

MINUTES OF A REGULAR COUNCIL MEETING
June 20, 2023 – 7:30p.m.

Council of the City of Berea, Ohio, met in regular session in the Council Chamber on June 20, 2023 and the meeting was called to order by President of Council Jim Maxwell at 7:44p.m. Present: Mary K. Brown, Erika Coble, Leon R. Dozier, Sr., Chris McManis, Rick Skoczen, Lisa Weaver and Gene Zacharyasz. Also present: Mayor Cyril M. Kleem. Present via Zoom: Director of Law & Public Safety Barb Jones 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. Skoczen, that the minutes from the June 5, 2023 Regular 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 announced that the summer concert series begins this Friday, shortly followed by the Grindstone Festival. He added that, with the anticipation that Council will recess for the summer, he will send out an email with some updates on City projects, as well as complications.

In response to a question from Mrs. Brown, Mayor Kleem clarified that City policy requires that three quotes be obtained for things that do not need to go out for bid, simply to ensure the best price. In the case of projects that go out to bid, one bidder, if deemed qualified and the price relatively appropriate, is sufficient. He added that things are very expensive right now.

Mrs. Coble asked if Auxiliary Officers will be on duty to help address the parking issues at Parkview Commons during the Grindstone Festival. Mayor Kleem stated that much of the department will be working on the night of fireworks, but added that there has been a parking problem at Parkview Commons in the past, so he will speak with Mrs. Jones to see how it can be handled.

REPORT AND COMMENTS BY THE OFFICERS OF THE ADMINISTRATION:

Andrea Morris – Director of Finance:

Mrs. Morris announced that the Finance Department is undergoing a lot of software upgrades, including those for water and sewer billing, so that those who want to pay online have the ability to do as such. Information will be in the City newsletter and also on the City's website.

Barb Jones – Director of Law & Public Safety:

Mrs. Jones congratulated Officer Dennis Bort, the City's K-9 Officer who has served for many years in the Department, on his retirement.

Tony Armagno – Director of Public Service:

Mr. Armagno was not present.

Marty Compton – Director of Recreation:

Mr. Compton was not present.

COMMENDATIONS: **NONE**

PETITIONS: **NONE**

AUDIENCE PARTICIPATION:

Martha Leshar stated that before the 1997 annexation of land to Berea from Olmsted Township, both the City and Township supported the Hollos in their rejection of annexation. Now, after flooding issues and lawsuits, the Hollos and their representatives have turned against the people who supported them years ago, all because of money. Annexation does not serve either community.

Johnathon Montag, a resident on West Fifth Avenue, asked for an update regarding the street parking issue on his street, and since Mr. Armagno was not present, was informed that someone will follow-up with him.

Mr. Montag followed up on a comment from a previous meeting, explaining that speed tables have been shown to reduce speed by 8 miles an hour and can be removed for snow plows and things. It is, perhaps, something that could benefit the City and its residents, and he felt more research should be conducted by the Department of Public Safety.

Holly Porter, a resident on East Bridge Street, asked that the City and Council continue to address outstanding issues like the townhouse project on the North End, the sale of the Beech Street properties, the way grant money is spent in the Parknoll area, the health and infrastructure of Coe Lake, ending the use of pesticides and poisonous chemicals around the lake, and the never-ending rental property saga. Mrs. Porter noted that Berea has made strides in the past couple of years, and she appreciates this, but hopes lines of communication will be open and the City that she loves will keep improving. She wished everyone a happy summer.

Mayor Kleem responded that Coe Lake and McKelvey Park are centerpieces for the City and draw people here, which is why work is often done there. The Dora Lee playground cost \$175,000, which is not a small investment, and the basketball courts were another \$150,000. He added that since becoming Mayor, over \$100 million has been spent on capital projects, and only 4%-5% of this was used for parks and recreation. The park expenses are a fraction of what is spent on roads, sewers, and public safety, but there are a lot of expenses in a City as old as Berea, and the Administration tries to refrain from assessments and tax increases, and looks instead for

grant funding options. While he doesn't disagree with some of the issues Mrs. Porter cited, he thinks things must be put in perspective. Money is being spent responsibly.

Mrs. Brown asked if Mr. Compton could appear to give a report on the Recreation Department, and Mayor Kleem responded that he forget to set a date with him, but will have him attend.

Warren Tuck, a resident on Runn Street, stated that he brought up the issue of signs and signal inspections over a decade ago, but it has not been addressed. The Ohio Manual of Uniform Traffic Devices requires an annual inspection and appropriate repairs and replacements, but there remain a large number of signs throughout the City that are blank or not legible, which creates liability for the City and the Police Department.

Mr. Tuck also noted that during the Polish Village project, the apron of his driveway shrunk by 2', and the Code states it must be 12'.

Mr. Maxwell stated that these concerns will be passed along to Mr. Armagno,

COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

Berea Shade Tree Commission – Erika Coble & Gene Zacharyasz

Mrs. Coble sated that the Commission will hold a meeting in August, and she hopes to have it publicized in the Berean.

Woodvale Union Cemetery Board of Trustees – Jim Maxwell

Mr. Maxwell announced that the next quarterly meeting is Thursday, June 29, 2023 in the office at 5:30p.m. If anyone would like to attend, they are welcome, or they may come early for a tour.

LEGISLATION – THIRD READING:

RESOLUTION NO. 5-3: A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF BEREA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024, AND SUBMITTING THE SAME TO THE CUYAHOGA COUNTY FISCAL OFFICER.

The Clerk read the title of the Resolution.

Moved by Mrs. Brown, seconded by Mr. Dozier, that Resolution No. 5-3 be approved. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-4: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR THE CONSTRUCTION OF THE NORTH END SEWER NEW FLOW CONNECTION PROJECT, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mr. Dozier, seconded by Mrs. Brown, that Ordinance No. 5-4 be adopted. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-5: AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 1981-31 BY ESTABLISHING A NEW PROGRAM FOR THE PAYMENT OF LIMITED REIMBURSEMENT TO HOMEOWNERS IN THE CITY OF BEREA WHO, WITH A PROPER PERMIT AND UNDER CERTAIN CONDITIONS, PLANT A TREE OR TREES IN THE CITY-OWNED TREE LAWN AREA AND/OR YARD IN FRONT OF THEIR HOMES, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

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

LEGISLATION – SECOND READING:

ORDINANCE NO. 6-1: AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE TO CERTIFY TO THE FISCAL OFFICER OF CUYAHOGA COUNTY UNPAID WATER AND/OR SEWER RENTAL CHARGES AND/OR OTHER MISCELLANEOUS CHARGES FOR LEVY AND COLLECTION ACCORDING TO LAW, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

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

LEGISLATION – FIRST READING:

ORDINANCE NO. 6-2: AN ORDINANCE REVISING THE CODIFIED ORDINANCES OF THE CITY OF BEREA BY ADOPTING CURRENT REPLACEMENT PAGES, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Maxwell stated that these changes simply reflect those already implemented by the City or other entities, and it would be good to have things updated over the summer months.

Moved by Mr. Dozier, seconded by Mrs. Brown, that the three-reading rule be suspended for Ordinance No. 6-2. 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. McManis, that Ordinance No. 6-2 be adopted. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried.

REPORT AND COMMENTS BY THE PRESIDENT OF COUNCIL

Mr. Maxwell had no report.

REPORTS AND COMMENTS BY THE MEMBERS OF COUNCIL

Mr. Dozier asked any resident who would like to receive his Ward 1 newsletter to provide him with an email address.

Mr. McManis thanked People's Community Church on what was an amazing Science Camp. His two older daughters attended, and will again in the future.

Mr. Skoczen announced that his annual Ward meeting will take place in early fall, with more information to come after recess. He then wished everyone a good summer.

Mrs. Weaver thanked the Court for footing the bill on the new sound equipment and wished everyone a good summer.

Mr. Zacharyasz wished everyone a safe and happy summer.

Mrs. Brown stated that the Chamber held an event at the Browns Stadium and it went really well, announced that the Community Garage Sale will be held in August, congratulated her brother Lieutenant Colonel Joseph Turkal on his retirement after 30 years of service in the Marine Corps, and wished a Happy Summer Birthday to both Mrs. Esson and her son, Chase, who are both summer babies!

Mrs. Coble stated that the City found a great realtor to work with on the sale of the Beech Street houses, and the properties should be on the market within the next few weeks. She added that she will be meeting with Baldwin Wallace's Office of Residence Life on July 5, 2023 at 11:15a.m. in anticipation of the return of students.

CORRESPONDENCE

The May 31, 2023 – June 14, 2023 Correspondence is available in the Clerk's office.

OTHER BUSINESS:

Mrs. Esson thanked Mr. Maxwell for all of the work he put in to getting the new sound equipment up and running. She then wished all Dads, in the room and out, a Happy belated Father's Day, wished her stepson, Matthew, a Happy Birthday today, and wished Chase a Happy Birthday in a couple days!

Moved by Mr. Skoczen, seconded by Mrs. Brown, that Council move in to Executive Session pursuant to Codified Ordinance Chapter 109 and O.R.C. Section 121.22(G)(5) to discuss a matter required to be kept confidential by state law, for the purpose of obtaining legal advice from an attorney representing the City of Berea pursuant to the attorney-client privilege provided for in O.R.C. Section 2317.02(A). Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. The motion carried and Mr. Maxwell

declared a short recess at 8:27pm to allow members of the press and public time to leave the Chamber.

Council resumed Regular Session at 9:42.

Moved by Mrs. Brown, seconded by Mr. Zacharyasz, that Council recess for the months of July and August. Vote on the motion was ayes: Brown, Coble, Dozier, McManis, Skoczen, Weaver and Zacharyasz. Nays: None. 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 9:43p.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 20th day of June, 2023, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson
Clerk of Council