

Please note: There will be a public hearing at 7:20p.m. regarding the transfer of D5 and D6 liquor permits at 826-28 Front Street in Berea, Ohio.

There will be a second public hearing at 7:25p.m. regarding the transfer of C1, C2 and D6 liquor permits at 880 North Rocky River Drive in Berea, Ohio.

BEREA CITY COUNCIL

Monday, November 15, 2021 - 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 1, 2021 – 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. Morris
 - 2. Director of Law & Public Safety – Mrs. Jones
 - 3. Director of Public Service – Mr. Armagno

III. COMMENDATIONS

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. 6-4: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH DMARK DEVELOPMENT LLC. FOR THE SALE OF PERMANENT PARCEL NUMBERS 362-02-003; 362-02-009; 362-02-011; 362-02-012; 362-02-014; 362-03-002; 362-03-013; and 362-03-014, WHICH ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES, FOR THREE HUNDRED THOUSAND DOLLARS (\$300,000) AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO EFFECTUATE THE SAME, AND DECLARING AN EMERGENCY.
- 2. ORD. 10-5: 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 YEARS 2022 AND 2023, AND DECLARING AN EMERGENCY.

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. ORD. 11-4: AN ORDINANCE AUTHORIZING THE CITY DIRECTORS TO PARTICIPATE IN VARIOUS COOPERATIVE PURCHASING PROGRAMS, AND DECLARING AN EMERGENCY.
5. ORD. 11-5: AN ORDINANCE REPEALING AND REPLACING CHAPTER 311, WATER, OF TITLE THREE, PUBLIC UTILITIES, OF PART THREE, STREETS, UTILITIES AND PUBLIC SERVICES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA, AND DECLARING AN EMERGENCY.

C. For First Reading:

1. ORD. 11-6: 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 TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR THE PURPOSES SPECIFIED IN THE CDBG AGREEMENT, AND DECLARING AN EMERGENCY.
2. ORD. 11-7: 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 2022 COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM AND TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR THE PURPOSES SPECIFIED IN THE CDSG AGREEMENT, AND DECLARING AN EMERGENCY.

3. RES. 11-8: 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.
4. ORD. 11-9: AN ORDINANCE ENACTING NEW SECTION 125.03 TO ESTABLISH THE PROCEDURES FOR THE DISPOSITION OF PERSONAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES OR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH THEY WERE ACQUIRED.
5. ORD. 11-10: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR THE BARBERRY, WOODLAWN, MAPLE AND FOURTH AVENUE RECONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.
6. ORD. 11-11: AN ORDINANCE APPOINTING ANTHONY ALEXANDER TO THE BEREA TAX INCENTIVE REVIEW COUNCIL (TIRC) PURSUANT TO CHAPTER 5709 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.
7. ORD. 11-12: AN ORDINANCE AMENDING SECTION 101.02, GENERAL DEFINITIONS, TO ADD DEFINITIONS OF A PUBLIC MEETING OPEN TO THE PUBLIC AND VOTING AT SUCH MEETINGS.
8. ORD. 11-13: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,810,000 FOR THE PURPOSE OF REFUNDING FOR DEBT CHARGES SAVINGS CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2013, DATED MARCH 26, 2013, AND DECLARING AN EMERGENCY.
9. ORD. 11-14: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,175,000 FOR THE PURPOSE OF REFUNDING FOR DEBT CHARGES SAVINGS CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2015, DATED MARCH 24, 2015, AND DECLARING AN EMERGENCY.
10. ORD. 11-15: 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, 2021, AND EXPRESSLY REPEALING ORDINANCE NO. 2021-47.
11. 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, 2021, AND EXPRESSLY REPEALING ORDINANCE NO. 2021-__.
12. 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, 2022, ENDING MARCH 31, 2022.

13. ORD. 11-18: AN ORDINANCE APPROVING AND RATIFYING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BERA AND THE BERA POLICE LIEUTENANTS REPRESENTED BY THE FRATERNAL ORDER OF POLICE, LODGE 15, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
14. ORD. 11-19: AN ORDINANCE APPROVING AND RATIFYING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BERA AND THE BERA POLICE SERGEANTS REPRESENTED BY THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
15. ORD. 11-20: AN ORDINANCE APPROVING AND RATIFYING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BERA AND THE BERA POLICE PATROL REPRESENTED BY THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
16. ORD. 11-21: AN ORDINANCE APPROVING AND RATIFYING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BERA AND THE BERA FIREFIGHTERS, REPRESENTED BY LOCAL 1836 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

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 McManis, Ward 2
- C. Councilman Skoczen, Ward 5
- D. Councilwoman Smith, Ward 4
- E. Councilman Zacharyasz, At-Large
- F. Councilman DeVito, At-Large
- G. Councilman Dozier, Ward 1

X. CORRESPONDENCE (October 28, 2021 – November 10, 2021)

XI. OTHER BUSINESS

- A. Report and Comments by the Clerk of Council

XII. ADJOURNMENT