

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, DECEMBER 16, 2014**

The meeting was called to order by Council President Patten at 8:26 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Mayor Coyne, Economic Development Commissioner Dolan, Finance Director Cingle, Service Director Cayet.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Council meeting held on November 18, 2014.

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

Motion by Mr. Salvatore, supported by Mr. D'Amico, to go out of the Regular Order of Business to letter M item numbers 2 and 3. Members of Council voted AYE. The motion carried.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (FIRST READING):

2. RESOLUTION NO. 25-2014, HONORING AYDEN WEDDLE ON CALLING EMS FOR HELP IN A MEDICAL EMERGENCY AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D'Amico, Council President Patten and Mayor Coyne

Motion by Mr. D'Amico, supported by Mr. Higgins, to suspend.

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

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

ROLL CALL: AYES: D'Amico, Troyer, Salvatore, Mencini, Burgio, Powers, Higgins
NAYS: None. Res. No. 25-2014 passed under Suspension of the Rules.
Adopted.

The clerk read the Resolution in its entirety as Councilman Salvatore congratulated and stated how amazed that such a young man of his age was able to accomplish what he did. Mr. Salvatore stated that Brook Park should be very proud to have this young man living in the city and able to handle an emergency at such a young age.

Ayden thanked everyone for being acknowledged.

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

Mayor Coyne stated the city's police and fire departments presented Ayden and his family a copy of the 911 call on a diskette and police reports to be cherished for many years to come on what a remarkable thing Ayden did.

Mr. Patten congratulated Ayden and his family and stated how very fortunate the City of Brook Park is to have Ayden in this city and wished him a very special Christmas and a Happy New Year and God bless the family.

3. RESOLUTION NO. 26-2014, HONORING THE BEREA-MIDPARK TITANS FOOTBALL TEAM FOR CLINCHING THE SOUTHWESTERN CONFERENCE TITLE AND DECLARING AN EMERGENCY. Introduced by Councilmen Salvatore and Burgio and Council Members Troyer, Mencini, Powers, Higgins, D'Amico, Council President Patten and Mayor Coyne

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

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

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

ROLL CALL: AYES: D'Amico, Troyer, Salvatore, Mencini, Burgio, Powers, Higgins
NAYS: None. Res. No. 26-2014, has passed under Suspension of the Rules. Adopted.

The clerk read the resolution in its entirety as Mayor Coyne congratulated and presented the football team members and coaches on a great season.

Mayor Coyne stated that all Brook Park students in one school helped a lot with this accomplishment. Mayor Coyne asked former Councilman, Danny Colonna, and a current member of the city's Recreation Commission to make the presentation to the team and coaches since Danny guided the team along with the technical(s) of the game.

Mr. Colonna stated it was an outstanding season and was exciting to see them come together and do the job that they did. In the early '90's when Coach Hradek brought me along it was always a dream to see the schools come together because we knew what could be done and am proud of each and every member and the job they did; awesome job.

Coach Hradek thanked City Council and the Mayor for the Resolution and thanked the guys in attendance and stated they are amazing. This was a seamless merger and zero issues and everyone realized getting us together would give us a great chance to win; and there have been many discussions in the past about being under one school.

Mr. Burgio congratulated the team and coaches and being one football team is dynamic and will be a powerhouse for many years.

Mr. Mencini stated to the coaches and team members they did a great job and it's very hard to win in the level they are at.

Motion by Salvatore, supported by Mr. Higgins, to back to the Regular Order of Business. Members of Council voted AYE. The motion carried.

REMARKS FROM THE AUDIENCE (ON ANY SUBJECT):

Susan Barber

15819 Robert Drive

Ms. Barber read into the record Honorable Mayor Coyne, Brook Park City Council and distinguished guests. I'm here to make a statement of concern about our EMS services in Brook Park. I feel that if you decide to privatize EMS including our paramedics that response time will be lengthy and lives of all residents will be in peril. When you Mayor, Tom, and our elected Council members come to terms to reconsider keeping our own EMS services. I'm sure all of you can come together to a common solution to be able to come up with the funds necessary to keep them on the payroll. Ms. Barber continued after finding out about this I wasn't able to go to your November 12th, due to other commitments. I was kind of a little upset about thinking about privatizing and have never done this before but I got a petition. I didn't get very many signatures maybe about 130 and this might be not as many but they are mighty. I talked to citizens and knocked on doors and that was very overwhelming so I can see when Council members run how tired you get listening to everyone. I just feel, Mayor Tom that you can do the city proud by keeping our EMS services and I'm hopeful in your agenda for next year that you'll keep our services. I want to quote George Bernard Shaw who had a quote that said "Progress is important without change and those who cannot change their minds cannot change anything". Please Mayor, Tom, and the City Council change your minds about our EMS.

Ray Peterlin

5811 Wengler

Mr. Peterlin commented about the snow removal topic discussed earlier and to better protect citizens I think Jan Powers is correct. The Better Business Bureau would check a person's reputation not only in Brook Park but in Akron, Solon and it didn't matter where they came from; all they needed to do was put in a phone number. This is a free service and a 24-hours a day and seven days a week and the city can't offer that; if they could it would be different but they can't. City signs waivers for damage why is that important? There is a friend of my wife that had her driveway plowed and the catch-basin was knocked off and I'm not sure who is responsible that's not the point. The point is that the lady ended in the hospital and rehab for four months because she stepped in that open catch-basin and tore off her heel. The city and the city's law director said that the city is not responsible because a waiver was signed but you're going to make private people sign a waiver. I have had problems and have seen in my neighborhood when a private snowplow driver comes in to plow and puts the snow on their property they plow and block

the neighbor's drive across the street. In addition if things are paid with credit cards there are some resources at no cost; and everyone knows not to pay by cash. Mr. Peterlin continued by reading in the paper of a situation that he guesses to be true and if not would appreciate someone clarifying this. If the city has something that is worth \$1 million dollars and not being used and not at the Holland Road fire department or Ruple Road fire department where is the hook-n-ladder truck for \$1 million dollars. I understand and correct me if I'm wrong but I understand that it's been stripped so it's not usable. If it isn't here or isn't there where is it and why isn't it usable and why it's been since Ruple Road fire station closed. I also understand that if the city privatizes EMS that they will be down at Ruple Road which means that the average citizen will be eight (8) to twelve (12) minutes for EMS service and the city will give away three vehicles approximately \$600,000, just give it to them, I read the paper and come to Council to find out the truth about all of this.

Ms. Barber commented that she heard someone use the Lord's name in vain and asked to please refrain from that. There are other words and other choices and are all grown adults here.

REPORTS FROM STANDING COMMITTEES:

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 report this evening.

Parks & Recreation Committee – Chairman, Burgio

Mr. Burgio stated some of the upcoming programs at the recreation center had the Volleyball Championship game at 6:15 p.m. this evening and also at 7:00 p.m. for the Junior division. On December 17th the senior championship game will be at 6:15 p.m. and 7:00 p.m. for the All-Star game. This coming Friday is the annual sleepover with over 40 participants registered and the basketball season starts January 3, 2015.

Planning Committee – Chairman, Mencini

Mr. Mencini thanked Council for their consideration for the lot split and consolidation discussed at the Caucus meeting held earlier.

Safety Committee – Chairman, Salvatore

Mr. Salvatore stated Safety Committee does not have legislation on tonight's agenda.

Service Committee – Chairman, Powers

Mrs. Powers stated no report this evening.

Board of Zoning Appeals – Chairman, D'Amico

Mr. D'Amico stated the next Board of Zoning Appeals meeting will be held on January 5, 2015.

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

Mr. Salvatore stated the December 17th meeting has been cancelled.

Berea Board of Education – Representative, Mencini

Mr. Mencini stated a meeting was held on December 8th and the board went over the revised policies of the employment of administrators, qualified reasons for FMLA (Family Medical Leave Act) for both medical and military families and the third was a district website that authorizes staff and students to create web pages and sites to be hosted on the board's server and published on the Internet within a professional image. The second item covered was service agreement between the Berea City Schools and PSI Affiliated, Inc. and the third was Local Government Intervention fund which will be a consortium of Westlake, Avon Lake, Rocky River and Berea High School District which is a program to create curriculum connected to real world problems and solving of problems while being strategic in cost-savings measures. The board approved total payments to vendors for 2014 in the amount of a little over \$10 million dollars. The 2015-2016 school years will begin on August 18th, winter break will be between December 21st – January 1st, and Spring break will be March 21st – March 25th.

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

Mayor Coyne stated Mr. Byrnes has been excused for family reasons, Ms. Fields is at the recreation center running a program and will be getting to Council the new hours of operation at the center. The leases for the users of the daycare center both in the basement and on the first floor. The pool, sauna and steam rooms will be closed as of January 1, 2015, however, the rest of the center will be open and the programs will continue. The city is presently negotiating with a progressive training operation and if successful will take over pool operations; pay a lease and naming rights and offer citizens a blended membership that hopefully will give our young people enhanced opportunity to train there and the older folks a new and modern way to keep fit. There is no increase for memberships being proposed at this time and are currently working with the architects to move city operations to the recreation center to keep it open. This evening thanked Ms. Barker for coming to the podium and stated many times in my job I refer to the Lord because he is my savior and has saved my life and spent many years on my knees asking for an opportunity to deal with whatever issue is I may have, so I do not say it out of disrespect but also say it when I hear marvelous things that are said that couldn't be close to being true. Mayor Coyne stated to Ms. Barber the EMS services the fact of the matter is that this city has a reduction in revenue and this year may just about break even mostly because of cuts that have been made. As the Mayor of

Reports and Communications from the Mayor: cont.

this city I must look at our resources that residents' give me and very clearly the voters of the city said that you're not giving me any more work with what you have. This city has a combination of problems here over the last several years the Council and the Mayor of the city and the finances dictated that the city had to dip into its resources kept in reserves to operate the city, not the other way around they weren't dipping into the operating funds for the reserves. Also Economic Development monies were being used in the amount of about \$900,000 yearly to operate the city; so, therefore, the city literally had no revenues to generate new investment in the city, create new jobs and, therefore, the vital vein that feeds the city is people who work in the city. If you heard the state of the city every citizen in this city pays \$120.00 a year for city services and that doesn't pay for rubbish; actually the city got through the last year just by getting along. I have laid off 17 people effective January 1st of this year across all departments in the city to reduce \$500,000 or \$400,000. Because this city is going to get back to that reserve number because it's important for us; just like a person's credit rating to borrow money this city needs to have that rating and those reserves. Those two things this city has to capture \$3 million dollars and I don't care what newspaper you read something in there is no surplus in this city, it doesn't exist. There are fund balances that are dedicated to certain things whether they are insurance in case of a catastrophe or to pay lawsuits. Every one of those things are fund balances that are 'earmarked' for those particular matters and can only be used for those matters. From my standpoint it's suggested that I operate the city the way it has been under Mayor Elliott who did the very best that he could; I'm not going to do that. I'm going to run this city according to our policies by ordinance which dictate those reserves; I'm going to balance the budget which means that I'm not going to spend more than taken in and finally the ordinance that was passed years ago on the parking fees was 'earmarked' for two particular things – Economic Development and Community Development and what that means is the simple one is to help entice investment in the city. The second thing, now more than ever, when this first started Councilman Salvatore and I talked about the housing issue ten years ago and what we wanted to start doing. You can see in your neighborhoods right now the greatest threat to your property value and people moving to the town is the houses that have feel into disrepair, some of them as you can see the city is tearing down. There are new methods of delivering services all the time by technology; by different use of manpower; there are all kinds of different things happening in the world today. Brook Park, Ohio, for so many years and as I was Mayor had a boatload of money so we hired service workers; we hired firefighters; we hired police officers and had all kinds of stations all over the city with a problem about accessibility, that was a number one. Four stations were built while I was Mayor and I tell you this and I know some people in this room get aggravated about it but you should understand 8.5 square miles hasn't changed since 1972; leaders made some mistakes and there's no question about it. Today what this city has to do is deliver those services and maximize them at the lowest possible cost because if this city does not this city will be extinct. You heard the term inner-ring suburb this city is not far behind if these measures are not taken now this city may never

Reports and Communications from the Mayor: cont.

recover if this city continues to operate as this city has. Nobody did anything wrong, by the way, and no one stole any money; by the way, they used resources hoping that the economy would turn around. This city is very grateful that Ford is bringing in new work to this city and the former union official and the auto workers will tell you that new engine line can roll and the old engine is not being sold anymore so this one can curtail, this happens all the time. Part of the economic development money that this city is trying to sock away here is to reclaim and cleanup the Ford property. If this city does not accomplish that the property will lay fallow and you've heard me refer to two graveyards in this city; one on Brookpark Road and at the Ford plant; that's why this city has to take that economic measure. There was another gentleman that spoke earlier about the ladder truck and everything he said is absolutely untrue. The ladder truck is down at the service garage in wonderful shape and the city takes care of it and will have an agreement with the City of Middleburg Hts. to share the ladder truck because it is not used very often. This saga that the ladder truck was at Ruple Road that truck couldn't fit at Ruple Road unless there were couple of thousand dollars improvements to that station which didn't make a bit of sense. What this city did was consolidate fire operations into a singular house that now sometimes three squads can be run, which couldn't be done before. I'm sure there will be stories that if that fire on Engle Road happened on the west end those people would have died; that would be true even if there were two firefighters in that station and they are only there 35% of the time. So that could have happened even with that station open so when you hear these sensational comments it kind of has a question about them and I think everyone should ask why would the Mayor, who hasn't made a proposal to Council by the way, or Council receive the proposal why would they ever entertain changing something unless Council was convinced that it would work. City Council has received no proposal, I don't have a proposal I am looking at an operation that has worked in two cities for well over 20 years; fee for service just like residents' pay right now and those standards are set by the providers and mostly by Medicare. So the fact of the matter is if it comes to be that I am convinced and my safety director is convinced that this will work in this city I will present it. If I am not convinced of that I will not but residents have to ask themselves what this demonstration is all about? Of a fear of trying to gain some information about something and that is what this city has here today. I'm glad you have your petition that's wonderful we listen to citizens that do that but we are up here to make important decisions and this EMS battle in this upcoming election I've been waiting for this for a long time; to have this debate as to how this city deliver services and it's going to be a big one. I think the citizens of this community are going to get enough information based upon which we will make our decisions hopefully. What's not going to happen is I've watched for most of my life the influence of a union in this town that impaired making good decisions for many, many years and respect their right for them to protect their membership, don't have a problem with that whatsoever. I'm here to protect this city and looking at an overview of this over the years of what this city did and what we did I could have built grade separations probably over every railroad track except for Eastland

Reports and Communications from the Mayor: cont.

Road and this city wouldn't have these issues whatsoever. This city spent millions of dollars in what I think is a myth and will continue to put that forward. Let me make it clear I am not criticizing the ability of safety personnel when they are at residents door make no question about it. But I find it strange that folks that have the same training, the same certification, and all these things that you will see, that these people are less capable who dedicate to the same profession except they work for a private company as opposed to a public company. So this city will prepare for the citizens and for this Council when ready and I am sure that this is something that should be considered. If I'm not convinced of that I'm not going to do it and I will tell you that no Mayor would ever suggest something that was believed would not protect his people, none whatsoever; so I will assure that all of that will be placed. Mayor Coyne to Mr. Peterlin it's always a joy when you come up here and what appears in the paper and I have respect for the ability and intelligence of the editor of the Hometown News. But I think you have to clarify and a person of common sense can sort out what's news and what are views and most of what's in that paper are views. Another gentleman here this evening he was becoming a financial expert of the city said we have ambiguous figures or ambiguous facts. What are those it's an interpretation of your own view. I've been working the city budget for over 30 years and this city has a very qualified finance director and over and over again has to keep explaining the same things and the issue is are we going to secure the future of this city; are we going to protect our present day with our reserves and are we going to move forward to grow. That is what is at debate of this city and I will be at the forefront of it and will lead it and expect any challenge from anybody to get up there and debate me on this issue. But if you don't want to see the facts and only want to see what's important to you then that's what is going to happen; this city can't afford for a selfish interest to govern this city. If I took too long I apologize but I think it's important to please have everyone that signed that petition the information that will be sending out to all residents and attend these meetings. If anyone wants to have a neighborhood meeting to discuss any of these issues I'm sure Members of Council, Finance Director and myself would like to be there. There have 1200 views for the State of the City by people who could not attend and I think if they viewed it, watched it and had a common sense understanding of what was presented they'll see there is no ambiguous facts whatsoever, there is no misunderstanding of myself and the finance director and the Council members unless they don't want to have an understanding of the budget this city is facing. I will tell you that there is not a Member of Council up here that is just going to accept what I tell them as they should not.

Mr. Mencini stated to Mayor Coyne on the 17 people being laid-off will there be a possible recall or something for them?

Mayor Coyne responded the Human Resources Commissioner is meeting with every single employee that is being laid off. The city has contacts through the Metroparks board and Council Members Patten and D'Amico and myself met yesterday the

railroad has all kinds of positions that are open and this city is going to try our best to place our people. It is my hope that some of them may be able to return if things get better but I don't see that happening at least this year and maybe into next year. So the answer to your question is yes the employees are getting help with writing resumes and the city is doing whatever is necessary to get people in another position.

Mr. Mencini stated the pool will be closed January 1st so what should residents/swimmers be told that call about the pool closing.

Mayor Coyne responded there will be no signups to swim the pool and there was \$400,000 just cut of the recreation budget so the pool will not be operated.

Mr. Mencini stated the group that will be taking over will they operate that part of the pool?

Mayor Coyne responded presently the city is negotiating with Euphoria Fitness and if that negotiation is successful Euphoria will be taking over the pool area, retrofit the exercise area with new equipment and operating the pool. Currently it is being worked out if Euphoria can do that for a combination naming rights and lease and a blended membership for our people for either joining the recreation center here is the price and if they want to join Euphoria there is another price.

Mr. Troyer stated to Mayor Coyne I like some of your ideas and hope this recreation center works out and like the idea of moving city departments to the recreation center. My question today is speaking about the graveyard and the economic development. On August 8th at a Special Council meeting City Council passed a couple of ordinances and spending a good amount of money for environmental consultants, Hull and Associates and Hemisphere, LLC. Is there any updates on what is going on with that?

Mayor Coyne responded after the first of the year Economic Development Commissioner Dolan will be update Council and those companies are still in the process of doing the work.

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

Service Director Cayet

Mr. Cayet stated the Engle Road/Henry Ford Blvd. project is complete except for the restriping of Henry Ford Blvd. in the spring; temporary striping has been put down.

Law Director Jamison

Mr. Jamison stated myself, Members of Council and the Mayor met with CSX Railroad yesterday and I want to commend Police Chief Foster for setting that meeting up; I've been doing this for almost 30 years and that was the first time that the railroad, in this case, CSX ever agreed to sit down with city officials to

discuss concerns over various issues on the lines passing through the city. I commend CSX officials for coming up and it was a very productive and worthwhile meeting. They listened to our concerns and are going to look into certain things and reports will be coming to Council as we go forward. Mr. Jamison stated I would like to add one more thing pursuant to what Mr. Mencini was asking the Mayor and I was floored by this. The gentleman from CSX related that they are looking to fill the employment of 300 people in Northeast Ohio to work in various capacities for the railroad and they have had a difficult time getting people to apply; so if anyone knows of anybody looking for work they can go on CSX website www.csx.com to apply. There has been a tremendous increase in the railroad's volume and are addressing that by hiring additional personnel and acquiring additional assets; to hopefully alleviate with the problems of trains going through the city.

Mr. Troyer asked to be informed of when these meeting are taking place to possibly attend.

Mr. Mencini stated when Councilman Salvatore and I met with CSX officials they were answered a lot of questions. With the filling of jobs was anything mentioned as to why they are not being filled?

Mr. Jamison responded the one thing related is there are two requirements; no felony convictions in their backgrounds and have to be able to pass a drug test. CSX Representatives mentioned that 34 people applied and only one person met the requirements to be hired.

Mr. Mencini asked if the horn noise came up because between 4:30 a.m. to 8:30 a.m. there is a lot of train traffic.

Mr. Jamison responded that was not a matter discussed with them the major import was the idling trains and also blocking intersections and pending citations at Berea Court. The problem of train noise goes back to when the city instituted the quiet zones and the problem becomes even those areas have been designated quiet zones and horns are not supposed to be blown. The caveat is if train engineers feel that there is a pedestrian, animal, or vehicle that might be crossing the path of the railroad the engineer has a requirement of blowing the horn; so the excuse that comes up is possibly seeing something and erring on the side of caution. One thing that did come out of the meeting is the railroad has a lot of requirements that have to be followed in relation to safety and otherwise. Another thing that came up at this meeting was the 12-hour rule that a conductor cannot be working for one minute past 12 hours and that's been one of the problems that's arisen with some of the trains being idle and crews need to be replaced. That is the purpose of employing people such as conductors and so forth; the railroad has to follow a stringent set of requirements set up by the federal government as it relates to safety and the horn blowing falls under that area.

Mr. Troyer stated a lot of the horn noise on the west end comes from Norfolk-Southern and it is always in the early morning.

Mr. Salvatore stated at the original meeting with railroad representatives a lot of these issues were talked about and one important thing talked about is the 12-hour rule that a lot of people don't know about. What the conductors will do is stop in the middle of a road, blocking the roadway. There was lengthy discussions with CSX representatives of having enough time saved in those 12 hours to disconnect and go across the roadway, particularly on Holland Road because that intersection gets blocked quite often. CSX representatives assured us that they would work on getting that done. As far as the hiring the railroad is expecting records amount of hiring over the next couple of years and in dialogue with the railroad unions there are different categories that can be applied for and the first question asked if the applicant is willing to relocate; 99% of the time the answer is no; that's another problem for the open positions.

Finance Director Cingle

Mr. Cingle thanked Council for consideration of legislation allowing spending authority for the community for the first three months of 2015 and to clean up the finance reports for 2014 to conclude the year and prepare for the 2015 audit. The November monthly reports have been issued and distributed; if there are any questions please contact me.

OTHER COMMUNICATIONS, PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION)

Verbal Approval:

1. 2015 CAUCUS-COUNCIL MEETING DATES

Motion by Mr. D'Amico, supported by Mr. Burgio, to verbally approve.

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

NAYS: Powers, Troyer. The motion carried with a vote of 5-1.

New Legislation:

1. An Ordinance amending Section 709.07 of the Brook Park Codified Ordinances and declaring an emergency. Introduced by Mayor Coyne.
Placed in Finance Committee
2. An Ordinance to enter into an agreement with the City of Middleburg Heights to share the use of 2002 Stephen Aerial Platform Ladder Truck and declaring an emergency. Introduced by Mayor Coyne **Placed in Safety Committee**
3. A Resolution honoring and commending Firefighter, Benjamin Dockstader, of the Brook Park Fire Department for saving lives and declaring an emergency. Introduced by Mayor Coyne **Placed in Safety Committee**

4. A Resolution honoring and commending Firefighter, Dustin Buckholder, of the Brook Park Fire Department for saving lives and declaring an emergency. Introduced by Mayor Coyne **Placed in Safety Committee**
5. A Resolution honoring and commending Lieutenant, Matthew Lynch, of the Brook Park Fire Department for saving lives and declaring an emergency. Introduced by Mayor Coyne **Placed in Safety Committee**
6. A Resolution honoring and commending Assistant Fire Chief, Pat Johnson, of the Brook Park Fire Department for saving lives and declaring an emergency. Introduced by Mayor Coyne **Placed in Safety Committee**
7. A Resolution honoring and commending Fire Chief, Thomas Maund, of the Brook Park Fire Department and declaring an emergency. Introduced by Mayor Coyne **Placed in Safety Committee**

MISCELLANEOUS BUSINESS (APPOINTMENTS, CONFIRMATIONS):

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (FIRST READING):

1. ORDINANCE NO. 9948-2014, TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, OHIO, FOR THE THREE MONTHS ENDING ON MARCH 31, 2015, AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne & Councilman D'Amico
Motion by Mr. D'Amico, supported by Mr. Burgio, to suspend.

Mr. Troyer stated to Finance Director Cingle for the quarter there is an amount of \$5.3 million dollars and multiply by four that total comes out to \$21.2 million dollars. This year's budget was \$21.776 and it seems like that is high based on what the city wants to end up with on the final budget. Could you enlighten me on why this budget is so high at this time?

Mr. Cingle responded first and foremost these are only projections to allow the city spending authority until March 31, 2015. Secondly, there will be three payrolls in January 2nd, 16th and 30th so for the quarter there will be seven total payrolls, versus a normal six in other quarters. The first quarter of the year depending on the snowfall will be expenses for salt and overtime in the service department; those items are taken into consideration as this legislation was prepared. Again, these are only projections and want to focus attention on the city's permanent appropriations and getting them to Council for approval as quickly as possible next year.

Mr. Troyer stated one more item on Fund 341 - Recreation Center that seems to be totaled out at \$1.123 million dollars which seems high for the cuts being made there.

Mr. Cingle responded I should have also eluded that this piece of legislation was prepared prior to the reduction of work force notices so the finance department was not aware of that at the time this

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

legislation was prepared. So the salaries will be a little high for the areas that are affected by the reduction of workforce.

Mrs. Powers stated to Finance Director Cingle some of these will reflect the snow plowing and salt if needed and back in August I questioned and was told that the salt was purchased for the winter. In view of the city being so broke why is the same budget being proposed as the same as last year after there have been numerous cuts and a few retirements; so if the city is so broke why is the same budget being projected as last year.

Mayor Coyne responded the city is not broke and are not out of money. The city has a budget and this is a temporary appropriation as the finance director just mentioned in this temporary appropriation which is merely a housecleaning measure to operate in the first three months of the next year. This doesn't reflect all of the reductions being made, the history of last year, because there are still a few days to close out the year. The salt you referred to there is a price this year and a different price next year and fuels may be coming down so there are a lot of variables. This is a temporary appropriation and I want to clear this up that the city is not broke and as I said before there are three things that need to be determined; don't spend more money then being taken in, recapture city reserves and restore economic development. That's the budget that is going to be presented to Council and then Council can do whatever they want with it. The city is not broke and I never said the city was broke and that's the confusion here. As a Council Member you should understand by reading this some of your colleagues the city has \$21 million dollars. Yes the city does but maybe the city needs \$23 million dollars to conform to what the city needs to conform to; so the city has money but it's how those monies are spent and appropriated and what concerns are addressed and priorities are set; this is just a temporary appropriation to operate the city. So please don't put words in my mouth I never said the city was broke as a matter of fact the only thing that came close to that I think was in the finance director's report at the state of the city he said if we don't change the way the city operates right now the city could end up in a lot of trouble in the first quarter of 2016. This city can limp through this year but in 2016 the city would have problems making payroll, so that's the only discussions I heard about this city being close to broke.

Mrs. Powers commented the city is not broke but is passing the same budget as passed last year and there is too much money when the city is conserving money and laying people off the same amount of money should not be in the budget; especially with Transfers of Funds for \$500,000 why are those monies needed there for the next three months.

Mr. Patten interjected that Finance Director Cingle stated when this temporary appropriation was prepared those figures were not figured in because he was unaware of it when this temporary appropriation was prepared.

Mr. Cingle stated in regards to the transfers they will be made to pay the employer portion of the pension contribution for the police and fire personnel. Even with the reduction in the workforce that transfer will be more for both of those two payments throughout the year that transfer will not cover the city's contribution for the entire year. So if you are questioning the transfer that expenditure is for the employer's portion so for every \$1.00 that a fireperson earns the city contributes \$.24 to the pension fund; for every \$10.00 earned it is \$2.40 to the pension fund. As far as the patrol officers, the police department, for every \$10.00 earned the city contributes \$1.95 to their pension fund; the city has an obligation to pay the employer's portion of their pension contributions.

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

Mrs. Powers stated when these department budgets there are money in those departments for everything being spent for the police equipment, clothing allowance, PERS, medical and etc., So my question is if this \$500,000 on January 2nd can it be spent and if so what can it be spent for? It does not seem to me that if this city is trying to conserve money why is this city so anxious to put out the same budget as last year?

Mayor Coyne responded this is a temporary appropriation for a couple of months and we will bring to you the reflection of the concerns and issues that you have. This is just something that every City Council in the United States of America does this in December of the preceding year so that the city can operate and have a real experience on how the last year closes out. Also as Finance Director Cingle said it is a guesstimate on the revenue side of what happens. We have been through this many times and I have offered to sit with you and the finance director to talk about these fund balances, I don't think you are getting a grasp on these fund balances and it is important that you understand that. Fund balances are monies that can only be spent on for example these monies can only be spent on the Smith Road Sewer Project; these monies is in a fund balance to pay for the retirement portions of the city. We can give you an explanation on every one of those but until and unless we do this we're not going to be operating January 1st which means that no monies can be spent if Council doesn't pass this legislation. Then we can discuss this more because there will be a view and the closing out history of last year to determine what we're doing and remember those cost avoidances that I'm proposing anyway are going into the city's reserves and going into economic and community development. So we are capturing our reductions in cost to restore and preserve the things needed according to the policies of the city, which must be done, so all I'm asking is pass this so the city can operate come January 1st.

Mr. Higgins stated just for a point of clarification the temporary budget this Council passes doesn't mean that the amount of money that is passed for this quarter is going to be spent. There is going to be the balance left and will only spend what's needed to spent and the balance will be left. So just because Council is going to pass a temporary budget it's just so employees can be paid as well as utility bills, this is just to get the city to the permanent budget and doesn't mean that the city will spend all this money.

Mr. Patten stated to Mrs. Powers that this Council is going to go through in January, once the Mayor and Finance Director submit the budget. This Council will have special meetings as we did last year to go item by item and go through the budget.

Mrs. Powers stated to Mr. Cingle we're talking about an emergency and this must be passed tonight or the city will be in trouble the first of the year. There have been other special meetings and this does not have to be passed tonight and I cannot even entertain the idea of passing this as it is. This is a temporary budget which I would like to know if we can do something temporary today for the first three months in 2015 can we take any day out of there? If this Council appropriates less money tonight and find out that more monies are needed that can be done in January, February or the first of March.

Mayor Coyne responded that is what you're doing right now. All you're doing is saying this projection based on what we know now is what you're doing and then the budget is formed. This is only temporary nothing else.

Mrs. Powers stated during that temporary time we can overspend if permission is given to do that.

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

Mayor Coyne asked Mrs. Powers what recommendations do you make to adjust this budget right now?

Mrs. Powers responded I recommend that we put that \$500,000 into a Rainy Day Fund for Council so that someday in the future we can decide how to pass it. I don't think that we need that \$500,000 sitting there just waiting for somebody to decide what they want to do with it.

Mayor Coyne stated you do know that I can't spend any money that is not appropriated by City Council. So by passing this temporary appropriation that is your responsibility is.

Mrs. Powers responded we had from January 1st 2014 until December 31, 2014 and did not need to wait until the last minute to discuss this. Yes, we have the responsibility and I also know that Council has to pass it and majority rules and I'm not a majority but I don't have to go along with the majority if I don't feel it's necessary.

Mr. Cingle stated let's go back to this \$500,000 and try to explain this. Jan we met along with Councilman Troyer for four hours yesterday morning and went through the change order ordinance to move monies around in 2014. We also talked about briefly about this temporary change ordinance and if I had known that you had these concerns I would have stayed longer than the four hours. The \$500,000 was prepared prior to reduction in workforce notices going out and the city has an obligation to pay the employer's portion of the police and fire pension contributions for the employees that work during the first quarter of 2015. The number may be higher than it needs to be today yes potentially but this is only a projection. The monies are not going to be spent if they are not needed and will be calculated based on the work that the police and fire personnel provide over the first quarter of 2015 and will also be a contribution for the time worked in the month of December, 2014. The obligation is paid monthly to the pension and the city has that obligation to make that payment. If in the future when discussing the permanent appropriation ordinance and you don't want to spend the dollars let's say for snow removal that's being appropriated or being brought forth to you by the Administration then you have the right to ask for it to be changed or vote no on the budget; again this city has an obligation to pay a portion of the police and fire pension.

Mr. Salvatore stated for a point of clarification I know the answer but would like Finance Director to explain. If we don't pass the temporary appropriation what happens?

Mr. Cingle responded there will be now spending authority as of January 1, 2015; the government shuts down.

Mr. Salvatore clarified so employees don't get paid, bills don't get paid the doors are shut and everyone goes home.

Mr. Cingle concurred.

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

Mr. Patten stated that Ordinance No. 9948-2014 has had its First Reading.

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

Note: Item numbers two and three were moved by motion to the beginning of the meeting.

- 2. RESOLUTION NO. 25-2014, HONORING AYDEN WEDDLE ON CALLING EMS FOR HELP IN A MEDICAL EMERGENCY AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore and Council Members Troyer, Mencini, Powers, Higgins, Burgio, D’Amico, Salvatore, and Mayor Coyne
- 3. RESOLUTION NO. 26-2014, HONORING THE BEREAMIDPARK TITANS FOOTBALL TEAM FOR CLINCHING THE SOUTHWESTERN CONFERENCE TITLE, AND DECLARING AN EMERGENCY. Introduced by Councilmen Salvatore and Burgio and Council Members Troyer, Mencini, Powers, Higgins, D’Amico, Council President Patten and Mayor Coyne
- 4. ORDINANCE NO. 9949-2014, AMENDING ORDINANCE NO. 9902-2014, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne & Councilman D’Amico

Motion by Mr. D’Amico, supported by Mr. Salvatore, to suspend.

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

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

Mr. Patten stated that Ordinance. No. 9949-2014, has had its First Reading.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES: (SECOND READING):

THIRD READING OF RESOLUTIONS AND ORDINANCES:

Council/Administration Remarks:

Mr. Troyer stated at the August 8th City Council agreed to contract with outside legal services for interpretation of a Charter issues.

Mr. Patten responded that should have been placed in your mailbox and will make sure you get a copy.

There being no further business to come before this meeting Council President Patten declared this meeting adjourned at 9:23 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak
Michelle Blazak
Clerk of Council

APPROVED January 6, 2015

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