

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

The meeting was called to order by Council President Patten at 7:30 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Finance Director Cingle, Service Director Cayet, Safety Director Byrnes, Mayor Coyne, Law Director Jamison, Economic Development Commissioner Dolan, Engineer Piatak and Recreation Director Fields.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Caucus meeting held on February 24, 2015.

Motion by Mr. Burgio, supported by Mr. Mencini, to approve as printed. Members of Council voted AYE. The motion carried.

DISCUSSION:

1. REQUEST FOR AN APPROVAL TO CONSTRUCT A NEW 100' WIRELESS COMMUNICATION TOWER AT 1901 AEROSPACE PARKWAY

**In attendance: Mr. John Sindyla, Diamond Communications:
(Referred by the Planning Commission on 3/5/2015)**

**John Sindyla
7425 Royalton Road
No. Royalton**

Mr. Sindyla stated this request is to construct a new 100' tall cell tower for Verizon Wireless in the industrial district in Aerospace Parkway. This site would provide coverage to the residential districts to the east; the industrial parkway; the businesses in the park as well as NASA and the Airport.

Mr. Mencini stated the Planning Commission had no problems with this request that was entirely up to code; the Planning Commission voted unanimously to have this tower built.

Mr. Troyer asked Mr. Mencini if any residents appeared before the Planning Commission with any concerns.

Mr. Mencini responded there were none.

Discussion: cont.

Mr. Patten stated there will be a special meeting being called and per the codes this request is required to have a Public Hearing which will be held prior to the special meeting.

Motion by Mr. D'Amico, supported by Mr. Mencini, to place on the next Council agenda under Verbal Approval. Members of Council voted AYE. The motion carried.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT BETWEEN BREWER-GARRETT COMPANY AND THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mayor Coyne stated there is legislation before Council to get the Requests for Qualifications for energy issues with the Recreation Center. The city presently has a contract with Brewer-Garrett and until an analysis is given and a decision is made the city would like to continue the contract for the next six months of 2015.

Mr. Troyer stated in October, 2014 Council approved continuing the contract through the end of the year and are now two and half months into 2015. The contract with this company dates back to 2002 and the original contract started at \$84,384.00 per year that is a little over \$7,000.00 per month. The contract is now \$128,796.00 per year that is \$10,000 per month for a 50% increase over 12 years; with an average increase of over 4% per year. Now Council is asked to extend the contract for another six months and I assume have been using this company for the last two months of this year. Mr. Troyer stated to Mr. Jamison this contract now falls into the category for the city to put this contract out to bid; should it go out to bid?

Mr. Jamison responded my understanding is that the previous Law Director, Dave Lambros, made a ruling in 2002 that this contract did not have to go out to bid and the city has abided by that ruling ever since. I could pull the opinion but probably under the provision that allows for specialized services and because of the city's unique heating and cooling systems and this company's familiarity with the systems.

Mr. Troyer stated I don't feel right about doing this again without sending out to bid and would like to get that information. At this point I think this contract should go out to bid and the most I'd be willing to vote for is if the city, since already in this contract, continue for the six months through the month of June but in the meantime the city send this contract out to bid for the second half of 2015; this Council should at least be doing that.

Discussion: cont.

Mayor Coyne stated ordinarily, on professional services the city tries to get requests for proposals to get an idea and make sure the city is paying the right price and under normal circumstances that is what the city would do. The city is in a transition here as to what will be done with the systems and Brewer-Garrett is aware of it. The legislation if Council passes and the city gets proposals from qualified people to do analysis there will be several more contractors will be aware of the city's situation and a better position for the city to get requests for proposals from them; that is why the city is suggesting this at this time. This is not an item to be bid and ordinarily the city would get requests for proposals but because what the city is doing the city will be in a better position when the proposals are received for changing the systems at the recreation center. Then those companies will have the ability to come in and analyze and the city will have a better pool of which to get proposals from.

Mr. Troyer stated to Mayor Coyne that for the next six months this can go out to bid...

Mayor Coyne no, I'm not saying it has to go out to bid the city ordinarily gets requests for proposals on something like this. So right now there is legislation before Council to identify people who have qualifications to modernize the heating and air conditioning (HVAC – Heating, Ventilation, Air Conditioning) system at the Recreation Center which hopefully city departments will be there. Through that process I would imagine the city will have people submitting proposals on that and they will have knowledge of what the city has and needs to be done. Then the city will have a pool of qualified people that can say I want proposals for the maintenance and they will have knowledge of the city's system. Brewer-Garrett has been here a long time so all I'm saying is at some point in time the city will get requests for proposals but right now the city isn't certain of what the city will have maintained at this time; outside the other buildings.

Mr. Troyer asked for a timeframe of when the city would be in a position to be sent out to bid.

Mayor Coyne responded it is not being sent out to bid the city will get proposals which are two different things. Legislation is before Council and a presentation was given about the energy-savings of redoing the buildings. Through that process those contractors who propose would give the city a natural pool, in my view, who are qualified because they will have knowledge of the city's system. So in making that proposal the city will have a pool of people who have the qualifications to do it and they can submit a proposal.

Mr. Troyer asked how many contractors will be submitting a proposal.

Mayor Coyne responded I have no idea.

Discussion: cont.

Mr. Jamison stated for Council's information on Second Reading is the legislation the Mayor is referring to advertise for requests for qualifications for the energy efficiency project. So when that legislation passes that will then start the process for the city to start getting the RFQ's (Requests for Qualifications) from the various companies so that the city can gather all that information and move forward and figure out what the city is going to do.

Mr. Troyer stated then it would be a good idea to suspend the rules this evening.

Mayor Coyne concurred and stated you're seeing the light.

Mr. Troyer responded all I need is a good reason.

Mr. Mencini stated Brewer-Garrett has been here since 2002 and is familiar with the city's aged system, is that correct.

Mayor Coyne responded yes they are and I don't like being in this position anymore than Council does but it's the reality of the situation. The city has to upgrade the energy systems no matter what the city does so, therefore, at least on this building which is the most demanding building, again, there will be a pool of people that can respond to our request for proposals; then provide proposals that would compete with Brewer-Garrett in the future.

Mrs. Powers stated will the city be advertising for Requests for Proposals and is the city just going to do the Recreation Center because the city has two more buildings and someone seems to have decided without Council's input that these two buildings (City Hall and Council Chambers) be closed and all city operations move to the Recreation Center. Mrs. Powers thinks there should be a study that states which would be more efficient fixing the HVAC System in these buildings and at the Recreation Center; it might be cheaper to keep these buildings open then to put a lot of money into the Recreation Center and kind of destroying the center by making it a City Hall/Council Chamber combination. Also as far as Brewer-Garrett taking care of the city's systems since 2002 and I don't know if the city is paying them \$10,000 a month for maintenance and yet the city hears that the systems in all three of these buildings are not worth maintaining. So why is the city paying this company if nobody is checking to see if this company is doing the maintenance because if this company has been doing maintenance since 2002 the city shouldn't be having all these faulty systems.

Mayor Coyne stated the city can only maintain infrastructure so long and it has to be replaced. The city is at the position that for a cost of \$80,000 the coil system in the Council Chambers and in order to keep the Recreation Center open, literally, all the heating and air conditioning units have to be replaced in the center, there has

Discussion: cont.

been nothing done in a decade. So Council can either pay the price or close the Recreation Center and have no rooms to use at all. By moving city departments to the Recreation Center none of the Recreation Center functionality will be destroyed; that is my thought because it makes the most sense. So Council can look at this or not and that is one of the reasons that the city is looking at this because I believe feasibly it can be done without interrupting very much of the operations of the Recreation Center, just like some point in time you can patch your home roof but after 30 years of patching that roof needs to be torn off and replaced this is the same issue. The reality is I have to tell you when I looked at the analysis Brewer-Garrett did a few years back and no action was taken is pretty shocking. If you go in the summertime and see a ladder up on the roof of the Recreation Center and when I met with Brewer-Garrett about this ladder they have an oscillating lawn sprinkler in the summertime throwing water on both of the cooling systems so they don't overheat; the roof is totally is totally shot on the Recreation Center. Council will get the information and have to make that decision along with me but, to me, that makes the most sense. These buildings here (City Hall and Council Chambers) are totally energy inefficient, both sides, even with the grant received for the new windows and doors at City Hall; the building was designed for the wall to move out and expand about ten feet that should have been done to replace the heating and cooling system. People can walk down the hall and there will be a ten degree fluctuation up or down from the reception area. My office on a day like today gloves have to be worn and then go down the hall to the Human Resources office it's 75 degrees, so that's the problems the city is dealing with. Council will have the opportunity to vote on the final proposal or the city can do nothing and pretend the problems are going to go away, it costs money to repair and replace items.

Mr. Troyer clarified will the city get multiple bids or requests for qualifications on these jobs, I'm interested in getting at least three and making sure the city gets the best deal.

Mayor Coyne stated I know you are and believe it or not I don't like to waste money and maybe you haven't talked to the unions I negotiate with I don't like giving people's money away. Here is the reality the city is in right now the city has a contractor that has been here for a long time and have been performing and, quite frankly, in looking at what this company has been maintaining and make work is pretty amazing to me, particularly at the Recreation Center. So what I'm saying is once Council passes to get the Requests for Qualifications to do the analysis that pool of contractors who makes a proposal on qualifications; the city will now have a pool to go solicit proposals from to do the city's maintenance. These people will have knowledge of the city buildings and know here is the problem and here is what needs to be done so that will give the city a pool. Right now I'm not certain that there is pool out there to get this work done by as good as Brewer-Garrett is doing.

Mr. Troyer asked will it be advertised.

Discussion: cont.

Mayor Coyne responded hopefully if Council passes the legislation tonight.

Mr. Higgins stated to clarify about 10 years ago I did an energy retro-fit project and once qualifications are received from particular contractors. These contractors will visit the facilities and take a look at everything the city has and they are multiple contractors once the city picks qualified ones. What these contractors will do is put together a package or portfolio with their recommendations and costs for what they are recommending the city does. What type of heating and air conditioning units, what type of ventilation and duct work needs to be done; what type of motors, how efficient they are and make all these recommendations. Once that is done a look is taken at all the different packages and that is the bidding process to take a look at all the proposals or packages then pick on of that group. The city looks at contractors qualified proposals once the facility has been looked at and the city chooses a qualified person, that is the bidding process.

Mr. Troyer stated lowest and best, not necessarily the lowest but the best.

Mr. Higgins concurred and stated and the real life example that I had was just over a \$3 million dollar project and I was able to choose who I thought best my needs, for my payback for the energy and fit the different buildings being looked at. That is done by a group of people and I'm not certain who is going to look at them whether it be the city engineer, service director or there could be a couple of different people taking a look at this.

Motion by Mr. Salvatore, supported by Mr. Higgins, to place on the Council agenda immediately following. Members of Council voted AYE. The motion carried.

Mr. Patten stated that will appear under M-2 as Ordinance No. 9962-2015.

3. AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PUBLISHING THE ENACTMENT OF SUCH NEW MATTER; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY
Introduced by Council President Patten

Mr. Patten stated this is basically a housekeeping item to update the city codes.

Motion by Mr. Salvatore, supported by Mr. D'Amico, to place on the Council agenda immediately following. Members of Council voted AYE. The motion carried.

Mr. Patten stated that will appear under M-3 as Ordinance No. 9963-2015.

Discussion: cont.

- 4. A RESOLUTION HONORING THE BEREA-MIDPARK ACADEMIC CHALLENGE TEAM AND DECLARING AN EMERGENCY Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Council President Patten and Mayor Coyne

Mr. Salvatore stated the Berea-Midpark Academic Challenge Team has appeared on television and is currently in first place and still holding the highest points of 725.

Motion by Mr. Salvatore, supported by Mr. Troyer, to place on the next Council agenda.

Mr. Mencini stated I would believe that if they are in first place and the schools are impressive up there, not only Berea-Midpark, and I think it's in the spring when the finals are and if they're in first place they would be in the finals.

Mr. Salvatore commented the team could very well be in the finals.

Members of Council voted AYE. The motion carried.

There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 7:50 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak
Michelle Blazak
Clerk of Council

APPROVED April 7, 2015

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