

CITY OF BAY VILLAGE

CAHOON MEMORIAL PARK TRUSTEES

October 15, 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,

President of Council Paul Koomar called the meeting to order at 8:47 p.m. in the Council Chambers of Bay Village City Hall.

AUDIENCE

The following members of the audience signed in this evening: Warren Remein, Raymond Russell, David Russell, Russell Thompson, Mike O'Boyle, Denny Wendell, Dick Majewski, Jerrie Barnett.

Motion by **Lieske** to approve Bay Days 2013, on the grounds of Cahoon Memorial Park, in accordance with the following schedule:

July 1 and 2, 2013	Set up
July 3, 2013	Bay Days Opens
July 3, 4, 5, 6, 2013	Bay Days Celebrations – 12 Noon to 11 p.m. (Wednesday thru Saturday)
July 4, 2013	Fireworks
July 5, 2013	Rain Date for Fireworks

Mrs. Lieske stated that she would like to raise a question that she has been asking for the trustees to determine what the majority is for the Cahoon Memorial Park Trustees, in terms of motions passing. Mrs. Lieske stated that she understands there has been some discussion back and forth between Mr. Koomar and Mr. Ebert regarding this. Mrs. Lieske stated that she does not know if there is a time urgency to act on this motion tonight, but before there is continued action on things as trustees Mrs. Lieske would like to decide as a whole, or pass some type of recommendation, as to the definition of a majority required for the trustees.

Mr. Koomar stated that per conversations he has asked Mr. Ebert to come back to the trustees and do a quick bit of research to have this going for the future.

Mr. Ebert stated that when the Attorney General visited the City of Bay Village in the past he stated that the trustees, since this is a trust, were not held to the same standard as the Council. However, Mr. Ebert believes the majority should be five of the eight trustees constituting a majority. The seven members of Council and the Mayor are the trustees. The city has taken the posture with the other Boards and Commissions that it is a majority of the full commissions or boards, and this is the same way he would recommend for the trustees, a majority of the full

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complement of the trustees would be five. Even if only six trustees are present, five votes are required for approval.

Mrs. Lieske commented that a motion at a previous meeting would not have passed if this were in effect a few weeks ago, noting that she realizes the trustees cannot go back and be retroactive.

Mayor Sutherland stated that a decision could have been made not to vote on the issue at that meeting because there was not a full complement of trustees present.

Mr. Tadych asked if legislation could be drawn up on that determination for future guidance. Mr. Ebert stated that it cannot be legislation because the trustees do not pass legislation. A simple vote is required and recorded in the minutes.

Mayor Sutherland asked what role Roberts Rules of Order plays in this regard.

Mr. Ebert said that in any issues Roberts Rules of Order plays the same role as they do as outlined in the Council rules. Mr. Ebert would recommend a motion that a majority of five trustees is required to pass any type of issue before the trustees. In the absence of any issue concerning that Roberts Rules of Order should be followed. This motion will be introduced at the next meeting of the Cahoon Memorial Park Trustees.

On the **motion** for **Bay Days 2013**, there were no additional comments, and Mr. Koomar called for a vote. **Motion passed 8-0.**

Motion to approve Bay Village Heritage 5K Run & 1 Mile Walk, on Saturday, October 20, 2012, 7:30 a.m. to 12 Noon, in Cahoon Memorial Park sponsored by The Village Foundation.

Mr. Tadych asked if a Certificate of Insurance has been filed for the run and Mr. Ebert stated that the insurance is on file with the city.

Motion passed 8-0.

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 8:52 p.m.

Paul Koomar, President of Council

Joan Kemper, Clerk of Council