

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, MARCH 18, 2014**

The meeting was called to order by Council President Patten at 7:00 p.m. The clerk called the roll and the following Members of Council answered:

**D'AMICO, TROYER, SALVATORE, MENCINI, BURGIO, POWERS**

Also in attendance were Safety Director Byrnes, Service Director Cayet, Finance Director Cingle, Law Director Jamison, Engineer Piatak, Councilman Higgins (7:02 p.m.), Mayor Coyne (7:04 p.m.) and Assistant Finance Director Healy (7:05 p.m.).

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Regular Caucus meeting held on February 25, 2014.

**Motion** by Mr. Salvatore, supported by Mr. D'Amico, to approve as printed. Members of Council voted AYE. The motion carried.

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**DISCUSSION:**

1. REQUEST APPROVAL TO CO-LOCATE THREE (3) ANTENNAS ONTO EXISTING WIRELESS TELECOMMUNICATION TOWER LOCATED AT 16845 HOLLAND ROAD (BROOK PARK CHURCH OF THE BRETHREN)  
**(Recommendation received from the Planning Commission on March 4, 2014)**

Mr. Jamison stated there was federal legislation passed a few years ago that provided that a local community could not restrict or stop re-location or placement on an existing cell tower based on this type of process right here. The only thing the city can do is if there is a change in the size or the dimensions of the existing tower the city can get into this. Essentially, since this was done at the federal level it cuts off a lot of the issues that the companies were experiencing when they tried to co-locate on an existing tower. So absent any kind of issue that the Building Department may have had with the co-location of these antennas the city does not have the right to vote this down. This company will have to come forward and comply with all the pertinent building standards both at the local and state levels. Mr. Jamison continued to move forward with this request and look at the codes that govern this area and amend it to bring the codes in line with the federal legislation.

Mr. D'Amico asked if proper legislation is needed.

Mr. Mencini stated at the meeting it was stated there would be no changes.

**Discussion: cont.**

Mr. Jamison responded that's correct and as long as this meets all the Building Department requirements the city cannot deny this request.

Mr. Patten stated a motion is needed for verbal approval on the Council agenda.

**Motion** by Mr. D'Amico, supported by Mr. Salvatore, to place on the next Council agenda. The motion carried.

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2. 2014 BUDGET

Mr. Patten asked for any discussion from Council none came forward. Mr. Patten stated this legislation is on Second Reading on the Council agenda immediately following and is scheduled to appear under Third Reading at the Special Council meeting of March 25, 2014.

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**FINANCE COMMITTEE – CHAIRMAN, D'AMICO:**

- 1. A RESOLUTION DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY WITHIN THE TEN (10) MILL LIMITATION AND WITHOUT A VOTE OF THE ELECTORS IN THE CITY OF BROOK PARK TO BE INSUFFICIENT AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mr. D'Amico stated this is the companion piece to Ordinance No. 9895-2014 on tonight's Council agenda and can't be passed until the Ordinance is adopted.

Mr. Jamison stated once the Ordinance is passed it will be sent down to the County Fiscal Officer for determining how much would be generated for the millage being proposed. Once that information is received then it will be plugged into this Resolution for passage by Council.

**Motion** by Mr. Salvatore, supported by Mr. Burgio, to place on the next Caucus agenda. Members of Council voted AYE. The motion carried.

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**SAFETY COMMITTEE – CHAIRMAN, SALVATORE:**

- 1. AN ORDINANCE AMENDING SECTION 143.02 (a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COMPOSITION" EXECUTIVE HEAD' AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mr. Byrnes stated this legislation is an attempt to complete the process started in January when an agreement with the fire department union was rejected to create position of two fire

**Safety Committee – Chairman, Salvatore: cont.**

marshals leaving one fire marshal and one additional person on a scheduled shift. This legislation will eliminate the job left vacant and allow the administration at some point to put someone else on in the fire prevention bureau if deemed necessary. This is the last step the Administration needs to complete that process and negotiations are currently taking place on these issues but this would be a step the Administration needs to eliminate the job under the existing code.

Mr. D'Amico stated to Safety Director Byrnes reviewing this legislation this would take number three and five and combine to number four eliminating three people for fire marshals, instead of two.

Mr. Byrnes responded the legislation is intended to allow the Mayor to create not more than three positions in the fire prevention bureau, where right now there would be one. That is what the city is currently operating with and that's what the city would like to keep. At some point in time that would give the Administration the flexibility to restore that position if that's Council's decision.

Mayor Coyne stated the composition head right now dictates how the department will be comprised. This legislation gives the Mayor some flexibility in composition of the department as time changes or through negotiations and things like that. This is not restrictive on management but will give more management rights.

Mr. Troyer stated I am unable to support this legislation if there are no minimums and feel the same way about legislation passed a few years ago with the police, there has to be a minimum. Whoever the next Mayor may be could come in and lay off fire personnel leaving no lieutenants, so a minimum is needed. My opinion is that the Safety Director, the Chiefs, the Mayor, and Council should all get in agreement before contract and before negotiation to decide what the city's minimum is and then negotiate off of that.

Mayor Coyne commented I wish I had the authority that the Councilman thinks the Mayor would have this is all subject to negotiations and this is a management tool. It has nothing to do with the minimum of anything and the budget is what drives this and is driving it more than ever before. In the past I argued about maximums and thought the city got in trouble when Council enacted and I spoke against making it 44 firefighters. This goes back and forth so it is better having not more than and the budget drives everything and the budget decides how many fire personnel that are there. In this year's negotiations we did meet with Council and it's in the budget and there are no provisions for any pay increases, there's no provisions for that officer proposal that was signed in the 11<sup>th</sup> hour by the last Administration who actually didn't have the authority to do that and Council never enacted or voted on that. So this gives some control to Management and like always I have to come back to the Board of Directors and discuss this with you.

Mr. Higgins stated I think Mr. Troyer is reading into the not more than six fire lieutenants' and right now the city has a six fire lieutenant number, not more than six may lead someone to believe that management can say that only one fire lieutenant is needed at this time. As far as the comment about people not getting raises let's keep in mind that any increases in

**Safety Committee – Chairman, Salvatore cont:**

health care costs are monetary raises for city employees and the employees have not been asked to kick into monthly payments or premiums for health care so any health care increases that city employees received are monetary increases for this coming year.

Mayor Coyne stated Mr. Higgins has a good point and in fact discussions took place today so the city will be asking city employees to contribute with health care costs and those discussions will be taking place soon.

Mr. Mencini stated to Safety Director Byrnes if this decision was to be made budget-wise would the decision be made solely by the Mayor; Safety Director or committee?

Mayor Coyne responded there is a contract that is being negotiated currently and the Administration believes that Council rejected, based on the Administrations' recommendation, the fire marshal issue. The union has 80 days or whatever to file a grievance on that and will probably wait until the 79<sup>th</sup> day. So this in motion all the time and the fact of the matter is the Mayor coming and saying that more than these are needed or less than these are needed that would be done by negotiations because it would be what the Administration prefers. I think there should be three lieutenants because lets say some day the city will have three eight-hour shifts a 40-hour work week for the firefighters. If that was the case then only three lieutenants are needed one for each shift and would come back to Council with the contract amended to reflect that or make Council aware that the union is fighting the Administration on this issue. Or with the budget itself let's say that the city is not successful with either of the tax levies in August this decision will be made for the city.

**Motion** by Mr. Burgio, supported by Mr. Mencini, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

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There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 7:15 p.m.

RESPECTFULLY SUBMITTED



Michelle Blazak  
Clerk of Council

APPROVED



THESE MEETING MINUTES APPROVED BY BROOK PARK CITY COUNCIL ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.