

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, MAY 19, 2015**

The meeting was called to order by Council President Patten at 8:20 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 Recreation Director Fields, Mayor Coyne, Service Director Cayet, Building Commissioner Hurst, Safety Director Byrnes, Law Director Jamison, Engineer Piatak and Firefighter/Paramedic Wright

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Council meeting held on April 21, 2015.

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

REMARKS FROM THE AUDIENCE (ON ANY SUBJECT):

Richard Mattern
5050 W. 148th Street

Mr. Mattern stated in speaking with the Councilwoman I jotted down some items so I wouldn't forget; I' here tonight to give Council a few things to ponder. Normally, you would ask questions and get an explanation I already realized that's futile. There is a vacant lot next to my home that the City of Brook Park has owned since sometime in 2010. The city demolished the condemned home that was on the lot and has never in five years finished removing the debris. Last year the city crews came out and installed the sewer line to fix the flooding problems in the surrounding yards; the sewer works great and the flooding has stopped. My question is when is the city going to finish? There is still a mound of dirt, there's still debris, bricks and it looks like someone is buried there. The lot needs to be graded there is a large amount of dirt and every year for the last five years I've had to complain about the grass not being cut; if that lawn was on Brookpark Road someone would be answering for that oversight, mind you this is every year. Everyone who has received a citation for not cutting their grass in a timely fashion should get their fine back unless one of the department heads that's responsible for those citations is willing to take his for making me and my neighbors have to look at the weeds weeks on end, there is no excuse such as I forgot or it fell through the cracks. There's nothing this goes on every year for the last five years and somebody should be getting the boot. Maybe the city is cutting back from these departments at the wrong end; many of the people that I dealt with over the years is still the same; many of them are, some are new, shame on all of you. I know two neighbors that have had an interest in purchasing

Remarks from the audience on any subject: cont.

that property; myself being one; again and again no answer, I'm sure one of those parties has now lost interest. Before the city sets up for another five years of ignoring their properties and irresponsibility's they might want to collect taxes instead of paying tax dollars to fix this lot. Each of one of you that sit up there has a boss foolishly I thought that was me and all residents. My elective representatives maybe you should ask yourselves for every vote for shoveling snow or mowing grass or trying to live with whatever you else you all seem to want to argue over instead of fixing; or ignoring rather than addressing has really earned that vote. Can you ask for that vote again with a straight face? For me it's been five years and I've been ignored enough.

Joan Markusic
13911 Bellbrook Drive

Ms. Markusic stated I would like to know how much the city will be saving for privatizing of trash and yard waste. I would also like to know how many jobs are going to be cut when you do that. I would also like to know when, if you do this, you're going to bring back our senior services and how you're planning on getting the streets back up to the quality that we're used to. I would also like to ask you to look at your PR (Public Relations) Department so that the residents' who the Mayor at his meeting at Ford Intermediate School said that the Hometown News was the funny paper. Well, if you don't give the residents' information, I come to the Council meetings a lot of people don't and our city is senior citizens. I know you may not like that or whatever you're thinking about it but you need to realize that a lot of them don't use computers. So you have to get your information out and I know that it's costly but I am sure that with juvenile delinquents in the city you could have them put flyers on doors, by mailboxes or something, this could be their community service and get them a little more towards something constructive instead of destructive. I also want to know what the thrill is that you get out of making the residents' of the city angry and you seem to do that whenever you want something. You cut back and you hit people where it hurts them and it makes them angry and I want to know what thrill or what payoff you're getting from that. I would also like to ask you to have public meetings, I know that you have this Council meeting but if you were to have a public meeting and invite residents' to that public meeting to voice their concerns. That way everybody gets a chance to express what they're thinking and you have a chance to hear how they feel; instead of doing it one on one going door to door. Have it so that you're not hearing 50 million times from these people I really don't like that this neighbor isn't taking care of their yard and I really don't like that my street isn't taken care of. If you would have a public meeting a couple of times during the course of the year that may alleviate a lot of issues that the residents' have and it might help you to tell and inform them. That way they can talk to neighbors, almost like a buddy system, where this group of people talk and this other group of people talk and you have a meeting with one or two people in those two groups because they will go to your public meeting. They will then go back and they'll tell the 25 to 30 people that

Remarks from the audience on any subject: cont.

they talk to and those people talk to other people, sort of like a chain thing. I think that would be a lot easier and people would have all of the information and if they have questions maybe then they could call you to fill in the cracks instead of getting bits and pieces of information. Because I'm finding that I getting a lot of bits and pieces of information and I'm hearing something from this person and that person and never really hearing the whole story until after the event has happened and I don't like that, that's really bothers me a lot. I think that you need better PR or you need to start getting out your information and I know that this isn't the first time I've talked about this at a meeting. Because that's what ticked me off to begin with and t get me to come here. So what is your payoff of getting me ticked off because I don't like it, I don't need it and if you were doing a better job of getting your information out and stop calling the Hometown News the funny paper because that is the only paper getting out to the residents' that they're getting their information from. Maybe you guys could all kind of get it together and the city would run a lot better.

Charles Troutman
16146 Rademaker

Mr. Troutman stated this is the first time that I've been to the war zone and I'm not hear to beat your head in or anything like that but there are a couple of things that were brought up. My question is with the statement as to how much salt was going to cost. My question is why so many people that were born, raised and will die in snow country have to see concrete before driving down a street. Another thing when city crews plow the streets why don't they wait until there is snow on the ground before spreading salt because you can't melt three inches of snow with two inches of salt. I'm not here to head-hammer because all of you do have a job to do but with the subject of the Council Members pay my suggestion is to have minutes that can be read from the last meeting and for the Council Members that don't want to come to a meeting their pay is docked so much money for missing that money. Being this is my first time at a Council meeting this reminds me of past days when kids would play 'King of the Hill' because whoever can complain the most is the King of the Hill. I've lived in the city for 28 years and never once has a Council Member knocked on my door asking if I need anything done. If I don't know who my Councilperson is to begin with whom am I going to yell at?

REPORTS FROM STANDING COMMITTEES:**Aviation & Environmental Committee – Chairman, Higgins**

Mr. Higgins stated no report this evening.

Finance Committee – Chairman, D'Amico

Mr. D'Amico met on May 12th and approved 16 items and the board met earlier this evening and approved 13 items. Also, the auditors have been auditing the books in Brook Park and the Finance Department and Board of Control have been found in full compliance.

Reports from Standing Committees: cont.**Legislative Committee – Chairman, Troyer**

Mr. Troyer stated the Legislative Committee has four items on tonight's agenda.

Parks & Recreation Committee – Chairman, Burgio

Mr. Burgio stated all of the adult softball leagues started this week and games are being played Monday through Friday evenings at Hufsey and Forbes Fields. The IMPACT (Inspiring Many People Across the Community Together) Program will have a kickball event on Wednesday, May 20th from 5:30 p.m. to 7:30 p.m.; there are a lot of people that serve on this committee and it's a great program for the children that need it. Also, I'd like to mention that later in the meeting the Boys Titans Basketball Team will be honored. Due to scheduling conflicts the team was unable to make tonight's meeting; so if Council would be willing to place this on the next Council agenda to provide the team with another date for attendance.

Planning Committee – Chairman, Mencini

Mr. Mencini stated the Planning Committee approved a request to construct a 120' wireless communication tower at 16935 Hummel Road. The next Planning meeting will be on June 3rd.

Safety Committee – Chairman, Salvatore

Mr. Salvatore stated the Safety Committee has one item on tonight's agenda.

Service Committee – Chairwoman, Powers

Mrs. Powers stated no report this evening.

Board of Zoning Appeals – Chairman, D'Amico

Mr. D'Amico stated the next meeting will be held on June 3rd as long as applications are being received.

REPORTS FROM SPECIAL COMMITTEES:**Southwest General Health Center – Trustee, Salvatore**

Mr. Salvatore stated I have been selected to interview for any vacant seats on the hospital board. I also had the honor and privilege to serve on the committee to begin the search and interview process for the replacement of the health center's CEO (Chief Executive Officer) that will be stepping down at the end of the year.

Berea Board of Education – Representative, Mencini

Mr. Mencini stated the Berea-Midpark High School Commencement is June 1st and the last day for students is June 3rd and a total of \$1,560,000 was paid to the vendors for March, 2015. Berea and Midpark High Schools merged in 2013 and each one won a silver medal from the U.S. News and World Report based on test scores of 2012 and 2013 school years; Berea was voted 129th best high school and Midpark was voted 154th high school in the State of Ohio. Berea-Midpark Principal Ruggiero stated that the district's programs not only include academic but social intervention and experiencing more diversity and learning to work with it.

REPORTS FROM BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:
-----**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Coyne stated that Ms. Markusic has criticism for everyone on this dais but for me in particular about communication. I think we've done the best that we can do to get information out to residents' and whether they read it or not is their decision. I think what will be helpful and was helpful in first run as Mayor is having these meetings on television and City Council will hopefully be verbally approving the live streaming of these meetings which will be helpful to people with computers. As to Ms. Markusic's comments about juvenile delinquents' delivering information to residents' homes I don't know how the city could do that and I'm not sure that people want delinquents' delivering to their homes. The city has a communication company that sends out direct mailers to people at least four times a year and there have been two town hall meetings since I've been back in office. The response to those whether people like what I've proposed or not, I think has been pretty strong. Ms. Markusic's comment as to thrill in hurting people or making you angry is certainly not something that I believe any public official tries to do but sometimes telling the truth hurts. In particularly in this city where we have enjoyed the benefits of being a strong industrial community where most of the things that we had literally all the services and the level of those services have been dictated by the city income tax and not the payment of taxes by the people of the City of Brook Park. This city has one of the lowest tax rates for property in Cuyahoga County and if you look at your property taxes, one woman was yelling at me about her mortgage payments, most of those either comes from the schools, zoo or a welfare issues; those are the items that affect your property taxes. I've been frank since the day that I walked back into this job of what the situation of the community is and our problem is not spending our problem is having the revenue to deliver the level of services number one that I have demanded in my public life in this town. I think we had a great deal in setting those levels of services and you've heard me consistently talk about, since I've been back, is we have to deliver those services in a different way. I keep hearing about the seniors and I am aware of the age of the people in this community because I'm one of them and when I started here I was 30 and now 30-some years older and I'm aware of their demand for services. Again, those were provided largely by a city income tax that could provide the personnel to do that work we don't have the personnel to do that work anymore; nor should we hire it because we can't afford to pay it. We are looking at a program now with Council about giving vouchers to our seniors to help them offset some of the costs of providing for their grass cutting and snow plowing. We have reduced the force at the service department and one thing I know about the seniors they want their driveways plowed as soon as we're doing the streets, that's never happened, can't happen and it won't happen now because we don't have the manpower. Ms. Markusic questioned how much money the city will save with doing that the reduction of cost will be on the capital side going forward because nine people have been laid off in the service department. So those savings have already

Reports and Communications from the Mayor: cont.

been enjoyed by the city and helped us in the position where we're getting better from the financial standpoint but I don't envision this city could ever afford to have the kind of employment levels that this city has had in the past. So I have not shunned any dialogue with any citizen of this community; I believe Ms. Markusic was at the town hall meeting and I stayed after the broadcast was over to answer every question that was asked. When I made the comment about the funny papers if citizens of this town read it (Hometown News) and believe me I have a lot of respect for the editor of that paper, Tom Greenlee, he is a master manipulator and has a lot of talent. If anybody that has come to these meetings believes the front page of that last article where two Members of Council were credited with the financial salvation of the community when they voted against the budget that Mr. Greenlee gave them credit for passing; so it's not even close to being factual. Again, you have to take it for what its worth and if that's all the information that you seek then you'll make your decisions accordingly. This city needs revenue to rebuild and right now there is no revenue to rebuild our roads and sewers. The only way that we're going to be able to do this is for the people of this community decide that they're going to reach into their pockets and give us more money, I hope that answers your particular question.

Mayor Coyne responded to Mr. Troutman is one of the great citizen's of this city and believe me after this meeting Mr. Troutman will have all the elected officials asking him what he needs. With the cost of salt there are two service directors' on this dais and I spent most of my career, when I was not Mayor, delivering services and it's been a dilemma in this town that people want their streets plowed. If possible the city will lose a lot less salt then ever used in my time but still it is necessary. Finally, the big question on everybody's mind is the yard waste and I always enjoy Councilwoman Powers who is critical of things being ridiculous and I agree with her. I've try to offer practical solutions to problems throughout my career and the practical solution is outsourcing that service. The people of this community will have uninterrupted service without any cost to them and we had a discussion about that and I told Council that we don't have the manpower or the physical ability to do this work. So we got everybody's attention to understand what a difficult problem this is for people in the city. I had a meeting with our rubbish disposal provider and the city's service director asking what can be done to address this problem because we don't' have the manpower and it makes no sense to me to continue capital improvements for the leasing of these trucks. This year the leasing of the automated rubbish trucks on the capital side is about \$250,000 and it makes no sense to me to go forward into a business that we should not be in; when most of the cities around us are not in it and there are good reasons why. There are people that have nostalgic thinking and think that we're going to keep these jobs; the jobs are already gone the workers have been let go and all of them with the exception of one is placed in another public entity and will return to our city when other workers retire. What privatizing will do is give the city the ability to work on the city's sewer system and hopefully the service director will speak about the calcium being found in the city sewer systems. There hasn't been sewer maintenance of this town on a daily basis

Reports and Communications from the Mayor: cont.

basically since I left and that needs to be done every, single day. Every inch and foot of sewer in this town has to be maintained everyday as well as the catch-basins being cleaned everyday. That's why I recommended the change to take that work force, those existing service crews, and putting them to work where I trust our own people rather than contracting out the sewer maintenance, like many other cities do. So in discussion with the provider they have indicated to us that they will allow our citizens' to place their yard waste in with their regular rubbish. This will be allowed only under the following conditions: 1. The yard waste must be placed in a separate plastic bag within your existing rubbish container; not loose and not a paper bag it must be plastic or it won't be picked up. 2. The yard waste and regular rubbish together cannot exceed the volume of the regular waste container; so if they don't fit the service crews will not pick them up. 3. If your yard waste exceeds the capacity of your regular rubbish container you can one of two things. You can either purchase an additional trash can which is a cost of \$45.00 from City Hall or if you have an excess then the yard waste must be brought to the service garage from the hours of 7:00 a.m. to 7:30 p.m., Monday through Friday and on Saturdays from 8:00 a.m. to noon. Nobody is on overtime service crews are scheduled to work those hours on a regular basis. Under no circumstances can yard waste be placed in the blue recyclable containers if you do that service crews will not pick it up and residents' will be subject to a fine. Also, yard waste cannot be placed in other rubbish receptacles i.e. rubbish cans that have handles that must be emptied physically. The yard waste that is placed in the black cans will be picked up with the one-arm rubbish trucks. I will do a Code-Red on this matter to let people know what is going on and also the city's website will have this information. Just so everyone knows this is a temporary measure and I'm not real comfortable about this arrangement but I want to thank Republic for letting the city do this to give time for Council and the residents to talk about this and I think you all recognize what a major problem this is. Not only the yard waste but also the trash and I have concerns with whether the vehicles that we have with this added work and stress on the hydraulics will continue working. In most cases the private haulers use the front-loaders but we will see what happens. This will be done for the rest of the year and I believe this discussion has to take place and we need to consider outsourcing this service long-term for our community which will give a greater balance on how the work force is used and more importantly reduce capital expenditures. That is how the city is going to move forward with rubbish disposal provider and a Code-Red announcement will be made tomorrow to all the residents'.

Mr. Troyer clarified that Republic will accept the yard waste and rubbish. If a resident has branches and twigs then most likely those residents' will have to bring them to the service garage.

Mayor Coyne interjected they can call the service department for arrangements to be made but yard waste must be placed in a plastic bag.

Reports and Communications from the Mayor: cont.

Mrs. Powers commented if the city is trying to save money and be more efficient if you would do a survey of the people who use the blue cans. Then service crews wouldn't have to pick up those blue cans every other week. At my house it takes me a long time to fill the blue can as well as other people who say the same thing that the blue cans don't need to be picked up a regular basis. If a survey was done then that would tell the service workers who needs a blue can pickup every week or once a month. That would also save money and the wear and tear on the automated trucks.

Mayor Coyne responded if you talked to people they want this done on a regular basis and that survey is not going to work. Because there might be a week where a resident changes their mind and decides they need a pickup. That is why this was structured that during the big cleanup time the city would take care of the yard waste pickup. So this is what was agreed to with our provider, and to be very candid I'm shocked, but they are willing to do this and we will see how this works. Again, this is for the short-term and there is legislation in your committee and I would hope that as soon as you can the legislation is pulled out because all the information has been given to you. So let's get this matter out there and I believe that the people of the community will be receptive to having their rubbish picked up and I don't think they care who picks it up as long as its picked up. So this is a suggestion and compromise with the provider of the landfill and that's what the agreement is and I don't see a need for a survey.

Mrs. Powers clarified the survey would be for the recyclables because not everyone fills that can on a weekly basis.

Mayor Coyne responded this is the way Republic for trash to be mingled and they don't have to do this; the recyclable issue is for discussion at another time. If I said solid waste I meant yard waste that residents' want picked up on a regular basis that can be achieved for the short-term through this agreement in order to move forward long-term.

Mr. Patten commented to Mayor Coyne the statement you made about the sewers not being cleaned since you left I beg the differ. When I was here for over three years service crews cleaned every sanitary main in a year and a half plus went into the storms and brought filming equipment in to film all the sewers. So I want to tell you there was maintenance intact here in the city prior to you coming back to office.

**REPORTS AND COMMUNICATIONS FROM OTHER DEPARTMENTS,
COMMISSIONS, PUBLIC OFFICIALS:****Engineer Piatak**

Mr. Piatak stated the Smith Road Sewer Project continues with mainline installation winding down and tie-ins were made today at Holland Road with one more tie-in at Fayette that needs to be

Reports and Communications from other departments, commissions, public officials: cont.

done; once those tie-ins are complete the mainline of the project will be wrapped up. The contractor is working on service connections that are wrapping up on Snow Road and late today temporary asphalt was placed at the Holland-Smith intersection. The Sylvia-Leslie Drive Project bids are scheduled to be open next week and to date there are no updates on the Holland Road Quiet Zone between Middlebrook and Michael Drive.

Mr. Higgins stated to Engineer Piatak while driving here today and crossing the intersection of Holland and Smith Roads the contractor had a large water truck spraying down the lane and washing the whole construction site. I can only assume that the debris will end up in the catch-basin system on Smith Road; is the contractor planning on cleaning the catch-basins when they are done.

Mr. Piatak responded yes, the catch-basins do have filter fabric over them to try and catch most of the sediment that would filter down into the catch-basin and the contracting crews have been cleaning the fabric on a regular basis.

Mr. Troyer stated to Engineer Piatak you mentioned that Sylvia-Leslie Project is still sending out to bid, I thought that the project was going out to bid earlier this month; is there an issue.

Mr. Piatak responded there is no issue the project has to be advertised twice in a newspaper and was advertised on the Plain Dealer website, cleveland.com, last Tuesday and this Tuesday. Bids are scheduled to be opened on the third Tuesday, May 26th.

Mr. Burgio stated to Engineer Piatak when the Smith Road Sewer Project is complete will the ruts in the tree lawns be repaired and reseeded?

Mr. Piatak responded before the contractor heads out we will survey the adjacent area of the project and identify the areas that we deemed damaged and have the contractor bring in the proper topsoil and seed the tree lawns.

Service Director Cayet

Mr. Cayet stated the route for the upcoming Memorial Day Parade this coming Monday has been changed the parade will go down Remora to Delores to Sylvia to the memorial; the barricades are all ready to go and will be put in place Monday morning and taken down after the parade. The county came out and started the catch-basin and drainage ditch treatment for larvae for mosquitoes along I-71 and I gave them permission to go ahead and start with the catch-basins. The Mayor spoke about the trash and yard waste and we just didn't pull this out of our back pocket. We met with the union to get their input and their input was not to do anything with yard waste. Let the people mulch and find something to do with it but we knew we couldn't do that. So the best we did for 20+ years has been split at curbside and taken out of the mainstream rubbish and that's the way it's been all these years. I met with Dave Kidder from Republic and asked him if they accept yard waste if it's co-mingled and his response was yes they do. I then asked him for something in writing that he provided and states the following: As far as yard waste disposal is concerned we are not prohibited from accepting source separated yard waste at the landfill; source

Reports and Communications from other departments, commissions, public officials: cont. separated means a trash can with rubbish, a can with grass and a can with recyclables. Mr. Kidder told me that everyone mixes yard waste with rubbish and you'd be surprised how many people put yard waste in the recyclable can along with the recyclables; dead animals have also been found in the can. People are very confused at times with the rubbish since I've been back the last 17 months and I still get calls daily from people who don't even know what day their recyclables are being picked up; that hasn't changed since 2012. It's been going on three years that the program is every other week and some folks still call and ask when recycling day is. The email continues by saying that we are not prohibited from accepting yard waste at the landfill which residents have co-mingled with their trash and I hope that clarifies it for you; so that clarifies it for me and I hope it clarifies for Council and city residents'. Republic does ask that grass clippings from the lawn are thrown in loose it needs to be put into a bag and place it in your can. As the Mayor commented those cans are 95 gallon and a lot of complaints are received that some residents' don't need a can that big, I only have two bags of rubbish. Now there will be room for yard waste to be put into the can for co-mingling until we come up with some idea as to how to move in the future. As far as work force I've curtailed my guys for vacations down to three laborers, one mechanic and a janitor so with that being said on Monday I had 11 guys off out of 37. With those 11 guys off there is still someone that has to do their job so what's that going to do. That's going to keep me from filling those potholes that I get calls on all the time and memos from Council Members about potholes; we know where the potholes are it's just getting out to do them one shovel at a time. Also, letters are received from Council Members about residents' wanting the tree lawn tree taken down; I don't have anybody to take the trees down. After the tree is taken down it then has to be stumped, grindings cleaned up and then topsoil and seed the tree lawn. Residents' don't want to wait around for that but, unfortunately, at times they do and I try to get on it and have a second shift go out and do that. My one second shift crew member is going in for back surgery and will be out of work for six months and there is nobody to replace him and will have to pull someone from the day shift to cover. So with the yard waste being co-mingled the service crews won't have to pick it up and then again these guys are averaging 50 years old, they're not young men and you're going to have more guys having back and shoulder surgeries and there is nobody to replace them so we're going to be like George Patton going into Germany with guys getting shot and nobody to replace them. So needless to say those potholes that are out there I don't have enough guys to put the shovel in the hot box to fill the holes. What would you rather have the pot holes filled right now, I know you'd like to have it all done, but we can't and I try my best. The grass cutting I had kids helping me last year cutting grass here and there that caused a little problem with the union that they didn't want the kids cutting grass at the parks and such; that's their work. John Bernath, Jr. is a cutting fool and it's amazing when he gets done cutting the fields so when the guys get done with yard waste after lunch they go back out, dump their trucks at 1:30 p.m. and ask what you want us to do. Mr. Higgins you can recall back in the day when those guys got done with their jobs they went home and it was called TASK that the city no longer has. The service workers are all stepping up and are doing a fantastic job and I hope that all of you appreciate it.

Mr. Higgins stated to Mr. Cayet, Lou, you're hitting a little bit of a nerve with your report this evening. It started with the union doesn't want to do that, the union doesn't want to do that; I think you're in charge of the service department. Then you continue to talk about how you don't have enough guys to do this, enough guys to do that, enough guys to do that; maybe you shouldn't have let go so many people. Maybe some of the contract language shouldn't have been changed in the

Reports and Communications from other departments, commissions, public officials: cont.

contract where you had some permanent part-time people that you could utilize them at a lesser pay; maybe a lot of things should have changed. For one second if you think these Council Members including myself aren't going to continue to send requests that we get from our constituents to you because you don't have people to fulfill them that's not going to happen, they are going to continue to come. So I don't want to rehash this again but I am going to rehash since you brought it up. Now originally when this rubbish privatization came forward in our budget which has to be passed by the end of March of every year I got a consensus from Council and sat down with the Mayor. The votes were 6 ½ to let's take a backseat to this thing for a few weeks we have three or four weeks to pass a budget; let's balance the budget like we do every year by the end of March because it's the law. Then we can take a look at privatization and the Mayor decided that he would go ahead without Council's knowledge I'm not going to pick up yard waste anymore as of June 1st. City Council then gets an entourage of people contacting them putting up a big beef, none of that had to happen. I didn't create that and these other Council Members sitting up here didn't create that all we asked is to put privatization on hold so that we could discuss this. There's a reason why companies have think tanks, there's a reason why committees that sit together and share ideas; that's not happening up here with this Administration and this Council. So don't sit up here and cry the blues that you don't have enough people because I don't really care to hear your cries; you have two people that Council put money in the budget for bring them back.

Mr. Cayet stated thank you Mr. Higgins.

Mr. Troyer to Service Director Cayet with the yard waste requirement that it be placed in a bag did Republic give any reason for that? I'm thinking it was just so the grass didn't mess up the containers or the truck? Will Republic allow branches in the trash can as long as the lid closes?

Mr. Cayet responded that was what Republic asked for us to do.

Mr. Higgins stated another note that I forgot 25 years ago when I took over as Brook Park Service Director for Mayor Coyne we were taking our materials from the city to an incinerator in Akron, OH. We were paying a pretty good tipping fee at the time and the thought process then was we were beat a lot of cities over to that incinerator because the EPA (Environmental Protection Agency) was going to mandate that yard waste could no longer go to a landfill. The EPA never enforced or enacted that law and the incinerator has since closed because of pollution controls being expensive, explosions from propane tanks, fires from possible chlorine and chemicals. There has never been a law enacted by the EPA that says yard waste cannot be taken to a landfill; so you didn't have to check with Republic you can take it there. You can take it to Waste Management's land fill or to any land fill in this state there is no law that says you can't.

Mr. Mencini stated Mr. Bernath did a fantastic job of cutting grass in my area around Sylvia and I have received three calls about mosquitoes. Is this spraying going to be a continuous thing are they going to come back mid-summer and in the fall?

Mr. Cayet responded it's not spraying briquettes are put out which is a poison that melts down and gets into the system and kills the larvae.

Reports and Communications from other departments, commissions, public officials: cont.

Mr. Mencini continued that they sprayed in the past will that be a one-time shot because last year I received a lot of calls in the fall with the cooler weather and standing water.

Mr. Cayet responded that they informed him that next year they would like to double up on what they do now.

Safety Director Byrnes

Mr. Byrnes thanked Council for the memos sent and all the requests have been addressed and special attention has been given to the streets mentioned in the memos. The police department has been busy enforcing laws and the city has less complaints about speeding drivers then before; so there's been some success in that area. I would also like to ask people to bear in mind that we have had some instances with vandalism at some of the parks in the evenings that the auxiliaries are patrolling but it would be a good idea for neighbors out in the evenings to keep track of their children.

Mr. Mencini stated it's a good thing to see patrol officers taking radar and even on Sundays. I have a girl who stays with me while attending Cleveland State and she leaves early in the morning. Now that school is out she went for a bike ride this morning and one of the detectives saw her coming out of my house that didn't know she was staying with me. So he stopped her and asked her what she was doing there which is a great thing to hear.

Mr. Burgio thanked Safety Director Byrnes for having the traffic situation on Smith Road taken care of and both churches appreciate that for the assistance.

Mr. Byrnes commented that the one Reverend did call me to say thank you, which was very nice.

Mr. Troyer stated to Safety Director Byrnes there was some car break-ins or people going through cars in my neighborhood of Calvin and in Ward 2 the other side of Holland Road. Have anyone been caught or are there any conclusions on this matter.

Mr. Byrnes responded not at this point it is being investigated and would not be proper to discuss it publicly but all events are being reported to us and being looked at. It would be helpful is people locked their vehicles and called the police dispatcher if they see anything that looks suspicious.

Mr. Troyer clarified as soon as it happens not later.

Mr. Byrnes concurred.

Law Director Jamison

Mr. Jamison stated no report this evening.

Recreation Director Fields

Mrs. Fields stated that the baseball numbers for the center's summer programs have been distributed to all Council Members. As Councilman Burgio mentioned the softball leagues have started Monday through Friday and an additional Monday team has been added for Women's

Reports and Communications from other departments, commissions, public officials: cont.

Softball, a Wednesday Double-header league which gave us an additional ten teams. The department is also having baseball clinic, like we did last year, for all the baseball and softball participants and coaches on May 30th.

Mr. Mencini asked Mrs. Fields to explain the new mentoring program the center has started.

Mrs. Fields responded the center has a new program called IMPACT to outreach to youth in the community that might have behavioral issues or need a positive role model in their life. Tomorrow there will be a Dodge Ball event and there have been several events in the past such as an Ice Cream Social and Relay races; these activities are positive and fun and the children can have a positive role model in their lives.

Mr. Mencini stated a couple of Fridays ago there was fun night at Kennedy Park with a great turnout and everyone did a fantastic job.

Mrs. Fields stated there will also be a kickoff for the Water park when it opens on June 8th there will be a family fun night that will be open to all families including members of Brook Park. This event includes a cookout so that the families can get to know the mentors and the mentees.

Mr. Troyer stated the IMPACT Program is a great event and happening for the city and I attended the Ice Cream Social and would like to thank Lumpy's for the donation of the ice cream.

Finance Director Cingle

Mr. Cingle stated no report this evening.

Mr. Higgins stated to Finance Director Cingle, I'm not sure if this question is for our finance director and if it's not maybe he can direct me to the right person; I have a couple of questions regarding Board of Control. The city's ECN - Emergency Communications Code Red is there a flat fee that is paid every year and then per phone call that is made through that system?

Mr. Cingle responded it is a flat fee for how often it is utilized.

Mr. Higgins continued so this \$19,000 is for a year?

Mr. Cingle concurred.

Mr. Higgins continued the commission fee for successful grant application for the demolitions by Udrija and Associates; who contacted with them?

Mr. Cingle responded the Mayor.

Mr. Higgins stated to Mayor Coyne how are we contracted with this company and how does the contract work?

Reports and Communications from other departments, commissions, public officials: cont.

Mayor Coyne responded I will get you a copy of it there are a couple of different provisions. It's a flat \$6,000 retainer and, as a matter of fact she is a resident of the City of Brook Park, and has been a successful grant writer for many communities. In this instance on this grant she gets a percentage of this amount that I think is 5% from \$100,000 to \$300,000 and the retainer fee is deducted from that amount. So it was \$19,000 that she was probably due and I could be wrong but I think the exact amount after the deduction that was negotiated was \$13,000.

Mr. Higgins stated to Mayor Coyne do we give her direction what grants we want to go after?

Mayor Coyne responded yes, she will come in and talk with us and is aware of what's out there and has been doing this for many cities and she applies.

Mr. Higgins questioned why did we have her do this one?

Mayor Coyne stated have her do what one?

Mr. Higgins stated this application for demolition?

Mayor Coyne stated we did.

Mr. Higgins clarified why did we have her do this one?

Mayor Coyne responded because it was a grant that was coming forward that the city became aware of and we asked her to apply for it; she's a grant writer that's what she does.

Mr. Higgins stated Mr. Mayor, it's a pretty simple application and I think somebody in-house like our Economic Development Commissioner could have done this thing in probably a few hours.

Mayor Coyne stated Councilman, that's your opinion.

Mr. Higgins stated Mr. Mayor, I can tell you this I have a grant writer in the city I work in and this application for those same monies was filled out by our Economic Development Director in two hours.

Mayor Coyne stated that's fine Councilman, the fact of the matter is we have contracted with a grant writer, I don't know if you or you haven't, but the fact of the matter is this is a general contract that they work under. If Council does not wish to employ a grant writer they can let me know the contract is done every year and I will cancel it; you can't have it both ways.

Reports and Communications from other departments, commissions, public officials: cont.

Mr. Higgins interjected I'm not asking to have it both ways I didn't know you had a contract with a grant writer and would appreciate you forward me a copy I'd like to see it.

Mayor Coyne stated I sure will.

Mrs. Powers stated to Mayor Coyne as Mr. Higgins said I didn't know we had a grant writer and everyone up here has a name so who is the city's grant writer.

Mayor Coyne responded I will get you all that information; the name of her company and everything and Council will have it tomorrow. I don't her exact name but she lives in Brook Park and has a company and will give you the information tomorrow; it's not an issue in my view.

Mrs. Powers stated we differ on a lot of things.

Mayor Coyne concurred and stated I will get you the information tomorrow, I didn't bring it with me, I didn't know it was going to be a bone of contention this evening or I would have.

**OTHER COMMUNICATIONS, PETITIONS, AND VERBAL APPROVAL:
(INTRODUCTION OF NEW LEGISLATION):****New Legislation:**

1. A Resolution in support of Whitacre Logistics, LLC applying with the Cuyahoga County Department of Development for a grant to perform an environmental impact study for property, listed by the Cuyahoga County Fiscal Officer as Permanent Parcel No. 343-10-006 and declaring an emergency Introduced by Mayor Coyne **Placed in Aviation & Environmental**
2. A Resolution requesting the City of Berea's Mayor and Council to join with the City of Brook Park in an effort to establish a quiet zone and lockout gates for Sheldon Road – Norfolk Southern Crossing and declaring an emergency Introduced by Councilman Troyer **Placed in Legislative Committee**
3. A Resolution requesting the Mayor to extend yard waste collection through June 30, 2015 and declaring an emergency Introduced by Councilman Troyer **Placed in Service Committee**

Introduction of New Legislation: cont.

4. A Resolution urging all residents' to shop and dine in the City of Brook Park during the shop and dine in Brook Park week, December 7, 2015 through December 13, 2015 and declaring an emergency Introduced by Councilman Mencini **Placed in Legislative Committee**
5. An Ordinance authorizing the Service Director to prepare specifications for the maintenance and preventive maintenance of its public buildings and further authorizing the Mayor to advertise and enter into a contract with the lowest and/or best bidder and declaring an emergency Introduced by Mayor Coyne **Placed in Service Committee**

Verbal Approval:

1. EQUIPMENT AND MONTHLY FEE FOR LIVE STREAMING OF COUNCIL MEETINGS

Mr. Troyer stated with the operating costs on this I know there is a monthly cost of \$238.00. With the two cameras will the city be paying anybody to operate the cameras? What are the extra costs of providing the needed essentials? Also if city operations move to the Recreation Center is there going to be a cost of moving this equipment over to there? This is a great thing to do but we have to remember that there still are people that don't have computers and will not be able to get the information.

Mayor Coyne responded we did an extensive search as to getting these meetings televised and it is my understanding the infrastructure here is either gone or not maintained. My understanding with the way this works is that it is completely portable and if a Council Member wanted to have a live stream meeting here in this building or I wanted to do it in my office that could be done. We brought the major part of this equipment when we did the town hall meeting at a cost of \$500.00 so we can move it back and forth and we will have the company that does this come out. There will be a control up here that the Council President or the Clerk to press a button while a Council Member is talking and a button out there for residents to press while they're talking so that residents' at home can see them on live stream. So to my knowledge there isn't any additional costs and there's a variable on the Internet cost because we have had some problems with Wi-Fi in this building; so when the company comes out to make the presentation these would be questions to ask them.

Motion by Mr. Salvatore, supported by Mr. Troyer, to verbally approve.

ROLL CALL: AYES: Salvatore, Troyer, D'Amico, Higgins, Powers, Burgio, Mencini

NAYS: None. The motion carried.

MISCELLANEOUS BUSINESS (APPOINTMENTS, CONFIRMATIONS):
-----**INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (FIRST READING):**

1. ORDINANCE NO. 9965-2015 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GREATER CLEVELAND AUTO AUCTION, PUBLIC AUCTIONEERS, FOR THE PURPOSE OF DISPOSING OF OBSOLETE CITY VEHICLES AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Motion by Mr. Burgio, supported by Mr. Troyer, to suspend.

Mrs. Powers asked if these vehicles are going to be replaced or should we keep, repair and maintain them? Are the buses listed the buses that the seniors use? Also, my suggestion is that one of those buses be used for the seniors and also for Council Members to take excursions into other cities to take a look at how other cities are meeting the challenge of greening their city, since Brook Park is one of the lowest cities for tree plantings.

Mayor Coyne responded the Bluebird was purchased in 1994 for the senior citizens and is not operable to take on a trip anywhere and the same with the 20-passenger bus. We still have our ability to deliver the seniors to their activities. When the seniors took the Bluebird on excursions it broke down a few times. The other listed vehicles city mechanics have looked at and determined that they're not worth putting anymore money into. Finally, no the city will not be getting any new vehicles this year.

ROLL CALL: AYES: Burgio, Troyer, D'Amico, Salvatore, Mencini, Powers, Higgins
NAYS: None. The motion carried.

Motion by Mr. Higgins, supported by Mr. Burgio, to adopt.

ROLL CALL: AYES: Higgins, Burgio, Powers, Mencini, Salvatore, Troyer, D'Amico
NAYS: None. Ord. No. 9965-2015, has passed under Suspension of the Rules.
Adopted.

2. ORDINANCE NO. 9966-2015, AUTHORIZING THE MAYOR TO PARTICIPATE AN ODOT (OHIO DEPARTMENT OF TRANSPORTATION) COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF SODIUM CHLORIDE AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Motion by Mr. Salvatore, supported by Mr. Troyer, to suspend.

ROLL CALL: AYES: Salvatore, Troyer, D'Amico, Higgins, Powers, Burgio, Mencini
NAYS: None. The motion carried.

Motion by Mr. D'Amico, supported by Mr. Salvatore, to adopt.

ROLL CALL: AYES: D'Amico, Salvatore, Troyer, Mencini, Burgio, Powers, Higgins
NAYS: None. Ord. No. 9966-2015 has passed under Suspension of the Rules. Adopted.

3. RESOLUTION NO. 12-2015, HONORING KATHI STAUTIHAR FOR BEING NOMINATED AS 2015 CITIZEN OF THE YEAR AND DECLARING AN EMERGENCY Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Council President Patten and Mayor Coyne
Motion by Mr. D'Amico, supported by Mr. Troyer, to suspend.
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Mr. Salvatore stated I think we should place this piece of legislation along with the next three so that the honorees can be invited to a meeting to receive their resolution and synchronize them so that everyone gets honored at the next two meetings.

Mr. D'Amico withdrew his motion and Mr. Troyer withdrew his support.

Mr. Patten stated that Resolution No. 12-2015 has had its First Reading.

4. RESOLUTION NO 13-2015, HONORING JAN SKINNER FOR BEING NOMINATED AS 2015 CITIZEN OF THE YEAR AND AN EMERGENCY Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Council President Patten and Mayor Coyne

Mr. Patten stated that Resolution No. 13-2015 has had its First Reading.

5. RESOLUTION NO. 14-2015, HONORING DON AND HOLLY RUTTI ON CELEBRATING TWO GOLDEN ANNIVERSARIES AND DECLARING AN EMERGENCY Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Council President Patten and Mayor Coyne

Mr. Patten stated that Resolution No. 14-2015 has had its First Reading.

6. RESOLUTION NO. 15-2015, HONORING SAMANTHA ROCCO, FOR BEING ACCEPTED INTO THE JUNIOR STATESMEN OF AMERICA SUMMER SCHOOL PROGRAM AT PRINCETON UNIVERSITY AND DECLARING AN EMERGENCY Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Council President Patten and Mayor Coyne

Mr. Patten stated that Resolution No. 15-2015 has had its First Reading.

6. RESOLUTION NO. 16-2015, DESIGNATING JULY AS PARKS AND RECREATION MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY Introduced by Councilman Burgio and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Salvatore, Council President Patten and Mayor Coyne

Introduction of Resolutions and Ordinances: (First Reading): cont.

Motion by Mr. D'Amico, supported by Mr. Troyer, to suspend.

ROLL CALL: AYES: D'Amico, Troyer, Salvatore, Mencini, Burgio, Powers, Higgins

NAYS: None. The motion carried.

Motion by Mr. D'Amico, supported by Mr. Salvatore, to adopt.

ROLL CALL: AYES: D'Amico, Salvatore, Troyer, Mencini, Burgio, Powers, Higgins

NAYS: None. Res. No. 16-2015 has passed under Suspension of the Rules.
Adopted.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (SECOND READING):

1. RESOLUTION NO. 10-2015 HONORING THE BEREA-MIDPARK TITANS BOYS BASKETBALL TEAM FOR THEIR WINNING THE BACK-TO BACK SOUTHWEST CONFERENCE CHAMPIONSHIP AND DISTRICT RUNNER-UP AND DECLARING AN EMERGENCY Introduced by Councilman Burgio and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Salvatore, Council President Patten and Mayor Coyne

Mr. Patten stated that Resolution No. 10-2015 has had its First Reading.

2. RESOLUTION NO. 11-2015, REQUESTING THE PUBLIC UTILITIES COMMISSION OF OHIO LIMIT UTILITY PROVIDER'S ABILITY TO CONDUCT HOME SOLICITATION Introduced by Councilwoman Powers

Motion by Mr. D'Amico, supported by Mr. Troyer, to suspend.

ROLL CALL: AYES: D'Amico, Troyer, Salvatore, Mencini, Burgio, Powers

NAYS: Higgins. The motion carried.

Motion by Mr. Salvatore, supported by Troyer, to adopt.

Mr. Higgins stated the only question on this piece of legislation is why we're limiting it to just a particular provider because there are all kinds of people that solicit door to door; whether it be cable companies or other companies looking to save residents' money on different items. So a vote for this is a vote to not have solicitors knock on doors asking to save monies. I understand this is only one utility but I change my cable provider based on someone knocking on my door selling me a better program then currently have and just limiting one particular provider I don't understand the purpose of that.

Mrs. Powers stated I have found through personal experience and in talking with other people in the community that the utility companies employ very aggressive people with tactics that almost demanding to be shown residents' utility bills, etc. I also have had cable companies' approach that are far more pleasant and not as aggressive;

Introduction of Resolutions and Ordinances: Second Reading: cont.

that's the reason that I singled out the utility companies is because of their aggressiveness, being pushy and try to force and demand that residents' get their utility bills to show the savings they can provide the best deal. As far as cable companies I receive flyers in my mailbox and the utility companies solicit in the monthly billing. I would like to ban everybody because I don't want people knocking on my door selling me anything.

Mr. Salvatore commented to Law Director Jamison that there is a law on the books currently that provides for solicitation, how will this apply to this resolution.

Mr. Jamison responded the first part of the question the answer is correct there is existing legislation about home solicitation. My understanding is this is a Resolution directed to the Public Utilities Commission asking them as they regulate various utility providers how they then develop administrative regulations to monitor these public utilities. In regards to how this was crafted by Mrs. Powers it was basically urging PUCO (Public Utilities Commission of Ohio) in terms of adopting their regulations as it relates to their ability to control what certain utility companies are doing. This legislation doesn't change the existing ordinance on the books this is just a resolution urging PUCO to look at this issue when dealing with various utility companies.

Mr. Salvatore clarified this legislation does not affect the law on the books; this is a resolution backed by City Council by vote urging the utility commission to look into this matter, am I correct?

Mr. Jamison concurred.

Mr. Troyer stated basically just like every Resolution it's not binding it's just either asking something to do be done or commending someone on an accomplishment or for something they did; we're just asking the PUCO to look into these types of utilities because they are aggressive, as my neighbors have told me. It's not binding and doesn't change the city's laws it's just a request that the PUCO regulate this. Our law basically requires that if you don't want anyone coming to your door a 'No Solicitors' sign so that nobody can come. This would ask the PUCO to control these utilities because of deregulations and the companies that are always trying to get people to change the provider. I think it's a good thing and maybe something will come of it and maybe it won't but there is an issue with this.

ROLL CALL: AYES: Salvatore, Troyer, D'Amico, Higgins, Powers, Burgio, Mencini
NAYS: None. Resolution No. 11-2015, has passed under Suspension of the Rules. Adopted.

THIRD READING OF RESOLUTIONS AND ORDINANCES:

Motion by Mr. D'Amico, supported by Mr. Higgins, to go into Executive Session for Attorney Conferences – Litigation.

ROLL CALL: AYES: D'Amico, Higgins, Powers, Burgio, Mencini, Salvatore

NAYS: None.

ABSTENTION: Troyer. The motion carried at 9:39 p.m.

In attendance: Members of Council, Law Director Jamison, Finance Director Cingle.

Motion by Mr. D'Amico, supported by Mr. Mencini, to adjourn the Executive Session. Members of Council voted AYE. The motion carried at 9:55 p.m.

Motion by Mr. D'Amico, supported by Mr. Salvatore, to go back to Regular Order of Business. 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 9:56 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.