

**MINUTES OF A REGULAR COUNCIL MEETING**  
**October 3, 2016 – 7:30p.m.**

Council of the City of Berea, Ohio, met in the Council Chamber on October 3, 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, Margarette S. Key, Jim Maxwell, Rick Skoczen and Gene Zacharyasz. Absent: None. Also present: Mayor Cyril M. Kleem, Director of Public Service Paul Anzalone, Director of Law and Public Safety Barb Jones and Fire Chief Mark Kaufhold.

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 Mrs. Key, seconded by Mr. Haschka, that the minutes from the September 19, 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 introduced representatives from Southwest General Health Center, President and CEO Bill Young, EMTP/EMS Coordinator Jackie Haumschild, Director of Emergency Services, Observation, Critical Care & EMS Berni Martin and Vice President of Ambulatory Operations and Business Development Albert Matyas, who proceeded to present the Berea Fire Department's EMS Providers with the Cardiac Care Award for excellence in the care of patients suffering from cardiac emergencies. Ms. Haumschild noted that, for the third year in a row, not a single patient suffering from a heart attack or similar issue was improperly diagnosed, which contributed to immediate identification of problems and provided patients with the highest possible care. President Young thanked the City and Fire Department for partnering with the hospital, adding that the partnership is extremely beneficial to the community and he looks forward to continuing to work together in the future.

Chief Kaufhold expressed his appreciation to Southwest General Health Center for increasing on-duty education and training, and for its support and assistance with the Community Emergency Response Team (CERT) program. Mrs. Jones added her thanks, as a member of the Administration and a resident of Berea, stating that the partnership is appreciated and there is no group of paramedics she would trust more than those in Berea.

**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 announced the Rally Against Heroin which will take place on Saturday, October 8, 2016 from 2:00pm-6:00pm at Coe Lake. In the event of inclement weather, the rally will take place in one of the Fairground's covered buildings. She encouraged anyone interested in learning more about the heroin and opiate epidemic to attend. The rally is being held, in part, to

raise funds to pay the airfare for addicts who can not afford to travel to rehabilitation centers.

Mayor Kleem noted that the Safe Passages Program has been functional for approximately two months, and 22 individuals have already come forward for assistance.

Mrs. Jones announced that a Veterans Only parking space will be dedicated on October 5, 2016 at 9:00am.

**Paul Anzalone – Director of Public Service:**

Mr. Anzalone announced that there are about 1000 residential water meters left to install, and encouraged anyone who has not yet scheduled their installation appointment to do so as soon as possible.

Mr. Anzalone then informed Council and the listening audience that 55 treelawn trees will be planted in the next 2 weeks on short Fair, Baker Street, Stanford, Lee and Westbridge. In response to a question, he disclosed that the type of tree being planted is determined based upon a variety of qualifications including overhead wires, underground utilities and the size of the treelawn.

**Marty Compton – Director of Recreation:**

Mr. Compton was not present.

**COMMENDATIONS:**           None

**PETITIONS:**                 None

**AUDIENCE PARTICIPATION:**

Jim Webster, a member of the audience, stated that he has been vilified by the Berea School District for asking questions, and expressed his dismay that General McArthur is not mentioned in current textbooks. He inquired as to whether anyone on Council consulted the School's full financial history before voting for the Resolution in support of Issue 107.

Mr. Webster next addressed Issue 9 funds, questioning why the additional \$2/month water meter fee is necessary when the City already receives millions of dollars to be used on water services.

Mr. Webster relayed his displeasure at the fact that he was provided a public record he requested that was nearly 200 pages long and made to pay for it, when all he really wanted was a summary of the Public Works Contract. He accused Council of not reading the contract, and Mr. Maxwell responded that he did not write the contract, but sponsored the legislation relating to the water meter program. He commented that he enjoys hearing Mr. Webster's stories, and informed him that the \$2 water meter fee is being accessed in order to build a fund for long term maintenance. There was a contingency fund for the old meters, and now one is being created for the new, more technologically advanced, meters.

Mayor Kleem informed Mr. Webster that he received the entire Public Works Contract

because that is what he requested on his Public Records Request form. He added that it is not the City's job to determine which parts of the contract to share. The City must simply provide what is requested, or run the risk of being charged with not properly fulfilling the request.

Mr. Webster concluded his comments by expressing his distrust of Council and adding that the City should have never altered its water purification process.

### **COUNCIL COMMITTEE REPORTS AND COMMITTEE ANNOUNCEMENTS:**

#### **Woodvale Union Cemetery Board of Trustees – Jim Maxwell**

Mr. Maxwell reminded Council about the October 12, 2016 Joint Council Meeting on the topic of Woodvale Cemetery. The meeting will begin at 7:30p.m.

### **LEGISLATION – THIRD READING:**

#### **ORDINANCE NO. 9-3: AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENDITURES AND OTHER EXPENSES OF THE CITY OF BERA FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016, AND EXPRESSLY REPEALING ORDINANCE NO. 2016-54.**

The Clerk read the title of the Ordinance.

Mrs. Kavander announced changes to the General Fund (Fund #100), Fund #281, Fund #300 and Fund #770. In response to a question from Mr. Maxwell regarding Fund #281, Mrs. Kavander explained that the Court used to pay bank fees annually, but is beginning to pay them quarterly. She added that while the bank fees are lower, credit card use is increasing, and thus the cost is rising. She reminded Council that the Court instituted a \$5.00 fee for credit card charges, and has already raised \$21,000 which negates the current accumulated cost of the bank fees. So far this year, the Court is breaking even in this area.

Mr. Maxwell questioned the increase in Fire Department overtime pay, and Mrs. Jones explained that the increase is due to injury, but more prominently because the Department has been doing a disappointing job of self-policing discretionary time off.

Moved by Mr. Haschka, seconded by Mrs. Key, that Ordinance No. 9-3 be adopted. Vote on the motion was ayes: Banaszak, DeVito, Haschka, Key, Maxwell, Skoczen and Zacharyasz. Nays: None. The motion carried and the Ordinance was adopted.

#### **ORDINANCE NO. 9-4: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LICENSE AGREEMENT WITH SP BERA LAKES, LLC. FOR ON-STREET PARKING SPACES TO BENEFIT THE GENERAL PUBLIC AND RESIDENTS OF THE BERA LAKES APARTMENT COMPLEX LOCATED AT 168 COE STREET, AND DECLARING AN EMERGENCY.**

The Clerk read the title of the Ordinance.

Moved by Mr. Haschka, seconded by Mr. Maxwell, that Ordinance No. 9-4 be adopted. Vote on the motion was ayes: Banaszak, DeVito, Haschka, Key, Maxwell, Skoczen and Zacharyasz. Nays: None. The motion carried and the Ordinance was adopted.

**LEGISLATION – SECOND READING:**

**ORDINANCE NO. 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.**

The Clerk read the title of the Ordinance.

Moved by Mr. Haschka, seconded by Mrs. Key, that proposed Ordinance No. 9-7 be placed on the October 24, 2016 Council Work Session agenda under the Coordinating Committee. Vote on the motion was all ayes and no nays. The motion carried.

**ORDINANCE NO. 9-10: AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO ENTER INTO NECESSARY AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PROVIDE BRIDGE INSPECTION SERVICES, AND DECLARING AN EMERGENCY.**

The Clerk read the title of the Ordinance.

Proposed Ordinance No. 9-10 stands on second reading.

**LEGISLATION – FIRST READING:**

**ORDINANCE NO. 10-1: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BEREA TO ENTER INTO A CONTRACT WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY, OHIO, PROVIDING FOR HEALTH SERVICES FOR THE CITY OF BEREA FOR THE YEAR 2017, AND DECLARING AN EMERGENCY.**

The Clerk read the title of the Ordinance.

Proposed Ordinance No. 10-1 stands on first reading.

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

Mrs. Brown announced that the next small business seminary will be held on October 13, 2016 at 7:00pm at Baldwin Wallace University's Center for Innovation and Growth. She also stated that the next meeting of Berea Cares will be on October 15, 2016.

Mrs. Brown also offered her condolences to the Albergottie family on the passing of Clyde Albergottie.

**REPORTS AND COMMENTS BY THE MEMBERS OF COUNCIL**

Mr. DeVito stated that he attended a very successful Coffee with a Cop at St. Paul's Church, and encouraged anyone who has questions about the heroine epidemic to come out to the next coffee hour, as Officers are willing and able to answer questions and meet individually with anyone who wants to talk.

Mr. Haschka announced that the City will soon be introducing an open pantry on the south lawn of the library. This pantry will be open and available to anyone with a need, and supplement the pantry while assisting the public. He noted that people should feel welcome to donate and replenish it, as well. Mr. Haschka added that there will be a small dedication ceremony during the Harvest Fest, and he encouraged Council Members to attend.

Mr. Haschka reminded Council and the listening audience about the Neighborhood Watch Informational Meeting on Thursday, October 6, 2016 at 7:00pm at the Center for Innovation and Growth.

Mrs. Key announced that it is National Customer Service Week, and asked everyone to be exceptionally kind to customer service representatives. She then thanked Mrs. Brown for mentioning the passing of Mr. Albergott, stating that he was a kind man who did a lot of good throughout the community.

Mr. Maxwell had no report.

Mr. Skoczen announced that the Committee for Good Schools' spaghetti dinner fundraiser is being held on Friday, October 14, 2016 from 4:30pm-6:45pm in the high school cafeteria. Tickets are available at any school or at the door. Homecoming festivities will immediately follow the dinner.

Mr. Skoczen offered his condolences to the family of Bill Workowski, a resident of Ward 5 who did a lot of service throughout the community.

Mr. Zacharyasz had no report.

Mrs. Banaszak thanked Mayor Kleem and Matt Madzy for helping her coordinate and facilitate a neighborhood meeting to discuss the proposed Baldwin Wallace University/Front Street project. She noted that there was good dialogue and information exchange, and the meeting answered a lot of the unknowns.

## **CORRESPONDENCE**

The September 16, 2016 – September 28, 2016 Correspondence is available in the Clerk's office.

## **OTHER BUSINESS**

Mrs. Esson stated that the International Walk to School Day is being held on Thursday, October 6, 2016. The walk to school will begin at 7:45am at Jason Malone Park.

Mrs. Esson asked anyone interested in attending the Berea Community Outreach fundraiser at Mike's Bar and Grille to contact her for tickets.

Mrs. Esson reminded the listening audience that with Veterans Day approaching, nominations are being accepted for the Colonel William H. Beyer Commendation for Outstanding Military Service.

There being no further business before Council, it was moved by Mr. Haschka, and seconded by Mrs. Key, 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 8:18p.m.

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Mary K. Brown  
President of Council

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Alycia Esson  
Clerk of Council

CERTIFICATE OF COMPLIANCE

The regular meeting of Council of the City of Berea, Ohio, held on the 3<sup>rd</sup> day of October, 2016, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

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Alycia Esson  
Clerk of Council