

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers, 8:00 p.m.

February 6, 2012

Paul A. Koomar, President of Council, presiding

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

Others

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

Council and members of the administration had assembled at 7:30 p.m. in the conference room to review agenda items; this was open to the public.

During the review Mr. Clark advised that he will introduce an ordinance this evening authorizing the Mayor to enter into an amended agreement with Life Force Management, the company that does the billing for emergency medical services. Mr. Clark explained that the background of this is that the Council and administration try to strive for revenue to balance the budget. These rates are more in line with some of the neighboring communities.

Mr. Young will introduce a resolution this evening for the monthly transfer of funds. Mr. Young advised that the Finance Committee continued their review of the 2012 budget and with adjustments have been able to increase revenue by approximately \$60,000 in transfers and \$18,000 credit to the health care fund. The deficit is now reduced to approximately \$210,000. Mr. Young will meet with Finance Director Presley to discuss a possible recall of bonds to save interest payments. Another meeting will be held next week and it is hoped to have a first budget presentation the following week.

Mr. Koomar noted that the following week is February 20, Presidents Day, and there will not be a Council meeting that day due to the city hall being closed. Mr. Presley stated that the budget presentation will be scheduled for Monday, February 27 at a special meeting of Council. A temporary appropriation will be prepared for the month of March as well.

Mrs. Lieske advised that the Recreation and Parks Improvement Committee met this evening for a general overview of the services of the Recreation Department for the community, what some of the needs might be of the department, and how they are juggling to keep within cost parameters and at the same time provide quality services.

Mr. Tadych discussed the effective date of the Life Force Management billing ordinance to be introduced this evening. Mr. Tadych prefers the effective date of the new billing amounts to be March 1, 2012. After discussion it was determined to leave the effective date at February 1, 2012.

President of Council Koomar called the regular meeting of Council to order at 8:00 p.m. in the Council Chambers with the roll call and Pledge of Allegiance led by Ward 1 Councilman David L. Tadych. Mr. Koomar called for a reading of the minutes of the special meeting of Bay Village City Council held January 23, 2012. **MOTION** by **Pohlkamp**, to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 7-0.** Mr. Koomar called for a reading of the minutes of the meeting of the Cahoon Memorial Park Trustees held January 23, 2012. **MOTION** by **Pohlkamp**, to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 8-0.** Mr. Koomar called for a reading of the minutes of the special meeting of Bay Village City Council held January 31, 2012. **MOTION** by **Pohlkamp**, to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 7-0.**

REPORTS

Law Director Ebert had no report this evening.

Finance Director Presley had no report this evening.

Recreation Director Enovitch had no report this evening.

Service Director Galli had no report this evening.

Community Services Director Bock had no report this evening.

Police Chief Wright, on behalf of the Police Department, thanked the people who responded this evening to support their Police and Fire Departments. We all realize there are serious budget issues that need discussion and it is humbling to have everyone here in support of the safety forces. Chief Wright expressed appreciation for that support and stated that they look forward to move on in a positive direction.

Fire Chief Lyons expressed agreement with the comments of Chief Wright.

COMMUNICATIONS

Letter dated December 26, 2011 from John S. Solomon, President, Bay Kiwanis Club, thanking the City of Bay Village for providing space for the Kiwanis annual Christmas tree sale.

Letter from Shamus Fenner, 30912 Lake Road, dated January 29, 2012 in appreciation for the government class internship he enjoyed during his last school semester serving the City Council.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Pohlkamp **MOVED** to adjourn to Executive Session regarding contract, labor contracts, personnel, and litigation.

Roll Call Vote: Yeas- Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young. Nays – None. Motion carried 7-0.

Council reconvened in an open meeting at 8:30 p.m. Present were: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Mayor Sutherland. Also present: Law Director Ebert, Finance Director Presley, Service Director Galli, Community Services Director Bock, Fire Chief Lyons, Recreation Director Enovitch, Police Chief Wright, Operations Manager Landers

ANNOUNCEMENTS

Mayor Sutherland stated that they have been working very diligently on trying to save Officer Chapman. They know also that the two unions from the Police Department have a proposal on the table and the administration is trying to add another component to that of which they do not have all the pieces in place yet. The Mayor is very, very confident that they will be able to do that. The union is going to vote on the proposal and the administration has to get their other component together, but what they would like to do at this point is delay the termination until March 18, 2012, which will give the administration a whole month to put together everything they need to do. The Mayor stated that the union can take their votes and hopefully they will have resolution to the issue.

Law Director Ebert advised that both of the union representatives have been told about the proposal. There has not been a formal vote; there has been a consensus. As the Mayor stated, there is another component that they need additional time to put together. Mr. Ebert stated that he knows it is postponing something but at least there is a positive end if they can work it all together.

AUDIENCE

The following members of the audience signed in this evening: Kent Silverberg, Gerry Schreibman, Carole Roske, D. A. Volle, Stacey Fifer, Anne Jindra-Smith, A. Fuchs, Michael Bourque, Kevin Krolkosky, John Underation, E. Chapman, M. Palmer, Dick Majewski, Nancy Clark, Brian Pelagalli, Jerrie Barnett, Jim Gutierrez, Brandon Dimacchia, Alvin Wier, Jeffrey V, Kocian, Deneen Seljan, James Strunk, Sam Ursetti, David Glowe, Ray Cebulis, Jeff Hartz, Mick Banasiak, Gary Aheimer, M.G., Cathy Hartranft, Paul Hartranft, Jay Elish, Tom Boatwright, Martin & Jennie Mace, Peter & Kathy Winzig, Mike O'Boyle, David Hanzel, Michelle Guintier, Cody Hanzel, Kendall & Marc Travis, Matthew Ullom

Councilman-at-large Scott Pohlkamp made the following statement:

“One of the challenges that faces us on Council is understanding the operations of a department. In the case of the Police Department it is very difficult due to the complex nature of providing protection to a community 24/7, 365. But I've been watching.

You were brave on that terrible day when the tree limb fell and forever changed the lives of those that have passed on, those that survived and those safety responders who arrived at this horrible scene many summers ago.

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

You were there to break up an ugly fist fight between a father and a son in an SUV. Imagine climbing into a situation like that in a car.

You were there to investigate the horrible murder/suicide of last summer.

You were there to capture the monster who was lurking in our streets hoping to take our children. I have three children, many of us here have children and we cannot express our gratitude enough.

You were there when drug dealers infiltrate our town and when thieves are casing our houses.

Being a police officer is a darn, tough job. The same residents you protect are the same residents that can be highly critical of your job. I can empathize with that. I can safely speak for everyone at this table in that respect, that we do understand this aspect of the job. Being a police officer can be a thankless job. Often times a job well done is met with the sound of crickets. Because people expect from you. It's an expectation when you wear that badge so proudly. But it is an expectation nonetheless. In that respect we have something in common. We, too, here at City Council are tasked with serving the residents of this wonderful city. When the public demands we cut the budget and we do, we're criticized for cutting a program or eliminating a position. We have to rely on department heads for their expertise in staffing their departments. In 2010 Council President Brian Cruse asked every department head in this very room if they could find another five or ten percent in their budget to cut as we were in a full blown fiscal crisis. That night each department answered that no they could not find another five or ten percent in their budget to cut. Facing a huge budget deficit, we worked with the Mayor and ultimately the department heads to find items for reduction. Still, we have transferred \$1.5 million over the past two years from reserves to balance the budget while trying to prioritize service and safety budgets. This is no easy task. Municipalities nationwide and especially right here in Ohio must make very difficult decisions right now. The State of Ohio is cutting our knees out from under us, and it's not fun.

As a Councilman I can only do my very best job. And, I work my butt off doing that job, I might add. I do my best to understand every department. And, in the case of the Police Department, I have especially spent a lot of time getting to understand the Police Department. And that began before I ran for Council by attending the Community Police Academy, working every week, spending time with the officers, riding on patrol with Officer Darren Ingham, talking to Officer Pelagalli anytime he has the time to drop off my City Council packet to my house, asking him how things are going at the station. I toured the old Police Department before we made the move over, and I almost laughed when I believe Officer Pelagalli brought me into one of the interview rooms and I counted thirty to forty sharp corners in the room between the desks, windows, chairs – it was hardly the ideal room for interviewing a suspect in terms of safety and protecting the police officers. I really believed when I toured that old police station that the police officers did not have the tools they needed to perform their job properly and safely. I've had the chance to tour the firing

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

range, and participate in a new \$60,000 crime-scene simulator which is shared by multiple West Shore communities using live rounds. I think I've had a lot of experience with the Police Department. You know residents still frequently criticize city leadership, the Council, Chief Wright, the Mayor for building this police station and the firing range. Speaking for myself, over the years I have literally defended this hundreds of time, defending the building of that police station and that firing range. When residents laughed at Chief Wright's request for tasers, asking if they would be used to keep the deer in control, we defended you knowing darn good and well that tasers are good. People don't like them but they are non-lethal, and it is just another safe way to deal with the criminal element. Six years ago we urged the Chief to change the rotation of purchasing patrol cars. He wasn't crazy about the idea but we were in a mode of trying everything and anything reasonable. Two years later Chief Wright came back to us and told us the police officers can't chase the bad guys if the cars need to be replaced. So we reverted back to the old policy, because it just wasn't working.

We on City Council are far from perfect but we have worked hard. We have full time jobs, too. Some of us have been laid off. We've been asked to take steep pay decreases. We pay more and more for health care. I work in health care managing a national radiology practice. We frequently deal with medical emergencies. Cancer, death, horrible accidents. The government has continually cut our reimbursement since the Deficit Reduction Act of 2006. Every year our practice is asked to do more with less. So we continually work to make our operations more efficient. But it is not enough for many hospital and physician practices and we have to eliminate positions. We have very, very tight budgets. And we can't move money from savings or raise taxes to provide health care in our private physician practice. Like a Mash unit, we do what we can with the cards we're dealt. We fight for our employees. Sometimes we lose.

Despite all of this I still have hope. Yesterday, watching the Super Bowl I saw a commercial featuring one of my favorite actors, Clint Eastwood. And, I thought it was appropriate after hearing him speak to announce or read some of the words he spoke that night because I think it is very appropriate to this situation:

'It's half time in America, too. People are out of work and they're hurting, and they're all wondering what they are going to do to make a comeback. And we're all scared because this isn't a game. I've seen a lot of tough errors, a lot of turn-downs in my life and times when we didn't understand each other. It seems like we've lost our heart at times when the fog of division, discord and blame made it hard to see what lies ahead. But, after those trials we all rallied around what was right and acted as one. Because, that's what we do. We find a way through tough times. And, if we can't find a way, we'll make one. All that matters now is what's ahead. How do we come from behind, how do we come together, and how do we win. This country can't be knocked out with one punch. We get right back up again and when we do the world is going to hear the roar of our engines. Yeah, it's half time in America and our second half is about to begin.'

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

We can all hang together, or we can all hang separately here. But we have common goals: protecting and serving the residents of this city, this great city, Bay Village that I've called my home for 18 years since moving here from Louisiana. The residents are counting on us collectively to act like adults and work this out. Times are tough. We can all play the blame game but in the end it gets us, collectively, nowhere. It's half time in America. We play for the same team. Let's get this done.

Thank you."

Stacey Fifer, police officer in the City of Bay Village for the past twelve years, stated that she is currently assigned to the permanent midnight shift. Patrolman Fifer advised that she is also a union representative and it's true that the Mayor and administration are trying to work with them and come up with a deal, however this deal was not brought to them until Friday evening and they were unable to contact all of their members to discuss the term of the deal and they haven't had anything in writing. Patrolman Fifer continued, stating that she is present to speak on behalf of their union and the whole police department, and on behalf of Officer Chapman, Officer Pelagalli, and all the officers. Patrolman Fifer read the following statement:

"On behalf of the patrol officer's union and the entire police department, we are here tonight to voice our serious concern about council's decision to eliminate police officers. This is a grave mistake that will impact both public safety and officer safety. How do we explain to our residents that we have no police cars to send when they call 911 for a home invasion or an out-of-control domestic violence incident or a missing child? Imagine this happening to your family or loved ones? Those emergencies that require more than one officer and immediate response are going to have a huge delay. The number of serious incidents your police department responds to have increased considerably in recent years.

Our protocol is to rely on other neighboring departments for mutual aid when there are zero Bay Village officers available; however, we should not rely on other towns to protect our own. It's too unpredictable. These other departments are also busy dealing with crime in their cities and may not always be available. I can speak from personal experience when I say I have been the sole patrol officer available for calls for several hours in our city when the other patrol car was out of the city with a prisoner at the hospital for example. At our current staffing level there are already many times when we have too few police cars on the road. 1 patrol officer for an entire city of over 15,000 residents is alarming to say the least.

Do you really think making cuts to public safety is in the best interest of the citizens of Bay Village or the officers that protect them? *After the city of Elyria did the same a couple years ago, Officer James Kerstetter was killed in the line of duty... a horrible tragedy, which may have been avoided if it weren't for cuts to police manpower.* Will it take a terrible tragedy for this city council to realize how important it is for our police department to be adequately staffed?

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

One of the issues council argues is the number of officers that serve the population of Bay Village is too high. You mention the decline of 2,000 residents since 1980...a period of over 30 years. When you look at the last 10 years, according to the census bureau, it's a decline of less than 500 people (even Mayor Sutherland publicly stated this decline is explained by the college students who are away at school). In a few moments, Anne will discuss the actual numbers that support our campaign to keep our police department adequately staffed and the citizens safe. Kevin will also talk about the serious types of incidents and crimes we handle in Bay Village today.

Council is being unrealistic if it believes there has not been much change in the scope of law enforcement since 1980. The facts are this: The police department is busier now than ever. All calls for service have increased. Just about everything we respond to is on the rise. The number of arrests is surging. The types of incidents we deal with are serious and potentially life threatening yet, you want to eliminate police officers??

Bay Village residents paid for an efficiency study, which was completed by the urban studies experts at Cleveland State University. Their study concluded the Bay Village police department is under-staffed in comparison to other municipalities of similar population and size. Councilman Young, you conducted an independent study comparing Bay Village to other cities around us that also have dispatchers, jailers, animal control officers, and possibly community service officers. The number of police officers per department you quote is completely erroneous. This was verified when we contacted every single one of the departments you listed in your study. The population numbers that you mentioned for some of the comparison cities are also inaccurate. This was easily verified by looking up the current census bureau records. I would caution this entire city council on making decisions affecting public safety without having factual statistics.

You fail to mention in your study that the Bay Village police department does not have the luxury of additional support positions like dispatchers. We only have a few part time jailers that work mostly during the day. We already do more with fewer personnel. After the Animal Control Officer position was eliminated last year, our patrol officers absorbed all of those calls for service as well.

The patrol unit is the backbone of the police department...we are the first responders to this city. If you eliminate positions it will have a critical impact on public safety and the ability to do our jobs safely. Our ability to investigate serious crime will be affected and the support programs of the police department are being eliminated as a result of your cuts to the police budget. Councilman Young's study not only suggests cuts in the police department but in the fire department as well in order to save the city some cash. This is NOT the way to balance a budget, especially when the money needed is already there to cover necessary staffing levels.

Several terms have been tossed around within the past 2 weeks regarding this layoff or

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

termination or whatever you are calling it these days. The city of Bay Village hired 3 new officers and swore them in a year and half ago. They are outstanding officers who serve your city selflessly and it shows. There are zero disciplinary issues with these new officers and they do not deserve to be fired at will. There are young families at stake here as well – or is the almighty dollar the ultimate concern for city council? The prevailing sentiment is that you are terminating one or possibly more police officers because of underlying budget problems. President Koomar you even mentioned that because the officer is on probation this option to eliminate him is available. There must be other ways to save money rather than risking lives and ruining livelihoods. We are asking you to take a good long look and re-evaluate your priorities.

Last year you predicted a huge shortfall with balancing the budget for 2012... With this knowledge, why would you approve the purchase of over \$500K worth of equipment for the service department?? According to the CSU study, it's inefficient and costly to have all that equipment that is used so infrequently. Can't the city do without a brand new backhoe right now when there are 2 others to use? That excessive piece of equipment alone was bought on an emergency purchase order and cost more than the terminated officer's annual salary. Why not consider renting equipment on an as needed basis to truly save money?

We are asking that you look elsewhere to make cuts such as taking a look at the 7.3 million dollar annual operating budget for the service department and parks. The police department budget is less than half of that amount and keep in mind; we are a 24 hour a day, 7 day a week, 365 day a year department. We are here to protect the residents of the city all the time.

We cannot comprehend how or why you would slash our manpower, crippling our ability to protect your constituents when there are other areas where money can be saved! Why not eliminate the health benefits coverage for those privileged part time employees that receive costly, full time benefits? I don't know of many positions in the public or private sector that could afford such a perk.

Why don't you let the residents decide what's best for them. One statistic I will leave you with is this...

It costs each resident \$198 annually for police service. That doesn't seem unreasonable considering the level of duty and dedication provided to this top rated suburb by the extraordinary people you hired, who put their lives on the line every day to protect the citizens of Bay Village. In comparison – it costs each resident \$466 annually to fund the service department and parks.

What's the point of having pretty parks and nice streets if you don't have enough officers to keep them safe?"

Anne Jindra-Smith addressed the Council, administration, and audience, stating that she is also a police officer with the Bay Village Police Department currently assigned to the 3 p.m. to 11 p.m.

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

shift, and also a union representative which is why she is present tonight to speak. Officer Jindra-Smith made the following statement:

“The BVPD currently has 13 police officers assigned to road patrol. City Council’s plan to eliminate officers would reduce the number of police patrolling this community by anywhere from 8% to 24%. This council has neglected to communicate the rationale behind such a drastic reduction in safety services to anyone in the patrol union, or to the tax-paying citizens, whom we all serve.

The fact is that the Bay Village Police Department is busier than ever, and we are barely getting by with our current staffing level. The hiring of three new patrol officers in 2010 finally brought our department up to full staffing for the first time in several years. Since these officers were hired two years ago, the BVPD has experienced a:

- 13% increase in total calls for service
- 47% increase in incidents which require police investigation
- 28% increase in Arrests/Citations
- 264% increase in Drunk Driving arrests (45 in 2009, 164 in 2011)
- 86% increase in drug-related arrests
- 106% increase in residential burglaries
- 30% increase in motor vehicle accidents

Additionally, the police department utilizes part-time officers when there are not enough full-time officers available to safely cover shifts. Over the last two years, part-time officers have worked an average of 3400 hours a year. That translates into 425 eight-hour shifts per year because there were not enough full-time officers to patrol Bay Village. In comparison, a full time officer works 250 shifts a year. This means that part time officers are working as much, per year, as almost 2 full time officers. CLEARLY, the police department is under staffed!

Meanwhile,

- In the past 12 years, Bay Village’s population has decreased only 2.7% as compared to the 8.2% decrease in Cuyahoga County overall in that same time period
- Property tax revenues have grown an average 10.8% annually since 2004
- Actual income tax revenues in 2011 were almost half a million dollars more than what Mr. Presley predicted in his budget projections
- Bay Village was ranked #2 in this nation on the Forbes list of cities whose median asking price for houses increased significantly during 2011.

There is a ‘shell game’ being played with the taxpayer’s money to create the illusion that Bay Village is in a dire financial crisis.

- For the 2012 budget estimations, the General Fund revenue was reduced by \$292K by simply not making a transfer from one account to another. That is almost \$300k that is sitting idle for no reason.

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

- Based on the projected revenues and expenditures, the hospitalization fund will have a balance of \$828k at year's end! That is \$468K more than the recommended amount of cushion the city needs in that fund. That alone would be enough to fix the alleged budget deficit!
- In reality this budget shortfall is based on unnecessary transfers out of the General Fund, into accounts that exist only to collect interest. Capital Improvement Projects are being paid out of the General Fund, instead of using the \$3 million that is collecting dust in Capital Improvement Funds. So far not a single transfer out of either capital improvement fund has been budgeted for all of 2012! Handling the city's finances this way serves only to dupe the taxpaying citizens of Bay Village into believing that their city is strapped for cash, when in reality IT IS NOT.

I have facts and figures to support all of these numbers. They are available for anyone who wants them. It is disturbing that the police union would be the driving force behind this call for transparency of the city's finances, and not the city itself. I would like to present City Council with the results of an independent forensic audit that was done on the city's finances. The police union had this audit done as part of our contract negotiations. However, the city has ignored our requests to meet and continue negotiating since we received the results of this audit.

It is clear that the police department is taking the brunt of the city's attempts to reduce spending. And not just the police budget in general, but the city wants to cut the specific 'full time salary' line item in the police budget. Specifying and demanding a reduction in the full-time salary line item and refusing to consider any alternative budget concessions is ludicrous. Cutting even just one full-time officer will require the police department to eliminate DARE, Safety Town, the bike unit, and possibly force a detective back into road patrol, eliminating the community diversion program for juvenile offenders. Many of these programs and services are why people choose to live in Bay Village. No one from the police department wants to eliminate these programs. However, the Chief has no choice but to put the DARE officer back on patrol for our department to continue to function. It's not realistic to keep an officer in the classroom when there are not enough on patrol to keep the citizens safe.

We are asking for the city to take another approach toward balancing the budget. Don't order the three new police cars we are scheduled to get this year. Don't buy heavy equipment for the service garage for a year. Have the Board of Ed pay for crossing guards, not the police department. Instead of getting rid of fully trained, extremely competent police officers, simply delay hiring in other departments. We are willing to work with council and the administration, but reducing our force is an unreasonable and reckless option.

Eliminating one, two, or three police officers from our current staffing level is an ill-conceived way to balance the alleged budget deficit. It is irresponsible to put a greater value on squirreling money away, than on basic public safety. These three young officers who are now being threatened with job loss were all hired in August 2010. If a shortfall in the

budget truly exists, shouldn't it have been in the financial forecast back in August 2010? I know for a fact that before accepting their jobs here, two of these young officers asked our Chief and Mayor if they had to worry about being laid off. Both told them, 'not on my watch'. How do you explain this to them now? Mayor, how can you explain laying off a police officer when you yourself said that there were other ways the city could balance the budget?"

Kevin Krolkosky made the following statement:

"Good evening and thank you for this opportunity to address council tonight. Before I begin allow me to introduce myself to those of you who do not know me, I am Kevin Krolkosky a member the Bay Village Police and I currently hold the position of Detective. My purpose this evening is not to discuss the various budgetary issues confronting the city. Rather, I would like to a few moments to speak about how the Bay Village Police Department operates. Having been assigned to the Detective Bureau for the past 10 years has allowed me to see how the entire department functions and how vital each element is. There are reasons why the Bay Village Police Department Staffing levels are set at 23 sworn officers (this number does not include the Chief of Police). This number of officers insures we can fulfill our mandate, which is the delivery of police services to the residents of Bay Village. The services this agency provides to the public are wide ranging from assisting a person who has looked their keys in their car, to the investigation of criminal activity, such as domestic violence, burglary, rape, etc... I would like to highlight several incidents which have taken place since early 2010 through December 2011.

BV10-0032 Fraud/Embezzlement

1. On February 9, 2010 a resident of Bay Village reported her business had several checks stolen and then cashed
2. The investigation into this matter revealed a company employee had embezzled in area of \$300,000.
3. The suspect was indicted by a Cuyahoga County Grand Jury on multiple felony charges and is currently incarcerated.

BV10-0077 Corrupting A Minor With Drugs & Child Endangerment

1. On March 23, 2010, Bay Village Police Department received a report of a student at the Bay Village Middle School was in possession of several unknown prescription drugs.
2. The resulting investigation of this complaint, lead to a Cuyahoga County Grand Jury Indictment of a Bay Village Resident for providing Alcohol and Marijuana to several Middle School Aged Juveniles

BV10-00118 Rape & Pandering Sexually Orientated Material Involving a Juvenile

1. On April 22, 2010 BVPD was contacted by the Bay Village High School regarding a former Special Education Student, who alleged to be involved in a possible inappropriate relationship.

2. This initial complaint resulted in an investigation of a the 48 year old male from Lakewood, with a prior history of Sex Offenses, who had met a Cognitively Disable 17 year old female resident of Bay Village via the internet.
3. Subsequently, this male was indicted on multiple charges including Rape, and Pandering Sexually Orientated Material Involving a Juvenile. This individual was found guilty by a Jury in Cuyahoga County Common Pleas Court on October12, 2011 after week long trial.
4. The Investigation spanned over 16 month period and included the participation of several members of the Bay Village Police Department. Especially the efforts of a Patrol Officer who also service as the Bay Village Police Department's Computer Forensics Expert.

BV10-00158 Burglary

1. On May 19, 2010 Bay Village Police Officers responded to a burglary on Russell Road
2. During the initial phases of this investigation patrol officer and detectives spoke with several neighbors of the victim. In doing this a description of the suspect was developed, this suspect description was then forwarded to Cleveland area police departments.
3. On May 20, Brooklyn P.D. (Ohio) contacted BVPD indicating the suspect description provided by this agency matched a person who they had under surveillance and were in the process of following that day.
4. This phone call prompted a surveillance detail consisting of BVPD Officers and Brooklyn Officer to follow this suspect as he drove around Bay Village and eventually into Rocky River. Where the suspect was apprehended in the act of burglarizing a home.

BV10-00205, Fraud

1. On June 6, 2010 a Bay Village Resident reported her bank account had been comprised
2. The investigation into this allegation revealed the Bay Village Resident's bank account had been comprised for \$43,400.
3. This became an extensive investigation which was led by the Bay Village Police Department, and included the U.S. Secret Service, and other local Police Departments and Banking Institutions
4. Numerous individuals have been arrested and indicated, but the case has not yet gone to trial
5. This is another example of an investigation which spans several months and requires a massive number of man hours to in order bring charges against the suspects.

BV10-00238, Rape and Felony Domestic Violence

1. In May 2010 a female resident of Bay Village reported she was being violently abused by her husband. This person was so traumatized by these events she was not initially able to provide a detail picture of what took place.
2. However, Bay Village Officers maintained contact, and continued to speak with her, were able to bring to light multiple occurrences of rape, drug abuse, and assaults which took place in this city
3. Two individuals have been indicted on numerous felony charges and matter is set to go to trial at the end of February 2012.

BV10-00342 & BV10-00379 Burglary

1. On August 18, 2010 BVPD Officers & Detectives responded to a Burglary on Oakmoor. In the course of investigating the crime scene numerous items evidentiary value were discovered (fingerprints)
2. On September 2, 2010 BVPD Officers & Detectives responded to a report of suspicious activity in the vicinity of 24000 block of Electric Drive.
3. Subsequently, four suspects were stopped and identified as they were in the process of burglarizing a home on Electric.
4. The ensuing investigation of these individuals showed part of the group was responsible for the burglary on August 18. This was accomplished through items discovered in the vehicle the group was stopped in and via latent fingerprint found at the home which was burglarized on August 18th.

BV11-00154 Child Endangerment

1. In the winter and early spring of 2011 BVPD Officer responded to numerous complaints at a home Bay Village, where the parent was allowing her teenage children to use alcohol, marijuana, and possibly other drugs.
2. Over the course of several weeks sufficient evidence is established to charge the mother with Child Endangerment.
3. The charge against this person was made possible by the information gather by Patrol Officers, Detectives, and by working with the Cuyahoga County Department of Children and Family Services.

BV11-00390/391 Trespassing, Car Theft, & Arson

1. On July 31, 2011 BVPD Officers responded to home on Meadow Lane, in the middle of the night, on the report that a large group of persons were trespassing in the home owner's pool.
2. Upon the officers arriving at the house, numerous individuals fled but some were apprehended.
3. Responding officers were able to identify many of those individuals who did flee
4. Early the next morning a nearby resident on Wolf Rd, reports his car was stolen overnight. This car was later recovered in Cleveland, where it had been set on fire.
5. Subsequent investigation revealed one those individuals who fled, stole the vehicle and was involved in the arson of the car. That individual was indicted by a Grand Jury, and additional charges are pending from the Cleveland Arson Unit.
6. Those individuals involved ranged from 16 years of age to 22 years of age, the drugs being by those involved were alcohol, marijuana, and Bath Salts (drug)

BV11-00406 Breaking and Entering

1. On August 12, 2011 BVPD Officers responded to a Bay Village Church on the report someone had broken into the church offices.
2. The investigation into this matter revealed an individual who was frequenting this church was responsible for the break in. This person found to be involved in several other similar crimes and has a past history of the same behavior.

BV11-00622 Meth Lab

1. On November 21, 2011 a BVPD Officer stopped a vehicle during their midnight shift.
2. While investigating this vehicle the patrol officer discovered the occupants were concealing the material to produce Meth Amphetamine
3. The discovery of these chemicals resulted in having the Westshore Haz Mat Team respond to ensure the chemicals found were properly disposed of.
4. The persons in the vehicle were in their late teens and early twenties, including a Bay Village resident. This matter was present to a Grand Jury and indictments were handed down

BV11-00640 Breaking & Entering, Receiving Stolen Property, & Vandalism

1. On November 30, 2011 a BVPD Officer, working Mid-Night Shift, stopped a vehicle for an equipment violation.
2. During the course of speaking with Driver, and the other two occupants, the vehicle was searched resulting in the discovery of 17 brand new Navigation/DVD Units
3. Subsequent investigation revealed these individuals were responsible for breaking into vehicles at Pat O'Brien Chevy where the GPS were stolen from, causing over \$75,000 in damages and stolen property
4. All three individuals were from the Detroit area and had prior criminal history's including weapons and robbery charges.
5. This matter was presented to a Cuyahoga County Grand Jury, and all three individuals were indicted on multiple offenses.

BV11-00664 Menacing By Stalking

1. On December 8, 2011 a mother reported her teenage daughter was followed home from the high school by a suspicious vehicle. Additionally, this vehicle had driven by this girl's house multiple times 5 days prior.
2. While investigating this allegation information was obtained that this same vehicle had followed an adult female in November
3. On December 9, 2011 BVPD Patrol Officers and Detectives stopped this vehicle and identify the driver of this vehicle.
4. A thorough investigation was completed leading to male being charged with Menacing by Stalking.

These have been highlights of some of the cases from the past two years that the Bay Village Police Department has handled. This is not a complete picture of what the members of the Bay Village Police Department do on a daily basis, rather just a snap shoot. I invite each member of council to learn and understand what the men and women of this agency do on a regular basis.

Because a member of council said in a Finance Committee meeting on January 17, 2012 "All decisions made by the finance committee hereon in are decisions they would like to make informed. The better information they have, the better decision can be made". This comment was in reference to the committee attempting to gather information on another topic. However, I believe this statement shows the intent of council members to make good informed decisions and in this particular issue it is imperative an informed decision be made.

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

All members of the Bay Village Municipal Government, whether elected, appointed, or hired, have a duty and responsibility to serve the residents of this city. We must work together in order to maintain the level of service those who elect us and employ us demand. I am more than willing to speak with any member of council at length about what we, the members of this police department do.

Thank you for your time this evening.”

Mr. John Corrigan, 405 Lake Forest Drive stated that he just wanted to share a few simple things that may seem trivial, but wants to suggest that they are huge. Not too long ago, Mr. Corrigan stated, he was up at the soccer fields and lost his car keys. He was thinking that he lives in Bay Village and has great neighbors. He walked over to the Police Department, reported his car keys lost, and was sure that someone would find them and turn them in. The Bay Village Police found the keys two shifts later. Mr. Corrigan stated that he did not expect that kind of service. He thought he would leave a note that he lost his keys, and someone would turn them in. They must have sent the note among the shifts, because the police found his keys. Going back a few years he was away with his son and his wife was home alone with their daughter, a toddler. His wife heard noises and called the Bay Village Police. Two officers came out immediately and insisted that they would stay until they figured out what the noise was. There were raccoons in the garage. Mr. Corrigan shared with his wife a similar story of a fellow attorney whose wife had a similar problem. They lived in a beautiful area in the West Park area of Cleveland. His wife called dispatch and the Cleveland dispatch asked if she heard or saw a gun. Mr. Corrigan explained that the police were prioritizing the call and his colleague’s wife did not get any police service. Mrs. Corrigan told her husband how comforting it was to have the Bay Village Police come to their house that evening. Mr. Corrigan stated that raccoons and car keys may seem trivial, but it is a huge quality of life issue. Mr. Corrigan noted that he now does criminal defense work and recalled a recent conversation with an assistant about a check case that was happening over several communities. The Assistant County Prosecutor told Mr. Corrigan that Bay Village Detective Jay Elish was the one stepping up the plate, taking the lead, and solving the case. Mr. Corrigan stated that he can’t emphasize enough what a great community this is and we really do need to keep the police numbers up. Little stories like this don’t happen when the numbers go down.

Peter and Kathy Winzig, 31183 Roberta Drive, thanked the Council, stating that they appreciate the work that they are doing and they know how difficult this is. They will pray for Council that they make the right decision. Mr. and Mrs. Winzig made the following statement:

“Kathy and I are a team, and would like to speak together

First of all ~ Kathy and I would like council to know we appreciate the difficult situation you are in, in working to balance the upcoming city budget - And we thank you for your dedication, time, and service, and we will continue to pray for you to reach the correct decision for all concerned.

As parent advocates of student and parent drug education ~ we’re concerned that in order for the city to meet the budget goal ~ cuts are being considered in the police force as one of the solutions to make up the deficit

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

Based on the efficiency study (that was paid for with our tax dollars) AND the increase in calls and arrests, we find this approach troublesome.

Because of what we've learned as community advocates ~ we know that the majority of adult and adolescent arrests are alcohol and drug related.

We've also learned:

- 28% of our Bay Middle School 8th grade students say that they tried alcohol
- And 25% of them reported that they have experimented with prescription drugs
- Usage increases up to 50% in high school – and 1 in 4 high school students report binge drinking in the past month
- And, studies show that early alcohol and other drug use can lead to future problems

And how does this apply to the number of police officers that are considered being cut from the budget?

It all boils down to student and adult abuse of alcohol and other drugs because, like we said, the majority of arrests are related to substance abuse.

And it will only get worse, if we don't have ample police officers ready to intervene and help put a stop to this behavior ~ or better yet ~ to save a life.

Also, if the DARE program is cut from the budget ~ a Program that is statistically proven to prevent or delay first time use ~ we should all be very concerned about the future of our children and the safety of our town.

And ~ if you've never had to call the police for help, then you probably don't know what it's like to have to wait because the officers are tied up across town. This happened to us about 4 years ago, and it was very unsettling having to wait until they arrived.

Safety is one of our fundamental needs and one of the reasons many people choose to live in Bay. As you look at budget saving options, we hope that you will strongly consider maintaining our safety needs and keeping the police force intact.”

Kent Silverberg, 24425 East Oakland, made the following statement:

“As a resident of Bay Village I would like to express my opinion about the possibility of a loss of one or more of the police officers in my city. As the Mayor, City Council, and the Police Department are all well aware, my small area of East Oakland has been in a neighborhood dispute for about three years now, where many of my neighbors and I feel continually threatened by the actions and behavior displayed by another neighboring family. As we continue to feel and fear for our lives due to this neighbor's actions, I feel that any reduction in the police force or their operating budget will not only hinder police response time for calls placed by us, or other residents of other Bay Village, but it will also make the residents feel uneasy about the level of protection that we would be receiving in our currently low crime city. It is the job of you, as city officials, to protect and service residents. As I continue to fulfill my civic duty by attending the meetings of City Council and making my voice heard, I thank Council for doing their best in trying to keep the current level of protection for the citizens of Bay Village and I thank the Police Department as they continue in their mission to protect the citizens of the city. To Officer Chapman, I will continue to fight for you and stand up for you.”

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

Marty Tarr, 24458 Lake Road, stated that he has been a Bay Village resident since 1986 and thanked the Council, noting that he knows they are doing everything they can. As a business owner he has to make cuts and it is tough everywhere you look. Mr. Tarr related an incident at his home on Lake Road when they were expecting company late in the evening. Since his property is set far back, it was difficult for the driver to find the home. When they finally did pull into the driveway a Bay Village police officer came in right behind them to insure the safety of the residents. Mr. Tarr expressed appreciation for living in a city where we have the staff and the police force to be out in the street to observe things like that in case somebody is casing the property. He thanked the administration, Council, and police department and noted that safety is a very high priority. He stated that they feel very safe in this community, are very appreciative of what everyone does and if cuts are to be made it is a high priority to keep police staffing the way it is.

Dave Tomcho, 626 Fordham Parkway, proud Bay Village resident, and a police officer from another jurisdiction, stated that he chose to live in Bay Village. He stated that he has seen cuts in other jurisdictions. Everything that was presented tonight is true but the first knee-jerk reaction is to attack safety forces and cut – it's the easiest, but it's the biggest mistake. Mr. Tomcho advised that he has a special needs daughter and chose to live here for that reason. He also takes care of a senior citizen across the street from him who was the victim of a senior citizens scam. Detectives Elish and Krolkosky were able to track it down. If these cuts are made, there won't be the time to do that extra work. They were able to work with the banks and financial institutions and Mr. Tomcho. They went above and beyond as usual. Senior citizen scams are on the rise, as the detectives can attest. To cut and have detectives reassigned is going to hinder the detective bureau's ability to do the investigations. Mr. Tomcho asked for other areas to be looked at for cutting. He stated that he knows cities four times the size of Bay Village that have the same number of Council members. Mr. Tomcho related an incident where his wife was assured and made to feel safe by a police officer when hearing noises in their home. He stated that the police department is an outstanding group in an outstanding community.

Matthew Ullum, 403 Longbeach Parkway, stated that he moved to Bay Village in 1988 and graduated from Bay High. He stated he moved here in his senior year of high school and had only lived here for a couple of months when he was riding his ten speed bicycle and at the intersection of Osborn and Beech was run over by a motorist. The Bay Village Police Department was immediately on the scene to get him to the hospital. Mr. and Mrs. Ullum came back to this area later in life, choosing Bay Village as the best place to raise his children. He related further incidents when the Bay Village Police Department responded immediately to their calls for assistance. Mr. Ullum stated that as an owner of a business he understands fiscal responsibility and acknowledged the difficulty of the task. Part of the fiscal responsibility is that when there is money in the budget it should be spent. He stated that when you don't spend the money people won't want to be here, and we all want to be here because of the safety of the community and because it is a great place for the families. Mr. Ullum stated that it is the right decision to take care of the Police Department – it is a commitment that the city came up with two years ago and as residents they want this too and you can't take away a commitment to something that has been promised.

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

Tammy Lanson, 27834 Knickerbocker, advised that her grandfather, John Spencer Houk was Mayor of this city. He was proud to be here, her mother grew up here and that is why her family is here. Mrs. Lanson stated that they need the Police Department; she has a 15 year old daughter who she feels safe to raise here in Bay Village. She asked that the police be kept, noting that they are needed. Mrs. Lanson stated that her grandfather loved the city, her uncle and mother love the city and that her family is here because of how safe the city is.

Alvin Wier, 485 Glen Park, stated that he has lived in the same home for 49 years and agrees with the previous statements made by the police officers. He noted the article in the *Bay Villager* newspaper regarding the exposure of fraud, a \$415,000 identification scam, by Bay Village Police. Mr. Wier commended Chief Wright and the entire Police Department for their work. He stated that everytime he calls the Fire Department and Police Department they are there in minutes, noting that the police crossed his grandchildren across the street every morning. He related further incidents and stated that Bay Village is the best place anyone could ever live.

Ray Cebulis, 501 Sandalwood, stated that the dedication the Police Department has to the citizens seems obvious and he would hope that all the Council members would show that dedication back to those officers that serve the residents by supporting them. Mr. Cebulis stated that his bubble has burst to think that the Council would even consider not standing with the department and not standing with the Mayor and citizens and saying that we are not going to have any changes to the safety of our citizens. Let's look at other things. Mr. Cebulis urged that the Council do more research and not change anything, support the citizens and safety of the community. He suggested finding another way and discouraged firing someone who was hired a year-and-a-half ago. He stated that he is ashamed that this would even be considered, and it sounds crazy that there are executive discussions behind closed doors to talk about the safety of the community.

Mr. Pohlkamp stated that he thinks the Mayor can address the Executive Session end of things but he wants to say for clarification that last year in March the Mayor approached City Council about the possibility of paying for an independent audit/evaluation of staffing throughout the city to be conducted by Cleveland State University. Council voted to move forward with the idea that this information would help Council and the administration to make a much better decision in time for the budgetary process for the fiscal year 2012, a process which typically begins in October of the year before. The Council received the first piece of that evaluation on Friday, February 3, 2012. They were not privy to the information before that. The Police Department did have access to the police portion of it several days before. Mr. Pohlkamp learned this through the media. They did not even know the study had been to that point, but they have since requested that they should also receive that information because they too want to see the best information available. Mr. Pohlkamp stated that one of the reasons he supported this is because over a period of over four years we have gone from approximately 147 full and part time employees down to 105. He asked the Mayor if any of those included safety forces. The Mayor responded that there were a couple of employees not replaced through attrition in the Fire Department. With the exception of two people in the Fire Department, there have been approximately 40 cuts of full and part time employees in other departments which is what got us to the Cleveland State study. Mr. Pohlkamp stated that he personally had a concern that maybe

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

we were not appropriating the right funds to the right departments, noting that there is a certain amount of load balancing and prioritizing that has to be done. Mr. Pohlkamp stated that armed with the information from the Cleveland State study it will make their jobs easier in the next budget cycle but it would have been nice to have it for this one.

Mr. Koomar stated that last week there were comments circulating in the community that Council had cut DARE and Council had cut the Community Diversion Program. Mr. Koomar stated that that has not been a discussion item. This is something they think is important as well and he wants to set the record straight.

Mr. Ullum stated that he cannot understand why this work was outsourced to Cleveland State University and feels that this is a study that the Council and city administration should have been doing, noting the expense.

Mr. Young stated that he Chairman of the Finance Committee and one of the things they try to do is be good stewards of the money entrusted to the city. One of the things we do is rely on the department heads and the information they provide to try and make wise decisions. Mr. Pohlkamp touched on the staffing cuts we have had from 140 down to 107. The way we have tried to do that is through trying to gain some metrics and some measurements so we can make wise decisions and hopefully departments can make wise decisions. Some of the discussions last October with the Police Department as far as budgetary set ups and trying to decide what we need to do was what is the metric your department uses to decide whether Bay Village Police Department is the correct size. Second of all, that you are deploying wisely. Those are the things the Finance Committee wants to know before we appropriate monies and decide one department gets it and another department doesn't. You have to basically prove that you need it. The comments back were that an FBI study tells how many police officers per thousand are to be on staff. We are supposed to have 1.8 police officers per thousand residents. That is the information received from the Police Chief and the Safety Director (Mayor). Statistics were sought from surrounding communities and were provided by the Mayor and her assistant. Comparing those statistics it was learned that Bay Village did very well. We didn't hit the 1.8 number that was the metric, and the other communities did not. Mr. Young stated that he was chastised a few minutes ago by the police union representative as having inaccurate numbers, but those were the numbers provided to him by the Police Chief and the Safety Director. The City of Avon Lake has 1.37 officers per thousand residents. Fairview Park has 1.36 per thousand residents. North Olmsted has 1.34 officers per thousand residents, Rocky River has 1.5 per thousand, and Bay Village has 1.6 officers per thousand, counting the number of hours contributed by the part time officers.

Mr. Young continued, stating that going beyond that is the study provided by Cleveland State University. Mr. Young received that study on Saturday, February 4, and the police portion is four pages. The metrics they show are that we are supposed to have 1.8 sworn officers per thousand according to the FBI, and that the City of Seven Hills has 1.6 officers per thousand residents. He commented that he did not know why Seven Hills was chosen as a standard or comparable city instead of the cities previously mentioned. Mr. Young stated what that comes down to is that if he is given some metrics to look at and the city will provide monies to

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

departments that deserve them if it is proven. Mr. Young stated that although they are not permitted to disclose information discussed in Executive Session, one of the things he did say is to tell the Mayor that we have to develop more metrics so that we can wisely use the resources of the Police Department properly sized and properly deployed. Both the Mayor and the Police Chief promised to do that. Budgets are developed based on demonstrated need, and as someone who is responsible not only for general government but the fiscal concerns of the city that has to be proved in order for monies to be spent.

Detective Kevin Krolkosky asked to comment and stated that Mr. Young uses metrics and statistics a lot. Detective Krolkosky stated that he is not a finance person at all, but a police officer with 23 years experience. They deliver services; you cannot necessarily quantify what a service is to be delivered. Investigative man hours depend upon the type of crime being investigated as well as patrol needs. Detective Krolkosky stated that he does not know what metrics Mr. Young is looking for. He believes that evidence has been given. The detective has invited Council members to come and sit with him and talk about it. If we are talking about metrics, let's look at the man hours that go into an investigative process of a crime. Detective Krolkosky asked Mr. Young to come over and see him and he will be happy to explain to him, in detail, what takes place during the course of an investigation. It can be something very simple or it can be something as far reaching as the investigation mentioned by the gentleman who spoke this evening which started in June of 2010 and was just indicted prior to the New Year. The man hours that go into that cause the effective delivery of the services of which we are mandated to perform. You have to be very careful when you are looking at only numbers because the Police Department is not simply based on numbers. As you have heard from the testimony from the people here tonight it is also predicated on the services we deliver. When you remove one cog out of that service delivery, a full time patrol officer is one cog; it then causes an ineffective delivery of the services. Detective Krolkosky repeated that he would be happy to meet with any member of Council, as would any member of the Police Department, and explain thoroughly what they do. You cannot look at it simply as a number. You have to understand the services we deliver. Sometimes it is nothing. Sometimes it is merely an officer driving around on patrol seeing suspicious activity and checking it out. How do we measure that for you? How do we give you that information to show you we are staffed fully at 23 because when you start removing those pieces our delivery service will be hurt, without question.

Mr. Young stated that in his case as far as budgetary discussions he is talking to the Safety Director and the Chief of Police.

Nancy Brown, Wolf Road, stated that as a resident, she and others in this room have gone to a lot of meetings and they know what the Council and administration are up against. But, safety forces should be the number one priority. "Take away my trash, take away my snow, I want the water to come in and I want the sewage to go out. Everything else is below the line. Those are the priorities, and address them that way. There are plenty of other things in the budget to consider. You've seen my emails."

Mayor Sutherland addressed Miss Brown and stated that this is probably the first time that she agrees with everything she has said.

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

Mr. Bill Jindra, an officer with the Avon Lake Police Department stated that Mr. Young is welcome to contact him at anytime. Officer Jindra stated that they field five cars usually on the road, or four cars at a minimum. They deal with the same Bay Village does and even with that many cars there are times when people have to wait because they have no one to send because they are just too busy. "If you cut these officers from this department, from listening to what goes on here being on the board and helping them out and having them help us sometimes, I can tell you service will suffer."

Betsy Capp of Crestview Drive asked Mr. Young if he worked in a bank because the banks always use metrics when they want to justify eliminating something, never adding something. Ms. Capp stated that you cannot tell somebody whose house is burglarized that we just missed the metric; sorry, we don't have a police officer for you. That is a good basic start but do not let that become the reason you don't keep police officers. Ms. Capp stated that she agrees with Miss Brown, the number one job is the safety of the citizens. The Police and Fire Department are here to that. "If you asked me I would sure be willing to pay a little bit more for more police and a little bit less for less Service Department. I think there are a lot of people who think like I do and do not let metrics become the only reason you make a decision."

Sam Ursetti, 26743 Henry Road, stated that the City of Cleveland has 19 Council members with close to 500,000 people and they are 25 times larger than Bay Village. The City of Columbus has close to 800,000 people and they only have seven Council members.

Gayle Fisher, 24429 East Oakland Road, stated that she feels so comfortable the way the police drive down the street and she feels safe when she and her neighbors have had to call them numerous times. Miss Fisher stated that she applauds the police for that and thinks we need as many policemen in Bay Village as we can get.

Mr. Jeffrey Kocian, 26730 Wolf Road, stated that he has been a proud Bay Village resident for the last ten months. Mr. Kocian stated that he chose Bay Village for the quality of life you can find here. He stated that he can walk down the street at 3:00 a.m. and feel safe. Mr. Kocian stated that his two year old daughter will feel safe growing up here. He expressed personal thanks to each and every police officer in the City of Bay Village and surrounding areas. He noted that there have been additional driving while intoxicated arrests in the City of Bay Village in the last year because we have better and more police arresting them. If you eliminate them it is not going to take away the crime; it is going to make the road more dangerous. Mr. Kocian stated that Council is not a steward to the money, they are a steward to the people, and the people want the police. "Keep that in mind because you are not here to do what you think is right; you're here to voice what we want. And we want the police. So keep the police, please and you'll get more people who want to move to the city like I did."

Brandon Dimacchia, President of the Bay Village Firefighters Union, stated that he has spent quality time with the Mayor, Law Director and Councilmen during negotiations. Firefighter Dimacchia stated that his dad has told him numerous times that good people have one job and great people have two jobs. As a Fire Department member he wants to relate that the firemen are

Minutes of Regular Meeting
Bay Village City Council
February 6, 2012

concerned with all of the cuts that are proposed. They can't stop thinking about it. Now, there is talk about cutting police as well. Firefighter Dimacchia stated that they have been in these rooms a few years ago, and fought for what they thought was right. They are here today to support the Police Department because when the Fire Department does their job the police come along as well when they are available. There is not a day that goes by that the comfort of having the Bay Village police officer with them is always at the top of the list. If there are more cuts then there already has been, they will be at the bottom of the barrel. "If you cut the cops, we are going to be at the bottom of the barrel without guns because we will have no police to protect us. Because you think everything runs great, it doesn't because there is a reality out there. People have medical issues; people who have problems with their life style, people have things that go on. You need to have fire and you need to have police. The Fire Department is in support of not making any cuts on the Police Department, as well as anymore on the Fire Department. Thank you for listening."

Michelle Guinter, 575 Dwight Drive, stated that she is a lifetime resident of Bay Village, a mother, and an educator at Bay Middle School. She asked the Council to please consider not letting the DARE program go, noting that she is a little confused about what the truth is on that. Her daughter, who is in the DARE program was told that her program is being eliminated. Mrs. Guinter wants to make sure that the Council understands the importance of a program like DARE. The Safety Town program is also important for students who are four to five years old entering the school system. Mrs. Guinter stated that the Safety Town program has been in existence since she was five years old and was part of it herself. Her two children were part of it and were able to mentor students in the program when they were in fifth grade. "It is a phenomenal program. Not only is it part of the fabric of Bay Village but it is also something that is very important in the culture of raising our children." When a police officer comes to talk to children and explain that they are allies, not an enemy and if there is a problem they can go to a police officer and find help. If they are concerned about something a police officer is their friend and is not something to be afraid of promotes a very healthy attitude among our youth and a valuable program that should absolutely not be cut."

Mayor Sutherland stated that she is going to wear several hats in this answer. She stated that she grew up here in Bay Village so it is very near and dear to her heart and growing up here she knows what kind of special community it is and it is always been a really safe one. She stated that "I am going to put my mom hat on; I raised two kids here and they just had a wonderful experience because it is a very safe and just wonderful community. As I put my Mayor and Safety Director hat on, I can tell you that I am not in favor of cutting the safety forces. I am just not in favor of it. I think the cops know it, our firefighters know it. We are a right size, as we are right now. The programs that we have developed over the years like DARE and Safety Town, the Community Diversion Program, are all valuable pieces of the fabric of the community that we have come to rely on. And, we know how important it is. I don't think there is a police officer in this room who would want to cut DARE or Safety Town. But it is going to be a function of how many people we have working for the force. So, if we maintain the way we are we'll be o.k. So, that's my opinion wearing all my four hats. I intend to continue to work with our police force and our fire department at the current staffing."

Mr. Pohlkamp asked Mayor Sutherland to explain the Cleveland State study.

Mayor Sutherland stated that the Cleveland State study is not a study of just budget. It was an operational efficiency study. It was conducted over a period of months where representatives from Cleveland State University came out and interviewed not only directors but key people within the city to look at how jobs are done. Not to evaluate their performance but just to look at the objectives of the city, how do we meet those needs. They have produced a draft report that has been circulated; there are still some tweaking and corrections that need to be made. It did get delayed a little bit due to a very serious health condition with one of the CSU researchers, so that was part of the delay in getting it to everybody.

Mr. Pohlkamp asked Mayor Sutherland to explain her rationale when she came to Council and asked them to spend the money to support this program.

The Mayor stated that she felt that when evaluating all of the different programs and departments that we had come to the point that it was very difficult to make any additional cuts or changes, or achieve additional efficiencies without having somebody from the outside come in and evaluate. That is the draft report we now have.

Mr. Koomar asked Mayor Sutherland to follow up on Mrs. Guinter's comments about the interaction at the Middle School last week.

Mayor Sutherland stated that the officer had been authorized to talk to the teachers and principal, and not necessarily to make an announcement to the students. The Mayor stated that they are going to work very hard to make sure they get through the school year. It is still a work in progress.

Mrs. Guinter asked if the DARE program is cut for the future. The Mayor stated that it is going to be dependent on how many officers they end up with. "If we stay with what we've got there will be no interruptions."

Mr. Koomar stated that it is something we want to keep.

A short recess followed.

ENVIRONMENT, SAFETY & COMMUNITY SERVICES COMMITTEE

Mr. Clark introduced ORDINANCE NO. 12-04 AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AGREEMENT WITH LIFE FORCE MANAGEMENT, INC. FOR MEDICAL SERVICES PROVIDED BY THE BAY VILLAGE FIRE DIVISION, AND DECLARING AN EMERGENCY, and moved for adoption.

Mr. Tadych asked the cost for the billing by Life Force Management. Finance Director Presley advised that the charge for billing is 6.0% of what is collected. The city is looking for the West Shore Council of Governments to join together to obtain a better rate as a total entity.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-04.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays – None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-04**, an emergency measure, by a vote of 7-0.

PUBLIC IMPROVEMENTS, STREETS, SEWERS AND DRAINAGE COMMITTEE

Mr. Pohlkamp had no report this evening.

FINANCE & CLAIMS COMMITTEE

Mr. Young introduced and read **RESOLUTION NO. 12-05** AUTHORIZING THE DIRECTOR OF FINANCE TO TRANSFER MONTHLY OPERATING FUNDS, AND DECLARING AN EMERGENCY, and moved for adoption.

Mr. Presley advised that these are the monthly transfers for operations from the General Fund to other operating funds for the city. It is based on one-twelfth of the estimated expenses that have yet to be appropriated on a permanent basis which will be done by March 31, 2012.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Resolution No. 12-05.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays – None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Resolution No. 12-05**, an emergency measure, by a vote of 7-0.

PLANNING, ZONING, PUBLIC GROUNDS & BUILDINGS COMMITTEE

Mr. Miller had no report this evening.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mrs. Lieske advised that the first Recreation and Park Improvements Committee meeting was held this evening. There will be minutes in the future for everyone to read.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE

Mr. Tadych had no report this evening.

MISCELLANEOUS

Mr. Ebert advised that although the Executive Session was going to resume at this point, that can be dispensed with due to information received from Brandon Dimacchia that the firefighters union is trying to formulate a response to the last proposal and to schedule a meeting. A meeting with the fire union will be held when that is determined.

There being no further business to discuss, the meeting adjourned at 10:32 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council