

CITY OF BEREА, OHIO

**MINUTES OF A REGULAR COUNCIL MEETING
HELD OCTOBER 19, 2009**

Council of the City of Berea, Ohio, met in the Council Chamber on October 19, 2009, and was called to order at 7:30 p.m. by President of Council James J. Brown, with Mary K. Brown, Dale A. Lange, Margarette S. Key, Jim Maxwell, Dean W. Van Dress. Absent: George Capellas, Nick Haschka. The Pledge of Allegiance followed.

The Clerk's certificate of compliance with C.O. Section 109 and Section 121.22 of the Ohio Revised Code was filed with Council records in the Clerk's office.

Moved by Lange, seconded by Van Dress that the Minutes of the October 5, 2009 Regular Meeting be approved as circulated. Vote on the motion was all ayes and no nays. The motion carried.

MAYOR'S ADMINISTRATIVE REPORT

Mayor Kleem said the Bagley Road re-surfacing project has started and should take a couple of days to complete. Work on this project is being done in the evening and early morning hours.

PETITIONS

AUDIENCE PARTICIPATION

Darin Smith commended Service Director Brown and his department for correcting the unwanted speed bump problem on N. Rocky River Drive.

LEGISLATION

The following Ordinance was read by title for third reading:

AN ORDINANCE ENACTING NEW CHAPTER 1362, "ABANDONED RESIDENTIAL PROPERTY REGISTRATION" OF PART THIRTEEN, "BUILDING CODE," OF THE CODIFIED ORDINANCES OF THE CITY TO PROVIDE FOR REGISTRATION, SECURITY, MAINTENANCE AND ABATEMENT OF ABANDONED RESIDENTIAL PROPERTIES. (9-6)

Moved by Van Dress, seconded by Brown that the Ordinance be adopted. In response to Councilman Maxwell, Law Director Sponseller explained that this legislation would supplement the legislation that was passed requiring registration of foreclosed homes. This would help to ultimately eliminate the impact of foreclosed and abandoned homes in the City. Also in response to Mr. Maxwell, Mr. Sponseller said it is possible that two fees could be imposed – one for registering the foreclosed property and one if it is also abandoned.

Vote on motion to adopt was ayes: Key, Lange, Maxwell, Van Dress, Brown.
Nays: none. Motion carried. Ordinance No. 2009-71 passed.

The following Ordinance was read by title for second reading:

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, 2009, AND EXPRESSLY REPEALING ORDINANCE NO. 2009-57. (10-2)

Mrs. Kavander reviewed the changes in the appropriations for 2009. In the General Fund #100, **Finance Personal Service** increased by \$8,000 due to increased part-time wages, prior year end payouts and court indirect reimbursements. **Law Personal Service** increased by \$7,175 due to reduction of youth diversion funding and prior year payout.

Public Service Department Personal Service decreased by \$60,000 due to reallocating appropriations. **Public Safety Department, General Admin-Police Personal Service** increased by \$4,000 for actual estimated wages exceeding original budgeted wages for part-time to full-time employee. **Transfers** increased by \$35,000 due to reallocation of wages between service department funds.

Recreation Department Fund increased by \$14,500 due to increased donations for Social Service Adopt-a-Senior. **SCMR Personal Service** increased by \$60,000 due to allocation of service wages.

Fire Pension Fund increased by \$6,000 due to third quarter estimates. **Police Pension Fund** increased by \$14,000 due to third quarter estimates.

Street Lighting Fund increased by \$80,000 due to additional street lighting repairs and electricity costs offset by revenues collected.

Probation Service Other increased by \$5,000 due to reallocation of probation expenditures from the General Fund. This amount is covered by probation revenues. **Court Special Project** increased by \$40,000 due to security costs. This amount is offset by additional revenues.

State Highway Patrol Fund – Other increased by \$2,000 due to additional estimated revenue available for Cleveland Law Library disbursements.

General Bond Retirement Fund-Other increased by \$30,000 due to additional costs for BAN's. The **Water Revenue Fund** increased by \$34,762 due to OWDA and Issue 2 loan payments. The **Regional Sewer Fund** increased by \$220,000 due to revenues received for NEORS.

In response to Mr. Maxwell, Mrs. Kavander said it appears the Court is doing better than she had earlier projected. She explained the Probation Department is generating more revenue so the General Fund does not have to help cover those expenses. Mayor Kleem said the Court is also taking a more aggressive attempt to collect outstanding monies. Mr. Sponseller said they are using an outside agency and also have a special collection day in an attempt to collect outstanding monies.

Proposed Ordinance No. 10-2 stands on second reading.

REPORTS

Dale A. Lange, At-Large

Mr. Lange urged everyone to vote for Issue 9, the Southwest General Healthcare System levy.

He congratulated the Mayor and his staff on the success of the recent Harvest Festival and Trick r' Treat event. He also said the Mayor had planned a fans party for the Cleveland Browns players when they left to go to Pittsburgh. The Mayor said they plan to do another one in a few weeks.

Mr. Lange said this is the last week to accept nominations for the Employee Recognition Awards program.

Finally, he wished his wife, Cheryl, a happy 46th wedding anniversary today.

Mary K. Brown, Ward 5

Mrs. Brown reminded everyone of the Berea Chamber of Commerce Bizfest that will be held at Polaris Vocational Center on Tuesday, October 20th from 5:00 to 7:00 p.m. The City of Berea is one of the sponsors. Admission is free, but there is a \$3.00 food sampling fee.

CORRESPONDENCE

The President of Council noted that a listing of correspondence received by Council for the period of October 1, 2009 through October 14, 2009 has been provided

to Council and the referenced material is on file in the office of the Clerk and available for public inspection.

OTHER BUSINESS

President of Council said there were enough members present tonight to conduct the meeting, but not enough members to suspend the three reading rule on proposed Ordinance No. 10-2. He said this legislation needs to be passed before the end of the month.

It was then moved by Van Dress, seconded by Maxwell that Council hold a Special Meeting on Monday, October 26, 2009 at 7:00 p.m. in order to discuss and adopt proposed Ordinance No. 10-2 on third reading. Vote on the motion was ayes: Key, Lange, Maxwell, Van Dress, M. Brown. Nays: none. The motion carried.

There being no further business to come before Council, moved by Van Dress, seconded by Lange to adjourn the meeting. Vote on the motion to adjourn was all ayes and no nays. President of Council Brown declared the meeting adjourned at 7:55 p.m.

James J. Brown
President of Council

Kathleen Russell Olmeda, MMC
Clerk of Council

CERTIFICATE OF COMPLIANCE

The regular meeting of Council of the City of Berea, Ohio, held on the 19th day of October, 2009, was conducted in compliance with Codified Ordinances Section 109 and Ohio Revised Code Section 121.22.

Kathleen Russell Olmeda, MMC
Clerk of Council