

**WESTLAKE CITY SCHOOLS
BOARD OF EDUCATION MINUTES**

**Thursday, January 10, 2013 – Special Session
Immediately Following Organizational Meeting
Administration Building - 27200 Hilliard Blvd.**

Call to Order: Time: 6:14 p.m.

Roll Call Vote:

| | |
|----------------|----------------|
| Mr. Mays | <u>Present</u> |
| Ms. Winter | <u>Present</u> |
| Mr. Cross | <u>Present</u> |
| Mr. Falcone | <u>Present</u> |
| Mrs. Leszynski | <u>Present</u> |

Motion to Dispense with Pledge of Allegiance

Motion by Mr. Mays
Seconded by Ms. Winter

Roll Call Vote:

| | |
|----------------|------------|
| Mr. Mays | <u>AYE</u> |
| Ms. Winter | <u>AYE</u> |
| Mr. Cross | <u>AYE</u> |
| Mr. Falcone | <u>AYE</u> |
| Mrs. Leszynski | <u>AYE</u> |

Acknowledgment of Visitors – President Mays thanked all in attendance.

Approval of Agenda *as Amended to Move Hearing of the Public Prior to Executive Sessions.*

Motion by Mr. Mays
Seconded by Mr. Falcone

Roll Call Vote:

| | |
|----------------|------------|
| Mr. Mays | <u>AYE</u> |
| Ms. Winter | <u>AYE</u> |
| Mr. Cross | <u>AYE</u> |
| Mr. Falcone | <u>AYE</u> |
| Mrs. Leszynski | <u>AYE</u> |

Note: As in the past, the Board unanimously agreed to donate their compensation for this meeting to the Board Service Fund.

VISION STATEMENT

The Westlake City School District will provide a dynamic, student centered, 21st Century learning environment. Our district will be characterized by high achievement, actively engaged learners, mutual respect, shared knowledge, pursuit of new skills and capabilities, collaborative learning, willingness to take action, a team commitment to data-driven continuous improvement, and tangible results.

MISSION STATEMENT

WE EDUCATE FOR EXCELLENCE...Empowering all students to achieve their educational goals, to direct their lives, and to contribute to society.

*Hearing of Public (Agenda Items - 15 Minutes) – None.

Superintendent's Report

Superintendent Keenan noted the following:

1. The District hosted an International exchange with Costa Rican students.
2. The District has applied to be the Midwest host for the National IB conference.
3. The Board should consider discussing an operating levy strategy and noted the deadline for filing a May ballot issue is February 6th.

A. Treasurer's Report/Recommendations

1. Resolution to Approve the 2013-2014 Tax Budget Exhibit A-1
2. Resolution Submitting to the Electors of the Westlake City School District the Question of Renewing an Existing Tax Levy for the Purpose of Current Expenses of the Porter Public Library, Pursuant to Section 5705.23, Ohio Revised Code Exhibit A-2

*Hearing of Public (15 Minutes) – None.

B. Adjourn to Executive Session

Time: 6:24 p.m.

Purpose: To Discuss Negotiations

Motion by Mr. Falcone

Seconded by Mrs. Leszynski

Roll Call Vote:

Mr. Mays AYE

Ms. Winter AYE

Mr. Cross AYE

Mr. Falcone AYE

Mrs. Leszynski AYE

Others in Attendance: Keenan, Pepera, Pyros, and Board Attorney Tim Sheeran

Adjourn Executive Session and Return to Regular Session

Time: 8:17 p.m.

C. Adjourn to Executive Session

Time: 8:18 p.m.

Purpose: Conference with Attorney Concerning Dispute Involving Pending Court Action

Motion by Ms. Winter

Seconded by Mr. Falcone

Roll Call Vote:

| | |
|----------------|------------|
| Mr. Mays | <u>AYE</u> |
| Ms. Winter | <u>AYE</u> |
| Mr. Cross | <u>AYE</u> |
| Mr. Falcone | <u>AYE</u> |
| Mrs. Leszynski | <u>AYE</u> |

Others in Attendance: Keenan, Pepera, and Board Attorney Chris McKlosky

Adjourn Executive Session and Return to Regular Session

Time: 8:35 p.m.

D. Adjournment

| | |
|-------------|-----------------------|
| Motion by | <u>Mr. Falcone</u> |
| Seconded by | <u>Mrs. Leszynski</u> |

Roll Call Vote:

| | |
|----------------|------------|
| Mr. Mays | <u>AYE</u> |
| Ms. Winter | <u>AYE</u> |
| Mr. Cross | <u>AYE</u> |
| Mr. Falcone | <u>AYE</u> |
| Mrs. Leszynski | <u>AYE</u> |

President Mays adjourned the meeting at 8:36 p.m.

President

CFO/Treasurer

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.

EXHIBIT A-1
RES. 13-27

RESOLUTION TO APPROVE 2013–2014 TAX BUDGET

RESOLVED that the Westlake Board of Education approves the 2013-2014 tax budget.

Motion by _____ Mr. Falcone _____

Seconded by _____ Mrs. Leszynski _____

Roll Call Vote:

Mr. Mays _____ AYE _____

Ms. Winter _____ AYE _____

Mr. Cross _____ AYE _____

Mr. Falcone _____ AYE _____

Mrs. Leszynski _____ AYE _____

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit: **Westlake City Schools**

For the Fiscal Year Commencing: **July 1, 2013**

Fiscal Officer Signature _____  _____ Date 1-10-13

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Under the law in effect prior to June 3, 2002, the budget commission could only waive the tax budget for a subdivision or other taxing unit that was receiving a share of the county undivided local government fund or the county undivided local government revenue assistance fund under an alternative method or formula pursuant to ORC Sections 5747.53 and 5747.63. Thus, tax budgets could be waived only for counties, municipalities, townships, and park districts. This restriction is now removed.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)
(List All Levies Of The Taxing Authority)

SCHEDULE 1

| I | II | III | IV | V | VI | VII | VIII | IX |
|-------------------|-----------|---|--------------|--------------------------------------|--------------------------------|---------------------------------------|-------------------------------|---|
| Fund | Purpose | Authorized By Voters On MM/DD/YY | Levy Type | Number Of Years Levy To Run | Tax Year Begins/ Ends | Collection Year Begins/ Ends | Maximum Rate Authorized | \$ AMOUNT Requested Of Budget Commission |
| General (Outside) | Operating | 1968 | Continuing | | | | 7.5 | |
| | | 1971 | Continuing | | | | 5.7 | |
| | | 1974 | Continuing | | | | 3.6 | |
| | | 1975 | Continuing | | | | 5.7 | |
| | | 1977 | Continuing | | | | 5.7 | \$8,972,601.36 |
| | | 1977 | Continuing | | | | 4.4 | \$1,889,620.38 |
| | | 1982 | Continuing | | | | 4.8 | \$2,918,061.90 |
| | | 1989 | Continuing | | | | 5.9 | \$4,799,160.18 |
| | | 1995 | Continuing | | | | 2.9 | \$3,027,347.76 |
| | | 2000 | Continuing | | | | 5.5 | \$6,301,358.04 |
| | | 2006 | Continuing | | | | 6.9 | \$9,479,800.44 |
| General (Inside) | Operating | | Continuing | | | | 5.8 | \$8,083,322.52 |
| Bond Retirement | Debt | | Bond | | | | 5.7 | \$7,943,954.82 |
| Totals | | | | | | | 70.1 | \$53,415,227.40 |

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

SCHEDULE 2

| I Fund BY Type | II Beginning Estimated Unencumbered Fund Balance | III Property Taxes and Local Government Revenue | IV Other Sources Receipts | V Total Resources Available for Expenditures | VI Total Estimated Expenditures & Encumbrances | VII Ending Estimated Unencumbered Balance |
|-------------------------|--|---|---------------------------------|--|--|---|
| General | 12,790,000 | 41,559,362 | 5,400,000 | 59,749,362 | 59,631,190 | 118,172 |
| Special Revenue | 380,000.00 | 0.00 | 3,400,000.00 | 3,780,000.00 | 3,500,000.00 | 280,000.00 |
| Debt Service | 2,500,000.00 | 7,303,499.77 | 1,757,064.92 | 11,560,564.69 | 9,624,716.40 | 1,935,848.29 |
| Capital Projects | 3,000,000.00 | 0.00 | 100,000.00 | 3,100,000.00 | 3,000,000.00 | 100,000.00 |
| Expendable Trust | 37,000.00 | 0.00 | 8,600.00 | 45,600.00 | 9,000.00 | 36,600.00 |
| Enterprise | 245,000.00 | 0.00 | 1,675,000.00 | 1,920,000.00 | 1,680,000.00 | 240,000.00 |
| Internal Service | 1,637,587.00 | 0.00 | 0.00 | 1,637,587.00 | 350,000.00 | 1,287,587.00 |
| Non-Expendable Trust | 37,000.00 | 0.00 | 500.00 | 37,500.00 | 500.00 | 37,000.00 |
| Agency | 275,000.00 | 0.00 | 300,000.00 | 575,000.00 | 290,000.00 | 285,000.00 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Total | 20,901,587.00 | 48,862,861.97 | 12,641,164.92 | 82,405,613.89 | 78,085,406.40 | 4,320,207.49 |

VOTED DEBT OUTSIDE 10 MILL LIMIT

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)

SCHEDULE 4

| I Purpose Of Notes Or Bonds | II Authorized By Voters On MM/DD/YY | III Date Of Issue | IV Final Maturity Date | V Principal Amount Outstanding At The Beginning Of The Calendar Year | VI Amount Required To Meet Calendar Year Principal & Interest Payments | VII Amount Receivable From Other Sources To Meet Debt Payments |
|---|---|----------------------------|---------------------------------|--|---|--|
| 1998 Library Improvement 5.51%- Refunded 2006 | 1998 | | 12/01/17 | \$2,410,000.00 | \$540,250.00 | \$0.00 |
| 2003 School Auditorium/Tech 5.15%-Refunded 2011 | 2002 | | 12/01/27 | \$6,540,000.00 | \$481,240.00 | \$0.00 |
| 2004 Refunding (97and 97A School Improvements) | 1997 | | 12/01/16 | \$4,545,000.00 | \$2,068,500.00 | \$0.00 |
| 2010 School Improvements | 2010 | | 12/01/43 | \$80,420,000.00 | \$4,777,661.48 | \$1,757,064.92 |
| | | | | | | |
| | | | | | | |
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| | | | | | | |

EXHIBIT A-2
RES. 13-28

The Board of Education of the Westlake City School District met in special session on January 10, 2013, commencing at 6:14 p.m., in the Administration Building, 27200 Hilliard Boulevard, Westlake, Ohio, with the following members present:

Nathaniel Cross

Anthony Falcone

Barbara Leszynski

Thomas Mays

Carol Winter

The Treasurer advised the Board that the notice requirements of Section 121.22, Ohio Revised Code, and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Mrs. Leszynski moved the adoption of the following resolution:

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE WESTLAKE CITY SCHOOL DISTRICT THE QUESTION OF RENEWING AN EXISTING TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES OF THE PORTER PUBLIC LIBRARY, PURSUANT TO SECTION 5705.23, OHIO REVISED CODE.

WHEREAS, at an election on March 4, 2008, the voters of the Westlake City School District approved the replacement of an existing 2.5-mill tax levy and a 0.3-mill increase in that levy to constitute a 2.8-mill levy for the purpose of current expenses of the Porter Public Library for a period of five years; and

WHEREAS, the last collection of that 2.8-mill levy will occur in calendar year 2013, and the Board of Library Trustees has determined that in order to provide an adequate amount for the proper operation of the Library it is necessary that the existing levy be renewed; and

WHEREAS, on November 14, 2012, the Board of Library Trustees adopted a resolution stating its determination of the necessity of renewing the existing 2.8-mill tax for the purpose of current expenses of the Porter Public Library for a period of five years, and, pursuant to Section 5705.03 of the Revised Code, requesting the Cuyahoga County Fiscal Officer to certify to the Board of Library Trustees and this Board the total current tax valuation of the Westlake City School District and the dollar amount of revenue that would be generated by the proposed 2.8-mill renewal levy; and

WHEREAS, this Board and the Board of Library Trustees have received a certificate of the Cuyahoga County Fiscal Officer as to the total current tax valuation of the School District and the total estimated tax revenue that will be produced by the proposed 2.8-mill renewal levy; and

WHEREAS, after receiving those certificates, on December 19, 2012, the Board of Library Trustees of the Porter Public Library adopted a resolution declaring that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Porter Public Library, and requesting that this Board, as the taxing authority for the Porter Public Library and acting pursuant to Section 5705.23 of the

Revised Code, submit to the electors of the Westlake City School District at an election to be held therein on May 7, 2012, the question of renewing the existing 2.8-mill tax for the purpose of current expenses of the Porter Public Library for a period of five years;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District, Cuyahoga County, Ohio, that:

Section 1. This Board finds, determines and declares, in accordance with the aforesaid resolution of the Board of Library Trustees of the Porter Public Library, that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Porter Public Library, that it is necessary to levy a tax in excess of such limitation for the purpose of current expenses of the Porter Public Library, and, specifically, that it is necessary to renew the existing 2.8-mill levy for the purpose of current expenses of the Porter Public Library for a period of five years.

Section 2. The question of the renewal of the existing 2.8-mill tax levy for the purpose of current expenses of the Porter Public Library for five years, beginning with the tax list and duplicate for the year 2013, the proceeds of which levy first would be available to the Board of Library Trustees in the calendar year 2014, shall be submitted under the provisions of Section 5705.23 of the Revised Code, to the electors of the Westlake City School District at an election to be held therein on May 7, 2013, as authorized by law. That election shall be held at the regular places of voting in the School District as established by the Board of Elections of Cuyahoga County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

Section 3. The Treasurer of this Board is authorized and directed to give or cause to be given notice of that election as provided by law.

Section 4. The Treasurer is directed to certify to the Board of Elections of Cuyahoga County, Ohio, before the close of business on February 6, 2013, (i) a copy of this resolution, (ii) a certified copy of the resolution of the Board of Library Trustees adopted on November 14, 2012, (iii) a certified copy of the resolution of the Board of Library Trustees adopted on December 19, 2012, requesting this Board to submit the question of the levy to the electors, and (iv) the certificate of the Cuyahoga County Fiscal Officer referred to in the preambles to this resolution.

Section 5. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were held, in meetings open to the public, in compliance with the law.

Ms. Winter seconded the motion.

Upon roll call on the adoption of the resolution, the vote was as follows:

| | | | |
|--------------------------|---------------------|------------------------|------------|
| <u>Nathaniel Cross</u> | <u>Aye</u> | <u>Anthony Falcone</u> | <u>Aye</u> |
| <u>Barbara Leszynski</u> | <u>Aye</u> | <u>Thomas Mays</u> | <u>Aye</u> |
| | <u>Carol Winter</u> | <u>Aye</u> | |

TREASURER'S CERTIFICATION

The foregoing is a true and correct excerpt from the minutes of the special meeting of the Board of Education of the Westlake City School District held on January 10, 2013, commencing at 6:14 p.m., in the Administration Building, 27200 Hilliard Boulevard, Westlake, Ohio, showing the adoption of the resolution set forth above.

Written notice of the time and place of that special meeting was served personally upon, or actually received by, each Board member at least two days in advance of such meeting; and notice of the time, place and purposes (including consideration of this resolution) of that special meeting was, at least twenty-four (24) hours in advance of the time of such meeting, given to and received by all news media that had theretofore requested notification of such special meetings pursuant to Section 121.22 of the Revised Code and the procedures established by the Board for that purpose.

Treasurer, Board of Education
Westlake City School District, Ohio

Dated: January 10, 2013

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