

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, JUNE 17, 2014**

The meeting was called to order by Council President Patten at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Law Director Jamison, Finance Director Cingle, Safety Director Byrnes, Service Director Cayet, Engineer Piatak, Mayor Coyne

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Caucus meeting held on Tuesday, May 7, 2014.
Motion by Mr. Burgio, supported by Mr. D'Amico, to approve as printed. Members of Council present voted AYE. The motion carried.

 2. Regular Caucus meeting held on Tuesday, May 20, 2014.
Motion by Mr. D'Amico, supported by Mr. Mencini, to approve as printed. Members of Council present voted AYE. The motion carried.
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DISCUSSION:

1. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO ENTER INTO AN AGREEMENT WITH ADVENTURE PROPERTY HOLDINGS, LLC AND ROCK-N-ROLL CITY HARLEY DAVIDSON AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne
**In attendance: City of Brook Park Economic Development
Commissioner: Mike Dolan**

Mr. Dolan stated Mike Davis is the Principal of APH (Adventure Property Holdings) and Rock-N-Roll City Harley Davidson and came to the City of Brook Park expressing a desire in property located at West 150th Street and Brookpark Road. This was a challenge because city costs are not as competitive as other suburbs and what is before Council is what is called a leveler that basically levels the playing field on acquisition and some development costs in the amount of \$200,000. On the financial side for the city that amount of money based upon the projected actual payroll of the existing location would return the \$200,000 in 6.5 years; and could be looked at as a small loan on the tax rolls in 6.5 years with the average lifespan of a dealership being 30 years.

Discussion: cont.

Michael Davis
205 Pinnacle Drive
New Philadelphia, OH

Mr. Davis thanked City Council for the opportunity to make this presentation and stated that he is in partnership with his wife and currently own four stores. The Dover store in 2003 built from the ground up from a pasture field; the Sandusky store in 2010 was in receivership and brought out and the Akron store in 2012 was a former distressed Circuit City building and the proposed Cleveland store. Mr. Davis continued that the mission statement of the company is to positively impact people's lives through our products; our people's encounters with us and our ability to give back. This is a very invested-minded company and very active in the communities where are stores are located. The company is also very active in charitable initiatives and last year between the three stores supported over 100 different causes and donated over \$100,000 cash to those causes. Our company believes in giving back and investing and that's been very successful for us and that is our corporate mindset to make sure is always done. Mr. Davis stated the Dover store has been nationally recognized by Harley Davidson six out of the eleven years as being the top 50th store in the country and is ranked as high as six (6) nationally for its performance as a store. Mr. Davis presented pictures of all three owned Harley Davidson stores and stated that all three stores have been recognized by Harley Davidson for retail appearance and the quality of its facilities. Mr. Davis continued that the company has four stores with 192 employees and has grown over the last 11 years and all these stores are a destination. The Brook Park store would be 40,000 square feet on a 5.8 acre site on West 150th Street which fits the company's needs as a destination; there will be 43 people employed at opening for a \$1.4 million dollar payroll for the dealership and will grow. Elements of the Harley Davidson museum will be used in the store to honor the history of the 85 year old dealership and will also promote the Cleveland Rock N Roll theme. The company has been successful in drawing other retail and food services to the area because customers are at the store repetitively and want to spend time in that area which is good for the community. The company's projections tell us that this will be our largest store operationally and revenue wise as it matures.

Mr. Dolan stated the area designated is a target proven area by Cuyahoga County for a low to moderate income. This project will act as a catalyst to improve the neighborhood and provide a direct benefit not only to the commercial district but also to the residents in the area. There are only three

Discussion: cont.

access points to enter the City of Brook Park; Route 237 which is wide-open airport; West 150th Street that needs help and West 130th Street with three sides being the City of Parma; so this is the city's major point of access on the north end of the city and is currently probably one of the most distressed areas of the city. With new development this will turn that around both east and west sides of Brookpark Road.

Mr. D'Amico thanked Commissioner Dolan for bringing this forward it will be a good anchor and a good addition to the corridor. Mr. D'Amico asked if any of the locations where a store was built and nothing was there did the area grow.

Mr. Davis responded since moving into the Cuyahoga Falls location there were two abandoned restaurants that have popped up and also with the Akron store two abandoned restaurants behind the former Circuit City store are open for business. Also in Sandusky since the store was built two restaurants were built across the street from the location.

Mr. Mencini asked Mr. Davis will the front of the building face Brookpark Road.

Mr. Davis responded yes the intention is to face the building towards Brookpark Road. Work will be done on the right design to position the building to flow towards Brookpark Road.

Mr. Burgio stated he likes the name Rock N Roll Harley Davidson and likes the looks of the other facilities and will be a compliment to the Brookpark Road Auto Mile. Are there going to be any tax abatements or those types of items.

Mr. Dolan stated the only other tax abatement that will be submitted is on the property tax abatement. The current policy of the city is in accord with state law that reads all non-retail areas are entitled to a 15 year-100% tax abatement and when the building is done that request can be submitted. The retail areas are not entitled so they will be taxed at the full fair market value; so the incentive grant and property tax abatement is the entire package.

Mr. Burgio asked if any benefits will be given to the schools as far as taxes and so forth.

Mr. Dolan responded yes, the retail portions will be taxed at full value and will be remitting taxes to the Berea City Schools. So the baseline of the abatement is not that the company won't be paying taxes they just won't be paying taxes on the improved value of the non-retail portion.

Discussion: cont.

Mr. Burgio stated this project will be good for the city and the grant payoff of 6.5 years sounds reasonable and a good investment.

Mr. Dolan stated if \$200,000 had to be spent to get a 30 year investment and tenant and the leverage to build is \$3.5 million dollars and all totals this is a great project. What wasn't said is that this company is not only a destination for motorcycle riders but to visit a Harley Davidson store is an event on its own with all sorts of people. It's good for the community because it brings in all types of diversity to the city on an economic and personal basis. This will work as a great catalyst and will fit with Classic Auto Group work down the street and will give the ability to sell the city. The price per acre will also give the city a benchmark to hopefully bring people inline so there are no dreams of the Beverly Hills land price that some people think city real estate should command. Brookpark Road is a depressed market and will finally have a benchmark that can be used hopefully to establish and negotiate more deals in the future.

Mr. Burgio asked what will be the timeline after all the approvals are received for the building; construction and operation.

Mr. Davis responded once the deal is closed architects have already been lined up by Harley Davidson and we would like to get work done by winter and open by next summer.

Motion by Mr. Salvatore, supported by Mr. D'Amico, to place on the Council agenda immediately following.

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

NAYS: None. The motion carried.

Mr. Patten stated this will appear under M-1 as Ordinance No. 9919-2014.

2. REQUEST APPROVAL TO CO-LOCATE SIX ANTENNAS ONTO AN EXISTING WIRELESS TELECOMMUNICATION TOWER LOCATED AT 19101 SNOW ROAD (**Recommendation received from the Planning Commission on June 4, 2014**)
In attendance: Mr. John Sindyla of AT&T Mobility

Mr. Jamison stated with items two and three on the agenda the United States Congress several years ago passed legislation providing that local communities cannot prohibit an existing tower from co-locating existing antennas or equipment on that tower if the dimensions of height and width are not being changed for that tower. Legislation is forthcoming to make these types of changes relating to co-location the Building Commissioner will make the final

Discussion: cont.

determination and will expedite this process not only for the city but for the developers.

John Sindyla
7425 Royalton Road
North Royalton

Mr. Sindyla stated these co-locations onto an existing site will provide better technology to the residents of the City of Brook Park as well as the airport area.

Motion by Mr. D'Amico, supported by Mr. Mencini, to verbally approval.

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

NAYS: None. The motion carried.

3. REQUEST APPROVAL TO CO-LOCATE SIX ANTENNAS ONTO AN EXISTING WIRELESS TELECOMMUNICATION TOWER LOCATED AT 17200 BROOKPARK ROAD (**Recommendation received from the Planning Commission on June 4, 2014**) **Agent: Bret Plante**

Motion by Mr. D'Amico, supported by Mr. Burgio, to verbally approve.

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

NAYS: None. The motion carried.

4. REQUEST APPROVAL FOR AN EASEMENT AGREEMENT BY AND BETWEEN KOCH PROPERTIES, LTD (Grantor) AND THE CITY OF BROOK PARK (Grantee) FOR AN EASEMENT OF THE RETENTION BASIN LOCATED AT 20400 SHELDON ROAD (**Recommendation received from the Planning Commission on June 4, 2014**)

Mr. Jamison stated legislation is needed for this easement agreement.

Motion by Mr. Salvatore, supported by Mr. Burgio, to have proper legislation adopted and placed on the next special meeting. Members of Council present voted AYE. The motion carried.

5. CODE SECTION 141.02 COMPOSITION; EXECUTIVE HEAD –
Councilman Troyer

Mr. Troyer stated the union contracts are not yet settled so this should be moved to the next Caucus agenda.

Motion by Mr. Troyer, supported by Mrs. Powers, to place on the next Regular Caucus agenda.

Discussion:

Mr. Salvatore – Point of Order. I think this has been debated and discussed and these types of items shouldn't be dealt with until all the contracts have been settled; so to keep pushing this back makes no sense this should either be put in a committee or read in committee.

ROLL CALL: AYES: Troyer, Powers, Burgio, Mencini

NAYS: Salvatore, D'Amico. The motion carried.

6. CODE SECTION 143.02 COMPOSITION; EXECUTIVE HEAD –
Councilman Troyer

Motion by Mr. Troyer, supported by Mrs. Powers, to place on the next Regular Caucus agenda.

Mr. Salvatore expressed the same comments as item number five.

ROLL CALL: AYES: Troyer, Powers, Mencini

NAYS: Burgio, Salvatore, D'Amico, Patten. The motion failed.

Defeated

7. CENTRALIZED FIRE STATION – Council President Patten

Mr. Patten stated discussions need to begin regarding a centralized fire station and possible police station.

Mayor Coyne stated for quite sometime this has been an issue and the city is now in a position to begin looking at real estate for a safety campus and possibly a new city hall. Currently there are no monies to fund these projects but this will be made possible if the city income tax levy passes. In the meantime I will have Economic Development Commissioner Dolan look at real estate in the city for these new buildings and bring forth to City Council.

Mr. Mencini agreed and stated the safety building is very important to be centrally located in the city to cover as a whole.

Mr. Troyer asked if any studies have been done location wise?

Mayor Coyne responded it will be on Snow Road.

Mr. Troyer asked if any response time studies have been done?

Discussion: cont.

Mayor Coyne responded there are plenty of response time studies and you keep bringing this up and the safety director will be giving a report this evening that the city's times are consistent throughout the whole city. My plan for the last 30 years is to locate a fire station on Snow Road and a couple of different parcels will be looked at as to the best operation for the city; such as Goody's which is currently for sale. There are vacant lots and office buildings that could fill the need of City Hall and the building of a police and fire station on either side but if this is discussed too much the cost of the real estate may go up. So, therefore, the city may have to appropriate the property which the city has the authority to do under Ohio Law for municipal needs of police, fire and city hall as one of those; so there is a general ideal of what properties needs to be purchased on Snow Road.

Motion by Mr. D'Amico, supported by Mr. Salvatore, that item number seven was discussed.

Mrs. Powers commented the city is spending monies that it doesn't have and may not have so since the city doesn't have the monies at this point there shouldn't be any commitment to spend the monies. Until the monies are appropriated and until the building is built Fire Station No. 2 should be kept open because those residents pay their taxes just like any other resident and are entitled to sufficient coverage from the city. Also, NASA is on the west end and one of the city's biggest tax contributors and the city needs to address their issues. West end residents are isolated from any fire station in the Cities of Berea, Olmsted Falls and North Olmsted and are farther away from the station on Holland Road. If the city has to have only one station then the fire station on Holland Road should be closed because the east end of this city is close to Parma Hts., and Middleburg Hts. fire stations for better response times for that area.

Mayor Coyne stated I'm not sure what you base your comments on but none of them are factual. The folks on the west end of town, my neighborhood, receive the same service as everyone else in this city and the residents experience the same problems of logistics of fire and emergency services as everyone else. So that statement is wrong and at one time you say they should get this service and then another time you're saying that everyone else in the city are dependent on Middleburg Hts. or Parma Hts. or somebody else; so you're not being consistent and couldn't be further wrong in planning. This decision should have been made when the grade separation on Snow Road was completed and your comments today indicate to me that some folks in some neighborhoods should get better service than others and I cannot and will not operate that way. Therefore, Council has asked to find locations in the event that the

Discussion: cont.

proposed income tax levy passes by the voters. The station on Holland Road is about one block from the center of that town so reports will be given this evening that people on the east end of town have experienced problems; people in your area and in the Fairlawn area. NASA is a very important to this city and so is Ford Motor and so is all the businesses along Brookpark Road and all the auto dealerships at the east end of the town; so all the things you spoke of are not factually true and I will challenge any city in the southwest area to provide better safety services than the City of Brook Park does to their residents. This city cannot resolve any problems being experienced whether it's flooding or delivery of emergency services without monies from that proposed income tax levy.

Mrs. Powers stated the Mayor says I'm wrong and you can see just by looking at a map that all the other stations are closer to Holland Road and the residents on the west end do not have a close enough station to them. Also monies have been appropriated for at least this year to have Fire Station No. 2 open until the levy appears on the ballot in August.

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

8. CITIZEN OF THE YEAR AMENDMENT – Councilman Salvatore

Mr. Salvatore stated a few years back the rules were changed for the Citizen of the Year Committee and it is my recommendation that Council go back to the original set of rules created with the legislation back in 1997.

Motion by Mr. D'Amico, supported by Mr. Mencini, to amend the Citizen of the Year Committee Rules and place on the next Special Caucus meeting that will be called in the near future.

Mayor Coyne commented to give this person or persons some special designation such as the Citizen of the Year would be Grand Marshal of the Home Days Parade for recognition throughout the whole community. It is nice to have the Best of Brook Park dinner but this would give this person more recognition.

Mr. Salvatore suggested that all Members of Council should have their appointments that evening in order to get the committee formed and start meeting for the nomination process.

Members of Council voted AYE to the motion of amending the Citizen of the Year Committee Rules to the original rules created in 1997. The motion carried.

Discussed: cont.

9. AN ORDINANCE ENACTING CHAPTER 1366 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'VACANT PROPERTY/BUILDING REGISTRATION' Introduced by Mayor Coyne and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Salvatore, Council President Patten
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Mayor Coyne stated this is one of a series of issues that needs to be addressed by legislative action dealing with vacant properties in the city the general upkeep of properties in the city; this legislation was drafted to be effective and fair.

Motion by Mr. Salvatore, supported by Mr. D'Amico, to place on the Council agenda immediately following.

Mr. Troyer asked Law Director Jamison how will the tax fee be enforced; by putting a lien on the property if not paid?

Mr. Jamison responded that is something that will need to be worked out as the city goes forward with this and will be a challenge that will need to be worked through and figured out.

Mr. Mencini stated in a lot of cities if homeowners are not notified that the city will be coming after for upkeep then those homeowners will not bother to upkeep their properties.

ROLL CALL: AYES: Salvatore, D'Amico, Troyer, Mencini, Burgio, Powers
NAYS: The motion carried.

Mr. Patten this will appear under M-2 as Ordinance No. 9920-2014 on the Council agenda.

10. AN ORDINANCE ENACTING CHAPTER 1367 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FORECLOSURE FILING NOTICE' Introduced by Mayor Coyne and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Salvatore, Council President Patten

Mr. Jamison stated this mandates that anyone filing a foreclosure notice must notify the city.

Motion by Mr. Salvatore, supported by Mr. Burgio, to place on the Council agenda immediately following.

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

Mr. Patten stated this will appear under M-3 as Ordinance NO. 9921-2014.

Discussion: cont.

11. A RESOLUTION RENAMING THE PLAYGROUND LOCATED ON SYLVIA DRIVE AFTER ANTHONY 'TONY' ROBERTS FOR HIS SERVICE TO THE COMMUNITY Introduced by Mayor Coyne and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Salvatore, Council President Patten

Mayor Coyne stated that Mr. Roberts was Assistant General Foreman with the city's service department in years passed and at American Legion field there was a little workshop that looked like Santa's Workshop when all the playgrounds had wooden swings and carpenter for City Hall. Mr. Roberts lives in Glenway and to recognize for this community's play structures and playgrounds that the park be named in his honor.

Motion by Mr. Salvatore, supported by Mr. D'Amico, to place on the next Council agenda.

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

Mr. Patten that will appear on the next Council agenda as Resolution No. 16-2014.

12. A RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT SENATOR JOHN MCCAIN'S SOLUTION TO THE ISSUE OF MEDICAL TREATMENT DELAYS AT VETERAN AFFAIRS HOSPITALS AND DECLARING AN EMERGENCY Introduced by Mayor Coyne and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Salvatore, Council President Patten

Mrs. Powers stated that all veterans should be able to get care at any facility.

Motion by Mr. Salvatore, supported by Mr. Burgio, to place on the Council agenda immediately following.

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

Mr. Patten stated this will appear as M-4 as Resolution No. 17-2014.

Mr. Salvatore thanked the Mayor for bringing this legislation forward.

Mr. Troyer asked for clarified of item number seven that was passed as discussed.

Mr. Patten responded that City Council discussed the topic.

Discussion: cont.

Motion by Mr. Salvatore, supported by Mr. Burgio, to move to the Addendum. Members of Council present voted AYE. The motion carried.

1. AN ORDINANCE AMENDING SECTION 1365.01(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'WEEDS OR TALL GRASS REMOVAL' AND DECLARING AN EMERGENCY Introduced by Mayor Coyne and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Salvatore, Council President Patten

Mr. Jamison stated the only change would be is changing U.S. Express Mail to Certified Mail because Express Mail costs \$19.99 and Certified Mail costs \$6.49 for mailing of letters.

Motion by Mr. Salvatore, supported by Mr. Burgio, to place on the Council agenda immediately following.

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

Mr. Patten stated that will appear under M-5 as Ordinance No. 9922-2014.

There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 7:51 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak
Michelle Blazak
Clerk of Council

APPROVED August 19, 2014

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