

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, MAY 24, 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:

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Regular Caucus meeting held on March 8, 2016.

**Motion** by Mr. Mencini, supported by Mr. Scott, to approve as printed.

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

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

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**DISCUSSION:**

1. PROPOSED 2016-2017 COUNCIL RULE CHANGES

Mr. Salvatore stated what is being proposed is to reestablish the Caucus meeting prior to a Council meeting so that legislation is moved through some type of procedure and proper protocol, have proper discussion and move to an agenda; this would clear up confusion of things that have happened in the past. Council would still be starting at 7:00 p.m. with a Caucus meeting and the Council would follow at 7:30 p.m.

Mrs. Powers stated the way Council has the separate Caucus meetings give enough time to bring information forward, to study and discuss and not be rushed in passing something 30 minutes after brought up.

Mrs. McCormick stated at the Organizational meeting held in January this issue was discussed and changed and one of the reasons for the separation was because many times the Caucus meetings ran over the 30 minutes allotted time; that pushed back the start of the Council meeting time. One of the concerns was residents who wanted to speak at a Council meeting to make sure their time was respected and they wouldn't be waiting long because the Caucus meeting ran over. Mrs. McCormick stated she likes the way it is not with the separation and extra time to think about items.

Mr. Mencini stated at Caucus it was decided to go with this for at least six months having the Caucus at 7:00 p.m. and Council at 7:30 p.m. Council has been meeting four times a month with each meeting going three or four hours so how can a grace be found between 7:00 p.m. and 7:30 p.m.?

Mr. Salvatore stated what is happening is a little bit of confusion going on because the timeframe isn't the issue. What this is about is offering a method for legislation to move through a proper procedure and allows for discussion. The timeframe isn't important

**Discussion: cont.**

because Council could recess the meeting and go to the 7:30 p.m. meeting. This would solve a couple of issues such as passing up legislation during a meeting and calling it an emergency. If there was a Caucus prior to the Council meeting that legislation could have been put on that Caucus agenda for discussion and then added to the Council agenda following if that's what Council wants; there would be a trail as to how the legislation moves through freely through the system. This isn't to force anything through and Council doesn't have to vote on anything but this allows for discussion and move the legislation by a vote of Council to an upcoming meeting or back to committee. Twice so far since the beginning of the year legislation has been passed up that no one ever saw; this would safeguard that from happening and provide the opportunity for discussion of that legislation and be moved by a vote of Council. The chairman is still in charge of the agenda and if there is something that needs to be discussed that is not on the Council agenda.

Mr. Mencini commented there has been confusion on numerous things for the past three months but there were things that went very well also. With having the Caucus and then recess to the Council and then return to the Caucus meeting was that ever done before?

Mr. Salvatore responded it probably has and can't provide a date but, again, this Caucus meeting won't be a three-hour meeting, most of the times the Caucus prior to the Council is on agenda items; to discuss items on the agenda before the meeting. For example, last meeting the President of Council had a piece of legislation held up that probably would have passed but there was more research to do; that could have been discussed at a Caucus prior to so that Council would be aware.

Mr. Troyer stated I don't mind the idea of having a short Caucus meeting before the Council meeting for discussion of what is on the Council agenda but do not like the idea of bringing something out of committee at a Caucus prior to and passing the same night. Having a Caucus prior to for discussion of that evening's Council agenda is not a bad idea. I would like to keep the Council meeting at 7:00 p.m. and possibly do a 6:30 p.m. or 6:45 p.m. Caucus prior to also a Special Caucus meeting can be called and Council can suspend the rules by a majority vote of Council to get things done. I don't like the idea of having something brought up at a Caucus and pass it at the Council meeting directly following unless it is an emergency or bring it up at a Council and pass under an emergency.

Mr. Salvatore stated again, nothing can be added to a Caucus agenda unless the President of Council put it on for discussion, this is not designed to move legislation through the process that same evening unless it is an emergency, that's not the intent. This will not force Council to vote on something at a Council meeting because a Caucus meeting was held.

**Discussion: cont.**

Mayor Coyne stated there would still be two regular Caucus meetings and two Caucus meetings prior to the Council meeting.

Mr. Salvatore concurred.

Mayor Coyne continued that is sound for a lot of different reasons for instance rock salt the city receives an email from the state and legislation has to be drafted immediately and tell Council this has to be acted on; so this would be beneficial to both the Administration and legislative branch. It can be used if needed and not used but provides one more opportunity for discussion and one more tool for Council's disposal.

Mrs. McCormick commented that Councilman Salvatore mentioned that he wanted to limit emergency legislation being brought forth and think the way it was described isn't necessarily correct. For instance, when I introduce legislation with the emergency clause the clause doesn't mean it has to be addressed that evening, the clause actually means once passed it goes into effect immediately rather than the standard 30 days waiting period; so for other people that clause may be confusing due to the term emergency meaning different things. Also, the city Charter states that legislation can be introduced on the floor at any time so having a Caucus prior to the Council wouldn't necessarily prevent legislation being introduced at that Council meeting.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to place on the next Council agenda under verbal approval.

**ROLL CALL: AYES:** Salvatore, Scott, Burgio

**NAYS:** Troyer, Powers, McCormick, Mencini. The motion failed with a vote of 3-4.

## 2. SUMMER RECESS

Mr. Salvatore stated the Charter provides summer session for Council during the months of July and August; this year summer session was eliminated. This proposal is for Council to consider having the month of July as summer session that would still let the call of a special meeting by the President of Council, the Mayor or three voting members of Council. Also, a Caucus and Council meeting could be scheduled in August before going into regular session in September. In speaking with the President of Council he made a good point that Council is going to consider this it should be considered sooner than later so that vacation plans can be made.

Mr. Mencini stated in favor of this 100% and 150% for the month of July and during orientation it was mentioned that things would be looked at in six months. Most cities as well as the state and federal governments take recess. Council could take a little break and come back stronger and am in full support for the month of July.

**Discussion: cont.**

Mrs. McCormick stated in favor of having the number of meetings Council has now and doesn't think that Council should totally eliminate. There is still a lot of work ahead of Council and looking back at last summer there were a lot of special meetings called because things came up; so I would think it would be good to have one Caucus and one Council every month, maybe not the four, that would be too much for the summer.

Mr. Scott concurred with both Mr. Mencini and Salvatore of having one month off to get a breath of fresh air and to clear heads. If anything comes up Council, there is the availability of calling a special meeting; that one month would allow Council to refocus.

Mr. Troyer concurred with the month of July only and resume August 2nd for Council; should have at least one-month recess.

Mrs. Powers stated there needs to be enough time to get Council business taken care of there is a lot going on and if Council has an extra meeting in June, that would help with taking time off in July and have full schedule in August. Not in favor of being on call because if someone goes out of town and a meeting is called that person either rushes back or misses the meeting.

Mr. Burgio stated to Mr. Salvatore is the proposal the last meeting would be the third week of June and then the next meeting after recess would be in the middle of August.

Mr. Salvatore responded nothing is being proposed this is just on the table for discussion. The Charter and Council Rules call for special meetings to be called. That can't be changed and will happen whether there is a summer session or not. At this point until there is agreement this topic could be considered discussed.

**Motion** by Mr. Salvatore, supported by Mr. Scott, that item number two was discussed.  
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Mr. Troyer stated I think there is four votes to have July off and the sooner the better. So I would ask Councilman Salvatore to retract his motion or a vote of no and let's make the decision.

Mr. Astorino clarified the proper motion would be to have this placed on the next Council agenda under verbal approval.

Mr. Salvatore stated he would like to keep his motion in place.  
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**ROLL CALL: AYES:** Salvatore, Scott, Burgio, Troyer, Powers, McCormick, Mencini  
**NAYS:** None. The motion carried.

**Discussion: cont.**

## 3. 2017 TAX BUDGET

Mr. Cingle explained what this document does two items, one authorizes the county to set the property tax rate on behalf of the city and creates a certificate of estimated resources; those are the two main objectives of the tax budget. What the tax budget does not do, this is important, does not bind Council to any specific spending in the following year; this does bind Council to any specific spending in 2017. The tax budget has been calculated to a levy of 4.45 mils and that is the amount that the city can statutorily authorized to levy. This document protects the millage, the need is shown and the document is time sensitive and needs to be passed on or before July 20, 2016. Once Council approves this document it is sent to the County Budget Commission for review and the commission will then process a tax rate resolution that comes back to the city for approval later this year for Council to approve those rates.

**Motion** by Mr. Troyer, supported by Mr. Mencini, to place on the next Council agenda under verbal approval.

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

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

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**FINANCE COMMITTEE – CHAIRWOMAN, McCORMICK:**

## 1. AN ORDINANCE AUTHORIZING THE CITY TO DONATE FUNDS TO AUDREY'S OUTREACH Introduced by Councilwoman McCormick

Mrs. McCormick stated under section one the city would provide a \$6,000 contribution specifically for the Lunch Sack program which benefits the children of Brook Park.

Mr. Troyer stated as mentioned at a previous meeting this money for the lunch sack program is kept separate from Audrey's money; this contribution would only be used for the lunch sack program and only go to Berea City School students that are already on the government free lunch program.

Mayor Coyne suggested Council provide funding for charitable organizations like the city does for the businesses with a budgeted amount that each and every charity can apply for with stated reasons, resources and other matters. Rather than just arbitrarily appropriating these monies because, I think, the precedent being establishing is one that I don't know is properly vetted. I have never heard of the lunch sack program before and suppose its beneficial but think that ideally all organizations in Brook Park should be treated the same. If the city has an appropriation generally for all charities apply to and the charities apply and are vetted then Council can act on them individually, just like is being done for business assistance in the city. Again, I have not seen an application from Audrey's and no one has asked the city for any monies that I'm aware of and when asked for that information no one could provide that; I have no

**Finance Committee - Chairwoman, McCormick: cont.**

objections to the second piece of legislation being provided to Audrey's. Council should also note that with the Economic Development department the city also provided a transportation vehicle free of charge to Audrey's Outreach. All I'm saying is if Council is going to delve into this area there should be a process and appropriation for all entities in the city that may have an interest in assistance can equally apply and be considered for funding.

Mrs. Powers asked how many charitable organizations there and how many charitable in Brook Park and how many charitable organizations in Brook Park that actually feed the hungry residents' and there are many of them. If anyone doubts that the city needs this program Audrey's runs the pantry Monday from 10:00 a.m. to 1:00 p.m. and on Thursdays from 4:00 p.m. to 7:00 p.m. and the parking lot is full with people lined up out the door and around the block. I think this is a very necessary program and if residents need assistance then the children need the assistance for the summer sack program. I cannot believe that this city wouldn't be interested in trying to help out the poor people anyway possible.

Mr. Mencini stated I don't think anyone up here wants to see anyone go hungry let alone the youth of the city and concur with Councilman Troyer this program is for the Brook Park youth. My point as brought up a month and half ago is if the city were to entail and do something of this sort how many other organizations will come to the microphone. Mr. Mencini stated to Law Director Horvath, as per the Mayor, is this the proper way to go and is that the way most cities do this, so everything is good.

Mrs. Horvath responded I've seen legislation from many cities that has been drafted in this manner and would also add that it sometimes becomes controversial in the various cities that passed this legislation. There is merit to the Mayor's suggestion that the city open this up for all organizations because the problem is how can the city deny one group and grant another group's request. This legislation was prepared for Council and indicated that, I believe, it is correct legally but it's up to Council on how to proceed. I would indicate that the Administration's suggestions of some sort of money pot so that organizations can apply.

Mr. Mencini commented I want to the right thing and this a great idea and Council out of their own pockets have done many things and still do things, I myself included. In some ways not saying there is a limit but there is a limit because to do something like this is great and know that others will be coming too.

Mrs. McCormick stated to Law Director Horvath when this was first discussed during budget talks it was stated that this needed to make sure it was legal and went through the proper process. Did all of that come back that it would be fine to do it this way?

**Finance Committee - Chairwoman, McCormick: cont.**

Mrs. Horvath responded discussions with Finance Director Cingle and, of course, the issue is this for a valid public purpose and also wanted to make sure that it was drafted properly with the idea that there would be some accountability for the funds to the entity given too. In this case it is tied to the lunch sack program so, I believe, it meets the criteria that the Auditors office discussed with Finance Director Cingle.

Mrs. McCormick commented on the Mayor's suggestion to create a pool where other organizations could apply and like that idea but think in this situation there's sort of an urgency for the lunch sack program since school is ending this week. That program would start soon and the last I heard is that Audrey's didn't have full funding to run the whole program yet and are still in need of help and this would help them get the program operational throughout the whole summer; I do like the Mayor's idea and is something that should be looked into the future.

Mr. Scott stated the lunch sack program is for all the Berea City School District children that include Berea, Brook Park and Middleburg Hts. I made some phone calls to the Cities of Berea and Middleburg Hts. finance directors and neither one of those cities donates or appropriates monies to Audrey's for any programs, that doesn't sit well. The City of Brook Park would be the only city contributing to that program, don't get me wrong I'm the first person to donate money to anything, I just don't feel comfortable using tax dollars for this issue it's like opening a can of worms to any organization that comes to the city, I concur with the Mayor and Councilman Mencini it's going to happen.

Mayor Coyne stated in the next piece of legislation they are getting almost \$5,000 and there's no argument about that because those monies were donated to the city. Why can't Audrey's take that \$5,000 and use it towards this program. The reason I'm questioning the other way, not that anybody doesn't want to help anybody, and there are all kinds of organizations in this city that are helping people. Every philanthropic group in the City of Cleveland including the Cleveland Foundation give away millions of dollars has an application process, has submittals, has evaluations of the programs, are there other matching funds involved because there is nothing more problematic. I'm not suggesting that they are doing anything I don't know because I don't know anything about their programs. I have been there and have donated and the, fact of the matter, is the greatest will and ideas sometimes putting public monies in there you're liable for that. So all I'm saying is the city has an amount of money that is almost \$5,000 that should help them a long way but the director authorization of city money to any charitable group I believe should be funded by Council with a pool of money that can be appropriated annually that shows their commitments. Those organizations apply get scrutinized and is subject to Council's final control. To be very candid everyone up here knows that Audrey's is doing worthwhile things but no one knows very much about it. Discussions with the law director let's do this right and make sure there is a check and balance on this. The almost \$5,000 that is going to be given to them plus the transportation that I know was substantially more than that I think the city through its

**Finance Committee - Chairwoman, McCormick: cont.**

operations, legislatively and administratively, have provided for Audrey's Outreach substantially than any other charity in the city. So if Council is going to put city funds there should be a firm commitment of a pot of money to be assessed by any charity in the City of Brook Park with a substantial appropriation for that but just to do this, again, they've made no application to this city that I'm aware of. So I ask Council if you're going to delve into this let's have the safeguards there and make it fair to everyone. That way if any group needs \$5,000, \$2,000 or whatever it is they would have access to the city's funds equally.

Mr. Astorino stated I understand what's been said but the way I look at it was from a different perspective based on some of the things the city has done in the past and the way services are being delivered. There were two programs done in-house the senior grass-cutting and senior driveway plowing and that has been changed with the way it's being done by going out and hiring contractors and is funded through that program. The city used to have a Reach Program and used city funds to provide for food for people in Brook Park. So I looked at it since we don't do the Reach Program anymore this is similar to what the city does with the driveways and grass cutting. Instead of the city actually being involved and the city getting involved in the distribution of everything we found an organization that's been in Brook Park a long time and handle all these things. We were just basically providing a little bit of funding to them, it wasn't going to be one-hundred percent (100%) of their funding because the financial reports that I've seen it costs anywhere from \$60,000 to \$70,000 for this organization to run the different programs that they run; so we're only providing a portion of that to help offset. I've worked with that group for several years and have seen that they do an awful lot of fundraising so the ladies and the gentleman that volunteer their time to help distribute also volunteer a lot of their time to raise the monies for it; so it was simply meant to draw a parallel because the City of Brook Park doesn't do it any longer through the Reach Program, so we would do this through Audrey's and provide a partial funding for it. The pool of money I would be in support of something like that, the question I have is I've noticed this year we've made a lot of donations to businesses to help them with their business and I'm not aware of if there's a defined amount that we're going to do or just going to be as people come forward and ask for it; it's evaluated by Economic Development and the Mayor and then comes to Council for approval. I don't see this as being that much different than what this is and as far as us giving the money and facing a liability. One of the questions would have for the law director would be since we've already made a donation of a vehicle through Economic Development through this organization does that expose us to any liability but I also don't see how making this donation to this organization to handle a service that we used to provide to people exposes us to any liability.

Mayor Coyne interjected the city did not donate a vehicle, they facilitated a donation of a vehicle by a business in the city; so we didn't donate any money or any vehicle to anybody.

**Finance Committee - Chairwoman, McCormick: cont.**

Mr. Astorino stated I really wanted to explain that I viewed this as it's not a question of saying there's a group that does something and there are other groups that do things in this community but this is a function that the City of Brook Park used to provide for its residents. With the downsizing of our government that has been experienced the last few years their services are no longer provided, however, Council has provided funding for those things. I'm simply saying let's provide the funding let's do it through this organization.

Mrs. McCormick stated I have two children in the Berea City School District and Audrey's Outreach has sent home information about the Lunch Sack Program. There is a process so the potential for abuse is minimum and the students eligible are the ones eligible for reduced lunches at the schools, that to my understanding is a very large portion of students in the Brook Park schools; possibly 45%, so these monies would go a long way of helping those students.

Mr. Mencini stated obviously with this first one Council may not be in favor of but the second piece absolutely. I would not want anyone to think that anyone on this Council floor is not here to help feed anybody. Council's job is to legislate, manage the budget, bring businesses to the city after streets and housing that's the next question. Brook Park has to use tools to bring businesses here that's our future and Council's budget is to get the city going with funds. With the snowplowing those contractors are licensed and bonded and the residents apply for that by filling out an application and paying monies due. On the lunch program I want to send them something and definitely want to do it the right way and believe this is the process to start.

Mr. Troyer stated I concur with the Mayor and other people up here having a pool and something like that in the next budget will hopefully be discussed in early February of next year to come up with some money for doing that. This year is just about half over and can't think of any charity that's more important than children; so would think that would be number one and can do that this year. As far as being separate the money on the next issue that can be given that is left over from the city's food pantry almost in a sense belongs to Audrey's; not the lunch sack program. The money in the lunch sack program and the children involved in that are basically qualified off the government program all that needs to be done is make sure they are on the government program and qualify them that way; so they're pre-qualified it's not like it would be abused, again, I can't see anymore more important charity than the children.

Mrs. Powers stated my colleague mentioned that both Berea and Middleburg Hts. were contacted asking if either city ever given to a charity like this and if Brook Park had been contacted would have got the same answer because the city hasn't done this; this is the first time. If the children that are available for this by being on the school lunch program already that means the school program has asked for their financial statements from the family to make sure they are eligible for the program. The same goes for the

**Finance Committee - Chairwoman, McCormick: cont.**

city making sure that people are eligible for the grass cutting and snow plowing programs because one of the requirements is based on income. Over the last year let's look back at \$250,000, at \$50,000, at \$25,000 to for-profit people and now we're just asking for \$6,000 to feed our children.

Mr. Scott stated to Mr. Troyer you said the money in the Fund 259 is already 'earmarked' for Audrey's Outreach?

Mr. Troyer responded I referred that those monies were donated to the city's pantry, so basically what I'm saying is the city's food pantry turned into Audrey's; the city turned everything over to them. Basically that money was for the city's food pantry and Audrey's is basically the city's current food pantry that's why it would be proper to send those monies to them as part of the pantry; not the lunch sack program.

Mr. Scott stated I don't think those monies have been 'earmarked' for anything am I wrong Finance Director Cingle.

Mrs. McCormick commented I don't think he was saying it was officially 'earmarked' for anything.

Mr. Scott interjected I do believe he said the money was 'earmarked' to Audrey's...

Mrs. McCormick interjected he said it should be.

Mr. Scott continued I did due diligence by calling Berea and Middleburg Hts. to ask about if their city appropriates monies and was told no they do not, have not and will not. Both cities have their own separate programs and Berea donates to a secondary program. We're comparing \$25,000 donated to a company that is going to guarantee \$1.5 million to approximately \$2 million dollars a year in payroll, I will give you \$25,000 if you could guarantee me that payroll. You said we gave Cuyahoga Machine monies and they guaranteed the city \$150,000 payroll, so we are not comparing apples to apples. I am the first person to donate to any organization but when you start comparing monies set aside for economic development that will bring money back to the city that can be used for funding of separate organizations, that's a good thing. Mr. Scott asked Service Director Cayet if the past grass cutting program was it used last year, no it wasn't. So I would have to say that program probably didn't work very well and maybe it was time to step forward to a new program that would give the residents' back their grass cutting. As I stated I will donate to any organization that asks but cannot give taxpayers' monies to a non-profit organization because it will open a Pandora's box. The Mayor's proposal is a very feasible, useful proposal and the monies in Fund 259 is not 'earmarked' for anything so those monies can be donated to the lunch sack program. Nobody said it's 'earmarked' for Audrey's Outreach and apples are being

**Finance Committee - Chairwoman, McCormick: cont.:**

compared to oranges by saying that we're giving corporations monies that's not even close.

Ms. McCormick stated businesses are very important to the city's future and supporting them is something that I support also but children, too, are essential to the future of this city, they are our future and think we need to make sure they are not hungry. That is one of the most essential things that build them, their grades at school, crime. Having children fed helps them do better in school and hopefully keeps crime down. I think just because another city doesn't do this doesn't mean that we can't it's been cleared through the law department who has checked with the finance department and attorney general and everything came back good on this. During budget discussions I proposed setting aside \$12,000 a month for Audrey's, it wasn't specific to the lunch sack program at that time, but there was a majority support of Council with a 4-3 vote that was pulled back because there were concerns whether this would be okay with the attorney general. So that was put on hold and has since then shown that it is a valid public purpose and is good to do so I don't understand why there is so much argument over \$6,000. When the city is giving \$100,000's of dollars to businesses and understand they bring money back but children are this city's future too.

Mrs. Powers stated the monies the city has from the REACH Program was 'earmarked', designated for the city's program. The people that put those monies there donated it because they knew they were donating to a program that was going to provide food for needy families; so those monies as Councilman Troyer mentioned were 'earmarked' because people gave it to the REACH Program for needy families. So those monies should have already gone to Audrey's to feed the hungry people that those monies were intended for. This \$6,000 as Councilwoman McCormick stated the children are this city's future and the city invests in a company that is supposed to be here for many years to come; invest in the future of our children because they're going to be here and be our leaders in a very short time. What are we teaching them if we can't have enough passion in our hearts to help them when they are down and out.

Mr. Cingle suggested in Section 2 of the legislation where it states to authorize the sum of \$6,000 from Fund 259 my suggestion would be to change to Fund 100. I believe it would be prudent to create a line item in the General Fund possibly called charitable donations or contributions. Council can set the appropriation and the funds that are currently in Fund 259 are approved to be dispersed to Audrey's with the next ordinance coming forward. What I would like to do is close that fund at the end of the year because there won't be a continuous revenue source for the fund that I'm aware of other than a transfer from the General Fund; so it would be best to account within the General Fund because the REACH Program was accounted through the General Fund years ago. So if the next piece of legislation is approved by Council that would leave a balance of zero in Fund 259 and can be closed at the end of the year. This year a separate line item could be created within an appropriation change ordinance called charitable

**Finance Committee - Chairwoman, McCormick: cont.:**

donations or charitable contributions given a proper number and Council can appropriate dollars as seen fit.

**Motion** by Mrs. Powers, died for lack of second.

Mr. Burgio commented I've had my hand up for the last five minutes and stated that there is no disagreement that the \$4,765.00 going to Audrey's but would like to see the safeguards in place so the city has no risk in the future and should be done the right way. Also, the Berea School District has a small portion of Olmsted Falls as well that is always left out and am not sure if that city contributes at all to Audrey's. Mr. Burgio continued with manufacturing mentioned before those are the reasons to bring in business and business helps our residents' and that's necessary. The city has to compete with other cities to do that and I feel good about doing that and will continue to do that and did it before for a lot of years. That kept a lot of jobs here that had good income with past Councils' giving tax incentives and support to businesses; there's nothing wrong with that. To Mrs. Powers when you speak about the manufacturing legislation that is critical to job creation so it sounds like you're for job creation too.

Mr. Salvatore suggested there are two pieces of legislation dealing with basically the same outreach program but for two different reasons. I think it would be prudent on the chairman to poll Council to see if the votes are there and if not then I recommend that we leave Fund 259 in the original ordinance and just change the \$6,000 to equal the amount in the fund in \$4,765.57 and ' earmark' those monies for the children. Then continue to seek other ways as the Mayor suggested to create that fund in the future.

Mrs. McCormick commented the law director stated that this is proper, legal and the right way to do this, it's been suggested by others that it's not.

Mayor Coyne stated no one is suggesting that it's not and trying to say that the Council, the Administration and everyone doesn't care about children is ridiculous. There is a...

Mr. Troyer - Point of Order.

Mayor Coyne - There's no point of order...

Mr. Troyer - You're disparaging Council...

Mayor Coyne - I'm disparaging anybody do I have the floor or don't I?

Mrs. McCormick - It's not appropriate to disparage Members of Council.

Mayor Coyne - I'm not disparaging anybody I'm stating a fact. This evening there were statements made that children aren't important and no one up here is against children

**Finance Committee - Chairwoman, McCormick: cont.**

and they're not against this organization. Mr. Scott belongs to a charitable organization that probably makes more donations to help children than any other organization this city has for probably 40 years which is the Brook Park Boosters. The fact of the matter is this if we're serious about this we should provide a fair mechanism to all public interest groups not a singular one. I spoke with the people from Audrey's and they had no idea what was going on when they came to this Council meeting. The fact of the matter the monies of \$4,765.57 is to feed needy families and children are members of those families. Maybe what we should do if the Berea School System can't fund these programs through these charities maybe the collective Councils' of the cities should get together to put something together equally; all of those interested to do that. The only thing I resent is this I'm not against taking care of any children or protecting children but it is my job as the Mayor to provide the greatest opportunities of the city for everybody. The investment in our businesses is equally important or none of the things being talked about this evening could be done. As Mr. Salvatore suggested the \$4,765.57 should be given to Audrey's and the city has facilitated a vehicle for them then put the program together and do it right. Council commits \$50,000 for community development and maybe there's a special housing issue for single parents in Glenway that's a glaring need that the city could have a special program for that area to be funded and help children over there; so there's all kinds of different ways of doing this. The for-profit I'd like to ask any union member in the city how you can have working people without working investment, I haven't seen it is my life. If Ford Motor doesn't invest money Ford workers do not work if the federal government doesn't invest monies for a program at NASA they don't work. We love children and love the elderly but try to compare this to the assistance programs where the city gives direct assistance to our people is just not the same. Any one of you can walk around this town and there's a lot of bull back against this people are really concerned about this and I hear it and other Members of Council can be polled and will say the same thing that this city has not business doing this. I say to them there is a pot of donated monies and have to find a way to help organizations in this city as equally as we do businesses but there's criteria for doing that. Looking at any major charitable group that deals with different groups they have criteria such as what is their funding, how long, and what is really going on. If they can show the city how many children are from Brook Park and we're donating directly to them that might be a different story. It's not to be parochial but you're talking about our citizens' monies being spent on communities that right now might be doing better than the City of Brook Park. So there is a challenge to everything let's do it right and not rush through and I've seen no application to justify any of these amounts of monies and have to believe that they would be happy with the \$4765.57 that was suggested before any discussions on the budget.

Mrs. McCormick stated to Mayor Coyne for the economic development grants given to businesses is there a set amount that is set aside Council hasn't been told a specific amount. Is there criteria, is there an application period that you have exactly the same as you are suggesting that we should create.

**Finance Committee - Chairwoman, McCormick: cont.**

Mayor Coyne responded there is they make a submittal to the city of what they want to do such as capital equipment, building of a building and they get tax incentives for building a building and we've made them grants for new equipment to keep them to pit against new work and sometimes against foreign countries, we have given demolition monies. One of the biggest problems in our city is older, industrial buildings that have issues that come to us. For instance, the city gave an investment grant to the old Quonset hut business on Brookpark Road and when they come to us we ask what is your investment. The response could be currently we have \$1.5 million dollars in payroll and going to keep that with job retention and creation and new work ability. Hopefully, we have a good announcement coming this week on the Ford Motor property there will be more issues that will have be dealt with.

Ms. McCormick asked Mayor Coyne is there a document that Council that tells people where to go.

Mayor Coyne responded Mr. Dolan can do that and what I'm suggesting is we fund under community development the assistance programs for the seniors. So if you want to have community development the amount of money you appropriate they would come in.

**Motion** by Mrs. Powers, supported by Mrs. McCormick, to place on the next Council agenda.

**ROLL CALL: AYES:** Powers, McCormick, Troyer

**NAYS:** Mencini, Salvatore, Burgio, Scott. Motion failed with a vote of 3-4.

**Motion** by Mrs. McCormick, supported by Mrs. Powers, to place on the next Caucus agenda for further discussion.

**ROLL CALL: AYES:** McCormick, Powers

**NAYS:** Mencini, Troyer, Salvatore, Burgio, Scott Motion failed with a vote of 2-5.

**Motion** by Ms. McCormick, supported by Mrs. Powers, to place back in committee.

**ROLL CALL: AYES:** McCormick, Powers, Troyer

**NAYS:** Mencini, Salvatore, Burgio, Scott. Motion failed with a vote of 3-4.

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

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

**NAYS:** McCormick, Powers. Motion passed with a vote of 5-2.

**Finance Committee - Chairwoman, McCormick: cont.**

- 2. AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM THE BROOK PARK FOOD PANTRY TO AUDREY'S OUTREACH AS A DONATION Introduced by Councilwoman McCormick, Council Members Troyer, Mencini, Powers, Scott, Burgio, Salvatore, Council President Astorino and Mayor Coyne

Mrs. McCormick stated this would donate the monies balance in Fund 259 in the amount of \$4,765.57 and would not go to any specific program; just to Audrey's Outreach in general.

Mr. Mencini stated visiting Brook Park Memorial this afternoon my take on this is there are a share of families needing help with food. Audrey's is one organization along with a lot of other organizations these people can go to. By sending these monies over there it will hopefully go to the right place and hopefully will go to the children in need. I will repeat again and speaking for all my colleagues there is no child, no senior, no person that we want to ever see go hungry. So hopefully transferring these funds over will help these people at Audrey's and the families that go to Audrey's and definitely take care of those children.

**Motion** by Mrs. McCormick, supported by Mr. Scott, to amend Section 1 to have these monies in Fund 259 to be paid to Audrey's Outreach Lunch Sack Program.

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

**Motion** by Mrs. McCormick, supported by Mr. Mencini, to include the emergency clause in the legislation so that the funds can be donated as soon as possible.

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

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

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

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**LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER:**

- 1. A RESOLUTION DESIGNATING MARCH 21, 2016 AS THE ANNUAL APPRECIATION DAY FOR BROOK PARK SERVICE WORKERS IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore **Placed in committee 2/16/16; Caucus 2/23/16; Back to committee 2/23/16**

Mr. Salvatore stated since there has been a delay on this and it's past the March 21st date and working on something else and would like for this to be read in committee.

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

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

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

2. A RESOLUTION HONORING HEAD COACHES AND ASSISTANT COACHES FOR VOLUNTEERING IN COACHING BROOK PARK SPORTS PROGRAMS, FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, Troyer, Powers, Scott, Burgio, McCormick, Salvatore, Council President Astorino and Mayor Coyne.

Mr. Mencini stated there are many volunteer coaches that coach our youth with baseball, soccer and football and it takes a lot of their family time. With baseball there are rain delays and basketball with the snow days so these volunteers put in a lot of their time. There are a lot of people who put in their time and should be honored for what they do.

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

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

3. A RESOLUTION DESIGNATING THE MONTH OF JULY AS BUY AMERICAN MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilwoman Powers, Troyer, Mencini, Scott, Burgio, McCormick, Salvatore, Council President Astorino and Mayor Coyne

Mrs. Powers thanked everyone for their support on this resolution and now the real work begins by getting the word out that we definitely need to buy American products especially in the month of July. This is also to get the manufacturers attention to let them know that this can slow them down and we do need jobs back in America; by committing to this one month that's enough to get the message out. There are many products still made in America it just takes some time to research and by buying American products you're investing in the entire American system, infrastructure, people have a fair wage, and a safe workplace.

Mr. Mencini stated sometimes up here there are differences but this is one of your better pieces that you've brought forward. There are a lot of businesses in Brook Park that have to be promoted and this resolution stands as a whole. I would like to get it out to the public of Brook Park maybe at Home Days since that is held in the month of July.

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

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

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

## 4. A RESOLUTION DESIGNATING THE MONTH OF JULY AS PARKS AND RECREATION MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY.

Introduced by Councilman Burgio, Troyer, Mencini, Powers, Scott, McCormick, Salvatore and Mayor Coyne

Mr. Burgio stated this is something that is done on an annual basis to encourage people to take advantage of the recreation facility and with Home Days coming up thought it was a good time to get people involved. This is good for the city's youths and the physical and mental well-being individuals. The facility has a lot to offer and think this is a good way to promote those activities.

Mr. Mencini stated the service department has been cleaning up the city parks, Kennedy Park looks beautiful with the new fencing and cleaning up of the playgrounds; Recreation Director Fields has the recreation center booming with a lot of activities going on and hope people start utilizing the recreation center more.

Ms. McCormick stated to Mr. Burgio I was wondering if you spoke with the recreation director possibly about any incentives to bring awareness to the recreation center.

Mr. Burgio responded she's doing an excellent job and it's hard to keep up with her but I have not but that's a good idea; maybe some activities for the warm weather. The service department has done a great job on the parks so its everyone working together. There were some volunteers that helped to clean up the memorial that is a community and it's nice to see everyone working together to make our city great.

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

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

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

## 5. A RESOLUTION SUPPORTING OHIO HOUSE BILL 523 TO LEGALIZE MEDICAL MARIJUANA IN THE STATE OF OHIO AND DECLARING AN EMERGENCY. Introduced by Councilwoman McCormick.

Mrs. McCormick stated House Bill 523 passed in the House on May 10th by a bi-partisan vote of 71-26 and is now in the State Senate where it's expected to pass. Today, there were additional changes made to the bill that would expand the definition of pain for use of the medical marijuana and also changes to the regulatory structure. I thought it would be a good idea for us to show support for this which is slightly different than Issue 2 that was on the ballot last year; which was medical and recreational use, showed that 80% of Ohioans support an introduction of medical marijuana and as I stated in the past this is something that legislatures should have undertaken and should not have been before the people. This would benefit veterans' that suffer post-traumatic stress

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

disorder and there are a lot of them in Brook Park and surrounding areas; it's a proven form of relief for them and also a number of other conditions.

Mr. Burgio asked Ms. McCormick what the downside of this bill because there is opposition.

Ms. McCormick responded there is a Citizens Group collecting signatures to get something similar on the ballot. This would be more regulated than what the Citizens Group is so the legislature is trying to get ahead of that being passed. I'm not exactly sure of the provisions of the other one but I know there was home-grown in there. This bill does not have any of that in there and is strictly medicinal and it's not smoking it's another form for pain.

Mr. Burgio asked so could there be a follow-up of recreational that I think is in the works in Colorado because I would be opposed to that.

Ms. McCormick commented not with this.

Mr. Scott stated to Ms. McCormick you stated there's different discussions on this as of today?

Ms. McCormick interjected the senate met today and made some changes with a vote tomorrow on this and is expected to pass before recessing later this month.

Mr. Scott continued one of the issues against this bill if not mistaken is the issue of being denied unemployment. I'm not opposed to this but there are issues with this.

Mrs. Powers asked Ms. McCormick if there have been any provisions as to who the growers would be? When this was up before it was not only medical but also recreational and had specific requirements for the growers which created a monopoly. Also, if this can be made as medicinal only can it be done in such a way that it does not have the same effect as smoking marijuana which is illegal and affects work performances, etc. Can this be made in such a way that it treats the ailment but without the mind-altering?

Ms. McCormick responded not being in the medical profession I can't speak to the specifics of that. I think the assumption would be that those who have severe enough pain to qualify for this probably wouldn't be working; I don't know the specifics. In the senate changes today the state medical board would certify recommending the physicians. The pharmacy board would license the retail dispense areas and set rules for the retail outlets and also set rules for the packaging and also register the approved patients. The cultivators, processors and testing plans would also fall under the Department of Commerce which would also manage the seed to fail tracking system.

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

Ms. McCormick continued that this bill would also create medical marijuana advisory boards which would recommend rules for the three different regulating entities and split between the political parties for a by-partisan even phase. The amendments made today removes the requirement that a physician be in charge of a retail dispense area and another change made today allows the Department of Commerce to create a closed payment system to reduce the amount of cash needed for the industry. Also language would be included to create a help line for veterans' and indigent population assistance program.

Mr. Mencini stated to Ms. McCormick one of my concerns with this is the involvement of the youth as well as any other people. What is the prognosis of the senate and the doctors who did a study on medical and/or recreational marijuana that leads possibly leads to other drug use; prescription drug use, harder drug use. What does the studies say on those matters?

Ms. McCormick responded it is my knowledge that programs such as the DARE (Drug Abuse Resistance Education) have been removing marijuana as what they consider to be a gateway drug, no longer considered to be that. It's also been shown to help one of the problems that's affecting our and all communities which is heroin. It's been proven to be on one of the things that helps people addicted to heroin get off of that drug but also serves another purpose as part of the heroin problem has been from the over-prescribing of narcotic pain medications. This is something else that could be prescribed and in theory maybe there wouldn't be as many people making the jump from narcotics to heroin.

Mayor Coyne stated here is my concern I think we're going to get a form of legalized marijuana in Ohio and my concern is this is a reaction to a failed ballot issue and don't think it's been thought through; I will be talking with Attorney General DeWine tomorrow about a system that is still a substance by the federal government. So the issue is how can this be bought, purchased with that designation because that leaves a lot of questions as to how this can really be tracked. The sale and usage can be tracked but it's much more complicated. This is a knee-jerk reaction because they were worried that people were going to come in and put it on the ballot and if there wouldn't have been monopolies it probably would have passed; legalized for recreational use. That's why the legislature is acting because the same thing happened with gambling in Ohio; people dragged their feet and people went out and bypassed the legislature and the people voted for gambling in Ohio and created monopolies that I think the state regrets. All I'm saying is I don't have a problem with this being considered by the legislature and if Council wants to enact I don't have any objections to it. I think this hasn't been fully vetted and has moved to fast through the legislature with a race to beat these people to the ballot. So there may be a bill enacted by the legislature and one acted by the people because the polling I've seen is if there weren't the monopolies it probably would

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

have passed. There are good suggestions in this bill such as a doctor being in charge of the retail outlets and it's hard to talk about retail marijuana.

Mr. Troyer commented he tends to disagree with the Mayor's scenario of this probably passing; the state may pass this and it may pass on the ballot. If the state passes this, I think there would be less people voting for it because of this scenario of when this was on the ballot the people who were for this were straight and narrow and wondered why they were for this. In speaking with them you find out that my daughter has this and this would help her so it was a medical issue. I believe that the people for this who would never have marijuana in a smoking form that this legislation would not allow that they were for this because they know medical marijuana is going to help people and I'm for helping those people that are going to benefit from medical marijuana.

Mayor Coyne commented back in the 1960's generation people voted for recreational marijuana and analysis was the thrust of the anti was the monopolies; people didn't like the issue of monopolizing. Or it would have probably passed in the state for recreational use. It's been the history of the legislature that people were confused with the change to the constitution and a lot of times will go by their own will; they don't trust elected officials very much. That's why their doing this right now and limiting it and don't think there's any mistake about it if that would not have had the monopoly components in there that's what made people mad about the gambling and how that was manipulated. This bill calls for rules but what are they and how are they going to work and I'm not sure that the Cleveland Clinic is not on board for this bill or not. This is going to come and the State of Ohio is always the last but the fear is that if the monopolies were not in there and from the beginning that was passing with over 60% of the vote in the state.

**Motion** by Ms. McCormick, supported by Mrs. Powers, to place on the next Council agenda.

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

**NAYS:** Salvatore. The motion carried with a vote of 6-1.

6. A RESOLUTION ENCOURAGING PEOPLE TO CREATE MONARCH BUTTERFLY WAY STATIONS. Introduced by Councilwoman Powers

Mrs. Powers stated the reason this is so essential that we try and protect the Monarchs is that anytime a species becomes extinct it makes us more in danger of becoming extinct. The Monarch butterfly gardens need to be made because the monarchs lay their eggs on the common milkweed that feeds them through the larvae stage. Once a butterfly it can eat any type of blossoms to get the needed nectar. The milkweed has a noxious poison that goes into the system that acts as a safeguard against other birds and predators eating them. The Monarch can travel up to 100 miles a day and it takes four generations for the Monarchs to get from Mexico to Canada. The EPA

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

(Environmental Protection Agency) says the reason the Monarchs are becoming extinct is basically from the cause of pesticides that are sprayed. It is essential to our own well-being that we start protecting and realizing the dangers of pesticides that people are doing. At one time there were numerous different varieties of butterflies and last year I may have seen one or two very small white butterflies; also flies, birds and bees are all endangered because of the pesticides.

Mr. Mencini stated to Ms. Powers what interested you about the Monarch butterflies; also are there other butterflies that are in danger?

Mrs. Powers responded the butterflies are not there anymore so that tells me that all the butterflies are in danger and the milkweed when farms and roadsides didn't get sprayed there was an abundance of milkweed for the butterflies to feed on. The milkweed is essential because that is the only thing the Monarchs lay their eggs on and they need the milkweed so they don't become extinct. Over the last few years 90% of the Monarchs population have been lost so they are very close to becoming extinct.

Mr. Mencini stated if Council does enact this what will you do to encourage people to create the Monarch butterfly waystations?

Mrs. Powers responded milkweed can be planted in backyards, plant a butterfly bush or plant a lot of different things that grow wild. Any plant that has nectar that butterflies can feed off of is a good thing especially milkweed because that is one plant that is totally essential to the Monarchs.

Mr. Scott asked Mrs. Powers if she is encouraging the city to plant these milkweed plants on city property?

Mrs. Powers responded absolutely there is enough vacant spaces such as the field behind Wengler Drive and any other little spaces along fences of public properties.

Mr. Scott asked if there is a cost of acquiring the milkweed plants?

Mr. Astorino stated point of information the attachment to the legislation shows that free milkweed products that can be applied for.

Mr. Scott asked Mrs. Powers if there has been contact with the Berea School District about this matter?

Mrs. Powers responded I will be haven't yet and am sure I will get their cooperation because this is something that children are more interested in than adults.

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

Mr. Burgio commented that his yard has a lot of butterflies and he has two butterfly bushes and the Monarchs are already there; the butterfly bushes do attract the butterflies. So the plants do work the only problem I have is with the email sent from the Sierra Club that there is some controversy with them at times; so not sure if this something that this club is encouraging because one of the emails was looking for monetary donations.

Mrs. Powers stated all those organizations want donations of money and I've belonged to the Sierra Club and World Wildlife Fund because it is my feeling that if the Monarchs are protected then the humans are protected. The World Wildlife Fund connects wildlife around the world that also protects the humans; anytime something is done to clean up the environment you're helping humans as well as species.

Mrs. McCormick stated before this legislation was brought to Council's attention I noticed that there are as many butterflies as when I was little so obviously this is an issue. My daughter is in pre-school at Brook Park Memorial and recently watched a caterpillar turn into a butterfly so the children would be very interested and enjoyed.

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

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

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

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There being no further business to come before this meeting Council President Astorino declared this meeting adjourned at 9:02 p.m.

RESPECTFULL SUBMITTED *Michelle Blazak*  
Michelle Blazak  
Clerk of Council

APPROVED *January 24, 2017*

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