

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, JUNE 14, 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 replied:

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

Also in attendance were Mayor Coyne, Finance Director Cingle, Law Director Horvath, Building Commissioner Hurst (9:10 p.m.), Engineer Piatak and Safety Director Byrnes.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

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**DISCUSSION:**

1. SUMMER RECESS SCHEDULE – PER COUNCIL PRESIDENT ASTORINO

Mr. Astorino proposed recessing July 5<sup>th</sup> and 12<sup>th</sup> and August 2<sup>nd</sup> and 9<sup>th</sup>. and resuming meetings August 16<sup>th</sup> and 23<sup>rd</sup>.

Mr. Salvatore said Southwest General Hospital Strategic Planning Committee meets July 26<sup>th</sup> and August 16<sup>th</sup>.

Mayor Coyne said most heavy legislative business is completed with the budget. Emergency street issues and equipment may need to be addressed. A combination Caucus/Council meeting in mid-July and mid-August could work.

Mr. Troyer suggested recessing in July and the last two weeks of August with a special meeting if necessary.

Ms. McCormick suggested a combination Caucus/Council meeting on July 19<sup>th</sup> and meeting August 2<sup>nd</sup> and 9<sup>th</sup>.

Mr. Burgio, Mr. Scott and Mr. Mencini concurred with Mr. Troyer's proposal.

**Motion** by Mr. Troyer to recess for July and meet on August 2<sup>nd</sup> and 9<sup>th</sup>, supported by Mr. Scott.

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

**NAYS:** McCormick. The motion carried 6-1.

**Discussion: cont.**

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

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Mr. Salvatore said the motion should be to place the item on the next Council agenda for verbal approval.

**Motion** by Mr. Salvatore to place item number one on the next Council agenda for verbal approval, supported by Mr. Mencini.

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

**NAYS:** McCormick. The motion carried 6-1.

Item number one will be placed on the next Council agenda for verbal approval.

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**2. LEGISLATIVE PROCEDURE – PER COUNCIL PRESIDENT ASTORINO**

Mr. Astorino discussed using a form when requesting that legislation be drafted. The dated on the form would show who requested legislation first and avoid favoritism or neglecting anyone when preparing agendas.

Mr. Salvatore asked what would happen if legislation was introduced without the form and if the form is a requirement of the law department.

Law Director Horvath understood Council keeping track of legislation, but she did not require a form. She would not refuse a request via email or if a napkin with legislation written on it was dropped off at the law department.

Mr. Astorino said the form could be filled out and attached in the Council office.

Law Director Horvath said the system only makes sense if it reaches the law department, and, if something was directed to Council first, they would direct it to her.

Ms. Powers was in favor of the form for record keeping, and said it provides something to refer to so we know where the legislation is.

Ms. McCormick was in favor, however, if the law director did not follow the procedure entirely it was pointless.

Law Director Horvath said she keeps track of email requests, in addition to requests made in a variety of other different ways, in a book in her office. The

**Discussion: cont.**

form would help keep track of things, but she did not feel she was in a position to refuse drafting something for some and would not want to limit anyone to that specific form.

Ms. McCormick said the law director refused to draft legislation for her in the past since she did not agree with it, and it would be nice to have a record of something like that.

Mr. Salvatore asked the Council Clerk if any legislation had been lost lately and she replied that it had not.

Mr. Mencini thought records were already being kept.

Law Director Horvath said she receives requests made through various different mechanisms. Sometimes the Council Clerk brings them to the law department. She and the Council Clerk are in sync, which is important. She apologized for any times the Clerk had been left out of the loop. In the past she indicated certain legislation was not appropriate and provided an opinion regarding same, although, not a written opinion. Some legislation takes longer to draft and is a matter of something being an emergency and needing priority. She has asked Ms. McCormick, on occasion, to meet and discuss her proposed legislation when it is more difficult to draft and when she has not had time to fully consider it.

**Motion** by Mr. Troyer that item number two was discussed, supported by Mr. Mencini.

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

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

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**AVIATION & ENVIRONMENTAL COMMITTEE – CHAIRWOMAN POWERS:**

1. A RESOLUTION URGING RESIDENTS OF THE CITY OF BROOK PARK TO CEASE THE USE OF TOXIC PESTICIDES. Introduced by Councilwoman Powers. **Placed in Committee 6/7/16**

Ms. McCormick wanted to co-sponsor the legislation.

Mr. Mencini asked if this pertained to products from Lowes or Home Depot.

**Aviation & Environmental Committee – Chairman Powers: cont.**

Ms. Powers said it did, but environmental pests can be treated naturally without adding toxic chemicals to the soil and air. Roundup has a main ingredient used in Agent Orange, is very harmful and causes cancer and birth defects.

Mr. Mencini asked what the ramifications would be if people were caught using them to which Mr. Astorino replied there are none since this is just a resolution urging citizens to cease the use and recommending a different usage.

Mr. Mencini said stores in Brook Park sell these products. Do we tell them Council recommends they do not sell them?

Mr. Scott asked if these pesticides are banned by the EPA?

Ms. Powers said some are and some cities are pesticide free. In the US; Paris, France, and Japan. The EPA has proven there are many harmful substances. This educates people on how toxic and harmful some of these chemicals are and it is a personal choice to continue using them. Or, at some point do we make it a law to ban these chemicals? When these are used in yards it is recommended that children do not play in the yard. The closer you are to breathing in the chemicals the more toxic it is, therefore, it is less harmful to adults than a two-year-old.

Mr. Scott asked who is responsible for informing residents about the harmfulness of these chemicals to which Ms. Powers suggested a Council newsletter and social media could be used.

Mr. Scott was not comfortable telling people not to use Weed Be Gone. It is a personal preference.

Ms. Powers suggested he research the issue as he might form a different view point.

Mr. Scott said he did and found no toxic chemicals in Roundup that have been banned by the EPA.

Mr. Burgio asked if someone is using a chemical and you tell them there is a resolution, can that person be cited?

**Aviation & Environmental Committee – Chairman Powers: cont.**

Law Director Horvath said resolutions are not enforceable and there would be no penalty. It only brings awareness to the public that a problem exists, and to consider what products are best for their family or neighborhood.

Ms. McCormick said effects on the environment, health and safety have been discussed. Ohio State and Bowling Green studies show that pesticides contribute to algae blooms on Lake Erie, which can affect the water supply. This encourages people to think about what they are using and the impact it has on the environment and our future.

Mr. Salvatore asked if there was a list of toxic pesticides to which Ms. Powers replied that she could provide one. Her research shows the chemical in Agent Orange is in many pesticides.

Mr. Salvatore asked if any other cities adopted this resolution or law requiring no usage of toxic pesticides.

Ms. Powers said a lot of cities are warning people to use safer products for the reasons Ms. McCormick mentioned. It gets into the ground water killing good, as well as bad, insects. We are killing ourselves by having poisons in our ground water that we eventual drink.

Mr. Salvatore asked if there was a list of the cities that had a resolution or law to which Ms. Powers responded that both Paris, France, and Japan have a law banning toxic chemicals.

Mr. Mencini also requested a list of cities and said fertilizer and human waste also contributes to algae blooms. Toledo had a big part in that situation.

Mayor Coyne said the Federal Trade Commission, Department of Commerce, and Department of Agriculture handle these issues. The algae bloom situation involved a greater volume than what people use on their lawns. National and international bodies can better decide what should be done. Our water is some of the finest in the world and we must work to keep it as pristine as possible. Plenty of warnings are on these products, and this is a matter for our legislature in Columbus.

**Motion** by Ms. Powers to table item number one for another time dies for lack of second.

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**Finance Committee – Chairwoman McCormick: cont.**

**Motion** by Ms. McCormick that item number one be placed on the next caucus agenda.

Mr. Salvatore stated he would support to table.

**Motion** by Salvatore to table, supported by Mr. Burgio.

Ms. Powers said it was good to put it on the next caucus.

Mr. Salvatore said there was a motion to table on the floor that was seconded.

Ms. Powers said she would reject that and make the motion to put it on the next council agenda.

Mr. Salvatore said you cannot reject a motion properly supported. You have to call the roll and shoot it down, but you have to call the roll on the table.

**Motion** by Mr. Astorino to amend the motion to table until the next caucus meeting, supported by Ms. McCormick.

**Motion** by Ms. Powers to table it to the next caucus agenda.

Mr. Salvatore suggested calling the roll on the president's amendment. If it passes we will deal with it as amended. If it does not we will deal with it as a proposal.

**ROLL CALL: AYES:** Powers, McCormick, Troyer.  
**NAYS:** Mencini, Scott, Burgio, Salvatore. The motion failed 3-4.

Ms. Powers said to go back to the motion to table.

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

**Motion** by Powers to amend to table item number one to the next caucus meeting, supported by Ms. McCormick.

**ROLL CALL: AYES:** Powers, McCormick, Troyer.  
**NAYS:** Mencini, Scott, Burgio, Salvatore. The motion failed 3-4.

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**FINANCE COMMITTEE – CHAIRWOMAN McCORMICK:**

1. AN ORDINANCE AMENDING CHAPTER 131.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY'. Introduced by Councilwoman Powers. **Placed in Committee 11/5/14; Caucus 2/23/16; Back to Committee 2/23/16**

**Motion** by McCormick, supported by Mr. Troyer, to table to the May 10, 2016, Caucus meeting.

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

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

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2. AN ORDINANCE AMENDING CHAPTER 131.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY'. Introduced by Councilman Troyer. **Placed in Committee 11/5/14; Caucus 2/23/16; Back to Committee 2/23/16**
  3. 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; Caucus 2/9/16; Caucus 2/23/16; Back to Committee 2/23/16**

Ms. McCormick stated these address the Mayor's salary. Ms. Powers' legislation reduces the annual salary to \$99,814; Mr. Troyer's legislation reduces it to \$105,360, roughly a 5% reduction; and Mr. Astorino's legislation reduces it to \$100,000.

Mr. Troyer and Mr. Astorino removed sick and vacation time, while Ms. Power's ordinance does not.

Mr. Astorino stated about five months ago he requested information regarding vacation and sick leave used by previous mayors, which he did not receive. Without supporting documentation, it is difficult to move legislation forward. Sick leave and vacation leave is an unnecessary benefit for the Mayor. Per State law, if he takes this time, his pay is not reduced. Under State law an elected official, such as a Mayor, is not defined as an employee. Action is required by Council to provide this benefit, but there is no reason to provide it based on his annual wage and the sick leave that is provide. It appears we are providing a benefit worth a little over \$3,000 a year for something that is not

**Finance Committee – Chairwoman McCormick: cont.**

done. In the past mayors did not take any sick time. It is an added benefit and an extra expense.

Finance Director Cingle stated publicly disclosing sick time use for employees or elected officials violates HIPA or Federal law related to health care.

Mayor Coyne was unaware of any determination of the Mayor not being an employee or of anything in State law. He has never been sick or used sick time over 20 plus years. It does not mean he is not entitled to the benefit as an employee and can accrue sick time. If he had a heart attack and missed several months of work how would that be compensated? He is entitled to four or five weeks of vacation time based on years of service. There is no extra compensation for that. To say those benefits should be denied just because someone thinks they should is interesting. Full-time elected officials are employees like anyone else. It would be ludicrous if firefighters or police officers who get paid a salary did not have sick time. They could get sick and they need time off. To target the Mayor and the finance director makes no sense. Over the years mayors that have served had sufficient vacation. He feels he was cheated out of sick time that he was entitled to when he retired the first time. If a mayor or finance director became sick and could not come to work for an extended period, the loyal opposition would say, well how is he getting paid, he is not coming to work. To deny two of the most important positions, if not the most important positions in running the day to day city operations to not have the same benefits as other employees is not fair. These things were thrown together by people who really do not understand how the operations work for a particular design that they have.

Mr. Troyer stated because we disagree does not mean we do not understand. In 2008 or 2009 he was in the audience when this benefit was put back in and he disagreed then and disagrees now. When you are an elected official your rate of pay cannot be changed during your term, short of you passing or being removed from that position. That is the law. If you are sick you will still get paid just like a salary position, but the biggest difference unless you are removed from that position or you pass away, is you are going to get paid. It is not needed. It is a lump sum pay out when the person leaves office and that could hurt the City's budget that year, somewhat.

Ms. Powers agreed with Mr. Troyer. The Mayor's salary is set. If he were sick for the entire year, he would still be paid his salary. If he wants to play ball he does not have to take a vacation day because he is still being paid. He is paid

**Finance Committee – Chairwoman McCormick: cont.**

for the entire time he is Mayor whether he is working or not. He can take off a day, a month or an hour and his pay is the same. He does not need to be paid extra for vacation days that he accrues or sick days because they are included in his salary already.

Ms. McCormick said to discuss the position and not the person.

Mayor Coyne said the crux of what Mr. Troyer is saying is the accruing of sick time as a retirement benefit. You are treating the full-time positions of mayor and finance director different from everyone else. The largest pay outs of the City of sick time go to safety forces. In any given year that can have the greatest impact. He felt it is a benefit that should be accrued for public employees as they have earned it and so would anyone elected to a full time position. This is retribution against classes of employees being changed to elected officials. It makes no difference whether this benefit is there or not. Probably not, but you are going to have a new mayor and finance director. They should have the ability to have that. Not only would he be confronted for receiving compensation without working, politically he could be asked to either resign or be removed.

Mr. Scott researched mayors' salaries and sick time and vacation time in other cities and half got both. Mayor Starr's salary is \$145,000 plus he will receive a 2% raise. He receives sick time and vacation time. People earn it and deserve it. Every salaried employee gets sick time and vacation time.

Ms. McCormick said this has been argued and no one is going to change their position, but each person should state their feelings in order to move on to discuss the actual salary.

**Motion by** Mr. Salvatore to place Ms. Power's ordinance in committee.  
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Mayor Coyne said there is research and the proposals should be reviewed in Committee. There should be a new proposal based on solid research and fairness to debate rather than wasting a lot of time on each of these tonight.

Ms. McCormick said a significant amount of research has already been done.

Mayor Coyne asked what was this legislation based on and did Ms. Powers and Mr. Troyer have Ms. McCormick's research when their proposals were drafted?

**Finance Committee – Chairwoman McCormick: cont.**

Ms. McCormick said they did not have her information because she was not on Council at that time, but they probably had their own.

Ms. Powers said she suggested her proposal some time ago and researched surrounding cities of 35,000 or less. Brook Park had the highest paid mayor.

Her opinion at that time was the mayor's position was over paid and her opinion has not changed. There is no way he can take time off and lose any salary so, therefore, he does not need sick pay and vacation time.

Mr. Mencini stated we just passed a budget and gave out raises and in June we are still talking about trimming some salaries. At the end of January or February he suggested cutting everyone by 3% or 4% and move on. He also suggested getting a professional opinion and look at all departments. We are still working on this after five months.

Mr. Astorino asked Mr. Scott to provide copies of the research he mentioned earlier, and that the law director determine if the finance director can provide the information he requested, if it is HIPA protected, or if it is a public record. Because other full-time employees receive sick leave and vacation leave does not justify these people receiving same. It is a bad comparison as that situation does not apply for these positions. Full-time employees that took a sick day had it deducted from their sick leave bank or they did not get paid. It is common knowledge among most elected officials that you cannot alter someone's pay during their term so the established pay in the ordinance of \$110,905 for the Mayor cannot be changed whether he shows up for a day of work or not. So it is an extra generous benefit that is provided. Tough decisions need to be made considering the City's financial situation and this is one. It is not personal, but simply a need to look at the position, see if changes can be made that would be beneficial and spend that money elsewhere. It is a business decision, not retribution. This benefit of over \$3000 a year is not necessary. In today's world we cannot afford to continue this.

Mr. Troyer said his legislation is from 2014 and the thought then was to make cuts with positions/benefits. He felt, then, elected officials should take a cut first and he still believed that, although, it is water under the bridge as everything changed in 2016. He originally thought all elected officials should take the cut first, at least voting wise, because it does not happen until after

**Finance Committee – Chairwoman McCormick: cont.**

the term. If cuts would have happened, as he had asked for in 2014, the compensation would be less right now. He was against vacation and sick leave when it was added and he is against it now. If it does not pass, then it does not pass, but that is his opinion and it is not going to change. That is why he had his legislation drafted almost two years ago.

Ms. McCormick requested a break to print and distribute her research.

**Motion** by Mr. Salvatore to recess for five minutes, supported by Mr. Troyer.

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

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

**Motion** by Mr. Mencini to go back into session, supported by Ms.

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

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

Ms. McCormick distributed and explained the salary survey regarding income tax rates, median income and population, current as of January 30<sup>th</sup>. Some Brook Park positions received raises so those figures are not up to date. Comparatively Brook Park is at the bottom. Of the cities that responded, Brook Park's Mayor's \$110,905 salary is the second highest. Berea and Middleburgh Heights, did not respond. The finance director's position is included in the survey and will be discussed later. North Olmsted's Mayor receives \$98,866 for a 32,718 population that is much larger than Brook Park. Their median income is also significantly higher, 60,136, verses Brook Park, \$49,366.

Ms. Powers felt the point was well made and substantiates her research of 8 years ago that showed of all the populations equal to Brook Park's, Brook Park had the highest paid mayor, which has not changed. Brook Park's Mayor is well paid even before receiving vacation and sick time.

Mayor Coyne said he is not the highest paid, at \$133,000.93. Northeast Ohio Mayors, per Cleveland.com, shows the following with combined benefits: Middleburgh Heights, population 15,946, \$204,038.00 and North Olmsted, \$130,000, which is \$3000 less. Comparable population shows: Solon, \$161,000; South Euclid, \$120,000; and Strongsville, \$180,000 with benefits. It is interesting who responded and who was picked. Population is a constant valuation and regardless of median income of a city, it may or may not be, but

**Finance Committee – Chairwoman McCormick: cont.**

in reality it is the size of the operation the Mayor is responsible for. Each ordinance is a different proposal to be discussed separately, and all three should be read in committee. Evaluations should be based on research, using the same variables, to draft a proposal for the future mayor's salary. It is incorrect to say it is common knowledge among elected officials and if you miss work you still get paid. It is not legal if you are not there. Full-time employees have received the same benefits whether elected, appointed, or civil service employees. To say otherwise is not factually true. During the Finance Committee the President of Council said this was a number that came up that sounded good, which is not sound research. Ohio Municipal League's report is clear when comparing cities with the same factors, who is full-time, who is part-time and what their responsibilities are. It shows Brook Park's Mayor's salary to be approximately in the middle, and that it is not even the highest in our court district. He said everyone up here, maybe with the exception of himself, could be a potential candidate for that position. It warrants that pay, and makes no sense to relate the median income of the city to a salary of a chief of finance officer or chief elected officer, and have that a criterion for judging compensation. There is no consensus here and we should look at it in the light of day. From the operational side, right now, and due to changes made by this administration, we are on solid footing. When we are not, then the same thing. No one wants to face the honesty of that fact that revenue is needed to deal with those problems. Too much time is being spent on this rather than spending time on the latter. These proposals would be vetoed if passed because they are punitive.

Ms. McCormick asked if he said he will not be seeking Office of Mayor again?

Mayor Coyne said anyone up here may be eligible and he has not made that decision. The more imaginings going on convinces him that his job is not done. Her performance is one of them that might inspire him to just carry on.

Mr. Astorino said his earlier comments about common knowledge among elected officials was you cannot adjust the compensation of elected officials during the term. It is difficult to debate when words are twisted and put into your mouth that were not said. Comparing elected officials to employees is an improper analogy because when employees take sick time they get charged their sick leave or they do not get paid. He said those were the remarks he made.

**Finance Committee – Chairwoman McCormick: cont.**

Ms. Powers referred to a chart that showed the following populations: Cleveland Heights, 46,000; Fairview Park, 16,000; Brook Park, 19,000. The mayor's salary in Cleveland Heights is \$53,000 and the salary in Garfield Heights is \$53,000.

Ms. McCormick said those are the median incomes. And Cleveland Heights has a City Manager.

Ms. Powers said the Cleveland Heights' Mayor is paid \$11,000 part-time and the executive assistant to the mayor is paid \$50,000 part-time. Fairview Park's population of 16,000 with a median income of \$53,000 pays their mayor \$77,000. Our median income is \$49,000, so it is lower with, basically, the same population and our mayor is paid almost double.

**Motion** by Mr. Troyer that the first item was read in committee, supported by Mr. Mencini.

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

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

**Motion** by Mr. Salvatore that Mr. Troyer's legislation has been read in committee, supported by Ms. Powers.

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

**NAYS:** Troyer. The motion carried 6-1.

**Motion** by Ms. McCormick that Mr. Astorino's legislation be tabled until the next caucus, supported by Mr. Troyer.

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

**NAYS:** Mencini, Scott, Burgio, Salvatore. The motion failed 3-4.

**Motion** by McCormick to place the item back in committee, supported by Mr. Troyer.

Ms. McCormick said it was suggested that additional research be done, and that was the reason behind tabling it to the next caucus.

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

**NAYS:** Mencini, Scott, Burgio, Salvatore. The motion failed 3-4.

**Finance Committee – Chairwoman McCormick: cont.**

**Motion** by Mr. Salvatore to have the item read in committee, supported by Mr. Mencini.

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

**NAYS:** McCormick. The motion carried 6-1.

Ms. McCormick said that, effectively, kills all three pieces. New legislation would have to be drafted if this were to be addressed again.

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4. AN ORDINANCE AMENDING CHAPTER 137.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY OF THE FINANCE/TAXATION DIRECTOR. Introduced by Councilwoman Powers  
**Placed in Committee 11/5/14; Caucus 2/23/16/ Back to Committee 2/23/16**

Ms. McCormick said this would reduce the finance director's salary to \$87,380 and keep benefits intact.

**Motion** by Mr. Salvatore that this item was read in committee, supported by Mr. Scott.

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

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

5. AN ORDINANCE AMENDING CHAPTER 137.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY OF THE FINANCE/TAXATION DIRECTOR. Introduced by Councilman Troyer  
**Placed in Committee 11/5/14; Caucus 2/23/16/ Back to Committee 2/23/16**

Ms. McCormick said this reduces the finance director's salary to \$92,235 and removes the sick and vacation time benefit.

**Motion** by Mr. Salvatore that this item was read in committee, supported by Mr. Scott.

**ROLL CALL: AYES:** Salvatore, Scott, Burgio, McCormick, Mencini.

**NAYS:** Troyer, Powers. The motion carried 5-2.

**Finance Committee – Chairwoman McCormick: cont.**

6. 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 11/5/14; Caucus 2/23/16/ Back to Committee 2/23/16**

Ms. McCormick said this increases the finance/taxation director's salary by \$100 per month to \$98,289, but it removes the sick and vacation time benefit.

**Motion** by Mr. Salvatore that this item was read in committee, supported by Mr. Scott.

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

**NAYS:** Troyer, Powers, McCormick. The motion carried 4-3.

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7. AN ORDINANCE AMENDING SECTION 121.01 (a) AND (b) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COUNCIL SALARY' AND DECLARING AN EMERGENCY Introduced by Council Members Salvatore and Burgio **Placed in Committee 10/21/14; Caucus 2/23/16; Back to Committee 2/23/16; Caucus 5/5/15; Caucus 5/19/15; Back to Committee 5/19/15**

Ms. McCormick said this was originally introduced in October, 2014, and placed back in committee in 2015. It reduces the salary of Council President and all Members of Council by \$5000 each. The president's salary would go down to \$11,693 and Members of Council would go down to \$10,325. She asked the sponsors how they arrived at the figures.

Mr. Burgio said similar to Mr. Troyer's situation. This was proposed two years ago. At that time salaries and the state of the City was a concern. There needed to be a more drastic approach to cutting salaries and that is what we did.

**Finance Committee – Chairwoman McCormick: cont.**

Ms. McCormick asked if he supported just reading it in committee and getting rid of it at this point? Was that the intention of putting it on the agenda?

Mr. Burgio deferred to Mr. Salvatore who co-sponsors this.

Mr. Salvatore stated the number was arrived at by taking \$5000 times the eight Members of Council for a total of \$40,000. We had to fund the snow removal program and Council would step up to the plate during a time of difficult economic conditions in Brook Park and throughout the entire country. This would assure seniors were taken care of beyond this Council into the next Council that would take the \$40,000 and earmark it for that purpose along with some other ideas that were discussed that would increase it even more to get it up to about \$80,000. That was the intent.

**Motion** by Mr. Troyer that this was read in committee, supported by Mr. Mencini.

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

**NAYS:** Salvatore, Burgio, Scott. The motion carried 4-3.

8. 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 SALARY' AND DECLARING AN EMERGENCY Introduced by Councilman Troyer **Placed in Committee 10/21/14; Caucus 2/23/16; Back to Committee 2/23/16; Caucus 5/5/15; Caucus 5/19/15; Back to Committee 5/19/15**

Ms. McCormick said this was also introduced in October, 2014. It went to caucus and committee a few times and back to committee in 2015.

Mr. Troyer said cuts were discussed at that time and he wanted to do almost 6%. Council's salary and the Council President's salary increased in 2012 and 2013. He wanted to go back to 2011 to before the raises due to the City's financial conditions and felt elected officials should take cuts first. He did not want to see this legislation die.

**Motion** by Mr. Salvatore to place on the next Council meeting, supported by Mr. Burgio.

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

**NAYS:** McCormick. The motion carried 6-1.

9. 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 SALARY' AND DECLARING AN EMERGENCY Introduced by Council President Astorino **Placed in Committee 1//5/16; Caucus 2/9/16; Caucus 2/23/16; Back to Committee 2/23/16**

Ms. McCormick said this was introduced in January on Caucus and then back into committee in February. It reduces the Council President's salary to \$14,400, which comes out to be an even \$1200 a month and Council Members down to \$13,200, which is an even \$1100 per month.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, that this item was read in committee.

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

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

10. AN ORDINANCE AUTHORIZING THE MAYOR TO CONTRACT FOR THE NECESSARY PLUMBING AND GENERAL BUILDING INSPECTION SERVICES TO SUPPLEMENT BUILDING DEPARTMENT STAFF AND DECLARING AN EMERGENCY Introduced by Mayor Coyne **Placed in Committee 5/17/16.**

**In attendance:** Building Commissioner Hurst

Ms. McCormick said Mr. Hurst was not in attendance so this would be placed back in committee until he was present.

**Finance Committee – Chairwoman McCormick: cont.**

Mayor Coyne said due to new OPERS rulings, we lost our part-time inspectors. We could keep some if we placed them under contract with a private contractor. Private inspection services pay part-time inspectors \$35. We will not be able to hire anyone at the \$24 we are offering. A motion is in order for the legislation to be read in committee to revisit what funding we can have to try to pay for an additional full-time inspector. There would be no paid benefits.

**Motion** by Mr. Salvatore that this item has been read in committee, supported by Mr. Scott.

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

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

11. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE BROOK PARK SAFETY DISPATCHERS/CLERKS, FRATERNAL ORDER OF POLICE ASSOCIATION (SAFETY DISPATCHERS/CLERKS) AND DECLARING AN EMERGENCY Introduced by Mayor Coyne **Placed in Committee 6/7/16**

Mayor Coyne said these employees are still here and entitled to negotiate a contract retroactive to January 1. These are the same benefits afforded the other negotiating groups that settled.

Safety Director Byrne echoed the Mayor's comments and added that the four remaining full-time dispatchers worked hard this year. He hoped Council would consider this as soon as possible so we can take care of the direct activity pay and move on. These people are deserving and waited a long time.

Ms. McCormick said at the last meeting it was stated that July 1<sup>st</sup> was when they would, potentially, be leaving.

**Finance Committee – Chairwoman McCormick: cont.**

Safety Director Byrnes said at that meeting he said the target date was the beginning of July. The move will not take place until everything is 100% operational. Final preparations may not be until later in July due to the RNC.

Ms. McCormick asked if anyone will remain that is covered by this contract or will everyone be gone?

Safety Director Byrnes said once this transfer occurs we will not have police dispatchers. He assumed there would be no one in this situation serving under that contract. There will be no clerks. This contract termination date is effective when the move is made.

Mayor Coyne said there are two information processors under the jurisdiction of Local 436.

Mr. Mencini asked the safety director if he has observed the progress of the process to which he stated the Parma dispatching center is very modern and seems to be working. Per the chiefs involved with the preparation work, it is progressing satisfactorily.

Mr. Mencini said others may like to observe and see how things are handled in Parma.

Ms. Powers said the contract term is January 16 through December 18<sup>th</sup>. If they are moving there this year why are we thinking about a contract that will be null and void once they move?

Safety Director Byrnes said the six bargaining units' settlement are uniform. However, the dispatching contract states termination is effective upon completion of transfer, which preempts the December 18<sup>th</sup> date.

Ms. Powers asked if they will still be paid what Brook Park is contracting for them, or do they go with Parma, to which Mr. Byrnes replied they will be Parma employees under Parma's collective bargaining agreement.

**Finance Committee – Chairwoman McCormick: cont.**

Ms. McCormick said we are considering whether we should give our directive pay.

Mr. Troyer said these employees deserve the 2% that everyone else gets.

Mr. Astorino asked if the positions on page 22 were coming out of the Teamsters 436?

Mayor Coyne said we have the right to hire part-time people, but we have no intention of doing so. We have a jurisdictional agreement with Local 436.

Safety Director Byrnes said that was in the prior contract and the side of our letter was continued, but upon completion of the transfer the jurisdiction of the FOP regarding those jobs would be ended anyway. The part-time positions were not FOP jobs. They were strictly interim mayoral appointments and not even civil service jobs to get us to the point to where we could do this transfer.

Mayor Coyne said Brook Park was the only city that entered into this agreement that, literally, negotiated benefits and other issues concerning our employees. He believed the union representative related that to the safety director, that they were grateful for the way we handled the eventual transfer of this operation.

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

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

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

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12. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH G&G FITNESS FOR THE PURCHASE OF PERFORMANCE CARDIO EQUIPMENT AND DECLARING AN EMERGENCY  
Introduced by Mayor Coyne **Placed in Committee 6/7/16**

**Finance Committee – Chairwoman McCormick: cont.**

Mr. Salvatore asked the finance director if this expenditure was approved in the last budget to which Mr. Cingle replied it was included in the 2016 budget.

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

Mr. Troyer asked why G&G was selected to which the Mayor said they were the sole source.

Mr. Troyer said there were 3 proposals to which the Mayor said he did not see that and would get those to Mr. Troyer and G&G was probably the cheapest.

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

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

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13. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE STATE OF OHIO PURCHASING PROGRAM, FOR THE PURCHASE OF STRENGTH EQUIPMENT, CARDIO EQUIPMENT AND TREADMILLS AND DECLARING AN EMERGENCY Introduced by Mayor Coyne **Placed in Committee 6/7/16**

Ms. McCormick said this was also approved during the budget process. Funds were appropriated. This is also through G&G Fitness.

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

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

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

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14. AN ORDINANCE AUTHORIZING THE MAYOR TO ALLOW TRANSFER OF A PARCEL OF PROPERTY LOCATED AT 16513 HUMMEL ROAD AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Placed in Committee 6/7/16**

**Finance Committee – Chairwoman McCormick: cont.**

Mayor Coyne explained this house was torn down and the adjacent property owner is interested in the property. They intend to add it to their lot and take care of the parcel.

Mr. Mencini asked if this would be done on most of the lots that will be torn down?

Mayor Coyne said, no, the lot is small so this is for yard expansion only. He would not recommend transferring a lot to someone who would build a house unless a program was established authorizing same. If someone wants to build a \$150,000 house on the property to sell then the City would be partners with them by putting the parcel in there so we would go by a case by case basis.

Ms. Powers said the lot is large enough for a house and a rezoning request could be approved to build one. She said this was not advertised, and asked if it was offered to the adjacent neighbor. She had discussed building a house more suited to these lots with the law director and proposed building, on the narrow part of the lot, the narrower part of the house. She described how the house would be situation and said new houses should conform to EPA standards and be more energy efficient. She stated she was personally interested in this property and it should not be considered until it is advertised.

Mayor Coyne said small houses that are total green sell for probably \$140,000 to \$150,000 in Cleveland and may be too small to conform to the Brook Park's ordinance. Deed restrictions would limit this property to yard expansion only. Adding to the house could be considered. Brook Park needs bigger lots for bigger houses. Lot consolidation makes sense and should be a case by case basis. Council can bid the lot, however, there may be no takers. There will have to be a program as properties are acquire. How do we attract young families that want to live in their yard and enjoy themselves? He will see if the adjacent neighbor is interested. The property could be split as well. There is still the outstanding issue of properties on Wengler.

**Finance Committee – Chairwoman McCormick: cont.**

Ms. McCormick said there are legal concerns with giving a piece of property away without knowing whether the adjacent neighbor was interested. She would not support this until that offer took place.

Law Director Horvath's recollection was that Mr. Dolan said he checked with the neighbors and only the gentleman that is part of the ordinance was interested. She would confirm same.

Ms. McCormick wanted a signed statement from the other neighbor.

Law Director Horvath said there should be a way to confirm that person was not interested.

Mayor Coyne said if Ms. Powers would like to make a cash offer at the next Council meeting we would entertain that as well.

Mr. Troyer asked if the value was determined by an appraisal and that it should be advertised. The second whereas states the property is land locked, but it is not so that should be removed.

Mr. Mencini stated lots of people like to buy property, build a house, and flip houses. He was in favor of already having a resident willing to take the property and take care of it. He referred to a house that was tragically torn down on Smith Rd. The property could have been kept up. When we get rid of these properties they have to get into the right hands so they are taken care of to prevent going back to square one.

Ms. Powers' concern was that a buildable lot has real estate value, and getting as much money as possible for the lot was important since the City is broke. A buildable lot is more financially lucrative to the City than someone extending their yard. She referred to a long house with a beautiful yard on Fry and Hummel that the Mayor wanted to demolish. The house was flipped and is now beautiful and for sale. She said the Mayor's position was to tear it down as the lot could have accommodated two houses, which would have brought

**Finance Committee – Chairwoman McCormick: cont.**

in more money. Now, he wants to give this property away and not collect the money that would be there for real estate taxes.

Mayor Coyne suggested putting a City “for sale” sign up for 60 or 90 days to see if there are offers. However, not one residential lot the City had signs on for more than a year had any inquires. He said there is a much better chance of getting the property usable by a stakeholder that is not going anywhere. He did not believe anyone could improve the house Ms. Powers just referred to, but they did a magnificent job, and the size of the lot attracted everyone. Another challenge is renters moving in and ruining the property. There are no simple solutions and no single good way to attack this problem, however, the City is not broke. There has been a lot of progress reducing 300 foreclosures to about 68. He said houses in Brook Park were supposed to be starter houses, but no one ever left until his generation because they could not get housing. There is no one he has talked to that wishes they could not return to the Brook Park it used to be and that has been our problem. He said we need to attack it and is open to suggestions, but it is a compromise. While it is up for sale we can get the evaluation and anything else Council requires.

Ms. Powers asked about hiring a realty company.

Mayor Coyne was not in favor of a realty company receiving a percentage of the sale.

Ms. Powers stated it would involve every realtor in the area and a sign that would be seen by everyone driving down the road.

Mayor Coyne said it did not make sense to pay a realtor to sell the property for the City.

Ms. Powers said the name and parcel number of the purchaser has been provided, but not the price or if it was a cash in hand sale.

Mayor Coyne said he does not get cash in hand from anyone.

**Finance Committee – Chairwoman McCormick: cont.**

Ms. Powers said he mentioned earlier about her paying cash and she wondered if the person who got the property paid cash.

Mayor Coyne said property has been sold for \$1.00 throughout the town over the last 30 years. Such as, houses behind Calvin and Sylvia, etc. They have to be charged something so whatever that ordinarily is. The Sylvia/Smith playground was closed and property was transferred to people. There is someone interested in this lot and usually there is no interest in these lots. He said he is willing to work with Council. He asked that the councilwoman not impugn his integrity.

**Motion** by McCormick to place on the next caucus agenda pending additional information from the law department regarding whether the neighbor...

Mayor Coyne said he had no problem putting up a for sale sign to see what the response would be.

**Motion** by Salvatore to place in committee pending additional information, supported by Mencini.

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

**NAYS:** None. The motion carried. Item number 14 was placed back in committee.

**Motion** by Mr. Troyer to recess for five to eight minutes, supported by Mencini.

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

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

**Motion** by Mr. Troyer to reconvene the meeting, supported by Mr. Mencini.

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

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

**LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER:**

1. AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO THE RESTATEMENT OF THE WATER SERVICE AGREEMENT WITH THE CITY OF CLEVELAND. Introduced by Mayor Coyne **Placed in Committee 3/15/16**

Mr. Scott said we cannot get money for repairing streets when something sits in committee for 90 days.

Mr. Troyer thought the deadline to get money had passed.

Mayor Coyne was not aware of that and said Leslie Drive was an example. The water line improvement was almost as much as the project and would have been more than half of the project itself. Going forward, there is money we can avail ourselves to, and passing this will be for now and the future. Nothing in the agreement jeopardizes the City's economic development issues.

Mr. Troyer was concerned with the current CRA, which is 100% for 15 years. The agreement says we cannot give anything over 75% for 10 years. Therefore, the CRA would have to be amended.

Mayor Coyne disagreed because it is project specific. Regarding abatements dealing with pouching or an entity moving to the City, it was agreed that we would not offer more than Cleveland does. For a specific project moving to Brook Park, part of their operation could fall under this. If they consolidated headquarters around the country, that portion of the project would not be a part, so it is project specific.

Mr. Troyer disagreed with the definition of project specific. The current CRA is nearly automatic and is a 15 year 100% property tax abatement. A resident or company just applies. According to the finance director it has been amended twice and if amended three times it ceases to have the benefit of some grandfathered stipulations.

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

Mayor Coyne agreed and said the current CRA does not have to be amended. It is the general CRA that stands as it is. This agreement limits us and is separate from the CRA. It is all we can offer any company moving from Cleveland. It is our right to do that without amending the total CRA.

Mr. Troyer said we do not approve the CRA. It is applied for and criteria must be met.

Mayor Coyne agreed and said an entity moving from Cleveland would be made aware that they have to live by this agreement and they must have a certain amount of employees and payroll.

Mr. Troyer said we would have to come up with another kind of tax abatement plan.

Mayor Coyne said we would not. CRA sets the limit for everyone from a commercial standpoint. This is a specific agreement independent of that for someone coming into Brook Park and they must agree to it. We do not have to amend our global CRA.

Mr. Troyer felt you could not get around it.

Mayor Coyne said Brook Park has an agreement with the water authority to do this. When negotiating with someone coming into the City they have to understand that this is something we have to comply with or we cannot do it.

Mr. Troyer said there would actually be a different program with different amounts and different time frames so the current CRA would not apply.

Mayor Coyne said, again, it is project specific. No city would jeopardize their total economic package. You are saying Cleveland would control the CRA's of every city they have dealt with. This would happen so they do not. Therefore, it does not have to be amended.

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

Mr. Troyer read sections addressing raising rates, schedules, the Suburban Water Council of Governments, capital improvements, and applying for money that is not guaranteed.

Mayor Coyne said they can already raise rates and deny water service. The Suburban Water Council of Governments is made up of mayors who determined that a new water line was needed on Leslie Drive. Under this program they would have given us the money. We compete with other cities, but money is available eventually. Our financial situation dictates that this is a good deal. Rewards are high with no risk. A lawsuit years ago to get control of this was unsuccessful. He mentioned issues other cities have experienced. Capital improvements are part of the agreement.

Mayor Coyne explained though not a guarantee, it is an opportunity to compete for money every year and we have solid projects. There is only liability now. For a return for water rates we pay that they control, Council of Government insisted on a program like this. Cities cannot afford to do it themselves. He thought the allocation was increased for this year, and it would have been timely had it not been sitting in committee.

Mr. Troyer read 10.04 regarding cost of capital improvements and said the residents will be paying for this.

Mayor Coyne said that means they must allocate as part of their rate structure, capital improvements. You are not going to lower the water rates for the residents.

Mr. Troyer referred page 19 regarding the agreement being a 20-year commitment that can be terminated after 15 years and having to buy back the lines. He questioned separating Cleveland's budget from the Water Department's budget, to which the Mayor replied it is an enterprise funded under the water agreement like Hopkins Airport is an enterprise zone on Cleveland's budget, but a separate funding mechanism.

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

Mr. Troyer said this transfers the burden to replace the water lines from the City's budget to the residents. It is a way to get some revenue we need.

Ms. McCormick commented a similar version did not pass about 8 years ago.

Law Director Horvath explained the reason for having a resolution and an ordinance.

Mayor Coyne said all Mr. Troyer's concerns are already in the current general service agreement. Brook Park owns the water lines so the Water Department did not do repairs or invest in capital improvements, but Brook Park should not be in the water line business. We could argue that we own the lake and all of us should set the rates. Maybe, but the Cleveland water service is one of the best in the world and we pay for that. There will be increases for sewer system improvements. When Sylvania did not have water for three days it was a tragedy for people. Mr. Troyer would probably be in favor of this if we were doing it today for Leslie Drive. It does not cost people one more dime to have the partnership with this water service. Suburban residents further from the crib pay more and long term for this region it makes sense for cities to transfer their water line to this authority. Rates are never going to go down, but for the foreseeable future it is a good deal for the city. You will pay one way or the other.

Law Director Horvath said it is confusing legislation that she could discuss further with anyone in enough time to get it moving.

**Motion** by Mr. Salvatore to place this on the next Council agenda under first reading while the Law Director researches it, and any necessary amendments, if any, be made on the Council floor, supported by Mr. Burgio.

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

**NAYS:** McCormick, Powers, Troyer. The motion carried 4-3.

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

2. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A RESTATEMENT OF THE WATER SERVICE AGREEMENT FOR DIRECT SERVICE WITH THE CITY OF CLEVELAND AND DECLARING AN EMERGENCY Introduced by Mayor Coyne **Placed in Committee 3/15/16**

Mr. Astorino asked about the income tax and if Brook Park should be added in Exhibit E, page 3 to which Mayor Coyne said Cleveland could be us or the Central Collection Agency.

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

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

**NAYS:** McCormick, Powers, Troyer. The motion carried 4-3.

3. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ASSET TRANSFER AGREEMENT WITH THE CITY OF CLEVELAND FOR THE TRANSFER OF WATER SERVICE ASSETS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Placed in Committee 3/15/16**

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

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

**NAYS:** McCormick, Powers, Troyer. The motion carried 4-3.

4. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL UTILITY DISTRICT AGREEMENT WITH THE CITY OF CLEVELAND IN CONNECTION WITH THE PROVISION OF WATER SERVICE AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Placed in Committee 3/15/16**

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

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

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

**NAYS:** McCormick, Powers, Troyer. The motion carried 4-3.

5. A RESOLUTION HONORING CLAIRE DAVIS FOR HER MANY ACCOMPLISHMENTS Introduced by Councilman Troyer and Council Members Burgio, McCormick, Powers, Scott, Mencini, Salvatore, Council President Astorino and Mayor Coyne **Placed in Committee 6/7/16**

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

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

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

6. A RESOLUTION URGING THE BEREA CITY SCHOOL DISTRICT TO BUILD A NEW ELEMENTARY SCHOOL ON THE CURRENT SITE OF BROOK PARK MEMORIAL SCHOOL AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini **Placed in Committee 6/7/16**

Mr. Troyer wanted to add an emergency clause to item number 5.

**Motion** by Mr. Salvatore to revisit item number 5, supported by Mr. Mencini.

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

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

**Motion** by Ms. McCormick to amend to add the emergency clause to item number 5, supported by Mr. Mencini.

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

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

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

Mr. Troyer reread item number 6.

Mr. Mencini thanked Berea School Board member Ms. Farris for attending and said Brook Park suffers a loss of income taxes being down to one school. Middleburgh Heights has the hospital. Berea has the college. What is Brook Park getting? What happens when the buildings are torn down? Do we get the property? BPM is part of our complex. The City is under a resurgence and this would be good for Brook Park. Most voters are from Brook Park and the majority of students attending Berea City Schools are from Brook Park.

Mr. Burgio said the majority has always been from Brook Park. It may be 50% and is more than the other three communities.

He hoped the residents would support him and he thanked Law Director Horvath for her help with these two pieces of legislation.

Mr. Salvatore ask if the School Board discussed any of these concerns. Mr. Mencini did not think so. He did talk to Superintendent Shepherd. He did not think there were plans to put a new elementary school where BPM is now.

Ms. McCormick thought doing something during debates would have been more appropriate. This does not seem to be included in the Board's plans, which seem set in stone. A resolution partnering with ball fields or bringing the transportation department here seems a more viable concept at this point. Ms. Powers commented that Ford Motor Company in Brook Park paid for the bulk of the Berea School System and Brook Park got shortchanged on everything. Tearing down the schools is shortsighted. In a few years they will be needed when Brook Park changes from a senior community to young families. Condensing two schools into one creates crowded classrooms. One school could have an alternative use until it is needed again. It is time Brook Park had a new school and if it is a high school, all the better.

**Motion** by Mr. Salvatore to move out of regular business to allow questions and answers with Board Member Farris, supported by Mr. Burgio.

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

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

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

Mr. Burgio asked Ms. Farris if tearing down the schools was premature as the levy has to pass and what are the details of Plan B.

Ms. Cori Farris, 15020 Indian Creek, Middleburgh Heights said nothing is in place as to what actions would be taken with the buildings/property if the levy passes. Options are to leave them there, use them as storage and keep them in place, raise them or possibly sell them. The City has indicated interested in the properties. It is all contingent upon passage of the levy. The Superintendent and Board discussed more specifics regarding Plan B if the levy does not pass. The student population does not support two elementary schools so it is necessary to consolidate the elementary students regardless of whether it is a new or renovated building. The age, condition and putting money into these buildings has to be considered.

Mr. Mencini commented we are all aware of the declining enrollment, which is the reason for having one high school. A new school would replace old buildings that have issues. The community is changing and will need a school similar to the Grindstone situation. He was not in agreement with Ms. McCormick. He and the superintendent have discussed gym space, the marching band, helping keep the pool open. Everything is on the table when considering three cities, the school system and taxes.

Mr. Astorino said we will lose jobs, schools, and revenue under the Board's current plan. Therefore, they should consider having the transportation system in Brook Park. Property is available. There will be a resolution addressing this idea.

Ms. Powers asked what was the age of Brook Park Memorial and Brookview.

Ms. Farris assumed they were from the 50's or 60's.

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

Mr. Astorino stated Brookview is 50 years old.

Ms. Powers said most Brook Park houses are over 60 years old and are not being replaced with new ones, nor are many houses in Berea older than 100 years old. We need our schools right where they are. Perhaps renovate them but not tear them down.

Mr. Troyer said the Board of Education building is pretty old and could be moved into one of the school buildings.

Ms. Farris said the focus is on the buildings that handle the education for the students so that idea was removed from the table. There were some upgrades to the Board of Education building with donated items.

Mr. Burgio said we want to be partners with the school district in order to achieve more together. A lot of the changes are effecting Brook Park more than the other two cities. Therefore, good communication between the School Board, our Administration and Council is necessary.

Ms. Farris said we want the three cities to work together because good schools will make our cities stronger.

**Motion** by Mr. Salvatore to return to the regular order of business, supported by Mr. Burgio.

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

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

Mr. Salvatore said the resolution was not too late. If a school is being taken away from our City then we want something in return. Asking for a school in return for the one being torn down is not a bad idea. There may be some alternatives if we work together. He and Messrs. Troyer, Scott and Burgio asked to be co-sponsors.

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

**Motion** by Mr. Salvatore to place this item on the next Council agenda, supported by Mr. Scott.

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

**NAYS:** Powers, McCormick. The motion carried 5-2.

7. A RESOLUTION URGING THE BEREA CITY SCHOOL DISTRICT TO BUILD A NEW HIGH SCHOOL ON THE CURRENT SITE OF FORD INTERMEDIATE SCHOOL AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini **Placed in Committee 6/7/16**

Mr. Mencini said the amount of space, traffic patterns, and location, makes the Ford Intermediate School location a perfect site for a high school.

Mr. Troyer appreciated that this would be built in his ward, however, the traffic would be a concern. The point is for the School Board to understand that we should have something in return.

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

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

**NAYS:** McCormick. The motion carried 6-1.

8. A RESOLUTION HONORING THE POLARIS CAREER CENTER'S CULINARY TEAM IN WINNING THE 2016 NATIONAL PROSTART INVITATIONAL CULINARY TEAM COMPETITION AND DECLARING AN EMERGENCY. Introduced by Councilwoman Powers. **Placed in Committee 6/7/16**

Ms. Powers stated the students have won numerous awards over the years. They have been State Champions seven times and have always placed high in the National Championships. This year they were number one nationally. They have won over 1.8 million dollars in scholarships and it is time to recognize their good work.

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

**Motion** by Mr. Salvatore to place this item on the next Council agenda, supported by Mr. Scott.

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

**NAYS:** Powers, McCormick. The motion carried 5-2.

7. A RESOLUTION URGING THE BEREA CITY SCHOOL DISTRICT TO BUILD A NEW HIGH SCHOOL ON THE CURRENT SITE OF FORD INTERMEDIATE SCHOOL AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini **Placed in Committee 6/7/16**

Mr. Mencini said the amount of space, traffic patterns, and location, makes the Ford Intermediate School location a perfect site for a high school.

Mr. Troyer appreciated that this would be built in his ward, however, the traffic would be a concern. The point is for the School Board to understand that we should have something in return.

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

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

**NAYS:** McCormick. The motion carried 6-1.

8. A RESOLUTION HONORING THE POLARIS CAREER CENTER'S CULINARY TEAM IN WINNING THE 2016 NATIONAL PROSTART INVITATIONAL CULINARY TEAM COMPETITION AND DECLARING AN EMERGENCY. Introduced by Councilwoman Powers. **Placed in Committee 6/7/16**

Ms. Powers stated the students have won numerous awards over the years. They have been State Champions seven times and have always placed high in the National Championships. This year they were number one nationally. They have won over 1.8 million dollars in scholarships and it is time to recognize their good work.

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

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

Mr. Burgio said they do a fantastic job and have received awards since the 90's. They are well deserving of this resolution.

Everyone asked to be added as a co-sponsor.

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

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

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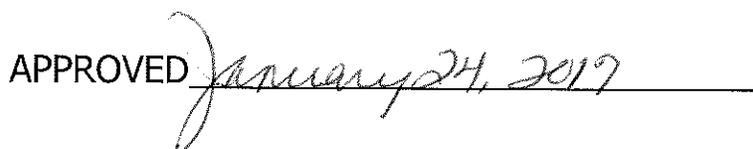
There being no further business to come before this meeting Council President Astorino declared the meeting adjourned at 11:12 p.m.

RESPECTFULLY SUBMITTED



Michelle Blazak  
Clerk of Council

APPROVED



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