

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, NOVEMBER 17, 2015**

The meeting was called to order by Council President Patten at 8:11 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Service Director Cayet, Safety Director Byrnes, Finance Director Cingle, Economic Development Commissioner Dolan, Mayor Coyne, Engineer Piatak, Asst. Tax Director Maykut and Recreation Director Fields.

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Council meeting held on November 4, 2015.

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

REMARKS FROM THE AUDIENCE (ON ANY SUBJECT):

Sue Barbour

5819 Robert Drive

Ms. Barbour gave a gag gift cup holder to a few Members of Council and hopefully all new and reelected Council Members will work together in a civilized manner and with respect; in order to move Brook Park forward.

Joan Markusic

13911 Bellbrook

Ms. Markusic asked for an update on the Recreation Center with the moving of City Hall and Council Office people and what are the future plans for the Recreation Center. Ms. Markusic also commented on the concrete sewers recently installed underneath the railroad tracks on Snow Road between Brookview School and West 130th Street are cracking and sinking. Does the city have a warranty with that construction work to get them repaired before the city has to pay for all of that work redone or more construction is needed?

Jack Thomas

15913 Remora

Mr. Thomas present pictures about an all inclusive project called 'Embrace Them All' which is for an all inclusive playground to be erected within the city limits for adults and children with or without special needs to play side by side with each other. In talking about this idea with other people in the city certain questions arise: How many special needs children reside in the city and how many would actually use the

Remarks from the audience on any subject: cont.

New equipment? The answer to that question is that it doesn't matter and to be honest the question is rather discriminatory in nature. Nobody asked how many children without special needs were willing to play with the current equipment. In researching this I have found that communities in-state and out of state that offers this promote caring thoughtful residents and visitors from surrounding communities coming to their city. The next question is how much does it cost and who is going to fund it. The answer is this can be incorporated into one of the existing playgrounds for approximately \$40,000 according to other communities; especially in cities that own the land and have designated it for recreational or park usage and there are grants available for this. I have actually found the funding for this project so it won't cost the city one dime. Despite the opinion of others that I want to give everything away for free this is where Council will come in. There are individuals that sit on city commissions and collect monies for attending meetings; in fact, with an investigation of the city's payroll I found it to be around \$46,485.46 so let's take a closer look at this albatross around the city's neck. There are good people who sit on these committees that have run for Council recently or have already government paid jobs but yet the city pays them for "involvement" in these activities. In fact, in one case, there is one individual that left the city's employment ranks in a rather embarrassing fashion and as a punishment the city offers a seat on a commission that pays over \$3,000 a year; this city can't do any better than that. A person leaves in disgrace and the city rewards with payment to sit on a committee; was this person the only one that could be considered for this position? The others that sit on these commissions are all compensated at approximately a rate of \$2,679.60 each on an annual basis. I recently attended a Parks & Recreation Commission meeting and besides the Council representative who is required to be in attendance there were two other commissioners that are on the payroll to sit on this commission; out of the five members appointed according to the Charter. If only two commissioners attend ten meetings per year that totals \$276.96 per each meeting and since the meeting I attended had two commissioners that cost the city \$535.92 for every single meeting attended? My question is the city getting \$500.00 of added value from these people sitting on these commissions; could not the Recreation Center use these monies for better purposes? Is there really nobody in this city that would be willing to volunteer for these commission positions; put me on one of them I don't want a dime, I just want to help improve our city. Mr. Thomas continued with the Civil Service Commission is an embarrassment to this city how much work is actually done by this unit? Can't somebody be found who embodies honesty and integrity since that is what is being investigated? The Planning Commission has seven members and the Board of Zoning has six appointed members; so why is the city paying for this and where is the value in it? Could it be that the city is helping some pad their PERS (Public Employees Retirement Service) retirement accounts at the taxpayers expenses. Mr. Thomas stated in the Charter page 24, Article XI-Section 11.01(f) clearly states "All Members of all Boards and Commissions shall serve without

Remarks from the audience on any subject: cont.

compensation unless otherwise provided by Council"; so Council has clearly approved these expenditures, since Council gives it can also take away. I implore currently everyone on the Council and those that are coming on board soon to end this type of behavior. It is reprehensible and shameful to continue to allow this money to flow out of city accounts when the Administration is promoting needing money. As new budget talks begin please remember the pictures shared this evening and ask yourself a question where would these funds be best spent? This topic will be brought up again over the next few months and have a passion to make this project a reality and know it could be crown jewel for our city and its citizens.

Aviation & Environmental Committee – Chairman, Higgins

Mr. Higgins stated no report this evening.

Finance Committee – Chairman, D'Amico

Mr. D'Amico stated the Board of Control met earlier this evening and approved 14 items.

Legislative Committee – Chairman, Troyer

Mr. Troyer stated no legislation on tonight's agenda.

Parks & Recreation Committee – Co-Chairman, D'Amico

Mr. D'Amico stated there are seven new programs taking place at the Recreation Center; Co-Ed Junior Volleyball on Tuesday evenings, Women's Volleyball on Wednesday evenings, Co-Ed Youth Dodge ball on Wednesday evenings, Co-Ed Senior Volleyball on Thursday evenings and Pickle Ball on Tuesday and Thursday mornings from 9:00 a.m. to 12:00 noon, Senior Game Day on the second and fourth Wednesdays of the month and Basketball Skills and Drills on Saturdays from 10:00 a.m. to 3:00 p.m.

Planning Committee – Chairman, Mencini

Mr. Mencini stated the November 2nd Planning Commission meeting was cancelled due to no applications being submitted. The next meeting will take place on December 7th at 7:15 p.m.

Safety Committee – Chairman, Salvatore

Mr. Salvatore commented that attended the Block Watch meeting last night and the police officer gave an excellent report to the committee and wanted to pass that on to Safety Director Byrnes that the officers did a fabulous job.

Service Committee – Chairwoman, Powers

Mrs. Powers stated no report this evening.

Board of Zoning Appeals – Chairman, D'Amico

Mr. D'Amico stated Board of Zoning Appeals will meet on December 7th providing applications are received.

REPORTS FROM SPECIAL COMMITTEES:**Southwest General Health Center – Trustee, Salvatore**

Mr. Salvatore announced that William Young, Jr. has been appointed to serve as President and CEO of Southwest General Health Center starting January 1, 2016. Mr. Young brings more than 20 years of health system and community hospital leadership and has proven experience in patient satisfaction and community presence; Mr. Young also holds a Master of Business Administration from the University of Toledo. Mr. Salvatore thanked Mr. Tom Sullivan for assuming this position and wishing him the best in his future endeavors.

Berea Board of Education – Representative, Mencini

Mr. Mencini stated the 2016-2017 Academic Calendar has been approved and the Berea School Board was given a presentation about the new website that previously discussed. Director of IT, Kevin James, gave a presentation to the board about the previous products the district used to communicate to parents, students, staff and the community and explained the process the district uses to explore other products that consolidates service, reduces cost and enhances functionality. Mr. Mencini extended good luck to the new candidates voted to the school board on November 3rd. The Polaris Career Center property tax lost 53.8% to 46.2% and the career center serves nine cities, 1,800 youths and 8,200 adults a year. The center was seeking a 0.69 mil permanent tax that would cost the homeowners \$24.15 on a \$100,000 appraised house; a time limit tax instead of a permanent tax might be in the future for this levy.

REPORTS FROM BOARDS AND COMMISSIONS:**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:****REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Coyne thanked Ms. Barbour for the gag gift and stated to Ms. Markusic that at the recent Town Hall meeting a preliminary review was presented as to what needs to be done at the Recreation Center relative to the HVAC (Heating, Ventilation and Air Conditioning), lighting and other improvements that are needed, to make the center a viable operation. At the first of the year it is my hope to have the architect look at whether or not city operations should be moved to the building and still provide recreation programs. Going into the building it is not seen that on the roof the heating and air conditioning units are being cooled by a garden sprinkler to keep the system functioning, or the leaky roofs or the other existing problems. This Council is going to have a paramount decision coming forward as to the future of the Recreation Building. Mayor Coyne continued to Ms. Markusic that he is not familiar with the sewer grates that she spoke of but the city engineer and service director will be viewing them tomorrow to hopefully address your concerns. Mayor Coyne stated to

Reports and Communications from the Mayor: cont.

Mr. Thomas I like your analogies of how simple it is to solve these problems. You may or may not be aware that I have a very special son who is a special needs young man and am very proud of his accomplishments; so this is an issue that has been very sensitive to me my whole life for obvious reasons. I'm also proud to say that this city not only had the first group home but the first city in Cuyahoga County to have group homes for challenged adults and can't speak for other but speaking for my record. What is aggravating to me is, I believe, Mr. Mencini worked very hard with the Brook Park Memorial School to erect a play structure for these very needs and what is frustrating is that the city has play structures that the schools put in that our people can't use during school hours. Had the city and school been able to coordinate that we may have taken part of our money in a partnership and part of their money in a partnership and the many fundraisers wouldn't have been needed because city grounds are shared with the schools. The fact of the matter is Mr. Thomas your analogy is correct there is a challenge for every need in the city; special needs, recreational needs, senior needs, capital improvement needs and operating needs. There is a challenge for every dollar that comes in so when we have a serious discussion about what needs to be done to truly move this city forward it's going to come back to the same things. I don't know who you are talking about that gets \$3,500 and left in disgrace and would like to know who that is because I don't know and not certain if that appointment was made by me. Let me say this to you I have thought for a long time whether the city ever needed a Recreation Commission and in fairness to the people on there basically they are trying to do the best they can with the compensation that is provided, that is minimal, and I haven't seen one volunteer to serve that can be depended on and that would consist of a Charter change; as long as people serve I think they should get reasonable compensation. As far as the Planning and Zoning Boards there is some risk and one could argue liability for those people serving because they have to make decisions and could be subject to lawsuits on. The law department defends the city and there is some immunity in things but those people could be subject to some lawsuits or liability on themselves. We try to appoint people that have experience in that and the criticism of everybody criticizing PERS when everybody in the country is trying to sustain their Social Security benefits. Public employees such as policemen, firemen, elected officials have a right to a pension and earn it like everybody else and for so many years that was minimal. After retirement it seems that these people can't gain employment for instance there was a decision by Ohio PERS that the city is going to lose part-time bus drivers that drive the seniors and backup city inspectors because of PERS' decisions on hospitalization; so this will have a negative impact on this city. For instance, one of the things being looked at for the seniors was bringing back retired service department workers and that can't be done because their hospitalization would be in jeopardy. I am all for looking at all of these things and we have to look at a lot of different things and how services will be provided but unless the Charter is changed these are things that are mandated and I think if you take a careful review of most things you will find that people are honorable. Relative to Civil Service going back

there was an argument when the collective bargaining bill came into place that Civil Service should go away and there are people that still feel that way. It gives added protection to city employees and most importantly provides for promotions for police officers and firemen within their departments and now there is an argument about the city's service workers. So it does give some protection and some assurances to people to take so-called politics out of the promotional examinations of some of our most important employees. So I would not say that their meetings are a joke they are struggling between who is responsible, particularly Civil Service, whether it is a union contract or that entity and that is a battle that will go on; so I suggest you make further examinations. It's not as simple that if I don't take a salary and everybody's salaries should be cut Brook Park's problems are going to be okay, they're not it's not that simple. So hopefully in this era of we're all going to work together that we have those kinds of serious conversations because our employees have generally made sacrifices over the last several years and it affects their long-term planning for their families. These employees are good people and work hard and we have to have an honest equation of that but please bring to my attention if there is somebody out there that you feel that has done something deeming them unworthy to serve I would like to know what that is.

**REPORTS AND COMMUNICATIONS FROM OTHER DEPARTMENTS,
COMMISSIONS, PUBLIC OFFICIALS:**

Engineer Piatak

Mr. Piatak stated bids were opened today on the city's Sidewalk Repair Program and will be in the process of reviewing those proposals and hope to have a recommendation to the Board of Control at the next meeting. Ohio Public Works Commission's (OPWC) preliminary results came out for funding requests for State infrastructure projects and the city submitted for the Holland Road Reconstruction Project from Fry to Engle Roads; unfortunately, that project did not rank high enough for funding.

Mr. Mencini thanked the city engineer taking the time to meet with a resident on Smith Road and explain about the driveway apron issue not be a city matter.

Service Director Cayet

Mr. Cayet stated crews have been picking up leaves since November 2nd and have worked everyday except for two Sundays and Veterans Day. Many calls have been coming into the department and Council members from residents that crews haven't been down the street yet. The whole city has been done once and is going on the second tour of the city to pick up the leaves and the program will continue weather permitting. For the last couple of days low-flying helicopters have been flying over the city to inspect the high-tension power lines that run through Brook Park that criss-cross over the city; these inspections will probably continue until the first of the year.

Reports and communication from other departments, commissions, public officials: cont.

The department received salt and is approximately 1,600 ton strong which is good for about three major storms.

Mr. Mencini thanked the service crews for moving along with the leaves even though residents have complained that city crews didn't pick leaves up. Mr. Mencini asked for an update on residents dropping yard waste to the service garage; is it still productive?

Mr. Cayet responded yes, this past week with the mild weather it's been record breaking with the filling up of a 40 yarder on an everyday basis. It seems it is going well and a majority of the people coming down are happy with what is being done.

Safety Director Byrnes

Mr. Byrnes stated no report this evening.

Law Director Jamison

Mr. Jamison stated no report this evening.

Recreation Director Fields

Mrs. Fields reported the center is going to do a Kick off to Christmas this year which is going to be a caroling event on Friday, December 18th at 4:30 p.m. at the center. Children will start by decorating a Santa hat and then will be performing and giving out cookies and hot chocolate; then will be travelling the neighborhoods to bring holiday cheer to all the residents. Santa tours the city was done last year and will be done again this year and will start on Saturday, December 19th at 3:00 p.m. Lastly, Toys for Tots registrations are being taken for children ages 14 and under so if any families are in need have them stop by the center to fill out an application.

Finance Director Cingle

Mr. Cingle wished everyone a very Happy Thanksgiving.

**OTHER COMMUNICATIONS, PETITIONS, AND VERBAL APPROVAL:
(INTRODUCTION OF NEW LEGISLATION):****MISCELLANEOUS BUSINESS (APPOINTMENTS, CONFIRMATIONS):**

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (FIRST READING):

1. ORDINANCE NO. 9982-2015, AUTHORIZING THE SERVICE DIRECTOR TO PREPARE SPECIFICATIONS FOR THE MAINTENANCE AND PREVENTIVE MAINTENANCE OF ITS PUBLIC BUILDINGS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mr. Troyer stated to Mayor Coyne clarified this legislation is only for the HVAC of city buildings, nothing else.

Mayor Coyne responded yes, heating, ventilation and air conditioning.

Mr. Troyer stated has nothing to do with privatizing, we've always contracted this out, is that correct?

Mayor Coyne responded there is no boogey man here, Councilman, you should have been here this afternoon because employees were frying inside of the building and had to open the door to keep from passing out from the heat; it's simply a maintenance item that is long overdue to be passed.

Motion by Mr. Salvatore, supported by Mr. Mencini, to suspend.

ROLL CALL: AYES: Salvatore, Mencini, D'Amico, Higgins, Troyer

NAYS: Powers. The motion for suspension failed with a vote of 5-1.

Mr. Patten stated that Ordinance No. 9982-2015 has had its First Reading.

2. ORDINANCE NO. 9983-2015, 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. Patten stated Ordinance No. 9983-2015 has had its First Reading.

Mr. Higgins stated Point of Order, roll was called for suspension on item number one but the roll for adoption was not called.

Mr. Patten stated suspension failed with a vote of 5-1.

3. RESOLUTION NO. 26-2015, 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

Introduction of Resolutions and Ordinances: (First Reading): cont.

Mr. Troyer stated at the last Caucus meeting Council was informed that it is important to get this legislation passed.

Motion by Mr. Troyer, supported by Mr. Mencini, to suspend.

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

Motion by Mr. D’Amico, supported by Mr. Troyer, to adopt.

ROLL CALL: AYES: D’Amico, Troyer, Higgins, Salvatore, Mencini, Powers
NAYS: None. Res. No. 26-2015, has passed under Suspension of the Rules. Adopted.

- 4. RESOLUTION NO. 27-2015, 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. Patten stated Resolution No. 27-2015 has had its First Reading.

- 5. ORDINANCE NO. 9985-2015, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A DEMOLITION GRANT FOR 18301 BROOKPARK, LLC, A CORPORATION WHOLLY OWNED BY WESTON, INC. Introduced by Mayor Coyne

Mr. Patten stated Ordinance No. 9985-2015 has had its First Reading.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (SECOND READING):

THIRD READING OF RESOLUTIONS AND ORDINANCES:

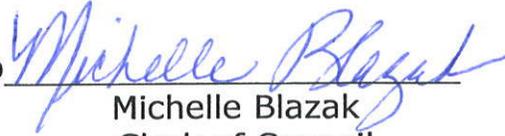
Mr. Salvatore – Mr. Chairman...

There being no further business to come before this meeting Council President Patten adjourned the meeting at 8:45 p.m.

Mr. Salvatore – Mr. Chairman, I was going to make a motion to reconsider.

Mr. Patten – the meeting is adjourned.

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.