

MINUTES OF A SPECIAL COUNCIL MEETING
April 16, 2015 – 7:00p.m.

Council of the City of Berea, Ohio, met in the Council Chamber on Thursday, April 16, 2015 and was called to order by President of Council Mary K. Brown at 7:00p.m. Present: Cheryl A. Banaszak, Nick Haschka, Margarette S. Key, Dale A. Lange, Richard T. Malott, Jim Maxwell and Gene Zacharyasz. Absent: None. Also present: Director of Planning, Engineering and Zoning, Matt Madzy.

The Pledge of Allegiance followed.

This meeting was held in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and Chapter 109 of the Codified Ordinances of the City of Berea. The certificate of compliance is on file in the Clerk's office.

LEGISLATION – FIRST READING:

ORDINANCE NO. 4-7: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY FOR PARTICIPATION IN THE CUYAHOGA COUNTY PROPERTY DEMOLITION PROGRAM, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Madzy thanked all Council Members for attending the Special Meeting. He then informed them that the City had, back in February, applied for a \$300,000.00 grant from the Cuyahoga County Property Demolition Program. There are separate phases of this program, with the first, and most expansive, allocating 14 million dollars for demolitions of both commercial and residential structures throughout the County.

Mr. Madzy continued by reminding Council that the City recently purchased three properties on Front Street, all of which are in need of demolition. These properties include the former sites of Palker Automotive, Mid City Tire and Automotive Creations, and the grant would allocate the maximum allowable amount of \$100,000.00 for each structure's demolition.

Mr. Madzy explained that the City applied for the grant in February, was told that the announcements would be made the last week of March, was then told that the announcements would be delayed, at which time it was stated that each City must enter in to a signed agreement with the County by May 1, 2015. Less than a week later, the procedure was again amended, as the County demanded that adopted legislation and agreements be received no later than April 17, 2015. The County, to date, is still working on the details of the final agreement, and Mr. Madzy added that he would distribute the final agreement as soon as it became available.

Mr. Madzy clarified that the grant would cover demolition costs, as well as EPA Phase 1 assessments. The demolitions would be handled by the Cuyahoga County Land Bank, who would receive the grant funds on the City's behalf. Mrs. Key asked if the demolition process would be similar to that of Williams Ford, and Mr. Madzy responded in the affirmative, noting that the Land Bank handled that razing as well.

Mr. Maxwell confirmed that the City had applied for a \$300,000.00 grant and was rewarded the amount, in full. Mr. Madzy explained that the grant funds will be allocated to the Land Bank on Berea's behalf, so the City will not receive any money directly. Mr. Maxwell questioned what will happen if the demolitions exhaust all allocated funding, and Mr. Madzy stated that the City would be responsible for covering any remaining costs. He added that the size of the properties in question make this an unlikely scenario.

Mrs. Brown wondered what would happen if Phase 1 testing returned negative results. Mr. Madzy declared that since the City owns all three properties, the City would, eventually, have the responsibility of remedying these issues anyway.

Mr. Madzy noted that this program tends to either move extremely fast or extremely slow, and since it is progressing rapidly right now, it is his recommendation that the City take advantage, adopt the pending legislation, and be assured of an early position on the demolition schedule. Mr. Madzy cautioned that any delay in the adoption of this Ordinance would subsequently mean the risk of delayed demolitions and, possibly, the exhaustion of available funding before Berea's properties are addressed.

Mr. Madzy recognized that it is unusual for the Administration to request suspension of a piece of legislation that is on first reading at a Special Meeting, but believed the situation to be unique and peculiar enough to necessitate such action.

Mr. Maxwell stated that the City has already purchased the three properties in question and, if this Ordinance is adopted tonight, will likely incur no demolition expense. He thanked Mr. Madzy for recognizing that this is an unusual situation, and emphasized that the City will be accepting money, not spending money.

General discussion commenced concerning demolition specifics relating to the properties in question, and Mrs. Banaszak wondered if the demolitions would have an adverse effect on the NAPA Auto Parts store, which is located in this general vicinity. Both Mr. Madzy and Mr. Lange noted that a majority of NAPA's business is conducted through delivery, and Mr. Madzy added that he anticipates the demolitions will be completed in a short period of time. Mrs. Key concurred, stating that the Land Bank has been easy to work with in the past, and is both efficient and considerate of the surrounding area.

Moved by Mr. Lange, seconded by Mrs. Banaszak, that the word "sample" be removed from Section 1 of the proposed Ordinance, since Exhibit "A" is no longer a sample agreement, but rather the latest draft of the final agreement. Vote on the motion was all ayes and no nays. The motion passed and Section 1 was thus amended.

Moved by Mr. Lange, seconded by Mrs. Key, that the three reading rule be suspended for proposed Ordinance No. 4-7. Vote on the motion was ayes: Banaszak, Haschka, Key, Lange, Malott, Maxwell and Zacharyasz. Nays: None. The motion carried and the three reading rule was thus suspended.

Moved by Mr. Lange, seconded by Mrs. Key, that Ordinance No. 4-7 be adopted. Vote on the motion was ayes: Banaszak, Haschka, Key, Lange, Malott, Maxwell and Zacharyasz. Nays: None. The motion carried and the Ordinance was adopted.

OTHER BUSINESS:

Mrs. Brown reminded Council that, immediately following the Special Council Meeting, Planning Commission will convene to discuss proposed Ordinance No. 3-7 which was referred by City Council.

There being no further business before Council, moved by Mr. Haschka, seconded by Mrs. Key, that the Special Council Meeting be adjourned. Vote on the motion was all ayes and no nays. The motion passed and President Brown declared the meeting adjourned at 7:15p.m.

Mary K. Brown
President of Council

Alycia Esson
Clerk of Council

CERTIFICATE OF COMPLIANCE

The special meeting of Council of the City of Berea, Ohio, held on the 16th day of April, 2015, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council