

# **BEREA CITY COUNCIL**

**Monday – November 21, 2016 - 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: **November 7, 2016 – 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. Kavander
  - 2. Director of Law & Public Safety – Mrs. Jones
  - 3. Director of Public Service – Mr. Anzalone
  - 4. Director of Recreation – Mr. Compton

### **III. COMMENDATIONS**

- A. RES. 11-9: A RESOLUTION HONORING AND REMEMBERING THE DISTINGUISHED MILITARY CAREER OF MASTER CHIEF CLYDE (AL) ALBERGOTTIE, RECOGNIZING HIS EXTRAORDINARY SERVICE AS AN ELECTRONIC TECHNICIAN IN THE UNITED STATES NAVY, AND NAMING HIM THE RECIPIENT OF THE COLONEL WILLIAM H. BEYER COMMENDATION FOR OUTSTANDING MILITARY SERVICE.

### **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. 9-5: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH FRONT STREET GROUP, LLC. FOR THE SALE OF PERMANENT PARCEL NUMBER 364-11-014, WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO FRONT STREET GROUP, LLC., IN EXCHANGE FOR FIVE PARCELS OF REAL PROPERTY CONTROLLED BY FRONT STREET GROUP, LLC. CONTAINING RESIDENTIAL RENTAL PROPERTIES LOCATED NEAR BALDWIN WALLACE UNIVERSITY, AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME.

- 2. ORD. 9-6: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA (“CRA”) AGREEMENT WITH FRONT STREET GROUP, LLC., AND DECLARING AN EMERGENCY.
- 3. ORD. 9-7: AN ORDINANCE VACATING PORTIONS OF CENTER STREET AND WEST ALLEY, WHICH ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES, BUT RETAINING PUBLIC UTILITIES EASEMENTS THEREIN.

**B. For Second Reading:**

- 1. RES. 11-1: A RESOLUTION REQUESTING THE FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
- 2. ORD. 11-2: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE THROUGH THE ODOT STATE CONTRACT PROGRAM AND/OR THE STATE OF OHIO PURCHASING PROGRAM, OR DIRECTLY PURCHASING FROM A STATE APPROVED VENDOR AT A PRICE LOWER THAN THAT AVAILABLE THROUGH THE ODOT STATE CONTRACT PROGRAM AND/OR THE STATE OF OHIO PURCHASING PROGRAM, OR, ALTERNATIVELY, TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACT(S) FOR THE PURCHASE OF MOTORIZED VEHICLES, EQUIPMENT, MACHINERY, MATERIALS, SUPPLIES OR OTHER ARTICLES FOR USE IN ONE OR MORE CITY DEPARTMENTS, AND DECLARING AN EMERGENCY.
- 3. ORD. 11-3: AN ORDINANCE AUTHORIZING AND RATIFYING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACT(S) FOR THE PURCHASE OF VARIOUS PRODUCTS AND SERVICES FOR THE DAY-TO-DAY OPERATIONS OF THE CITY OF BEREA’S SERVICE DEPARTMENT.
- 4. RES. 11-4: A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF BEREA TO SELL PERSONAL PROPERTY INCLUDING, BUT NOT LIMITED TO, VEHICLES, EQUIPMENT, TOOLS AND SUPPLIES, WHICH ARE NO LONGER NEEDED FOR PUBLIC USE OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH THEY WERE ACQUIRED, BY INTERNET AUCTION IN ACCORDANCE WITH OHIO REVISED CODE SECTION 721.15, AND DECLARING AN EMERGENCY.
- 5. ORD. 11-5: AN ORDINANCE APPROVING, RATIFYING AND AFFIRMING THE 2014 ANNUAL REPORT, MINUTES AND ACTIONS OF THE CITY OF BEREA HOUSING REVIEW COUNCIL FOR ALL RESIDENTIAL COMMUNITY REINVESTMENT AREA REAL ESTATE TAX ABATEMENTS AND COMMERCIAL COMMUNITY REINVESTMENT AREA REAL ESTATE TAX ABATEMENTS ENTERED INTO PRIOR TO 2008 IN THE CITY OF BEREA.
- 6. ORD. 11-6: AN ORDINANCE APPROVING, RATIFYING AND AFFIRMING THE 2015 ANNUAL REPORT, MINUTES AND ACTIONS OF THE TAX INCENTIVE REVIEW COMMITTEE FOR COMMERCIAL COMMUNITY REINVESTMENT AREA REAL ESTATE TAX ABATEMENTS ENTERED INTO AFTER 2008 IN THE CITY OF BEREA.

7. ORD. 11-8: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE BEREA BOARD OF EDUCATION FOR THE USE OF A PORTION OF SMITH SCHOOL FOR MULTIPLE PURPOSES, INCLUDING RECREATION AND OFFICE SPACE, AND DECLARING AN EMERGENCY.

**C. For First Reading:**

1. ORD. 11-10: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ONE OR MORE CONTRACTS WITHOUT PUBLIC BIDDING FOR SELECTIVE DEMOLITION OF A PORTION OF THE WEST CENTER STREET BRIDGE OVER THE VALLEY PARKWAY, AND DECLARING AN EMERGENCY.
2. ORD. 11-11: AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 111.01, RULE 4 – SPECIAL MEETINGS, TO CHANGE THE METHOD BY WHICH COUNCIL MEMBERS RECEIVE NOTICE OF A SPECIAL MEETING, AND DECLARING AN EMERGENCY.
3. ORD. 11-12: AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR, AND, IF AWARDED, TO ENTER INTO A COOPERATION AGREEMENT WITH THE COUNTY EXECUTIVE OF CUYAHOGA COUNTY, OHIO, AND THE DEPARTMENT OF DEVELOPMENT FOR THE UTILIZATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS MADE AVAILABLE BY THE HOUSING AND COMMUNITY DEVELOPMENT ACTS OF 1974, 1977, 1980 AND 1983, AS AMENDED, AND DECLARING AN EMERGENCY.
4. ORD. 11-13: AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR, AND, IF AWARDED, TO ENTER INTO A COOPERATION AGREEMENT WITH THE COUNTY EXECUTIVE OF CUYAHOGA COUNTY, OHIO, AND THE DEPARTMENT OF DEVELOPMENT FOR A GRANT THROUGH THE 2017 COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM, AND DECLARING AN EMERGENCY.
5. ORD. 11-14: AN ORDINANCE AMENDING AND RECONSTITUTING SECTION 175.10, COMPENSATION SCHEDULE, OF CHAPTER 175, CLASSIFICATION AND COMPENSATION, OF TITLE VIII, PERSONNEL PLAN AND SECTION 181.10, WATER PLANT EMPLOYEES; SHIFT DIFFERENTIAL, TO PROVIDE AN UPDATED CLASSIFICATION SCHEDULE AND TO PROVIDE SUPPLEMENTAL COMPENSATION FOR CURRENT AND FUTURE EMPLOYEES OF THE DEPARTMENT OF PUBLIC SERVICE, DIVISION OF WATER, AND EXPRESSLY REPEALING EXISTING SECTIONS 175.10 AND 181.10 OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA.
6. RES. 11-15: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER.
7. ORD. 11-16: 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. 2016-82.

8. ORD. 11-17: 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, 2017, ENDING MARCH 31, 2017.

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

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

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

**X. CORRESPONDENCE (November 4, 2016 – November 17, 2016)**

**XI. OTHER BUSINESS**

- A. Report and Comments by the Clerk of Council

**XII. ADJOURNMENT**