

MINUTES OF A REGULAR COUNCIL MEETING
June 21, 2021 – 7:30p.m.

Council of the City of Berea, Ohio, met in regular session in the Council Chamber on June 21, 2021 and the meeting was called to order by President of Council Jeff Dettmer at 8:01p.m. Present: Bill DeVito, Leon Dozier, Jim Maxwell, Chris McManis, Rick Skoczen, Kim Smith and Gene Zacharyasz. Absent: None. Chris McManis did have to leave the meeting at 8:56p.m. Also present via Zoom: Mayor Cyril M. Kleem, Director of Public Service Tony Armagno, Director of Law and 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 Mr. Skoczen, seconded by Mr. Maxwell, that the minutes from the June 7, 2021 Public Hearing be approved. Vote on the motion was all ayes and no nays. The motion carried.

Moved by Mr. Maxwell, seconded by Mr. Dozier, that the minutes from the June 7, 2021 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 had no report.

REPORT AND COMMENTS BY THE OFFICERS OF THE ADMINISTRATION:

Andrea Morris – Director of Finance:

Mrs. Morris had no report.

Barb Jones – Director of Law & Public Safety:

Mrs. Jones informed Council that Assistant Fire Chief Schmitt will be out on an extended medical leave, and on behalf of the Administration, she wished him a speedy recovery.

Tony Armagno – Director of Public Service:

Mr. Armagno announced that the City will be receiving CDBG grant funds for the resurfacing of Woodmere Drive and Lynn Drive. The project should begin at the end of August and take about 6-8 weeks to complete.

Mr. Skoczen thanked Mr. Armagno for his help with CEI, and inquired about the road sign audit. Mr. Armagno responded that the City does have the ability to make some signs in-house, and asked for a list of faded signs, if Mr. Skoczen has one available.

Mr. Dozier inquired about the closure of Burger King on the North End, and Mayor Kleem explained that the building is owned by Burger King's corporate entity, and they had a disagreement with the franchise owner that concerned a remodel of the restaurant. The corporate office will be moving forward with the remodel, and then bring a new franchise owner in – whether it be a Burger King restaurant or one of their other fast-food chains.

Mayor Kleem noted that the franchise owner's decision to leave had nothing to do with the City, adding that no remodel applications were ever submitted for City review.

Mr. McManis asked if Mr. Armagno had received any feedback from the Trailhead residents with regard to backyard drainage, and Mr. Armagno responded in the negative, but added that he did have an opportunity to take a look at their concerns and will be providing additional information to the HOA.

Mr. McManis inquired about fence repairs requiring a permit, and Mr. Armagno advised that the resident should consult the Building Department if any excavation work is being done. They should also call OUPS.

Marty Compton – Director of Recreation:

Mr. Compton was not present.

COMMENDATIONS: NONE

PETITIONS: NONE

AUDIENCE PARTICIPATION:

Drew Jenkins, a member of the audience and resident on Berea Street, alerted Council to the fact that motorists are not abiding by the two-stop allowance that is made at Prospect and Bagley Road. He wondered if the signs could be lit up or somehow made more visible. Mr. Armagno stated that this issue was reviewed a few years ago, and the visibility does not seem to be the problem. There is appropriate sight distance and paint markings are vibrant, but the issue can be reviewed again, perhaps in conjunction with the Police Department.

Mr. Jenkins then inquired about the City's Memorandum of Understanding that will focus on soil and water conservation. He explained that there used to be a culvert on his street that ran east and west between properties. The City thought it should be turned in to a storm sewer and every 100-200 feet there is a catch basin. Clean-out has not been done for 27 years, and this storm sewer creates problems for his property and his neighbors. He continued by noting that there have been unauthorized connections between this and other sewers, and during heavy storms, the street floods, along with many basements and yards. He proposed that the City buy his house and use the area to connect 2 storm sewers and tap in to Runn Street and other so that the area is interconnected prior to North End development.

General discussion commenced concerning this sewer, and Mr. Dettmer asked if Mr. Jenkins could leave his contact information for Mr. Armagno so that a meeting could be facilitated on site.

Mr. Skoczen asked if Mr. Armagno could also study the traffic stopping line at Sprague Road and Manning Drive, and Mayor Kleem stated that the issue seems to have less to do with sign visibility and more to do with people not following the signs, thus Police involvement might be beneficial.

Dr. Michael Melampy referenced proposed Ordinance No. 5-17, stating that he sees many problems. The Ordinance is too restrictive in its attempt to prevent root damage from treelawn trees, some plants are listed and declared “poisonous weeds” when they are not, and he questioned what kind of trained professional would be employed to make certain decisions and questioned if they would have proper credentials.

Dr. Melampy continued that the Ordinance should list the specific insects declared as harmful pests, should not address grass fires unless they are really a threat in Berea, and feels that preventing treelawn plantings also prevents pollinator pathways which will do more harm than good, especially to the ailing bee population.

Mr. Skoczen read a response to some of Dr. Melampy’s concerns that had been crafted by Mrs. Jones, as Dr. Melampy’s concerns were presented to the Clerk prior to the Council meeting. The response memo is attached at the conclusion of these minutes.

Mr. Skoczen stated that, after reviewing Dr. Melampy’s concerns, the only necessary change is an amendment to Section 327.22(A)(1) that would state that treelawn plantings can not be planted unless approved by the Shade Tree Commission, in accordance with Codified Ordinance Section 327.01 – 327.11.

Mr. Skoczen thanked Mrs. Jones for her help on this Ordinance.

COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

Southwest Health Care System Board of Directors – Jeff Dettmer

Mr. Dettmer stated that Bill Young, the President and CEO of Southwest, sent the trustees an email that stated that June 11, 2021 was the first day since March 20, 2020 that the hospital reported zero in-patients due to Covid-19. The hospital played the song ‘Happy’ to mark the day.

LEGISLATION – THIRD READING:

ORDINANCE NO. 4-10: AN ORDINANCE AMENDING SECTION 931.02(a), CRIMINAL ACTIVITIES AS A NUISANCE, ABATEMENT, PROCEDURE AND COSTS OF ENFORCEMENT, OF CHAPTER 931, NUISANCE ABATEMENT, IN TITLE FIVE, LOCAL PROVISION, OF PART NINE, GENERAL OFFENSES, AND SECTIONS 1331.05(a), (b) and (c), NUISANCE CONDITIONS AT LEASED PROPERTIES PROHIBITED – PROCEDURES – NUISANCE HEARING OFFICER, OF CHAPTER 1331, RESIDENTIAL RENTAL PROPERTY PERMITS, IN TITLE FIVE, LOCAL

PROVISION, OF PART THIRTEEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA TO REMOVE PARKING OFFENSES AS QUALIFYING INCIDENTS TO A NUISANCE DECLARATION AND TO PROVIDE CONSISTENCY BETWEEN OWNER-OCCUPIED AND NON-OWNER-OCCUPIED NUISANCE PROPERTIES.

The Clerk read the title of the Ordinance.

Mrs. Jones stated that an amendment has been distributed that would change the look-back period to 24 months, and also amend any additional Sections necessary to make all Sections consistent. The title of the Ordinance would, therefore, be amended to include the fact that Section 931.02(a), (b), (c), (d), (e), and (f) are being amended. Exhibit A would be replaced to include the entire current Section. Exhibit B, the new proposal, would include the change to 24 months. Exhibit C would not be changed. Exhibit D would include a few changes that reflect the 24-month look-back.

Mrs. Jones concluded that consistency would be established between owner occupied and rental properties.

Mrs. Smith asked if the City would be opening itself up to legal issues with a 24-month look-back period, especially if landlords say the law is preventing them the ability to do business. Mrs. Jones responded in the negative, specifically because property owners will have ample opportunities to take action to prevent continual nuisance procedures from occurring. While many Cities have a 6-month or 12-month look-back period, one other City does have 24 months, and Mrs. Jones felt that the two-year look-back would be upheld in Court.

Moved by Mr. Skoczen, seconded by Mr. Dozier, that Ordinance No. 4-10 be amended by the substitution of Ordinance No. 4-10a. Vote on the motion was ayes: DeVito, Dozier, Maxwell, McManis, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

Moved by Mr. Zacharyasz, seconded by Mr. DeVito, that Ordinance No. 4-10a be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, McManis, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-4: AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING PERMANENT PARCEL NUMBER 362-13-047 FROM COMMERCIAL CENTER (CC) DISTRICT TO RESIDENTIAL SINGLE-FAMILY B (R-SF-B) DISTRICT.

The Clerk read the title of the Ordinance.

Mr. Dettmer and Mrs. Jones advised that this Ordinance was discussed in Public Hearing, prior to the start of tonight's meeting.

Mr. Dettmer stated that an amendment should be made to the Ordinance, so that it adequately reflects the fact that the Planning Advisor did not recommend approval of this rezone.

Moved by Mr. McManis, seconded by Mr. Dozier, that Ordinance No. 5-4 be amended by adding the word "not" in the fourth Whereas clause, and deleting the words "and the Planning

Advisor” from Section 1. Vote on the motion was ayes: DeVito, Dozier, Maxwell, McManis, Skoczen and Smith. Nays: Zacharyasz. The motion carried.

Mr. DeVito stated that he is fairly convinced that, if the rezone is approved, this property will become a college rental, and thus he is strongly opposed.

Mr. McManis explained that changes in zoning take time and there is a process involved. Approving of this rezone will not set the proper precedent, and while he understands the motivation of the Applicant, this zoning change would not positively impact the City.

Moved by Mr. McManis, seconded by Mr. Skoczen, that Ordinance No. 5-4 be adopted. Vote on the motion was ayes: None. Nays: DeVito, Dozier, Maxwell, McManis, Skoczen, Smith and Zacharyasz. The motion failed.

ORDINANCE NO. 5-5: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR CONSTRUCTION OF A WEIGHT ROOM AT THE FIRE STATION, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mr. Maxwell, seconded by Mr. Dozier, that Ordinance No. 5-5 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. Mr. McManis had to leave the meeting and thus did not cast a vote. The motion carried.

ORDINANCE NO. 5-6: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA (“CRA”) AGREEMENT WITH RED CEDAR COFFEE CO., LLC. AND BAGLEY ROAD PROPERTY 1, LLC., AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mr. Skoczen, seconded by Mr. Zacharyasz, that Ordinance No. 5-6 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-7: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA (“CRA”) AGREEMENT WITH 1085 BAGLEY PROPERTIES, LLC., AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Maxwell noted that this Ordinance had been amended at a prior meeting so that the words “or his designee” would be added following the words “the Mayor” in both the title and Section 1.

Moved by Mr. Zacharyasz, seconded by Mrs. Smith, that Ordinance No. 5-7 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays:

None. The motion carried.

ORDINANCE NO. 5-8: AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BEREA, OHIO AN AMENDMENT TO THE CHARTER OF THE CITY OF BEREA BY AMENDING THE PREAMBLE, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mr. Skoczen, seconded by Mrs. Smith, that Ordinance No. 5-8 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

RESOLUTION NO. 5-11: A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF BEREA FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND SUBMITTING THE SAME TO THE CUYAHOGA COUNTY FISCAL OFFICER.

The Clerk read the title of the Resolution.

Moved by Mr. Dozier, seconded by Mr. Maxwell, that Resolution No. 5-11 be approved. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-12: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$5,250,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY-OWNED ADMINISTRATIVE OFFICES, TRAINING FACILITY AND SURROUNDING GROUNDS LEASED TO THE CLEVELAND BROWNS FOOTBALL COMPANY LLC, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mr. Maxwell, seconded by Mr. Zacharyasz, that Ordinance No. 5-12 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-13: 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.

Moved by Mr. Maxwell, seconded by Mr. Skoczen, that Ordinance No. 5-13 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-14: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE DEMOLITION OF THE WEST CENTER STREET BRIDGE, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mrs. Smith, seconded by Mr. Zacharyasz, that Ordinance No. 5-14 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-15: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR HIS DESIGNEE TO ADVERTISE FOR BIDS AND CONTRACTS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE PURPOSE OF REMOVING SLUDGE WASTE FROM THE MAIN LAGOON AND SECONDARY OVERWATERING LAGOON LOCATED AT THE SERVICE GARAGE, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Moved by Mr. Dozier, seconded by Mr. Maxwell, that Ordinance No. 5-15 be adopted. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

ORDINANCE NO. 5-17: AN ORDINANCE REPEALING AND REPLACING SECTION 327.22, TRESS, GRASS, WEEDS AND OTHER CONDITIONS AS A NUISANCE; ABATEMENT, OF CHAPTER 327, GRASS AND WEEDS, OF PART THREE, STREETS, UTILITIES AND PUBLIC SERVICES, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Mr. Skoczen stated that during the Public Participation portion of the meeting, an audience member had an additional question, and turned the floor over to him. Dr. Melampy asked if the Shade Tree Commission is functional and if they will be able to handle the review of treelawn plantings in a timely manner.

Mr. Skoczen replied that the Commission is functional and Mr. Armagno noted that they typically meet once a month and would have the time to keep up with these types of applications.

Mr. Maxwell stated that while this is not a perfect piece, Mr. Skoczen has been dealing with issues that involve overgrowth becoming a safety hazard for many years in his Ward. What is visually appealing is debatable, but what is a safety hazard is not. This piece came to be because current City Ordinances are not strong enough to prohibit overgrowth that has, indeed, become a sight issue and/or safety issue. This is not, as was suggested, a solution in search of a problem. There are problems, not simply in Ward 5, but all around the City. If it is determined that this piece has missed the mark, it can be revisited at a later date, but for now it provides City enforcers with a bit more authority so that they can, hopefully, clean up some areas and make the City more safe.

Mr. Skoczen echoed Mr. Maxwell's comments, adding that there are certain houses that pose safety hazards and City Ordinances would not hold in Court, should property owners be

cited, because they are not strong or specific enough. There have been situations where children on bikes have nearly been hit, and vicious cycles involving properties that continuously create hazards.

Mr. Skoczen stated that he is a science teacher himself and would be all for amending certain sub-categories because the goal is not to hinder plantings. He just wants the plantings to be undertaken responsibly, and safety concerns to be remedied.

Mrs. Jones noted that some of the issues that have been raised by Dr. Melampy this evening have been present in the Code for at least 30 years. While they may need to be amended at some point in the future, there is a specific issue that this Ordinance is attempting to resolve; one that should pass legal muster.

Dr. Melampy appreciated that Council is willing to make the effort to look in to amending the entirety of the Ordinances, as they can be interpreted in restrictive ways. He appreciated that the Shade Tree Commission will provide residents with some flexibility and that all treelawn plantings will not be banned.

Moved by Mr. Skoczen, seconded by Mr. Zacharyasz, that Ordinance No. 5-17 be amended by adding the words, “unless approved by the Shade Tree Commission” to Section 327.22(A)(1). Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

Moved by Mr. Dozier, seconded by Mr. Skoczen, that Ordinance No. 5-17 be adopted, as amended. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith 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.

ORDINANCE NO. 6-2: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE JOINT MUNICIPAL IMPROVEMENT CONSORTIUM FOR THE PURCHASE OF ROAD SALT AND OTHER DEICING MATERIALS, AND DECLARING AN EMERGENCY.

The Clerk read the title of the Ordinance.

Proposed Ordinance No. 6-2 stands on second reading.

LEGISLATION – FIRST READING:

ORDINANCE NO. 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.

The Clerk read the title of the Ordinance.

Mayor Kleem explained that DMark has been working with the City on North End redevelopment for some time now, and they have brought to the City a proposal for upscale townhouses. Mr. Dozier has held a couple meetings with residents in the area, and the proposal received unanimous support. The proposed sales agreement includes the Williams Ford parcels from Front Street to North Rocky River Drive and the parcel north of the former Williams Ford property up to Dunkin' Donuts. The agreement excludes those parcels on the eastern side of Front Street.

Mr. Maxwell clarified that the City will sell the property to builders who will, in turn, sell to buyers. He wondered if there is a mechanism in place to protect the City should there be a housing crash that prohibits these townhouses from being constructed. Mrs. Jones stated that Mr. Madzy sent a memo to Council that explained the Purchase Agreement is a draft for specifically that point. The last component of the agreement is adding language that will protect the City should the builder construct only a few houses and then walk away. She noted that this issue will be addressed over the course of the next few weeks, and Council will have the final agreement prior to the first meeting back in September.

Mr. Maxwell inquired about the duration of construction and Mayor Kleem stated that, while not finalized, the project would likely commence as early as next spring or summer and take three years to complete. He added that this company is a national builder, thus they are able to hold properties longer without losing money and are not in jeopardy of folding should things not go as quickly as planned.

In response to questions from Mr. Skoczen and Mr. Maxwell, Mayor Kleem explained that DMark will pursue additional opportunities for the remaining parcels in the MOU, and if interest emerges, the parcels will come forward in a separate purchase agreement.

Proposed Ordinance No. 6-4 stands on first reading.

ORDINANCE NO. 6-5: AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BEREA BY REZONING PERMANENT PARCEL NUMBERS 364-04-006, 364-04-007 AND 364-04-030 FROM COMMERCIAL CENTER (CC) DISTRICT TO MULTIPLE FAMILY (MFR) DISTRICT.

The Clerk read the title of the Ordinance.

Mrs. Jones explained that the parcels in questions are those of the former St. Mary's school and, should the rezone be approved, the developer would seek to renovate the building in to apartments.

Moved by Mr. Skoczen, seconded by Mr. Dozier, that Ordinance No. 6-5 be referred to the Municipal Planning Commission for review and recommendation. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

RESOLUTION NO. 6-6: A RESOLUTION SUBMITTING TO THE VOTERS OF THE CITY OF BEREA, OHIO, THE QUESTION OF THE RENEWAL OF THE 4.1 MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE CURRENT EXPENSES OF THE CITY OF BEREA, PURSUANT TO OHIO REVISED CODE SECTION 5705.191 AND ITEM XI-3 OF THE CHARTER OF THE CITY OF BEREA.

The Clerk read the title of the Resolution.

Mrs. Jones stated that this Resolution is identical to proposed Ordinance No. 5-2a, but must be approved once again due to a bit of confusion that prevented it from being delivered to the Board of Elections within the Charter imposed timeframe.

Moved by Mr. Zacharyasz, seconded by Mrs. Smith, that the three-reading rule be suspended for Resolution No. 6-6. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

Moved by Mrs. Smith, seconded by Mr. Dozier, that Resolution No. 6-6 be approved. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

REPORT AND COMMENTS BY THE PRESIDENT OF COUNCIL

Mr. Dettmer reminded everyone to, as things get back to normal, frequent and support Berea businesses. He further encouraged everyone to, as the signs around Berea say: Be Kind.

REPORTS AND COMMENTS BY THE MEMBERS OF COUNCIL

Mr. Skoczen hoped to see many people out and about this summer, especially at the Grindstone Festival.

Mrs. Smith announced that both she and Mr. Dozier are working with Julie Candela to put together a welcome back event in August for off-campus students. She will communicate the exact date once it has been established.

Mrs. Smith then stated that the Heritage Home Program has been brought back, which is exciting for owners of houses in the City that are over 50 years old.

Mrs. Smith concluded her report by wishing everyone a great summer!

Mr. Zacharyasz had no report.

Mr. DeVito stated that even though it rained, it was good to see people out for the Father's Day Car Show.

Mr. Dozier had no report.

Mr. Maxwell had no report.

Mr. McManis was no longer present.

CORRESPONDENCE

The June 3, 2021 – June 17, 2021 Correspondence is available in the Clerk's office.

OTHER BUSINESS:

Mrs. Esson apologized, once again, for her error with regard to Resolution No. 6-6, and thanked Mr. DeVito, who has offered to drive the approved Resolution to the Board of Elections.

Mrs. Esson then wished her adorable son a very Happy Birthday!

Moved by Mr. Skoczen, seconded by Mr. DeVito, that Council recess for the months of July and August. Vote on the motion was ayes: DeVito, Dozier, Maxwell, Skoczen, Smith and Zacharyasz. Nays: None. The motion carried.

There being no further business before Council, it was moved by Mrs. Smith and seconded by Mr. Zacharyasz, that the Regular Council Meeting be adjourned. Vote on the motion was all ayes and no nays. The motion passed and President Dettmer declared the meeting adjourned at 9:37p.m.

Jeff Dettmer
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 21st day of June, 2021, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Alycia Esson, Clerk of Council

RESPONSES TO OBJECTIONS TO GRASS ORDINANCE

327.22(A)(1) – Comment – prohibits trees in treelawns

Will add language to provide for an exception when planting is approved by Shade Tree Commission.

327.22(B)(1)(e) – Comment – problem with Goldenrod

Existing 327.22(b)(1) has always included goldenrod.

327(B)(1)(g) – Comment about what constitutes a trained professional

Response – new legislation already includes that trained professional must be in botany or a similar field to the satisfaction of the Director of Public Service. Not required to list all credentials.

327.22(B)(2) – Comments – wants clarification of insects

Existing 327.22(b)(1) has always included insects.

327.22(B)(3) – Comments – objects to finding that grass length is tied to fire hazard.

Existing 327.22(b)(2) has always designated a specific number of inches in order to constitute a nuisance. Six inches is in existing ordinance.

327.22(B)(5)(d) – Comments – planting in public right of way

Addition of Shade Tree reference above handles this.