

MINUTES OF A REGULAR COUNCIL MEETING
February 16, 2016 – 7:30p.m.

Council of the City of Berea, Ohio, met in the Council Chamber on February 16, 2016 and was called to order by President of Council Mary K. Brown at 7:30p.m. Present: Cheryl A. Banaszak, Bill DeVito, Nick Haschka, Jim Maxwell, Rick Skoczen and Gene Zacharyasz. Absent: Margarette S. Key. Also present: Director of Public Service Paul Anzalone, Director of Law and Public Safety Barb Jones and Director of Finance Dana Kavander.

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.

Moved by Mr. Maxwell, seconded by Mrs. Banaszak, that the minutes from the February 1, 2016 Regular Council Meeting be approved. Vote on the motion was all ayes and no nays. The motion carried and the minutes were approved.

MAYOR'S ADMINISTRATIVE REPORT AND COMMENTS

Mayor Kleem was not present.

REPORT AND COMMENTS BY THE OFFICERS OF THE ADMINISTRATION:

Dana Kavander – Director of Finance:

Mrs. Kavander had no report.

Barb Jones – Director of Law & Public Safety:

Mrs. Jones had no report.

Paul Anzalone – Director of Public Service:

Mr. Anzalone reminded everyone of bulk trash collection this week.

General discussion commenced concerning the soft recycling program, and it was determined that while collection begins on February 26, 2016, the Clerk would speak with Director of Planning, Engineering and Development, Matt Madzy, and supply Council with additional information regarding the specifics of the program.

Marty Compton – Director of Recreation:

Mr. Compton was not present.

COMMENDATIONS:

Mrs. Brown explained that, due to the Mayor's absence and one of the Eagle Scouts not being able to attend, it was determined that all four Resolutions should be tabled to the next Regular Council Meeting.

ORDINANCE NO. 2-2: AN ORDINANCE AMENDING AND RECONSTITUTING SECTION 175.10, COMPENSATION SCHEDULE, OF CHAPTER 175, CLASSIFICATION AND COMPENSATION, OF TITLE VIII, PERSONNEL PLAN, OF THE CODIFIED ORDINANCES OF THE CITY OF BERA TO PROVIDE AN UPDATED COMPENSATION SCHEDULE FOR CURRENT AND FUTURE CITY EMPLOYEES, EXPRESSLY REPEALING EXISTING SECTION 175.10 OF THE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Proposed Ordinance No. 2-2 stands on second reading.

LEGISLATION – FIRST READING:

ORDINANCE NO. 2-7: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR THE IMPROVEMENT AND RESURFACING OF A PORTION OF NORTH ROCKY RIVER DRIVE.

The Clerk read the title of the Ordinance.

Mrs. Brown asked which part of North Rocky River Drive will be repaired during this phase, and Mrs. Kavander responded that the portion between Karen Drive and Grayton Road will be addressed.

Proposed Ordinance No. 2-7 stands on first reading.

ORDINANCE NO. 2-8: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BERA AND ECHO BERA ASSOCIATES, LLC, AND ACCEPTING THE GRANT OF A LICENSE FOR THE USE OF UP TO FOUR (4) PARKING SPACES LOCATED AT PERMANENT PARCEL NUMBERS 364-09-017 AND 364-09-018 FOR THE DURATION OF THE WEST CENTER STREET BRIDGE PROJECT.

The Clerk read the title of the Ordinance.

Mr. Maxwell asked for clarification on where, exactly, the four designating parking spaces are located. Mrs. Jones confirmed that during the West Center Street Bridge repair, the back entrance to Pucher's will be unavailable. Pucher's will, obviously, still need to receive deliveries, and thus the spaces are located perpendicular to the strip center, and positioned so that trucks will not need to loop around.

After confirming that Echo Berea Associates, LLC, is owned by Giant Eagle, Mr. Maxwell questioned whether or not there is a legal reason the City must pay for use of the four spots. Mrs. Jones responded in the negative, adding that she believed Giant Eagle simply felt that compensation was deserved. Mr. Maxwell expressed his extreme disappointment in Giant Eagle.

Proposed Ordinance No. 2-8 stands on first reading.

ORDINANCE NO. 2-9: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AND ENTER INTO A REGIONAL STORMWATER MANAGEMENT PROGRAM SERVICE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT.

The Clerk read the title of the Ordinance.

Mr. Maxwell asked if the City will need to expend money as part of this Service Agreement, and Mrs. Jones responded in the negative. Mr. Anzalone explained that the Northeast Ohio Regional Sewer District will release about \$87,000.00 to the City this year, and approximately \$175,000.00 every year after. These funds are generated from taxes paid for stormwater that are then held in the regional system. The Northeast Ohio Regional Sewer District will simply be releasing funds back to the City.

Proposed Ordinance No. 2-9 stands on first reading.

ORDINANCE NO. 2-10: AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT FOR THE PURCHASE OF WATER METERS AND METER TRANSMITTING UNITS, AND ALL NECESSARY TECHNICAL UPGRADE SERVICES THERETO, BETWEEN THE CITY OF BEREA AND THE OHIO WATER DEVELOPMENT AUTHORITY, AND FOR A LOAN FROM THE OHIO WATER DEVELOPMENT AUTHORITY TO THE CITY OF BEREA FOR THE WATER METER AND METER TRANSMITTING UNIT REPLACEMENT PROGRAM, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000), AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Skoczen wondered if residents would still be assessed a portion of the cost of the meter replacement, and Mrs. Kavander explained that the loan will be used to cover the expenses associated with all facets of meter installation. Homeowners will be responsible for a portion of the cost of the actual meter. A payment schedule is being worked out, but a per-household estimate is not yet known.

Mrs. Brown wondered if the meters will all be the same size, and Mrs. Kavander responded in the negative, noting that the size of the meter will depend on the needs of each particular house.

Mr. Maxwell questioned the power source of the new meters, and Mrs. Kavander stated that the meters are powered by a battery, and the battery has a 10-year life expectancy. In response to an inquiry from Mr. Skoczen, Mrs. Kavander confirmed that the meters do come with a warranty.

General discussion commenced concerning the new meters, and Mrs. Kavander explained that the meters will take two readings per day and problems, such as extremely high water usage, will be able to be identified more rapidly. Once the new meters are up and running, there are a variety of benefits and efficiencies that can be explored. Mrs. Kavander added that she has not been present in all the meetings relating to this new program, but will gladly gather more information and get it to Council as soon as possible.

Mr. Haschka questioned whether there will be any consideration for the elderly or those on a fixed income who can not afford the financial burden that this new meter may bring. Mrs. Kavander responded that the City's program is modeled off of the meter replacement program in Canton, Ohio, and their program did include assistance from outside agencies for those with financial hardships.

Mrs. Brown asked how long it will take for all the meters in the City to be replaced, and Mrs. Kavander explained that if the program begins at the end of March, installations should be nearly complete by the end of 2016. She reminded Council that installers must coordinate schedules with homeowners, so delays are possible, and added that the City is hiring a company to perform these installations.

In response to a question from Mr. Maxwell, Mrs. Kavander stated that funding for this project was included in the temporary budget under Fund 440, the Water Capital Improvement Fund. She requested suspension on this Ordinance because parts of the project have already gone out for bid, and she is unable to award a contract until the loan has been secured. She stated that all paperwork must be in the hands of the Ohio Water Development Authority (OWDA) on or before March 15, 2016, and if this deadline is missed, the project will be delayed, as OWDA only meets once a month.

Mr. Maxwell asked how long the loan would take to pay back, and Mrs. Kavander stated that there is a 20-year repayment period.

Both Mr. Skoczen and Mr. Zacharyasz expressed some hesitations with suspension, at least until the Water Plant can supply Council with the specifics of the program. Mrs. Brown asked Mrs. Kavander to gather additional information and deliver it to the Clerk for distribution.

Proposed Ordinance No. 2-10 stands on first reading.

ORDINANCE NO. 2-11: 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, AND EXPRESSLY REPEALING ORDINANCE NO. 2015-85.

The Clerk read the title of the Ordinance.

Mrs. Kavander noted an increase to the following funds: Fund 285, Fund 290, Fund 291, Fund 295 and Fund 720. The first three funds have revenue to cover the increases, and the latter two address revenue received.

Mr. Maxwell informed the new Council Members that, periodically, a budget amendment is requested and adopted under suspension, simply so the Finance Department can ensure that each month's budget reports are accurate and in order. He emphasized that these amendments are, unless Mrs. Kavander states otherwise, simply housekeeping measures.

Moved by Mr. Maxwell, seconded by Mrs. Banaszak, that the three reading rule be suspended for Ordinance No. 2-11. Vote on the motion was ayes: Banaszak, DeVito, Haschka, Maxwell, Skoczen and Zacharyasz. Nays: None. The motion carried.

Moved by Mr. Maxwell, seconded by Mrs. Banaszak, that Ordinance No. 2-11 be adopted. Vote on the motion was ayes: Banaszak, DeVito, Haschka, Maxwell, Skoczen and Zacharyasz. Nays: None. The motion carried and the Ordinance was thus adopted.

ORDINANCE NO. 2-12: AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENDITURES AND OTHER EXPENSES OF THE CITY OF BEREA FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016, AND EXPRESSLY REPEALING ORDINANCE NO. 2016-11.

The Clerk read the title of the Ordinance.

Mrs. Kavander stated that this Ordinance can go the full three readings, adding that she is open to discussing the exhibit at a Work Session on March 14, 2016, should Council wish to review the budget in detail.

Proposed Ordinance No. 2-12 stands on first reading.

REPORT AND COMMENTS BY THE PRESIDENT OF COUNCIL

Mrs. Brown thanked Mr. Maxwell for filling in for her at the last Regular Council Meeting.

Mrs. Brown announced that the State of the City will take place on Friday, March 11, 2016 at 8:00a.m. at Perk-Cup Café.

Mrs. Brown reminded Council that nominations for the Grindstone and Courtesy Awards are due by this Friday, February 19, 2016, and added that the annual Grindstone Award Dinner will take place on April 21, 2016 at the Crowne Plaza in Middleburg Heights.

REPORTS AND COMMENTS BY THE MEMBERS OF COUNCIL

Mrs. Key was not present.

Mr. Maxwell announced that the Berea City School District is holding three community forums to address facility plans, the first of which will take place tomorrow evening at 7:00p.m. at Berea-Midpark High School. There will also be a forum at Ford on February 25th, and another at Middleburg Heights Junior High on March 2nd. He urged residents to attend a forum in order to hear plans and express concerns.

Mr. Maxwell reminded everyone that in-person BBA registration will begin this Saturday, February 20, 2016, at the Berea Recreation Center. Registration is also available online.

Mr. Skoczen had no report.

Mr. Zacharyasz had no report.

Mrs. Banaszak had no report.

Mr. DeVito had no report.

Mr. Haschka had no report.

CORRESPONDENCE

The January 29, 2016 – February 12, 2016 Correspondence is available in the Clerk’s office.

OTHER BUSINESS

Mrs. Esson announced that the Council photo has been rescheduled for Monday, March 7, 2016 at 7:00p.m.

Moved by Mrs. Banaszak, seconded by Mr. Zacharyasz, that Council affirm the Mayor’s appointment of Susie Colvin to a 5-year term on the Municipal Planning Commission. Vote on the motion was ayes: Banaszak, DeVito, Haschka, Maxwell, Skoczen and Zacharyasz. Nays: None. The motion carried.

There being no further business before Council, it was moved by Mr. Haschka, and seconded by Mr. Maxwell, that the Regular 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 8:12p.m.

Mary K. Brown
President of Council

Alycia Esson
Clerk of Council

CERTIFICATE OF COMPLIANCE

The regular meeting of Council of the City of Berea, Ohio, held on the 16th day of February, 2016, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council