WESTLAKE CITY SCHOOLS BOARD OF EDUCATION MINUTES

Monday, June 13, 2016 – 6:00 p.m. – Work Session Westlake High School PAC, 27830 Hilliard Blvd., Westlake, Ohio 44145

Call to Order Time: 6:02 p.m.

Roll Call:

Ms. Winter	Present
Mrs. Leszynski	Present
Mr. Finucane	Present
Mr. Kraft	Present
Dr. Stoll	Present

Pledge of Allegiance – President Winter led the assembly in the Pledge of Allegiance.

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda.

Pledge of Allegiance – President Winter led the assembly in the Pledge of Allegiance.

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.

Acknowledgment of Visitors - President Winter acknowledged all visitors in attendance.

Approval of Agenda Motion by Mr. Kraft Seconded by Mr. Finucane Roll Call Vote: Ms. Winter AYE AYE Mrs. Leszynski Mr. Finucane AYE Mr. Kraft AYE Dr. Stoll AYE

*Hearing of Public (30 Minutes) Agenda Items

A. Bo	ard	Committee Reports	
1.	Le	gislative Liaison – Barbara Leszynski	
2.	Stı	ident Achievement Liaison – Dr. Stoll	
3.	Po	licy Committee	
4		nance/Audit Committee	
5.	Cu	rriculum Committee	
6.	Co	mmunity Outreach Committee	
		Report on Strategic Planning Community Survey	
B. Ne	w B	usiness	
1.	Tre	easurer's Recommendations	
	a.	Resolution to Establish New Fund	Exhibit B-1-a
	b.	Resolution Authorizing the Execution of a Lease Purchase Agreement	Exhibit B-1-b
		Providing for Improving, Furnishing and Equipping, and Lease and	
		Eventual Acquisition, of an Artificial Turf Field for the Westlake High	
		School Stadium and Related Site Improvements, and Related Matters	
2.	Su	perintendent's Recommendations	
	a.	Resolutions to Approve Staff Recommendations	
		1. Resolution to Approve Special Needs Extended Year Services	Exhibit B-2-a-1
		2. Resolution to Approve Salary Increases for Staff Members	Exhibit B-2-a-2
		3. Resolution to Approve Stipends for Title I Summer School	Exhibit B-2-a-3
		Reading/Tutoring Program	
		4. Resolution to Approve FMLA, Resignations and Employment for	Exhibit B-2-a-4
		Staff Members	
		5. Resolution to Approve Summer Employment for Classified Staff	Exhibit B-2-a-5
		Members	
	b.	Resolution to Approve Turf Installation Contract with Maumee Bay	Exhibit B-2-b
		Turf Center	
	c.	Resolution to Approve Epoxy Flooring Installation Contract with	Exhibit B-2-c
		Xtreme Engineered Floor Systems, Inc.	
3.		ard's Recommendations	
	a.	Resolution to Implement Board's Last Best Offer	Exhibit B-3-a
		Mr. Finucane motioned to table Resolution to Implement Board's Last Bes	t Offer until
		June 15, 2016. Motion failed for lack of second.	
Hoomin	~ ~	the Dublic (20 Minutes)	
пеат	ig oi	The Public (30 Minutes)	
C Be	ard	Comments	
С. D(aru	Commonds	
D. Ad	ljou	n to Executive Session	

Purpose: To discuss employment of personnel Time: 10:40 p.m.

Motion byMr. FinucaneSeconded byDr. Stoll

Roll Call Vote:

Ms. Winter	AYE
Mrs. Leszynski	AYE
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

Adjourn Executive Session and Return to Regular Session Time: 11:02 p.m.

E. Adjournment

Motion by	Mr. Kraft
Seconded by	Dr. Stoll
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	ai <u>AYE</u>
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

President Winter adjourned the meeting at 10:38 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. #16-132

RESOLUTION TO ESTABLISH NEW FUND

RESOLVED THAT the Westlake Board of Education establishes the following new fund:

Description	Fund	Special Cost Center
WHS Stadium Turf Fund	019	9016

Motion by	Dr. Stoll
Seconded by	Mr. Finucane
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	ai <u>AYE</u>
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

June 13, 2016 16-245

EXHIBIT B-1-b RES. #16-133

The Board of Education of the Westlake City School District, met on June 13, 2016, commencing at 6:00 p.m., at the Westlake High School, 27830 Hilliard Boulevard, Westlake, Ohio, with the following members present:

Carol Winter John Finucane Barbara Leszynski Joseph Kraft

Robert Stoll

The CFO/Treasurer or the Treasurer Pro Tempore, as the case may be, 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.

Mr. Finucane moved the adoption of the following resolution:

RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE PURCHASE AGREEMENT PROVIDING FOR IMPROVING, FURNISHING AND EQUIPPING, AND LEASE AND EVENTUAL ACQUISITION, OF AN ARTIFICIAL TURF FIELD FOR THE WESTLAKE HIGH SCHOOL STADIUM AND RELATED SITE IMPROVEMENTS, AND RELATED MATTERS.

WHEREAS, Section 3313.375 of the Ohio Revised Code provides that the board of education of a school district may enter into a lease-purchase agreement providing for construction, enlarging and otherwise improving, furnishing and equipping, and lease and eventual acquisition of facilities or improvements to facilities, including athletic facilities, for any school district purpose; and

WHEREAS, Section 3313.375 of the Ohio Revised Code further provides that the obligations of the board of education under such a lease-purchase agreement shall not be construed as net indebtedness of that school district pursuant to Section 133.06 of the Ohio Revised Code; and

WHEREAS, this Board has determined to provide for the improving, furnishing and equipping, and lease and eventual acquisition of improvements to an athletic facility, namely a new artificial turf field at the Westlake High School stadium and related site improvements (the "Improvements"), for School District purposes, pursuant to a master-lease agreement and related attachments (collectively, the "Lease"), between Huntington Public Capital Corporation, as lessor, and the Board, as lessee, a draft of which has been filed with the Board; and

WHEREAS, the obligations of the Board under the Lease will be subject to annual appropriations by this Board; and

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

<u>Section 1</u>. It is hereby declared necessary and advantageous to the District for the Board to enter into the Lease for the purpose of leasing and eventually acquiring the Improvements.

The CFO/Treasurer of the Board is hereby authorized to negotiate the terms for and to sign Section 2. and deliver, in the name of and on behalf of the School District, the Lease in the form substantially on file with the CFO/Treasurer, with such changes that are not inconsistent with this Resolution and not substantially adverse to the School District that are approved by the CFO/Treasurer of the Board on behalf of this Board, all of which shall be conclusively evidenced by the signing of the Lease by the CFO/Treasurer of the Board; provided that the aggregate principal components of the rental payments due under the Lease shall not exceed \$325,000, the interest component of those rental payments shall accrue at an annual rate not in excess of 2.50%, the Lease term shall consist of a series of terms ending at the end of the School District's fiscal year and subject to renewal at the option of the School District upon the appropriation of funds to pay rental payments due under the Lease during the following renewal term, the final renewal term of the Lease shall end not later than eight years from the commencement date of the Lease, and the principal components of the rental payments shall be pre payable at any time (in whole, but not in part) at a price equal to the then outstanding balance ("Balance"), plus accrued interest, plus a prepayment premium calculated as follows: 3% of the Balance if paid in the first 12 months of the Lease term; 2% of the Balance if paid in the second 12 months of the Lease term; and 1% of the Balance if paid after the second 12 months of the Lease term. The President and CFO/Treasurer of the Board and the Superintendent are each further authorized to sign any certifications, financing statements, escrow agreements, documents, instruments and to take such other actions as are desirable, advisable, necessary or appropriate to consummate the transactions contemplated by this Resolution and the Lease. The aforesaid escrow agreement is hereby approved in substantially the form as is now on file with this Board, with such changes that are not inconsistent with this Resolution and not substantially adverse to the School District that are approved by the CFO/Treasurer on behalf of this Board, all of which shall be conclusively evidenced by the signing of the escrow agreement by the CFO/Treasurer.

<u>Section 3</u>. The funds necessary to make the rental payments due under the Lease during the current fiscal year have been appropriated and shall be used for that purpose. Any moneys received by the District in consideration for entering into the Lease shall be paid into the proper fund or funds, and those moneys are hereby appropriated and shall be used for the purpose for which the Lease is authorized.

<u>Section 4</u>. This Board covenants that, to the extent within its powers and control, it will use, and will restrict the use and investment of, the proceeds of the Lease in such manner and to such extent as may be necessary so that (a) the Lease will not (i) constitute a private activity bond or arbitrage bond under Sections 141 or 148 of the Code, as amended, or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest components of the rental payments due under the Lease ("Interest") will not be treated as a preference item under Section 57 of the Code.

This Board further covenants, to the extent within its powers and control, (a) that it will take or cause to be taken such actions as may be required of it for the Interest to be and remain excluded from gross income for federal income tax purposes, (b) that it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) that it, or persons acting for it, will, among other acts of compliance, (i) apply the Lease proceeds to the governmental purpose of the Lease, (ii) restrict the yield on investment property acquired with the Lease proceeds, (iii) make timely and adequate rebate payments to the federal government if required to do so, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of Lease proceeds and, as applicable, of the Improvements, all in such manner and to the extent necessary to assure such exclusion of that Interest under the Code.

The CFO/Treasurer, as the fiscal officer, or the Superintendent or the President of the Board, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Board with respect to the Lease as the Board is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Lease or Interest or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Board, as may be appropriate to assure the exclusion of Interest from gross income and the intended tax status of the Lease, and (c) to give one or more appropriate certificates of the Board, for inclusion in the transcript of proceedings for the Lease, setting forth the reasonable expectations of the Board regarding the amount and use of all the proceeds of the Lease, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the Interest and the tax status of the Lease.

<u>Section 5</u>. 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 any of its committees that resulted in those formal actions were held, in meetings open to the public, in compliance with the law.

<u>Section 6.</u> This Resolution shall be in full force and effect from and immediately upon its adoption.

Mrs. Leszynski seconded the motion.

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

Ms. Winter	Yes	Mrs. Leszynski	Yes
Mr. Finucane	Yes	Mr. Kraft	Yes
	Dr. Stoll	Yes	

CFO/TREASURER'S CERTIFICATION

The foregoing is a true and correct excerpt from the minutes of the meeting on June 13, 2016, of the Board of Education of the Westlake City School District (the "Board"), showing the adoption of the resolution hereinabove set forth.

Written notice of the time and place of the meeting of the Board held on June 13, 2016, 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 meeting, was, at least 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 meetings pursuant to Section 121.22 of the Revised Code and the procedures established by the Board for that purpose.

Dated: June 13, 2016

CFO/Treasurer, Board of Education Westlake City School District, Ohio

EXHIBIT B-2-a-1 RES. #16-134

RESOLUTION TO APPROVE SPECIAL NEEDS EXTENDED YEAR SERVICES

RESOLVED that the Westlake Board of Education approves the following extended year services employment for staff members:

Extended Year Services – Special Education Assistants				
<u>Name</u>	<u>Hours</u>	<u>Step</u>	Effective Date	
Melissa Bechtel	45	0	6/9/16	
Mark Bender	315	5	6/9/16	
Sela Cunningham	165	0	6/9/16	
Abby Detwiler	225	0	6/9/16	
Tammy Eyring	90	7	6/9/16	
Mary Gardner	165	5	6/9/16	
Linda Herman	165	0	6/9/16	
Christie Jaycox	300	5	6/9/16	
Hannah McCue	165	4	6/9/16	
Janice Schmitt	165	6	6/9/16	
Rachel Stenger	165	0	6/9/16	
Allison Stephenson	165	0	6/9/16	
Donna Stephenson	40	11	6/9/16	
Justine Tinline	165	1	6/9/16	
Brittany Zagray	165	4	6/9/16	
Extended Y	ear Services – C	Certified Persor	nnel	
Name	Position	Hours	Effective Date	
Lisa Broschk	Tutor	40	6/9/16	
Jennifer Cotterill	Tutor	60	6/9/16	
Joan Gill	Tutor	120	6/9/16	
Karen Kane	SLP	45	6/9/16	
Kyle Majewski	SLP	35	6/9/16	
Kathy Nash	Teacher	60	6/9/16	
Christie Pargas	Tutor/Psych	170	6/9/16	
Jennifer Petticord	Tutor	50	6/9/16	
Nicole Sauer	SLP	45	6/9/16	
Ann Tulevski	Tutor	48	6/9/16	
Paul Warren	Tutor	40	6/9/16	

Motion by	Mrs. Leszynski
Seconded by	Mr. Finucane
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynski	AYE
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

EXHIBIT B-2-a-2 RES. #16-135

RESOLUTION TO APPROVE SALARY INCREASES FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approves the following salary increases for staff members:

Name	<u>Step</u>	Effective	From Education	To Education
Laura Emmer	2	9/1/15	BA	BA+20
Elaine Scott		4/1/16	MA+10	MA+20

Motion by	Mrs. Leszynski
Seconded by	Dr. Stoll
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	ai <u>AYE</u>
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

EXHIBIT B-2-a-3 RES. #16-136

RESOLUTION TO APPROVE STIPENDS FOR TITLE I SUMMER SCHOOL READING/TUTORING PROGRAM

RESOLVED that the Westlake Board of Education approves stipends at the negotiated curriculum rate for the following Westlake School District staff members for the purpose of summer school tutoring in the Summer School Reading/Tutoring Program:

Westlake School District Staff

Kate Gallo Sarah Moennich Shannon Harkness – Up to 2 Hours for Teacher Training

Motion by	Mrs. Leszynski
Seconded by	Dr. Stoll
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	i <u>AYE</u>
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

6/9/16

EXHIBIT B-2-a-4 RES. #16-137

RESOLUTION TO APPROVE FMLA, RESIGNATIONS AND EMPLOYMENT FOR STAFF MEMBERS

RESOLVED that the Westlake Board of Education approve the following FMLA, resignations and employment for staff members.

FMLA					
	<u>Name</u>		Date		
	Amal Mustafa		8/18/16		
	Bridget Royce	8/18/16			
Licensed Resignation					
Name	<u>Position</u>	<u>Building</u>	Eff	fective Date	
Amy Shollenberger	Gifted Intervention	Hilliard/Holly	Lane End	d of 15/16 School	Year
Kelsy Wermer	Spanish	Dover/Holly	Lane End	d of 15/16 School	Year
Classified Employment					
Name	Position Build	ding <u>Hours</u>	Da	<u>ys</u>	Date

6.5

Up to 6 Extended Days

Irs. Leszynski
r. Stoll
AYE

Data Clerk

DIS

Kim Michelich

EXHIBIT B-2-a-5 RES. #16-138

RESOLUTION TO APPROVE SUMMER EMPLOYMENT FOR CLASSIFIED STAFF MEMEBERS

RESOLVED that the Westlake Board of Education approves summer employment for classified staff members as follows:

NAME	RATE	EFFECTIVE	HOURS
Haley Dossa	Step 1	06/13/2016	$\frac{100010}{40}$ hrs, 10 wks
Brian Hood	Step 1	06/09/2016	40 hrs, 10 wks
Amanda Murphy	Step 0	06/09/2016	40 hrs, 10 wks
Daniel Pajer	Step 3	06/13/2016	40 hrs, 10 wks
Jill Minerd *	Step 11	06/09/2016	20 hrs, 10 wks
*20 hr/wk employee			
<u>NAME</u> David Gamon **	OLD RATE Step 3	<u>REVISED RATE</u> Step 2	<u>HOURS</u> 40 hrs, 10 wks
David Gamon	Step 5	Step 2	40 IIIS, 10 WKS
**Nine (9) month employee			
NAME	RATE	REVISED START DATE	HOURS
Nicholas Hammond	Step 0	05/31/2016	40 hrs, 10 wks

Motion by	Mrs. Leszynski
Seconded by	Dr. Stoll
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	i <u>AYE</u>
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

EXHIBIT B-2-b RES. #16-139

RESOLUTION TO APPROVE TURF INSTALLATION CONTRACT WITH MAUMEE BAY TURF CENTER

RESOLVED that the Westlake Board of Education authorize the District to enter into a contract with Maumee Bay Turf Center for installation of synthetic turf at the WHS stadium in the amount of \$621,800. The contract was procured through the Association of Educational Purchasing Agencies (AEPA) and is in compliance with Section 9.48 of the Ohio Revise Code.

BE IT FURTHER RESOLVED the Superintendent, CFO/Treasurer and Director of Business Affairs are authorized to take any and all actions necessary to execute the terms and conditions of the contract.

Motion by	Mr. Kraft
Seconded by	Dr. Stoll
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	i AYE
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

EXHIBIT B-2-c RES. #16-140

RESOLUTION TO APPROVE EPOXY FLOORING INSTALLATION CONTRACT WITH XTREME ENGINEERED FLOOR SYSTEMS, INC.

RESOLVED that the Westlake Board of Education authorize the District to enter into a contract with Xtreme Engineered Floor Systems, Inc. for the epoxy flooring installation at Westlake High School in the amount of \$248,515.

BE IT FURTHER RESOLVED the Superintendent, CFO/Treasurer and Director of Business Affairs are authorized to take any and all actions necessary to execute the terms and conditions of the contract.

Motion by	Mr. Finucane
Seconded by	Mrs. Leszynski
Roll Call Vote:	
Ms. Winter	AYE
Mrs. Leszynsk	ai <u>AYE</u>
Mr. Finucane	AYE
Mr. Kraft	AYE
Dr. Stoll	AYE

EXHIBIT B-3-a RES. #16-141

The Board of Education of the Westlake City School District ("the Board"), State of Ohio, met in regular session on June 13, 2016, with the following members present:

Carol Winter John Finucane Barbara Leszynski Joseph Kraft

Robert Stoll

Dr. Stoll moved the adoption of the following resolution:

RESOLUTION TO IMPLEMENT THE BOARD'S LAST BEST OFFER

WHEREAS, the Board has engaged in good faith bargaining regarding a successor contract with the Westlake Teachers Association (the "WTA") since on or about May 22, 2015, conducting no less than ten (10) bargaining sessions between the representatives of the respective bargaining teams during the last thirteen (13) months.

WHEREAS, during a number of these bargaining sessions, the WTA and the Board met with the assistance of an impartial, federal mediator; however, such sessions did not result in a successor contract.

WHEREAS, on April 29, 2016, the parties again met in a mediation session to try to reach an agreement on a successor collective bargaining agreement; however, the parties' efforts were not successful.

WHEREAS, the Board is committed to reaching a fair and equitable contract for all parties on behalf of the students and taxpayers of the District.

WHEREAS, due to the District's financial realities after three failed levies, the last, best offer was the only affordable plan the Board could feasibly propose.

WHEREAS, the Board has determined that ultimate impasse exists because the parties have reached a point where there is no realistic possibility that continuation of discussion and further negotiations between the parties would be fruitful.

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

<u>Section 1.</u> Implementation of Last Best Offer. Effective June 27, 2016 the Board will implement the terms and conditions of the Board's last, best offer for a successor agreement. This last, best offer was delivered and presented directly to the WTA bargaining team during the April 29, 2016 mediation session. This last, best offer is attached hereto as Exhibit A.

<u>Section 2.</u> Further, the Board's legal counsel, negotiating team, and administrative personnel are authorized to take whatever steps they may deem are necessary to implement the terms of the last, best offer and maintain the efficient and safe operation of the school district.

<u>Section 3</u>. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public or in executive session as permitted by Ohio law.

<u>Section 4</u>. This Resolution shall be in full force and effect from and immediately upon its adoption.

Mrs. Leszynski seconded adoption of the foregoing Resolution with the vote resulting as follows:

Ms. Winter	Yes	Mrs. Leszynski	Yes
Mr. Finucane	No	Mr. Kraft	Yes
	Dr. Stoll	Yes	

CERTIFICATION OF TREASURER

I, Mark C. Pepera, Treasurer of the Board of Education of the Westlake City School District, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by said Board of Education at its regular meeting on June 13, 2016.

Treasurer Board of Education of the Westlake City School District