

**SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, JULY 21, 2015**

The meeting was called to order by Council President Patten at 5:36 p.m., who read the meeting notice. The clerk called the roll and the following Members of Council answered:

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

Also in attendance were Mayor Coyne, Law Director Jamison, Finance Director Cingle, Administrative Assistant to the Building Commissioner Anderson, Human Resources Commissioner Sinatra, Building Commissioner Hurst.

REMARKS FROM THE AUDIENCE ON SUBJECT MATTER ON THIS AGENDA ONLY:

Tom Greenlee
15841 Paulding Blvd.

Mr. Greenlee stated these special meetings being held are on very important subjects for our city. I think that the process and procedure of these meetings should not be of anything that could be called into question as far as the validity of the meetings. I have a copy of the special meeting notice of Council and also have a copy of the Ohio Sunshine Laws. The notice of meetings is an important subject in the Sunshine Laws that the meeting notices have to be accurate or the meeting can be called invalid. The notice of this meeting sent out on the 17th calls for item M Introduction of Resolutions and Ordinances First Reading that is not the subject of tonight's meeting. The subject of tonight's meeting is the second reading so this makes this an invalid notice. As well as yesterday's meeting would also be invalid because it was talking about having Introduction of Resolutions and Ordinances – Ordinance with a number Introduced by Mayor Coyne. Mayor Coyne has asked that his name be taken off of that if I understand from yesterday according to the Mayor and, in fact, the Mayor has issued notice that he will veto this Ordinance that was proposed by five Members of Council; so this is in error what you have printed here because that was amended at a Caucus yesterday and then placed on the agenda. Tonight's agenda has the same exact wording of the notice of the meeting which makes it an invalid notice. According to the Sunshine Laws of the State of Ohio on page 74; let me go to page 62 which talks about notices. On page 62 it talks about the...or is it 64...I had it.

Mr. Mencini interjected 62 I'm looking at it, I just pulled it out.

Mr. Greenlee stated page 62 I thought that's what it was but I don't see it here as I look at it so maybe you can read it Mr. Mencini.

Mr. Mencini stated which part you want...

Remarks from the audience on subject matter on this agenda only: cont.

Mr. Greenlee continued about special notices and meeting notices.

Mr. Mencini read any meeting other than a regular meeting is a special meeting is that you want me to read.

Mr. Patten stated direct your questions through the chair, go ahead Tom.

Mr. Greenlee stated it has to do with special meetings and they have to specify the time, place and subject matter that will be on the agenda. The city's Charter states the very same thing and indicates that nothing can be added to the agenda of a special meeting. On page 74 of the Ohio Sunshine Laws it reads a formal action taken in a meeting for which notice was not properly given may also be invalid; it's obvious that these are not valid notices. Therefore, it calls into question of the meeting itself being invalid. There's a question under Frequently Asked Questions which is on page 75. Is a public body in violation of the open meetings act if a newspaper misprints the meeting information? The answer is no as long as the public body supplied accurate information to the media; this information sent out as a notice is not accurate information, therefore, it calls these meetings into question as being valid. There is still a time to correct this and you have time to correct it by going back and introducing tonight this resolution and ordinance that you have proposed which would have been an amendment of the Mayor's but the Mayor has removed his name. It is not being introduced by the Council people and can then be placed by the President in committee and special meetings can be called for Thursday, Friday and Monday and you're back on schedule. If you persist on going forward with this the way it is you're calling into question the validity of these meetings and it's too serious a topic. So that's my only comments Mr. Chairman.

Jack Thomas
15913 Remora Blvd.

Mr. Thomas stated I want you to help me to understand something. I went through my head last night and listened to what everybody said about the taxes; so help me understand this. In November I went back and looked up multiple articles from multiple of you that are sitting up there about the tax increase. The general feeling and I can bring up by quote if you want to, the Sun News is here, was that if we didn't get the taxes increase it was going to mean cutting services to our seniors, cutting services at the Recreation Center and many others. So what I hear yesterday is that we're proposing a tax for the same exact amount and I hear nothing about the services to the seniors or the Recreation Center going to be proposed back again. So how can we ask for the same amount of money that before was going to cover all of these situations and problems supposedly by all of you discussing it. Help me to decide this how we can say it's going to cost the same amount of money only now it's

Reports from the audience on subject matter on this agenda only: cont.

only going to cover the roads and sewers and is not going to address any of the other issues. I didn't hear any discussion of it last night again I did a lot of research everybody that talked about last time before it went through and right after the election said that cuts were going to have to be made because it didn't pass. Now if you're asking for the same amount of money why isn't in discussion that those services could be restored.

Mr. Patten stated we're going to move the agenda to letter M, Second Reading of Resolutions and Ordinances. It was a typo and should have said Second Reading and was supposed to be corrected.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (SECOND READING):

The clerk read the title as amended at the Special Caucus meeting held earlier per recommendation by the city's law director.

1. ORDINANCE NO. 9967-2015, AMENDING SECTIONS 1705.01, 1705.02 AND 1712.02(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 (2 ½%); SAID ONE-HALF PERCENT (.5%) INCREASE SHALL BE LEVIED BEGINNING JANUARY 1, 2016 TO BE LIMITED TO FIVE (5) CONSECUTIVE YEARS 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 Council Members D'Amico, Higgins, Salvatore, Mencini, Burgio and Council President Patten

Mr. Patten stated that Ordinance No. 9967-2015 has had its Second Reading.

The clerk read the title as amended at the Special Caucus meeting held earlier per recommendation by the city's law director.

2. RESOLUTION NO. 17-2015, DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTIONS OF APPROVING THE PASSAGE OF AN ORDINANCE AMENDING SECTIONS 1705.01, 1705.02 AND 1713.02(a) OF THE BROOK PARK CODIFIED ORDINANCES IN ORDER TO INCREASE THE TAX RATE FOR THE PERIOD BEGINNING JANUARY 1, 2016 FROM TWO PERCENT (2%) TO TWO AND ONE-HALF PERCENT (2 ½%); SAID ONE-HALF PERCENT (.5%) INCREASE SHALL BE LEVIED BEGINNING JANUARY 1, 2016 TO BE LIMITED TO FIVE (5) CONSECUTIVE YEARS 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 Council Members D'Amico, Higgins, Salvatore, Mencini, Burgio and Council President Patten

Introduction of Resolutions and Ordinances: Second Reading: cont.

Mr. Patten stated that Resolution No. 17-2015 has had its Second Reading.

Mayor Coyne stated to Mr. Thomas the services that were to be preserved for the seniors and Recreation Center were by a property tax increase; nothing to do with the city's income tax. So there were two separate issues. In fact there have been cuts to the Recreation Center and substantial employment to the city, so they were two different issues.

There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 5:48 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *August 18, 2015*

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