

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, SEPTEMBER 9, 2014**

The meeting was called to order by Council President Patten at 7:30 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 Finance Director Cingle, Mayor Coyne, Service Director Cayet, Safety Director Byrnes, Engineer Piatak, Law Director Jamison, Engineer Piatak, Building Commissioner Hurst, (7:40 p.m.) Recreation Director Fields (7:40 p.m.) and Economic Development Commissioner Dolan (7:50 p.m.).

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

DISCUSSION:

1. DEPARTMENT OF LIQUOR CONTROL – Snow Road Bar LLC DBA Front Row Bar and Grill, 15119 Snow Road & Patio, Brook Park, OH 44142 **C STCK 8334563 Response Date: 9/15/2014**

Mr. D'Amico stated to Law Director Jamison this is for a change of ownership?

Mr. Jamison responded yes the ownership has been placed into a LLC, it's the same license just a switch of ownership.

Motion by Mr. D'Amico, supported Mr. Higgins, that item number one was discussed.

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

2. DEPARTMENT OF LIQUOR CONTROL – Prymas, Inc DBA. Smith and Snow Shell, 5918 Smith Road, Brook Park, OH 44142 **C TRFO 7100545 Response Date: 9/29/14**

Mr. D'Amico stated to Law Director Jamison this is for a renewal license.

Mr. Jamison concurred.

Motion by Mr. D'Amico, supported by Mr. Mencini, that item number two was discussed.

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

Discussion: cont.

3. COMPOSITION: EXECUTIVE HEAD – Councilman Troyer

Mr. Troyer stated that union contracts are not finalized so Council President Patten stated this will be placed on the next Caucus agenda.

4. ANIMAL SHELTER – Councilwoman Powers

Mrs. Powers stated that the city's animal shelter should be discontinued and when an animal is picked up the animal should be taken directly to the county animal shelter because county taxes pay for that shelter. Currently the city pays \$1,850.00 rent to house these animals and in addition there are expenses for utilities, food, bedding, etc. In the 2013 Animal Control Warden report there were 66 dogs and 43 cats processed for a total of 109 animals; when divided by weeks in a year that totals two animals per week. In speaking with the animal warden these animals are housed for an x-number of days in the city and then the animals are transferred to the county animal shelter at a cost of \$40.00 per animal.

Mr. D'Amico stated to Finance Director Cingle at the Board of Control meeting this evening wasn't there a \$5,000.00 and some change expenditure signed off on?

Mr. Cingle commented to lease the current animal shelter the cost is \$1,850.00 monthly and the expenditure signed this evening was for the months from October through December.

Mr. D'Amico asked Mrs. Powers asked how many times were animals taken to the county shelter and paid the \$40.00.

Mrs. Powers stated of those animals housed at the center there were 12 dogs and 36 cats adopted.

Mr. Higgins asked Mrs. Powers asked for numbers of how many pets were picked up by the animal control officers that residents were able to retain back to their possessions?

Mrs. Powers was unable to provide that answer.

Mr. Higgins continued to me it would be more concerning as to how many pets were recovered by residents versus how many pets were adopted out. Mr. Higgins asked Mrs. Powers how long the county animal shelter keeps an animal in possession before euthanizing.

Mrs. Powers responded apparently they think it's long enough for a resident to repossess from the county shelter. Animals are kept at the city shelter long enough

Discussion: cont.

so that if a resident was looking for an animal it's not that difficult. Mrs. Powers stated to Mr. Higgins that she thinks the county keeps the animal for a few weeks.

Mr. Higgins asked Mrs. Powers where the county shelter is located?

Mrs. Powers responded somewhere in the valley but I don't have the address. Mrs. Powers continued I would be more concerned with paying monies just for rent then I would about whether or not a resident finds their animal. If a resident is concerned with a lost pet then they should be going to the animal shelter and putting up posters and if that isn't being done then they must not be concerned about their lost animal.

Mr. Troyer stated this matter should be looked and if the city is locked into a contract for the rest of the year then this should be looked at during the next budget. Mr. Troyer stated that the city does want to make sure that residents' pets are taken care of and if they get loose they can be recovered; that could be done in both instances and will have to be looked at.

Mrs. Powers stated in conversations with Animal Warden Perkins I believe that he said the animals are housed at the shelter for 40 days.

Mr. Mencini asked if the shelter is staffed by volunteers or paid employees?

Mrs. Powers responded volunteers.

Mayor Coyne stated animal control is a major problem in any community is not as simple as Mrs. Powers would relate. The city has a place to put the animal shelter and everything is going to be challenged in the next budget. A resolution will be forthcoming of the financial condition of this city and it's a lot more serious than believed. Everything will be put on the table with alternatives and my suggestion is everybody wait until that resolution comes forward and stop telling people that may not be true because I, as Mayor, have not made those decisions yet. There have been discussions with your colleagues who legitimately are concerned about what will need to be done to address the financial conditions. My suggestion to you, Mrs. Powers, is to do the same thing before telling seniors and other folks things that are not correct. There is some authority with being a Council person but that authority is limited and most of the responsibility and authority lies with the Administration. Choices are going to have to be made for everything going on in this city and none of them are going to be easy and none of them is everyone in this room going to like.

Mr. D'Amico stated residents have called me on a Sunday afternoon about a deer being cut in half by a railroad train and falling into their yard; over the easements during a party. Animal Control came by and picked up the animal and there have been concerns from area residents about rats and mice that animal control took

Discussion: cont.

care of for the residents; so animal control is a good service for all types of things not only for strays.

Mrs. Powers stated not at anytime did I mention that an Animal Control officer is not needed and sometimes things can be complicated that don't have to be complicated.

Motion by Mr. D'Amico, supported by Mr. Burgio, that item number four was discussed. Members of Council voted AYE. The motion carried.

5. REQUEST FOR APPROVAL FOR A LOT SPLIT OF PPN 344-26-186 FOR EAST PARK RETIREMENT COMMUNITY LOCATED AT 6360 ELMDALE ROAD IN THE MUNICIPAL AND BOARD OF EDUCATION ZONE **In attendance:** Mr. Robert Nemetz

Robert Nemetz
3004 Waterfall Way
Westlake, OH

Mr. Nemetz stated Eastpark Retirement is a CCRC (Continuing Community Retirement Center) and the reason for the lot split request is that a new memory care unit was recently built that sits on the lot with the apartments. In order to get financing and long term mortgage money through HUD and FHA there can't be two same types of living arrangements on the same lot; so each individual federally insured program will give either give the long term mortgage monies for just the apartments or for the new assisted living but won't do the collectively.

Mr. Mencini stated just for clarification there will not be any opening on Saylor Drive the gates will remain closed.

Mr. Nemetz responded there is no opening and there will not be an opening.

Motion by Mr. Troyer, supported by Mr. Burgio, to have legislation drafted and placed on the next Caucus agenda. Members of Council voted AYE. The motion carried.

6. A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER Introduced by Council as a Whole

Mr. D'Amico stated this is basically a housekeeping item?

Discussion: cont.

Mr. Cingle responded this is a resolution that is passed every year and the rates are set forth in the tax budget that Council passed earlier this year. This is a time sensitive matter and needs to be down to the county by October 1st.

Mrs. Powers asked Mr. Cingle for clarification on these tax levies.

Mr. Cingle responded in June, 2014 City Council passed the 2015 Tax Budget and one of the items that the tax budget does is sets the tax rate for the following year. So the city will continue to levy the 4.45 mills that it is statutorily authorized to levy each year; in the form set forth in the resolution. Those rates were set based on the 2015 tax budget that Council recently passed.

Mr. Powers asked what was the tax levy before?

Mr. Cingle responded the city has always levied 4.45 mills that is inside of the ten mill statutory requirement and the city is authorized 4.45 mills. The schools levy is 4.05 mills and the county levies for an additional 1.5 mills for a total of ten mills. So if the city does not levy the statutorily required or allowed authorized amount of 4.45 mills those monies will either go to the schools or the county. This is a resolution that goes into effect to accept those rates as were calculated and set forth in the 2015 tax budget.

Motion by Mr. Higgins, supported by Mr. Troyer, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

FINANCE COMMITTEE – CHAIRMAN, D’AMICO:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE BROOK PARK POLICE SERGEANTS AND LIEUTENANTS, OHIO PATROLMEN’S BENEVOLENT ASSOCIATION AND DECLARING AN EMERGENCY
Introduced by Mayor Coyne

Mayor Coyne stated this contract reflect a zero percent in compensation and 10% to 15% in contributions towards health care.

Mrs. Powers stated the former contracts ended in December, 2013 so why is Council just receiving them now and why is it an emergency? Council should have received these contracts months ago and not just given a few weeks to look at them.

Mr. Higgins commented historically it is not uncommon for union contracts to be negotiated in the arrears; sometimes it could be one year or maybe even two years. So Council is not receiving a contract that was negotiated in December,

Finance Committee – Chairman, D’Amico: cont.

2013 the unions just came to an agreement not too long ago. Mr. Higgins continued as far as the ‘emergency clause’ legislation does not have to be passed in two weeks if you don’t want to. If you don’t want to pass legislation then don’t vote for suspension and don’t pass it under an emergency. That clause just goes with the time that the Mayor has to sign it after legislation is passed by Council.

Mrs. Powers commented that she does understand the emergency clause.

Mr. D’Amico stated to Mrs. Powers you do understand that due to the differences of opinions between the employers and employees could go on for a year or so until all the issues are ironed out and brought to the table with an agreement.

Mayor Coyne stated these contracts were only supposed to have wage opening provisions this year. As a result of what occurred financially the city had the ability to negotiate payments for hospitalization for employees, that did not exist before.

Mr. Jamison stated the question was raised as to why are contracts being received now and the answer is that these contracts were finalized in the last month or so and the duty of the Administration has to bring contracts to Council for final approval. The law provides that effected dates on contracts go back to January 1, 2014 for a one year, two year or three year contract depending on the negotiations of the parties.

Motion by Mr. Troyer, supported by Mr. Salvatore, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE BROOK PARK FIREFIGHTERS ASSOCIATION, LOCAL 1141, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AFL-CIO-CLC, AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mayor Coyne stated same provisions wage freeze and contribution to the employees’ health care.

Mr. Troyer stated to Finance Director Cingle on page eight, section 11 the Sick Leave bonus. Is there any calculation of estimated amount of costs for this?

Mr. Cingle responded estimated access would be roughly be about \$31,000 if no sick time was taken. 25% of the employees don’t take sick time or roughly about a \$7,500 estimate and the total cost won’t be known until the year progresses.

Motion by Mr. Burgio, supported by Mr. Troyer, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

Finance Committee – Chairman, D’Amico: cont.

3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FRATERNAL ORDER OF POLICE LODGE NO. 15 (PATROL OFFICERS) AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mayor Coyne stated same provisions for this contract.

Mr. Troyer stated to Law Director Jamison on page 20 – Duration of Agreement may possibly have an issue.

Mr. Jamison responded the contract needs to be brought up to date; that change can be made before the next meeting.

Motion by Mr. Burgio, supported by Mr. Troyer, to place on the next Council meeting. Members of Council voted AYE. The motion carried.

4. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MUNICIPAL FOREMENS’ AND LABORERS’ UNION LOCAL 1099 AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Higgins stated to Mayor Coyne that there was a negotiation that a certain percent of the new starting members in that union would make a 75% wage?

Mayor Coyne responded the same provisions are in this contract with no salary or hourly rate increases and contributions to health care premiums. Also there was a negotiated item for new hires coming in would get 75% of the wages.

Mr. Mencini stated to Mayor Coyne is there an average of what employees will be paying into their hospitalization?

Mayor Coyne responded before some unions were paying into the 10% program based on the deductible. Currently there are 10% and 15% and all employees will be paying with those options; a higher deductible employees contribute the 10% and the lower deductible will be 15%.

Motion by Mr. Higgins, supported by Mr. Burgio, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

5. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE TEAMSTERS UNION LOCAL 436 AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mayor Coyne stated wage freeze and contributions to health care premiums.

Motion by Mr. Burgio, supported by Mr. Troyer, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

Finance Committee – Chairman, D’Amico: cont. Mayor Coyne stated the only outstanding contract is the Dispatchers’ and there is a Factfinders report and it is my understanding that the union has accepted the report as well as the city and will be coming to Council very soon.

Motion by Mr. D’Amico, supported by Mr. Burgio, to go to the Addendum. Members of Council voted AYE. The motion carried.

ADDENDUM

DISCUSSION;

1. A RESOLUTION AUTHORIZING THE MAYOR TO FIRE AN APPLICATION WITH THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mayor Coyne stated this gives the city authority to file an application for funds that are available through the Development Block Program.

Mr. Patten stated this is a time-sensitive matter and needs to be down to the county by Tuesday, September 16, 2014.

Mayor Coyne concurred.

Motion by Mr. D’Amico, supported by Mr. Troyer, to place on the Council agenda immediately following. Members of Council voted AYE. The motion carried. Members of Council voted AYE to the motion. The motion carried.

Mr. Patten stated that will appear under M-1 as Resolution No. 20-2014.

Caucus Remarks:

Mr. Higgins stated that because of the size of the City of Parma the city gets federal monies upfront and runs some of the programs that are great programs to help people out that are in the mod-areas.

Mr. Higgins stated to Mayor Coyne that there was a negotiation that a certain percent of the new starting members in the patrol officers union would make a 75% wage?

There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 8:09 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *October 7, 2014*

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

