

MINUTES OF A REGULAR COUNCIL MEETING
September 5, 2023 – 7:30p.m.

Council of the City of Berea, Ohio, met in regular session in the Council Chamber on September 5, 2023 and the meeting was called to order by President of Council Jim Maxwell at 7:30p.m. Present: Mary K. Brown, Erika Coble, Leon R. Dozier, Sr., Chris McManis, Rick Skoczen, Lisa Weaver and Gene Zacharyasz. Present via Zoom: Director of Public Works Tony Armagno and Director of Finance Andrea Morris.

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. Brown, seconded by Mr. McManis, that the minutes from the June 20, 2023 Public Hearing be approved. Vote on the motion was all ayes and no nays. The motion carried.

Moved by Mrs. Brown, seconded by Mr. McManis, that the minutes from the June 20, 2023 Regular Council Meeting be approved. Vote on the motion was all ayes and no nays. The motion carried.

Moved by Mrs. Brown, seconded by Mr. McManis, that the minutes from the June 26, 2023 Special Council Meeting be approved. Vote on the motion was all ayes and no nays. The motion carried.

MAYOR'S ADMINISTRATIVE REPORT AND COMMENTS

Mayor Kleem was not present.

REPORT AND COMMENTS BY THE OFFICERS OF THE ADMINISTRATION:

Andrea Morris – Director of Finance:

Mrs. Morris congratulated Janice White, the City's long-time payroll clerk, on her retirement, thanking her for her tremendous service these past 33 years, and sending much love her way.

Mrs. Morris then offered her appreciation to the employees in the Finance and Water Billing Departments as they have been busy updating 4 computer software systems, oftentimes doing parallel work in order to transfer information from the old system to the new.

Mrs. Morris humbly announced that the City's audit report came back clean, and with no adjustments, to which Mr. Maxwell added that the auditors were very complimentary and extremely impressed with Mrs. Morris and the City's Finance Department, noting that the hard work is not going unnoticed.

In response to a question from Mrs. Weaver, Mrs. Morris informed Council that Rhonda Burch, a former Court employee, has replaced Mrs. White in payroll, and is a great addition to the department.

Barb Jones – Director of Law & Public Safety:

Mrs. Jones was not present.

Tony Armagno – Director of Public Service:

Mr. Armagno said that the annual Road Program should, weather dependent, wrap up in the next couple of weeks, stated that Emerson Avenue resurfacing began today and should take 6-8 weeks to complete, explained that the Barberry project was able to be accelerated and should wrap up soon, although restoration and punch list items could take a bit of time to complete, and the Barrett Road Pipe Bridge repair, which is a complex project, did not receive any bidders, thus a second bid is being planned for the end of the year with the hopes that contractors will have some availability in early 2024.

Mr. Armagno continued that the treehouse project was awarded to the same company that constructed the Amphitheatre and Pavilion at Coe Lake, thus they are familiar with the area, and this endeavor should be completed in spring of 2024.

With regard to the North End sewer project, part of the project is being contracted through the County, including the lining of the laterals, which has already begun. The construction of the new flow connection design is 99% complete, and final plans are being reviewed. This portion of the project will begin later this year. The sewer installation work will be done prior to the paving work, which should begin in the spring. Updates are forthcoming over the next couple of weeks.

Mr. Armagno concluded his report by noting that over the summer the City received \$70,000 in funding for the Cuyahoga County Urban Tree Canopy Program, which will assist in an inventory of approximately 7,000 trees and sites throughout the City and help guide the Shade Tree Commission and Service Department with future plantings.

In response to a question from Mr. Dozier, Mr. Armagno stated that with regard to the Emerson Road project, most curbs will not be replaced, as the focus is on pavement repair.

Karen Hutchings, a resident on Emerson, stated that snowplows have destroyed her curb, and while she acknowledges that she lives on a curve which can be difficult to maneuver, she would like the curb replaced. Mr. Armagno responded that he will take a look at her specific case to see if the situation can be addressed.

Mrs. Hutchings asked if her neighbor could be given some snow stakes, as he is a senior and his lawn is destroyed every year. Mr. Armagno replied that the City will restore damaged lawns, and Mr. Skoczen stated that if her neighbor needs assistance getting the stakes, he will help.

Mr. Dozier stated that residents on Grayton asked when their street will be repaired, and Mr. Armagno stated that this is a County Road and, if the City were to repair it, it would consume the budget for the entire annual road program. The City is, therefore, looking for outside funding.

Mr. Dozier asked if an additional speed limit sign could be placed on Emerson, and Mr. Armagno said he would take a look at the area.

Mr. Skoczen inquired about the letter that the City is sending to Longbrooke residents regarding road conditions and repairs, and Mr. Armagno replied that the Mayor's Office is, currently, drafting the letter. Until a decision is made as to how to move forward with reconstruction, the City will continue patching areas throughout the neighborhood.

Mrs. Brown thanked Mr. Armagno for repairing Cross Street and Park Street, and in response to a question from Mrs. Coble, Mr. Armagno replied that the bridge with graffiti will be painted on Friday.

Mr. McManis asked if anyone has been out to look at the drain on Rowan, and Mr. Armagno said that a work order is pending, and Mr. Dozier confirmed that the City no longer conducts rental inspections.

Marty Compton – Director of Recreation:

Mr. Compton was not present.

COMMENDATIONS: **NONE**

PETITIONS: **NONE**

AUDIENCE PARTICIPATION:

Margaret Allen Scott stated that the Pearl Street and Second Avenue area was, historically, the black neighborhood in Berea, and as the Browns have acquired the majority of properties, she asked if anything will be done to recognize and honor this fact. She also asked what will become of the park that is named after her Dad, R. B. Scott.

Mr. Maxwell stated that he was intrigued by the questions and will speak to the administration. Mrs. Coble noted that she did ask the Browns about this and they seemed open to the conversation of commemorating the area, as well as her father, in some way.

COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

Berea Shade Tree Commission – Erika Coble & Gene Zacharyasz

Mr. Zacharyasz stated that the Commission met over the summer, and Mrs. Coble said that Mr. Armagno's office put together a great application for the tree canopy grant, ranking 4th out of 31 applications.

Moved by Mrs. Brown, seconded by Mr. Dozier, that Ordinance No. 9-2 be adopted. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 9-3: AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO MAKE APPLICATION FOR AND, IF AWARDED, TO ENTER INTO A COOPERATION AGREEMENT WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY AND THE FEDERAL TRANSIT ADMINISTRATION FOR ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM FUNDS, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Maxwell stated that this is not unlike pieces that have come before Council in the past, and must be passed in order to accept grant money, should it be offered. If received, this grant will help to replace a 2016 transit vehicle as part of the City's Jitney program.

Moved by Mrs. Brown, seconded by Mr. Skoczen, that the three-reading rule be suspended for Ordinance No. 9-3. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

Moved by Mrs. Brown, seconded by Mr. Skoczen, that Ordinance No. 9-3 be adopted. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 9-4: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT FOR THE SALE OF PERMANENT PARCEL NO. 364-14-078, FURTHER DESCRIBED AS A LAND-LOCKED PARCEL OWNED BY THE BEREA LAND REUTILIZATION PROGRAM, TO ADJACENT PROPERTY OWNERS, FOR THE FAIR MARKET VALUE OF THE PROPERTY, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 195 OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA AND CHAPTER 5722 OF THE REVISED CODE, AND AUTHORIZING THE EXECUTION OF ALL AGREEMENTS NECESSARY TO EFFECTUATE THE SAME, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Maxwell noted that Mrs. Jones said that State and local law permits this type of sale since the property was received from the Land Bank. The perspective purchasers own the adjacent property and would like to use this piece for their yard. There will be some minor changes made to the purchase agreement, which Council will see on second reading.

Mr. McManis asked if other abutting property owners were allowed to bid on the property, and Mr. Maxwell stated that he will get clarification on this matter.

Joan Sweeny, the owner of the adjacent property and perspective buyer, explained that while they were sold the two parcels at 247 Clark, as well as this third parcel, on closing they learned that they didn't own the parcel in question. They have maintained the lot for 6 years and have been working with the City to figure out how the land could be purchased.

Proposed Ordinance No. 9-4 stands on first reading.

RESOLUTION NO. 9-5: 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.

The Clerk read the title of the Resolution.

Mrs. Morris explained that this is an annual resolution and is due to the County by September 30, 2023.

Moved by Mrs. Brown, seconded by Mr. Dozier, that the three-reading rule be suspended for Resolution No. 9-5. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

Moved by Mrs. Brown, seconded by Mr. Dozier, that Resolution No. 9-5 be approved. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 9-6: AN ORDINANCE ENTERING IN TO A COOPERATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF RESURFACING A PORTION OF SR-237 FROM BAKER STREET TO BAGLEY ROAD, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Armagno explained that this project has been in the design phase for the last few months and, because it involves federal funding, the certifications are much more stringent than they are for other projects in the City. He noted that a discrepancy was also found regarding a portion of right of way that was not properly recorded. The City is working with ODOT and the Metroparks to remedy this error.

General discussion commenced concerning the cost of the project, and Mr. Armagno noted that no bridge work will be completed. Mr. Skoczen stated that the portion of Rt. 237 just past the turnpike bridge is in very poor condition, and wondered if anything was in the works for that portion of the road. Mr. Armagno replied that the City solicited the State for funding, but Baker to Bagley was what was targeted by NOACA for fiscal years 2021-2024. The next transportation improvement plan includes Bagley Road, but not any more of Rt. 237. The City will maintain this area until the State has another grant program option.

REPORT AND COMMENTS BY THE PRESIDENT OF COUNCIL

Mr. Maxwell had no report.

REPORTS AND COMMENTS BY THE MEMBERS OF COUNCIL

Mr. McManis welcomed Council back.

Mr. Skoczen announced that his annual Ward 5 meeting will likely take place in October, and notice will go out soon with a definitive date, time and location.

Mrs. Weaver stated that it is good to be back in session.

Mr. Zacharyasz advised motorists to slow down and watch for kids now that school is back in session. He also thanked the Administration for the installation of the school speed sign by Snow School on Eastland Road.

Mrs. Brown thanked Mr. Armagno and Bob Pochatek for the ramp they installed, and congratulated Russ Hill on being named the 2023 recipient of the Grindstone Award, adding that the banquet will be held on September 21, 2023.

Mrs. Coble stated that she was very busy over the summer and thanked the Administration for being very responsive to the many issues that arose in her Ward. She referenced issues with the Fairgrounds, Airbnb and rental properties, and opportunities for more teenage programming throughout the City and especially in the summer months. She noted that it is good to get to know your neighbors because some things the City can not do, but these things could be handled with simple conversations.

Mrs. Coble concluded by thanked Middleburg Heights Councilman Bill Meany for being extremely helpful and addressing a concern that arose over the summer months.

Mr. Dozier had no report.

CORRESPONDENCE

The June 15, 2023 – August 30, 2023 Correspondence is available in the Clerk's office.

OTHER BUSINESS:

Mrs. Esson welcomed Council back.

Moved by Mrs. Brown, seconded by Mr. Zacharyasz, that the September 11, 2023 Work Session be cancelled. Vote on the motion was all ayes and no nays. The motion carried.

There being no further business before Council, it was moved by Mrs. Brown, and seconded by Mr. Skoczen, that the Regular Council Meeting be adjourned. Vote on the motion was all ayes and no nays. The motion passed and President Maxwell declared the meeting adjourned at 8:43p.m.

Jim Maxwell, 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 5th day of September, 2023, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council