

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, DECEMBER 1, 2015**

The meeting was called to order by Council President Patten at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

HIGGINS, TROYER, SALVATORE, MENCINI, BURGIO, POWERS, SALVATORE

Also in attendance were Law Director Jamison, Safety Director Byrnes, Service Director Cayet, Engineer Piatak, Mayor Coyne, Assistant Fire Chief Johnson, Human Resources Commissioner Sinatra, Building Commissioner Hurst, Assistant Finance Director Healy and Police Sgt. Stopiak.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Caucus meeting held on November 17, 2015.

Motion by Mr. Mencini, supported by Mr. Higgins, to approve as printed. Members of Council voted AYE with the exception of Mr. Burgio who abstained. The motion carried.

DISCUSSION:

1. AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF THE BROOK PARK HOME MAINTENANCE ASSISTANCE GRANT PROGRAM (HMAP) AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mayor Coyne stated this legislation lays out the criteria that must be met for residents to qualify for the loans.

Mr. Troyer stated there are a few things with this legislation, not that I'm against it, but noticed that there are no rules for grants. On the loans there are rules for obtaining permits from the Building Department and have a licensed contractor, but there is not wording for that on the grants. There is no income guidelines for the loans which appears that 20 people can apply for this program immediately to get their driveways done with the monies being expended, so there would be no monies left; for 20 people to get their driveways done the \$100,000 would be spent. Why the interior upgrades because this is to help residents' with the blight, deterioration of the neighborhoods; we don't want to help residents' with furnaces because that's not going to help increase the value of the neighborhood as a whole. What we want to do is the outside with the windows, siding, roofs and those types of items that will help the whole neighborhood and bring up values. There is no way a furnace is going to bring any value except for that house in

DISCUSSION: CONT.

question and that's only when the home is sold. So it wouldn't be advantageous to the city as a whole just for that resident to get more money for that house when sold. What would the prime rate be, I know it adjusts, but this says the current prime rate that the government charges the banks and banks usually put a higher rate or few points onto that. Is the city going to do that or just leave at that low rate so it would be more advantageous for people who make a lot of money to be able to qualify for this instead of applying for a loan from a bank; basically allowing anyone to qualify for these funds.

Mayor Coyne responded with the first one if Council wants to amend the legislation for grants to follow the same criteria, I don't have an issue with that. What the city is finding is on the loans coming in particularly seniors do want loans for heating and air conditioning problems; if Council want to amend the legislation for exterior only that's fine.

Motion by Mr. Troyer, supported by Mr. Burgio, to place on the next Caucus agenda.

Mr. Mencini stated back to the furnaces if people were to qualify and it's the middle of winter and they're having furnace problems or it's the middle of summer and has air conditioning problems. Then maybe those are some of the parameters that need to be looked at so people can get the furnaces in the middle of winter.

Mr. Jamison stated just for clarification, there is a misconception that anybody with any income is going to be eligible for this. It does say in the legislation that people have to fall under the federal income assistance guidelines; so essentially individuals who fall under those guidelines are going to be the ones eligible to receive the grant or loan being awarded. It's not going to be for everybody and I just wanted to get that misconception out of the way.

Mr. Troyer asked Law Director Jamison to point out that verbiage.

Mr. Jamison responded its in items number four and five and provides in there that people have to be below the federal assistance guidelines to qualify initially.

Mr. Troyer stated that is for the grants.

Mr. Jamison responded it's for both.

Mr. Troyer asked Mr. Jamison to point it out again.

Mr. Jamison stated items four and five.

DISCUSSION: CONT.

Mrs. Powers stated number four says documented income below federal income assistance guidelines but then number five says Brook Park residents with documented income above federal income; so it does say both. The below federal and above federal are eligible for this and I do question that.

Mr. Jamison responded I can review that it could be a typo...Actually that might be right as Finance Director Cingle just pointed out. The difference between the grant and the loan is that the loan is being repaid. So the city is essentially giving people who are above the federal guidelines the ability to borrow the money at a low interest rate and the people that can't afford it are going to get the grant.

Mr. Troyer stated exactly so what I was talking about was the grants. Number four references the grants that are below federal income assistance guidelines. Number five references the loan and says for people with documented income above federal assistance guidelines. It doesn't say there's a limit at \$50,000, \$30,000 like the city does for snow plowing. It just says anybody that is above the federal assistance guideline can apply for the loan. So basically wording is needed in there to have a limit because if someone needs a driveway that person can get a dirt-cheap interest rate at \$5,000; with 20 people doing that the monies are gone.

Mayor Coyne stated the criteria for receiving assistance set forth in the Ordinance if a resident or homeowner falls below federal assistance criteria for low to moderate incomes are eligible for a grant up to \$5,000. If people are above the federal criteria people are eligible for a loan at current prime rates of interest. The 2015 federal low to moderate guidelines are as follows: Members of household – 1 person maximum household income \$37,050, two people is \$43,350; three people \$47,050 all the way up to eight people at \$69,850. Grants issued under this program and loans are secured by liens and cognovits notes maximum terms to repay a loan will not exceed five years and the legislation does spell out the due diligence. Mayor Coyne provided the guidelines to the Clerk and stated that if Council wants to incorporate those guidelines in the legislation that can be done but the guidelines change.

Mr. Troyer stated to Law Director Jamison will that go back to item number three – the city shall conduct due diligence of all HMAP grant and loan applications to determine whether the applicant falls within the federal income assistance guidelines. So that way as the Mayor just presented those is the guidelines; we don't have the guidelines.

Mayor Coyne commented you do but what I'm saying is that you don't want to incorporate that in the legislation because the city hopes for this legislation as

DISCUSSION: CONT.

permanent and the federal guidelines could change, therefore, Council would have to come back and amend the ordinance. I think as long as it says the city is going to follow those guidelines then the city is okay.

Mr. Troyer stated what I'm saying is that Council didn't have the guidelines.

Mayor Coyne interjected Council did not have the income numbers but the legislation does say to follow the guidelines as set.

Mr. Troyer reiterated the motion to have this placed on the next Caucus to possibly change some wording and have rules for the grants.

Mayor Coyne interjected Council could amend the legislation to simply say loans or grants have to follow the same criteria where it's applicable.

Mrs. Powers stated who would qualify for a grant versus who would qualify for a loan; how is that determined?

Mr. Jamison commented it is based on the people's income. I think the thinking behind this is if there are low income people then they're not going to be able to afford to repay the loan; those people will get the grant. If people have income above the federal guidelines the city is giving an incentive to borrow the money for improvements to their property. The loan is different because that gets repaid, it's a low interest loan but it's going to be an effort to stimulate people to invest back into their property. The difference is with the grant is for people who don't have the income to go out and repay a loan, that's the difference.

Mrs. Powers stated according the federal income guidelines for a maximum household of one the income would be \$37,050. It seems to me that anyone with that income would be able to repay a loan or get a home equity loan and work through the bank. I don't understand why the city would want to give anyone a grant with that kind of income because if the city can't afford to repair our streets why give money away to a low-income family.

Mayor Coyne responded you have to do both, you have to improve neighborhoods and clearly there are some issues. So let's say I make \$37,000 annually and want to make an improvement to the exterior of my house. I have a choice because I have so many bills that need to be paid or I fix my furnace but don't have enough money to repair my driveway. Therefore, if I have the stimulus of going to the city and getting a low interest loan to take care of that driveway the city wins and the resident wins. Reality the people that are going to apply, as a matter of fact I have two people that you referred today one woman is ready to go with her project, this is the only way that people are going to get this done. So to me we

DISCUSSION: CONT.

need to our roads and I told you how you can get the money to do that and we need to help our residents as much as the city can; that's the reason why these neighborhood rehabilitations are taking place. At the town hall meeting there are 300 homes in this city that are vacant or foreclosed on and if the city doesn't take the initiative to be partners with our citizens; remember this is a partnership that we're making with the Brook Park citizens that I think is a worthwhile one. Particularly when the sidewalk program gets going and what we saw in the past is that many people took advantage of the unit price to make improvements. So if this is someone making an investment in their house for the future, particularly older people, this will be a very helpful stimulus for them to make improvements.

Mr. Higgins stated to Mrs. Powers I received an email from one of my residents as well as some of the Administration and the email led me to believe that maybe you were looking into this and you're okay with passing under suspension, is there any truth to that?

Mrs. Powers responded I don't know who you talked with but you didn't talk to me.

Mr. Higgins continued I didn't say I talked to you, I said I received from a resident that was forwarded to me that's looking to access this program and included in the body of that message was that you were willing to pass this under suspension; is there any truth to that.

Mrs. Powers responded no.

Mr. Higgins stated for the rest of this body I did receive an email from a resident in my ward and they are looking to access this program and I was led to believe that someone may have spoken to Mrs. Powers in regards to suspension on this legislation. In this particular case this resident borrowed money on their home back when the housing market was at its peak and can't get a home equity loan; this would be a good program potentially for them and that is why they reached out to me.

Mr. Troyer stated that Mr. Higgins' scenario is one that the city wants to help people out, I know people don't like but another option especially a senior whose house is paid off is to do a reverse mortgage to fix up their whole home. So we need to confine this mostly because there is such a small amount of money and it's only one year; we have to find the money for this next year. My concern is that it goes to the people who really need it first, people who are in dire straits and there is no way for people to take advantage that is my concern. I would like to get this done but I'd like to make sure that the money is going to the people who really need it.

DISCUSSION: CONT.

Mr. Jamison stated just to address what Mr. Troyer raised earlier about making the slight change of meeting all the applicable codes and being approved. All that needs to be done is on the third page of the Ordinance in Section 1, subsections e and f, can be changed to numbers 8 and 9. That language would cover all projects be it a grant or loan has to meet all the applicable codes and number 9 would be applications will be taken on a first come first serve basis.

Mayor Coyne stated these guidelines are enacted by Cuyahoga County and when the city did the senior snow removal program once people followed the process and verified by the city's tax department everything seemed to work out pretty well. So the city has the same ability to do that locally to make sure that someone is not misstating what they're revenue is and I would not suggest a reverse mortgage to any senior citizen under any circumstances; I think that's the next bubble that is going to take this nation to oblivion, I'm not saying you were I'm saying I'm not.

Mr. Troyer commented they are legal and my understanding from reading up on them is that the people get to stay in the house as long as they want. Mr. Troyer continued if Council was to make the amendments stated by the law director then I would like to address the idea of limiting to exterior repairs and if content; there are other ways of getting monies from the county for interior projects. If you look at some of the wording in this legislation it says eradicate and mitigate blight in the city; prevent deterioration and decay of its residential neighborhoods, protect the community from blight deterioration and to me that's neighborhood exterior items. It even mentions in here remodeling improvements is someone going to remodel their kitchen or bathroom on this? I think this should be tightened up because with limited money the city wants that money to go where it's going to be most effective and if done on exteriors such as windows, siding, doors and roofs that is what is going to help the city and residents the most.

Mayor Coyne stated in Section 6 states the use of funds shall be limited to structural and home repair and capital repairs and remodeling improvements e.g. roofs, windows, furnaces, driveways, insulation and the like and not for landscaping, sidewalks of a premise. I think that identifies all the problems that people have and Council funded this for one year but this is going to be an ongoing requirement of the city and might require more money rather than less; and is a commitment that needs to be made. These are all the issues that the people have and come in and talk to us about so I would rather have the problem of people who qualify taking advantage of it and not having enough money then having money sitting there. There is nothing worse than a funded program that residents' can't access because of criteria, that doesn't make any sense. The fact of the matter is maybe if someone puts in a new furnace and have their own

DISCUSSION: CONT.

money to do streetscape or yard and fence improvements. For everybody, just like the city, there is a competition for the money coming into a household today. So to me these are the kinds of issues people are bringing to us and would like to make this that more people qualify than not.

Mr. Troyer stated the sheet handed out basically reads if a resident or homeowner falls under below federal income criteria for low to moderate incomes they are eligible for a grant up to \$5,000; that's the grant. If they are above the federal criteria they are eligible for a loan at current prime rates of interest.

Mayor Coyne commented correct.

Mr. Troyer continued 2015 low-mod income guidelines are as follows: Members of household for one person \$37,000, so again, if they are above the federal criteria they are eligible for a loan at current prime rates of interest. If people make the \$37,000 with one person that person is eligible; or above for the loan.

Mayor Coyne concurred and asked what the point is?

Mr. Troyer stated \$37,000 and above is eligible for the loan.

Mayor Coyne responded correct and in reading section D – 'Homeowners receiving loan funds shall pay 50% of the cost of the desired home improvement in advance to a licensed, bonded'...that's where the city partners with people so that's a little bit different.

Mr. Troyer stated right, then it gets back to what I said if 20 people decide they want their driveways done and apply for this the monies are gone.

Mayor Coyne responded so be it but if nobody applies and nobody qualifies the money sits there, so the bottom line is are you going to provide incentives for people to make an improvement. Does the city want to be partnered because at the end of the day the people improve their homes and the city has a return on those improvements, the neighborhoods improve that's what you have to do? If you don't do it then you're continue to have the problems the city has right now; I hope the whole \$100,000 goes and next year another \$100,000 is appropriated or more depending on what the program is. You don't institute a program for it to fail.

Mr. Troyer stated I hope the whole \$100,000 goes too but I hope it goes to the person who are needy and really need it, that's my point.

DISCUSSION: CONT.

Mayor Coyne commented okay, then you have the criteria that are set by the county that is a standard under federal guidelines; they determine who is needy. Everyone in the city that needs money thinks they are needy, therefore, if people make money and qualify under the program and the city can assist them; the more residents the city can assist is better, it's all money well spent in my view.

Mr. Mencini stated being under federal guidelines I would think that outside of the box of Brook Park that federal government knows what they're doing a little bit. I looked at a family of four at \$52,000 that can go quickly through the course of a year; especially in today's economy. I kind of agree with the Mayor at the aspect let's help the residents, I'm good with the furnace and have already spoken on that, but if somebody needs a furnace or roof that's great. Let's use this money and make the neighborhoods better. Us who work with the youth or out in the community hear on many occasions we don't have the money for it right now; this is a way to help the residents get the needed money right now.

ROLL CALL: AYES: Troyer, Burgio, Mencini, Powers, D'Amico, Higgins, Salvatore
NAYS: None. The motion carried to place on the next Caucus agenda.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO THE CUYAHOGA COUNTY BUSINESS RETENTION AND ATTRACTION PROTOCOL AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mayor Coyne stated that Brook Park is one of the few communities in the county that is not in this agreement and in moving forward the city would like to participate in the water department's program and by doing this the city can do that. Right now if the city puts in a new road the water department can require the city to put in a new waterline without any assistance from the water department. At the time it may have been one of caution for the city to participate in this program but the reality is the situation today that the city should participate in this program due to being more advantageous than disadvantageous.

Mr. Troyer stated to Law Director Jamison on the third Whereas the legislation still reads Business Attraction and also in Section 1 the same thing. What they did on this was change it from the Cuyahoga County Business Attraction and Anti-Poaching to Cuyahoga County Business Retention and Attraction Protocol. The other difference on this is the legislation states renewal but that is not exactly the same thing. That was changed and this does not have an expiration date, it's continual, until the decision is made to cancel; unlike the original agreement had an expiration date.

DISCUSSION: CONT.

Mr. Jamison stated with the third 'Whereas' it reads the City of Brook Park and Cuyahoga County entered into the Cuyahoga County Business Attraction and Anti-Poaching Protocol Agreement on September 27, 2012 and said Agreement terminated on December 31, 2014. My understanding is that's what this program was called back in the day.

Mr. Troyer concurred and stated in Section 1.

Mayor Coyne stated in Section 1 that what the legislation reads is the new name of the agreement.

Mr. Troyer disagreed stating that the new name is Retention and Attraction.

Mr. Jamison concurred that Section 1 should be amended.

Motion by Mr. Troyer, supported by Mr. Higgins, to amend Section 1, second line, by deleting Attraction and Anti-Poaching and insert Retention and Attraction. Members of Council voted AYE. The amendment carried.

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

3. AN ORDINANCE AMENDING ORDINANCE NO. 9978-2015, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **(Substitution piece for Ordinance No. 9986-2015 that appears under First Reading on the 12/1/15 Council agenda).**

Mr. Cingle went over the changes to the appropriation ordinance by stating the first item changed was under Fund 413 – Fire Department - line item 529 – Contracts. The amount was increased from \$7,000 to \$15,000 due to maintenance on warning signals. There was a purchase order that processed, therefore, necessitating the increase in that line item. Fund 414 – Disaster Service – line 527 – Miscellaneous Expenses was increased by \$78.53. Fund 419 – Animal Warden – line item 529 – Contracts was the department increased the reduction from \$7532.20 to \$10,000. Fund 420 – Service Director – line item 521 – Communications was increased in the amount of \$2,200 for the phone bill. Fund 427 – Trees and Tree Lawns – line item 512 – Overtime was increased originally at \$7,000 as an adjusted amount and was increased to \$16,000 as well as line item 519 – Fringe Benefits showing an increase from \$1,081.50 to \$2,472.00 due to service crews working overtime on the weekends to pick up leaves. Fund 433 – Street Lighting – line item 520 – Utilities increased from \$3,000 to \$15,000 due to utility bills and line item 524 - Repair and Maintenance decreased from \$3,000 to \$1,500. Fund 434 – Traffic lights – line item 529 – Contracts decreased by \$15,000. Fund 641 –

DISCUSSION: CONT.

Office of Aging – line item 513 Part time salaries decreased by \$3,000 and line item 527 – Miscellaneous Expenses increased that reduction from \$5,553 to \$6,000. Fund 874 – Miscellaneous Expenses – line item 523 – Professional Services increased from \$13,643.17 to \$18,897.40. Fund 250 – Special Recreation Fund – line item 527 – Miscellaneous Expenses increased \$4,140 for basketball t-shirts and shorts. Fund 401 – Capital Improvement – line item 422 – Service Building – 552 – Equipment decreased by \$116,497.41 and moving those dollars to line item 432 – Snow Removal – 552 – Equipment increased \$116,497.41 for a plow truck in the process of being purchased that Council should see the legislation at the next Caucus meeting. The total dollar amount for these changes increased from \$596,199.08 to \$600,339.08 for a \$4,140.00 increase referring back to the Special Recreation Fund.

Motion by Mr. Higgins, supported by Mr. Troyer, to substitute this legislation with item number M-2 on tonight's Council agenda. Members of Council voted AYE. The motion carried.

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

ADDENDUM

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH RIGHT STUFF SOFTWARE CORPORATION WITHOUT PUBLIC BIDDING FOR CONSULTING, INSTALLATION, TRAINING AND TIME CLOCK HARDWARE AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mayor Coyne stated a thorough presentation was made at a previous meeting and Todd Tramba of TCC Technologies is in attendance this evening to answer questions so that Council can move forward to address the communication problems of the city.

Mr. Troyer asked why wouldn't the city have time clock and payroll together; is there any reason why that wouldn't be one piece of legislation.

Mr. Cingle responded the first item under discussion authorizing the Mayor to enter into an agreement with Right Stuff Software that is for the timekeeping; the time clocks. So the city would implement the time clocks and the information from the time clocks once reviewed by the department heads and signed off electronically the information will feed into the payroll system; there are two separate systems. One is a timekeeping system and the other one is payroll system as discussion item number two.

DISCUSSION: CONT.

Mr. Troyer clarified why can't these two systems be put together, is it not able to do that? Wouldn't it be a better system if it was the same system?

Mr. Cingle responded there are two separate systems; the payroll system does not have a timekeeping system. So a separate timekeeping system called Kronos that the city is using today as and the CMI payroll system don't interact. These two systems will interact and turn this process into a paperless process going forward.

Mr. Troyer clarified to Mr. Cingle what you're saying is you can't get them together, it's not available.

Mr. Cingle responded to the best of my knowledge that's correct.

Mr. Troyer continued the Right Stuff Software has the city contracted or signed any agreements or paid this company any money?

Mr. Cingle responded no.

Mr. Higgins stated to Finance Director Cingle is the dollar amount correct in the legislation.

Mr. Cingle responded to the best of my knowledge that is correct as stated.

Mr. Higgins stated at the last meeting the amount was supposed to be adjusted to \$33,000 as discussed.

Mayor Coyne stated here is what happened those are on the time clocks. There's a capital expenditure of \$33,000 and the balance is in support that's why it was \$55,000. The reason the city has to do them both is the capital equations given to Council was \$33,000 but because the city is exceeding the \$50,000 threshold it's all in one ordinance. In other words the operating costs and the capital costs are in one ordinance; so the \$33,000 for the capital side is correct.

Mr. Higgins thanked Mayor Coyne for that explanation and stated to Council President Patten. It is my understanding that the Mayor was looking to try and get this legislation passed by the end of the year because of being time-sensitive and potentially price changes.

Motion by Mr. Higgins, supported by Mr. D'Amico, to place on the Council agenda immediately following.

DISCUSSION: CONT.

Mrs. Powers stated this needs to study this a little further and I have done some research this past week and think that the city should contact more companies to find out exactly what this costs or get something just as good for a cheaper amount. To my knowledge the city has not contacted any experts in the field and computer technology changes by the moment. Council was told at the last meeting that this had to be done by the end of the year or the price could change. Usually when a contract proposal from a company they have a time limit of usually more than 30 days; so I think we need to slow down and take a second look at this.

Mr. Higgins stated if I'm not mistaken I think we had the city's Finance Director, Assistant Fire Chief, Sgt. Stopiak from the police department last week explaining to Council how they did contact everybody, looked at every avenue and brought forth to this body what they thought, out of their due diligence, was the best product for us. A lot of people don't understand how systems work unless you deal with them but sometimes your payroll system has to interface with your timekeeping system whether it's Kronos or what. If you start all over from square one again I assume you're going to pay a lot of money because you're buying the hardware from start-go again. So I think we went through this process last week with a special meeting and good explanations from some experts in this field.

Mr. Troyer stated experts in the field that's what we didn't get. I know that so many have dealt with the city's computer systems and done a lot with traffic lights and so forth. So the question is what are the credentials of these experts in the field? Not to knock anybody but if you're saying experts in the field that give Council what they're credentials that would help us say these are credentialed people.

Mr. Higgins stated I think what I said was after due diligence by the sergeant of the city's police department, assistant fire chief, finance director, the human resources commissioner and whoever the Mayor and administration had working on this with experts in the field this is what was brought back to Council. Your comment and Mrs. Powers comment basically tells me that none of those people know what they're talking about or don't know how to do their job. This is out there and has Council has discussed it I don't know what else Council is looking for here.

Mr. Troyer to Mr. Higgins don't put words in my mouth I didn't say that about any of them; I thanked them for their time. I have to do my due diligence, like all of us should be, we're watching the residents' money that's our basic job is to watch the residents' money. What I would like to know is

DISCUSSION: CONT.

what are the qualifications, what kind of training, if somebody could come up here and tell me that I'd feel much better and know they've done a lot for this and respect their positions. I'm not saying they don't know what they're talking about I'm just saying my job is to protect the resident's money and I have to do my due diligence it's my job; otherwise I shouldn't have it and I'm going to ask these questions. What are the qualifications of the four people that were up here with these individual contracts?

Mayor Coyne stated they could ask the same question of you and you could say you were elected by the people to make the best decisions based on the information you requested; they could challenge your qualifications to question them. I think we have to remember we had a consultant that works for the city and Mr. Tramba is here tonight. Mr. Tramba identified what the city's problems are and made suggestions on how to correct those problems and he is here and can discuss his expertise. Our staff from human resources to police and fire they're job is delivering services is my job, no matter what you do up here. I have to deliver service protecting people and provide services to them, payrolls have to be processed, collect income taxes, everything that makes this city work that's what our jobs are. Therefore, under the guidance and recommendation of our computer consultant the city has retained. He identified our problems based on the various departments every employee has to interact with human resources; I think our time clock just broke at the service garage today and if have any idea with pay rates, there are two service directors up here that understand the nightmares of various pay rates for service workers. How they have to be processed and the different payments for items for police and fire, our various communications ability to deliver emergency services are all affected by the city's ability to communicate. So this group of employees representing every operation of the city sat down and painstakingly went through the recommendation of the city's consultant who you will see is eminently well qualified and went out and obtained the best prices that they could. If you have some questions I'm sure he'll be happy to give you his credentials and as far as our other folks are sworn civil service tested, promoted and understand the various operations of their departments better than anybody; that goes for every single one of them. Are any of them computer experts, I'm not, you're not, they're not that's why we hire a consultant to guide us. To go out and do all this research on these prices would have been totally cost-prohibitive so Mr. Tramba gave our people the guidelines and professional expertise and that's how we went forward.

DISCUSSION: CONT.

Todd Tramba
TCC Technology Solutions
901 Canterbury Road, Suite A
Westlake, OH

Mr. Mencini asked Mr. Tramba to give Council his qualifications and expertise.

Mr. Tramba responded I've been in information technologies for over 37 years and go back to the late 1970's when I started my career. My qualifications have always been working with directly with our customers and identifying requirements and needs and then bringing the technical expertise to the table to satisfy those needs. Our company who I am an owner and partner is 16 years old and supports and provides IT services and become our customer's IT department to over 200 organizations, schools, businesses as well as non-profit organizations.

Mr. Mencini stated with the systems being discussed how far behind is the city?

Mr. Tramba responded at least ten years on many of them and the item that our company recommended more than anything; it's like building a house the foundation needs to be built. As a result we find that with the greater demands that are being seen in the market, in business as well as municipalities for information today. The goal of what we recommended was to bring stability through simplification; standardization and make the environment repeatable so that its much more efficient, reliable, can grow and expand as the city's needs expand and as technology changes; it can adapt much more quickly that way.

Mr. Mencini stated with the prices Council is looking at are they going to increase at the first of the year or come down. Also, with the system possibly sometime next year will there be something new coming out for the same price?

Mr. Tramba responded there is always going to be that leap-frog in technology. So what needs to be done is build the foundation in order to take advantage of those and what my company tries to do working with customers by setting up technology that can be continually looked at; put a strategy in place so everything possible can be done to keep customers' ahead of that curve and most importantly be able to manage to the customers' budget and priorities for the city; so that the value received from the technology investment is maximized.

DISCUSSION: CONT.

Mrs. Powers stated back to what Councilman Troyer was speaking on about the team of Human Relations, Fire, Police and Finance that attended the last meeting nobody questioned their expertise in their fields. What is being questioned is how qualified is this team to make the determination about the city's computer system. As the Mayor pointed out he is not an expert, I am not an expert and who knows if there is an expert on this whole panel; that is why more people need to be checked. Mrs. Powers thanked Mr. Tramba for his information but another opinion is needed and need to slow down and take the time to get another opinion. If companies want to do business with the city then there must be another company out there that would like to do business with the city, would be open to doing business with the city and providing more information.

Mayor Coyne asked Mrs. Powers would you ask the same question of the next person. Let's get this straight the Administration Team went out and obtained pricing and the city's consultant told them what was needed. The finance director conversed with the consultant by saying for the city to compute payroll this system and this system need to work together. The consultant identified the city's needs and the Administration Team went out and obtained prices...

Mrs. Powers interjected from one company...

Mayor Coyne continued in some cases they are a sole source and that's what is not being understood. In some cases this is sole source and to implement this consultants have to be hired. The Administration Team has been going through this for awhile and the budget process had to be gone through and technically Council passed this way back when the permanent appropriations that had to be delineated. We wanted to make sure that every time that I would approach the Team Human Resources Commissioner Sinatra would tell me the prices are changing; some by less and some by more but the package right now that the city has is less than what was appropriated. So everybody of every company that I know of takes their team of division heads and department heads and states what problems are occurring. For example my computer today for the fifth time when trying to get an email from Office Outlook to print an error message appears saying it won't work. There are communication problems in the police and fire departments and the electronic time clock at the service department went out today and were last replaced during my first term as Mayor. As Mr. Tramba stated this city is a decade behind that is why the city hired a consultant and paying them monies to give the city direction and identify the city's needs and the Administration Team went out

DISCUSSION: CONT.

and obtained the best prices; so waiting, to me, is absolutely a waste of time and could be a waste of money. Therefore, we painstakingly went through this process and it is a reasonable expenditure that is less than appropriated on the capital side and far as the operating concerns every time a system is purchased these are ongoing costs like the city has for anything else; so it's basically elementary.

Mr. Cingle stated my understanding is that the City of Avon and City of Rocky River are both using this timekeeping system; so both fiscal officers of both communities could be questioned as to how the system is operating to give Council more comfort moving forward. I will say that the city's timekeeping system desperately needs to be upgraded and this will take the city into a paperless environment.

Mr. Troyer stated I don't think anybody here is arguing the need to upgrade and change this, nobody is here arguing that; we just want to make sure that we are getting the best deal. Mr. Troyer stated to Mr. Tramba you were involved in basically laying or telling the city what was needed. Were you involved in the pricing or the picking out what type of systems the city gets or anything with the purchasing end of this? Or just come in and tell the city this is what the city has and this is what the city needs.

Mr. Tramba responded that's basically what our company did is take a very, very detailed assessment of the technology environment here at the city. Based on that our company put together a list of criteria and priorities based on what we learned and through the help the team at the city, they were great to work with. Based on those priorities our company made recommendations on where investments needed to be made both sooner rather than later as well as those that take a longer term view. In terms of the procurement itself our organization does procurement for our customers and we were asked to bid and did submit estimates and costs and worked with the city to make sure that what was being procured was what would do the job.

Mr. Troyer stated your company told the city what was needed. Did you specify any type of unit, brand name such as the 365 or the 2016?

Mr. Tramba responded his company specified those because of the needs seen within the city and because of the capabilities that were being required and issues my company was addressing. These were solutions that our company knows or tried and proven in the market. In terms of hardware we made recommendations for what the models of the computers needed to be whether desktops or laptops and some replacement of the hardware. Our

DISCUSSION: CONT.

company also made very firm recommendations around making sure the data backup was addressed and disaster requirements of the city.

Mr. Troyer stated this basically follows what your company recommended?

Mr. Tramba concurred.

Mr. Troyer stated I don't claim to be an expert on this but is why I need to find out.

Mr. Tramba stated that's okay and is why we're here.

Mr. Troyer continued people have said that know computers better than I, that the difference between the 365 and the 2016 is kind of redundant and someone else said it depends on what the city gets with it and how it is used. Mr. Troyer asked Mr. Tramba for an explanation as to why the city needs both of those and why the city wouldn't just get the 365 that would do everything and wouldn't really need the 2016. The 365 is more of a lease and the 2016 is a purchase that costs more.

Mr. Tramba responded the biggest reason for the difference is the cost of conversion and to try and do what we can to save the city money. Our company made a recommendation that since the city has the sunken investment in the 2016 and what you have in-house today and what is being used, for example, on email the city has that cost; that information is there. Our company recommended that city move forward with the 365 because it is a lease and in moving forward our company is recommending that the city doesn't do a major conversion but that as moving forward and implement that from an email perspective the city starts from day one and goes forward. So that basically from our company's perspective reduces the cost of the conversion of all the data.

Mr. Troyer continued did your company give any recommendations given to upgrade or increase the web hosting availability.

Mr. Tramba responded no, we did not and asked Mr. Troyer. In terms of web hosting itself for the website?

Mr. Troyer stated I have notes and not a computer expert but does the city need to upgrade the city's web hosting site?

Mr. Tramba responded I would have to go back and speak to my technical people and ask them that question.

DISCUSSION: CONT.

Mr. Troyer thanked Mr. Tramba for his explanation and expertise on this subject matter. Now it just gets to other things on cost. One more question why not Apple computers or an Apple based system?

Mr. Tramba responded I think there are two primary reasons; one Mac computers are much more expensive; great technology but more expensive. Two the amount of software that is required to run the back offices of municipalities, businesses and so forth is not written for Mac computers like it is for windows. So the city automatically limits other choices that the city could have to run the city from a business perspective and options the city would have either current or down the road.

Mr. Mencini stated your company, yourself how many other municipalities have you worked with?

Mr. Tramba responded we currently have one other municipality, Walton Hills that is live and running on our service. We have found a great opportunity in municipalities just in the past 12 to 14 months and are working with other municipalities as well right now on their requirements such as Parma Hts. We've worked extensively with Parma Hts. because of the recent fire the city had that showed a lot of opportunities for that city as well.

Mr. Mencini stated what the city is looking at here; theoretically, the city could even go higher when using the term major conversion, am I correct, when bringing up costs and is kind of a problem. The system being looked at now is lower than the Apple and is not a major conversion that the city probably needs.

Mr. Tramba responded yes, and in terms of why we didn't have Apple is because it was not an option for the city; not only from the cost standpoint but again from an opportunity standpoint in terms of software and technology the city will need down the road. From a overall cost standpoint what our company tried to do is look at the budget and keep within the budget as best can be done while also providing the service and support needed to help resolve a lot of the issues the city has with the infrastructure today.

Mr. Burgio stated I had some qualms last week and after speaking with Sgt. Stopiak and Assistant Fire Chief Johnson I felt a lot better about the process and after hearing from Mr. Tramba I feel more confident in moving forward.

Mr. Salvatore stated I was very comfortable and impressed with the assembled team that made the presentation to Council and really believe that they went above and beyond answering all the questions in a very professional manner and

DISCUSSION: CONT.

deserve a lot of credit for all the hard work. Mr. Salvatore stated to Mr. Tramba in your professional opinion and all the hours spent on this with the Brook Park team is this the right plan for the city? Is this the right price that fits in the scope of items and are all these people assembled as part of the team that I feel very comfortable with; do you feel the same way?

Mr. Tramba responded yes to that across the board with tremendous conviction because I know the work they put into it and the passion they have for it and the need. My company's goals as the city's IT Department is to deliver and make sure we put in place the systems and technology necessary for the city to excel moving forward.

Mr. Salvatore continued based on the city's needs, in your opinion, because obviously this has been looked at very closely. Is the city getting everything needed to get the city into, at least, the future and getting it at the right price. Is there anything your company could have done differently that would have made this a better financial situation?

Mr. Tramba stated one thing I would like to say is that your Administration Team did everything they could on the pricing front to look for the best deal. As a matter of fact my company submitted a quote for much of the hardware and items like that and did not get the bid and that's fine with my company. Our goal is to implement solutions that will work best for the city.

Mr. Troyer stated in the Cloud that was recommended is this going to be a problem for the city to retrieve the information? For example if the Internet is down and someone asks for a public record the city must give it to them. What happens if the Internet is down will the city have any way of dealing with that? Is this going to be an issue versus what the city has currently?

Mr. Tramba responded it will improve dramatically if something like that takes place. There has also been an improvement in the network itself and the connectivity that is coming into the city; so that will help a lot. In terms of moving to the Cloud we see that as a direction for the city because not only will it be easier to access, everything that will be working with in the Cloud will be backed up and available to have access to the information whenever needed. They will be able to access not only from their office but if someone is using an I-phone, I-pad or any type of remote device it will make it a lot easier to access the Cloud and everyone will be working off the same system in terms of sharing information and emails and other things.

Mr. Troyer stated it will only be backed up to the Cloud is it going to be backed up otherwise.

DISCUSSION: CONT.

Mr. Tramba responded yes, it's going to be backed up in the Cloud and will be backed up in secure data centers, multiple data centers across the country that are all Microsoft data centers that will be backing up information.

Mr. Troyer continued what about personal information such as social security numbers and those types of things; is that as safe in the Cloud as the city's current system?

Mr. Tramba responded it is even more secure than the city's current system especially when it comes to the backup side of that.

Mr. Patten asked the clerk to call the roll on the motion.

ROLL CALL: AYES: Higgins, D'Amico, Burgio, Mencini, Salvatore
NAYS: Powers, Troyer. The motion carried with a vote of 5-2. Adopted.

Mr. Patten stated this will appear M-4 as Ordinance No. 9988-2015.

3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CREATIVE MICROSYSTEMS, INC. (CMI), WITHOUT PUBLIC BIDDING FOR THE PURCHASE OF SOFTWARE AND HARDWARE IN ORDER TO UPGRADE AND MODIFY THE FINANCE AND PAYROLL SYSTEM AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mayor Coyne stated the legislation speaks for itself and was debated with the prior legislation.

Mrs. Powers stated this business with bringing something up at the last minute and calling it an emergency and there was discussion about the city's computer system being ten years old. We knew in July that the system needed upgrading so why wait until there is no time to study and research for more information and just have this brought up at the last minute and Council pass it.

Mayor Coyne responded in the permanent appropriations there was an amount of \$260,000 for this program and when Council delineated by Ordinance of the various projects the legislation was amended on the Capital Improvements side; to provide monies for capital projects. Council was given an outline of what needed to be done and Council appropriated those monies and it took these months to do the research and get the information to present to Council; and you don't have to vote for it if you don't want too. The fact of the matter is the Administration would

DISCUSSION: CONT.

like to move forward in the first of the year to get this done. It is Council's prerogative whether to vote for it or not and you can study something for as much as you like but it doesn't change the facts of improvements that need to be made. You're not getting this last minute, a work session was held and I will meet with you as many times as you want and if you'd like to come up to City Hall and sit with the Administration Team and the city's consultant for any questions that you may have I'm sure they will all be able to answer them. I think all the questions have been answered and think that the Administration has demonstrated to you that even going through except for the proprietary consultants the city has to hire the city went through the purchasing combines which gives the city the lowest price and don't know what more that we can do and how much longer the change can be studied the outcome based on the research already done. You don't have to vote for it and we are not ramming anything down your throat it takes time to put these processes together and I think we've given it to you in a timely fashion; we just ask that you pass it by the end of the year and you still have 30 days to look at it; I don't see how it changes anything.

Mr. Troyer stated a couple of things will change for one thing there will be another Council member who is very verse in computers and their hardware next year. We know we need it and as far as being last minute there was some good things that happened with this you did a call a Special Caucus meeting but Council received the information one hour prior to that meeting. Also, it was introduced too late to pass within the three readings with normal meetings so I am still considering passing these pieces of legislation this year but I won't be suspending the rules tonight. Mr. Troyer stated the Mayor says just vote against it I want to be sure I'm voting the right way; I don't want to say because I wouldn't like saying since I don't have the information so I have to vote against it and then find out later that it was the right thing. Again, due diligence is our job to do this so I don't see any of this passing tonight. In two weeks a possibility and initially when the Special Caucus meeting for communications I said to a few Council Members I'm going to give the Mayor what he wants and pass the legislation this year because I want to get it done this year but once getting into this I had an issue with the way it was handled. Again, I want to have the right vote and want to have the right information and will always ask for that if given the right information to make the right vote. I have feelers out to some people and I'm not denying what the team is saying and Mr. Tramba answered a lot of my questions and I'm moving on the side of definitely getting it done this year but there are a few more things I need and, again, due diligence is all I'm doing.

Mayor Coyne responded I don't know what you mean by that the purpose of a workshop is to present the information; as long as you pass it by the end of the year that's okay with me. The information is what it is and you can always check with somebody else who can say I'll do it for \$2.00 cheaper. I stand by the

DISCUSSION: CONT.

research done and hope to continue to have a workshop meeting dealing with a singular subject as complex as this; so you check all you want and do all your due diligence but I've heard for 20-some months that we don't have information, we don't like it the way it's presented but the fact of the matter is whether you like it or not it is needed and you appropriated a budget. If you want to wait for another Member of Council I don't know what difference that makes and think the people up here are capable of making a decision on the budget that this Council passed and I think to infer otherwise is inappropriate.

Mrs. Powers stated with the Mayor's last comment I didn't pass this budget...

Mayor Coyne – you didn't I read in the paper that you saved the city...

Mr. Patten – Mayor, go ahead Councilwoman Powers.

Mrs. Powers continued since I've been here objected to the no bid contract and that is what I'm objecting to this evening is the no bid contract.

Mr. Cingle stated to Councilwoman Powers this is a proprietary system so it would not be bid. If its Council's intention to purchase a new finance system then that would go out to bid but I believe that would be cost-prohibitive. This is a proprietary system and an upgrade to the system that will need to be done in the very near future.

Mr. Troyer stated to Law Director Jamison since the monies were already appropriated for this and there are certain ways around the bidding process. Could the Mayor just go ahead and do any of these four pieces of legislation without Council's approval

Mr. Jamison responded no that is something that we all sat down together and figured this is was the best way to move forward; Council needs to address these items.

Mr. Troyer stated to Finance Director Cingle has anything been paid out to any of these companies; CDW, CMI, TCC and Right Stuff?

Mr. Cingle responded as I answered earlier the company Right Stuff the answer is no; the other three companies CMI, CDW and TCC yes the city has made payments to those companies this year.

Mr. Troyer clarified on these products.

DISCUSSION: CONT.

Mr. Cingle responded the city purchased computer supplies and equipment from CDW, CMI is the current finance and tax software so the city pays a maintenance agreement fee to that company and TCC is the city's computer consultant so the city pays in that role.

Mr. Troyer stated the city hasn't entered into any contract or paid anything on these Ordinances?

Mr. Cingle responded no.

Mayor Coyne stated in order to meet the legal requirements from the auditors this is a project so we laid all the costs in capital and operating for this project in ordinance form. The answer to your question if there individual items that didn't require an excess expenditure of the amount by state law the answer to that question is yes. However, as you can see we need the consultants to enact and process their systems, that's why its in the aggregate form and why the city has proceeded the way it has. The fact is under this project for improving data processing and information none of these contractors have been paid on anything except TCC under their current consulting contract.

Mr. Salvatore commented that this has been talked about this at length and had a special meeting on it and I don't have any problem with any Member of Council wanting to hold up something for a couple of weeks or a month or whatever it takes; to do due diligence and feel comfortable with your vote. But I do hope that you do your due diligence so that way when you come back to the floor for a vote in the next couple of weeks that you share your information found that might be better than this after all the work that's been done to put this together I would sure like to know what you come up with.

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

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

NAYS: Powers, Troyer. The motion carried with a vote of 5-2.

Mr. Patten stated that will appear under M-5 as Ordinance No. 9989-2015.

3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CDW GOVERNMENT, LLC, FOR THE PURCHASE OF COMPUTERS, SOFTWARE PROGRAMS, LICENSING, SERVER AND VARIOUS COMPUTER EQUIPMENT AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

DISCUSSION: CONT.

Mayor Coyne stated the same issues as in the previous legislation but in this ones the items were competitively bid into the various purchasing cooperatives in the cities involved and this is the best pricing based on that protocol.

Mr. Troyer stated on the sheet with the items listed and totals looking at some of the state contracts were lower than the NJPA (National Joint Powers Alliance) pricing. Does the city still go with the NJPA or what does the city do on that?

Mayor Coyne responded the aggregate was less so the way it works is the city thinks that's the best recommendation to go forward.

Mr. Troyer asked the city can't pick and choose some states?

Mayor Coyne responded the city prefers not to because an aggregate is the best price.

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

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

NAYS: Troyer, Powers. The motion carried with a vote of 5-2.

Mr. Patten stated that will appear under M-6 as Ordinance No. 9990-2015.

4. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TCC TECHNOLOGY SOLUTIONS, WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE IT SUPPORT AND DATA BACK UP SERVICES FOR THE CITY AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

Mayor Coyne stated this is the consultant that answered Council's questions tonight and would like to continue and improve his company's contract to provide the additional service of the implementations of the various systems.

Mr. Troyer stated there is no contract, attachment or an exhibit A with this legislation, therefore, Council does not know the timeframe or other items.

Mayor Coyne responded we can get anything needed for Council to make an informed decision.

DISCUSSION: CONT.

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

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

NAYS: Troyer, Powers. The motion carried with a vote of 5-2.

Mr. Patten stated that will appear under M-7 as Ordinance No. 9991-2015.

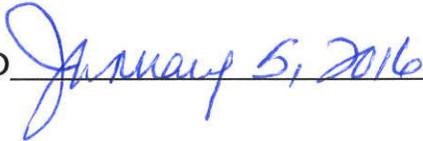
There being no further business to come before this meeting Council President Patten declared the meeting adjourned at 8:21 p.m.

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.