

NOTICE  
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

January 6, 2017

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

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF COUNCIL  
HAS BEEN CALLED FOR THE PURPOSE OF:

XXX COUNCIL MEETING

\_\_\_\_\_ CAUCUS MEETING

\_\_\_\_\_ EXECUTIVE SESSION

\_\_\_\_\_ OTHER (Specify)

Such special meeting will accordingly be held on TUESDAY, the 10<sup>th</sup> day of JANUARY, 2017, IMMEDIATELY FOLLOWING THE REGULAR CAUCUS MEETING at the place of holding regular meetings. (\*Refer to Rules of Council, No. 4, if applicable.)

**SUBJECT:**

**ROLL CALL OF MEMBERS**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES OF PRECEDING MINUTES (SEE ATTACHED SHEET)**

**MISCELLANEOUS BUSINESS: - DISCUSSION:**

- A. REQUEST OF MS. McCORMICK TO RESCIND RESIGNATION
- B. INVESTIGATION OF COUNCILMEMBERS AND COUNCIL OFFICE OPERATIONS

**REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR RESOLUTIONS THAT PERTAIN TO THE AGENDA**

**THIRD READING OF RESOLUTIONS AND ORDINANCES:**

SEE ATTACHED SHEET

**ADJOURNMENT**

  
\_\_\_\_\_  
Councilman

  
\_\_\_\_\_  
Councilman

  
\_\_\_\_\_  
Councilman

  
\_\_\_\_\_  
Clerk of Council

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. REGULAR COUNCIL MEETING HELD ON DECEMBER 6, 2016  
**NOTE:** MINUTE EXCERPTS FROM THIS MEETING ARE INCLUDED COMPLETE TRANSCRIPTION IS NOT AVAILABLE TO DATE.
2. REGULAR COUNCIL MEETING HELD ON DECEMBER 13, 2016.  
**Note:** MINUTE EXCERPTS FROM THIS MEETING ARE INCLUDED COMPLETE TRANSCRIPTION IS NOT AVAILABLE TO DATE.

**THIRD READING OF RESOLUTIONS AND ORDINANCES:**

1. ORDINANCE NO. 10064-2016, AMENDING CHAPTER 153.06 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Regular Council meeting held on December 6, 2016.

Meeting called to order by Council President Astorino and the clerk called the roll.

**ROLL CALL: SCOTT, BURGIO, SALVATORE, TROYER, POWERS, MENCINI**

Council President Astorino stated that Councilwoman McCormick did contact the council office and is listed as an excused absence.

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Regular Caucus meeting held on December 13, 2016.

**ROLL CALL: SCOTT, BURGIO, SALVATORE, TROYER, POWERS, MENCINI**

Council President Astorino stated there being no minutes to be approved for this meeting before preceding i want to make a short announcement that Councilwoman at large, Julie McCormick, has submitted her resignation from her position. I'm just going to read that her message simply said i hereby resign from my position on council effective immediately. I have turned in my keys for the door, drawers and file cabinet. Should you have any questions please feel free to contact me. Julie McCormick.

Council President Astorino continued as everyone is aware of what went on she's now resigned her seat. Council will follow charter and our restrictions on taking actions. The one thing that actually, I think, ended up expediting the matter was the law director had made an inquiry into the insurance aspect and we received a response back that she had been suspended from our insurance coverage so it made it very difficult. So then with that information she made the decision to resign from her position so she has now resigned and I've put it into the record for the comments so we will move the agenda.

CITY OF BROOK PARK, OHIO

P/C 12/6/16 Legislative  
CA 12/13/16  
1st R 12/20/16  
2nd R 1/3/17  
3rd R 1-17-17  
B/C \_\_\_\_\_

ORDINANCE NO: 10064-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AMENDING CHAPTER 153.06  
OF THE BROOK PARK CODIFIED ORDINANCES  
ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS,'  
AND DECLARING AN EMERGENCY

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

**SECTION 1:** Section 153.06 of the Brook Park Codified Ordinances, as enacted by Ordinance No.8225-1996, passed June 18, 1996, and reading as follows:

**153.06 PAYMENT OF HOSPITALIZATION BENEFITS.**

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan. The City shall not pay hospitalization benefits for employees who retire. However, the City shall pay a retired employee's spouse's premium through the PERS program twice a year, provided that such spouse does not hold a job where hospitalization or similar benefits are paid, and provided, further, that the retiring employee has had ten years of continuous employment with the City prior to retirement. If paid by another company, such spouse is not entitled to hospitalization, nor shall hospitalization be paid by the City. Prescription drug coverage shall be paid by the City for all retired employees.

(b) On behalf of a full-time deceased employee, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former

employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City who is not a member of a bargaining unit represented by a union or employee organization may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

is hereby amended to read:

**153.06 PAYMENT OF HOSPITALIZATION BENEFITS.**

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan.

(b) On behalf of a full-time retired or deceased employee with 10 or more continuous years of service, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

(f) Retired employees, or their surviving spouses who have had not less than 10 years of consecutive service with the City of Brook Park prior to their retirement, shall be eligible for a Medicare Part B supplement to match the O.P.E.R.S. and Police and Fire Pension fund Medicare Part B reimbursement. The amount of the supplement shall be \$1,200 annually. To be eligible, retirees or surviving spouses must be:

1. Be 65 years of age or older
- ~~2.~~ Ceases to participate in state pension offered healthcare
- ~~3.~~ Elects to or is mandated into an alternate plan (Medicare or other supplemental insurance)
- ~~# 2~~ 4. Retiree or surviving spouse must show proof of participation in supplemental plan.

**SECTION 2:** Former Section 153.06 of the Brook Park Codified Ordinances as enacted by Ordinance No.8225-1996, passed June 18, 1996, is hereby expressly repealed.

**SECTION 3:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 action 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 Ordinance 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 for the further reason of amending Section 153.06 of the Brook Park Codified Ordinances; therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

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