

CITY OF BEREA, OHIO

MINUTES OF A COUNCIL WORK SESSION DECEMBER 14, 2015 – 7:30p.m.

A Work Session of Berea City Council was held in the Council Chamber on December 14, 2015 and was called to order at 7:31p.m. by President Pro Tempore of Council Richard T. Malott, with the following members present: Nick Haschka, Margarete S. Key, Dale A. Lange, Jim Maxwell and Gene Zacharyasz. Absent: President of Council Mary K. Brown and Cheryl A. Banaszak. Also present were Mayor Cyril M. Kleem, Director of Safety and Service Barb Jones, Director of Finance Dana Kavander, Director of Law James N. Walters III, Berea Municipal Court Judge Mark Comstock, Clerk of Court Ray Wohl and Deputy Clerk of Court Al Budney.

All who were able rose for the Pledge of Allegiance.

This meeting was open to the public in accordance with all legal requirements including C.O. Section 109 and Section 121.22 of the Ohio Revised Code.

FACILITIES AND COURT COMMITTEE **Chair: Jim Maxwell; Members: All of Council**

Mr. Maxwell called the meeting of the Facilities and Court Committee to order at 7:33p.m., acknowledging that representatives from the Berea Municipal Court were present for their bi-annual report before Council. Mr. Maxwell prefaced the Court's presentation by referencing the recent Quarterly Court Meeting, briefly acknowledging that the Court has ended the year strong, and suggesting that tonight's discussion include talk of Court finances, case counts, the Court renovation and the Judge's borrowing request. With that, he turned the floor over to Clerk of Court, Ray Wohl.

Mr. Wohl began by acknowledging that the Court's numbers for the second half of the year were drastically improved when compared to the first half of 2015, and thus a net surplus of \$30,000.00 was achieved. This is, in large part, attributable to an increase in case count, as well as the collection of a large fine from the railroads.

Mr. Wohl next turned his attention to the collection of fines and court costs, reminding Council that the Court can not put people in jail if they are unable to pay their fines. Mr. Budney distributed a worksheet that showcased fines assessed, amounts collected, and money owed. The worksheet reflected the notion that a lot of money remains uncollected. To this matter, Mr. Wohl stated that the Court does hold money-owing hearings 2 or 3 times a month, but will begin offering them more often in the coming year. The Court has also, recently, contracted a second collection firm to assist in the attainment of outstanding fines and Court costs.

In addition to a dramatic increase in case counts, citations and tickets, Mr. Wohl informed Council that the Court applied for and received a \$45,000.00 software grant from the Ohio Supreme Court, with the intention of one day being able to process all work electronically. The Court will also, in the very near future, be commencing an electronic ticketing program in conjunction with the Ohio State Patrol.

Mr. Maxwell summarized that the Court's surplus was due to an increase in revenue collected, a shared health insurance savings and a decrease in operational costs.

Mr. Lange questioned how large of a fee the new collection agency is demanding. Mr. Wohl informed Council that the current collection agency receives 30%, and the new agency will receive 20%, which is assessed to the defendant.

Mr. Maxwell next turned the floor over to Judge Comstock, who explained that since City Hall's schematic blueprints were not able to be located, the architects went in to the renovation blind, and have thus ran in to an unforeseeable issue. Judge Comstock continued by stating that portions of the walls were found to be hollow and, therefore, to provide proper shear walls, studs are being inserted for added support. While this constitutes an approximate one month delay, it is not an insurmountable obstacle, and the project should be underway again very soon.

Mr. Maxwell reminded Council that a 10% contingency fund was inserted in to the cost of the first phase of the renovation, and added that, due to the age of the building, it will likely not be the only time the Court dips in to these reserves.

With no further business before the Facilities and Court Committee, Mr. Maxwell declared the meeting adjourned at 7:52p.m.

FINANCE COMMITTEE

Chair: Dale A. Lange; Members: All of Council

Mr. Lange called the meeting of the Finance Committee to order at 7:53p.m. He explained that the purpose of the meeting was to discuss proposed Ordinance No. 11-14, the title of which reads as follows:

ORDINANCE NO. 11-14: AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FROM THE VARIOUS FUNDS OF THE CITY OF BEREA, STATE OF OHIO, FROM JANUARY 1, 2016, ENDING MARCH 31, 2016.

The Clerk read the title of the Ordinance.

Mr. Lange turned the floor over to Mrs. Kavander, who referenced the exhibit that had been distributed to City Council. She reminded Council that while this is only a

temporary budget, capital expenditures have been funded in full, as well as snow removal, and a few other things that arise early in the calendar year.

Mrs. Kavander began with Fund 400, the General Improvement Fund, where she explained that funds were allocated for the part-time Capital Projects Project Manager, encumbrances not paid in 2015, the Road Program, the Bluegrass Road repair and reconstruction, the Browns Training Facility borrowing, planned payments for property acquisitions, tree lawn plantings, building and land improvements, equipment and vehicle purchases, the North Rocky River Corridor Project and the West Center Street Bridge repair and reconstruction. The latter two expenditures can be reimbursed by grants and loans.

Mrs. Kavander next referenced Fund 410, the Safety Capital Improvement Fund, declaring that funds were allocated for the Southwest Council of Government membership, outstanding encumbrances, building improvements, rescue squad equipment - including body armor – for the City's Firefighters, computer equipment and both arms and ammunition.

Mr. Zacharyasz and Mr. Maxwell questioned whether any grant money would be received from the regionalization of the City's dispatchers, alluding to the fact that the receipt of grant money was mentioned several times during the discussions regarding the regionalization of dispatch services. Mrs. Jones explained that Strongsville is applying for grants, but added that while some money has been received, it is not to the extent the City had hoped.

Mr. Haschka questioned whether our old squad vehicle had any trade-in value, and Mrs. Jones responded in the negative.

Mrs. Kavander then referenced Fund 420, the Sewer Capital Improvement Fund, and Fund 440, the Water Capital Improvement Fund, noting that funds were allocated for the part-time Capital Projects Project Manager, encumbrances, the North End Sewer Rehabilitation I & I Project, the Fair Street Sewer Project, loans and leases, lagoon cleaning, Water Plant improvements and the meter upgrade replacement project.

Mrs. Kavander next discussed Fund 450, the Recreation Capital Improvement Fund, noting that funds were allocated for encumbrances, building improvements, Coe Lake improvements, and loans and leases.

Mrs. Kavander then referenced Fund 470, the Court Capital Improvement Fund, explaining that the Phase 1 costs have been carried over to the 2016 budget. She informed Council that this budget does not include the Court construction, because after speaking with bond and legal advisors, borrowing the money requested by the Court would bring the City near 9 mils, thus making it difficult to do any borrowings the next couple of years, and also making it harder for the schools and County to borrow money as well. Mrs. Kavander concluded that she did not add the Court's requested borrowing in to the budget, because she does not believe other projects should be delayed so that the Court can finish their

renovation. She noted that the decision is, ultimately, up to Council.

Mr. Lange asked how much debt the City would have with the borrowing, and Mrs. Kavander equated 9 mils with about \$22 million in bonds and notes. Mayor Kleem reminded Council that when the initial 6-year plan was proposed, it did include early borrowings in order to take advantage of low interest rates. The City expected to see a spike in debt, followed by a significant decline beginning in 2017.

Mr. Lange expressed his belief that the City should not get any further in debt, and thus opposed the Court's borrowing request. Mr. Maxwell questioned how concerned Council should be about a debt increase, and Mayor Kleem reminded Council that, initially, the discussion revolved around borrowings for solely the window walls in the approximate amount of \$450,000.00. The Judge's request is now up to \$1.3 million, due to high bids stemming from a better economy, and the Mayor admitted that this discussion is certainly different.

Mr. Haschka concurred with Mr. Lange, adding his concern about the City's borrowing limits, and noting that there is no room for error. He reminded Council that while he understands the Judge's wishes, Council must do what is best for the residents of Berea.

General discussion commenced concerning whether or not the window walls need to be replaced immediately. Mayor Kleem stated that they should be replaced soon, but there currently exists no immediate need to repair or replace them. Mr. Maxwell asked if Mr. Armagno, the City Engineer, could look in to the matter and get an estimate on the cost of the window wall portion of the project, and whether or not the need was imminent, or merely suggested.

Mr. Maxwell asked when a decision needed to be made, and Mrs. Kavander reminded Council that borrowing legislation will be on the agenda the second reading in January.

Mr. Maxwell then reminded Council that the responsibility for the window walls resides with the City's Administration, and not the Court. While the City would, initially, be taking on risk, the City would also receive a needed capital improvement, paid for by the Court.

With no further business before the Finance Committee, Mr. Lange declared the meeting adjourned at 8:40p.m.

OTHER BUSINESS

Mr. Maxwell asked Council to keep the entire Court picture in mind, and reiterated his request that Mr. Armagno assess the situation and determine whether or not the windows walls are structurally sound or in immediate need of repair, and what a price

estimate might look like. Mayor Kleem responded that he will ask Mr. Armagno to gather the requested information.

With no further business before Council, adjournment was moved by Mr. Maxwell, and seconded by Mrs. Key. Vote on the motion was all ayes and no nays, and thus the Work Session adjourned at 8:41p.m.

Alycia Esson
Clerk of Council

CERTIFICATE OF COMPLIANCE

The Work Session of the Council of the City of Berea, Ohio, held on the 14th day of December, 2015, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council