

**SPECIAL CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, JULY 1, 2014**

The meeting was called to order by Council President Patten at 4:32 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 Service Director Cayet, Safety Director Byrnes, Assistant Finance Director Healy, Economic Development Commissioner Dolan, Mayor Coyne, and Law Director Jamison.

SUBJECT: DISCUSSION:

1. DEPARTMENT OF LIQUOR CONTROL – Fastbacks Famous BBQ, LLC 17021 Brookpark Road, Brook Park, OH 44142 C New 2655220 D1, D2, D3, D3A.
Response Date July 21, 2014

Mr. Salvatore asked if this is for a new liquor license.

Mr. Patten responded yes.

Motion by Mr. Salvatore, supported by Mr. Higgins, that item number one was discussed. Members of Council voted AYE. The motion carried.

2. AN ORDINANCE APPROVING AN EASEMENT FOR THE RETENTION BASIN LOCATED AT 20400 SHELDON ROAD AND DECLARING AN EMERGENCY:
Introduced by Council as a Whole.

Mr. Troyer asked if there is a cost to the city?

Mayor Coyne responded there would be a minimal cost to clean and maintain but if city personnel needed to get on the property the city would be allowed without having to go to court.

Mr. Jamison stated the purpose of this easement is that if the property owner is not maintaining this retention basin city personnel will be able to go into that area to remedy any issues. If there was no easement it becomes tougher because city personnel just can't go on someone's property to do what is needed. If city personnel has to maintain this retention basin then the city has the ability to bill that back to the property owner. In terms of a cost the city is not obligated to maintain this just allows the city to go onto the property if the property owners do not maintain the basin.

Discussion: cont.

Motion by Mr. Higgins, supported by Mr. Troyer, to place on the Special Council agenda immediately following.

Mrs. Powers stated if city personnel has to maintain the property will they be charged the \$300.00, the same as a homeowner would be?

Mr. Jamison responded it would probably be more than \$300.00 and the city has the ability to take the appropriate remedies to do an assessment against the property owners.

Mayor Coyne stated if the city experienced a huge storm and for some reason this retention basin was not functioning city personnel would be able to go onto the property to remove any obstructions to make the basin function so that businesses don't get flooded. Then the city would assess the property owners' the time, material and whatever the city had to do in an emergency.

Members of Council voted AYE. The motion carried.

Mr. Patten stated this will appear under M-1 as Ordinance 9923-2014 on the Special Council meeting.

3. CITIZEN OF THE YEAR AMENDMENT TO BY-LAW NUMBER THREE

Mr. Salvatore stated what is being proposed is to have the by-laws be amended to read the same as in 1997, when the resolution was adopted.

Mayor Coyne requested that the Mayor not have an appointment to this committee, this should be a Councilmatic committee. The only recommendation I would make is that whoever the Citizen of the Year is besides being honored at the Best of Brook Park event that person shall serve as the Grand Marshal of the Home Days Parade.

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

4. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GREATER CLEVELAND AUTO AUCTION, PUBLIC AUCTIONEERS, FOR THE PURPOSE OF DISPOSING OF POLICE VEHICLES AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mayor Coyne stated the police department has some outdated police vehicles to be auctioned off for a good price by the auto auction located in Brook Park.

Discussion: cont.

Mr. Troyer stated according to the legislation the vehicle is sold for \$75.00; what kinds of checks and balances are in place for the city to make sure that the highest value is being given? Have websites such as government.com has that been checked into to be sure that the best price is given for the vehicle.

Mayor Coyne responded the auto auction has been in business for 25 years and is very professional. Every automobile dealership in Cuyahoga County deals with this business and Mayor Coyne would trust this company and the relationship that has been built over the years as opposed to an online website.

Mr. Higgins stated that he can vouch for this company and has used them for over 20 years and minimal bids can be submitted. With some of the online auctions the city has to give a percent of the sale price to the auctioneer and when the Greater Cleveland Auto Auction is used the city is released from all liabilities from that vehicle. Mr. Higgins suggested that Council suspend on this legislation so the vehicle doesn't rust away sitting in a parking lot on order for the city to get top value for the vehicle.

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

Mr. D'Amico commented that it's important this legislation be passed so that city dollars can be brought back to the city quickly.

Mr. Patten stated the Greater Cleveland Auto Auction does not accept a bid until told by the city that the bid accepts it; this company clears the bid with the city prior to the vehicle going and if there isn't enough the auto auction will run it again.

Mrs. Powers asked for the age of the vehicle and will they be replaced?

Mayor Coyne responded the vehicle is beyond auxiliary police usability and has probably already been replaced.

Mr. Salvatore stated this is a housecleaning ordinance and does not need to be laying around for two or three readings.

Mr. Burgio stated the legislation states that the vehicles are 2005 Ford Taurus'.

Members of Council voted AYE. The motion carried.

Mr. Patten stated this will appear under M-2 as Ordinance No. 9924-2014.

SAFETY COMMITTEE – CHAIRMAN, SALVATORE

1. AN ORDINANCE AMENDING SECTION 1355.04 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PERMITS' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Jamison stated federal legislation was changed several years back as it relates to telecommunication towers and essentially Congress took away the ability of local governments to regulate telecommunication towers when there is swapping of existing equipment or new equipment being placed on an existing tower. So the legislation has been cleaned up to read that if there is an existing tower and equipment is being swapped out or added to the tower there is no need for approval by the city as long as there is no changes to the height, width, or dimensions of the tower. The Building Commissioner can waive the requirement that it appears before the Planning Commission and City Council which will streamline the process and put the city inline with federal legislation.

Mr. Troyer stated on the agenda cover it reads 1355.03 and should read .04, will that be a problem.

The clerk stated that is a typo on her part.

Mr. Jamison responded that the typo will not create a problem.

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

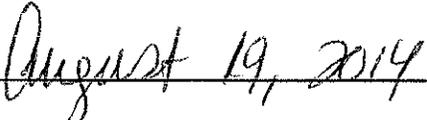
Mr. Patten stated this will appear under M-3 as Ordinance No. 9925-2014.

There being no further business to come before this meeting a motion by Mr. Burgio, supported by Mr. Salvatore, to adjourn. Members of Council voted AYE. The motion carried at 4:50 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.