Committee of the Whole Meeting

January 19, 2022
4:30 p.m.

Keith Benjamin, President Pro Tem
Joyce Burke-Jones
Tracy Hoefling
Gina Huffman
Tom McDonald
Rod Taylor
David J. Matty, Esq.
Nancy L. Molnar, RPR, CLR

Mr. Benjamin: Good evening. I'm your guest host. Happy New Year. It is Wednesday, January 19, 2022, at 4:30 p.m. And this is the Bratenahl Village Council Committee of the Whole meeting.

And, Madam Clerk, if you will call the roll, please.

Ms. Cooks: Thank you. Mr. Benjamin?

Mr. Benjamin: Here.

Ms. Cooks: Ms. Burke-Jones?

Ms. Burke-Jones: Here.

Ms. Cooks: Ms. Hoefling?

Ms. Hoefling: Yes.

Ms. Cooks: Ms. Huffman? Mr. McDonald?

Mr. McDonald: Here.

Ms. Cooks: Ms. Taylor?

Mr. Taylor: Here.

Mr. Benjamin: All here, except Ms. Huffman.

Next on the agenda is approval of prior meeting minutes. There were meeting minutes sent, emailed to us for the December 15, 2021 Committee of the Whole meeting.

Are members of Council ready to consider those for passage?

Mr. McDonald: So approve.

Mr. Benjamin: Do we have a motion?

Mr. McDonald: So approve.

Mr. Benjamin: Second?

Ms. Hoefling: Second.

Mr. Benjamin: Moved and second. Roll call, please.

Ms. Cooks: Mr. Benjamin?

Mr. Benjamin: Here. I mean, aye.

Ms. Cooks: Ms. Burke-Jones?

Ms. Burke-Jones: I abstain because I was not there.

Ms. Cooks: Ms. Hoefling cannot vote.

Mr. Benjamin: I think you also abstain.

Ms. Hoefling: I abstain because I was not on Council at that time.

Ms. Cooks: Mr. McDonald?

Mr. McDonald: Aye.

Ms. Cooks: Mr. Taylor?

Mr. Taylor: Aye.

Mr. Matty: Well, you have to redo that.

You only have three votes. So maybe is Councilwoman Huffman coming?

Mr. Benjamin: Yes.

Mr. Matty: We can do that later. Put that on the agenda for later, please.

Mr. Benjamin: Okay. Next on the agenda is the motion to move into executive session for the purposes of discussing pending litigation. Do I have a motion to move into executive session?

Mr. McDonald: So move.

Mr. Taylor: Second.

Mr. Benjamin: Moved and seconded. Roll call, please.

Ms. Cooks: Mr. Benjamin?

Mr. Benjamin: Aye.

Ms. Cooks: Ms. Burke-Jones?

Ms. Burke-Jones: Aye.

Ms. Cooks: Ms. Hoefling?

Ms. Hoefling: Yes.

Ms. Cooks: Mr. McDonald?

Mr. McDonald: Aye.

Ms. Cooks: Mr. Taylor?

Mr. Taylor: Aye.

Mr. Matty: Mr. President Pro Tem, I'd ask for Chief LoBello to attend the executive session.

Mr. Benjamin: Yes, absolutely.

Mr. McDonald: Is your mic on?
MR. BENJAMIN: So we’re going to adjourn to executive session for probably no more than one hour. And we will back and resume the Committee of the Whole meeting.

(Whereupon, Council moved into executive session at 4:34 p.m.)

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(Whereupon, Council moved back into public session at 5:51 p.m.)

MR. BENJAMIN: Okay. Welcome back. Can I have a motion to adjourn the executive session?

MR. McDONALD: So move.

MR. TAYLOR: Second.

MR. BENJAMIN: It’s been moved and seconded. Roll call?

MS. COOKS: Mr. Benjamin?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Burke-Jones?

MS. BURKE-JONES: Aye.

MS. COOKS: Ms. Hoefling?

MS. HOEFLING: Aye.

MS. COOKS: Ms. Huffman?

MS. HUFFMAN: Aye.

MS. COOKS: Mr. McDonald?

MR. McDONALD: Aye.

MS. COOKS: Mr. Taylor?

MR. TAYLOR: Aye.

MR. BENJAMIN: Thank you. Let the record show that Councilwoman Huffman has joined us. And we will now move on to other agenda items on our Committee of the Whole meeting. Do we also need a motion to enter back into Committee of the Whole?

MR. MATTY: Yes.

MR. BENJAMIN: Now I’ll ask for a notion to enter back into the Committee of the Whole.

MS. BURKE-JONES: So move.

MS. HOEFLING: Second.

MR. BENJAMIN: Moved and seconded. Roll call, please.

MS. COOKS: Mr. Benjamin?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Burke-Jones?

MS. BURKE-JONES: Aye.

MS. COOKS: Ms. Hoefling?

MS. HOEFLING: Aye.

MS. COOKS: Ms. Huffman?

MS. HUFFMAN: Aye.

MS. COOKS: Mr. McDonald?

MR. McDONALD: Aye.

MS. COOKS: Mr. Taylor?

MS. TAYLOR: Aye.

MR. BENJAMIN: Next on the agenda we delayed from earlier in this meeting, which was the approval of the December 15, 2021 minutes of the Committee of the Whole meeting. Can I have a motion to approve those minutes?

MR. McDONALD: So move.

MS. COOKS: Mr. Benjamin?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Huffman?

MS. HUFFMAN: Aye.

MS. COOKS: Mr. McDonald?

MR. McDONALD: Aye.

MS. COOKS: Mr. Taylor?

MR. TAYLOR: Aye.

MR. BENJAMIN: Thank you very much.

Next on the agenda is presentation from Brian Thunberg, who’s with the Regional Income Tax Agency. For those of you in attendance tonight, for many years we have been using CCA to collect our local income taxes. And thanks to the efforts of corporate counsel, Councilmember Jim Puffenberger the last couple years, last year we moved to joined the Regional Income Tax Agency to collect our income taxes. I can say that the process for me personally, the process has been much easier, so thank you.

So I will hand it over to Mr. Thunberg to make a presentation.

MR. THUNBERG: Thank you. First and foremost, I wanted to say thank you to Diana and Mr. Puffenberger for all the work that they put into the transition to RITA over the last year. I also have with me in the audience Dawn Kuznik who is part of our member services department. So I wanted to do is take a couple of minutes and just share with you our first year together and our partnership. And while the transition went very well, we saw some great things happen with the Village of Bratenahl over the first year.

I put some notes together. One of the things that I really wanted to point out is, number one, increase in collections from year to year...
looking at an increase in collections over years.

they were entitled to a refund, they were able to

use our electronically file systems, Bratenahl. That's 54 percent of your taxpayers

folks file a tax return for the Village of this year. We have determined that there were 491

submitted to the Village of Bratenahl. And that's basically from an FTI, Federal Tax

programs are continuing to move on as we go into 2022.

MS. HOEFLING: Do you attribute that increase to new accounts, that 34 percent?

MR. THUNBERG: Not necessarily. What I do attribute that to is I do attribute it to the other programs that we have, which are our delinquent programs where we send out nonfiler letters. And we also are involved in litigation with some taxpayers as well.

With that, we actually identified 136 new accounts this year of people who were never on your tax rolls before or possibly that they were delinquent for several other years that have never filed and paid, which those continuing programs are continuing to move on as we go into 2022.

I attribute that to finding new money. And that's basically from an FTI, Federal Tax Information. That's essentially what we've been able to do is identify folks who have not filed and paid before. Maybe they've been delinquent several years that have never responded to a nonfiler letter.

However, using Federal Tax Information, we have their information on hand. Therefore, we can file the return on their behalf and now we'll know their exact tax liability and we can bill them accordingly.

What was new to the Village of Bratenahl is using E services, so electronic filing this year. We have determined that there were 491 submissions of E-file taxpayers this year. And basically what that equates to is you have 897 folks file a tax return for the Village of Bratenahl. That's 54 percent of your taxpayers were able to use our electronically file systems, file, pay, whether they were to get a refund. If they were entitled to a refund, they were able to do that as well.

Again, what we're looking at is we're looking at an increase in collections over years.

As our programs and our compliance programs begin to kick in in 2022, we're going to be able to also add on to those collections. And, again, making sure that Bratenahl is getting all the money that they are entitled to, whether it be from a withholder, whether it be from an individual or other sources of taxpayers who may work in the Village and live elsewhere, such as Schedule C filers having small businesses and whatnot.

One of the last things that I wanted to bring to your attention, which I'm sure you do know, but Bratenahl is very unique in the way that your collections come in. 78 percent of your collections come from your residents. So you're very heavily dependent on our residents, which makes our job even more important where we're able to identify those taxpayers and make sure that they're on file and paying and making sure that the Village is getting all of those dollars that are attributed and should be submitted to the Village of Bratenahl.

Any questions on any of those couple of things that I touched on by any chance?

With Council, one of the other things that I wanted to bring up, which is a big issue, is working from home. I think everybody has understood what that has -- the challenges that folks have had over the past couple years with COVID. Now, as of January 1, 2022, you're going to see companies large, small, whatever their scale of business is, they're using more people where they're working remotely, they're working from home. And in my opinion, I would suspect that the Village of Bratenahl is going to be the benefactor of that.

So you may have a person who always traveled to Downtown Cleveland paying two and a half to Cleveland, then paying their one percent to Bratenahl. However, if they're working from home full-time, that full two percent now is going to come to the Village of Bratenahl. So not only are you getting the one percent charges there, but you're getting another one percent on top of that.

What we've been able to do is we've been able to put some studies together and determine where all of your folks work. Those are some statistics I'll be able to give to Diana here in the very near future. So if there's any
questions on where people are working, how much
money could be allocated or reallocated back to
the Village, those are some numbers that we put
together.

Now, pre-COVID we were able to do an
analysis of 10 percent increase, 20 percent
increase and 30 percent increase depending on the
work from home statistics. Basically what we’re
seeing right now is there are larger companies in
surrounding communities such as Cleveland,
Euclid, Beachwood, those companies are not
bringing their folks back. And those folks that
are not working in those communities anymore are
now working from home here in Bratenahl, which
will be seeing those increase in dollars.

So I think that it’s going to be
twofold. I believe that there’s going to be an
increase in dollars from those people
transitioning to a work-from-home environment,
then I also see from a compliance standpoint
where we’re still going to be able to add
accounts and add revenues to the coffers of the
Village of Bratenahl come in 2022. So that’s
something that we’re very excited about.

We’re super excited about our
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1 partnership that we’ve had over the year. Diana
has been such an asset to us and to me
personally. We communicate all the time with one
another. If there’s anything that she needs, I’m
available to her as well as Dawn is as well, and
our members services department and also Council
is available as well.

We did bring a couple little folders
with some stuff in it just so you guys have it.
My card is in there. So again, I open up to
Council. If you have any questions, you’re more
delighted than welcome to contact me directly. I’ll be
happy to answer any questions that you have.
With that, I’ll open up the floor with
any questions.

MS. HOEFLING: I know employers can file
on behalf of the employee and the individuals can
file. How many employers are actually filing?
What’s the percentage of employer versus
employee?

MR. THUNBERG: Sure. The amount of
withholding you get is only 22 percent from
withholding dollars. It’s next to nothing for
net profits for corporate income tax, it’s a very
small portion. So the lion’s share of all of
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last year, but I want to thank Diana for her work
on this. Certainly transitioning to a whole new
collection agency is not an easy task, so I want
to thank you for your hard work on that.

MR. THUNBERG: We do really appreciate
it. We appreciate the partnership that we have
with the Village. I think it’s a fantastic place
and partnership with RITA. And we’re looking
forward to 2022. And, again, I’ll continue to
keep Diana up-to-date on estimates or anything
that changes that’s coming in the upcoming
months.

MR. BENJAMIN: Okay. Any other
questions?

MS. COOKS: I do have a comment. Thank
you very much, Brian, for coming. And it has
been a great transition and a great relationship
over this past 18 months. And so I really
appreciated any time I called you, you give me
whatever information I need and I appreciate it.

MR. THUNBERG: Thank you.

MS. HOEFLING: Thank you for being here.

MR. BENJAMIN: Thanks for coming.

MR. THUNBERG: Thanks very much and
congratulations on your new appointment to
I'm blessed to look younger than I career, which I have been in the industry for 24 with Epic Engineering pretty much my whole and some engineers that we have on the team, work is there's a team behind us both at our office along, we're on page 3. What you're not seeing be here tonight. Thank you. a lot of safety projects as well. I'm happy to the future. So Jeff and I work hand in hand with looking to adapt to reuse or preserve them for so I understand there's buildings here we're looking to adapt to reuse or preserve them for the future. So Jeff and I work hand in hand with a lot of safety projects as well. I'm happy to be here tonight. Thank you. Mr. Meyers: If you want to follow along, we're on page 3. What you're not seeing is there's a team behind us both at our office and some engineers that we have on the team, work with Epic Engineering pretty much my whole career, which I have been in the industry for 24 years. I'm blessed to look younger than I
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1 police, along with the city halls and community centers.
2 On page 7, we have five studios. In addition to the public safety studio, which is mine -- does everybody have a copy?
3 Along with our public safety studio, Eric mentioned his work in the historic preservation studio adaptive reuse. He's been recognized by the Cleveland Restoration Society for the work we do on those. And then we also have a hospitality and entertainment group that would oversee some of the Community Center functions.
4 When you think about it, the Community Center entertains the public very similar to maybe some other industry hospitalities. So those all three studios all in-house, combine them together, we think we can understand all the different pieces and aspects of the project.
5 I often say everybody that comes and has made it this far to talk to you has experience. 22 They all have a portfolio. And I want to talk about what I think makes us a little different and that's our core values. That's not a marketing ploy. I talk about it to every Molnar Reporting Services, LLC (440) 340-6161

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1 potential client, every engineer we work with, every contractor we work with and at the office we talk about it.
2 So just quickly, our first core value is variance. And in this scenario, when we built this, when this gets to that point when we're doing three different sites, on sites, we need to be thinking that we're designing this for a generation that's not even born yet. This facility will outlive me and my children, my grandchildren. So we want to be fair to the architectural process that it takes to design a facility that's going to last 50, 60, 70 years.
3 Trustworthiness, it's easy to say the firm has been around since 1983. I joined in 2002. You can trust us, but that's not what we mean. We believe in partnership with the organizations and the communities we work with. We trust you. We know that the answer to these questions is somewhere in the middle of all of our opinion. And that's what we trust. We trust our engineers. We trust you. We don't take an adversarial approach with this. Without you, this will not be a successful project.
4 Now, convictions are clear. When we Molnar Reporting Services, LLC (440) 340-6161

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1 start with an architectural project, we're starting with an issue we need to solve next. As you start to solve that problem, you're going to come up against other issues. When you come up against those, we need to be excited about the opportunity to solve it in a unique way. And that's the way we attack issues and problems.
2 Fourth core value is Eric's collaboration. He's in charge of making sure we get together. As Director of Design, he wants to get ideas from everyone. And our fifth one is commitment to knowledge, always learning, always teaching. We know that we need to learn about your community in order to do a good job. Always learning.
3 The last second before I turn it over to Eric is what we call we listen, we lead, we innovate. We'll focus in on this a little more, but we understand there's been a lot of studies done. And our job is to take those studies, compile them and make a recommendation of how to actually move forward.
4 We have a long history going into communities that have been studying stuff. Sometimes I call it paralysis by analysis. Molnar Reporting Services, LLC (440) 340-6161

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1 We've been able to take that and take them into reality by doing the DS Architectural process. So we understand that there are seven puzzle pieces basically to this. There are three sites. There's a police station, a city hall, the parks, and the Community Center. And how those seven pieces fit together, ultimately that's the puzzle we are all going to solve.
2 MR. PROS: Thanks, Jeff. We'll talk a little bit more about your project. I hope you guys can hear me okay. If I need to move somewhere for better acoustics, let me know.
3 Taking what Jeff is talking a little bit further, I'm going to walk you through what our process might look like. We resisted the urge to start looking at ideas and start testing out floor plans. That's obviously what we like to do, but we didn't want to do too much before we had a chance to talk to you guys. We'll talk about your project. As Jeff mentioned, we know it's not easy. You'll think there's a lot of moving parts that need to be considered, so we'll talk a little bit more about that.
4 I'm on page 11 here if you want to follow along. There's graphics. Don't feel like Molnar Reporting Services, LLC (440) 340-6161
you have to. I'm a visual person, so I like to look at things as well.

As Jeff mentioned, we recognize that there's been a number of studies that have been done over the past few years or so. Our job now is to do not another study with this. You've done that enough. We need to take the studies and turn them into something that's actionable and gives you some good sounding board, something to test your ideas against, but hopefully can make some decisions and come to a resolution.

So we recognize that the police is one of the big components, as Jeff mentioned. You're looking for growth in the future, flexibility, thinking ways to future proof your police station. Technology is going to continue to change. Trying to be mindful of how the department will function 50 years from now. You always have to think in these long-term scales if you're looking at public buildings. You might not have a chance to do this again for a very long time, so we make sure we're thinking about the future.

We know that there's, as Jeff said, three different sites that you're considering:

Where we are currently, the Village Hall, and also the high school site. So all of them have opportunities. All of them have challenges. Our job is to help you decide where the best move would be.

What we've done here, we did take a little step beyond where we should have. One of the things we like to do as part of our process is define the goals of the project, critical success factors. So it's really easy for us to come up with ideas and different solutions, but if we're guessing or we're shooting in the dark, we'll never get to a solution that's really going to help you guys. We start thinking about a couple that we think are something we want to definitely study. And I have four of them listed here.

So thinking about community access, you know where we are currently here, you're on one side of the town. Is a more central location advantageous, is something that's more connected to the thoroughfares or transportation corridors more effective. Thinking about how the community gets to these buildings is important for us to think about.

The next one will be operational and financial efficiencies. Are there advantages to having some of these building components together. Police and admin are now currently together. Not ideal. You're in a facility that was never designed for that. Should we be thinking about a facility that is designed that way or are they better off actually having their own spaces to function out of. That's something we'll think about.

Obviously there are some advantages from a cost standpoint when you bring multiple people in-house. You can share some functions, you can share a conference room, you can share different facilities, you know, are those worth the tradeoffs back and forth. We want to think about future development. If one of these three sites is no longer needed for a city function, could it be used for the city? Could the stakeholders be beyond the city government, but are there future development, residential development in the future.

The other thing we want to do is we want to think about the police. Again, as Jeff mentioned, we do a lot of police work. We taught ourselves in that area, but every department is different, every locality is difficult. We have to give time to think about that and make sure we're analyzing all of the moving parts.

MR. MEYERS: It's important to know that we understand that, too, the Village schedule and budget is a critical success factor. That's no matter where we go. Those two things will be critical, but these six things are things that we're going to work with these four with you to determine them. How do we know at the end of the project that this was successful beyond budget, beyond schedule? How do we know as a community, as a Village, that this is successful?

MR. BENJAMIN: One question, while you're at possibilities for future development, you had mentioned possibilities for future use by the Village or government entity. Would you also look at potential future use by a private developer?

MR. PROS: I think so.

MR. BENJAMIN: As a commercial?
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1 it was some kind of public partnership that could
2 be advantageous, certainly. We're not interested
3 in maintaining property that has a higher and
4 better use some other way.
5
6 MR. BENJAMIN: As part of this process,
7 would you be able to do a cost benefit analysis?
8
9 MR. MEYERS: So we actually started
10 that. That's the thing, how much do we want to
11 show you before we start the process.
12
13 MR. BENJAMIN: Okay.
14
15 MR. MEYERS: We worked with a gentleman
16 who comes from GBX, he's here in Cleveland, but
17 they take old buildings and look at them from a
18 private standpoint. Something like this could be
19 eligible for tax credits for a private developer,
20 not for the Village. So this site in particular
21 could have a big return on investment that we
22 started talking about. So yes, that would be
23 part of this. It will be a cost analysis, a
24 benefit analysis, a risk analysis.
25
26 MR. BENJAMIN: Thank you.
27
28 MR. PROS: That's a great point. This
29 is why we want to be in the room to have
30 discussions about the opportunities.
31
32 MR. MEYERS: Interrupt any time.

30

1 MR. PROS: Absolutely. And thinking
2 about each of the departments, I'm thinking these
3 critical success factors here in umbrella terms, 4 but thinking about the police station or any of
5 these, they're going to have their own critical
6 success functions. Thinking about just providing
7 a space that gives dignity for the officers
8 coming on duty. You need a facility. It doesn't
9 have to be fancy, but you want them to feel
10 respected and honored, thinking about the level
11 of service to the community. Does your
12 facility --
13
14 MR. TAYLOR: Please speak up.
15
16 MR. PROS: Sorry. What I'm saying is
17 each of the departments will have their own
18 success factors as well.
19
20 We'll flip to the next page here. Sorry
21 I'm talking too much. Jeff mentioned our
22 process. This is listen, lead and innovate
23 process. The listening starts now. We met with
24 the Mayor, done some research, done some digging,
25 but we really want think about all of you and go
26 back and validate those reports that were done
27 previously. Make sure that the information that
28 was put out 20 years ago is still relevant, that

31

1 things haven't changed. So that listening
2 process will start right away.
3
4 The leadership part is us helping you
5 make decisions, helping you present information,
6 make it easy to understand, that's our leisure
7 process. And innovation is going to come about,
8 as it always done with every project, there's
9 never one perfect solution. There's going to be
10 tradeoffs, there's going to be decisions that
11 need to be made. And that's when the innovation
12 comes in. Are there creative ideas for how to
13 use this building as Jeff was saying.
14
15 Is there something not in the reports
16 yet we can start to uncover a little bit. That's
17 the innovation that gets me excited as the
18 Director of Design. You start a project out.
19 You always think you know where it's going to go,
20 but there's always twists and turns along the way
21 that provide opportunities for innovations. So
22 that's what we do.
23
24 I'll walk you through the steps of what
25 that might look like. I'm on page 14 here.
26
27 These are generic to paint a picture of what this
28 process will look like. We're targeting August
29 as a place to be done with our report so we can
30 put something in your hands. If you need to put
31 something on a ballot or something to be decided,
32 it gives you a couple months to do that before
33 November. So August is circled on our calendar
34 as a target date. So it gives us several months
35 to walk this project through and we won't be
36 rushing.
37
38 We want to start by validating
39 information. There's several hundred pages of
40 documentation. We do that with you guys and make
41 sure that all still is valid. And then
42 places where there's gaps or information that's
43 not provided yet, make sure we sit down and have
44 interviews with the Police Department, with other
45 folks that weren't in part of those reports
46 previously.
47
48 So this is a couple images of us talking
49 to fire chiefs, talking to police chiefs, talking
50 to mayors and getting everyone's opinions so we
51 can get all that information and start to
52 evaluate it.
53
54 Next we're going to start doing some
55 envision. Flip to page 15 here. This is what
56 your neighbors up to the north in Euclid and also
57 out in Newbury Township, we're working with them
on their fire station currently. So we welcome
involvement as much as you guys would like, but,
you know, from the citizens, from the various
stakeholders in these organizations, we want to
hear people's ideas. It helps them get brought
into the idea. If you ever did need to go on a
ballot, I think people feeling heard and feeling
involved only helps create the civic pride and
energy that you need for a project to be
successful.

MR. MEYERS: One of the values we bring
is if you have to go to the ballot is we've been
through a process a lot. We have a tested
approach that has a very successful pass rate. I
can't guarantee it, but we've never had a
community not get it passed. Some of them had to
go a second time, but we've never had somebody
shelve a project. This approach is pretty simple.
We can go over that in more detail if you like,
but that's something that we bring a value to
this project from our experience.

MS. HUFFMAN: I would have really liked
to have heard that.

MR. MEYERS: Do you want to hear that
now?

MR. MEYERS: It’s empowering your
community to take ownership of the project.
That’s the summary of what we will do.

MR. PROS: Flip to the next page here.

So next step after we do this visioning,
listening a step further, is to kind of get into
leadership and looking at programming. Each of
the spaces that you identified that needs to be
represented in this final solution, we're going
to pull that apart a little bit, figure out what
the needs really are. It's kind of tiny, but
start looking at the spaces.

Are there opportunities for there to be
shared or do you really need some privacy and
derseparate things? I know the Mayor's office
currently, it's not ideal, but everyone is kind
of in the mix there, probably not ideal, but
maybe there is an operational efficiency that

comes about by having people next door to each
other, something we want to think about.

Part of this also, every single room
makes a room data sheet. Does it need power?
Does it need a projector for people like us that
forgot to bring ours today. All of those needs
that the rooms need to function properly. We'll
have a list of those things. It's a wish list.
We'll start off with what we want and then we'll
come down to what's reasonable, what's fair,
what's the right approach. So the programming
phases really is where we start to talk about
specifics of the spaces and how those start to
make sense.

Next what we'll do, we'll come up with
an initial report. It has a chance for you guys
to give us feedback, kind of work through that,
make sure that we're addressing all the items,
kind of a rough draft, if you will. If we had to
pick a time, say July or something, give a month
for us to come back and forth, make sure we're
really understanding the story.

Here you see a couple ideas. We did a
civic campus for the City of Kent on the left
there, so looking at how the new police station

was going to fit on that site, how it interacts
with the college. There’s a lot of different
functions there you’re looking at. We'll start
off big picture and really drill into some of the
details.

MR. MEYERS: They had 13 sites we
studied for them.

MR. PROS: We found a good one for them
finally.

MR. MEYERS: That was fun.

MR. PROS: On the right here this is the
Village of Tallmadge. They have a new fire
station and they’re building a new roundabout.
So if some of you know Tallmadge, they have that
one big roundabout in the middle of the city.
They're going to propose another one here. So
how does that start to change that community,
that neighborhood? Is it going to feel a lot
different with that traffic pattern. So thinking
about all the impacts that decision has as part
of our process there.

MR. MEYERS: As we move into the next
step, which is the final document, I always say
if an architect doesn't challenge a community and
its leadership to think differently, they're not
worth what you're paying them. So we will challenge you. We may not always agree with all of you, we can't always lead by consensus, so we're going into this with open eyes.

We don't have a preconceived idea of where this is going to end up, but we will lead you through a process together where there will be tangible actionable items. And that's what that final document will tell you and your community from our professional opinion on how to move forward from a lot of years and a lot of community experience.

I think it's important to know that we're walking in here with eyes wide open. There's been at lot done that's good that will help us build this case to where we go, but ultimately it's going to be a lot of discussion and interaction.

MR. PROS: An image here is just kind of a diagram we looked at, Kent's new police station. The site that they chose responded to the college, responded to the historical downtown, it responded to the commercial downtown district and the residential areas, so there's a lot of input. The whole city is really kind of

represented for the site that they chose. So just examining those impacts the site has and how that building reflects on the community.

As Jeff said, the final report will hopefully give you at least not one recommendation but a culmination of all these ideas into something that should make things a little less murky, right? Clear the mud a little for you guys. At the end of the day, the final slide here, what we strive to do is inspire together. As Director of Design that's what's get me excited every day to go to work is working with folks like you guys, to envision the future and inspire you guys to think about facilities.

So if you have any questions, happy to answer anything you might have. Thank you for your time tonight.

MR. MEYERS: We're both Kent State University grads. We do work at the University and for the city.

MS. HUFFMAN: So that was the new detail?

MR. MEYERS: Our firm was part of the new downtown development. We were part of the two phases of that document and part of the city

1 campus down there.

MS. HUFFMAN: You all got good reviews.

I sat with some people from that. They love that. I frequent Kent regularly and so to see the way it used to be to what it is now.

MR. PROS: Amazing.

MS. HUFFMAN: Yes.

MR. PROS: When I first went to college, none that was there. It's amazing to be there.

And it's one of those things you don't realize how fast it's growing when you're right there watching it. When you take a step back, you see how far it's going.

MR. BENJAMIN: All right. Thank you, Jeff and Eric. We appreciate you giving your presentation tonight. Before we adjourn this part of the meeting, any other questions from members of Council? Thank you very much.

So our next step in this process will be to probably have another Committee of the Whole meeting sometime in February where we can sit down. And I believe this was the third and last of the proposals from prospective architect and engineering firms. So we can have a discussion about the proposals and then make a decision on

Moving forward with the next part of our agenda, we're going to the recreation fee schedules proposed for 2022. And I know that Sue is here.

MS. CAPELLO: Sue is here.

MR. BENJAMIN: The only major change that I saw compared to the previous rate sheet is the addition or actually the additional $10 an hour for a police officer. So we're going from $40 an hour to $50 an hour; is that correct?

MS. CAPELLO: Yes.

MR. BENJAMIN: And then the garden plot fee of $25 has been memorialized in this document as well.

MS. CAPELLO: Yes.

MR. BENJAMIN: And then I noticed that the setup time, the free setup time has jumped from two hours to three hours?

MS. CAPELLO: Yes. (Laughter.) For like wine and beer tasting, it was $20. It's going up to 30.
MR. BENJAMIN: $30. Okay.

MS. CAPELLO: And that's it.

MR. BENJAMIN: Thank you. Any discussion on the new rate sheet? If none, can I have a motion to entertain the acceptance of the Community Center rental prices for 2022?

MR. McDONALD: So move.

MR. TAYLOR: Second.

MR. BENJAMIN: It's been moved and seconded. Roll call.

MS. COOKS: Mr. Benjamin?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Burke-Jones?

MS. BURKE-JONES: Aye.

MS. HOEFLING: Aye.

MS. COOKS: Ms. Huffman?

MS. HUFFMAN: Aye.

MS. COOKS: Mr. McDonald?

MR. McDONALD: Aye.

MS. COOKS: Mr. Taylor?

MR. TAYLOR: Aye.

MR. BENJAMIN: Okay. Next is resolution 1241, a resolution authorizing the Mayor to renew the Village architect services agreement with Van Auden Akins Architects, LLC for architect and related services and declaring an emergency.

And looking at the agreement, it is basically extending the agreement from the previous years and the cost has not increased. The cost is not to exceed $20,000. Is there any discussion regarding this piece of legislation.

MS. HOEFLING: One question. For the rates on the last sheet, they go through 2020. Do we have to charge hourly rates above the 20,000? Do we have the hourly rates -- on the hourly rate sheet that was included, if we have pay an hourly rate above the 20,000, do you have what the hourly rates are?

MR. BENJAMIN: That's a good question. Provided to us was a rate sheet that had, I believe, 2019 hourly rates and 2020 hourly rates. We don't have any additional hourly rates reflecting 2022 rates. Are we aware if 2022 rates would be the same as they were in 2020 and 2021?

MR. MATTY: Mr. President, my understanding from the Mayor is the rates stay the same. The only instruction given me was to extend it to 2022. No instruction on any increased rate. So if you pass this this evening here in the regular meeting, it's on the understanding that the rates are the same as '19 and '20.

MR. BENJAMIN: Thank you. So noted in the minutes.

Any other questions? Conversation?

Hearing none, can I have a motion to move forward with this item on the agenda?

MR. MATTY: For recommendation.

MR. BENJAMIN: Recommendation. I'm sorry, recommendation.

MS. BURKE-JONES: I so move.

MR. McDONALD: Second.

MR. BENJAMIN: It's been moved and seconded. Roll call.

MS. COOKS: Mr. Benjamin?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Burke-Jones?

MS. BURKE-JONES: Aye.

MS. HOEFLING: Aye.

MS. COOKS: Ms. Huffman?

MS. HUFFMAN: Aye.

MS. COOKS: Mr. McDonald?

MR. McDONALD: Aye.

MS. COOKS: Mr. Taylor?

MR. TAYLOR: Aye.

MR. BENJAMIN: Next is resolution 1242, a resolution authorizing the Mayor to enter into a management consultant agreement with Clemans Nelson & Associates, Inc. for management and/or fiscal consulting services in labor, employment and other areas as might be requested and declaring an emergency.

This, again, like with the Van Auden Akins agreement authorizes us to continue our agreement, consultant agreement with our HR, our current HR firm. The fees have not changed. They remain at $175 per month for the year. And then you'll see on page 1 of 4 there is the agreement. The additional consulting professional service prices remain the same as last year as well.

Are there any questions regarding the Clemans Nelson & Associates agreement?

Hearing none, is there a recommendation?

MR. BENJAMIN: Okay. Next is resolution 1242, a resolution authorizing the Mayor to enter into a management consultant agreement with Clemans Nelson & Associates, Inc. for management and/or fiscal consulting services in labor, employment and other areas as might be requested and declaring an emergency.

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Are there any questions regarding the Clemans Nelson & Associates agreement?

Hearing none, is there a recommendation?
45
1 for passage tonight at the Council meeting?
2 MR. McDONALD: So move.
3 MR. TAYLOR: Second.
4 MS. BURKE-JONES: Second.
5 MR. BENJAMIN: Thank you. It's been moved and seconded. Roll call.
6 MS. COOKS: Mr. Benjamin?
7 MS. BURKE-JONES: Aye.
8 MS. COOKS: Ms. Burke-Jones?
9 MS. BURKE-JONES: Aye.
10 MS. COOKS: Ms. Hoefling?
11 MS. BURKE-JONES: Aye.
12 MS. COOKS: Mr. McDonald?
13 MR. McDONALD: Aye.
14 MS. COOKS: Mr. Taylor?
15 MR. TAYLOR: Aye.
16 MR. BENJAMIN: Thank you. It's been moved and seconded. Roll call.
17 MS. BURKE-JONES: Ms. Burke-Jones?
18 MS. BURKE-JONES: Aye.
19 MS. COOKS: Mr. Benjamin?
20 MS. BURKE-JONES: Aye.
21 MS. COOKS: Ms. Hoefling?
22 MS. BURKE-JONES: Aye.
23 MS. COOKS: Ms. Hoffman?
24 MS. COOKS: Mr. McDonald?
25 MS. COOKS: Mr. Taylor?
26 MR. TAYLOR: Aye.
27 MR. BENJAMIN: One of most important ordinances on the agenda tonight is the ordinance confirming the appointment by the Mayor of Joseph Zalar as Street Commissioner for the year 2022, and declaring an emergency. Mr. Zalar, do you want to give it another year?
28 MR. ZALAR: Sure.
29 MR. BENJAMIN: So are there any questions for Joe?
30 MR. McDONALD: So move.
31 MR. TAYLOR: Second.
32 MS. BURKE-JONES: Second.
33 MR. BENJAMIN: Thank you. It's been moved and seconded. Roll call.
34 MS. COOKS: Mr. Benjamin?
35 MS. BURKE-JONES: Aye.
36 MS. COOKS: Ms. Burke-Jones?
37 MS. BURKE-JONES: Aye.
38 MS. COOKS: Ms. Hoefling?
39 MS. BURKE-JONES: Aye.
40 MS. COOKS: Ms. Hoffman?
41 MS. COOKS: Mr. McDonald?
42 MR. McDONALD: Aye.
43 MS. COOKS: Mr. Taylor?
44 MR. TAYLOR: Aye.
45 MR. BENJAMIN: One of most important ordinances on the agenda tonight is the ordinance confirming the appointment by the Mayor of Joseph Zalar as Street Commissioner for the year 2022, and declaring an emergency. Mr. Zalar, do you want to give it another year?
46 MR. ZALAR: Sure.
47 MR. BENJAMIN: So are there any questions for Joe?
48 MR. McDONALD: So move.
Committee of the Whole agenda is Ordinance 4132.

MR. BENJAMIN: So the next item on the agenda is Ordinance 4132.

MR. MATTY: In fact, Councilwoman, if you look at some of the Mayor's Court as maybe an example, my Mayor's Court in Brecksville has two magistrates. And the Mayor only attends the Mayor's Court when those magistrates are not available.

And I think the theory is that the magistrates are one step removed from the government. And so they are properly trained, because they have to go through the Ohio Supreme Court training process and be certified, but they're one step away from a Mayor who is running the community and these people are running a court, which is a little different entity than running the community. And so this would fall in line with what you would find in our local Mayor's courts, I believe, Mr. President Pro Tem.

MR. BENJAMIN: Yes.

MR. MATTY: If you have that on the east side, I know we have that on the southwest side where Mayors step back. And there are actually attorneys, who are trained, who are handling the Mayor's Court.

MR. BENJAMIN: The magistrate salaries we just did that, 4131.

MR. MCDONALD: 4132 now sets the salary for the appointment.

MR. BENJAMIN: Since it's financial, I just wanted to defer to you in case you wanted to manage these.

MR. MCDONALD: Go right ahead.

MR. BENJAMIN: Thank you. So Ordinance 4132 is an ordinance confirming the appointment by the Mayor of Chuck Bauernschmidt as Chief Magistrate of Mayor's Court with duties as set forth in Codified Ordinance 161.07 with such appointment effective January 19, 2022, and declaring an emergency.

MS. BURKE-JONES: I do have a question.

The $250 increase would amount to approximately $1,300 a year additional to the Village for the cost, for the cost of this. Seeing that the range is somewhere right in the middle, I wanted to collect input from members of Council and see where you're at with this.

Ms. Huffman, typical salaries range anywhere from $6,500 up to over $10,000 a year.

The $250 increase would amount to approximately $1,300 a year additional to the Village for the cost, for the cost of this. Seeing that the range is somewhere right in the middle, I wanted to collect input from members of Council and see where you're at with this.

MS. BURKE-JONES: I do have a question.

MR. BENJAMIN: Okay. Go ahead.

MS. BURKE-JONES: I do notice in the services in the prior ordinance, the services for performing the duties as described in Section 2 hereof.

In looking at what we were paying magistrates in the past, they were paid $200 an hour. I could see the intent of paying additional, some additional funds per hour if someone is going to be serving in a new position of Chief Magistrate. In looking at some of the other Mayor's Courts just doing a cursory search, you know, typical salaries range anywhere from $6,500 up to over $10,000 a year.

The $250 increase would amount to approximately $1,300 a year additional to the Village for the cost, for the cost of this. Seeing that the range is somewhere right in the middle, I wanted to collect input from members of Council and see where you're at with this.

MS. BURKE-JONES: I do have a question.

MR. BENJAMIN: Okay. Go ahead.

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The $250 increase would amount to approximately $1,300 a year additional to the Village for the cost, for the cost of this. Seeing that the range is somewhere right in the middle, I wanted to collect input from members of Council and see where you're at with this.
this looks like it is not during court hours.
And so would they be charging during
those times or the hours would just be the
typical court hours that's within? Do you
understand what I'm saying?

MR. BENJAMIN: Yeah. And that's the
difference, if the Mayor is truly stepping down
and separating, if the idea is to separate the
Mayor and sort of the perceived political side of
the Mayor's Court from the adjudication of the
court docket and the magistrate is handling the
scheduling of the meetings with court personnel
and scheduling other scheduling and duties that
the Mayor would have done, then I'm okay with it.

MS. BURKE-JONES: Conducting ongoing
court policies of procedures, that usually would
not be done, is not being done during the court
hours.

MR. BENJAMIN: Right.

MS. BURKE-JONES: So I'm just
clarifying. Does this salary still only apply to
while these services are being provided, but he
is billing only for hours of court or are they
billing additional hours, you know, throughout?

MR. BENJAMIN: There are a couple of
options that other cities have done that I've
seen. One is instead of -- generally magistrates
in small Mayor's Courts are paid per session or
per hour. Those are two different things. And
so, you know, I guess a way to consider it is one
of three things. Either we go forward with an
hourly rate and assuming that outside of court
there are additional hours; the second one is
paying a rate per session; and the third one is
then to consider a salary, a straightforward
yearly salary for a Chief Magistrate.

MS. BURKE-JONES: I'm trying to figure
out in looking at these services, I'm trying to
figure out how this salary works. Can you
clarify anything, Diana?

MS. COOKS: May I.

MR. BENJAMIN: Please.

MS. COOKS: I have not witnessed in my
time employed with the Village that there is much
additional work outside of the court day. So
court generally starts at five. I've known the
person who acts in the administrative role to get
there at 4 to make sure that the cases are
aligned and to speak with the Clerk of Court to
make sure that they're on the same page for the

Total pay claims for the month came to
$135,648 and I think that's says 64 cents.

I did look through and review these
initially stood out.

MS. HUFFMAN: Second.

Mr. Taylor?

MS. BURKE-JONES: Okay.

MR. TAYLOR: Aye.

MS. BURKE-JONES: Okay. So you perceive
it's just during court hours.

MS. COOKS: It's just during court.

I've never paid a magistrate for time other than
court.

MS. BURKE-JONES: Okay.

MR. TAYLOR: I just think the hourly
rate is probably the fairest way to go.

MR. MCDONALD: Given that, I will move
approval of that.

MR. BENJAMIN: Okay. So we're moving to
recommend consideration to Council. Is there a
second?

MS. HUFFMAN: Second.

MR. BENJAMIN: It's been moved and
seconded. Roll call.

MS. COOKS: Mr. Benjamin?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Burke-Jones?

MR. BENJAMIN: Aye.

MS. COOKS: Ms. Hoefling?

MR. BENJAMIN: Aye.

MS. COOKS: Mr. Taylor?

MR. MCDONALD: Aye.

MS. COOKS: Ms. Huffman?

MR. MCDONALD: Aye.

MS. COOKS: Ms. Huffman?

MR. HOEFLING: Aye.

MR. HOEFLING: Aye.

MR. TAYLOR: Aye.

MR. BURKE-JONES: Thank you. Finally, on
the Committee of the Whole agenda tonight is
Ordinance 4133. These are our monthly pay
claims. I did look through and review these
prior to coming to the meeting today. I don't
have an eagle eye like Councilman Puffenberger
did, but I didn't see anything to me that
initially stood out.

$135,648 and I think that's says 64 cents.

MS. COOKS: Yes.

MR. BENJAMIN: Are there any comments or
questions regarding pay claims this month?

MS. BURKE-JONES: No.

MR. BENJAMIN: Hearing none, is there a
recommendation?

MR. MCDONALD: Move approval.

MR. TAYLOR: Second.
MR. BENJAMIN: Moved and seconded. Roll call.

MS. COOKS: Mr. Benjamin?
MR. BENJAMIN: Aye.
MS. COOKS: Ms. Burke-Jones?
MS. BURKE-JONES: Aye.
MS. COOKS: Ms. Hoefling?
MS. HOEFLING: Aye.
MS. COOKS: Ms. Huffman?
MS. HUFFMAN: Aye.
MS. COOKS: Mr. McDonald?
MR. McDONALD: Aye.
MS. COOKS: Mr. Taylor?
MR. TAYLOR: Aye.
MR. BENJAMIN: Okay. Before we move forward, are there any comments or questions from members of the public this evening?
Hearing none, is there a motion to adjourn the Committee of the Whole meeting?

MS. BURKE-JONES: I so move.
MS. HOEFLING: Second.
MR. McDONALD: Second.
MR. BENJAMIN: Roll call.
MS. COOKS: Mr. Benjamin?
MR. BENJAMIN: Aye.

(Meeting adjourned at 6:51 p.m.)

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MR. BENJAMIN: Committee of the Whole meeting is adjourned. Do we need a break at all? We'll take a couple minute break before starting the regular meeting.

CERTIFICATE

I, Nancy L. Molnar, do hereby certify that as such Reporter I took down in Stenotypy all of the proceedings had in the foregoing transcript; that I have transcribed my said Stenotype notes into typewritten form as appears in the foregoing transcript; that said transcript is the complete form of the proceedings had in said cause and constitutes a true and correct transcript therein.

Nancy L. Molnar, Notary Public
within and for the State of Ohio