

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON WEDNESDAY, NOVEMBER 4, 2015**

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:

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

Also in attendance were Service Director Cayet, Recreation Director Fields, Engineer Piatak, Law Director Jamison and Building Commissioner Hurst (7:35 p.m.).

-----

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Regular Caucus meeting held on October 6, 2015.

**Motion** by Mr. Higgins, supported by Mr. Mencini, to approve as printed. Members of Council voted AYE. The motion carried.

2. Regular Caucus meeting held on October 20, 2015.

**Motion** by Mr. Mencini, supported by Mr. Mencini, to approve as printed. Members of Council voted AYE. The motion carried.

-----

**DISCUSSION:**

1. AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS FOR THE MAINTENANCE AND PREVENTIVE MAINTENANCE OF ITS PUBLIC BUILDINGS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **P/C 5/19/15 – Service; Caucus 11/4/15. Note:** Per Council Rule No. 5 – Standing Committees (page 6) reads as follows: Any legislation submitted to Standing Committee must be placed on the agenda of the Committee of the Whole within a reasonable length of time. Any Council Member may request that legislation left in committee for ninety (90) days without official action of discussion be placed on the next regular Caucus agenda.

Mr. Patten stated I placed this on tonight's agenda because there is no heat in this building and felt it was necessary that this legislation be brought forward to get some heat in this building for the upcoming winter.

Mr. Cayet stated over the years the city has had a contract with Brewer-Garrett to maintain the HVAC (Heating, Ventilation and Air Conditioning) systems throughout

## DISCUSSION: CONT.

they could. The systems are old and its been discussed here many times how old the systems are; there is a sprinkler on the roof of the Recreation Center going against the air conditioning unit up there when it is very hot out so it doesn't overheat. The Mayor has explained to Council many times what our systems are; they are old and it will be costly to replace them and they will still have to be maintained if they are replaced.

Mrs. Powers stated that has been my biggest problem is that we were paying \$10,000 a month according to the finance director's figures to one hand maintain the system and on the other hand being told it's too old to be properly maintained. I always wondered why we couldn't put that \$10,000 a month into new equipment rather than patching the old. I would also like to know when this is ready to be put out for bid are you going to follow the proper way of bidding. I have been told that when any city wants to put something out for bid that you contact numerous people in the business and let them know that it is coming up for bid. You just don't put the ad in the paper and expect them to come to you through the paper; the paper is there to make it a public bid but these companies are not in the habit of checking the paper everyday for bids; they expect you to let them know a bid is coming up.

Mr. Cayet responded with competitive bidding you have to advertise when its that kind of money and that is what we're going to do and there are people that have contacted me about something that might be coming up to bid and there are people interested and I think we should be able to lower the price on what we have.

Mr. Mencini stated I asked at the last meeting that his legislation be brought out because I sit here on this building in the winter and freeze. I know the Recreation Center and understand that City Hall is no better and winter could be here next week; so I think this is more of a hurry then we think. Also, to Mr. Cayet when you put this in the paper I'm not sure if certain companies could be called couldn't that be considered a conflict of interest?

Mr. Cayet responded I have people calling me I don't need to call anybody and it hasn't been in the paper yet. These companies do have sales staff that read the bid notices.

Mr. Mencini asked Law Director Jamison for the proper bidding process.

Mr. Jamison stated the proper procedure is to advertise in the appropriate manner that this city has done for years and I think it would be inappropriate to call certain people about the bid; the proper way is to do a general advertisement and let the interested parties respond.

## DISCUSSION: CONT.

2. AN ORDINANCE PROVIDING FOR A CONTRACT BETWEEN THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT AND THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY.  
Introduced by Mayor Coyne

Mr. Higgins mentioned that he is still experiencing problems with the microphone it works randomly. The clerk will have someone look at the microphone prior to next meeting.

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

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

### ADDENDUM

1. 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 AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Cingle stated this legislation is considered a housekeeping item that Council approves every year for the rates to be set forth in the 2016 Tax Budget. This is the next piece of legislation that is forthcoming after the passage of the tax budget. The County Budget Commission is eager to get this legislation in order to prepare their reporting; so if Council would consider passing at the next Council meeting that would be most helpful.

Mrs. Powers stated why are constantly doing things at the last minute when it is known that this will be coming up; so this should have been brought up a month or so ago. Also, I would like to know is this legislation is just asking for the monies to be sent to the city. Can this money be spent this year or does it have to wait until January, 2016; can the actual cash be spent now or does it have to wait?

Mr. Cingle responded the answer to your first question is the county just sent the resolution to the department approximately two weeks ago, so the Finance Department has to wait for the county to prepare their documents that are sent to the city to be put in proper order. Once again the county is anxious and eager to get this legislation returned to them; again, the rates were determined in the 2016 Tax Budget. As far as monies collected the property taxes will be collected next year so this Resolution is setting the city's property

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON WEDNESDAY, NOVEMBER 4, 2015**

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:

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

Also in attendance were Service Director Cayet, Recreation Director Fields, Engineer Piatak, Law Director Jamison and Building Commissioner Hurst (7:35 p.m.).  
-----

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Regular Caucus meeting held on October 6, 2015.

**Motion** by Mr. Higgins, supported by Mr. Mencini, to approve as printed. Members of Council voted AYE. The motion carried.

2. Regular Caucus meeting held on October 20, 2015.

**Motion** by Mr. Mencini, supported by Mr. Mencini, to approve as printed. Members of Council voted AYE. The motion carried.  
-----

**DISCUSSION:**

1. AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS FOR THE MAINTENANCE AND PREVENTIVE MAINTENANCE OF ITS PUBLIC BUILDINGS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **P/C 5/19/15 – Service; Caucus 11/4/15. Note:** Per Council Rule No. 5 – Standing Committees (page 6) reads as follows: Any legislation submitted to Standing Committee must be placed on the agenda of the Committee of the Whole within a reasonable length of time. Any Council Member may request that legislation left in committee for ninety (90) days without official action of discussion be placed on the next regular Caucus agenda.

Mr. Patten stated I placed this on tonight's agenda because there is no heat in this building and felt it was necessary that this legislation be brought forward to get some heat in this building for the upcoming winter.

Mr. Cayet stated over the years the city has had a contract with Brewer-Garrett to maintain the HVAC (Heating, Ventilation and Air Conditioning) systems throughout

## DISCUSSION: CONT.

the city: The fire stations, the police station, Recreation Center, City Hall and Council buildings and the Service garage. That contract hasn't been bid out since 2006 and what was done earlier this year was legislation allowing the city to go on a month to month basis. This legislation will allow the city to go out to bid to get competitive prices to take care of the systems; currently there is an outfit coming in and firing up the boilers due to the change of the season. Also, there quite a number of companies that are interested in bidding on this program which would be a nice thing for the city to have competitive bidding for hopefully a lower price than what has been paid over the years.

Mr. Troyer stated this would for what Brewer-Garrett has been doing and we have always contracted this out for the HVAC systems. Does it have to do with anything else like our people would be doing?

Mr. Cayet responded no.

Mr. Troyer continued so we are not farming anything out or privatizing.

Mr. Cayet responded we don't have a skilled individual to do this type of work.

Mr. Troyer stated you said there are numerous companies that are going to bid on this so it's going to be a good bid.

Mr. Cayet responded yes but first we have to advertise.

Mr. Mencini stated will this be a long-term solution or what are we looking at here?

Mr. Cayet responded a contract will be set up like what is done with rubbish and such for a three-year, four-year or five-year contract; like the city's rubbish contract is for two years with a third year option. We will come up with an idea as to how long we want to stretch this contract out.

Mrs. Powers stated what this is going to cost per month because we were paying Brewer-Garrett a lot of money and they were apparently not maintaining the systems and instead of making this an emergency that has to be done right now. If we take our time we have a portable air conditioning system in the Council office right now if we can get a portable heating system in there that gives us some time to do this. The reason that I kept it in my committee was because I was not getting the answers that I had asked for about cost and time and those kinds of things.

Mr. Cayet responded to Councilwoman Powers that is why we are going out to competitive bidding to see what kind of prices we can get to maintain our equipment and I'm sorry you are wrong Brewer-Garrett was maintaining the equipment the best

## DISCUSSION: CONT.

they could. The systems are old and its been discussed here many times how old the systems are; there is a sprinkler on the roof of the Recreation Center going against the air conditioning unit up there when it is very hot out so it doesn't overheat. The Mayor has explained to Council many times what our systems are; they are old and it will be costly to replace them and they will still have to be maintained if they are replaced.

Mrs. Powers stated that has been my biggest problem is that we were paying \$10,000 a month according to the finance director's figures to one hand maintain the system and on the other hand being told it's too old to be properly maintained. I always wondered why we couldn't put that \$10,000 a month into new equipment rather than patching the old. I would also like to know when this is ready to be put out for bid are you going to follow the proper way of bidding. I have been told that when any city wants to put something out for bid that you contact numerous people in the business and let them know that it is coming up for bid. You just don't put the ad in the paper and expect them to come to you through the paper; the paper is there to make it a public bid but these companies are not in the habit of checking the paper everyday for bids; they expect you to let them know a bid is coming up.

Mr. Cayet responded with competitive bidding you have to advertise when its that kind of money and that is what we're going to do and there are people that have contacted me about something that might be coming up to bid and there are people interested and I think we should be able to lower the price on what we have.

Mr. Mencini stated I asked at the last meeting that his legislation be brought out because I sit here on this building in the winter and freeze. I know the Recreation Center and understand that City Hall is no better and winter could be here next week; so I think this is more of a hurry then we think. Also, to Mr. Cayet when you put this in the paper I'm not sure if certain companies could be called couldn't that be considered a conflict of interest?

Mr. Cayet responded I have people calling me I don't need to call anybody and it hasn't been in the paper yet. These companies do have sales staff that read the bid notices.

Mr. Mencini asked Law Director Jamison for the proper bidding process.

Mr. Jamison stated the proper procedure is to advertise in the appropriate manner that this city has done for years and I think it would be inappropriate to call certain people about the bid; the proper way is to do a general advertisement and let the interested parties respond.

DISCUSSION: CONT.

Mr. Troyer asked Law Director Jamison as far as bidding goes it is lowest and best can you explain a little about that.

Mr. Jamison asked for clarification?

Mr. Troyer continued we agree that it is lowest and/or best bidder so the lowest bidder may not necessary get the bid they also have to be the best bidder.

Mr. Jamison responded there are occasions where the qualifications of the company that would bid for determination based on their past history or other projects that have been worked on and if there were any issues with that. So there are times that where even if it is the lowest bidder they will not necessarily be accepted. That's a process again that whoever is submitting that bid would review those at the appropriate time and follow that process.

Mr. Troyer stated to Mr. Cayet this is maintenance and preventive maintenance it has nothing to do with replacing units.

Mr. Cayet responded it doesn't have anything to do with replacing. If something has to be replaced for instance in the contract there are different things that are part of preventive maintenance; motors are not so if a motor needs to be replaced that's an add-on.

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

-----

Mr. Salvatore stated to Mr. Jamison reading through the title it doesn't seem to read correctly 'further authorizing the Mayor to advertise and enter into a contract'.

Mr. Jamison stated the title should be amended the third line of the legislation title by inserting the words 'for bids and to enter into a contract'.

**Motion** by Mr. Salvatore, supported by Burgio, to amend the third line of the legislation title by inserting the words after the word advertise 'and enter into a contract'. Members of Council voted AYE. The motion carried.

-----

Members of Council voted AYE to the motion to place on the next Council meeting. The motion carried.

## DISCUSSION: CONT.

2. AN ORDINANCE PROVIDING FOR A CONTRACT BETWEEN THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT AND THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY.  
Introduced by Mayor Coyne

Mr. Higgins mentioned that he is still experiencing problems with the microphone it works randomly. The clerk will have someone look at the microphone prior to next meeting.

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

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

### ADDENDUM

1. 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 AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Cingle stated this legislation is considered a housekeeping item that Council approves every year for the rates to be set forth in the 2016 Tax Budget. This is the next piece of legislation that is forthcoming after the passage of the tax budget. The County Budget Commission is eager to get this legislation in order to prepare their reporting; so if Council would consider passing at the next Council meeting that would be most helpful.

Mrs. Powers stated why are constantly doing things at the last minute when it is known that this will be coming up; so this should have been brought up a month or so ago. Also, I would like to know is this legislation is just asking for the monies to be sent to the city. Can this money be spent this year or does it have to wait until January, 2016; can the actual cash be spent now or does it have to wait?

Mr. Cingle responded the answer to your first question is the county just sent the resolution to the department approximately two weeks ago, so the Finance Department has to wait for the county to prepare their documents that are sent to the city to be put in proper order. Once again the county is anxious and eager to get this legislation returned to them; again, the rates were determined in the 2016 Tax Budget. As far as monies collected the property taxes will be collected next year so this Resolution is setting the city's property

## DISCUSSION: CONT.

tax rates for collections that will start January-February 2016 and receipts will follow accordingly throughout the year; no monies will be spent in 2015.

Mr. Salvatore stated if Council does not feel like suspending on this legislation at the next meeting I recommend putting it on tonight's agenda for First Reading.

Mr. Troyer stated to Councilman Salvatore I would have no problem with suspending on this legislation at the next meeting.

**Motion** by D'Amico, supported by Mr. Mencini, to place on the next Council agenda. Members of Council voted AYE. The motion carried.

2. A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Cingle stated this is another housekeeping piece of legislation so the city can collect property taxes in advance once they are collected by the county; this legislation can go full three readings as long as passed by the end of 2015.

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

-----  
There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 7:55 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.

