AGENDA

AGENDA
Agenda, Bay Village City Council                                   Date: June 26, 2017
Committee Meeting                                                  Time: 7:30 p.m.
Conference Room
Dwight A. Clark, President of Council, Presiding

ANNOUNCEMENTS

Mayor Koomar – Reappointment of Victoria Stavlas to Community Services Advisory Board for a three year term ending June 30, 2020.

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

Update – Animal Control Officer

FINANCE & CLAIMS COMMITTEE-Clark

Amended Appropriation Ordinance

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Kiddie Kollege Zoning Research

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

Update on Porter Creek

Update on Lake Road Sewer Cleaning

Update on 2017 Road Overlay Program

Update on White Creek Improvement Project

2017 Sidewalk Repair and Replacement Project

RECREATION & PARKS IMPROVEMENT COMMITTEE- Mace

Update on Pool Boiler/Heat Exchanger

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Generator Purchase and Installation Contract – Dwyer Memorial Center

Purchase of One (1) Wheel Loader (approved for 2017 Capital Budget)

AUDIENCE

MISCELLANEOUS
CAHOON MEMORIAL PARK TRUSTEES

Motion to permit Bay Days rides and activities from 5 p.m. to 10 p.m. on July 5, 2017, if the fireworks are cancelled on July 4, 2017 and re-scheduled to July 5, 2017. (Update)
City of Bay Village

Council Minutes, Committee Session June 12, 2017
Dwight A. Clark, President of Council, presiding Conference Room 7:30 p.m.

Present: Clark, Henderson, Lieske, Mace, Stainbrook, Tadych, Vincent, Mayor Koomar

Also Present: Law Director Ebert, Fire Chief Lyons, Community Services Director Selig, Recreation Director Enovitch, Interim Director of Public Service and Properties Liskovic, Human Resources Administrator Demaline.

AUDIENCE

Jerrie Barnett, Warren Remein, Jeff Gallatin, Lydia DeGeorge, Bill Selong, Claire Banasiak, Alex Dade, Cheryll McCarty, Richard Fink, Mary Krauss, Joe Krall.

ANNOUNCEMENTS

Mayor Koomar reported receiving correspondence and calls from the businesses on Dover Center regarding the possible elimination of parking in front of the buildings. Mr. Ebert and the Mayor will meet with all three property owners. There are some concerns with rear parking and egress for their patrons. We are trying to work through that and get them to work together, but there were some safety concerns that we wanted to address first. They have to come out the one alley and there is a concern of safety with the children walking to and from St. Raphael’s School. We would like to give them potentially an option to move out the back through the Malley’s parking lot. A fence had gone up a number of years ago and we are trying to determine if there is a valid reason for it now, while trying to work through some things.

Mr. Clark asked if the traffic would flow through Donald Drive. Mayor Koomar stated that it would not flow through Donald, it would go to West Oviatt.

Mr. Tadych commented that the fence was a spike fence at one point. Mr. Ebert stated that it may have been, but the owners of the property have changed.

Mr. Vincent asked if the businesses own those buildings. Mayor Koomar said they do own the buildings and understand the purpose of what we are trying to accomplish. One of things that they requested is another crosswalk.

Sunset Area Improvement Project

Mayor Koomar advised that they have received some of the engineering back from CT Consultants and Interim Director of Public Service and Properties Liskovic is working on each home because there are some unique circumstances with individual properties. We will go back and do one more sweep through, looking at all the storm and sanitary connections. There are a
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few homes in the plan that would be changing a rear sanitary to a front sanitary. A plumber has been contracted for assistance.

Director Liskovic stated that they have asked Quinn Killeen to join us in the endeavor. He is a resident and a qualified plumber who will help look for things that we may not see. He does this work day-to-day so he is more apt at finding those little nuances that will help solve any problems that may have to be dealt with.

Mayor Koomar noted that there are probably 5 or 6 homes where the sanitary will have to come to the front yard. We want to understand what that looks like for each homeowner. There are some limitations in the number of bends permitted in sanitary lines to move to the front of the house. The CT Consultant engineering plans go to the right-of-way which technically is correct. When we move forward with the project we want to make sure we have a full understanding of each resident’s property and be able to answer any specific questions for them. The Mayor stated that he has communicated that with Jeff Foster, who represents the Homeowners’ Association and he is aware of that plan.

Within the next two weeks there will be in home inspections in the residents’ basements. Mr. Liskovic stated that they will use door hangers with a more personalized letter attached for each individual resident, encouraging them to call and schedule an appointment so the Sewer Department can get access to the property.

Mayor Koomar advised that CT Consultants will provide a spreadsheet of the properties, noting where testing has been done and the properties that still need attention. Mr. Greytak has reached out to Columbia Gas Company and there has been an on-going discussion of whether the natural gas lines could fit under the new right-of-way or if a slight underground easement is needed on the project. After this is determined, Mr. Ebert will communicate more with Jeff Foster and Tom Vickers, their legal counsel, and present the final right-of-way easement for their signature. At that point, the Mayor will meet with Mr. Henderson and Mr. Clark to give an overview of the project and the preparatory work that has been accomplished. Mr. Henderson has indicated that he would like to hold a Public Improvements meeting at that time.

Mr. Henderson stated that this has been his intention since the beginning of the year. Momentum was lost on the project last year with the change of administration, but he appreciates that the Mayor has picked this up and has been running with it. The direction headed is good, allowing the individual homeowners to not only understand the assessed cost they should expect, but also the portion that they will have to incur as a private resident to connect to the new public utilities. This gives the residents a much more holistic understanding of total cost that they should expect to incur.

Mr. Tadych noted that the cost can vary by house location.

Mr. Ebert noted that this also relates to the correspondence he has received from one of the property owners and the action he is contemplating to get the road improvement. The history of why the road has not been improved is because of the assessments, which were significant
dollars over the years. The project has been both modified to try to help the residents. A response to the property owner with a copy to Council will be sent on Tuesday, June 13.

Mayor Koomar advised further that there appears to be a few homes where the storm water drains out to the lake. This is more than likely on Lakeview, but that is yet to be determined. Depending on the depth of those lines, if a new road is going in and those lines would be encountered, they would have to be connected eventually to a new storm line, which would be appropriate to eliminate erosion on the cliff bank.

Mr. Tadych commented that residents have told him that some of those lines were crushed when the breakwall was being built.

Mr. Henderson asked the Mayor if they foresee any material change in the total cost of the project relative to the last time it was discussed. Except for the private property figures which weren’t previously included, this would be solely about that the public right-of-ways and style numbers that we’ve been discussing.

Mayor Koomar stated that there are no material changes of which he is aware. The only discussion that we’ve had is that there are some things at the intersections of the permeable cement pavers that would be an addition to the roadway for tight curbs. There was discussion at one point whether that could be potentially eliminated or bid as a deduction. That would be a discussion with Mr. Henderson and Mr. Clark as we go forward. The Mayor stated that he has informed Jeff Foster that we’ve left that in there at this time for a discussion point in the future.

Mr. Henderson asked when the project will be ready for discussion in a Public Improvements, Streets, Sewers and Drainage Committee.

Mayor Koomar stated that his hope is to meet with Mr. Henderson and Mr. Clark in early July with the results of this preparatory work. Jim Sears, Special Project Manager, will be in town at that time and he has been involved with past assessment projects and unique property concerns.

Mrs. Stainbrook asked if there are any updates on conversations with the Home Owners Association.

Mayor Koomar stated that he and Law Director Ebert have met with Jeff Foster and Tom Vickers, who have been given proxy to sign an easement and right-of-way on behalf of the residents, based on information they receive from the City.

Mr. Tadych asked to receive a copy of the letters that will be attached to the door hangers. Mr. Liskovic will provide a copy to Mr. Tadych.

Mr. Clark commented that he would like to see the Public Improvements Committee complete their work with this Sunset Project prior to the end of the year, when Mr. Henderson will step down from his Council seat and his position as Chair of the Public Improvements Committee. Mr. Clark noted that summer recess for Council begins in July, but he is not averse to holding special meetings during recess as needed.
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Dwyer Memorial Center Generator Bids

Mayor Koomar reported that the bids came in slightly higher than the $50,000 estimate for the generator. The lowest bid was for $63,500. The grant of $50,000 did not include the cost for excess electrical paneling and running the lines under the roadway. A further review of the bids will be undertaken.

Heat Exchanger at the Pool

Mr. Enovitch reported a major issue with the pool heater and a complete shutdown of the boiler. It is expected that the cost for replacement will be approximately $21,000. It was noted that chemical corrosion can be the cause of these heater breakdowns. Finance Director Mahoney will prepare an appropriation ordinance and bids will be solicited from aquatic companies for heater replacement cost estimates. The pool will remain open while the necessary restoration is being completed. Mrs. Lieske stated that she would be in favor of a short, special meeting to move quickly and avoid any discomfort or inconvenience to residents, many of whom have purchased pool passes. A Special Council Meeting will be held Thursday, June 15 at 6 p.m. to take action on replacement of the pool heater.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

Mr. Vincent had no report this evening.

FINANCE & CLAIMS COMMITTEE-Clark

May 2017 Financial Reports

The May 2017 Financial Reports of the City of Bay Village will be acknowledged by motion at the Special Meeting of Council to be held this evening.

Acceptance of Settlement Funds- Class Action involving the Ohio Department of Natural Resources

Law Director Ebert reported on this 2004 Class Action when there was a dispute between the high water mark and the edge where the water actually starts. The shoreline protection devices approved by the Ohio Department of Natural Resources for various properties represents the City of Bay Village portion of the settlement. Two checks have been received in the amount of $3,756.38 for one check, and $1,788.19 for the second check.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Amendment to Codified Ordinance Chapter 1351

Mrs. Lieske advised that the proposed amendment to Chapter 1351 is basically that the determination of grade is the responsibility of the Building Department or its designee. If things
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were to change in the future and there is someone available internally to determine grade, this amendment would permit that designation.

**Submerged Land Lease, 27238 Lake Road**

All of the required information was provided to Council for approval. Mr. Mace asked if there have been any concerns expressed by the neighboring property owners. Mr. Ebert said that we are not aware of any concerns expressed. Mr. Mace asked if building permits are required for this work with the appropriate signage for neighbor awareness. Mr. Ebert confirmed that building permits are required for these submerged land lease projects. Mr. Mace asked if there is concern for boaters’ safety with these installations of breakwalls. Mr. Ebert advised that the Ohio Department of Natural Resources (ODNR) takes into consideration the placement of the breakwall as part of their approval process.

**PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE- Henderson**

Mayor Koomar advised that the start of the 2017 Road Overlay Program has been delayed due to the rainy weather. Work should begin by the end of this week.

**RECREATION & PARKS IMPROVEMENT COMMITTEE- Mace**

The washrooms at Reese Park will be close to being completed by June 24. A timed locking mechanism will be included for the doors. The cost is approximately $1,000 for the three doors. Similar consideration will be given for all of the park restrooms to deter vandalism. Doors will be locked after all evening activities are completed and opened prior to early morning activities.

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych**

Now that debt funding is completed, Mr. Clark asked the status of equipment purchases. The new ambulance will be ready for Council approval in July or August. The Service Department is waiting for proposals for the front end loader.

Mr. Tadych asked if the emergency access roads are included in the roads inspection program, noting that the emergency roads at Huntmere and Parkside by the railroad tracks are in dangerously poor condition. Chief Lyons will inspect those roads.

**MISCELLANEOUS**

**Mrs. Lieske** reported receiving an email today about slides in Play-in-Bay with screws protruding from the handrails and slippery surface areas when it rains. Mr. Enovitch reported that he has snipped off the screw ends. The Mayor stated that he appreciates the feedback and Mr. Enovitch and he will continue to monitor the new equipment.
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Mrs. Lieske noted that teenagers seem to be congregating in Play-in-Bay in places where they cannot be seen. She suggested that the police or someone check periodically in these hard-to-see places that are not visible by driving by the area.

Columbia Road Traffic Light

**Mr. Vincent** asked for an update on the Columbia/Lake traffic light, and suggested looking into the possibility of a grant for that signal. Mr. Koomar stated that the Ohio Department of Transportation (ODOT) has deferred the decision about providing that signal until the end of the month.

City of Bay Village Website

Mr. Vincent asked for an update on the research that is being done to upgrade the City of Bay Village website.

Mayor Koomar reported that the current vendor believes we need to do a whole redo of the website. The Mayor is in the process of having another designer look at the website. After other Capital projects are moved along, it is the thought that the website project can be picked back up again, most probably in early July. The initial quote of the current vendor to redo the website was in the $65,000 range.

Mr. Vincent stated that this is an extremely high quotation.

Mr. Tadych noted that he was talking with the owners of Thomas and Thomas Photography studio who were attempting to provide photographs for the website, and expressed difficulty with placing the photos on the website.

Bradley/Lake Road Traffic Concerns and resident request for Traffic Signal

Mayor Koomar reported speaking to the Northeast Ohio Areawide Coordinating Agency (NOACA) to see if there would be funding for a traffic study for the Bradley/Lake intersection. The Mayor is also in the process of conferring with ODOT since Lake Road is a state route. Mr. Liskovic is investigating the “Safe Route to Schools” option that would involve a partnership with the schools, but that would involve all the routes and be somewhat time consuming. Since we have an existing safety concern at this intersection, the Mayor would like to see if a traffic count could be done. More information should be available next week.

Animal Control Officer

Human Resource Administrator Demaline stated that they are making progress and have narrowed it down to a final candidate. Chief Spaetzl is working on background checks and the next step is the interview process with his team. The background check is very intensive with a large packet of information provided by the candidates to the Chief. We should be receiving those soon.
Mr. Tadych asked if this Animal Control Officer would serve Bay Village only, or be shared with North Olmsted. Mrs. Demaline stated that the Animal Control Officer would work for both Bay Village and North Olmsted. Mr. Ebert is working through the details of the agreement with the City of North Olmsted.

When the Animal Control Officer is hired, the redrafted dog control ordinances will be reviewed with the officer and moved through the legislative process for adoption.

Public Informational Meetings

A public information meeting for the proposed townhouse development on the former Shell Gasoline Station property will be held on Tuesday, June 13 at 7 p.m. in the City of Bay Village Council Chambers.

A public information meeting for the proposed new library will be held at the Bay Village Library, 502 Cahoon Road at 6 p.m. on Wednesday, June 14.

Resignation of Payroll Clerk

Mrs. Demaline reported that the Payroll Clerk has tendered her resignation and consideration is being given to combining positions with the current Accounts Payable Clerk. Mrs. Demaline will prepare an Administrative Compensation Ordinance for Council’s approval. Mr. Clark noted that a job description would also be appreciated.

CAHOON MEMORIAL PARK TRUSTEES

Mayor Koomar has spoken with Bay Days Manager Tony Dostal regarding the possibility of opening the rides on July 5 from 5 p.m. to 10 p.m., if the July 4th fireworks are cancelled due to rain, and July 5 is used as a rain date for the fireworks. The Mayor will check further with the Police Department if this would be acceptable to the trustees. Mr. Tadych stated that he did not think it was a bad idea, and Mr. Clark asked Mr. Ebert if a motion of the trustees would be needed for approval. Mr. Ebert stated a motion would be required.

There being no further discussion, the meeting adjourned at 8:36 p.m.

Dwight A. Clark, President of Council  Joan Kemper, Clerk of Council
City of Bay Village

Council Minutes, Committee Session           June 19, 2017
David L. Tadych, Vice President of Council, presiding               Conference Room 7:30 p.m.

Present:                  Henderson, Lieske, Mace, Stainbrook, Tadych

Vice President of Council Tadych called the meeting called to order in the Conference Room of Bay Village City Hall at 7:30 p.m.

Present:                  Henderson, Lieske, Mace, Stainbrook, Tadych, Acting Mayor Spaetzel

Excused:                  Mr. Clark, Mr. Vincent, Mayor Koomar.

Also Present:            Law Director Ebert, Interim Director of Public Service and Properties Liskovec, Director of Recreation Enovitch

AUDIENCE

The following audience members signed in this evening: Lydia DeGeorge, Alex Dade, Claire Banasiak, Bill Selong, Cheryll McCarty, Patrick McGannon, Rick Timm, Peter Winzig, Conda Boyd, Richard Fink, Mary Krauss, Tara Wendell, Sam Ursetti, Jeff Gallatin.

ANNOUNCEMENTS

Law Director Ebert distributed information to Council regarding a proposed purchase by Mike and Renee Moell of Kiddie Kollege of property owned by Crossroads Baptist Church, 626 Bassett Road of a parcel of land that is currently not being used. It will be requested that the City rezone the property to suit a day care. After losing the Bay Village Bay Way Cabin it will be used to relocate Bay Village families for day care.

Mr. Ebert also attached a copy of First Residence District Conditional Uses which are allowed in a residential community. It specifically says for places of worship, schools, both public and privately owned, public libraries, public museums, municipal owned buildings and structures. Such uses require consideration approved by the Planning Commission according to the procedures and standards set forth in Chapter 1124 of the Codified Ordinances of the City of Bay Village.

Mr. Ebert stated that the issue he is researching right now is whether a Kiddie Kollege/day care center is a school. If it is not, the rezoning would have to go to the ballot and there is an August deadline for putting something for rezoning on the ballot. It can be done one of two ways, either by referendum which requires signatures on petitions, the number based on ten percent of the number of voters in the last election, or Council can place the issue on the ballot by ordinance. Mr. Ebert will check the deadline for submission with the Cuyahoga County Board of Elections. He noted that the issue would be whether Chapter 1141, Conditional Use, applies and would not require rezoning, or if it does, whether Council would consider putting this on the ballot, or if a referendum petition signing would need to be done by the applicant.
Mr. Ebert noted that Kiddie Kollege has a facility now in the Dover Junction Shopping Center. The facility at Bayway Cabin was a satellite facility. Mr. Ebert said he is not asking for a decision tonight. He just wanted to distribute the communication, noting that there is a time element.

Mr. Tadych stated that it is nice that they want to stay in Bay Village.

Mr. Mace commented that this is a large parcel of property, and asked if there is talk of them taking just a small parcel. Mr. Ebert stated that they are looking to purchase enough property for a building in the rear of the church. Mr. Mace asked if they could take a parcel of Chatham Point or Yarmouth Dr. and put the building at the end of the street. It would be perfectly logical for them to buy a smaller parcel. The property is owned by the Crossroads Church

Mr. Tadych noted that there is a lot of property there.

Mr. Henderson clarified with Mr. Ebert that a ballot issue would require approval in Ward 3 and citywide. The property is in the First Residence District. Mr. Ebert is researching the definition of school in this application.

Mr. Ebert will provide further information by Monday, June 26, 2017. Mrs. Lieske noted that there is not much time when considering the schedule of the Planning Commission. Planning Commission Chairman Mark Barbour is not going to be available at some time in July. Mrs. Lieske stated that she is also curious as to what Mr. Ebert might find in other communities where this has happened.

Mr. Mace asked if the former NAPA property at the Dover Junction Shopping Center, which was explored by Kiddie Kollege as an additional site, would be suitable for their needs. Mr. Ebert stated that they did research that property and found it to be not large enough.

Mrs. Lieske asked if Kiddie Kollege would combine both Bay Village locations into one, or keep just one. Mrs. Lieske also noted that knowing how many children are at the existing facility would be helpful.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

There was no report this evening.

FINANCE & CLAIMS COMMITTEE-Clark

Mr. Henderson had no report this evening.

Mrs. Lieske stated that she has some questions regarding Ordinance No. 17-48 fixing the salary of the Mayor of the City of Bay Village, repealing Ordinance No. 17-3 and declaring an emergency which is slated for second reading on the Regular Meeting of Council agenda this evening.
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Mrs. Lieske asked if the $90,000 noted in the Ordinance is the only part of the base salary, or is it the $90,000 plus the amount added for years of service. In the case of Mayor Koomar, would his base be $98,000? Mr. Ebert stated it would be $98,000 plus whatever is added each year. The Safety Director compensation is included in the Administrative Compensation Ordinance.

Mrs. Lieske stated that when the increases from the cost of living come through, are we looking at the $98,000 times the increase, or is it the $90,000. Mr. Ebert stated it is the $90,000 – the $90,000 is the base and the other compensation for years of service is added onto it. Mr. Ebert stated that this will be clarified in Section 3 of the Ordinance.

Mrs. Stainbrook noted that the $1,000 for each year of municipal service is variable compensation based on the person’s experience. Mr. Henderson stated that it should be worded as something distinct and separate. Mr. Mace suggested “additional compensation.”

Mr. Ebert suggested amending the ordinance by reading this evening. Mrs. Stainbrook stated that she is okay with “in addition to the Mayor’s compensation.”

Further discussion followed. Mr. Ebert suggested putting the ordinance on second reading this evening, and circulating a new draft, as amended, for the June 26, 2017 meeting.

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

ORDINANCE 17-46 amending Section 1351 of the Codified Ordinances of the City of Bay Village regarding determination of grade lines, and declaring an emergency. (Second Reading) (First Reading 6-12-17)

Mrs. Lieske stated that Ordinance No. 17-46 amending Section 1351 of the Codified Ordinances of the City of Bay Village regarding determination of grade lines, and declaring an emergency is on the agenda for the Regular Meeting of Council this evening for second reading. There has been a great deal of discussion about this ordinance, and it gives the City the flexibility for the grade line determination to be done internally if there were to be someone on staff in the future that would have the qualifications, and it allows us to use the engineering consultant now.

Mr. Tadych stated that the problem he has with this is that he strongly wants something in there on the natural grade being preserved. Mr. Ebert stated that that cannot be done. He noted that there are many properties on Lake Road with variable grades. The natural grade is not even on many properties. It would be necessary to reconstruct many properties in Bay Village.

Mr. Tadych stated that he is not saying they have to be flat. He is saying that the natural grade has to be preserved. If it’s high, it’s high; if it’s low, it’s low. But, the natural grade should be preserved. The house that was built recently in Ward 1 on Lake Road is higher than it was before.

Mrs. Lieske stated that she was thinking more along the lines of grade in conjunction with the discussion about the spoils. That is something else that has been discussed. At the end if you have all of this extra soil piled up on the site it causes the drainage issues. Mrs. Lieske stated
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that she was thinking not so much about this ordinance in terms of your questions with the grade, even though it’s here, she was combining the grade with the spoils and looking at that as something we were going to bring through the committee.

Mr. Tadych stated that the family again contacted him and noted that the grade is significantly different than the original house that was on that lot. It was done because they have to spread out the soil that is removed, or the spoils as they call it, that was removed from the basement.

Mr. Ebert stated that the City of Lakewood does not dictate the removal of the spoils. The City of Westlake does not either. The reason being is that you cannot determine that until you build a basement. Mr. Ebert noted that there are three homes going up at the west end of the City. They built the house, took the spoils filled in the basement, have the natural grade, there is no problem whatsoever. We have one builder who caused an issue. Before changing all the ordinances because of that, invite the consulting engineer to come in to meet with the committee. It will depend on what his direction is going to be, versus the ordinance itself. Too much is being made regarding the spoils on property. Every construction has spoils on the property, until the end. The problem is when a builder does not complete the construction; the spoils stay in a mound of dirt and cause some shedding of water on other property. We are now having plastic fences put on property around the construction sites to prevent that run off. If a conversation is needed for what Mr. Tadych is talking about, the consulting engineer should come in and have a discussion with the Council.

Mrs. Lieske stated that there should be some type of penalty if it is determined that the grade is higher in terms of the finished grade. Mr. Mace stated that there is a prohibition of the finished grade not being higher than six inches than the average height of the adjoining lots in Section 1351.04, (c). On the larger lots that wouldn’t be as noticeable as on the smaller lots on the east end of the City. Mrs. Stainbrook noted that it would still be enforceable.

Mr. Tadych asked Mrs. Lieske to investigate the matter further. Mrs. Lieske stated that if the six inch requirement is in the ordinance, it is a question of enforcement. Mrs. Stainbrook noted that it would be based on the topo match. Mr. Mace noted that on the finished grade they have to show all through the planning process and any change to those plans have to go through an amended change. Mrs. Lieske asked if this would also involve SAFEbuilt, Inc. Mr. Ebert stated that it would involve SAFEbuilt as well because they are the first contact in the permit process.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-
Henderson

Barbicas Construction Company/Summary of Road Overlay Projects

Mr. Henderson stated that four memorandums were received by Council this past weekend, including the memorandum from Friday, June 16, 2017 which incorporated questions from the Special Meeting of Council held Thursday, June 15, 2017. Mr. Henderson stated that he has had a chance to talk to both Curtis Krakowski and Jon Liskovic and this all ties back to the sewer problems underneath Osborn Road. Osborn Road was intended to be part of the 2017 Road Overlay Program. A decision was made to remove Osborn from the asphalt program and address
it as part of the Infrastructure Improvement Program which increased the capacity of the Road Overlay Program for the addition of the alternate bid. This recommendation is to remove Osborn Road between Douglas Drive and Glen Park Drive, which is about 1100 linear feet, estimated to be about $60,000 of the entire budget, and replace it with Glen Park Drive, from Wolf Road to Knickerbocker Road, which is 2400 feet. The ultimate bid is $154,309.50. This will still come in under the Roads Overlay budget of $650,000. All of these numbers do include contingency, and in accordance with the memorandum from Mr. Krakowski of June 16, taking out Osborn Road and adding Glen Park Drive, the contract would be $625,724.50. Mr. Henderson stated that all of the questions he has had have been adequately answered and he is ready to support adoption. The contractor is going to be mobilizing Tuesday, June 20, 2017 and it would behoove Council to pass this tonight, on emergency, so that the contractor does not have to wait another week and remobilize with additional expense involved.

Mrs. Stainbrook thanked Mr. Liskovic for including all of the information in the Council packets. Mr. Tadych noted that Glen Park Drive was last repaved in 2002. The overlay of Glen Park in this project will be for the portion south of Wolf Road.

Mr. Mace expressed support of Mr. Henderson’s approval for the Road Overlay program and thanked Mr. Liskovic for the information in the packets, noting that it did explain everything more fully than the prior information received on June 15.

Mr. Tadych noted that the streets are different widths, by two feet.

**RECREATION & PARKS IMPROVEMENT COMMITTEE- Mace**

**Mr. Mace** stated that the Reese Park restroom renovation seems to be on schedule. Mr. Liskovic stated they are still working on interior finishes.

Mr. Enovitch stated that the process of replacing the pool boiler has begun. The installation should be finished in three weeks, starting with the date of June 16, 2017. Pool temperature is holding at 80 degrees.

**SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych**

**Donation of Water Bottle Filling Station for City Hall from the Bay Village Green Team**

**Mrs. Lieske** stated that a great deal of work was done for repair of the water fountain. The new water filling station will have chilled water and the count that shows how many bottles we are saving by refilling rather than replacing. The information indicated that the City has agreed to install the water bottle filling station.

Mr. Tadych asked if the installation will be at an additional cost, and asked where the water bottle filling station is being installed.

Mr. Ebert stated that there will be no additional cost for installation. The station will be installed by City employees at the site of the existing water fountain in the downstairs lobby of City Hall.
Mr. McGannon of the Green Team expressed appreciation to the City for accepting this donation.

Mr. Tadych asked how the bottle count gets reset. Mr. McGannon stated that it counts based on the number of ounces it dispenses. Sixteen ounces counts as one bottle. Mr. Mace noted that the filter change also determines the count.

Mr. Tadych asked how the City is intending to use the reset of the bottle count. What significant deed is this going to do? Mrs. Lieske stated that it means that less plastic is going into the landfills. Mr. Gannon said that the idea of the count is to know how many plastic bottles are being saved from going into the landfills and saving the environment for years to come.

Mr. Tadych asked Mr. Ebert if this will be reported by the City at some point. Mrs. Lieske stated that this goes along with the lighting that the City has done to save energy. The water bottle filling station is impressive. Mrs. Lieske noted that she uses one at Cleveland State University and when you see how that number keeps increasing it brings to mind the saving effect on the environment and the things we are doing towards going green and using less energy. This is just one more thing.

AUDIENCE

Conda Boyd stated that she has three questions about the Mayor’s salary ordinance.

1. If the Mayor has more than four, but fewer than eight service years, plus a partial year, at what point does the Mayor get the incremental $1,000? On the work anniversary, or is it paid on January 1?

Mr. Henderson stated that one thought he has is that most of the time elected public officials are installed on January 1. Most of the time, there wouldn’t be a question on this particular issue. As far as the partial year, the ordinance is written as “full years.”

Mr. Tadych stated that the question is when it is paid. Should we pay it at the beginning of the year? We don’t know if the Mayor is going to make it all the way through. Mr. Ebert stated that the payment is annualized, with a payment each pay period.

Mr. Henderson stated it would commence on the service anniversary rather than say January 1 for someone that was appointed.

2. What role does the Mayor have in negotiating the collective bargaining agreements?

Mr. Ebert stated that the Mayor has not done this since Mr. Ebert has been here. Mr. Tadych stated that there was a committee that he was on to look at salaries. Mr. Ebert stated normally there is a committee appointed to assist. He has done the labor contracts and outside individuals have done the outside labor contracts on occasion with the police, fire and service union.

3. What is Council’s rationale for the size of the longevity premium compared to with other employees? In Chapter 151, Employment Provisions, five to nine years gets you $500.
Twenty-five years plus gets you $2500. This is more than three times more than what anyone else is getting on longevity.

Mr. Ebert stated that the Mayor does not receive longevity. However, the new hires after a certain date do not receive longevity. That was negotiated out of the contract. It used to be $3,000 maximum, and moved down to $2,500.

Ms. Boyd asked why there is a big difference between what the Mayor is paid and what other employees are paid. Mr. Tadych stated that if the Human Resource Administrator were present it could be discussed further. The additional compensation amount was not designed by Council, but we have agreed to include it in the ordinance.

Mrs. Lieske stated that she thinks that the Mayor is well paid and looks at the current salary, and as the salary for the Mayor goes up it impacts what we can do for the residents and services. Mrs. Lieske stated that she hasn’t said anything about this particular amount because the total that is being proposed is excessive.

Mrs. Stainbrook stated that from a practical standpoint when you consider that the Mayor is the executive of the City it is common to have variable compensation, called bonus. She would not even call it longevity, that seems to be more associated with CBA (collective bargaining agreements) but we can see by research what other cities have done.

Mr. Tadych stated that when we looked at this we looked at salaries through eleven cities.

Mrs. Stainbrook stated that we started out with a large group of cities and then boiled it down to eleven cities in the area.

Alex Dade stated that he remembers seeing some statistics that looked at Mayors salaries compared to population. Historically the Bay Village salaries were in the middle to slightly below middle range of that study.

Mr. Tadych asked Mr. Ebert how the $1,000 per year figure was chosen. Mr. Ebert stated that the idea was to make sure someone had four years of experience coming in as a Council person. The requirement is actually Bay Village experience. We had discussions with the Human Resource Administrator about whether it should be ward councilman, or councilman-at-large experience. We also talked about director level experience.

Mrs. Stainbrook stated that information was received from various sources including other Clerks of Council. One of the delineators was size of City, greater than 10,000 less than 25,000, and broke that down to nine cities comparable, and then with averages and population.

Mr. Henderson stated that not everyone is of the exact same opinion. Karen’s opinion varies from Nancy’s. Mr. Henderson stated that his opinion varies from each of theirs. We have to pass something, and we have to be able to compromise. Mr. Henderson stated that one of the things he looked at when deciding whether or not this is something to support is what would be the total compensation for the experienced person who would take on this position. In Mr.
Henderson’s opinion, an experienced person is a good person to be the Mayor. They understand the City, they understand the issues. It makes sense to have someone with experience and compensate for the experience. He looked at the benchmarks and thought that it was not unreasonable. This is not the same as he views other salary issues that we are talking about right now. The prior iteration of the compensation ordinance does say that for each year of City of Bay Village municipal experience. The more recent version says four full years of experience with the City of Bay Village. Mr. Ebert stated that this was changed by the HR person. Mr. Henderson stated that he thought the former was clearer, and did not include school board.

Ms. Boyd stated that she would encourage Council to get this right because you cannot change it for four years.

Mr. Ebert stated that when you have discrepancies you go back to the minutes to see what the intent was. Ms. Boyd stated that is exactly why she is asking these questions, to get something into the legislative record.

Ms. Boyd asked Mrs. Stainbrook if the numbers that she has are public information. Mr. Tadych stated that they were handed out in Executive Session. Mr. Ebert stated that they will become public record, but not quite yet.

Mr. Henderson asked about information prepared and reviewed by a member of Council versus information prepared by a member of the administration. Mr. Ebert stated that if this was done by email it is a public record.

Ms. Boyd stated that it is important that the question of how much the Mayor is going to make and how much the Council representatives are going to make be out in public. These are published in voter guides. Voters will need to understand why that happened as well as what the actual salary is.

Mr. Tadych stated that in all these instances there are compromises. No one agrees with everything. Every part of compromise has to leave someone unhappy or you don’t have a compromise. Mr. Henderson noted that everyone needs to be unhappy. Mr. Tadych noted that we are in that problem now with Council salaries. We got through it and said this isn’t looking too bad and we moved forward with it. Mrs. Lieske noted that she was the one hold out. She said she did not support it.

Mr. Tadych stated that any compromise is very difficult to swallow. And it should be because that means we are doing our job. We are working to get something done that isn’t necessarily ideal in everyone’s eyes.

Ms. Boyd stated that they appreciate the work that is being done.

Mr. Ebert noted that the ordinance regarding longevity was amended in January of 2016. Any new hires after January 1 of 2016 went from $3,000 to $2,500 specifically.
Mr. Richard Fink stated that Channel 19 had a news report this evening that Bay Village and Rocky River have been targeted by thieves going after Honda tires and wheels.

Chief Spaetzel stated that the Police Department recently had a report of snow tires being removed from a Honda vehicle. The car was jacked up, all four tires were taken. In looking at that they found out that other municipalities have been targeted as well. The tow driver who towed the car that had the wheels stolen indicated it was the eighth car he towed with this theft. Someone is targeting Honda cars with this type of wheels.

Mr. Tadych asked if the car was put on pavers. Chief Spaetzel stated that it was jacked up and put on pavers. The thieves are very specific in what they are seeking.

MISCELLANEOUS

Mrs. Lieske stated that a police report was received today from Lieutenant Holliday that indicated that Speedway refused to press charges against a woman who stole sandwiches and candy and was found to have drug paraphernalia. Is this something that has happened before, with Speedway refusing to press charges? Has there been discussion with Speedway as to why they would not press charges?

Chief Spaetzel stated that we do not get too many shoplifting cases from Speedway. It is their right not to press charges. The Police can prosecute on the drug paraphernalia. The Speedway shoplifting has not been a pattern; the Police have not had any of these problems regularly.

Mrs. Lieske stated that she was notified by a resident that he heard there was a reduction of manpower with Huntington Beach in terms of patrolling. People have been reallocated to Edgewater and if this is true there is one patrol car for every eight hour shift and it covers Huntington Beach, Wallace Lake in Berea, Strongsville and Rocky River. Mrs. Lieske asked if anyone is aware of anything from the Metroparks. Mr. Ebert stated that he will call tomorrow morning. Mrs. Lieske stated that the resident was concerned that if something should happen, especially with swimmers in the summer, if the patrol car was far off in another city a response would be delayed.

Chief Spaetzel stated that the Bay Village Police have a mutual aid agreement with them and if they call for assistance or response in the park the Bay Village Police will respond. Chief Spaetzel stated that the Metroparks have added additional part time rangers in the summer time. Mr. Mace noted that the Metroparks uses the Mounted Rangers in the park as well. Chief Spaetzel stated that he saw the Mounted Rangers trailer in Huntington Park just yesterday.

Mary Krauss asked if the dog ordinances will be revised prior to summer recess. Chief Spaetzel stated that it certainly is his intent to work with Council for the revision of the ordinance. Mr. Tadych stated that Mr. Vincent and Mr. Henderson have worked hard on this and it will definitely go forward. Mr. Henderson stated that he would also like to see this happen before the end of the year.
Mr. Henderson asked Chief Spaetzel for an update on the hiring of the Animal Control Officer. Chief Spaetzel stated that additional interviews will be held this week for part time dispatchers and the Animal Control Officer position. There are six applicants for Animal Control Officer. Most of the applicants have experience. Background checks are included as part of the hiring process.

Mr. Henderson stated that once the Animal Control Officer is on board the dog ordinance work will continue because that person will be enforcing the laws that Council writes.

**CAHOON MEMORIAL PARK TRUSTEES**

There was no business to be conducted by the Cahoon Memorial Park Trustees this evening.

There being no further discussion, the meeting adjourned at 8:20 p.m.

__________________________  __________________
David L. Tadych, Vice President of Council          Joan Kemper, Clerk of Council
MEMORANDUM

TO: Paul Koomar, Council, Joan Kemper, Lorree Lewis, Jeff Grassi

CC: Mike & Renee Moell

FROM: Gary A. Ebert

DATE: June 20, 2017

RE: Kiddie Kollege Zoning Research

I. Question Presented

Whether or not a Day Care/ Kiddie Kollege is classified as a public or private school for purposes of the Bay Village Zoning ordinance § 1141.05(2).

II. Short Answer

A child day-care center is not embraced within the meaning of the term "school" or "educational use," as that term is used in a municipal zoning ordinance.

III. Discussion


The issue in this case was whether residential property owners in a "Residence A District" could enjoin a neighboring property owner from operating a child day-care center on their premises. One of the permitted uses in the "Residence A District" is "educational use, public library or museum." The question is whether a daycare center is considered an educational use.

An injunction to prohibit the operation of a child day-care center was granted because a child day-care center is not considered an "educational use." The court reasoned that the day-care facility was not regulated by the Ohio Department of Education, and that there was no requirement that the administrator or staff members hold teaching certificates.

Plaintiff applied for a conditional use permit for a child care center on property located in an R-1 single family residential district. Plaintiff contends that a day-care center is a similar use to a private school, and a “private school” is specifically permitted in an R-1 single family residential district.

However, the court found that since a day-care facility is a principal and permitted use in an R-2 district, its absence as a permitted conditional use in an R-1 district is dispositive of this issue. The court reasoned that if the drafters of the zoning resolution intended to include day-care facilities as a conditional use in an R-1 district, they would have been expressly included as they were in the R-2 district. Therefore, a day-care facility is not permitted in an R-1 single family residential district.

IV. Conclusion

Unless the Kiddie Kollege in question is operated or staffed by a licensed teaching professional, or it will be regulated by the Ohio Department of Education, it probably will not be considered a “school” for purposes of the Bay Village zoning ordinance under the Staker rule.

However, if a day-care or child-care facility is not an expressly enumerated permitted use in any other part of the zoning code, there might be a chance that it could be considered under § 1141.05(2) of the zoning code. In that case, under Bass, the Board of Zoning Appeals has the authority to determine whether a requested use is similar to a permitted conditional use. If a use was not contemplated at the time the zoning resolution was drafted, the BZA can decide that a day-care facility is considered a “school”.

Per further research, the classification as a school depends on the individual business practices. Kiddie Kollege might have an issue given their day-care component. To be considered a school, Kiddie Kollege would likely have to offer a curriculum that is taught by at least some licensed teachers. Also, Kiddie Kollege is under the purview of Ohio Department of Jobs and Family Services, not the Ohio Department of Education, which a measure in some of the case citations.

Therefore, as provided in the Bay Village Charter Section 7.6 I would recommend voter approval of this change in use either through council action or initiative petition as provided in Bay Village Charter 12.1.
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June 12, 2017

Mr. Jon Liskovec
Director of Public Services & Properties
City of Bay Village
350 Dover Center
Bay Village, Ohio 44140

Re:  Dwyer Senior Center Generator
     Bid Results

Dear Mr. Liskovec:

A bid was received for the above referenced project on June 9, 2017 and attached you will find a copy of the Bid Tabulation outlining each bid for your review. The bids ranged from a low bid of $63,500.00 to a high bid of $97,210.00 as compared to the Opinion of Probable Construction Cost of $60,000.00.

The low bidder for this improvement is Nerone & Sons, Inc. of Cleveland, Ohio, whose bid has been reviewed and found to be in conformance with all contract requirements. It is our opinion that they are experienced and qualified to perform the work within the contract.

Should you have any questions or require additional information, please feel free to contact our office.

Respectfully,

CT CONSULTANTS, INC.

Robert H. Greytak, P.E.
City Engineer

RHG/saa

Enclosures

H:\2017\170345\SPECBid Results Letter.Doc
Dwyer Senior Center Generator  
City of Bay Village  
Project No.: 170345  
Bid Opening Date: June 9, 2017

**Bid Summary**

<table>
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<th>Bidder</th>
<th>Bid</th>
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<td>1  Nerone &amp; Sons, Inc.</td>
<td>$63,500.00</td>
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<td>2  The Fowler Company</td>
<td>$86,447.00</td>
</tr>
<tr>
<td>3  Lake Erie Electric, Inc.</td>
<td>$97,210.00</td>
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Opinion of Probable Construction Cost: $60,000.00
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<th>Ref No.</th>
<th>Description</th>
<th>Quan.</th>
<th>Unit</th>
<th>Nerone &amp; Sons, Inc.</th>
<th>The Fowler Company</th>
<th>Lake Erie Electric, Inc.</th>
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<td>Item Total</td>
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<td>$62,500.00</td>
<td>$86,447.00</td>
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Memorandum

To: City Council
From: Jonathan Liskovec, Interim Director of Public Services
Date: June 23, 2017
Re: Recommendation to purchase Caterpillar 930M wheel loader

This memo is to make the recommendation to council to approve the purchase of a Caterpillar 930M wheel loader from Ohio Cat at $150,950. The purchase of this machine comes in roughly $24,000 under the 2017 budget estimate. This process utilized Ohio DAS State Term Schedule (STS) pricing.

We requested quotes from three vendors and had the opportunity to test each piece of equipment. I recommend this purchase based on feedback from service department operators, mechanics and the service departments current customer service experience provided by Ohio Cat and that this machine will best suit all of the departments needs.

jll
Gibson Machinery and Doosan are pleased to be able to offer you a Doosan DL250-5-US11 Standard Lift Wheel Loader with the following standard features:

**Engine:**
- Emission (EPA): T4
- High Pressure Common Rail
- Cooled Exhaust Gas Recirculation
- Diesel Oxidation Catalyst Reduction
- Selective Catalyst Reduction
- Diesel Exhaust Fluid
- Fuel Filter with Water Separator
- Coolant Recover Tank
- Dual Element dry-type air filter with Evacuator
- Pre Cleaner
- Electronic Engine Control
- Auto- Idle
- Auto-Shutdown
- Overheat & low Oil Pressure Protection
- Cooling Fan – Radiator, Variable Speed
- Cooling Fan – Radiator, Automatic Reversible
- Remote Drain Port – Engine Oil

**Remote Test Ports**
- Remote Drain Ports
- Spring Applied Hydraulic Release Parking Brake
- Auxiliary Hydraulics (3rd)
- Automatic Boom/ Lift Kick-out
- Automatic Return to Dig Position, Adjustable
- Load Isolation System

**Cabin:**
- Steel, All-weather & Sound Suppressed
- ROPS
- Front & Rear Window with Wiper/ Wash
- Tinted safety Glass
- Lockable Doors
- Control Stand
- Storage
- Mirror, Rear View
- Mirror, Exterior Heated
- Fully Automatic HVAC
- Multi-Functional LCD
- Cigarette Lighter
- AM/FM Radio
- Speakers
- Antenna, Roof Mounted
- Power Socket, 12V
- Beverage Holder
- Hot/ Cold Compartment
- Interior Lights

**Cabin (Continued):**

- Seat:
  - Air suspension
  - 2” Seat Belt
  - Adjustable Height & Recline
  - Adjustable Fore/ Aft
  - Adjustable Arm Rests

**Hydraulic:**
- Variable Displacement Axial Piston Pump
- Closed-Center System
- Pilot Operated Control Valves
- Transmission, Hydrostatic – Dual Motor
Differential Front – Hydraulic locking
Differential Rear – Conventional
Hydraulic Power Steering
Outboard Planetary Axel
Fixed Front Axel
Oscillating Rear Axel
Parking Brake
Sealed, Self-Adjusting Brakes
Tires, 20.5R25 Bias

Controls:
Adjustable Steering Column
- Tilting
- Telescoping
Throttle Pedal
Brake Pedal, Right and Left
Gear Selector
Joystick Control
Speed Management
Traction Control Management
Power Mode
Transmission Mode
Wiper Control Panel
Audio Control Panel
Switches:
Starter (Key)
Parking Brake
Pilot Cutoff
Transmission Cutoff
Work Light
Reversible Fan

Other:
Centralized Lubrication
Handrails and Service Platforms
Skid-Resistant Steps & Service Platforms
Drawbar & Pin
Wheel Chocks
Manuals:
- Operation & Maintenance
- Parts
- AEM Safety Manual
Telematics, 3YR Subscription:
- Lockable Panels
- Lockable Fluid Fill Points
- Anti-Theft Protection (Password)

Frame & Driveline:
Z-Bar Lift Arm
Parallel Lift Arm
Steering Cylinder
Transmission, Automatic – Power Shift
Transmission, Hydrostatic – Dual Motor
Differential Front & Rear – Limited Slip
Hydraulic Power Steering
Outboard Planetary Axel
Fixed Front Axel
Oscillating Rear Axel
Parking Brake
Sealed, Self-Adjusting Brakes
Tires, 20.5R25 Bias
Buzzer
Engine Oil Pressure
Coolant Temperature
Transmission Overheat
Gauges
Fuel Level
DEF Level
Engine Coolant Temp.
Transmission Oil Temp.
Engine RPM

Frame & Driveline (Cont.):
Speedometer
Transmission Gear Indicator
Battery Voltage
ECO
Digital Clock
Trip Meter
Hour Meter
Total Operation Time
Fuel Consumption

Warning & Indicator Lights:
Seat Belt
Error Code
SCR Warning
Check Engine
Engine Oil Pressure
Engine Pre-Heat Engaged
Radiator Coolant Level & Temp.
Air Filter
Fuel Level
DEF Level
Water In Fuel  
Battery charge  
Lights  
Directional Signal  
Emergency Steering  
Hydraulic Oil Temp.  
Hydraulic Charge Pressure  
Hydraulic Pilot Filter  
Hydraulic Return Filter  
Transmission Mode  
Transmission Warning  
Transmission Lock-Up  
Transmission Oil Temp.  
Transmission Gear Indicator  
Brake Fluid Pressure Warning  
Reverse Fan Indicator  
Parking Brake Indicator  
Back-Up Alarm

12 month/ 1,500 hour full machine warranty  
36 month/ 5,000 hour powertrain and hydraulic warranty
We are pleased to offer you the following price with options:

- DL250-5-US11 Standard Lift; Locking Differential
- Additional Counterweight (573 lbs)
- Full Fender with Rubber Protector
- Triangle 20.5R25 L3 Radial
- Load Isolation (Ride Control)
- Rotating Beacon
- 3 Inch Seat Belt
- Quick Coupler JRB
- General Purpose 3.5YD Bucket with Bolt on Cutting Edge (108”)
- Pallet Forks; 60” Carriage Width; 48” Tine Length
- 110 Volt Block Heater

Total: $155,324.24

Additional Options not STS:

- Rear View Camera $1,224.50
- JRB Jib Boom $3,065.55
- Transmission Guards $1,205.00
- Front Underguard $962.00
- Rear Underguard $1,184.00

Total Machine Cost with Additional Options: $162,865.29

Less Trade – In

Volvo L70C Wheel Loader with Bucket ($20,000.00)

Net Price: $142,865.29

Sincerely,

Dean Bradley
Territory Sales Manager

‘Whatever it Takes...’

Cleveland: 181 Oakleaf Oval, Oakwood Village, OH 44146
Phone: (440) 439-4000 Fax: (440) 439-5764

Pittsburgh: 450 Imperial Industrial Park, Oakdale, PA 15071
Phone: (724) 695-5000 Fax: (724) 695-5001

www.gibsonmachinery.com
**Case 721G  Wheel Loader**

**Warranty Information:** 3 yrs 3000 hrs Procare Includes all scheduled maintenance

**Delivery Information:**

<table>
<thead>
<tr>
<th>Index #</th>
<th>Contract #</th>
<th>NIGP Code</th>
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<td>47803651</td>
<td>60&quot; Fork Attachment</td>
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<td>7&quot; - 11' Jib Boom</td>
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<td>Trade in Volvo Wheel Loader</td>
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*Prices Subject To Change

**Total STS Price** $165,344.20

www.southeasternequip.com
April 12, 2017

CITY OF BAY VILLAGE

350 DOVER CENTER RD
BAY VILLAGE Ohio 44140-2256

RE: Quote 173723-01

Dear Scott White,

Thank you for your interest in Ohio CAT and Caterpillar products for your business needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

One (1) New CATERPILLAR Model: 930M DCA1 Wheel Loader with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER:H15417
One (1) New CATERPILLAR Model: 930M DCA1 Wheel Loader with all standard equipment in addition to the additional specifications listed below:

STANDARD EQUIPMENT

ELECTRICAL
- Alternator, 115-amp, heavy duty
- Heavy duty gear reduction starter
- 12V power supply in cab (2)
- Remote jump start post
- Batteries, 1,000 CCA (2) 24 volt system, disconnect switch
- Resettable main and critical function breakers
- Back up alarm
- Roading lights front and rear
- Emergency shutdown switch

HYDRAULICS
- Hydraulic response setting (fast, medium, slow)
- Automatic lift and bucket kickouts, adjustable in-cab
- Hydraulic diagnostic connectors and S-O-S ports
- Bucket and fork modes, adjustable in-cab
- Hydraulic sight gauge, visible
- Cylinder damping at kickout and mechanical end stops
- Load sensing hydraulics and steering
- Fine mode control (fast, medium, slow) in fork mode
- Seat mounted hydraulic joystick controls

OPERATOR ENVIRONMENT
- Interior cab lighting, door and dome
- Interior rearview mirrors (2)
- Automatic temperature control
- Lunch box storage
- Cab, enclosed ROPS/FOPS pressurized and sound suppressed
- Operator warning system indicators
- Cup holders
- Radio ready speakers
- External heated mirrors with lower parabolic
- Rear window defrost, electric
- Ground level cab door release
- Seat mounted electronic implement controls, adjustable
- Gauges
- Sliding glass on the side windows
- -Digital hour meter, odometer and tachometer
- Column mounted multi function control -lights, wipers, turn signal
- -Digital ground speedometer and direction indicator
- Suspension seat, fabric
- -Engine coolant temperature gauge
- Tilt and telescope steering wheel
- -Fuel and diesel exhaust fluid level indicator
- Tinted front glass
- -Hydraulic oil temperature gauge
- Wet arm wiper/washer, 2-speed and intermittent, front
- Hydraulic control lockout
- Wet arm wiper washer, rear
OTHER STANDARD EQUIPMENT

- Large-access enclosure doors with adjustable close/open force
- Parallel lift loader linkage
- Recovery hitch with pin
- Remote mounted lubrication points
- Vandalism protection-lockable compartments

POWERTRAIN

- Axle seal guards
- Auto idle shut down feature
- Cat C7.1ACERT engine
- -Power modes (standard and performance)
- -Power by range (high Power in range 4)
- -Tier 4 Final/Stage IV compliant
- -Turbocharged and aftercooled
- -Filtered crankcase breather
- -Diesel particulate filter
- -Selective catalyst reduction
- Coolant protection to -34C (-29F)
- Differential lock in front axle
- Dry type air cleaner
- Enclosed wet disc full hydraulic brakes
- Fuel priming pump, automatic
- Lubed for life driveshafts
- Parking brake, electric
- Single plane cooling package wide 6 fins per inch density
- S-O-S port, engine, coolant, transmission oil

MACHINE SPECIFICATIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>Reference No</th>
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<td>930M WHEEL LOADER DCA1</td>
<td>521-3604</td>
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<tr>
<td>930M WHEEL LOADER</td>
<td>430-2806</td>
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<td>PREP PACK, NORTH AMERICA</td>
<td>430-2945</td>
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<td>HYD, 3V, COUPLER READY, STD LIFT</td>
<td>430-2833</td>
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<td>STEERING, STANDARD</td>
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<td>DIFFERENTIAL, OPEN REAR</td>
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<td>WEATHER, STANDARD</td>
<td>454-0609</td>
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<td>CAB, DELUXE</td>
<td>521-3244</td>
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<td>SEAT, DELUXE</td>
<td>423-7201</td>
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<td>RADIO, BLUETOOTH, AUX, MIC</td>
<td>372-1868</td>
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<td>FENDERS, STANDARD</td>
<td>366-8148</td>
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<td>COUNTERWEIGHT, HEAVY</td>
<td>333-6691</td>
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<tr>
<td>CAMERA, REAR VIEW</td>
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RIDE CONTROL 430-2860
QUICK COUPLER, FUSION 430-2977
ENGINE AR 430-3038
PRODUCT LINK, CELLULAR PL641 454-0589
LIGHTS, AUX HALOGEN 488-1113
TOOLBOX AUX, NONE 519-8081
LANE 1 ORDER 0P-9001
 TIRES, 20.5R25 MX XHA2 * L3 366-6880
 KIT, SERIALIZED TECHNICAL MEDIA 0P-2491
 INSTRUCTIONS, ANSI, US 430-2963
 SHIPPING/STORAGE PROTECTION 0P-2266
 PACK, DOMESTIC TRUCK 0P-0210
 KIT, GUARD, POWERTRAIN, SIDE 452-0857
 KIT, GUARD, DRIVESHAFT 374-5842
 KIT, GUARD, POWERTRAIN, LOWER 374-5844
 KIT, GUARD, CRANKCASE 374-5845
 WARNING, BEACON, LED STROBE 333-1425
 CARRIAGE, PALLET FORK 60” 345-2417
 BUCKET, GP, 3.5YD3, FUS 345-2426
 ARM, MATERIAL HANDLING 360-3300
 FORK TINE, 2.25” X 6” X 54” 371-2354
 KIT, FENDERS, EXTENDED COVER 374-5857

LIST PRICE $260,339.00
STS DISCOUNT -$85,434.00

Net Balance Due $174,905.00
Less Gross Trade Allowance ($24,000.00)
Balance $150,905.00

TRADE-INS

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<th>Model</th>
<th>Make</th>
<th>Serial Number</th>
<th>Year</th>
<th>Trade Allowance</th>
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<tbody>
<tr>
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<td>VOLVO CONST EQUIP NA INC(YD)</td>
<td>L70CV15289</td>
<td>1998</td>
<td>$24,000.00</td>
</tr>
</tbody>
</table>

WARRANTY

Standard Warranty: 12 Month/unlimited hours Full Machine

F.O.B/TERMS: Ohio CAT
Thank you for your interest in Ohio CAT and Caterpillar products for your business needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,

Brian Gillard
Machine Sales Representative
Ohio CAT
bgillard@ohiocat.com
440-241-6928
I would like to move forward with the purchase of the (1) Wheel Loader that was approved for the 2017 Capital Budget. (Est $175,000.00)

(1) NEW 2017 CATERPILLAR 930M DCA1 Wheel Loader (equipped)

Under OHIO DAS State Term Schedule (STS); 800525  Index No: STS515  OAKS Contract ID; 800525-2

Total $150,905.00 From Equipment Replacement Fund / Service (240.111.55260)

Dealer Name & Address;
Ohio Cat
3993 E. Royalton Rd.
Broadview Heights, OH 44147

Dealer Contact;
Richard Egnot  regnot@ohiocat.com

Please Let me know if you require any additional information.

Scott White
Fleet Maintenance
City of Bay Village
Public Service & Properties
swhite@cityofbayvillage.com
Phone 440-871-1221
Fax 440-899-3480