

MINUTES OF A SPECIAL COUNCIL MEETING
January 28, 2016 – 6:30p.m.

Council of the City of Berea, Ohio, met in the Council Chamber on January 28, 2016 and was called to order by President of Council Mary K. Brown at 6:30p.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 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.

LEGISLATION – SECOND READING:

ORDINANCE NO. 1-2: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PASS-THROUGH SALE/PURCHASE AGREEMENT WITH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (“CCLRC” OR “LAND BANK”), FOR THE ACQUISITION OF A CERTAIN PARCEL OF LAND IN DOWNTOWN BEREА, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Maxwell questioned the need for expediency, the necessity of suspension and the reason the property is not being directly donated to the City of Berea. Mayor Kleem explained that the property owner was advised that he could maximize his tax benefit by donating the land to a 501(c)(3), or similar organization, such as the Land Bank. Since the owner is unwilling to grant the City necessary easements for the bridge repair project, and because purchase of this land would be extremely expensive, and Eminent Domain, incredibly time-consuming, the Land Bank has agreed to accept the donation and temporarily hold the land until it can be transferred to the City.

Mayor Kleem reminded Council that federal money is being utilized for the West Center Street Bridge Repair and Replacement project, and thus there will inevitably be delays. The Administration does not want to be responsible for impeding progress, or hindering the commencement of construction, and would simply like to move the process along as efficiently as possible.

Mr. Maxwell pressed Mayor Kleem on whether or not suspension was crucial, and the Mayor responded that the Administration is ready to move on the land transfer, so the sooner this Ordinance is adopted, the better.

Moved by Mr. Haschka, seconded by Mrs. Key, that the three reading rule be suspended for Ordinance No. 1-2. Vote on the motion was ayes: Banaszak, DeVito, Haschka, Key, Maxwell, Skoczen and Zacharyasz. Nays: None. The motion carried.

Moved by Mr. Haschka, seconded by Mrs. Key, that Ordinance No. 1-2 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 thus adopted.

ORDINANCE NO. 1-3: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$515,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING IMPROVEMENTS AT COE LAKE, INCLUDING AN AMPHITHEATER AND POOL SHELTER, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance. The Fiscal Officer's Certificate is on file in the Clerk's Office.

Mrs. Kavander informed Council that proposed Ordinance No. 1-3 and proposed Ordinance No. 1-4 represent new borrowings, but noted that these totals were included in the capital expenditures approved in the temporary budget.

Proposed Ordinance No. 1-3 stands on second reading.

ORDINANCE NO. 1-4: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,585,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF RESURFACING CERTAIN CITY STREET TO BE APPROVED BY COUNCIL (THE 2016 STREET PROGRAM) AND TO PAY COSTS OF RECONSTRUCTING STREETS, INCLUDING IN THE BLUEGRASS DEVELOPMENT AREA, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance. The Fiscal Officer's Certificate is on file in the Clerk's Office.

Mrs. Key asked if any of the streets in her Ward would be included in the 2016 Street Program, and Mayor Kleem replied that the list is not complete. He added, however, that he has received unofficial word that the City was awarded a Community Development Block Grant in the amount of \$150,000.00 for the repair of North Rocky River Drive, and thus that Ward 1 project will proceed as intended.

Mr. Skoczen asked for clarification on the amount of money being specifically allocated toward the Bluegrass Development project. Mayor Kleem emphasized that while these are estimates, approximately \$1.75 million dollars will be going toward the second and final phase of the Bluegrass repair, while the rest of the money will be reserved for the 2016 Street Program.

Mr. DeVito wondered if asphalt prices would be down due to the relatively inexpensive cost of oil. Mayor Kleem assumed so, but could not confirm his suspicion.

Proposed Ordinance No. 1-4 stands on second reading.

ORDINANCE NO. 1-5: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$3,542,500 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF (i) ACQUIRING PROPERTY TO BE USED FOR VEHICLE MAINTENANCE AND STORAGE FOR THE SERVICE DEPARTMENT, THE FRONT STREET RAILGRADE SEPERATION PROJECT AND OTHER MUNICIPAL PROJECTS, (ii) ACQUIRING REAL ESTATE FOR MUNICIPAL FACILITIES, (iii) ACQUIRING CITY VEHICLES FOR USE IN THE CITY'S SERVICE, POLICE AND RECREATION DEPARTMENTS, (iv) IMPROVING THE INDOOR SWIMMING POOL AT THE CITY'S RECREATION CENTER, (v) ACQUIRING POLICE VEHICLES AND SAFETY

EQUIPMENT, (vi) REFURBISHING AN AERIAL FIRE TRUCK AND ACQUIRING EQUIPMENT FOR FIRE DEPARTMENT VEHICLES, (vii) ACQUIRING A PLOW TRUCK AND SERVICE DEPARTMENT EQUIPMENT, (viii) RESURFACING CERTAIN CITY STREET TO BE APPROVED BY COUNCIL, AND (ix) ACQUIRING VEHICLES, AND COMPUTER AND OTHER EQUIPMENT FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance. The Fiscal Officer’s Certificate is on file in the Clerk’s Office.

Mrs. Kavander explained that borrowings can either be done through 1 year notes and annual pay-downs, or they can go to the bond market. This Ordinance pertains to projects that have already been completed, but whose debt is simply being rolled over for an additional year. She added that, this year, a \$250,000 payment will be made in order to pay down the debt.

Proposed Ordinance No. 1-5 stands on second reading.

ORDINANCE NO. 1-6: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$750,000 URBAN RENEWAL TEMPORARY REVENUE BONDS, IN ANTICIPATION OF THE ISSUANCE OF DEFINITIVE URBAN RENEWAL REVENUE BONDS, FOR THE PURPOSE OF PAYING COSTS OF CITY URBAN RENEWAL PROJECT ACTIVITIES IN THE FIRST AVENUE COMMUNITY REVITALIZATION AREA, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mrs. Kavander acknowledged that \$1 million was borrowed for First Avenue Community Revitalization Area projects and activities, and added that the City will pay \$250,000 a year on this debt.

Proposed Ordinance No. 1-6 stands on second reading.

OTHER BUSINESS: None

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 6:46p.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 28th day of January, 2016, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council