

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, JUNE 16, 2015**

The meeting was called to order by Council President Patten at 8:21 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Recreation Director Fields, Finance Director Cingle, Mayor Coyne, Service Director Cayet, Building Commissioner Hurst, Engineer Piatak, Law Director Jamison.

Council President Patten excused Councilman Higgins from tonight's meeting.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Council meeting held on June 2, 2015.

Motion by Mr. Mencini, supported by Mr. Salvatore, to approve as printed; Members of Council in attendance voted AYE. The motion carried.

REMARKS FROM THE AUDIENCE (ON ANY SUBJECT):

Ray Peterlin

5811 Wengler Drive

Mr. Peterlin read comments into the record that is on file in the Council office.

Charlie Troutman

16146 Rademaker

Mr. Troutman stated that the police officers are not enforcing the speeding laws on Rademaker between Delores Blvd. and Fry Road. Is the former post office on Snow Road city-owned or federally owned because during the last rainstorm there was a pool of water in the back of the building. The former Bally's why can't the city take the building and land by eminent domain to be put to good use.

James Astorino

6258 Engle Road

Mr. Astorino stated during the Caucus meeting there was discussion of grant writing and is looking for clarification of the matters talked about. One is can the Finance Director identify the specific fund and line-item where payments are being made for the grant application. Also is it possible to get a copy of the grant application is that a public document a request can be put in for. Does the grant application actually contain the specific houses that were requested for because when it was printed in the cleveland.com news article there was a list of houses; is that an accurate amount of

Remarks from the audience on any subject: cont.

houses? The last question is for someone to explain, as far as, the payment for this grant writer there was a statement made if a resolution or ordinance has to be passed for the city to do that; under what authority are the payments being made. It has always been my understanding that Council has to pass an ordinance or resolution to authorize payment for items; if this is not accurate could someone please explain under what authority those payments are being made and the contract was authorized.

Chris Wcislo
6369 Wolf Road

Mrs. Wcislo thanked Recreation Director Fields and the city for the water park; took grandchildren there and all the children were having a wonderful time and the prices at the snack bar are very reasonable.

Motion by Mr. D'Amico, supported by Mr. Mencini, to go out of the Regular Order of Business to letters H and O. Members of Council present voted AYE. The motion carried.

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A PROCLAMATION HONORING 'MISS POPPY 2015' NICHOLE COCHRAN

The Clerk read the Proclamation in its entirety, Mayor Coyne presented the Proclamation and Miss Poppy collected donations and distributed poppies.

THIRD READING OF RESOLUTIONS AND ORDINANCES:

1. 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, Burgio, D'Amico, Council President Patten and Mayor Coyne

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

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

NAYS: None. Resolution No. 14-2015 is adopted.

The clerk read the 'Whereas' as requested as Mr. Salvatore thanked Mr. & Mrs. Rutti on celebrating two golden anniversaries in the City of Brook Park.

Mr. Rutti stated his parents moved to Brook Park in 1956 and as an active 12-year old participated in the first sports programs in the city.

Motion by Mr. D'Amico, supported by Mr. Burgio, to go back to the Regular Order of Business. Members of Council voted AYE. The motion carried.

REPORTS FROM STANDING COMMITTEES:

Aviation & Environmental Committee – Co-Chairwoman, Powers

Mrs. Powers stated no report this evening.

Finance Committee – Chairman, D'Amico

Mr. D'Amico stated the Board of Control met earlier and approved 28 items.

Legislative Committee – Chairman, Troyer

Mr. Troyer stated Legislative Committee had one item on tonight's agenda.

Parks & Recreation Committee – Chairman, Burgio

Mr. Burgio stated the Water Park is open Monday through Sunday from 12:00 noon to 7:00 p.m. on days when the temperature reaches 70 degrees or warmer. Football and Cheerleading registrations are taking place. The next Recreation Commission meeting will be held on Thursday, July 18th at 7:00 p.m. in the Recreation Center.

Planning Committee – Chairman, Mencini

Mr. Mencini stated the next Planning Committee meeting will be July 6th.

Safety Committee – Chairman, Salvatore

Mr. Salvatore stated the Safety Committee has no legislation on tonight's agenda.

Service Committee – Chairwoman, Powers

Mrs. Powers stated Service Committee has no legislation on tonight's agenda. Mrs. Powers thanked Service Director Cayet for his assistance with a resident who is currently in a nursing home and received a citation for tall grass.

Board of Zoning Appeals – Chairman, D'Amico

Mr. D'Amico stated the next Board of Zoning Appeals meeting will be held on July 6th as long as applications are received.

REPORTS FROM SPECIAL COMMITTEES:

Southwest General Health Center – Trustee, Salvatore

Mr. Salvatore stated for the sixth consecutive year Southwest has been named as one of the best places to work.

Berea Board of Education – Representative, Mencini

Mr. Mencini stated June 3rd was the last day of school for students so please drive carefully throughout the city. A group of Berea-Midpark students visited the City of New York which was a big impact on the students. Berea-Midpark High School has hired Adam Howard as the school's athletic director; formerly head coach at local Notre Dame College. The Board of Education on a written recommendation from the school's superintendent decided not to renew the contracts for eight certified tutors and 12 certified personnel for the 2015-2016 school years; due to decreased enrollment or financial difficulty. The board approved vendors' payments in the amount of \$1,560,000 and Serpentine Chevrolet donated a car for the various district fundraisers such as the Brook Park Memorial Playground with tickets on sale for

Reports from Special Committees: cont.

\$20.00. The board approved a college credit plus affiliation agreement with eight different colleges around universities.

REPORTS FROM BOARDS AND COMMISSIONS:**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

Note: Moved by motion to the beginning of the meeting.

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Coyne thanked Council for the opportunity to share thoughts on the Capital Improvements and Grant Writing discussions at the Caucus meeting held earlier this evening. On Mr. Peterlin's suggestions everyone of those ideas has been tried and there is a shoemaker in the city that has been here for many years; there is a flower shop on West 130th Street and it is a great puzzle as to why the city wouldn't have a floral operation when the largest catholic cemetery (Holy Cross Cemetery) in Ohio within the city borders. Where Mr. Peterlin gets the figure of \$300,000 being paid to the city's economic development commissioner doesn't pan out. These are all works in progress and to suggest because Ford Motor owns their property that under their own volition they will act to improve it there isn't any incentive to do so. So on a daily basis the city is doing whatever needs to be done to get that property redeveloped because it is the most important thing to the future of the city; and would like to have Ford Motor as partners and if Ford chooses not to be a partner then the city will move on alone. One final comment to Mr. Peterlin if there are drug activity meetings going on at the library that is news to me and the safety director's not here this evening and if citizens are aware of that rather than talk about it on Facebook I suggest they call my office and the city will get any help to investigate those problems. Mayor Coyne continued to Mr. Troutman regarding the former post office and Bally's the city has attempted to bring investors to those properties so that they can be viable but landlords in this city some on Brookpark Road and in other areas of the city want to keep their own property and want triple-net leases. That is some of the reasons why tenants have moved in and out of Brookgate shopping center and for the most part it is tough to lease some of these properties but it is something the city will keep working on. City personnel have talked to doctor groups about coming into the Bally's area and also have people looking at the former Howard Johnsons site to build something; so the city is working on these things all the time but it's not as easy as it may appear. That is why the Administration is grateful that Council made appropriations in the economic development sector to remedy some of these problems in terms of streetscape and things like that. The city believes that a deal has been finalized with the former Quonset Hut and the railroad car on Brookpark Road that hopefully will be

Reports and Communications from the Mayor: cont.

gone soon based on the effort of the city's economic development department has been undertaking and with Council's support in providing the funding. There was a mention of eminent domain and there was a case in this state that put a damper on cities abilities to appropriate properties; it's a very careful pathway that cities have to walk. It can still be done but it's not as easy, nor should it be, to appropriate somebody's property and I certainly wish it was because it would be a lot more than the properties that have been talked about. There have been debates in the building and law departments about what the city can do to remedy sore-thumbs in the city. Mayor Coyne continued that Home Days celebrations are being finalized and will consist of everything except alcohol and gambling for obvious reasons; as Mayor of Brook Park I can't answer for what other cities do but can assure residents' most of those cities took lessons from Brook Park. People can argue that the City of Brook Park had the best summer festival in this region and it kept getting bigger and out of control and knew what the issues are. If residents' think the alcohol and gambling are a good thing then those residents' are more than welcome to spend time with the city's police chief and police department; it's not that they can't handle it but it's the problems that come along with those items. The festivities are going back to the Recreation Center parking lot and the costs other than the fireworks are being paid by the vendors that are at Home Days. Also, during Home Days celebration the Flags of Honor will have a special event on Thursday evening to kick off the Home Days celebration and in honor of the tenth anniversary of the Marines 325th that lost their lives. Back to the problems of vacant homes in the city there are many people called flippers and renters that have really given the city most of the problems; there are two on Hummel Road that families would like to be gone tomorrow. The happiest day as Mayor as I was kidding the law director is when the home on Michael Drive was raised and I firmly believe that if the city can clear those lots and make them available with unique structures for young families because that is what this city needs more than anything else. So if that grant can be used to revitalize the city it will be what built this city to begin with young GI's on the GI Bill that built a great city. Mayor Coyne stated to Mr. Astorino I will get your requested information as soon as possible.

Mr. Mencini stated with the initial meeting at the library yesterday about drug activity the next step is to possibly have the police chief at a meeting. This meeting wasn't totally about drugs they were also concerned with the break-ins and other issues in the city.

Mayor Coyne asked who is they.

Mr. Mencini responded concerned residents' who want to start a neighborhood watch program.

Reports and Communications from the Mayor: cont.

Mayor Coyne responded I received a Facebook message about that and responded that if they would call me I have all the information and the police chief would have been there; I did not receive a response from that Facebook inquiry.

Mr. Mencini asked for an explanation of the STOP Program because the police are out. Also I visited the service garage on Friday and there are a lot of capital improvements needed not only at the service garage but at police, recreation center and all city departments; I am willing to discuss these capital improvements and move forward.

Mayor Coyne stated the STOP Program is an enhanced enforcement that has overtime associated with this program and so far that investment and overtime has provided the city with citations being up and making the neighborhoods safer. In the last two months the city generated almost \$100,000 each month in revenues to the city. This is a much needed enforcement tool that actually began before I was elected Mayor and has been expanded to more months during the year because of the complaints received about traffic issues; if people don't think the city is enforcing the law come and see on a Wednesday morning court day. One of the good things is that motorists don't realize how fast they are going until they see the automatic indicator of the patrols.

Mr. Troyer stated that he was in attendance along with Council Members Powers and Mencini at the block watch meeting held at the library. Mr. Troyer asked Mayor Coyne to forward the block watch program information to Councils' mailboxes.

Mayor Coyne stated the police department is trained in this issue and when these meetings are held if it would have been indicated to city personnel there was an issue then city personnel would have been at the meeting. That's how the city prefers to do it by having the police chief there and the particular law enforcement personnel will be assigned to help the people so there is no misunderstanding of what the situation is.

Mr. Troyer commented the next meeting is Monday.

Mayor Coyne asked for a memorandum to be sent with the time and place of the next meeting so that arrangements are made to have police department personnel in attendance.

Mr. Salvatore commented the city has had the block watch program, in fact under the Mayor's first administration, there was a tremendous input by Council and the Mayor on the block watch program, and was commended for that program. Also under the former Mayor Elliott administration the block watch program was very successful and Law Director Jamison drafted legislation supporting the block watch program; so this program is in place to date if there is a problem the block watch program is available.

Reports and Communications from the Mayor: cont.

I may be wrong but I think Councilman D'Amico brought a very similar program to the city.

Mr. D'Amico stated correct in 2002.

Mr. Salvatore continued that the city has the tools and if there is a problem by working together the issue could be solved.

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

Mr. Piatak stated with the Smith Road Sanitary Sewer Project – Phase III the service connections have been completed north of Snow Road, between Hummel and Snow Roads. Currently we are working on pavement restorations and the contractor moved to Holland Road and will work north with the service connections; so progress is being made on this project with the Brookgate area being wrapped up very soon. The Sylvia-Leslie Reconstruction and Watermain Project is currently in the process of getting the contracts executed and an anticipated two to three weeks before the physical construction work begins; prior to that I anticipate having a short meeting to give residents' an idea of what will be going on with this project and what to expect.

Mr. Troyer asked Engineer Piatak for an explanation how the Smith Road Sewer Project is done such as when the main pipe is installed and the old pipe is not removed.

Mr. Piatak responded correct there is an offset that is maintained from the existing sewer in order to get the old sewer in service so that the people can still use the facilities.

Mr. Troyer clarified so the new bigger pipe is laid next to the old pipe about the same depth?

Mr. Piatak responded no the new pipe is quite a bit deeper because a larger pipe can be placed at a flatter grade. When the sewer district put in the drop structure at I-480 which is what was tied into back in 2007-2008. The drop left for the city to tie into was deeper than the existing sewer and we have tried to maintain as deep of a sewer as possible throughout the Smith Road Projects.

Mr. Troyer stated because you don't want too much of a pitch.

Mr. Piatak responded too much pitch is not good and not enough pitch isn't good.

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

Engineer Piatak: cont.

Mr. Troyer stated so the contractor put in the whole pipe and are now making all the necessary connections from the side streets; what is called the laterals.

Mr. Piatak responded most of the side streets were tied in with the main however the service connections and individual house connections are being tied in now.

Mr. Troyer stated the mains from the side streets are tied into through the whole project already and the laterals from the houses are not tied in. At what point... Obviously the new sewer pipe ended somewhere how is that connected now is it on the new sewer pipe or old sewer pipe. The old pipe south of Holland when that comes in what pipe does that go into currently?

Mr. Piatak responded the existing sewer south of Holland Road on Smith Road is tied into a new manhole, it's the old pipe of maybe 12" or 15" south of Holland that is tied into a new manhole and tied into the new sewer currently.

Mr. Troyer stated the old main pipe is only taking care of the laterals from the houses.

Mr. Piatak concurred.

Mr. Troyer stated then there is a Y going together at the north end that will have to be dug up and changed.

Mr. Piatak responded that is already in place so when the contractor gets to a certain section and I believe just south of Fayette with the configurations of the sewer. The old sewer can be abandoned and pumped full of grout; the old sewer won't be dug up it will be filled in.

Mr. Burgio stated to Engineer Piatak with the Smith Road Sewer Project has the heavy rains caused a problem with the soil going into the sewers, at one time I think you mentioned that a filter system was in place for the sewers.

Mr. Piatak responded the catch-basins along Smith Road are wrapped with fabric to catch the sediment and runoff is filtered as it goes into the storm sewer through the catch-basins. Once the project is done the catch-basins will be inspected and cleaned out before the contractor leaves but I don't anticipate a huge problem with the sediment in the storm sewers.

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

Service Director Cayet

Mr. Cayet stated no report this evening.

Mr. Mencini asked are there a lot of extra black trash cans being sold to residents'?

Mr. Cayet responded requests for cans are filtering in five or six at a time.

Mr. Mencini stated the new yard waste program seems to be working out pretty well with the choice of putting yard waste in the black cans or taking yard waste to the service garage. On bulk pickup day many residents' expressed concerns with scavengers perusing the city.

Mr. Cayet responded last bulk day, second Monday of the month, service department crews picked up 81 ton.

Mr. Troyer stated with the change to the yard waste program by using the automated trucks that should have freed up some employees; how are those six employees being deployed?

Mr. Cayet responded those employees are deployed to different duties such as cutting grass, building and maintenance personnel for cleaning and painting of the water park to get it operating. Few service crews constructed the covered shelter for children attending safety town and filling in for people on vacation. There is one employee that is injured and will be out for a number of months so a first shift employee was put on second shift to fill in for that injured worker; all the crews are utilized.

Law Director Jamison

Mr. Jamison stated no report this evening.

Mr. Troyer stated with the recent comment about the scavengers could there be a legal issue for the city if someone gets hurt while dismantling items on the tree lawn?

Mr. Jamison responded no because those people are not working for the city so there is no liability in that sense. I do know in the past that the police do watch the scavengers and back when I was a prosecutor and the city used blue recyclable bags there was a gentleman going down city streets picking up the blue bags filled with aluminum cans to take to the scrap yard for reimbursement; this gentleman was caught and prosecuted. So the police are out there and watch but these scavengers who come at sundown and are quick at what they do but the police do what they can.

Mr. Troyer stated rubbish picking is illegal.

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

Mr. Jamison responded correct, it is a prohibited activity in the city.

Recreation Director Fields

Mrs. Fields stated starting on Monday there will be 28 Youth Opportunity Unlimited (YOU) workers totally free that will begin work at the Recreation Center for 20 hours a week until July 31st. The center is also getting a late start on the implementation of the Intergenerational Garden but vegetables and flowers will be planted across the street from the water park next to the fire station.

Mr. Mencini asked how the memberships are doing because it seems like they are picking up a little.

Mrs. Fields stated yes, you are correct memberships are picking up especially at the water park probably because the indoor pool is closed. The center is getting more residents' and families paying for a water park pass and the water park was filled today.

Finance Director Cingle

Mr. Cingle stated just to address a couple of comments made earlier during audience remarks. To Mr. Peterlin to generate \$9 million dollars in income tax it would take thousands of jobs in the community. To Mr. Astorino payment to the grant writer will be made out of the economic development fund and the authorization to make that payment is vested in the appropriation ordinance, approved by City Council. Mr. Cingle continued the audit is still continuing and will hopefully be wrapped up in a week or so.

Mr. Troyer stated Council appropriated roughly \$625,000 for personal services for sanitation and seeing as to how the city is not using those employees will that amount be adjusted in the budget when the capital improvements are adjusted.

Mr. Cingle responded yes, we will ask the service director where those employees have been scheduled to work and will make the appropriated changes and bring forth to City Council.

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

New Legislation:

1. A Resolution declaring the necessity of an election on the questions of approving the passage of an ordinance amending sections 1705.01, 1705.02, 1713.02(a) of the Brook Park Codified Ordinances in order to increase the tax rate for the period January 1, 2016 from two-percent (2%) to two and one-half percent (2½%); said one-half percent (.5%) increase shall be levied beginning January 1, 2016 and all taxes collected for said increase shall be restricted to expenditures for road repairs, road construction, sewer repairs and sewer construction and declaring an emergency. Introduced by Mayor Coyne **Placed in Finance Committee**

 2. An Ordinance declaring the necessity of an election on the questions of approving the passage of an ordinance amending sections 1705.01, 1705.02, 1713.02(a) of the Brook Park Codified Ordinances providing for an increase in the annual income tax rate from two-percent (2%) to two and one-half percent (2½%); said one-half percent (.5%) increase shall be levied beginning January 1, 2016 and all taxes collected for said increase shall be restricted to expenditures for road repairs, road construction, sewer repairs and sewer construction and declaring an emergency. Introduced by Mayor Coyne **Placed in Finance Committee**
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Verbal Approval:

1. 2016 TAX BUDGET

Mr. Troyer asked Mr. Cingle for a copy of the 2014 and 2015 tax budgets?

Mr. Cingle responded yes.

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

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

NAYS: Powers. The motion carried with a vote of 5-1. Approved.

MISCELLANEOUS BUSINESS (APPOINTMENTS, CONFIRMATIONS):

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (FIRST READING):

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (SECOND READING):

THIRD READING OF RESOLUTIONS AND ORDINANCES:

Note: Moved by motion to the beginning of the meeting.

Mr. Patten commented everyone go home and root for the Cavs who are in the finals.

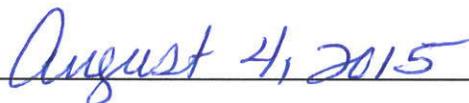
There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 9:20 p.m.

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.