE

The following members of the audience signed in this evening: Denny Wendell, Bruce Geiselman, Jerrie Barnett, Kent Silverberg, Lawrence Kuh, Barb Piccirilli, Gerry Schreiberman, Warren Remein, Jennifer Smillie, Carl Gonzalez, Patrick McGannon, Ted Vovos, Stacey Smith, Jeff Gallatin, Larry Schreiberman, Peg Ludwig

ANNOUNCEMENTS

Mayor Sutherland announced that last week the Mayor and administration held their first employee information fair. They introduced the wellness program, as well as talked with the employees, about the expected changes from the ADP implementation. The information fair went over well and it is planned to be an annual event.

The Mayor informed Council that she will be spending quite a bit of time in Columbus, probably as much as twice per month, until the end of the year, working on the municipal income tax issue. The Mayor is representing not only the City of Bay Village, but all of northeast Ohio, and will keep everyone posted.

Mr. Koomar asked if there is still an effort to standardized municipal income tax collections. The Mayor stated that there is still an effort to standardize, and that is what they were very concerned about because the cities have absorbed so much revenue loss over the last couple of years. Year 2013 is not going to be any easier and 2014 will be downright ugly. Looking at that and potentially some other changes, it is a very fluid situation. The time line includes anywhere from dropping a bill in the lame duck session after the election, and have it passed by the end of the year, to sometime next year. There is also the potential it could get rolled into the state budget, which would be of great concern. The Mayor will keep everyone posted.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Westshore Enforcement Bureau (WEB) request of Council to pass legislation prohibiting the use, possession and/or sale of synthetic cannabinoids and other synthetic drugs

Mr. Young referred to information received from the Westshore Enforcement Bureau (WEB) regarding this request, and called upon Police Chief Wright for further comments.

Police Chief Wright advised that the enforcement bureau is trying to secure the agreement of Council to adopt similar legislation to that adopted by the City of Mansfield, Ohio, relative to synthetic drug use, such as bath salts which are taking the place of marijuana and cocaine in illegal drug use. The synthetic drugs are produced chemically and are of a different structure so the use does not fall under the illegal narcotics qualification. The language of a proposed ordinance will protect the youth of the communities giving the narcotics officers and the road patrol officers a standard ordinance for enforcement, and be especially deterring for these types of drugs commonly sold in gas stations, head shops, and convenience stores.

Mr. Koomar asked Law Director Ebert if any other cities have passed the ordinance. Mr. Ebert stated that he does not know if any other cities have passed the ordinance. Mr. Koomar suggested that the Law Director confer with other cities legal departments and make sure that the ordinance is comprehensive. Mayor Sutherland stated that this ordinance is being proposed by the head of the WEB Unit and he would send recommendations to all the cities that would be of common language.

Chief Wright stated that Council would not vote on this on September 17. They are just looking for understanding and agreement to the concept. The suggested language is close to what it will look like when finalized. The lead WEB city, North Olmsted in 2012, will be part of the discussion to be initiated with the law directors of the WEB cities for their stamp of approval to proceed with submission to each city's council.

Chief Wright explained that the use of bath salts through various methods produce the same, if not worse, results of other drug use including psychotic behavior and violence. Without legislation and enforcement in place these synthetic drugs can be obtained legally. Chief Wright advised that this move will enable the different narcotics units and the municipal police departments, that do not have narcotics units, to take action against places that are willfully selling these items to the youth.

Mr. Koomar asked if there is anything going on at the state level that would link this to state action.

Chief Wright stated that the Ohio Bureau of Criminal Identification (BCI) and the Attorney General's Office are reviewing this very closely.

Mr. Tadych asked if there is any activity of this sort in Bay Village. Chief Wright stated that he does not think there is any activity with over-the-counter sales, but they have experienced

individuals under the influence of bath salts, Ecstasy, K2, and Spice as recently as this last weekend.

Mrs. Lieske asked the age group of the teenagers who have been using these drugs. Chief Wright stated that the experience of the Bay Village Police Department would indicate the ages between 15-year-old to 25-year old age range. Mrs. Lieske commented that it is great that so many communities are looking at doing this because the word would be out where they could go close by to get the substance if that were not the case.

Mr. Young noted that this enforcement vehicle would cover the sale, use, possession, and all aspects related to the synthetic drug.

Update on proposal of Village Bicycle Cooperative to lease the ground floor of the Community House

Jennifer Smillie thanked Council for the opportunity to present their proposal this evening. Ms. Smillie acknowledged the presence of the recently formed Board members of the Village Bicycle Cooperative, Peg Ludwig, Lawrence Schreibman, Patrick McGannon, Carl Gonzalez and Barb Piccirilli. Ms. Smillie also thanked the following individuals for their involvement: Lawrence Kuh, Denny Wendell, Ted Vovos, and Stacey Smith.

Ms. Smillie stated that the Village Bicycle Cooperative is trying to provide a community service for which they realized there might be a need this past summer. Ms. Smillie stated that she teaches at the high school level, started a bicycle club last year, working with the local cooperative and thought it would be a good fit for Bay Village. Ms. Smillie met with Bay Bike and Skate Park and the Green Team and decided to do a trial period to see if it is feasible. Over the course of the summer, it proved to be a very successful program. They are trying to supplement Bay Village's current educational and recreational programs, and thought the Community House would be a nice, central location adjacent to the Bay Bike and Skate Park and a welcoming space for all the residents in Bay Village.

The Village Bicycle Cooperative is trying to focus on three essential elements: education with a workshop where people can come and take classes; volunteer and community outreach programs. They recently conducted a program in Lakewood called "Ready to Ride" where they donated eight bicycles and tuned up bicycles for as many as 30 students. They would like to teach people how to maintain their bicycles. One class recently conducted was four weeks long with eight people enrolled. Ideally, they would like to increase bicycle use in Bay Village through advocacy, education, outreach and promotion of safe bicycle use. A survey was sent out over the winter months. Two hundred responses were received with a lot of safety issues brought up, such as kids riding bicycles while wearing flip-flops, using telephones, and riding on the sidewalk. It is hoped to improve that behavior by working with the city, schools and local organizations. The over-arching goal is to build community, creating a welcoming work space where all the residents feel comfortable coming in learning how to ride and maintain bicycles.

Underlying all of this is the sustainability factor. The Village Cooperative was able to sell 20 bicycles this summer and donate 10 bicycles. Two were donated to the Westlake Relay for Life

Committee Meeting of Bay Village City Council
September 10, 2012

event, and eight to various children in Lakewood. Two of the bicycles were found in the garbage, and the Village Cooperative was able to take those and minimize the waste stream. A lot of the bicycles were donated, saved from the trash, and recycled. Bicycles that are totally rusty and seem as though they have no life left are parted down and repurposed to garden carts, bicycle arts, etc., depending on the vision of those involved.

Mr. Miller asked Ms. Smillie to speak to the interest of the Village Bicycle Cooperative in having the lower level of the Community House as their future home.

Ms. Smillie stated that the Community House is a nice, central location, adjacent to the Bay Skate and Bike Park. The space that the Cooperative is currently using on Dover Center Road is just temporary occupancy. While meeting with the Green Team, they learned that the space in the lower level of the Community House was vacant. The group only needs space to set up a couple of bicycle stands and store some bicycles.

Mrs. Lieske asked what hours the Village Bicycle Cooperative was open this summer and what they envision their open days and hours to be for the future. Ms. Smillie stated that over the summer they were open Tuesdays, Wednesdays, Thursdays, and some Saturdays. It is the hope of the Board that they are going to be open more. It is hoped that the Board members will have keys so the space can be open more frequently. Daytime hours are 11 a.m. to 3 p.m. and a time slot after dinner to be added.

Mr. Young asked if they have any idea as to how many square feet they would like to have. He noted it is a very large space on the lower level of the Community House. One section was an old garage area where the woodshop was formerly located. There is an additional section where the Building Department inspectors were formerly situated. He asked if the garage area would be large enough for the needs of the Village Bicycle Cooperative.

Ms. Smillie stated that the garage area might be alright for awhile, but bicycles do take up a lot of space. If not turned over quickly, they do tend to accumulate.

Mr. Lawrence Kuh stated that the front section, to begin, would be ideal. Especially with having the garage door open on beautiful days with bicycles out front as a community space. The proposal would be to use the front space first, and potentially use the back location as expansion warrants.

Mr. Young asked if the Village Bicycle Cooperative will be doing any painting. Ms. Smillie stated that following their sustainability practices they do not use any type of hazardous materials. The only type of solvents they have in their facility is Tri-flow, which is a lubricant and rubbing alcohol for cleaning grease. They do not paint bicycles.

Mr. Tadych asked if there is a cooperative in Lakewood. Ms. Smillie stated that there is not a cooperative in Lakewood. There is one in Oberlin, and one in Ohio City. The one in Ohio City is on a much larger scale than that envisioned by the Village Bicycle Cooperative. The one in Oberlin is associated with the college. Ms. Smillie stated that she hasn't been able to find a

cooperative in the states that is in a residential area. It could be the first of its kind in the country.

Mayor Sutherland stated that she thinks it is a really cool idea. She noted that Bay Village has become such an avid biking community, and it seems that the space is there. The city does have plans, that are not formulated yet, for the improvement of the Community House, but right now that space is just sitting there being used for storage. To think we could infuse some energy down there is a very cool thing.

Ms. Smillie stated that there are a lot of things that are going on with bicycling in terms of tourism. It is a booming industry in Europe and is starting to pick up speed here in the states. It would be nice to have a bicycle cooperative right off of a national bike route, Route 6.

Mr. Kuh stated that one of the pieces of the puzzle that he is personally excited about is the idea of the bike program for the kids because the Bike to School Challenge Program is tremendously successful every year. The kids are waiting in the wings ready to be involved in a program like this. The fact that it would be close to the Middle School which is a hub right now for the Bike to School Challenge, it serves at the center area. Those kids volunteer time and every hour they volunteer they get a credit. As they earn a certain amount of credit they earn the right to build their own bike. They're learning and putting in time, it's volunteer time, and community service. It flows really well with the educational purpose of Bike to School Challenge and really is a cooperative program in that nature.

Mrs. Lieske asked if there has been a discussion about any rent. Mayor Sutherland stated that there has been very general discussion but they really wanted to put the concept out first to see if the Council and trustees thought it was a good idea.

Chief Wright stated that once this gets off the ground they would also like to explore the possibility of the Police Bike Patrol becoming involved. Ms. Smillie stated that Fairview Cycles has been a huge proponent, and they service Bay Village bicycles.

Ms. Smillie stated that they would be more than willing to paint the interior of the lower space. They have had people willing to donate paint and time.

Mr. Kuh stated that it is his understanding that the occupants of the space were asked to leave due to the fire alarm system. Mr. Koomar asked that input be received from Fire Chief Lyons as to concerns regarding the use of Tri-flow, etc. Ms. Smillie stated that in the lease at the space they occupy now they are not allowed to have any flammable solvents, and even though they were o.k. with Tri-flow they would just take the can home. Mr. Koomar stated that he would defer to the Fire Chief since it is an old, historic building that the city is going to try to rehab. There will be no welding or soldering. All the bicycle tools are hand tools.

Mr. Kuh stated that any stipulations from the Fire Chief will be made part of the process when they are communicated to the Village Bicycle Cooperative representatives.

Mr. Koomar stated that there has been discussion between Mr. Galli, Mr. Miller and Mr. Clark about plans for the Community House. The Mayor has indicated that those are in process. Mr. Koomar stated that his only thought on the lease is not wanting to commit to something long term. The intent is good, but in the event the area is needed for improvements he would not want to enter into a long term agreement. The Mayor suggested making it a pilot program and see what happens. Ms. Smillie prepared a proposal for one year, or possibly just through next summer. Mr. Kuh suggested that the occupancy could be coordinated around construction.

Mayor Sutherland noted that there is still an issue with the bathrooms in the lower level. There is some type of leakage that gets in around the foundation that leaks in the ceiling. It is storm water run-off. This is one of the things that will have to be addressed when work begins on the Community House because the whole back end has to come off in order to fix it. Until that happens there will be some leakage. Mayor Sutherland stated that they would be sure the area would be safe.

Mr. Miller stated that as they develop the plans for the renovation of the Community House they will give the Village Bicycle Cooperative heads-up if there is need for them to move equipment completely out of a space or relocate it within a space so any work that might occur is not disrupting the cooperative.

Mayor Sutherland stated that the Fire Department will be asked for input, and the Cahoon Memorial Park Trustees will have to give approval. This could happen at the next meeting of Council if information is received from the Fire Department. Mr. Presley stated that a Certificate of Insurance will be required. Ms. Smillie will furnish the certificate to Mr. Presley, and a list of materials to be used to Mayor Sutherland. Mayor Sutherland will advise Ms. Smillie if approval will be an agenda item on September 17, 2012.

Motorists passing school busses on Lake Road

Mr. Young stated that there have been several residents on Lake Road whose children board school busses and reported that cars have just gone past without stopping. The residents have reported this to the Police Department. The police have said that unless they are present to actually witness the offense they really can't do anything about it. Mr. Young has suggested the possibility of using cameras. He investigated three companies that make cameras for school busses.

Mayor Sutherland stated that one other way the offense gets handled is by having the bus drivers call the police and giving them the license plate of the offender. Chief Wright stated that this has not happened in the last year in that specific area.

The cost of the camera is approximately \$1,200 for each camera. Mr. Young stated that he just wanted to provide this information to Council, and will provide the information to the schools as well.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE

Cuyahoga County Solid Waste Management District

Mayor Sutherland stated that this is the annual contract with the Cuyahoga County Solid Waste Management District. They provide service that deals with recycling. Diane Bickett, Executive Director was very helpful with the last bidding process, and they are in charge of doing any of the specialized waste round-ups.

The resolution will be placed on the agenda for the September 17, 2012 meeting of Council.

FINANCE AND CLAIMS COMMITTEE

Mr. Young advised that a Finance and Claims Committee meeting will be held on Monday evening, September 17 at 6:30 p.m. The agenda will include a review of August financial reports. Mayor Sutherland stated that the administration is very concerned about going forward with the tennis courts project prior to looking at some of the priorities. She stated that this supposedly was discussed starting last spring, but there have been things that have come to light since then. There are about \$434,000 worth of improvements to roads in Ward 1, including Russell, Bruce, Electric, and Forestview that will need to be done. Osborn Road, between Bassett and Cahoon is in bad condition and estimates for that section is \$380,000. Another \$100,000 is needed for mill and fill to get some longevity out of existing road projects. The Mayor stated that a lot of these projects have been put off for a better part of three years because of the economic environment. While people are very excited about the tennis courts, and they do want to get to them, it is a matter of prioritizing. Finance Director Presley does not know yet what fund that is going to be taken out of, so for that reason the Mayor thinks that project should be put on hold until some of the other things are addressed.

Mr. Young stated that he would have actually liked to have the Community House done first before doing something like this but the Finance Committee has not had any of the studies or work done to actually do the Community House. Mr. Young stated that if he wanted to prioritize and do things one at a time, we would wait until after the Community House is done. Funding wise, there is not a problem of the Finance Committee in spending the money towards the tennis court endeavor. Bonding wise, there is not an issue either, according to some of the discussions the Finance Committee had regarding the road improvements just mentioned by the Mayor. Finance Committee wise, Mr. Young stated that he does not see a problem in doing both the Community House as far as a major capital improvement or some of the road problems just discussed.

Mayor Sutherland stated that she does not think this was discussed fully. Mr. Koomar stated that committee sessions were held back in April. A motion to bid was approved in April. Mr. Pohlkamp contacted Mr. Koomar this afternoon and was totally supportive of this project and moving it forward. Mr. Pohlkamp said the tennis program makes about \$30,000 a year and is something we have put off for four years. To Mr. Young's point, we are definitely open to a capital plan, but looking at the road improvements and the Community House, talking informally to the members of the Finance Committee and Mr. Presley about the lower interest rates and the police station refinancing, and being able to factor in this project, there isn't an issue. This is something that is a safety issue, especially if we don't have lights at the tennis courts. It is also

important to maintain the asset we have. This project will not stop the Community House project from going forward, and won't stop road improvements from going forward.

Mrs. Lieske commented that she looks at this as a cluster of so many family oriented activities when you see all that we have here. Having been on those courts and seeing the condition for this year, trying to have a successful program that so many people in the community participate in, and others that just enjoy playing tennis, it is a necessary project. There have been discussions in the Recreation and Parks Improvement Committee, it was discussed at the Finance Committee, in the Public Improvements Committee, and in the Planning Committee.

Mr. Young added that the Finance Committee would be able to discuss the road improvement projects at the next Finance Committee meeting. Mr. Koomar stated that he and Mr. Galli have discussed that the road improvement projects going through this year complete the city according to the plan that Mr. Sears had done. One of the things Mr. Galli said was that after this year when the roads are done, he will re-drive the program as Mr. Sears has done, come up with a new set of priorities for the next five years, and put those into place.

Mayor Sutherland stated that once the city got through with the Findings and Orders Projects from the Environmental Protection Agency, we have three sewer projects that are a direct result. Now that we know that those are the projects we have to do we are prepared to go back and do the five year plan. The process was interrupted because everything had to be dropped to accommodate the Environmental Protection Agency. In the past we have always had a five year capital improvements plan that would include something like the tennis courts or things we had to do with the buildings.

Mr. Tadych stated that the Mayor is right about Russell, Bruce and Forestview, those are significantly difficult streets right now. Mr. Koomar said those would be on the top of the list for next year's projects, since we have bid this year's projects out and we are not going to add to those this fall. Mr. Tadych agreed and stated that he would like to go forward with the tennis courts.

Mayor Sutherland stated that the Sunset area is going to be a very sensitive and difficult project because of the physical nature of the neighborhood, and will not be a small project. Mr. Koomar stated that there was talk about an interim repair that could have some useful life and provide some improvements. There is a meeting of the Public Improvements, Streets, Sewers and Drainage Committee meeting set for Thursday, September 13 at 7 p.m.

Sidewalk Replacement Project, 2012

Mr. Tadych asked if the sidewalk program has been finished for this year. Mr. Galli stated that Lake Road is yet to be done. The contractor is still within their contract limits.

Mr. Tadych stated that his concern is certifying the assessments to the tax duplicate and asked if the fact that we are running behind will affect that certification. Mr. Presley stated that the certifications were due today and since they were not made all of the outstanding assessments were missed and will not be certified until September of 2013. Mr. Presley stated that he and

Mr. Galli need to look at the whole process going forward. Mr. Tadych noted that this is the second year that it has been a major problem and he would like to see it improved for next year. Mr. Galli stated that previously the sidewalks would be inspected in the spring, replaced in the summer, billed in late fall and actually be certified the next year. There were a couple years when the program wasn't done and it was thought to mark the sidewalks in the fall and try to replace them in the spring, and it just didn't work. Mr. Tadych asked how much money is applied to the property taxes. Mr. Presley stated that it varies with each program. This year is one of the larger programs and the total is \$85,000, of which \$10,000 is city property. Any block that has a water main or a casting is considered city property. The city will have to advance those funds this year and certify it to the property taxes for collection in 2013. Mr. Presley will work with Mr. Galli how it can be best done in the future. It is difficult to plan due to not wanting to tear up the sidewalks when the schools are in session.

2013 Tax Resolution for Cuyahoga County

Mr. Young stated that the resolution must be passed and sent to the Cuyahoga County Fiscal Officer to accept the amounts and rates sent to the County Budget Commission by resolution on August 14, 2012.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Miller

Extension of time for Planning Commission to review plans for Bradley Bay Health Center expansion

Mr. Miller advised that the Planning Commission, on September 5, 2012, reviewed the Bradley Bay Health Center expansion application. The conversation for the application was tabled because of the low participation at the meeting by the commission. Two members were not present and one new member was abstaining from vote. Mr. Miller stated his concern that if the commission gets to the final date of the Bradley Bay application, which is October 4, 2012, with the Planning Commission meeting on October 3, and the application is further delayed it would go into default because of failing to act upon it. Mr. Miller requested that the September 17, 2012 Council meeting agenda include a motion to extend the time to review the application an additional 60 days beyond October 4 so that in event there is no action on October 3 the application will not go into default.

Solar Energy Ordinance

Mr. Miller advised that this ordinance was presented to Council previously in June of 2012. The ordinance came to the committee as a project on behalf of the Capstone Sustainability Class for students at Baldwin Wallace College. Their interest was to find a city in which they could develop and apply an ordinance that would promote the ideas of sustainability. The topics suggested were solar energy and wind power generation. It was decided to proceed with the solar energy systems first. Through a series of four meetings the committee began discussing the pros and cons of the ordinance. The students were charged with developing the ordinance and reporting back to the committee with research and further versions of the ordinance. When their charge was completed and the students graduated, the Planning and Zoning Committee undertook the final process of reducing or enhancing the ordinance to an acceptable level.

Warren Reiman of the Bay Village Green Team assisted the committee very closely. Mr. Reimen's background of working with ordinances helped to craft a solid ordinance that addresses solar energy in the most broad terms that we might experience here in Bay Village. The prepared draft is something that we do want to move forward with and adopt at the September 17 meeting of Council.

Mr. Koomar referred to Item No. I, and Number 9 and 10 on Page 4 of the draft, relative to roof mounting and ground mounting. He asked the parameters of placing solar panels on roof locations, or if ground mounted, setbacks from property. He asked how that plays into the current code, and if there is a maximum square footage.

Mr. Miller stated that there isn't a maximum square footage. All but a certain edge of the roof can be covered to leave room for emergency services to step onto the roof. There is no restriction to the amount of roof that can be clad with solar panels, other than those eave lines.

Mr. Ebert stated that he is not sure anyone in the Building Department has the expertise concerning these ordinances. Issues regarding placement of mountings in only the side or back of roofs, for the reason of aesthetics, have come up in other cities. He noted that someone in the Building Department has to be knowledgeable about the electrical component, since the applications have to be approved by the Building Department. The issue of failure to remove abandoned solar panels must also be addressed. Mr. Ebert would like to meet with Building Director Galli and Mr. Miller to discuss the ordinance. He asked if the Green Team has signed off on the proposed legislation.

Mr. Warren Remein stated that he has correspondence with Mr. Miller and has spoken with Chris Alvarado of the Cuyahoga County Planning Commission with several exchanges resulting in changes to the draft. Mr. Remein noted that he is a detailed oriented person and at this point he feels the ordinance is adequate for Bay Village use and supports it as it stands as far as the impact, aesthetics, or any of the technical aspects. The city's building code itself actually has a substantial amount of ability for the building officials to exercise judgment and experience relative to requiring drawings, structural certifications, etc. There are adequate safeguards in terms of the technical end of how the systems would be installed, what it consists of, getting electrical diagrams and drawings that would document what is to be there. The Green Team is supporting the ordinance and they would like to see it move forward as a promotion of sustainability.

Mr. Ebert cautioned rushing through with the ordinance. Mr. Koomar suggested that Mr. Ebert meet with Mr. Miller and Mr. Galli to work through issues such as screening and the electrical process of installation. Mr. Ebert stated that the Building Department should give input as to application and inspection fees, in addition to the penalty clause.

Mr. Koomar noted that the aesthetics of the solar panels is an important issue. Mr. Ebert will contact the Law Directors of surrounding communities to determine if they have adopted legislation. Mr. Ebert noted the difficulty in establishing legislation for the installation of large satellite dishes, which eventually evolved to smaller installations over time.

Committee Meeting of Bay Village City Council
September 10, 2012

Mr. Young stated that he has a photograph of a home in Avon with mounting of 12' x 25' solar panels on the side of the home. He will forward that photograph to the rest of Council and the administration.

Mrs. Lieske noted that Ward 3 has the underground utilities and some property owners have the green boxes of all sizes in their yards. People were not happy when those appeared and some of the same types of concerns might occur if a neighbor installs something 12 feet in height near their home. Taking a closer look at these possibilities and seeing photographs of installations would help answer some of these questions.

Mr. Koomar stated that a working group to work through some of these issues would be beneficial. Possibly, consideration should only be given to solar panels that are in back yards and can be screened from the neighbors as a starting point with moving forward from there.

Mr. Tadych asked if there is a noise level associated with these installations. He was informed that there is no noise.

Mr. Koomar stated that part of the working group studying the ordinance should include input from the Fire Department for the safety details.

Mr. Tadych noted that there are homes in Bay Village with three satellite dishes because property owners just leave the old dishes up and put up another. Mr. Tadych expressed agreement with Mr. Ebert's concern about requiring removal of a solar system when it is no longer being used.

Mr. Koomar summarized the points to be studied further in regard to the solar ordinance as ground mounting relative to size, placement, electrical concerns, and the input required from the Fire Chief. Mr. Koomar noted his goal of keeping the issue moving forward.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mrs. Lieske stated that her comments regarding the need for the Dover Center Road tennis courts were mentioned earlier in the meeting.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Purchase of 2012 Vacuum Leaf Loader

Mr. Tadych distributed information regarding the equipment to be purchased. A draft of a resolution indicates the cost to be \$32,000. Mr. Presley advised that the equipment will not be purchased through the State of Ohio Cooperative Purchasing. The National Joint Powers Alliance Cooperative, acknowledged and authorized by the State of Ohio, will be used for the purchase. There is no fee for municipalities to purchase through this cooperative. The equipment to be purchased is available immediately and is a 99 horsepower diesel engine, with smaller horsepower engines only available in the future due to emission regulations. This purchase will replace existing equipment. Mr. Koomar stated that if we know the regulations are going to change we might consider purchasing another with more horsepower that is more suitable for Bay Village. Mr.

Committee Meeting of Bay Village City Council
September 10, 2012

Presley stated that the resolution for the Council meeting of September 17 will reflect what he and Mr. Galli determine. Mr. Presley stated that there may be an advance necessary to pay for a second piece of equipment. Mr. Galli will check the schedule for next year.

Mr. Koomar suggested Mr. Galli consider LED lighting in the back of the equipment to warn motorists. Mr. Galli will look into this.

MISCELLANEOUS

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Koomar MOVED to adjourn to Executive Session regarding contracts, labor contracts, litigation and personnel at 8:40 p.m. Also in attendance at Executive Session were Mayor Sutherland, Finance Director Presley, and Service Director Galli

Roll Call Vote: Yeas- Koomar, Lieske, Miller, Tadych, Young. Nays – None. Motion carried 5-0.

Council reconvened in an open meeting at 9:05 p.m. Present were: Koomar, Lieske, Miller, Tadych, Young.

There being no further business to discuss, the meeting adjourned at 9:06 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council