

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, SEPTEMBER 27, 2016**

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

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

Also in attendance were Law Director Horvath, Finance Director Cingle, Building Commissioner Hurst, Mayor Coyne, Service Director Cayet (7:30 p.m.).

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. REGULAR CAUCUS MEETING MINUTES OF APRIL 12, 2016.

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

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

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

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**Motion** by Mr. Salvatore, supported by Mr. Burgio, to go out of the regular order of business to Legislative Committee.

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

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

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER:**

1. AN ORDINANCE AUTHORIZING THE CITY TO MAKE A DISTRIBUTION FROM THE MAYOR'S COURT FUND TO THE DOMESTIC VIOLENCE & CHILD ADVOCACY CENTER. Introduced by Councilmembers Salvatore and Scott  
**Placed in committee 6/7/16; Caucus 8/9/16 - Back to Committee 8/9/16; Caucus 9/13/16 In attendance: Ms. Linda Johaneck, Chief Executive Officer Domestic Violence & Child Advocacy Center**

**Linda Johaneck  
P.O. Box 5466  
Cleveland, OH**

Ms. Johaneck gave a brief description of what this agency does and provided program pamphlets relating to domestic violence and the agency's helpline. This is the only safe and confidential located domestic violence shelter in Cuyahoga County and work with law enforcement and hospitals and take victims in 24-hours a day. This shelter is for victims who are in immediate danger not only victims of past domestic violence situations. The agency also works with child welfare and is the only agency to have a safe and sound visitation supervised center due to high-

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

risk and high-conflict families. This is a safe place for children to visit with their non-residential parent when there are safety issues. The agency also provides trauma counseling, sexual abuse and a wide range of services. The center also provides training and presentations in schools for prevention programs; in a year's time the center service over 25,000 to 30,000 annually. The justice system advocacy program is the agency working with many Brook Park residents. Two years ago the agency worked with 51 Brook Park residents who were victims of domestic violence and last year's report showed the exact same number. Advocates also go to court with the victims to explain what will happen and what their options are as well as the prospect and potential consequences. The center also has safety planning for victims to help them become safer and many victims have to change their employment if the batterer knows where they live and work. Safety planning has proven through research to cause the victim and children to be safer. The center also informs victims of their rights, helps with victim compensation, and obtaining a protection order if necessary. All services provided by the center are free and the center works hard to raise money as well as receiving federal and local funds and also private funding from the Cleveland Foundation and Gun Foundation to name a few; along with several events to raise event revenue. The center is required to have a 25% match and works very hard to raise those monies. The center is seeing an increase in services and currently for the therapy program have 60 people on the waiting list which means the staff is busier and the center is spending more to meet the needs of clients. After analyzing the numbers for each city the new strategy is for the center to go to each city and ask for help in defraying the costs; the minimum assistance given to each victim is about \$1,000 per victim. When looking at the City of Brook Park with 51 victims that is over \$50,000, again, most of that is funded so a scale was developed and in this case the agency is asking for Brook Park to provide \$5,000 for the 51 victims that have been served to help defray those costs. The goal of the agency is to keep the services free for victims.

Mr. Salvatore thanked Ms. Johaneck for coming and asked if all the 51 victims were domestic violence or some children?

Ms. Johaneck responded all were adult domestic violence cases with children involved. Many child abuse cases the center works with are most likely seen in juvenile court or domestic relations court.

Mr. Salvatore stated it's a good thing that the safe homes are confidential and with the education process who does the training.

Ms. Johaneck responded the center has a variety of educational pieces, such as trained advocates and educator who provide domestic violence classes. The other

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

pieces to education are going into schools and doing child abuse prevention and teenager violence prevention; who are trained advocates and educators and trained in crisis intervention. One of the things usually done before going into the schools is meet with teachers to train them because once the advocates go into the school to talk about abuse prevention directly with children, the center can guarantee that there will be disclosures and there always are. So the advocates want to make sure the teachers are prepared for that and offer the center's services. Sometimes there are disclosures while the advocates are there or usually within a week of speaking at the school.

Mr. Salvatore asked if the center keeps track of how many people have been helped and come out better at the end.

Ms. Johaneck responded this year the center is celebrating 40 years of service and didn't have technical operations back then the center can now estimate that 1/4 million people have been assisted the last 40 years. Success is defined differently compared to what program the person is in because if it's crisis intervention and a one-time or two-session meeting it's have we calmed the person out of the crisis mode. When there is a long-term, such as the support group or trauma therapists, there are actually measurements and benchmarks of did the trauma symptoms decrease or did the person's overall well-being increase. Did the victim's sense of safety increase so every program has a little different definition because the services are so different; such as a short-term vs long-term. Many individuals that come to the center are very broken, very traumatized and by the time they leave the center they are more self-confident, moving into their own apartment, they have a job and the children's academics, this is a big one. Children, especially, who grow up in homes of domestic violence have low academics and also regress, such as nine-year olds in the art therapy sessions drawing like a four or five-year old; after treatment and when leaving the center their academics go up. The center has assessments to see how successful the victims are depending on how severe the trauma is. If there wasn't any success this would be a very hard to do every day.

Mr. Troyer stated how did this program start 40 years ago?

Ms. Johaneck responded my understanding after the Civil Rights Movement and Women's Movement there was more talk about injustice and mistreatment; that's when it came out and was discovered that it wasn't only a domestic violence victim here or there. It turned out to be a major problem in society that was never looked at or spoken about. Today, the statistics are one-in-four women and one-in-seven men will be a victim of domestic violence. With child abuse it's one-in-four girls and one-in-six boys will be sexually molested before turning the age of 18. Forty years ago when this topic started coming out it was people

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

starting a helpline and then getting a shelter because these victims had nowhere to go. This shelter was established in 1976 so domestic violence didn't really come out until the 1970's because our shelter was the third built in the country.

Mr. Troyer asked if the agency has any affiliations with churches?

Ms. Johaneck responded the agency has a lot of alliances because a lot of training is within churches. Originally, the one agency started out called Templum and was started by a catholic priest with two nuns becoming the first executive directors. This agency works with all different religions but is not affiliated with division.

Mr. Troyer asked what other organizations do the same thing and how long have they been in service.

Ms. Johaneck responded actually the foundations in Cuyahoga County have for years been saying there are too many non-profits and want to see them streamlined. There were two domestic violence agencies in Cuyahoga County, one on the east side and one on the west side, and the funding community said can a merger be looked at. We actually worked with Case Western and did merge in 2000 and those two agencies were the Center for Domestic Violence and Templum; this agency is the only non-profit dedicated to domestic violence and child abuse. There is a county program called 'Witness Victim' that works with victims of crime in the Cleveland Courts; a lot of those victims are domestic violence. There is another agency called Jewish Family Services that work with 150 to 200 victims a year, but this is agency is the only non-profit that domestic violence prevention, crisis intervention and intervention on a long-term basis.

Mr. Troyer stated this is a great program but my decision is based on whether to take monies that residents have me watch for their city and give it to a charity; this is a needed program and a good program to have. The city gives you the \$5,000 what does the agency expect the victims to be next year?

Ms. Johaneck responded that is hard to say and believes this year the numbers are on track to be somewhere similar. There are some years where certain cities had a major increase and don't usually see too much of a decrease. I would like to reframe this as a fee for service if you want to say. In speaking with someone else I was told that they don't give donations to charities. My response was this isn't really a donation it's like a contract and will set up contracts with some cities to contract with the agency to provide service.

Mr. Troyer stated is there more of a need in Brook Park for the \$50,000 spent in the city.

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

Ms. Johaneck responded there are no facts on that but what the agency knows about most cities and what research says is about 25% of victims reach out and get help; meaning 75% are not. My guess is there a lot more residents who need services but aren't coming forward or the police don't get involved because sometimes they aren't aware of the agency. There are many that don't know of this agency and then there are some that tell us that we saved their lives. For example, there was a woman in Cleveland that came to meet with me and when she went to sit down she was in pain with four bullets in her leg that can't be removed. This woman did everything right, left her ex-husband and had the protection order and was still shot by this man who also killed their 12-year-old daughter. This woman came for services and said to me that she wasn't aware we were here and would have maybe made a difference. This is the reason why we are meeting with cities to provide information and contacts to make sure that everyone is aware.

Mr. Troyer stated you mentioned that you spoke with the Mayor, is that something you normally do, how did it work out in this case?

Ms. Johaneck responded what the agency found is that out of all the programs the justice system advocacy program had the greatest shortfall. Part of that is because of the match the agency has to do. It's federal monies and victims of crime money that is used for justice system advocacy program and no matter how much the agency gets it requires a match; that is costing the agency more to add more advocates. So in preparing the agency's budget it was impossible to make the budget before this program. A lot of the unrestricted funds is used for overhead that foundations or government grants don't pay for. The strategy was that the agency is serving victims in so many different cities. Perhaps we should go to the cities could you give a small amount to help defray costs. If every city gave a little bit according to the number of victims served in that city it could help offset. In meeting with cities the reception has been going very well and positive.

Mr. Troyer asked how many cities have participated?

Ms. Johaneck responded at least 15 and could be up to 20 cities and have another ten to fifteen scheduled in the next few months.

Mr. Mencini stated it was scary when mentioned that only 25% are reported. On the 51 victims for Brook Park is that the same for most cities this size?

Ms. Johaneck responded for Brook Park's population the city is on par with 51 or a little less when looking at size of cities. There are some cities that there are 200 and some smaller cities have three or four.

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

Mr. Mencini asked when something is reported to the police do the police come to you or do you go to them or are the victims given literature and told this may be an option?

Ms. Johaneck responded the agency continues to strengthen the partnerships with law enforcements and there are several things that the agency asks law enforcement to do, I believe Brook Park practices those. There are small helpline cards that law enforcements carry and when there is a domestic violence call give the cards to the individual that services are available. The second item is the police officers will call the agency's helpline saying that a domestic violence arrest has been made and give the victim's information. The helpline then gets that information overnight to a justice system advocate who go out the next morning to meet with the victim. With that strong partnership the agency is able to get to most of the victims when they are going to court.

Mr. Mencini stated how much on a parallel is drug abuse and child abuse all together? When dealing with domestic violence how often do drugs and child abuse go hand in hand?

Ms. Johaneck responded domestic violence is the number one at-risk factor for child abuse; anyone who works in child abuse welfare knows this. The second item is over the years the agency sees, using the shelter as an example, there are more and more co-existing diagnosis. There are women in shelter who are domestic violence victims and just is the justice system advocacy program out of 2,100 clients 300 were male victims. In the shelter everyone is a domestic violence victim with about 1/3 of them having mental health issues and 1/3 have substance abuse issues. Then dealing with child abuse and parenting one of the things the agency really believe in is when you can help a parent become healthier then the child is being helped to have a healthier childhood.

Mr. Mencini asked what is the standard procedure that the agency does when someone comes to the shelter and think there's no way out?

Ms. Johaneck responded the scary thing is first of all most victims tend to think there's no way out. The second thing is the reason the shelter is confidential is because offenders are very obsessed with their victims and will go to great lengths to find them or make their lives miserable. The agency takes that very serious and very real because the victims are often threatened if you leave me I will kidnap the children, I will them and you or hurt your family. The victims know there's a good chance those threats will be followed through and the number one reason the victims stay is fear. What we tell them is there is a safe way to leave and this is really important which why safety planning is so important. Statistics actually say that a victim is in a 75% greater risk at being

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

harmred while they're leaving or shortly after they've left. So when calls come in on the helpline or people come forward in any program we help them assess the situation. Depending on the situation maybe this isn't the time to leave if the abc's are in place and the agency tries to get them to see because they know the offender better. If the agency tells someone to leave we could be putting them at greater risk since the danger goes up when leaving. There are so many things to talk about with the victims such as a signal with the neighbor across the street if a situation arises, do you have birth certificates or money set aside.

Mrs. Powers stated this past week I spent time with a lady trying to find help due to domestic violence situation. My question is since there is 51 victims in Brook Park why not ask for \$51,000; which is a very small investment to save one victim or child of domestic violence.

Ms. Johaneck stated my feeling is that feeling unsafe in your own home is one of the great injustices especially for children. This is a first that someone has said to ask for more money, fortunately, the agency gets government funding. What I was saying is that the agency spends at least \$50,000 on Brook Park victims, however, all of that is funded; so there is no need to ask for \$50,000. The agency is asking for a small portion hoping that every city gives according to the scale. Thank you for your sentiments because this is a horrific social issue.

Mr. Astorino stated is any paperwork needed to be provided to the city from the organization.

Mr. Cingle responded the city would need a W-9 and a packet would be sent out.

Mayor Coyne stated this is not a donation being made this would be a distribution from the Mayor's Court fund. Court costs can be utilized for many programs such as the county court distributes monies to Victims of Crime. When people come to the city to pay a speeding ticket often times the court costs are more than the issued ticket. This would not be donation this would be a 'fee for service' rendered to Brook Park through the Mayor's Court fund.

Mr. Troyer asked Mr. Cingle if monies are not spent in the Mayor's Court fund where do they end up?

Mr. Cingle responded in the General Fund, just to be clear, the payment would be made out of the general fund out of Mayor's Court fund 210 -Contracts. \$5,000 would be added to the contract line and make the payment. The dollars remitted to the city through Mayor's Court go to the General Fund and any left fund balances carry over to the following year.

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

Mr. Troyer stated in section one there a line that says the donation will be for the benefit of the residents of Brook Park.

Mayor Coyne responded I, as Mayor, can assess these costs when someone comes to court. There will be an appropriation made out of the Mayor's Court fund based on a fee for service. This year the amount is \$5,000 and next year if it's 40 people and determine that \$4,000 is a fair cost, that will be done; this will be a fee for service and will be presented to Council every year. The agency will provide a list of service provided to residents and the administration will then ask Council for a distribution from the Mayor's Court fund to provide for that.

Mr. Salvatore stated there is an average of \$1,000 invested in each individual case and the city would be contributing 10% of that case which they require this organization to obtain 10% funding from some other source to capture funds received from other entities.

Ms. Johaneck commented that 90% of what is collected comes from other sources and 10% from the City of Brook Park.

Mr. Troyer stated if the agency receives \$1 million dollars from other sources then donations and/or appropriations to match those dollars.

Ms. Johaneck concurred.

Mr. Troyer stated when the city appropriates that \$5,000 there won't be an extra \$5,000 given from the federal government. Those monies would help the whole system with an extra \$5,000.

Mayor Coyne stated this is a direct payment to this agency for services rendered for these 51 people that come to this court or to Berea Municipal Court; this is a fee for service. No funds will be mingled to serve anyone else.

Ms. Johaneck stated no, if Brook Park gives \$5,000 for this fee for service it will only go toward Brook Park domestic violence victims that are served. The agency needs to raise that 25% match that is done through individual donations, use some of the agencies unrestricted funds and this is one more source that could help reach that match.

Mayor Coyne commented the money being used to pay this is collected from primarily non-residents for violations that come into Mayor's Court. There will be an appropriation of the funds collected from the Mayor's Court distributed to the General Fund but the \$5,000 is coming from monies collected from Mayor's Court

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

going to the General Fund. Most of the money collected in Mayor's Court is not collected from residents, it's collected from offenders that visit our town and get cited.

Mr. Salvatore invited Members of Council to co-sponsor this legislation, all members concurred.

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

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

2. AN ORDINANCE CREATING THE 'BROOK PARK CHARITABLE GIVING PROGRAM  
Introduced by Councilwoman McCormick **Placed in Committee 9/20/16**

Ms. McCormick stated earlier this year there was discussions of giving funds to a local charitable organization and it was determined at that time to not do that without having some sort of program in place. The concern was if monies were given to one organization the other organizations would ask the city for money. The plan would be that any organization that serves Brook Park residents that where this legislation would be aimed to help.

Mr. Salvatore commented that the law director's signature is not on the legislation.

Mrs. Horvath responded the law department has not proved this legislation as form to content. This particular piece of legislation it is my understanding that it was introduced at the last regular meeting of September 20th and the problem I have with it is there are flaws and needs some more work. In two different conversations with the state auditor the concern is that ordinarily legislation deals with one charity and were somewhat puzzled and dismayed that the city would be dealing with multiple charities and felt there would have to be very strict criteria to determine how the city decides what charity gets what amount of money. My concern with this legislation is one group may receive \$2,000 and another group gets \$5,000 and what was the criteria for it.

Mr. Troyer asked is this piece of legislation in legal form?

Mrs. Horvath responded no, because it appears, in my eyes, to be defective. The legislation does have a beginning, middle and end and know the intent is to do good but am afraid the way its set up does not have enough criteria to determine who should get what monies.

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

Mr. Mencini stated the problem is this may open up a can of worms and should a set price be set, who sets that price and who has the final say, those are my reservations on this legislation.

Ms. McCormick asked for copies of correspondence with the state auditor.

Mrs. Horvath responded they were by telephone conversations and don't believe the state auditor would give a legal opinion.

Ms. McCormick stated this legislation was modeled under programs done from other cities, so it's not something unique or obscure.

Mr. Mencini asked for a list of cities researched.

Ms. McCormick concurred.

Mrs. Powers asked how many charitable organizations are in Brook Park to make a determination of choice or how many might approach the city for donations.

Mrs. Horvath stated not sure how many organizations but they should have proper criteria such as IRS (Internal Revenue Service) standards and connections with serving Brook Park residents. How is the determination made as to what organization should be chosen over another?

Mr. Troyer stated to law director Horvath this legislation can be corrected?

Mrs. Horvath concurred.

Mr. Astorino commented that he doesn't share the concerns of legal ramifications of turning an organization down. When going to an organization or group to ask for monies if they are turned down it might be because they couldn't do it that year. The criteria that's used is a similar analogy as to how the foundation do it such a putting applications in and don't give monies out. This legislation is similar to the city HMAP (Home Maintenance Assistance Program) where monies are allocated and given to people who apply.

Mr. Salvatore stated in Section 943.01 - Eligibility of Criteria states in the first line the principal place of business in Cuyahoga County, that could be 100 different organizations. The select committee calls for the President of Council shall appoint five members and in the body two are already appointed by naming Chairman of the Finance Committee and Finance Director leaving only three positions to appoint. Personally, I can't vote on something when not

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER: CONT.**

having a chance to pick the committee members; would like to see more work done to this legislation.

Mayor Coyne commented the city's HMAP is the greatest need of the city to be provided to the residents. In the annual budget I'm not sure if HMAP and this could be funded, so a selection would be needed. The city's other goal is to rebuild the neighborhoods and the monies that is put in this program, people are fixing up their homes creating value to the neighborhoods. There are plenty of organizations that give support through the churches and matching grants, this is a bad road for the city to travel down.

Mr. Troyer stated back in March four members on this dais suggested that a lump sum be put into the budget for a program just like this.

Ms. McCormick stated this is a draft and not set in stone and am open to suggestions such as the selection committee and legislation is supposed to be modified to meet all desires as to what would work.

Mayor Coyne stated there were statements that the city was giving corporate welfare to companies in the city and what I said is that city charities could apply for consideration under the city's existing programs.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to place back in committee.

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

**LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER:**

**Note: Moved by motion to the beginning of the meeting.**

**SERVICE COMMITTEE - CHAIRMAN, BURGIO: CONT.**

1. A RESOLUTION REQUESTING THE MAYOR TO EXTEND YARD WASTE COLLECTION THROUGH JUNE 30, 2015 AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer. **Placed in committee 5/19/15; Caucus 9/13/16**

**Motion** by Mr. Troyer, supported by Mr. Mencini, to have read in committee. Members of Council voted AYE. The motion carried.

**SERVICE COMMITTEE - CHAIRMAN, BURGIO: CONT.**

2. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE SPECIFICATIONS AND TO ADVERTISE FOR BIDS AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER FOR THE COLLECTION OF SOLID WASTE, YARD WASTE, RECYCLABLE MATERIALS AND BULK MATERIALS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 4/21/15; Caucus 9/13/16**

**Motion** by Mr. Troyer, supported by Mr. Scott, to have read in committee. Members of Council voted AYE. The motion carried.

3. AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE AN APPLICATION TO PARTICIPATE IN THE YEAR 2017 OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR FINANCIAL ASSISTANCE ON THE HOLLAND ROAD RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 9/6/16; Caucus 9/13/16**

Mayor Coyne this project would consist on Holland Road between Engle and Fry Roads for approximately 2,600 feet with a project cost of \$2 million dollars. The city is applying for an \$822,000 OPWC (Ohio Public Works Commission) grant. There is also a 20-year loan at zero percent (0%) in the amount of \$406,000 and the city's portion would be \$822,000.

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

4. A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE YEAR 2017 OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 9/6/16; Caucus 9/13/16**

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

5. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE SPECIFICATIONS AND TO ADVERTISE FOR BIDS AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER FOR THE DISPOSAL OF SOLID WASTE IN AN EPA APPROVED COMPOSTING FACILITY AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Placed in committee 8/6/16; Caucus 9/13/16**

Mr. Cayet stated this contract in March, 2017, the city had a two-year contract with a third year option and that option expires in March, 2017.

**SERVICE COMMITTEE - CHAIRMAN, BURGIO: CONT.**

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

6. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE SPECIFICATIONS AND TO ADVERTISE FOR BIDS AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER FOR THE COLLECTION OF SOLID WASTE, YARD WASTE, RECYCLABLE MATERIALS AND BULK MATERIALS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Placed in committee 8/6/16; Caucus 9/13/16**

Mayor Coyne requested the title be changed to remove 'further authorizing the Mayor to enter into a contract with the lowest and best bidder'. The new title would read 'prepare specifications and to advertise for bids for the collection of solid waste, yard waste, recyclable materials and bulk materials'.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to amend the title by removing 'further authorizing the Mayor to enter into a contract with the lowest and/or best bidder'. Members of Council voted AYE. The motion carried.

**Motion** by Ms. McCormick, supported by Mr. Mencini, to delete sections 2 and 3 and number accordingly. Members of Council voted AYE. The motion carried.

Mr. Troyer clarified that this would be sent out to bid to see what the return numbers look like.

Mayor Coyne concurred.

Mr. Troyer stated if the numbers come back good how is that going to work out with the next piece of legislation for the lease of rubbish trucks?

Mayor Coyne responded the savings would come on the capital side, therefore, the city won't buy the trucks. The purpose of looking at this is to take service crews who work on rubbish and put them on sewer maintenance, where the city needs them. If the proposal is good then that proposal would be the buying out of the leases of the present trucks and the city wouldn't have to lease trucks and won't be committed to 7 to 10 years of capital costs for trucks. Also, this would allow the city to make an evaluation of how many people are interested.

Mr. Troyer clarified if the numbers come back good then the leasing of the trucks would be held off until all the information is received.

**SERVICE COMMITTEE - CHAIRMAN, BURGIO: CONT.**

Mayor Coyne responded, correct, but at the same time there is a need to get these processed because if the city stays with the traditional picking up and disposal of yard waste then the trucks are needed.

Mr. Troyer expressed concern with the city not buying the trucks and then deciding to privatize and also buying the trucks and then not being able to get a contract for the disposal of waste. Will there be some type of clause in the disposal of waste contract the city will have for the collection of waste.

Mayor Coyne responded the city has to do something the contract ends in 2017, what is being done is advertise for bids for the disposal; a contract is needed by March, 2017. The city will look at the trucks and see what the financing are and by that time hopefully the proposals will be back on the collection of waste for comparison of capital costs. My view is the risk to the city is the long-term capital commitment that Council will have to make for these vehicles for seven-year leases. If the city stays the way, it is there will be two trucks this year and one next year in the amount of several hundred thousands of dollars a year in capital investments. We won't know that because it's never been bid this way and last time there was one group interested.

Mr. Astorino clarified that the disposal contract was for two years with a third year extension? In entering into a new contract will there be an escape clause written in those contracts?

Mr. Cayet responded I would have to look at that, the current contract the city was locked in for two years with a third year option. Also, the trucks being looked at now are for automated trucks and service crews still pick up bulk. The age of the packer trucks are old trucks and are used them on a monthly basis with five on the road; with a cost of \$225,000 a piece, with a few of these trucks service people don't know if they'll make it to and back from the dump.

Mr. Astorino stated the city needs five packers?

Mr. Cayet concurred and stated on bulk day typically there are 600 stops and put five trucks out.

Mr. Troyer stated to Law Director Horvath the city doesn't have to enter into contracts when the bids come back.

Mrs. Horvath responded no, the city is not obliged.

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

**SERVICE COMMITTEE - CHAIRMAN, BURGIO: CONT.**

7. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF ONE 2017 WESTERN STAR 4700SB TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 9/6/16; Caucus 9/13/16**

Mayor Coyne stated this was appropriated in the capital budget this legislation authorizes the administration to make the purchase.

Mr. Troyer asked Mr. Cayet didn't the city already purchase a truck this year?

Mr. Cayet responded yes, those funds were from appropriations from 2015 for having a truck built and this legislation is for 2016 appropriation.

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

8. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE ONE PLOW ASSEMBLY FOR A 2017 WESTERN STAR 4700SB TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 9/6/16; Caucus 9/13/16**

Mr. Troyer stated to Mr. Cayet asked for a plow assembly description?

Mr. Cayet responded this legislation is for the purchase of the truck chassis which is the cab, motor and the chassis bare-bone frame with wheels. This legislation is for the plow and the next piece of legislation is for the plow package which consists of the spreader unit that goes on the frame on the back of the truck. The truck is purchased and then decide what type of units are going to be placed on the truck being a factory unit, dump body or salt spreader or whatever that truck will be utilized for.

Mr. Cingle commented in Section 3 the dollar amount needs to be amended to \$9,782.97.

**Motion** by Mr. Troyer, supported by Mr. Mencini, to amend section 3 to include the correct dollar amount of \$9,782.97. Members of Council voted AYE. The motion carried.

Mr. Mencini asked Mr. Cayet the last time the city purchased a new plow truck and how many?

**SERVICE COMMITTEE - CHAIRMAN, BURGIO: CONT.**

Mr. Cayet responded one was purchased from the 2015 capital that is ready for delivery and in 2015 the old Vactor had a new body and plow on it and prior to that was before my time.

Mr. Mencini asked the average age of a plow truck?

Mr. Cayet responded there are some trucks that are 30 years old.

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

9. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HENDERSON PRODUCTS, FOR THE PURCHASE OF ONE 2017 DUMP BODY AND PLOW PACKAGE FOR WESTERN STAR TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 9/6/16; Caucus 9/13/16**

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

10. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BEST ENVIRONMENTAL EQUIPMENT, CO., INC., FOR THE LEASE/PURCHASE OF TWO NEW MACK CHASSIS WITH LABRIE AUTOMATED SIDE LOADERS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 9/6/16; Caucus 9/13/16**

Mr. Troyer stated to Mr. Cayet, why are two needed?

Mr. Cayet responded this type of truck is highly wear and tear and in working with Foreman, John Pensis, in the vehicle maintenance department and his feeling is to have these trucks rolled over as we possibly can and can always trade-in or for purchase the used trucks to another community if that may be. This would be to keep up with the fleet and with the amount of work these trucks do they pick up close to 8,000 cans and every other week it's pretty closed to 16,000 cans. There are also a lot of working parts on these trucks and feel it safer to go this route.

Mr. Astorino asked Mr. Cayet the age of the trucks the city currently has, they were a seven-year lease also.

Mr. Cayet responded I believe those trucks were put in service in 2012.

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

**AVIATION AND 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; Caucus 6/14/16; Tabled - Back to committee 6/14/16**

Mr. Astorino stated the reason this is on tonight's agenda is per one of the Council rules stating that if legislation is on the table for 90 days it must be returned to the table for action.

**Motion** by Mrs. Powers, supported by Ms. McCormick, to remove from the table.

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

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

Mrs. Powers stated this is still a work in progress and would request this legislation to be placed back in committee for further research.

**Motion** by Ms. McCormick, supported by Mr. Mencini, to be placed back in committee for further work.

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

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

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

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

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

**DISCUSSION:**

1. AN ORDINANCE AMENDING ORDINANCE NO. 10007-2016, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Cingle provided the changes made to the legislation and stated in total it's a reduction to the annual appropriation of \$2,538,195.27 shown on page four. On page one Fund 110 - Council - Communications line item increase of \$9,334.00 and there will be communication line items throughout pages one and two. The reason for the Council line item increase is currently the city is not under contract with AT&T, the contract expired, and the city is trying to negotiate a new contract. This company is very hard to work with and receive return phone calls from. There are two analog phone lines needed that AT&T will not allow to be under a contract with a cost of roughly \$3,100.00 monthly to maintain. The city is looking to see if these analog lines can be changed to fiber-optic lines and also a new phone system is needed; the current system was put in early to mid-2000. The city is looking at possibly upgrading the phone system and paying for the phone systems through the savings of the fiber-optic lines and new technology but with the proposed move of city operations to the recreation center this is

**DISCUSSION: cont.**

a wait and see project. The Planning, Board of Zoning and Recreation Commissions show adjustments for the reduction of monthly payment to the board members. The increase for public recreation could be amended again in another ordinance to allocate part-time payroll expense which will reduce the amount that would be asked to increase the part-time salaries. Councilman Scott has asked on several occasions what the impact is from increasing the minimum wage from \$8.10 to \$10.00 per hour and the figures, ran late today, and department 343 - Public Recreation the cost is \$4624.00, that will increase as football season continues. The city is currently paying a scorekeeper and also individuals that work on the chain-gang at \$10.00 an hour; so there will be some expenses throughout October and some into November expensed out of this line item. The Home Days department is complete so this is just a cleanup of the fund. The correctional facility the figures are being updated and initially at the beginning of the year budgeted for full-time jailers and the decision was made to hire part-time jailers. There are changes to the employees' regular salaries for mechanics. The fire department went into fact-finding and one of the decisions by the fact-finder was to grant an additional week of vacation. With 15 years an employee will receive five-weeks of vacation and employees with 18 years of service will go to six weeks' vacation. Since the decision was made late in the year for the extra week off, there are a little over four pages affected. In many instances to try and schedule that vacation by the end of the year it would result in overtime in many departments. So the proposal is if the employee wishes to pay for the additional week in lieu of taking that week off for vacation; the total dollar amount cost to the city is approximately \$151,000 for all departments. So the increase in the service department mechanics is the vacation change and continues throughout. In the Safety building the adjustment is for the dispatchers still working in the city versus moving to the City of Parma and there is also a reduction in the contracts because the city won't be paying the City of Parma for the services as previously budgeted earlier in the year.

Mr. Salvatore clarified that the \$4624.00 was the economic impact on the \$10.00 an hour, at one time it was mentioned between \$6,000 to \$7,000.

Mr. Cingle responded that was for department 343 and that number will increase moving through October and into November. The waterpark fund on page three is also affected is shows a proposed increase in regular salaries that is firm because the waterpark is closed and employees have been paid. That dollar amount was \$3,363.00 and adding both together including benefits i.e. PERS and Medicare payments, is \$7,987.00.

Mr. Salvatore asked if that amount of money will be moved into the part-time recreational fund to finish out the year?

Mr. Cingle responded yes, the proposal is to increase the dollar amount, the dollar amount in this ordinance is \$12,720.00, and don't think the city will need as much.

**DISCUSSION: CONT.**

There will one expense allocated for an employee that was charged in public recreation and will be charged mainly to the recreation center; there will be an adjustment.

Mr. Mencini stated to Finance Director Cingle the commission salaries were adjusted and then increase the part-time, wouldn't that be a wash?

Mr. Cingle responded that is one way to look at it, the department adjusted the commission salaries to the current levels approved by Council earlier this year.

Mr. Mencini stated with the pay increases are listed in this legislation?

Mr. Cingle concurred.

Mr. Troyer stated to Finance Director Cingle why isn't Fund 341 - Recreation as a change due to the hiring of a full-time employee and was told that part-time salaries would be cut to pay for the full-time employee.

Mr. Cingle responded the change doesn't have to be made right now but may have to when bringing forward an appropriation ordinance in November. At this time the city has the ability to move appropriation adjustments from part-time salaries to regular salaries. What will be done is reduce the part-time salary line item 513 and move the dollars needed for the full-time employee into line item 511 - Regular Salaries; that's an adjustment the administration can make without Council-matic action.

Mr. Troyer commented that Council is supposed to appropriate monies to a certain spot and not moved around. Another question is with 410 - Safety Director the regular salary is up \$3,300.00.

Mr. Cingle responded initially, when the budget was prepared and speaking with the Mayor the department budgeted to the 2015 maximum and then after approval of the budget the Mayor made a decision to pay to the 2016 maximum, the same will be seen with the Service Director.

Mr. Troyer asked if the salary has been increased to that or just the appropriations increase?

Mr. Cingle responded the salary has been increased to that amount, the same with Human Resources.

Mr. Troyer interjected so multiple salaries have been increased to the maximum.

Mr. Cingle concurred.

**DISCUSSION: CONT.**

Mr. Mencini stated to Finance Director Cingle the safety director's salary is \$98,800.00 for 2016.

Mr. Cingle concurred.

Mr. Astorino stated last year the safety director's salary was \$90,000.00?

Mr. Cingle responded that sounds about right but would have to look back. Mr. Cingle continued with page 2 starting with the Police Department proposed increase of Regular Salaries of \$132,000. \$43,000 attributed to the extra week vacation and the balance would be increases in the contracts, cost of living and including increases for the chief and captain. The fire department shows an increase of \$68,400.00 would be for the finalized contract numbers approved for salaries and \$26,000.00 is attributes to the extra week vacation. The Service Director the same explanation as the Safety Director. Sanitation shows a proposed increase of \$20,000.00 due to increases in repairing the sanitation fleet. Department 429 - Sewers and Drains proposed increase of \$30,000.00 in repair and maintenance due to many more catch-basin repairs this year and in Miscellaneous Expense for the soil used for the catch-basin repairs along with chemicals. In Transfers and Refunds the proposal is to reduce the transfer line item by \$130,195.00 for a net overall impact to the General Fund of no increase or decrease; showing a zero (0) impact in the aggregate. The City Income Tax Fund is adjustment of the Regular Salaries for the Union 436 contract that was approved by Council earlier in the year and will zero (0) out that increase, the proposal is to reduce the refund line item for an impact net of zero (0) to the City Income Tax Fund. The Hotel/Motel Tax Fund - Refunds are being proposed to increase \$13,418.94 and the reason for that is the city had one taxpayer submitted their payment twice electronically and the city had to remit the overpayment back to the taxpayer.

Mr. Troyer stated to Finance Director Cingle with the Hotel/Motel Tax Fund that doesn't affect the budget?

Mr. Cingle responded that will increase the amount collected because the payment was submitted twice so it will be shown as \$13,418.94 additional payment in the annual reporting but is just an overpayment.

Mr. Troyer stated with the Sewers and Drains with the increase in repair and maintenance of catch-basins is that what the \$30,000 was for?

Mr. Cingle responded that would also be repairs to the Vactor and things of that nature.

Mr. Troyer asked for a figure currently spent to date.

**DISCUSSION: CONT.**

Mr. Cingle responded through August, 2016 the amount spent was \$57,991.00, that's the expense through August, and then there's an encumbrance of \$17,212.00 with the original budget figure of \$50,070.62; so there is a negative \$25,132.00 rounded.

Mr. Troyer stated so there is only \$5,000.00.

Mr. Cingle concurred.

Mr. Troyer stated hopefully the storm water agreement will hopefully get the city some monies for doing these catch-basins.

Mr. Burgio stated to Finance Director Cingle Fund 520 - Traffic lights what is included in the utilities?

Mr. Cingle responded that's the Illuminating Company electric.

Mr. Burgio stated the city is paying a service from that?

Mr. Cingle concurred.

Mr. Burgio asked if there is a separate fund for streetlights does the city pay the electricity for them?

Mr. Cingle responded in Fund 234 that total amount for the traffic lights is \$2,176.00, the street lighting is Fund 433 which is mainly the Illumination Company expenses.

Mr. Troyer stated to Finance Director Cingle on Fund 424 - Street Cleaning what is the increase for? The city doesn't have the street cleaner out 24/7 with one employee; is that the 2% increase?

Mr. Cingle responded that is for the additional week of pay.

Mr. Troyer expressed an issue with that because the employee doesn't work 40 hours on street cleaning.

Mr. Cingle responded that is the whole department, each year the department asks the service director for a list of all the employees in the Service department showing their home department. If not paid out of street cleaning then that salary will come out of, most likely, the General Fund, Sanitation, Sewers or Public Properties.

Mr. Cingle continued with page three, Street Construction Maintenance and Repair shows an increase in regular salaries of \$27,270.00 is for one new hire and being

**DISCUSSION: CONT.**

expensed out of this fund and \$4,700.00 is attributable to the additional week. The Professional Service increase is mainly attributable to the engineering services for the Brookdale Project. In talking to Engineer Piatak the waterline had to be an added expenditure to the engineering services; that project won't start until 2017 so to balance this fund the department reduced the construction contract dollar amount by \$60,088.20 for a zero (0) impact to the Street Construction Fund. The State Highway Improvement Fund shows a \$1,000 proposal for overtime as fringe benefits are reduced making a zero (0) dollar impact on the repair and maintenance. The Permissive Tax Fund is mainly for the Michael Drive project so the Personal Services is proposed to increase by \$8,077.75 and also to add \$4,000 to the contract line item for any testing that may be done. The amount of the contract is known now so this will be zeroed out and reduce the construction contract to zero (0) out the impact to the fund. The Brook Park Food Pantry had appropriated monies that have been expensed to Audrey's Outreach. The Waterpark Fund was talked about earlier is just reconciling this fund because the waterpark is closed so the proposal is to increase the original appropriations by \$3,500.00. Due to the warm summer the waterpark was opened quite frequently so the offset to that is the revenue estimated and the actual revenue came in higher than the estimate by \$5,639.00; so the proposal is to increase the appropriation by \$3,500.00 which will be offset by the waterpark revenue; the total for the year was \$28,904.00. Council received the monthly finance reports that includes Capital Improvements that outlines and itemizes in detail the capital improvement expenditures. Some of the departments are negative and this is just cleaning up all those negative departments and a zero (0) impact to the Capital Improvement Fund. With the main line item for Parks & Playgrounds it is being reduced and in speaking with the Mayor there is almost \$90,000 that won't be needed this year; so those dollars would be re-appropriated to other departments with a zero (0) impact. The Sound Insulation - Professional Services has been for legal fees at the city's expense with respect to the west end airport issues. The Engle Road Street/Sewer Improvement Fund 536 both contracts are complete so the fund will be closed and are increasing the total appropriation by \$418,362.30 with \$990,754.10 is going to be transferred to the Bond Retirement Fund; since bonds were issued to pay for these improvements anything left over has to go back to the bond retirement fund. The West 150th Street - Phase 3 the hope is to have this fund closed out by the end of the year and working with the engineer the construction contract has been increased and reduce the professional service contract line item. Hopefully, by the end of the year the engineer will be able to close out this project and can bring back to Council an appropriation change ordinance to transfer the monies out of this fund. Mr. Cingle continued with the Snow Road Resurfacing Fund the contract will not start until 2017 so there is a reduction to the professional service and construction contract line items accordingly; those funds will then be re-appropriated next year. So that Council knows the city did pre-fund this project in the amount of \$647,884.00 so the city's portion of the expenditure's commitment to the contract has been funded and will get re-appropriated in the 2017 budget.

**DISCUSSION: CONT.**

Mr. Mencini stated to Finance Director Cingle going back to Fund 342 - Parks & Playgrounds on the negative where is that going?

Mr. Cingle responded those dollars will be used to cover any shortfalls in the other line items; for example, the Recreation Center is \$1,300.00 short, the Safety Building is \$37,416.00 short. So those monies will go to the appropriated areas that are falling short of the original appropriation.

Mr. Mencini stated with Fund 537 - West 150th Street line item 553 - Contracts those monies are because the contract is getting done?

Mr. Cingle responded yes, those dollars are needed to complete the construction process of the project. In speaking with the engineer last week it's hopeful that the punch-list items will be completed by the end of the year for final payment to be made; then bring forth a change ordinance to Council to close out the fund. If it doesn't get closed out in 2016 the hope is early 2017 the fund would be closed out with any leftover monies will be transferred and used in 2017 budget.

Mayor Coyne stated for an explanation on the Parks & Playgrounds all those project came in under what was estimated so \$89,000.00 also provided resources on the west end of the city, Aerospace Parkway, street lamps are deteriorating so the city is replacing with a fabric rather than metal, some are the City of Cleveland and some are the City of Brook Park. Also, this will provide monies to do the intersection at Sylvia and Holland; so it's fortunate those came in less than anticipated.

Mr. Astorino stated with the capital improvement there is quite a few that were either in police and fire that Council hasn't seen the expenditures; will those be seen this year or next year.

Mayor Coyne responded that is for the automobiles and trying to bundle all the leases together. There are some packages that are state purchasing that is complicated because they're getting less people doing the racks on the automobiles.

Mr. Cingle continued Fund 541 - West 150th Street - Phase IV this contract came in less than the estimate by the engineer so this would be reconciling to the actual figures for this contract. The project is completely funded for this year so there will be no debt issued to pay for this improvement. The 2016 Street Improvement Fund numbers are in so this will reconcile to the actual figures. The street improvement fund came in a little higher than originally budgeted at \$1,547,000.00 and the total amount is \$1,613,747.00; so the department is proposing to increase this fund for Fry Road. The Retirees Accrued Benefit Fund accounts for the accrued benefit payments to the retirees. Based on the retirees this year this is reconciling to the number that has been paid to the retirees in 2016 to include sick-time payout, accrued vacation time and any bank

**DISCUSSION: CONT.**

time the employees may have. The increases in the Police and Fire Pensions are attributed to the increases discussed earlier for the regular salary line-items for both police and fire. The salary adjustments and also the extra week of vacation that will be paid.

Mr. Troyer stated to Finance Director Cingle on Fund 541 - West 150th Street - Phase IV the grant was \$65,000.00 and the city was going to bond out for \$1, 275,000.00 and \$486,000.00 for a loan. How did the department make this work?

Mr. Cingle responded first thing is the contract came in less than originally budgeted so then by being able to close out Fund 536 - Engle Road Street/Sewer Improvement Fund the department was able to use some of those dollars remaining in that fund. Instead of making a transfer from Capital Improvement to the Bond Retirement Fund this year to pay for the 2016 debt service, those dollars could be paid by the transfer from Fund 536. So by taking the balance left in Fund 536 that gets transferred to the General Bond Retirement Fund. The \$600,000 and some change was appropriated to be transferred to the bond retirement fund; those monies weren't needed. So the \$600,000.00 was moved to the West 150th Street - Phase IV Fund to cover some of the costs. Then the department utilized some General Fund dollars to make up the difference so there is no debt service needed for that fund.

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

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Ms. McCormick stated the title and section 4 has the emergency clause and the city's Charter states appropriation ordinances to go into effect immediately after signing by the Mayor; so it seems redundant to include the clause.

Mr. Salvatore commented the Charter speaks to this and it speaks to it in the legislation.

Mrs. McCormick stated it's improper and not in accordance with the Charter.

Mayor Coyne stated how is it not in accordance with the Charter?

Mr. Astorino responded any appropriation ordinances go into effect immediately once passed and signed, does not need the emergency clause.

Ms. McCormick stated Section 4.09 and the clause was removed from last year's ordinance.

Mr. Astorino suggested move this to the Council floor and an amendment can be made at that time.

**DISCUSSION: CONT.**

Mr. Salvatore concurred and stated that way the law director can review and if it doesn't make a difference it can be determined at that time.

Mayor Coyne stated Council may pass an ordinance with the emergency measure but it doesn't preclude the Mayor's right to line-item veto and think that's why the clause is in there; so when I sign the legislation it becomes active. If I don't sign it or veto it then the legislation is held up.

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The clerk called the roll 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.

2. COUNCIL OFFICE TECHNOLOGY

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to remove items two and four and move them to the next Caucus agenda.

**ROLL CALL: AYES:** Salvatore, Mencini, McCormick, Powers, Troyer, Burgio, Scott  
**NAYS:** None. The motion carried. Items two and four have been moved to the next Caucus agenda.

- 4. PROPOSED 2016-2017 COUNCIL RULE CHANGES – Councilman Salvatore
  - a) COUNCIL RULE NO. 7
  - b) COUNCIL RULE NO. 9
  - c) COUNCIL RULE NO. 12
  - d) COUNCIL RULE NO. 19
  - e) COUNCIL RULE NO. 23
  - f) COUNCIL RULE NO. 27

3. MEETING DATE CHANGE - NOVEMBER 8, 2016 - ELECTION DAY

Mr. Astorino stated the Council Chambers is no longer a voting location so the meeting can be held as scheduled.

Mr. Salvatore suggested that since it's a Caucus meeting if there is nothing on the agenda the meeting be cancelled, for discussion only.

Ms. McCormick suggested to add the Caucus meeting to November 15th possibly an hour before the Council meeting.

Mr. Troyer stated not in favor of moving the Caucus meeting to November 15th.

Mr. Mencini commented Council should take that day off to do their civic duty.

**DISCUSSION: CONT.**

Ms. McCormick commented there is a Council rule that meetings falling on election days must be addressed.

Mr. Astorino responded its Council Rule No. 3 under Regular meetings, the last paragraph and read the rule in its entirety.

Mrs. Horvath concurred with the reading of Council Rule No. 3.

Mr. Troyer commented if Councilmembers can't make the November 8th that meeting should be cancelled and if need be call a special Caucus meeting.

Mr. Astorino suggested to wait and see what Council's workload will be.

Mr. Salvatore followed-up on Mr. Troyer's statement it's not a matter of not making it it's a matter if Council is not going to have a meeting. The Council rules say that Council must meet on the first and third Tuesday and that is not the case. Council state representatives or whomever that may be able to help Brook Park in the future.

Ms. McCormick stated that week is also Veterans' Week that Council passed legislation and am planning some events for that week.

Mr. Troyer is in favor of not having a meeting on November 8th and in the past if there is no meeting due to an election then that meeting is scheduled for the next day.

Mr. Burgio concurred and stated the meeting would be delayed until that Wednesday and like the idea of cancelling the November 8th meeting and call a special meeting if needed but like Ms. McCormick's idea of moving the Caucus meeting to November 15th.

**Motion** Ms. McCormick, supported by Mr. Mencini, to cancel the November 8th Caucus and schedule for November 15th at 6:00 p.m. and have the Council meeting begin at 7:00 p.m.

Mr. Salvatore stated the time could be 6:30 p.m. and if not done in time for the Council meeting recess and move forward with the Council meeting and then come back to the Caucus meeting.

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

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**Motion** by Mr. Salvatore, supported by Mr. Mencini, to adjourn.

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

**REGULAR CAUCUS MEETING**

**SEPTEMBER 27, 2016**

There being no further business to come before this meeting Council President Astorino declared this meeting adjourned at 9:58 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.

