

**SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON FRIDAY, JANUARY 30, 2015**

The meeting was called to order by Council President Patten at 4:32 p.m., who read the meeting notice. The clerk called the roll and the following Members of Council answered:

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

Also in attendance were Mayor Coyne, Law Director Jamison, Service Director Cayet, Finance Director Cingle and Economic Development Commissioner Dolan.

SUBJECT(S):

REMARKS FROM THE AUDIENCE ON SUBJECT MATTER(S) ON THIS AGENDA ONLY:

Tom Troyer
18352 Kalvin (at the podium)

Mr. Troyer stated I visited Bridges today in Middleburg Hts. and was pleasantly surprised. This organization is not leaving Middleburg Hts. the City of Brook Park will be an additional facility. I toured the facility with Heather Keohane that informed me that they are ADA compliant at the Middleburg Hts. facility and also at the Brook Park location except for use of the upstairs bathroom. The whole Middleburg Hts. facility is not coming to Brook Park only a part of it that does not include autistic clients, the clients coming here will not be making anything for profit. There are for-profit company that get paid by the county per client but they don't make anything from what they produce, just a lot of it is just busy work. There are two different levels; one level is just busy work and fun time and the second level consists of the clients who wrap wild flower seeds for the Metro Parks. Once in a while the clients will package things for Cavalier games and so forth; such as a giveaway bag but is not done all the time and no money is made. Ms. Keohane stated it is very rare but it happens that someone can be trained well enough to get out into the workforce. Mr. Troyer continued in the lease agreement there is wording that has to be the way it is but the facility is not the extreme and as noted at a previous meeting these clients are very friendly. There are about 150 plus clients at the facility currently and the City of Brook Park will be getting in one group total of 35 and with absences and so forth the average would be 29 and the second group will consist of 49 clients coming to Brook Park with a maximum of 70 clients in Brook Park. Ms. Keohane informed me that any time there is an incident 9-1-1 must be called under State Law and there have been no fires and only a few squad runs for little issues. The question of rubbish came up and the Middleburg Hts. facility has two dumpsters emptied per week and there is a nurse coming to the Brook Park site but that is not a requirement it just so happens an employee is also a nurse. At this point I no longer have reservations about this group moving and fitting in and wouldn't be a problem. What I do still have an issue with is finding out the fair market value of the Recreation Center basement's worth and I would really appreciate if an expert could come in and tell us what the value is and would calculate the water, sewer, rubbish and so forth, not just a square footage rate. Another concern of mine is the loss with the usage of the

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recreation center, and there have been talking points that the basement doesn't get used that much and I'm sure it doesn't cost that much to have the basement there. As a member of the Beautification and Pride Committee we meet at least once a month and most of the time, in the past, when the committee meets sometimes the rooms would be full, and I don't know if the city is getting income on that, but most of time when the committee meets there is a Pilates class going on in the main room; so that is a concern of mine as the loss of use for that as a Recreation Center. I still would like to have a budget and do everything as a master plan or an idea of everything going on with a budget. In closing I don't think there is a problem with Bridges, the company, being here my issues are just fair market value and the loss of the use to city residents of that portion of the recreation center.

Jan Powers (at the podium)
16110 Harrison Drive

Mrs. Powers stated I have not planned on doing this but think it is a good idea because at least if I speak from here you don't get to flog me until I say what I want to say. The nursery school there are two other nursery schools, that I know of, in this city so why is the city giving the one here a break on utilities and rubbish pickup when the other centers have to pay those expenses; giving an unfair advantage to the nursery school here compared to what the other centers have to pay to make a living. Under this legislation for Bridges in at least three places it mentions developmentally disable and mentally retarded and I don't know how long it has been since it has not been politically correct to say mentally retarded. If you listen to the news over the last few year's people have lost their businesses and sports team because of a politically incorrect statement; so what trouble can the city get into by having these words in the agreement. Section 2 of the legislation reads 'the money needed for the aforesaid transaction shall be paid from funds therefore appropriated for said purpose'. I'm only in my 13th month and most of you have been up there for 20 years or more but I would like to know from Mr. Jamison; what funds, how much, when was this done and what funds were appropriated for and also on page one – Section 1.2 – Improvements it mentions an Exhibit A but there was no exhibit in the lease agreement. Mrs. Powers continued that she accompanied Councilman Troyer to Bridges in Middleburg Hts. and one of her concerns is if the city would have to have a bathroom downstairs that is ADA compliant who pays for it and when will it be done. Also we were told at the Middleburg Hts. facility that those people will be coming upstairs on a regular basis, maybe a daily basis, not to just the bathroom but to use all the facilities i.e. the gym and other area of the upstairs. How will paying members going to react to having these people upstairs on their time? Also how does the city intend to figure out what percentage of utilities to charge this facility because the nursery school has over 70 children that create a usage of waste products and water; so it's going to be a very expensive proposition that the city is paying in utilities for them.

Mayor Coyne (dais)
23589 Woodhill Drive

Mayor Coyne stated I prefer to sit at the dais and stated I'm glad you went and saw the facility and Mrs. Powers I would agree with you about the description and some of you may not know

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that my son is a special needs adult. Those people will be using the upstairs of the recreation center and will socialize and from time to time will be in the gym; so they will have use of that. They are paying their utilities, for instance, in the day care building I did a calculation I think it's about \$2.92 a square foot for gas and electric so in addition to the lease the day care on the first floor will pay about \$16,000 in utility costs and the basement will be about \$28,000 in utility costs; we've already told you that we thought sewer and water was something that didn't make a lot of sense to meter and I think your worries about what those costs are going to be are far exaggerated. Let's make something very clear if this city doesn't find revenue to keep the Recreation Center going it will be closed. Just by a quick calculation on the rents and the leases and the utilities and the reduction in staff and if Euphoria comes into the pool area then the city will be subsidizing the Recreation Center for \$100,000 a year rather than \$1.2 million dollars. Both Council Members Troyer and Powers spoke on this and I didn't see either one of you supporting revenue that would have paid for this whole building. The basement of the recreation center has not been used on a regular basis for I don't know how long. I think the only Council Members sitting up here would be Mr. Salvatore and Mr. Patten and we wanted to tear this building down and build a smaller and newer one and could have done that for approximately \$8 million dollars, like Middleburg Hts. size. Instead \$6 million dollars was put into this building and made it work by suspending the track and all those other kinds of things. I keep hearing this phrase and I expect I will be hearing it or reading it very soon about losing the Recreation Center one room at a time. You are providing ability for our people by using and leasing space that the city doesn't use to help facilitate them paying a very reasonable amount of money to use the Recreation Center, that's what it comes down to. So if you want to find any excuse you can not to support it then don't vote for it. As far as comparing prices city personnel went out and looked and talked to people that is in this business and \$5.00 a square foot plus utilities is a very sound return; being a landlord of a commercial business for a short time there are a lot of vacant placed out there that want tenants, so it's a very competitive market. I think this fits well and I think you might find some of the young adults are residents of Brook Park that are part of the Middleburg Hts. program. As for the language stated in the legislation that can be changed and appears that you didn't find anything improper. As far as the rest rooms are concerned the city's Building Commissioner and Assistant Fire Chief do a double review and yes, there are a few things that have to be done but my understanding that the rest room situation is compatible with what is required for their operations; so I see nothing wrong with these leases and think we are very fortunate to have this situation here for this city and I'm sure if you talked to both facilities they're not real happy about paying what they will be paying but they like the locations and grounds. I provided the Council President the first rough draft of the total outbuilding of the Recreation Center and Council will see with the exception of where the snack bar is at there is no dismembering of the Recreation Center room by room, do you hear me Councilman there isn't any. So when you see it this will give the city the ability of keeping the center going and you have to remember what the alternative is, unless the city does these types of things. The final thing will be and I have some questions and stuff from the city engineer for the owner of Euphoria and I'm excited and believe that they are still going to go forward which will give residents a real enhanced situation at a blended rate and may have to pay more than \$80.00 a year to participate in that program. If they chose to do that in order to use the pool and no one will know any difference in the operation of the Recreation Center and, as a matter of fact, that will be paying the closest it has ever paid for itself

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probably since the first day the Recreation Center was open. If someone else has another suggestion on how the city can do this better I'll be more than happy to hear it. If not I would like Council to move forward on this so that these organizations can start paying rent for this facility and move forward in redeveloping the rest of the center for a true community center. There is legislation in the Finance Committee to look at the energy issues because there are some infrastructure improvements that will need to be done for this building to function for our residents and for the tenants that will be paying for this center to function.

Mr. D'Amico stated in Section 1.2 – Improvements according the verbiage in this section all the improvements will be at the tenant's sole expense upon approval of the landlord because there is nothing the city said it would improve on that page.

Mr. Dolan responded yes and on page 19 is Exhibit A that says landlord improvements and there are none listed. Mr. Dolan responded to a couple of the comments raised by Council Persons Troyer and Powers. First off the nursery school has been in the same location for over 13 years and there will be no increase in trash from that operation. The concern over an increase in trash and incidental expenses associated with that will not happen; the city has been hauling their trash for a long time. To Councilwoman Powers concern with the language of the developmentally disabled and mentally retarded that is not my language. That is the language that Bridges described their operation as and if it's good enough for Bridges the city is not going to quarrel with them about that; I do hear what you are saying but that is how it was described. With respect to whether or not the leases are retroactive the commencement date of the lease goes to January 1st but there is absolutely no obligation to pay rent pursuant to Section 2, paragraph two and Section 4, paragraph one if they are not in occupancy. So there are pro-ration clauses and even though the lease would be effective January 1st if they are not in the facility they do not pay rent, they only pay rent upon occupancy. So there will be no rent in January and each day they are not occupying the space they will be pro-rated for each day they are not in occupancy.

Councilman Salvatore stated to Councilman Troyer I appreciate you going over to Bridges and sharing your information with Council but you raised a concern with the rubbish and stated that the Middleburg Hts. facility has two dumpsters. Is that two dumpsters on site or two pickups a week?

Mr. Troyer responded there are two dumpsters picked up on a weekly basis.

Mr. Salvatore clarified that is for 150 participants and in Brook Park there will be approximately 29 to 35.

Mr. Troyer responded no, Brook Park will have 49 clients to start once they move in with a maximum of 70.

Mr. Salvatore stated where I work there are a lot of dumpster pickups and obviously if the facility has two separate dumpsters that are being picked up on a weekly basis I'm sure there would be a way to cut that cost. At my job there is an analysis for dumpsters done on a yearly

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basis to see where costs can be cut; but there is going to be at least a minimum of one-third people at the Brook Park facility, so I'm sure that cost would not be cost prohibitive that the city will be dipping into profits by performing that service to them.

SECOND READING OF RESOLUTION AND ORDINANCES:

1. ORDINANCE NO. 9954-2015, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OHIO GUIDESTONE, INC. AND DECLARING AN EMERGENCY
Introduced by Mayor Coyne

Mr. Patten stated that Ordinance No. 9954-2015, has had its Second Reading.

2. ORDINANCE NO. 9955-2015, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BRIDGES REHABILITATION SERVICES, LLC AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mr. Patten stated that Ordinance No. 9955-2015, has had its Second Reading.

There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 4:58 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*
 Michelle Blazak
 Clerk of Council

APPROVED *February 24, 2015*

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