

WESTLAKE CITY SCHOOLS BOARD OF EDUCATION MINUTES

Friday, February 11, 2005 – 3:00 p.m. – Special Meeting
Administration Building – Board Room
27200 Hilliard Blvd.

Call to Order: Time: 3:05 p.m.

Roll Call:

Mrs. D'Ettorre Wargo	<u>Present</u>
Ms. Rocco	<u>Present</u>
Mr. Beal	<u>Present</u>
Mr. O'Malley	<u>Present</u>
Mr. Smanik	<u>Present</u>

Pledge of Allegiance: President D'Ettorre Wargo led the assembly in the Pledge of Allegiance.

Acknowledgment of Visitors: President D'Ettorre Wargo welcomed all visitors in attendance.

Motion to Amend Agenda to *add Board Items after Hearing of Public* and *add Executive Session to discuss OAPSE negotiations prior to discussion of Bradley Road property*

Motion by Mrs. D'Ettorre Wargo
Seconded by Mr. Beal

Roll Call Vote:

Mrs. D'Ettorre Wargo	<u>AYE</u>
Ms. Rocco	<u>AYE</u>
Mr. Beal	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Mr. Smanik	<u>AYE</u>

Approval of Agenda as Amended

Motion by Mrs. D'Ettorre Wargo
Seconded by Mr. Beal

Roll Call Vote:

Mrs. D'Ettorre Wargo	<u>AYE</u>
Ms. Rocco	<u>AYE</u>
Mr. Beal	<u>AYE</u>
Mr. O'Malley	<u>AYE</u>
Mr. Smanik	<u>AYE</u>

*Hearing of Public (15 Minutes) – None.

A. Board Items

1. Discussion

O'Malley: Introduced Bob Rink, a public finance attorney from Calfee Halter & Griswold. Mr. O'Malley indicated Mr. Rink is the attorney working on an alternative funding solution for the schools in lieu of tax levy on May ballot. Based upon his research, Mr. Rink indicated there was 2.2 available unvoted inside mills in Westlake. He stated the school district has an opportunity to request such millage from the County Budget Commission. Prior to this request, though, the Board would need to conduct a public hearing on the matter.

Rocco: What type of discretion does the County Budget Commission have in granting such a request?

Rink: Debt service millage takes priority; but if the need is shown, schools are entitled to any available inside millage.

Beal: The response for a May levy to date has been favorable. Indicated to Mr. O'Malley that asking the community to support an unvoted tax as suggested in his alternative funding proposal would not be popular.

Rocco: Asked Mr. O'Malley if he has run this funding proposal by the County?

O'Malley: No.

Wargo: This idea should be pursued in the long term, but what do we do for our revenue need in the short term? Based upon the community survey and public input, the climate seems right to pursue a levy request in May.

O'Malley: There are other avenues to pursue first, such as the sale of property and the inside millage proposal. In light of this, he stated he cannot support a May ballot issue. Indicated for the record he felt the verbiage in the attached Resolution of Necessity is incorrect because he believes the Board would have sufficient revenues within the 10-mill limitation.

Beal: I think asking the community for lower millage is the correct thing to do for the short term, while the District continues to pursue possible longer term funding solutions.

Rocco: It will take time to get solid answers on the inside millage funding proposal. If we do not ask the community for support now, we are gambling on the education of our students in missing an available opportunity in May. It is the prudent, responsible thing to do.

Smanik: The Board must also remember that there are deferred expenses that still need to be addressed in future years.

O'Malley: November would give the Board more time to do its due diligence in investigating possible alternative funding proposals.

Rocco: Indicated again that if we wait until November, we lose an opportunity to ask the community for resources, and this might affect the educational program.

O'Malley: Mr. Rink is clear that the 2.2 mills is available. Why does the Board think the timing is bad to wait until November and is rushing to the ballot in May?

Wargo: Indicated the Board is not rushing into its decision to pursue a ballot issue request. In fact, they have been discussing this issue over a year. There are a lot of other negatives considerations in November as evidenced by the recent communications consultant report and community survey.

O'Malley: He clarified the term "rushing" was meant to refer to the timing, not the Board action. He indicated his wish is to let the citizens decide how to fund their schools. He indicated the Board should pursue other funding options first, then seek funds from the taxpayers.

Beal: Board members have a fiduciary responsibility not to spend down reserve funds they might have in case emergency items arise such as roof, parking lot, and building repairs.

O'Malley: He doesn't believe the timing of a May election versus November is an issue.

Smanik: Indicated the Board is in a position to reduce millage in the future if need be without jeopardizing the educational program.

Rocco: How will this decision impact the educational program? If we wait and disregard recent community input and our consultant, then the students will suffer.

O'Malley: How would you pursue the other funding alternative if you pass a levy?

Rocco: Indicated we should pursue and investigate all long-term funding options in conjunction with pursuing a levy request in May to deal with short-term issues.

B. New Business

1. Action Items

Decision to vote on 5.7 mill replacement levy

- a. Resolution Declaring It Necessary to Replace an Existing
Current Expense Tax Levy and Requesting the Cuyahoga County
Auditor to Certify the Total Current Tax Valuation of the School
District and the Dollar Amount of Revenue that would be Generated
by that Replacement Levy

Exhibit B-1-a

Motion by Mr. Beal

Seconded by Ms. Rocco

Roll Call Vote:

Mrs. D'Ettorre Wargo AYE

Ms. Rocco AYE

Mr. Beal AYE

Mr. O'Malley NO

Mr. Smanik AYE

C. Executive Session – Discuss OAPSE Negotiations

Adjourn to Executive Session

Time: 4:43 p.m.

Motion by Mrs. D'Ettorre Wargo

Seconded by Mr. Beal

Roll Call Vote:

Mrs. D'Ettorre Wargo AYE

Ms. Rocco AYE

Mr. Beal AYE

Mr. O'Malley AYE

Mr. Smanik AYE

Others in attendance: Costanza, Pepera

End Executive Session and Return to Regular Session

Time: 5:09 p.m.

D. Discussion Items

1. Bradley Road Property

Because of time constraints, this discussion was deferred to a later date.

E. Adjournment

President D'Ettorre Wargo adjourned the meeting at 5:10 p.m.

President

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 B-1-a
RES. #05-51

The Board of Education of the Westlake City School District, Ohio, met in special session on February 11, 2005, commencing at 3:00 p.m., at the Administration Building, 27200 Hilliard Blvd., Westlake, Ohio, with the following members present:

Renee D'Ettorre Wargo

Andrea Rocco

David Beal

Joseph O'Malley

Thomas Smanik

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

David Beal moved the adoption of the following resolution:

A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING CURRENT EXPENSE TAX LEVY AND REQUESTING THE CUYAHOGA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE SCHOOL DISTRICT AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT REPLACEMENT LEVY.

WHEREAS, at an election held in this School District on November 2, 1971, the electors of the Westlake City School District approved an additional 5.7-mill tax levy for the purpose of current expenses for a continuing period of time; and

WHEREAS, this Board finds that the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the School District and that it is necessary to levy a tax in excess of that limitation for the purpose of current expenses; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Section 5705.192 of the Revised Code, this Board must request that the Cuyahoga County Auditor certify (i) the total current tax valuation of the School District, and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a resolution of this Board declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a replacement or a renewal of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is to certify the total current tax valuation of the District and the dollar amount of revenue that would be generated by the proposed levy;

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

Section 1. This Board of Education of the Westlake City School District declares that it is necessary to replace all of an existing 5.7-mill ad valorem property tax levy outside of the ten-mill limitation, for a continuing period of time, beginning in the tax year 2005 for first collection of the 5.7-mill replacement tax in calendar year 2006, for the purpose of current expenses, and that it intends to submit the question of the replacement of that tax levy to the electors at an election on May 3, 2005, as authorized by Section 5705.192 of the Revised Code.

Section 2. This Board requests the Cuyahoga County Auditor to certify to it both (i) the total current tax valuation of the District and (ii) the dollar amount of revenue that would be generated by the 5.7-mill replacement tax levy specified in Section 1.

Section 3. The Treasurer of this Board is authorized and directed to deliver promptly to the Cuyahoga County Auditor a certified copy of this resolution.

Section 4. 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.

Section 5. This resolution shall be in full force and effect from and immediately upon its adoption.

Andrea Rocco seconded the motion.

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

<u>Renee D'Ettorre Wargo</u>	<u>AYE</u>	<u>Andrea Rocco</u>	<u>AYE</u>
<u>David Beal</u>	<u>AYE</u>	<u>Joseph O'Malley</u>	<u>NO</u>
<u>Thomas Smanik</u>	<u>AYE</u>		

Treasurer's Certification

The above is a true and correct excerpt from the minutes of the special meeting of the Board of Education of Westlake City School District, held on February 11, 2005.

Written notice of the time and place of the special meeting of the Board of Education held on February 11, 2005, 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 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 heretofore 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.

Dated: February 11, 2005

Treasurer, Board of Education
Westlake City School District, Ohio