

PLEASE NOTE: There will be a Public Hearing at 7:25p.m. regarding the request for a temporary liquor license for Coe Lake Park Pavilion in Berea, Ohio.

# **BEREA CITY COUNCIL**

**Monday, May 20, 2019 - 7:30p.m.**

## **REGULAR MEETING AGENDA**

### **I. INTRODUCTION**

- A. Call to Order
- B. Roll Call of Members
- C. Pledge of Allegiance
- D. Sunshine Compliance with Ohio R.C. 121.22 and Codified Ordinance Chapter 109 (Sunshine Laws)
- E. Approval/Amendment of Minutes: **May 6, 2019 – Regular Council Meeting**

### **II. ADMINISTRATIVE REPORTS**

- A. Mayor’s Administrative Report and Comments
- B. Report and Comments by the Officers of the Administration
  - 1. Director of Finance – Mrs. Morris
  - 2. Director of Law & Public Safety – Mrs. Jones
  - 3. Director of Public Service – Mr. Anzalone
  - 4. Director of Recreation – Mr. Compton

### **III. COMMENDATIONS**

- A. RESOLUTION NO. 5-5: A RESOLUTION HONORING AND COMMENDING RYAN O’FLANAGAN FOR HIS ACHIEVEMENT IN ATTAINING THE RANK OF EAGLE SCOUT.**

### **IV. ACCEPTANCE OF READING OF PETITIONS**

### **V. PRESENTATION OF MATTERS BY THE PUBLIC**

### **VI. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS**

### **VII. LEGISLATION**

#### **A. For Third Reading:**

- 1. ORD. 4-16: AN ORDINANCE ESTABLISHING THE CITY OF BEREA RENTAL REHABILITATION FUND, TO BE KNOWN AS FUND NO. \_\_\_\_\_, FOR THE PURPOSE OF FUNDING NECESSARY RENOVATIONS AND TRACKING REHABILITATION COSTS ASSOCIATED WITH THE FIVE FORMER COLLEGE RENTAL PROPERTIES THAT ARE NOW OWNED BY THE CITY, AND DECLARING AN EMERGENCY.
- 2. ORD. 4-17: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH R.A. KALFAS HOME IMPROVEMENT, INC. TO PROVIDE DESIGN-BUILD SERVICES FOR THE IMPROVEMENT AND RENOVATION OF THE RESIDENTIAL STRUCTURE LOCATED AT 115 SEMINARY STREET, PERMANENT PARCEL NO. 364-11-038, AND DECLARING AN EMERGENCY.

3. ORD. 4-18: AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE CHAPTER 957, ILLEGAL DISTRIBUTION, USE OR PERMITTING USE OF CIGARETTES, ALTERNATIVE NICOTINE PRODUCTS, ELECTRONIC SMOKING DEVICES OR OTHER TOBACCO PRODUCTS, OF PART NINE, GENERAL OFFENSES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BERA, AND EXPRESSLY REPEALING SECTION 937.16, ILLEGAL DISTRIBUTION OF CIGARETTES, OTHER TOBACCO PRODUCTS, OR ALTERNATE NICOTINE PRODUCTS.

**B. For Second Reading:**

1. ORD. 5-1: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE JOINT MUNICIPAL IMPROVEMENT CONSORTIUM FOR THE PURCHASE OF ROAD SALT FROM CARGILL DEICING TECHNOLOGY FOR 2019-2020.
2. ORD. 5-2: AN ORDINANCE AMENDING AND RECONSTITUTING SECTION 181.07, AUXILIARY SAFETY FORCES, OF CHAPTER 181, COMPENSATION AND CLASSIFICATION OF SPECIFIC POSITIONS, OF TITLE EIGHT, PERSONNEL PLAN, OF THE CODIFIED ORDINANCES OF THE CITY OF BERA TO PROVIDE AN INCREASE IN WAGES FOR AUXILIARY SAFETY FORCES, EXPRESSLY REPEALING EXISTING SECTION 181.07, AND DECLARING AN EMERGENCY.
3. RES. 5-3: A RESOLUTION DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY A LEVY WITHIN THE TEN (10) MILL LIMITATION AND WITHOUT A VOTE OF THE ELECTORS IN THE CITY OF BERA TO BE INSUFFICIENT, AND DECLARING AN EMERGENCY.
4. ORD. 5-4: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SOUTHWEST GENERAL HEALTH CENTER FOR THE LEVY OF A TAX AND THE PAYMENT OF THE PROCEEDS THEREOF FOR THE MAINTENANCE AND SUPPORT AND AS COMPENSATION FOR THE USE OF SAID HEALTH CENTER, AND DECLARING AN EMERGENCY.

**C. For First Reading:**

1. RES. 5-6: A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF BERA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, AND SUBMITTING THE SAME TO THE CUYAHOGA COUNTY FISCAL OFFICER.
2. ORD. 5-7: AN ORDINANCE REVISING THE CODIFIED ORDINANCES OF THE CITY OF BERA BY ADOPTING CURRENT REPLACEMENT PAGES, AND DECLARING AN EMERGENCY.
3. RES. 5-8: A RESOLUTION ESTABLISHING THE CITY OF BERA HOME OWNERSHIP ZONE, FOR THE PURPOSE OF ENCOURAGING OWNER OCCUPANCY OF RESIDENTIAL PROPERTIES IN OR NEAR THE COLLEGE ZONING DISTRICT, AND DECLARING AN EMERGENCY.

4. ORD. 5-9: AN ORDINANCE AMENDING SECTION 933.14, RESIDING WITHIN 1,000 FEET OF CERTAIN INSTITUTIONS PROHIBITED, OF CHAPTER 933, OBSCENITY AND SEX OFFENSES, OF PART NINE, GENERAL OFFENSES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BERA, TO EXPAND THE AREAS AND CIRCUMSTANCES IN WHICH A SEXUALLY ORIENTED OFFENDER MAY BE PROHIBITED FROM RESIDING OR LOITERING TO INCLUDE PUBLIC PLAYGROUNDS, PUBLIC PARKS AND CHILD RECREATION FACILITIES, AND DECLARING AN EMERGENCY.
5. ORD. 5-10: AN ORDINANCE AMENDING CHAPTER 301, STREET EXCAVATIONS, OF PART THREE – STREETS, UTILITIES AND PUBLIC SERVICES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BERA, AND DECLARING AN EMERGENCY.
6. ORD. 5-11: AN ORDINANCE ENACTED BY THE CITY OF BERA, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE “MUNICIPALITY”, IN THE MATTER OF THE RESURFACING OF WEST STREET FROM CORPORATION LINE TO PROSPECT ROAD IN THE CITY OF BERA, REQUESTING COOPERATION WITH, AND ACCEPTING FUNDS FROM, THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE “COUNTY”, AND DECLARING AN EMERGENCY.
7. ORD. 5-12: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE NOT TO EXCEED \$6,150,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY-OWNED ADMINISTRATIVE OFFICES, TRAINING FACILITY AND SURROUNDING GROUNDS LEASED TO THE CLEVELAND BROWNS FOOTBALL COMPANY LLC, AND DECLARING AN EMERGENCY.
8. ORD. 5-13: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO VARIOUS REAL ESTATE CONVEYANCE AGREEMENTS WITH THE BERA CITY SCHOOL DISTRICT, FOR THE PURPOSE OF TRANSFERRING CERTAIN PROPERTIES THAT ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO THE SCHOOL DISTRICT IN EXCHANGE FOR OBTAINING TITLE TO REAL PROPERTY OWNED BY THE BERA CITY SCHOOL DISTRICT AND FOR OTHER VALUABLE CONSIDERATION, AND AUTHORIZING THE EXECUTION OF ALL AGREEMENTS NECESSARY TO EFFECTUATE THE SAME, AND DECLARING AN EMERGENCY.
9. ORD. 5-14: AN ORDINANCE AUTHORIZING FOR THE CITY OF BERA TO PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE CITY PURSUANT TO INTERNAL REVENUE CODE SECTION 414(H) (2), AND DECLARING AN EMERGENCY.

**VIII. REPORT AND COMMENTS BY THE PRESIDENT OF COUNCIL**

**IX. REPORT AND COMMENTS BY THE MEMBERS OF COUNCIL**

- A. Councilman Zacharyasz, At-Large
- B. Councilwoman Banaszak, Ward 4
- C. Councilman DeVito, At-Large
- D. Councilman Haschka, Ward 2
- E. Councilwoman Key, Ward 1
- F. Councilman Maxwell, Ward 3
- G. Councilman Skoczen, Ward 5

**X. CORRESPONDENCE (May 3, 2019 – May 16, 2019)**

**XI. OTHER BUSINESS**

- A. Report and Comments by the Clerk of Council

**XII. ADJOURNMENT**