

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, FEBRUARY 9, 2016**

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

**SCOTT, BURGIO, SALVATORE, TROYER, POWERS, McCORMICK, MENCINI**

Also in attendance were Mayor Coyne, Service Director Cayet, Law Director Horvath, Building Commissioner Hurst, Economic Development Commissioner Dolan, and Finance Director Cingle.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

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**DISCUSSION:**

1. BERA CITY SCHOOL DISTRICT – Councilman Burgio  
**In attendance: Superintendent, Michael Sheppard  
Treasurer, Ryan Ghizzoni  
Board President – Ana Chapman  
Board Members, Szabo, and Farris**

Mr. Sheppard thanked the community for their continued support in working and creating good opportunities for the students. Mr. Sheppard continued there are three areas of discussion one being where the finances are as a school district, **school enrollment and related trends and the information that is being gathered** dealing with the district's buildings. Looking back at 2011 the district was in a situation financially with deficit spending. At that point in time the district looked **at the facilities and needs and made some changes that significantly changed the financial forecast.** In 2012 communications took place with school employees that because of cash-flow issues being experienced with public dollars the district was very close to not making payroll. Since that time there have been significant changes to change the forecast in the financial situation to where the district is today. The district consolidated school buildings and being able to do that well the district was able to spend less money when led to reductions in staff; the district is down over 200 employees since 2009. There was a lot of planning into the consolidation and making sure that employees took advantages of STRS (State Teacher Retirement System) and STRS regulations and laws that many staff members took advantage of retirement incentives; there were not a large number of people being laid off in the district. With those changes the district went to a preschool to fourth grade configuration; five-six intermediate configuration; seven, eight and nine configuration and 10-12 high school configuration with the

**Discussion: cont.**

understanding that at some point in time based on enrollment that the district would move ninth-grade students to the high school. Because of those changes today that the school district operating side of the budget is stable and looking at the five-year forecast the district will be able to balance the budget for five years; that has not happened for many, many years. The district is spending less money than coming in that continues the cash balances to increase with the goal to continue to do that and be good stewards of the taxpayers' dollars. During that timeframe there were no opportunities reduced for the students and not in the business of cutting programs and classes and actually added some additional opportunities increasing the AP courses for students; increasing dual enrollment opportunities allowing high school students can obtain both high school and college credits. The district was also able to expand opportunities in the area of visual arts including work with multi-media and technology and is continuing to find new and innovative ways for the students learn such as biomedical engineering, pre-engineering, and other program that inspire and motivate the students to continue coming to school and thrive. The district also experienced and has been tracking for many years the schools' enrollment that continues to have a downward trend with student enrollment (handout distributed and available for the public's review in the Council office). Mr. Sheppard stated by the year 2020 the district will have too many buildings and not enough students and, again, the district wants to be fiscally responsible moving forward. There have been conversations for several years about this issue and looking at the enrollment and facilities the district also recognizes that there is significant facility needs in the buildings currently open. The district worked with the Ohio Schools Facilities Commission evaluation in 2010 to obtain updated information in regards to the school buildings and estimated costs and square footage based on the current **student projections. Each one of the school buildings has significant needs and as mentioned before the district is fiscally stable on the operating side of the budget but the district is not fiscally stable in the area of permanent improvement; which are two separate line items for revenue that comes into the district. Permanent improvement dollars are used toward repairing and making additional changes needed to the schools and there is not enough money in those funds; this past year the district had a little over \$200,000 to manage items such as potholes and so forth. The estimates that came out of the Ohio Schools Facilities Commission for each building is in the millions of dollars that has been broken down by heating and cooling, windows and doors, infrastructure in regards to repair of asphalt across the district. So there is an issue with lack of money to make those repairs and people say that some monies can be pulled out of the operating fund; the problem there is the more monies that are pulled out of the operating fund will get the district back into deficit spending and needing to find new ways to generate revenues for the schools. Recently Brook Park Memorial had two boiler issues and at the junior high school four water pipes broke that creates steam and puts off the fire alarm causing children to be outside in ten degrees weather. These are**

**Discussion: cont.**

things happening across the school district because of the infrastructure and the real needs the district has. This leads to two issues one being identify the problems and come up with solutions to try and move forward; that lead to conversations about enrollment, facilities and future thinking across the school district. Part of the discussions have led to the template-starting point with the district listening to communities and understanding their viewpoint in regards to the school district and how it will look in the next five years. The district is interested in hearing from the residents and over the next few months will be having forums in each of the three cities; there has been no decisions made in regards to the facilities across the school district; at these forums ideas will be shared to get feedback. The thoughts would be that the district can utilize existing buildings so in the City of Brook Park the district knows that at some point in the next few years there will not be a need to operate two separate elementary schools based on the enrollment with the numbers going down. Part of those discussions is how this could be done right for the students when it comes to the elementary schools. The district looked at Ford Intermediate School that is an exceptional building and has great resources for students from pre-school to fourth grade and has an auditorium that seats 1,300 people, two gymnasiums and has quite a bit of land to the rear that could be redesigned into an exceptional learning environment for elementary students. If the district would move forward the renovations would include new doors, windows, new traffic flow design, additional playgrounds and cosmetic changes to the inside; this has been done before by the school district that modified school buildings. With those changes that would combine two elementary schools into one great learning space. The district knows when the 9<sup>th</sup> grade students are moved to the high school there will be a building with a lot of space that the district does not want vacant; so part of ~~those discussions were to relocate the 5<sup>th</sup> and 6<sup>th</sup> grade students to what is~~ considered a middle-level complex which would not be the current junior high. ~~The district has a 31,000 square foot elementary school that sits on the same property and part of the thinking is to combine those two buildings with additional~~ classroom space and hallway to increase that square footage to one facility in one complex. The district has heard concerns of the fifth graders being in the same building with the eight graders and with this plan the Middlebrook Education Center would be utilized as a fifth grade area. There is plenty of space and classrooms to house the fifth graders and still have the facilities attached to maximize the use of common space. Neighboring schools and schools across the state do not have the types of facilities that the Berea School district has such as a sports center with three separate basketball courts, indoor track, additional gymnasium, pool, planetarium and separate cafeterias and a large auditorium that sits 1,300 children. The district is trying to maximize the use of the district's current facilities which will take significant amount of dollars invested. The ninth grade students would be moved to the high school which was built in 1928 and has issues that have to be dealt with; boiler issues, HVAC issues that runs 24 hour

**Discussion: cont.**

seven days a week and difficult to find parts for repairs. The plan as part of this current proposal, that has not been decided, is to make a recommendation to construct a new high school on existing property while the students continue to use the high school currently there; therefore students wouldn't be relocated and trailers wouldn't be brought in. The proposed high school would be different in learning techniques such as College-Credit-Plus (formerly called Post Secondary Educational Option) which now has the highest level that the district has ever had. The students in this program would not be in the high school but would travel primarily to Tri-C campus with some students going to Lakeland, Kent State and Case Western Reserve to name a few; that by law these opportunities have to be offered. The district has a large number of students who participate and will continue to participate in exceptional programs at Polaris Career Center and also the classes that are offered in the Berea-Midpark High School with over 700 students who participate and is by far the highest number of students who participate. So moving forward with the facilities change, consolidation and using the facilities to their highest potential and ready for the next 50 to 70 years will come at a cost. If this plan moves forward the district's goal is to start making some of these moves in 2018 and the construction of the new high school would be completed in 2020 and once all these changes have occurred the district anticipates an operating savings of approximately \$1.3 million dollars being on the conservative side and that amount will probably be higher and not only benefits the operating budget which in turn keeps the district from going to the ballot to request monies to operate the school district. There are three upcoming forums that the district will be holding the first one on February 17<sup>th</sup>, February 25<sup>th</sup> and the last one on March 2<sup>nd</sup> for people to come and hear the story to inform residents the best the district can and for residents to provide feedback because **at the end of the day the decision is made by the community.**

Mr. Mencini thanked the Brookview and Brook Park Memorial staff and custodians **for being helpful when needed. Some of the problems that the district is having with building and ground maintenance the city is having those same types of** problems. Having a good community and good schools makes a productive community, quality people and good home values and things of that nature. How would the city and the schools solve the problem of asking for the same tax dollars?

Mr. Sheppard responded if there is a way for the district to work closely with the city based on some of the renovations to provide great opportunities for the residents of this community those matters should be discussed. There is no guarantee that property values will increase but people will want to buy homes because of the great schools, communities and available resources to residents; that is what attracts people and adds value to properties.

**Discussion: cont.**

Mr. Troyer thanked Mr. Sheppard and the school board for attending this meeting; there are some questions that go back to the beginning of the presentation. Currently there are 200 employees less than 2009 how many fewer students during that period.

Mr. Sheppard responded the largest number of employees were part of the district's consolidation the district was able to combine students and schools due to not having the same resources; such as three custodial staffs to take care of the building, etc.; most of those deductions came from the support staff not the certified teachers. In 2009 there were 7,144 students and in 2013 there were 6,752 students.

Mr. Troyer asked if the teacher-student ratio has changed from 2009.

Mr. Sheppard responded the number of students hasn't changed and when talking about student-teacher ratio that is the classroom numbers which is in the contracts; so that it is known how many kindergartners, first graders and so forth. In the high-school the maximum amount of numbers is 28 and 20 students in the kindergarten class.

Mr. Troyer stated the city has a split of 80%/20% meaning that 80% goes to the General Fund and 20% to the Capital Fund; does the district have something like that and is it changed every year?

Mr. Sheppard responded no it is not changed the district has a General Fund for operating monies and a Permanent Improvement with different tax revenues. ~~The district does not get one lump sum and decide each year how that will be split;~~ there is one amount for Permanent Improvement purposes and another amount for the purpose of using those monies for the operating side of the budget. ~~In some cases and the district does not want to do for repairs is take monies from the operating side of the budget because there is not money in the Permanent Improvement Fund.~~

Mr. Troyer asked for an explanation of the district's cost-savings if the whole plan is carried out?

Mr. Sheppard responded there would be a cost-savings in 2018 based on that timeline and after 2020 the district would have a full cost-savings to include utilities and personnel as the two primary areas.

Mr. Troyer asked what will be done at that time with those monies?

**Discussion: cont.**

Mr. Sheppard responded that would actually be less monies spent out of the operating side. So, in turn, those dollars would continue to maintain a balanced budget on the operating side of the school district which would extend the length of time that the district would have ask the communities for additional dollars to extend the district's programs being currently offered.

Mr. Troyer continued most of these issues will be covered under the bond issue.

Mr. Sheppard concurred.

Mr. Troyer stated so all that while the district will be saving monies because the expenses are down and understand what you are saying. I would rather if the district is sitting on monies in 2021 that it is given back and not held on too.

Mr. Sheppard responded there is a longer discussion in school funding that comes into play and things that are happening in the Berea School District are not happening in other school districts across the state; maybe 30 out of 600 some-odd school districts. Just like cities the district has been impacted by state reductions in their budget even though the district will tell you that there is an increase allocation to the school districts; that is not the case for the Berea city schools for two reasons. The evaluation has declined and decreased over the last several years and the district has been significantly impacted by tangible personal property tax reimbursement in the phase-out of that which is currently in law. There are two things happening and is known that there is an estimated decrease that will come to approximately 12% of the district's budget by the year 2020. This isn't going to be that the district will have large amount of dollars and cash **this is going to allow the district to extend this a little bit longer so that the district doesn't have to go back out for operating dollars.**

**Mr. Troyer stated one of my biggest concerns is that it was reported to be a savings to the residents' and it's like saying refinance and there is a savings but there is no savings; paying less but not really saving.**

Mr. Sheppard concurred.

Mr. Astorino stated on page six of the handout it mentions a projected operational savings at \$1.3 million dollars with this plan. What are the total operational costs?

Mr. Sheppard responded the district's budget as a whole is a little over \$120 million dollars annually.

**Discussion: cont.**

Mr. Astorino stated with what the plan that is being looked at and the proposed changes has the district looked into how that would impact the City of Brook Park due to the loss in revenue.

Mr. Sheppard responded he doesn't have the specifics but will get the information in the sense of the number of employees.

Mr. Astorino stated if these changes are made and the district loses employees the city loses revenue.

Mr. Sheppard stated that's a good point and as student enrollment declines there will be a loss for the need of people; a big reconfiguration will have less people working in the City of Brook Park.

Mr. Salvatore thanked everyone for coming out this evening and stated the good news is nothing is cast in stone and any rumors of Brookview closing is not true. As this process goes forward that the City of Brook Park is included in the discussions so that there is a partnership between the school district and the city. The Berea School District is outstanding and the staff has done an excellent job with things moving forward.

Mr. Burgio stated there are rumors of people who are interested in the Brook Park Memorial and Brookview schools has anything been discussed about people moving into these buildings?

Mr. Sheppard responded no, the district is not at that point and moving forward **there will be a point in time for those conversations; the first decision will be if the** district will be using those facilities. Middlebrook Education Center is currently being leased and is a revenue stream for the school district, not a lot of money, **but it's not sitting idle; Smith Elementary is also being used by students, so no** there hasn't been nor has there been anyone calling saying it's up for sale.

Mr. Burgio stated the last facility renovation was done in either 1994 or 1995 due to the bond issue passing; there were a lot of things done at Brookview Memorial, the Ford auditorium and Midpark; has that 20-year old bond paid off?

Mr. Ghizzoni stated the district collected enough funds so that came off the tax bill last year and this current tax bill it is not on. The bonds are not paid off for two more years and the fund is has two more remaining principal and interest payments, but the residents are no longer paying taxes on that.

Mayor Coyne thanked everyone for coming the city is like the district being in a good operating position with the reserves in place because of pain-staking cuts

**Discussion: cont.**

that had to be made. I applaud you for making the case for capital improvement money because that is probably the most important and toughest for public entities to impress upon the residents. There is nothing more important than the school system to a community and in the City of Brook Park a lot of families have been hit pretty hard and may not be going back to the work they once enjoyed. There are also a lot of single mothers, some not renting the best places so that their children to the Berea City schools due to the success of the schools. Hopefully, the new Ford Motor foundry will be built in Brook Park instead of Mexico because that is what has impacted the city and school district tremendously; because when Ford Motor was in the city both the system and the city prospered because of the revenues generated from Ford Motor company and it will take a long time to do that again one piece at a time. Clearly, the district understands the frustrations of the people of the City of Brook Park and always felt that Brook Park never gets the just due for the investment in return; if these two schools are closed that will be the sixth school to close in this city and the schools that were closed are an asset to the community. The city hopes to work with the district in the future because Brookview Memorial probably has the most value because of the location on Snow Road and from the city's standpoint the city wants the highest and best use of that property. Brook Park Memorial is right in the middle of the track of land that is owned by the city so that is imperative as to what is to occur in the future. The city feels that it is not getting new investments just renovations and I am so pleased that all the students are now in one high school and the Titans. My suggestion would be as you say the city is going to be part of these decisions this city has outstanding facilities that quite frankly the city cannot afford anymore. If the district is expanding the Berea complex playing fields will be needed and this city saw that money go to Roehm and Brook Park residents **thought those monies should have went into Kennedy Park behind Brook Park Memorial School.** There are three playgrounds that recently Councilman Mencini and the Brook Park Memorial students went to great lengths to raise all kinds of **money to construct that playground as well as the city having facilities on their own complex so with Brook Park Memorial school this city needs to be a major part of that.** It has come to my attention that the Berea Schools are partnering with Baldwin-Wallace College for softball playing fields and there are a lot of times the girls play at Kennedy Park. The city thinks that the schools should partner with us instead of Baldwin-Wallace College and maybe locate those facilities at Kennedy Park to Astroturf the fields and fix the fences and lights for a joint partnership with the City of Brook Park. The city also has a recreation center that probably has the finest swimming facility of anywhere in the state and think we should be partners with that because the district is going to have some type of support and training systems for the schools. The city Charter states that the city should do joint ventures with the district and by looking at the handout provided the City of Brook Park is on the low end of the totem pole again. How can all the

**Discussion: cont.**

communities be made beneficial not only from the education standpoint but also so the residents can see that monies are not being wasted. As the question was asked that if there are monies the district will be forced to spend it, of course those monies will be spent. In one area spending will be reduced to cover some expenditure in another area that are needed for the operation and for new expenses. The returns on that are substantial and the students deserve that and am asking the board to be open about other portions of the schools improvements that I think the City of Brook Park should play a major role in because of where the locations are at.

Mrs. McCormick thanked everyone for coming and had a question about the enrollment trend you mentioned that the kindergarten class for fiscal year 2016 is much smaller than in the past. Taking into consideration of the expansion of the state's voucher program for low-income has that had an effect?

Mr. Sheppard stated are you speaking about pre-school vouchers because kindergarten it no cost to the district because it is a full day program.

Mrs. McCormick clarified that it used be low income was for certain low performing school districts.

Mr. Sheppard stated such Cleveland City Schools has so many vouchers where students can attend school elsewhere. The district is not experiencing a voucher issue and will say that the district has a very high market for students who live in the community go to Berea schools. What the district is experiencing is the impact of Community and Charter school students leaving the district to attend those ~~schools which takes tax dollars away from the district.~~

Mr. Troyer clarified if the district has the extra savings I don't want people to think ~~that the district will spend it because the district has it that is not true, those monies will be used for needed items.~~

Mr. Sheppard responded that is not how the district operates the district has a cash balance for example money in a checking account that doesn't have to be spent. The district is not interested in just spending those monies there are detailed plans on how the school district will be spending monies over the next three years. Such as areas of the curriculum and technology infrastructure. The district has plans but will not be just spending down the monies.

Mr. Astorino stated there is one more question from Councilman Mencini that does not deal with the facility plan.

Mr. Mencini stated this matter has affected the city for using the facility at Ford Intermediate and for the last three to four years this has been having some problems. This year there have been 26 cancellation dates and the city's recreation center having 40 some-odd teams and due to the weather the city's practice facilities have shrunken up. So the teams practice at Ford Intermediate, Brookview Elementary and somewhat parts of the recreation center. Both the city's recreation director, Mary Ann Fields and Athletic Director, Andre Gonzales, wanted me to express that there is a problem getting into Ford Intermediate when there is a concert going on and this is the reason for cancellations at the last minute. On any given Wednesday or Thursday there will be 16 to 18 teams and with the school giving last minute cancellation it can get pretty crazy. The two main reasons of concern when the teams practice is not enough adequate parking and children running through the hallways. Two of their suggestions were on days when the auditorium is being used the parents' park at Brook Park Memorial or the Recreation Center and people using the facility could use Ford and with the children running in the hallways possibly have separation gates placed up. On the city's side maybe there should be an overseer over there because those facilities could definitely be used during the winter months.

**Motion** by Mr. Troyer, supported by Mr. Salvatore, that item number one was discussed.

**ROLL CALL: AYES:** Troyer, Salvatore, Burgio, Scott, Mencini, McCormick, Powers.  
**NAYS:** None. The motion carried.

## 2. CITY FINANCES AND GENERAL OPERATIONS – Finance Director Cingle

Mr. Astorino stated I asked the Finance Director to give a preliminary introduction **of the budget and some city finances so as Council enters into the budget process** there is a better and common understanding of terms being used.

**Mr. Cingle stated the handout titled month-end transfer/month end year are for discussion purposes only as to how the department calculates the tax split on a monthly basis.** For example in a month the city collects \$1 million dollars in income tax collections and take out the new NASA money, monies received as part of the settlement agreement, so in this example that would be \$250,000 which leaves \$750,000 available to split. So \$1 million dollars collected in a month minus the new NASA monies leaves \$750,000 with 80% of those dollars \$600,000 would go to the General Fund and 20% or \$150,000 would go to Capital Improvement. The new NASA money of \$250,000 then gets allocated to the General Fund plus the \$600,000 of the 80% split totals \$850,000 and is the amount transferred into the General Fund for that month.

**Discussion: cont.**

Mr. Troyer stated to Finance Director Cingle this is part of the airport deal and at what point did the new NASA monies start.

Mr. Cingle stated the allocation of the new NASA dollars to the General Fund was the result of the settlement agreement with the City of Cleveland back in 2001; that began in 2002.

Mr. Troyer asked for an explanation of that point in time that the city had so much NASA money.

Mr. Cingle responded at that point in time there x-amount of dollars that came in from NASA and the city is able to allocate those dollars continued at the 80%-20% split and anything new as a result of the settlement agreement does not get split it is allocated directly to the General Fund.

Mr. Troyer stated as far as the \$250.00 rebate that is not part of the airport agreement with the City of Cleveland that is something that was done on the side.

Mr. Cingle concurred, that is not part of the agreement.

Mr. Astorino stated with the new NASA monies is there a point in time where those monies don't have to be treated in the manner it is and split like the rest?

Mr. Cingle responded yes, if the ordinance that reviews the financial condition of the community to determine whether or not the rebate is given each year. If that ordinance was repealed then these dollars would be split 80%-20% or whatever **the enforce ordinance at that time would state. Mr. Cingle continued going to the second handout for discussion purposes only is a little bit more involved and builds on the month-end transfer. This document is provided to the Mayor to inform him of the projected amount available to spend on capital improvements needs. In this example the projected income tax revenue is \$18 million dollars and the projected new NASA dollars is \$4 million dollars so the department starts with projected income tax revenue of \$14 million dollars (minus the \$4 million dollars from the new NASA monies) and add in the cash balance of Fund 210 – City income tax fund and then back-out the operation of the tax department before the department can calculate the tax split. In this example there was a prior year of encumbrances of \$12,000 and the appropriations for the city income tax department was \$305,000 and the city income tax refund is \$750,000; that gives the department a subtotal of \$13,183,000 that is split 80%-20%. 80% of almost \$13.2 million dollars is \$14.546 million dollars and the \$4 million dollars of new NASA monies previously mentioned gets added to the 80% or the dollars that are being projected to be allocated to the General Fund. So in this example \$14.5 million dollars would be transferred to the General Fund based on these**

**Discussion: cont.**

projections with \$2.6 million dollars transferred to Capital Improvement; then the cash balances are added the end of the year from Fund 401 – Capital Improvement fund which in this example \$500,000 was used which gives a projected amount available of a little bit over \$3.1 million dollars. Mr. Cingle stated from there the department has monies that are already 'earmarked' to come out of the Capital Improvement fund. In this example there are encumbrances coming from 2015 for discussion purposes only let's say \$300,000 and also have lease obligations and other purchase commitments that come out of Capital Improvement in this example that amount was \$500,000 and then there is the current year debt service for this example that amount is \$650,000. So sum those three figures of to an amount of \$1,450,000 that gets subtracted from the \$3.1 million dollars leaving a projected amount available of almost \$1.7 million dollars that the Mayor has to work with when going through the capital improvement budgetary process. That is where the department gets to the dollar amount that would be utilized capital improvement needs only. Moving on for discussion purposes with the 2001 settlement agreement with the City of Cleveland the city collects dollars from the IX Center operations and also the operation of Emerald Park collected twice a year, usually end of January or early February with the second payment being then end of July or early August. The sources of revenue that come from the IX Center are as follows; Income Tax, Admissions Tax and Parking tax and the sources from Emerald Park of revenue are Income Tax and Property Tax that averages roughly about \$700,000 combined a year. For the newly elected Members of Council there will be a lot of different fund terms heard such as what is the General Fund is used to fund the day to day operations of the city such as all departments of the city; that is the chief operating fund of the city. The General Fund can any other fund within the **community so if Council wanted to transfer monies from the General Fund to the Economic Development Fund that would be permissible or from the General Fund to the Capital Improvement Fund is permissible. It is important for Council that the General Fund is very solvent and has a healthy fund balance; this year the city will be in the market this year issuing bonds at least for the Smith Road – Phase IV project with legislation forthcoming. It is important once the city goes through the bond process as the writing agencies look at the city's finances they zero in on the General Fund balance. The agencies want to see a healthy fund balance especially in Brook Park given the high concentration of tax dollars that are coming from Ford and NASA; that are great companies to have in the community but are both very volatile companies that present some risk to the community; hence the agencies wanting to see healthier fund balances given this city's demographic versus another city similar in size. So it is important that if anything is done this term to keep the fund balances in the General Fund health and also important to keep the fund balances in the Bond Retirement Fund healthy so that investors can be assured that the dollars are going to be paid back in a timely manner.**

**Discussion: cont.**

Mr. Troyer asked for a Fund Balance Reserve policy explanation; the ordinance and what the amounts are.

Mr. Cingle responded years ago Council adopted an ordinance for the Fund Balance Reserve Policy as a way through legislative action achieve healthy fund balances through operational goals and projections. This fund is calculated is all the operating funds are pulled i.e. General, City Income Tax, Admissions Tax Fund, Hotel/Motel Tax, Concession stands as well as both the Police and Fire Pension funds. All those funds are summed up then eliminate any inter-fund transfers between the funds. For example the monies that go from the City Income Tax Fund to the General Fund get eliminated as an inter-fund transfer so that the operational dollars isn't being overinflated to operate the community. The inter-fund transfers are taken away from the sub totals of the operating funds which gives the operational budget. Then that number is taken times the budgetary growth factor dollar amount and multiply by the percentage that increases the operational amount and take 2/12ths of that to get the Fund Balance Reserve Policy figure.

Mr. Troyer clarified that is the money the city wants to have on hand un-appropriated in case there's an emergency.

Mr. Cingle responded minimal amount, yes, and the writing agencies like to see the commitment from Council and Administration to achieve that objective.

Mr. Astorino clarified there will be specific numbers at the next Caucus meeting for a better understanding.

Mr. Cingle responded yes, it will be in the revenue report that Council receives.

**Mr. Salvatore stated with the 2001 Settlement Agreement with the City of Cleveland** the city was to receive the revenue generated from the IX Center as long as it remains the IX Center.

Mr. Cingle concurred.

Mr. Salvatore asked is there any information pertaining to how long the lease agreement is that the City of Cleveland has with the owner.

Mayor Coyne responded I believe that Mr. Park just negotiated a ten-year lease and will verify that.

Mr. Salvatore asked for the breakdown just from the IX Center revenue?

**Discussion: cont.**

Mr. Cingle responded I can get that information I just totaled those numbers up.

Mr. Mencini stated the bond rating is very important and the higher the better when talking about Ford and NASA, both companies that could leave tomorrow, where Middleburg Hts. has Southwest and Berea has Baldwin-Wallace which are both solid bond ratings because the chances of them walking are, never none anything can happen, but slim.

Mr. Cingle responded 100% point-on.

Mayor Coyne stated during my first term the city was rated by Moody's and that is when the city was actually the strongest because Ford Motor was doing relatively well with about 8,500 employees and all plants going. Moody's concern was that the city paid bills on time and didn't have a lot of debt but all of the city's eggs were in one basket. This city still wishes they had 8,500 employees instead of 1,500 at Ford the NASA situation is just a swipe of a pen and a vote of being diminished, as seen recently. Tomorrow will probably be the day that Congress finally approves their funding so even though this city could do everything right here; have reserves and cash balances and everything else the city may not get the higher rating because of those reasons.

Mr. Cingle stated with respect to the bond rating process the discretionary funds are also looked at and zero in on the General Fund but then if there are other funds that can be used, for example, the city's insurance fund. If the city got into a situation where the city needed funding the Administration could ask Council to move those dollars through Councilmatic action; the insurance fund was set up **with General Fund dollars. So the bonding agencies will look at the insurance funds which are provided to strengthen the bond ratings, by Moody's or Fitch that there are other dollars outside of what is being shown in the General Fund. That could help operate the city if in fact there was a negative impact at one of the city's larger employers.**

Mr. Astorino stated the insurance fund has a fairly healthy balance which is a good thing and the other one that I always had questions about is Fund 690 – Medical Benefits Fund, which also has significant sum; the December balance shows a little over \$2 million dollars in that fund. Would that fall into that same area as far as monies sitting there but could be moved if need be.

Mr. Cingle responded Fund 690 is a medical benefits fund where the medical benefits get paid out of. The city gets a current actuary report that states how much the city needs because of health care reimbursements for retirees. There is an actuarial calculation through one of the GATSBY governmental accounting boards' pronouncements that state those benefits need to be funded as well. So

**Discussion: cont.**

the actuarial calculation is done that utilizes all or the majority of that fund balance. If the city ever terminated the payments of the retiree health care those dollars wouldn't be transferred to the General Fund, there would have to be some payroll holiday to allocate those dollars back to the General Fund.

3. REQUEST FOR A CONDITIONAL USE PERMIT FOR AUTOMOTIVE USE AT 5775 ENGLE ROAD, UNIT B, LOCATED IN THE U3-A ZONE. **In attendance: Agent, Jeff Goebel. Received from the Planning Commission on February 2, 2016. (Note: Legislation in the form of a Resolution is required for Conditional Use Permits per Code Section 1121.34 c).**

**Jeff Goebel**  
**50 State Road**  
**Hinckley, OH**

Mr. Goebel stated there is a business operating currently at this location with a middle parcel that has a maintenance area of a two-bay garage and drive-thru area that was once a car wash. There is a client that would like to lease the property and keep it as the remaining maintenance area for automotive repair.

Mayor Coyne stated for the conditional use permit the person making the request has to conform to the conditions from the Planning and Zoning Board that has been agreed to but if the conditions are not meant the permit can be revoked.

Mr. Hurst stated the project went to the Planning Commission and Board of Zoning Appeals with several conditions are as follows no car sales, restriction on parking and where vehicles could park that are being repaired or in disrepair. There will **not be any cars stored along Engle Road and one other condition that the Planning Commission put on was for landscaping along the guardrails area of Engle Road; the interested person has committed to place trees and shrubbery along that area; underneath the towers will be cleaned up and some other issues as far as general maintenance of the property.** The interested parties have conformed to everything that the Planning Commission requested and from the Building Department standpoint, city standpoint and the Mayor's this project is supported and will be good for that area.

Mayor Coyne commented the property is a strange configuration that lies between the cement plant and the railroad tracks. There are two other uses so this will be

**Discussion: cont.**

the third use on the property and there has been plenty of money renovating due to the destruction there prior to the Goebels' taking over.

Mr. Troyer stated to Mr. Goebel are you aware that no signs of any kind are allowed on the public right-of-way treelawn area and is your probable tenant aware of this.

Mr. Goebel responded yes and the client would utilize the existing building signage.

Mr. Mencini stated to Building Commissioner Hurst is there a number on the parking spaces at this location?

Mr. Hurst responded there is a total of 24 parking spaces allocated for this business. This property was formerly Thrifty Car Rental so there is a huge amount of car spaces and the two-bay area was Thrifty's actual repair garage and car wash. The only thing different is that there is a tenant in the big building and Road One that uses the north end property as a highly secure trucking outfit. In the middle that is considered lost space there is a use and an interested tenant that wants to operate an auto repair business; that's the reason for the stipulation by the Planning Commission in the conditional use permit that those are the only spots that can be utilized for storage of vehicles.

Mr. Goebel commented that we want to run it like Lucky's which is another business that we own and the promise is to make sure all the vehicles are inside the garage.

**Mr. Astorino this is the same issue that came up previously where the request for legislation should have been received by the law director by 5:00 p.m. this evening, therefore, a motion is needed to suspend Rule 12 (c).**

**Motion** by Mr. Mencini, supported by Mr. Scott, to suspend Rule 12 (c).

**ROLL CALL: AYES:** Mencini, Scott, Burgio, Salvatore, Troyer, Powers, McCormick

**NAYS:** None. The motion carried.

**Motion** by Mr. Burgio, supported by Mr. Mencini, to have legislation in the form of a Resolution drafted.

**ROLL CALL: AYES:** Burgio, Mencini, McCormick, Powers, Troyer, Salvatore, Scott

**NAYS:** None. The motion carried.

**FINANCE COMMITTEE – CHAIRWOMAN, McCORMICK:**

1. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A JOB RETENTION AND BUSINESS EXPANSION GRANT TO CUYAHOGA MACHINE COMPANY, LLC. 5250 WEST 137<sup>TH</sup> STREET. Introduced by Mayor Coyne **Placed in Committee 2/2/16**

Mr. Dolan stated Mr. Richard Bogden a businessman purchased some land in the City of Brook Park in 2011 and son-in-law, Mike Hasenmoor, built the Cuyahoga Machine building on West 137<sup>th</sup> Street. This company was formerly located in the City of Cleveland and invested time and money by spending over \$2 million dollars in building the facility and are probably the largest industrial machine tool and die in Cuyahoga County. The facility is very impressive and in talking some of the equipment is operational but obsolete because it's old and not controlled by CNC's (Computer Numerical Controls) so it limits the ability to attract new work and also limits the ability to prepare certain types of jobs that can be considered more lucrative. The grant is a job retention and creation grant meaning that on the commitment of Cuyahoga Machine to maintain its current payroll of \$750,000 in light of the multi million dollar investment. Cuyahoga Machine will purchase a lathe machine and use their best efforts to expand current payroll by two positions and also maintain their current payroll through 2015 and have committed to expand their facilities by constructing an additional \$200,000 onsite building. The company is also working with Cuyahoga Community College for some type of pipeline or link to furnish employees to the tool and die and industrial trades in Cuyahoga County. If the city helps businesses like Cuyahoga Machine that will assist the city in building a more diversified employment base in this city to make it less volatile. Cuyahoga Machine will sign an agreement and a COG building note **and the city will maintain an equitable interest in the new piece of equipment for 15 years; the machine cannot be relocated outside of the city or taken apart during its useful life. If the company does not maintain its payroll via the commitment there is a required pro-rate schedule of payment to the city. This instance Cuyahoga Machine came into the city and expended their own funds to tear down and build a state of the art industrial facility and expand their employment base and the city's payroll with living wage jobs, not minimum wage, living wage jobs because of the necessary skilled trades.**

Mr. Burgio stated according to the pro-rate schedule the company will have the best effort to try and attract two more employees but that's not binding.

Mr. Dolan concurred and stated the reason for that is market cycles go up and down steel is up one day and down the next. In the long haul the company will use its best efforts to grow the business and locking in employees and damaging the company isn't something that is good for the city of the business.

**Discussion: cont.**

Mr. Troyer stated on the legislation there is mention of \$50,000 being the average of two or three years but there is no mention a particular year as 2015. In the draft agreement it states 2016 in section 3. What is the 2015 payroll?

Mr. Dolan responded it's a little above \$750,000 and fluctuated between \$775,000, that year is a typo and will be corrected.

Mr. Troyer continued does the company have any CNC machines at this time.

**Rich Bogden**

**4451 Sir Richard**

**No. Royalton**

Mr. Bogden stated there is some CNC's currently and the machine will be an add-on.

Mr. Troyer asked if there are any grinding machines.

Mr. Bogden responded a couple.

Mr. Troyer stated there are 12 employees.

Mr. Bogden responded there are 14 employees.

Mr. Dolan stated what is currently being worked on is a committee or group to meet on a quarterly basis and Council would be invited to get a tour of the businesses in the city.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to amend the seventh Whereas by replacing 12 employees to 14 employees.

**ROLL CALL: AYES: Salvatore, Mencini, McCormick, Powers, Troyer, Burgio, Scott**

**NAYS: None. The amendment carried.**

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to place on the next Council agenda.

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Mr. Troyer mentioned there are several other Whereas' that have that number listed as well as the agreement.

Mayor Coyne suggested that if there are currently 14 employees that's great and the jest of this agreement is to keep the payroll at \$750,000.

Mr. Astorino clarified the language states the company anticipates employing between 12 and 15 and with the fluctuations mentioned so the Whereas at the top

**Discussion: cont.**

would not nail down the company to a specific number and probably shouldn't be changed.

Mr. Troyer stated when there is a new machine the production will increase per person then there might be less people needed but by reading it's based on the \$750,000 for payroll.

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The clerk called the roll on the motion to place on the next Council agenda.

**ROLL CALL: AYES:** Salvatore, Mencini, McCormick, Powers, Troyer, Burgio, Scott  
**NAYS:** None. The motion carried.

2. AN ORDINANCE AMENDING ORDINANCE NO. 9993-2015, ENTITLED 'AUTHORIZING THE IMPLEMENTATION OF THE BROOK PARK HOME MAINTENANCE ASSISTANCE GRANT PROGRAM (HMAP)' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne and Council Members Mencini, Scott, Burgio, Scott and Salvatore  
Placed in Committee 2/2/16

Mayor Coyne stated as told before this is a case in progress and what has been found is 15 people applied and don't qualify with the existing provision.

Mr. Dolan stated since the original legislation was passed not one resident of the city having an income above the federal low-moderate criteria has applied. When the language of the ordinance was passed there was a requirement of a matching grant for both the loan portion and grant portion of the legislation; none of the ~~individuals applying for the grant have the matching funds available to implement~~ this program. Looking at the federal guidelines there is low-moderate income, there is very low-moderate income and a level below the low-moderate guideline; ~~the city is dealing with incomes that are in the lowest to the second lowest of the~~ federal poverty guidelines. So in order to maintain the housing stock and provide the other benefits intended by this program that if a resident satisfied the grant criteria of the legislation there is no matching funds be required.

Mr. Salvatore asked if this legislation is adopted does the prior piece of legislation have to be repealed?

Mrs. Horvath responded the legislation can be passed as amended.

**Motion** by Mr. Salvatore, supported by Mr. Troyer, to place on the next Council agenda.

**ROLL CALL: AYES:** Salvatore, Troyer, McCormick, Mencini, Scott, Burgio  
**NAYS:** Powers. The motion carried with a vote of 6-1.

**Discussion: cont.**

3. AN ORDINANCE AMENDING SECTION 121.01 (a) AND (b) OF THE BROOK PARK CODIFIED ORDINANCES RELATING TO THE PRESIDENT OF COUNCIL AND MEMBERS OF COUNCIL Introduced by Council President Astorino  
**Placed in 1/5/16**

Mr. Astorino stated it's been said that one of the reasons for these changes because of disdain that I have for management; that is not what is motivating me to do this. This is recognition of what is occurring in the area with cities taking a look at the wage structure of their employees. The recent changes that caused pain to this city is the closing of the swimming pool, closing of the basement of the recreation center, discontinued senior grass cutting and snow plowing which was then reinstated and is now provided to ¼ of the households that it used to be provided too at an increased rate, there was the closing of the fire station and the layoffs of city employees in the service, fire, police and dispatch departments. According to the Ohio Municipal League the City of Brook Park ranks third on compensation for Council Members. This legislation shows a reduction in the Council President compensation to \$14,400 and for Members of Council \$13,200. If these proposed changes are adopted by Council this will put Brook Park in fifth out of the 132 communities listed by the Ohio Municipal League.

Mr. Salvatore stated Council should reduce its compensation and there is other pieces of legislation relating to this topic in committee currently; that reduced Council salary by \$5,000.

**Motion** by Mr. Salvatore, supported by Mr. Burgio, to put this on the next Caucus agenda along with all pieces of legislation having to deal with salaries for discussion and come up with a rate that makes sense.

**ROLL CALL: AYES:** Salvatore, Burgio, Scott, Mencini, McCormick, Troyer  
**NAYS:** Powers. **The motion carried.**

Mr. Troyer commented at the next meeting Council can come up with a number that everyone is happy with for shared sacrifices.

Mrs. McCormick commented that hopefully Council can come up with a number so that old legislation sitting in the Finance Committee can be omitted.

Mr. Mencini stated Council should work together on these types of matters and concur with both Council Members Salvatore and Troyer.

Mrs. Powers stated Council should work together on this and are in total agreement with cutting salaries everywhere possible and also the appointed employees.

**Discussion: cont.**

Mr. Mencini clarified with Mrs. Powers if she was speaking about union personnel?

Mrs. Powers responded no, union personnel is done through negotiations with labor and management.

Mr. Troyer commented looking at salaries Council must remember that the position is being talked about not the person in that position; Council is setting salary range for certain positions and those positions should be based on what can be paid for a person to do that job effectively and efficiently.

4. AN ORDINANCE AMENDING CHAPTER 131.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY'. Introduced by Council President Astorino **Placed in Committee 1/5/16**

Mr. Astorino stated this has been introduced to make an adjustment and using the 2013 Ohio Municipal League Survey and out of 147 cities Brook Park ranked ninth and out of 13 surrounding communities Brook Park ranked first from those communities that responded. When putting both surveys together there is a total of 160 cities reporting on compensation and Brook Park ranked ninth. This proposal is to reduce the Mayor's salary to \$100,000 a year and if passed will drop Brook Park to 12<sup>th</sup>. The second change would be under letter F to strike sick leave and vacation leave that is provided to all full time employees effective January 1, 2018.

Mayor Coyne stated in 2001 the Mayor's salary was cut \$20,000 and the position is the chief financial officer of the city and by using a three-year old survey from **the Ohio Municipal League. All full time employees are entitled to the same** benefits as it has been done in this city whether in the union or not.

**Mr. Salvatore stated to Council President Astorino on page 3 (e) which is the salary of the Mayor for the calendar year 2018 until duly changed. There will be no increase in salary the other three years of the term.**

Mr. Astorino concurred.

Mr. Burgio stated to Council President Astorino do the other Mayors in other cities have sick and vacation time?

Mr. Astorino did not have that answer.

Mr. Troyer stated with the benefits of vacation and sick leave taken out of the legislation last year because an elected official is paid a certain amount that

**Discussion: cont.**

cannot be changed during terms. In the public sector most people don't get sick time and being a salaried employee still get their salary if sick or not. I'm willing to look at the salary but as far as eliminating the sick leave and vacation leave that should be omitted.

Mr. Astorino stated with the Mayor's salary history at one time there was an allotment of \$5,500 automobile assistance from Ford Motor Company that was brought forward to Council to take that \$5,500 per year times four totaling \$22,000 and put that into the Mayor's compensation; that was the main reason for the \$20,000 pay cut in 2001.

Mayor Coyne stated there was an annual expense account that was increased every year that showed the true compensation. So when I hear that the city is broke I just want to say the fundamental problem is not with operating there has been an impression given to the voters of spending going on that is not proper and that is not the case. The city's problem is capital improvement monies as the superintendent spoke of earlier this evening.

Mr. Troyer – Point of Order you are off topic.

Mayor Coyne – the Council Member said that the city is broke and this is going to be cut because the city is broke. The city's problem is not operating expenses the city's problem is capital.

Mr. Astorino stated this legislation was introduced January 5<sup>th</sup> and agree things should be looked at and working in this city for 30 years am very familiar with public compensation. I ~~appreciate the comment that this should be looked at and suggest that action be taken.~~

Mr. Troyer stated ~~this city has never been in this situation and now being 2016 things can't be done the way they have been and this is one of the things that have to be done differently. Information has been gathered for two months and what I don't want is legislation sitting in committee two years from now; so let's get them all to the floor and move forward.~~

**Motion** by Mr. Salvatore, supported by Mr. Scott, to place on the next Caucus agenda with the other pieces of legislation that are in the committee relating to this matter.

**ROLL CALL: AYES:** Salvatore, Scott, Burgio, Troyer, Powers, McCormick, Mencini

**NAYS:** None. The motion carried.

Mrs. McCormick encouraged Council members to come to the next Caucus meeting with some hard numbers they may be comfortable with to move this matter forward.

**Discussion: cont.**

5. AN ORDINANCE AMENDING CHAPTER 137.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY OF THE FINANCE/TAXATION DIRECTOR. Introduced by Council President Astorino **Placed in Committee 1/5/16**

Mr. Astorino stated the same rationale is used as the Mayor's legislation with the striking of the sick leave and vacation leave benefit.

Mrs. McCormick asked how was vacation time increased when all other elected officials are getting a decrease.

Mr. Astorino stated what is considered to be a minimal increase for discussion purposes. The Finance Director took on duties of the Taxation Director also so the \$1,200 is fair. Again with the 2013 Ohio Municipal League survey out of 55 cities and 12 surrounding communities the city's finance director ranks fourth and with the proposed changes would not affect the ranking at all.

Mr. Salvatore stated this will follow the same criteria of no raises during the term.

Mr. Astorino concurred.

Mr. Scott asked have these Finance Director salaries been compared by apples to apples by what other Finance Directors do?

Mrs. McCormick responded there has been a comparison on the size of the community, income tax rates, compensation. Job descriptions have not been polled for every city.

~~Mr. Scott asked how can a favorable rate of pay if we don't know his job compared to other Finance Directors if it is equal to the pay in the charts.~~

~~Mrs. McCormick responded in these studies there are not any Finance/Taxation Directors and some other communities don't have taxation departments so that needs to be taken into consideration.~~

**Motion** by Mr. Salvatore, supported by Mr. Scott, to place on the next Caucus agenda.

**ROLL CALL: AYES:** Salvatore, Scott, Burgio, Troyer, Powers, McCormick, Mencini  
**NAYS:** None. The motion carried.

6. AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ADMINISTRATIVE CODE TO PROVIDE ADJUSTMENTS IN COMPENSATION FOR EMPLOYEES OF THE CITY, OTHER THAN ELECTED OFFICIALS OR THOSE COVERED UNDER NEGOTIATED LABOR CONTRACTS. Introduced by Council President Astorino **Placed in Committee 1/5/16**

**Discussion: cont.**

Mr. Astorino stated these numbers are not written in stone this was brought forward for discussion purposes.

Mr. Scott asked these salary ranges are compared apples to apples, for example, speaking with the Human Resources Commissioner as to what her job is.

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**LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER:**

1. AN ORDINANCE ENACTING SECTION 541.10 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'ILLEGAL RAKING, PUSHING, SHOVELING OR BLOWING OF LEAVES AND/OR SNOW Introduced by Councilman Troyer  
**Placed in Committee 11/18/14; Caucus 12/2/14; Back to Committee 12/2/14**

**Motion** by Mr. Salvatore, supported by Mr. Scott, to have read in committee.

**ROLL CALL: AYES:** Salvatore, Scott, Burgio, Troyer, Powers, McCormick, Mencini

**NAYS:** None. The motion carried.

2. AN ORDINANCE ENACTING SECTION 748 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'AUTO TITLE LENDERS' AND DECLARING AN EMERGENCY. Introduced by Council President Patten and Councilman Salvatore, D'Amico, Higgins, Burgio, Mencini. **Placed in Committee 1/27/15**

**Motion** by Mr. Salvatore...

**Mr. Troyer – seeing no support.**

Mr. Burgio – Support.

**Mr. Troyer – Can we have some discussion first seeing there was no support on that?**

Mr. Salvatore – The city's building commissioner is here and can speak to this if there are any questions but this is something that was hung up in committee for quite some time. This provides regulations for those auto title lenders that are popping up in other communities and have popped up here. This was tailored after an ordinance that was introduced I think by the City of Parma Heights and other cities are looking at this. If you would allow, Mr. Chairman, the building commissioner to speak to this issue to shed some light for the new Members of Council to see if they want to support this or not.

Mr. Troyer – Absolutely, I should have discussed this more before taking questions and/or comments. This was in my committee and I spoke with the former Council President and I thought this should cover, be more inclusive and it needed a lot of work because it only covers the auto title loan companies; not the payday loans. I think we

Legislative Committee – Chairman, Troyer: cont.

should have an inclusive ordinance that covers all of them and this legislation was never discussed again. I don't necessarily want to kill this legislation but I don't want to send it to Council as it is. I'd like to have it amended so I'd rather send this to Caucus to come up with maybe some amendments to be more inclusive and a better piece of legislation.

Mr. Salvatore – what things are you trying to incorporate into this?

Mr. Troyer – This is auto title loans and payday loans are kind of the same thing why wouldn't that be included in the same ordinance. Go ahead, Mr. Hurst.

Mr. Salvatore to Mr. Hurst are there any restrictions on the payday loans that exist today?

Mr. Hurst – we don't have any restrictions on them as it is today.

Mr. Salvatore – if we adopt this would...

Mr. Hurst – this would not cover it this is auto title loans and I think this was the problem that came up originally when this was first introduced. To include those types of businesses, however, I believe and would have to get a ruling from the law director that this type of limitation, while it's been done in other communities, has been challenged and lost; you're almost discriminating against one business as opposed to another. You don't limit a bank where they can go and its hard to limit these businesses but that is something the law director would have to rule on. If you wanted to include pay lending I'm not against that because obviously we don't want these things on every corner like gas stations but we have to be careful of what we do.

*Mr. Salvatore – has this one been challenged anywhere?*

Mr. Hurst – I don't know if this legislation has been challenged. I know in Parma Heights I know it was enacted but don't know if they still have it on the books or if it's been challenged.

Mr. Salvatore – In your professional opinion do you think something like this would be necessary?

Mr. Hurst – I think it could be challenged.

Mayor Coyne – Mr. Chairman, if I may.

Mr. Troyer – go ahead Mr. Mayor.

Mayor Coyne – we will accept the challenge.

Mr. Hurst – concurred.

**Legislative Committee – Chairman, Troyer: cont.**

Mayor Coyne – we have provisions back in the day when I was doing the Internet Cafes we actually asked cities to include these in the ordinance. It also sets forth some requirements that we don't want people with felonies to be licensed and things like that. It would be my suggestion that, hopefully, Council will enact this and I'm sure that the law director can defend any challenge the city may have.

Mr. Troyer – the question is do we want to include the payday loans also to have a really good piece of legislation?

Mayor Coyne – my suggestion is we look at that separately, I think there are some state provisions that need to be looked at. I'm not disagreeing but we should look at that.

Mr. Troyer – Would one way make it more challengeable?

Mayor Coyne – I would just suggest that we deal with the auto title lender.

Mrs. Horvath – my recollection is that most of the challenges were to the payday loans rather than the auto title and it might be best to do them as two separate pieces; rather than one but it's certainly something that bears looking into for research and presented.

Mr. Hurst – that's the problem that was discussed the last time this came out was adding the payday lenders would cause more challenges than just by itself; looking at both. Auto title loans is an entirely different business and a different business model. The other lenders as mentioned the state has some rulings in there but this legislation should be its own if Council is going to do anything with it. It shouldn't be added to if Council is going to do something either pass this and then move onto another piece of legislation. This definitely if the city gets challenged the city gets challenged but it's good for the community. These types of businesses are located based on *demographics and the more that is seen.*

**Mayor Coyne interjected I don't think we should have any more discussions Madam Law Director do you.**

Mrs. Horvath stated I think it's been sufficiently discussed.

Mr. Troyer stated I would still like a motion to place on the next Caucus to look into this further and understand a separate piece of legislation is probably needed.

Mr. Salvatore stated as one of the co-sponsors I would like to see it be a stand-alone piece of legislation.

Mr. Troyer concurred.

**Legislative Committee – Chairman, Troyer: cont.**

Mr. Salvatore asked for co-sponsors and several Members of Council raised their hands.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to place on the next Council agenda.

**ROLL CALL: AYES:** Salvatore, McCormick, Powers, Troyer, Mencini, Scott, Burgio  
**NAYS:** None. The motion carried.

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**SAFETY COMMITTEE – CHAIRMAN, SALVATORE:**

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY, WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE MAINTENANCE OF TRAFFIC CONTROL DEVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne  
**Placed in Committee 2/2/16**

Mr. Salvatore stated this is a housekeeping ordinance.

Mr. Burgio asked is this being done differently in the past with the rate of \$16.00 per hour wasn't the amount somewhere around \$40,000 a year.

Mayor Coyne concurred it is the same amount listed in Section 2.

Mr. Troyer stated don't like the idea of the none bid clause why is this being done?

Mayor Coyne responded there is nobody else with the dependability that this company gives the city.

Mr. Troyer stated there is some work needed at Route 237 and Sheldon Road.

Mayor Coyne concurred.

Mr. Mencini stated when this project first went out to contract there were not many companies that did this type of work.

**Motion** by Mr. McCormick, supported by Mr. Burgio, to place on the next Council agenda. Members of Council voted AYE with the exception of Mr. Troyer and Mrs. Powers who voted NAY. The motion carried with a vote of 5-2.

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There being no further business to come before this meeting Council President Astorino declared this meeting adjourned at 10:40 p.m.

RESPECTFULLY SUBMITTED Michelle Blazek

APPROVED March 8, 2016

THESE MEETING MINUTES ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.