

City of Bay Village

Council Minutes, Special Meeting
Council Chambers 5:30 p.m.

February 13, 2012

Paul A. Koomar, President of Council, Presiding

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

Absent: Mr. Young

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

President of Council Koomar called the Special Meeting of Council to order at 8:00 p.m. in the Council Chambers with the Pledge of Allegiance led by Ward 2 Councilman Clete Miller, and roll call.

AUDIENCE

The following members of the audience signed in this evening: Gayle Fisher, Russell Thompson, Kent Silverberg, Jerrie Barnett, Denny Wendell

ANNOUNCEMENTS

Mayor Sutherland announced the following appointments to the Charter Review Commission, 2012, in accordance with Bay Village Charter provision 13.6:

Mark Barbour	Mike Caputo
Brian Cruse	Matthew Clever
Don Zwilling	Joe O'Connor
Sally Fell	Council Representative to be named

These representatives will have approximately six months to complete their work and any of their suggestions or recommendations will be placed on the November 2013 ballot.

Mr. Koomar called for a reading of the Minutes of the Regular Meeting of Council held February 6, 2012. Mr. Pohlkamp **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 6-0.** Mr. Koomar called for a reading of the Minutes of the meeting of the Cahoon Memorial Park Trustees held February 6, 2012. Mr. Pohlkamp **MOVED** to dispense with the reading and accept the minutes as prepared and distributed. **Motion carried 7-0.**

Motion by **Clark** to approve Mayor Sutherland's appointments to the Charter Review

Commission 2012. **Motion carried 6-0.**

Supplemental Fiscal Officer's Certificate date February 13, 2012 to the Council of the City of Bay Village, Ohio, signed by Director of Finance Steve Presley, certifying in connection with the proposed issue of bonds in the maximum principal amount of \$3,770,000 (the bonds) for the purpose of refunding at a lower interest cost certain of the City's outstanding Various Purpose General Obligation Bonds, Series 2003, dated as of August 1, 2003 (the Refunded Bonds) which were issued for the purpose of constructing, furnishing and equipping a police station and improving the site thereof and renovating, as necessary, existing municipal buildings, that the estimated life or period of usefulness of the improvements described at the time of issuance of the Refunded Bonds is at least five years, and that the estimated maximum maturity of the Bonds, calculated in accordance with Sections 133.20 and 133.34 (A)(3) of the Revised Code is not later than December 1, 2028, which is the final maturity date for the Refunded Bonds and was calculated consistently with the provisions of Section 133.20 of the Revised Code, accompanied the following ordinance.

Mr. Clark introduced and read **ORDINANCE NO. 12-06** PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,770,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE GENERAL OBLIGATION BONDS, SERIES 2003 DATED AS OF AUGUST 1, 2003, AND DECLARING AN EMERGENCY, and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-06.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays – None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-06**, an emergency measure, by a vote of 6-0.

Mr. Clark introduced and read **ORDINANCE NO. 12-07** AMENDING CODIFIED ORDINANCE SUBSECTION 151.071 (c) REGARDING HOSPITALIZATION ELIGIBILITY AND DECLARING AN EMERGENCY, and moved for adoption.

Special Meeting of Council
February 13, 2012

Mrs. Lieske stated that she would like to express the suggestion that Council take a close look at this as we look at our budget situation for 2013. It has nothing to do with the person but it is the position and the fact that even though the person in the position might put in many more hours sometimes than a part time person it is still technically a part time position and some places do not provide health insurance for part time positions. Mrs. Lieske stated that she supports it through this year because she would not want to jeopardize any coverage or do anything hastily for the Law Director but she hopes that as Council looks at the health insurance and the finances for the next year we revisit this.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 12-07.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays – None

Roll Call on Use of the Emergency Clause:

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

Nays - None

Roll Call on Adoption:

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

Nays – None.

Mr. Koomar announced adoption of **Ordinance No. 12-07**, an emergency measure, by a vote of 6-0.

Mr. Clark introduced and read **ORDINANCE NO. 12-08** AMENDING CODIFIED ORDINANCE SUBSECTION 181.36(b) REGARDING DISBURSEMENT OF MUNICIPAL INCOME TAX FUNDS AND DECLARING AN EMERGENCY, and moved for adoption.

It is expected that the approximate amount of \$90,000 will be transferred to the General Fund as a result of this adjustment. The transfers, according to the percentage allocation authorized by this ordinance, will be for the period March 1, 2012 through December 31, 2012.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt **Ordinance No. 12-08**.

Roll Call on Suspension of Charter Rules:

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

Nays- None

Roll Call on Suspension of Council Rules:

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

Nays – None

Roll Call on Use of the Emergency Clause:

Special Meeting of Council
February 13, 2012

Yeas –Lieske, Miller, Pohlkamp, Tadych, Clark, Koomar
Nays - None

Roll Call on Adoption:

Yeas – Lieske, Miller, Pohlkamp, Tadych, Clark, Koomar
Nays – None.

Mr. Koomar announced adoption of Ordinance No. 12-08, an emergency measure, by a vote of 6-0.

In compliance with Section 121.22 of the Ohio Revised Code, Mr. Pohlkamp **MOVED** to adjourn to Executive Session regarding contracts, labor contracts, personnel, and litigation, at 8:11 p.m.

Roll Call Vote: Yeas- Miller, Pohlkamp, Tadych, Clark, Koomar, Lieske. Nays – None. Motion carried 6-0.

Council reconvened in an open meeting at 8:40 p.m. Present were: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Mayor Sutherland. Also present: Law Director Ebert, Finance Director Presley, Police Chief Wright.

There being no further business to discuss, the meeting adjourned at 8:41 p.m.

Paul A. Koomar, President of Council

Joan T. Kemper, Clerk of Council