

NOTICE

SPECIAL MEETING OF COUNCIL

Clerks Office, Brook Park, OH

Date: MARCH 11, 2016

TO: COUNCIL MEMBERS TROYER, MENCINI, POWERS, SCOTT, BURGIO, McCORMICK, SALVATORE, COUNCIL PRESIDENT ASTORINO, MAYOR COYNE, LAW DIRECTOR HORVATH, FINANCE DIRECTOR CINGLE.

_____ COUNCIL MEETING

XXX _____ CAUCUS MEETING

_____ EXECUTIVE SESSION

_____ OTHER (Specify)

Such meeting will accordingly be held on TUESDAY the 15TH day of MARCH, 2016 IMMEDIATELY FOLLOWING THE REGULAR COUNCIL MEETING (At the place of holding regular meetings (*Refer to Rules of Council No. 4 if applicable)).

SUBJECT(S):

I. DISCUSSION:

1. 2016 BUDGET (see attached sheet)

II. LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER:

SEE ATTACHED SHEET

III. ADJOURNMENT:

Council Member

Council Member

Council Member



President of Council



Clerk of Council

LIST OF BUDGET ITEMS TO BE DISCUSSED AT THE MARCH 15, 2016 SPECIAL CAUCUS MEETING:

1. THREE (3) YEARS OF DISBURSEMENTS AND APPROPRIATIONS FOR 2016 RECEIVED FEBRUARY 19, 2016.
2. ACTUAL/ESTIMATED REVENUE RECEIVED FEBRUARY 19, 2016.
3. 2016 KEY BUDGET POINTS RECEIVED AT THE REGULAR CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
4. 2016 CAPITAL BUDGET RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
5. 2016 CAPITAL PLAN SHEET RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
6. DEBT/LEASE OBLIGATIONS SHEET RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
7. PROJECTED TRANSFER AMOUNT TO THE CAPITAL IMPROVEMENT FUND SHEET RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016
8. ESTIMATED REVENUE (80/20 SPLIT) CITY INCOME TAX FUND RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
9. WATER BREAK ANALYSIS – FRY ROAD & SYLVIA DRIVE RECONSTRUCTION PROJECTS RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016
10. FRY ROAD CONSTRUCTION PROJECT PRELIMINARY ESTIMATE RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
11. MICHAEL DRIVE RECONSTRUCTION PROJECT – PHASE 5 (SNOW TO HUMMEL) RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
12. BROOKDALE AVENUE RECONSTRUCTION PROJECT – PRELIMINARY ESTIMATE RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.
13. 2016 STREET DATA BASE – RECEIVED AT THE SPECIAL CAUCUS MEETING HELD ON FEBRUARY 27, 2016.

LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER:

1. A RESOLUTION URGING THE MAYOR OF THE CITY OF BROOK PARK TO KEEP FIRE STATION NO. 2 OPEN AND DECLARING AN EMERGENCY Introduced by Council Members Troyer, Mencini, Powers Burgio

2. A RESOLUTION EXPRESSING OPPOSITION TO THE APPEAL OF CASE NO. CA-16-104103 AND TO WITHDRAW ANY AND ALL NECESSARY ACTION FOR THE APPEAL OF THIS CASE AND DECLARING AN EMERGENCY Introduced by Council Members Troyer, Mencini, Powers, McCormick

3. A RESOLUTION TO DISCOURAGE BULLYING AND CYBERBULLYING IN THE COMMUNITY AND DECLARING AN EMERGENCY Introduced by Councilwoman McCormick

CITY OF BROOK PARK, OHIO

RESOLUTION NO. _____

INTRODUCED BY: COUNCIL MEMBERS TROYER, MENCINI, POWERS, BURGIO,
McCORMICK

A RESOLUTION
URGING THE MAYOR OF THE CITY OF BROOK PARK
TO KEEP FIRE STATION NO. 2 OPEN,
AND DECLARING AN EMERGENCY

WHEREAS, an initiative petition process exists and is available to the electors of the State of Ohio and the City of Brook Park through powers and procedures set forth in the Ohio Constitution and in Article XIII, Section 13.01 of the Charter of the City of Brook Park; and

WHEREAS, on or about July 28, 2014 part petitions of an initiative were filed with the City containing a total of 630 valid signatures; and

WHEREAS, on or about September 25, 2014 thirty-six supplemental part petitions were filed with the City containing a total of 816 valid signatures; and

WHEREAS, the Cuyahoga County Board of Elections verified that the required number of valid signatures were obtained to place the proposed measure before the voters of Brook Park; and

WHEREAS, City Council passed legislation to place the proposed amendment on a February 3, 2015 special election ballot; and

WHEREAS, the measure proposed by initiative petition was designated as Issue 2 on the February 3, 2015 ballot; and

WHEREAS, on February 24, 2015 the Cuyahoga County Board of Elections certified that Issue 2 received an affirmative majority of the votes cast at the special election on February 3, 2015 and the proposed amendment became law. The measure passed by more than 2 to 1 margin receiving 1,730 affirmative votes to only 836 votes against the measure; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brook Park, State of Ohio that:

SECTION 1. The Brook Park City Council urges and encourages the Mayor to keep the Fire Station No. 2 open.

SECTION 2: The Clerk of Council is hereby authorized and instructed to post a certified copy of this Resolution to the City's website.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to urge and encourage the Mayor to keep Fire Station No. 2 open; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS



DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

RESOLUTION NO. _____

INTRODUCED BY: COUNCIL MEMBERS TROYER, MENCINI, POWERS, McCORMICK

A RESOLUTION EXPRESSING OPPOSITION TO
THE APPEAL OF CASE NO. CA-16-104103 AND TO
WITHDRAW ANY AND ALL NECESSARY ACTION
FOR THE APPEAL OF THIS CASE,
AND DECLARING AN EMERGENCY

WHEREAS, on March 2, 2015 the City of Brook Park filed a Complaint in the Court of Common Pleas, Case No. CV-15-841262 entitled *City of Brook Park v. Committee to Secure Our Safety, et. al.*; and

WHEREAS, on January 15, 2016, a Journal Entry in Case No. CV-15-841262 was issued by Judge Nancy R. McDonnell ruling that the City of Brook Park Plaintiff lacks standing to bring an action; and

WHEREAS, on February 11, 2016 the City of Brook Park filed an Appeal to the decision of Case No. CV-15-841262 with the Court of Appeals Eighth District which is now Case No. CA-16-104103; and

WHEREAS, the municipal initiative procedure established in Section 13.01 of the City of Brook Park which allows the electors of the City the power to propose any ordinance or resolution, except an ordinance for the appropriations of money or authorization for a tax levy, and to adopt or reject the same at the polls, such power being known as an initiative which is an exercise by the voters of their traditional right through direct legislation to override the views of their elected representatives as to what serves the public interest; and

WHEREAS, the defendants in this case have committed no legal wrong and the lawsuit represents an attack on the democratic process and discourages citizen participation in government by suing citizens who were merely following a process supported by the Constitution and laws of the State of Ohio and Article XIII, Section 13.01 of the Charter of the City of Brook Park;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: The Brook Park City Council expresses its opposition to the appeal of this case and further urge and encourage the Mayor of this City to take any and all necessary action to withdraw the appeal of Case No. CA-16-104103.

SECTION 2: The Clerk of Council is hereby authorized and instructed to post a certified copy of this Resolution to the City's website.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to urge and encourage the Mayor to withdraw the appeal in Case No. CA-16-104103; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

**I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS**



DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

P/C 3/1/16 Legislative

CA 3/15/16 Sp. Caucus

1st R _____

2nd R _____

3rd R _____

B/C _____

RESOLUTION NO : _____

INTRODUCED BY: COUNCILWOMAN MCCORMICK 

A RESOLUTION TO DISCOURAGE BULLYING AND CYBERBULLYING IN THE COMMUNITY, AND DECLARING AN EMERGENCY.

WHEREAS, bullying and cyberbullying is a serious and widespread problem and generally has been found to occur in all cities and states in the country; and,

WHEREAS, bullying and cyber bullying are often underreported and are a significant problem; and,

WHEREAS, victims of bullying and cyberbullying are statically more likely to have suicide ideation and suicide attempts, have mental health problems, including depression, use of drugs and alcohol, skip school, have poor academic/work performance, cheat, and have low self-esteem; and,

WHEREAS, people who bully others have been shown to have higher risk of abusing alcohol and drugs; be more likely to get into fights and vandalize property and are more likely to have criminal convictions as adults.

WHEREAS, bullying and cyberbullying have negative society consequences and results in costs to taxpayers and the government; and,

WHEREAS, although, bullying and cyberbullying tend to victimize specific populations at a significantly higher rate (such as obese, chronically ill, disabled, gifted, sexual minority, youth), people of all demographics can be subject to bullying; and,

WHEREAS, the proliferation of computers, tablets and smart phones with internet access has led to a dangerous form of bullying known as cyberbullying; and,

WHEREAS, cyberbullying make include sending hurtful, rude and mean text messages, spreading rumors or lies about others by email or social networks; and creating websites, videos or social media profiles that embarrass, humiliate or make fun of others; and,

WHEREAS, in cyberbullying, harassing, embarrassing, humiliating or threatening messages and pictures can be shared with a group of people, an entire school or organization, or anyone with access to the internet, and there are no practical means to remove messages and pictures once posted to the internet.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, Ohio, that:

SECTION 1: That City Council wishes to discourage bullying and cyberbullying in the community.

SECTION 2: That City Council encourages the annual review and update of the City's own policies, including the City's social media policy, to protect its employees and elected officials from bullying and cyberbullying as well as limit the liability to the City that could arise from such behavior, and implores the Mayor to enforce said policies.

SECTION 3: That City Council encourages the development of a training program on workplace bullying and proper use of social media, requiring the participation of all City employees.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberation of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

SECTION 5: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to support our form of government; therefore, provided this resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor: otherwise, from and after the earliest period afforded by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

DIRECTOR OF LAW