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2 **REVISED BY THE CLERK OF COUNCIL AS INSTRUCTED BY**  
3 **CITY COUNCIL,**  
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5 IN RE: 10/25/2016  
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7 TAPE RECORDED  
8 CAUCUS MEETING  
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10 CITY OF BROOKPARK  
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15 TRANSCRIBED BY: LISA M. WRIGHT  
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Appearances:  
COUNCIL PRESIDENT - MR. ASTORINO  
COUNCILMAN TROYER  
COUNCILMAN MENCINI  
COUNCILWOMAN POWERS  
COUNCILMAN SCOTT  
COUNCILMAN BURGIO  
COUNCILWOMAN MCCORMICK  
COUNCILMAN SALVATORE  
CLERK - MICHELLE BLAZAK  
LAW DIRECTOR - MRS. HORVATH  
ECONOMIC DEVELOPMENT COMMISSIONER - MR. DOLAN

1 CLERK: Testing, testing. Today is Tuesday  
2 October 25th. We have a Caucus meeting at 7 p.m.

3 COUNCIL PRESIDENT: Good evening. Welcome  
4 to the Tuesday October 25, 2016, Regular Caucus meeting  
5 for the City of Brook Park. I'll ask the clerk to  
6 please call the roll.

7 CLERK: Scott?

8 MR. SCOTT: Here.

9 CLERK: Burgio?

10 BURGIO: Here.

11 CLERK: Salvatore?

12 MR. SALVATORE: Here.

13 CLERK: Troyer?

14 MR. TROYER: Here.

15 CLERK: Powers?

16 MRS. POWERS: Here.

17 CLERK: McCormick?

18 MS. MCCORMICK: Here.

19 CLERK: Mencini?

20 MR. MENCINI: Here.

21 COUNCIL PRESIDENT: Thank you. Would  
22 everyone please stand and join in the Pledge of  
23 Allegiance.

24 (Pledge of Allegiance recited.)

25 COUNCIL PRESIDENT: Okay. Thank you. Item

1 number three on the agenda Approval of the Minutes of  
2 the preceding meetings. We have a regular Caucus  
3 meeting held on April 26, 2016. Council, what's is your  
4 pleasure?

5 **MR. MENCINI:** Motion to approve  
6 those minutes.

7 **MS. McCORMICK:** Support.

8 COUNCIL PRESIDENT: Okay. There has been a  
9 motion to adopt as printed, properly supported. Seeing  
10 no discussion, clerk, please call the roll.

11 CLERK: Mencini?

12 MR. MENCINI: Yes.

13 CLERK: McCormick?

14 MS. MCCORMICK: Yes.

15 CLERK: Powers?

16 MRS. POWERS: Yes.

17 CLERK: Troyer?

18 MR. TROYER: Yes.

19 CLERK: Salvatore?

20 MR. SALVATORE: Yes.

21 CLERK: Burgio?

22 BURGIO: Yes.

23 CLERK: Scott?

24 MR. SCOTT: Yes.

25 COUNCIL PRESIDENT: Okay. The meeting

1 minutes for April 26, 2016, have been adopted.

2 MR. SCOTT: Can I make a motion, sir.

3 COUNCIL PRESIDENT: Councilman Scott?

4 MR. SCOTT: I'd like to make a motion to  
5 move out of Regular order of business and move to item  
6 six, Finance Committee... hello..

7 COUNCIL PRESIDENT: Do you want to sit up  
8 here? Switch mics. See if that works. Push the  
9 button.

10 MR. SALVATORE: Motion to go out of Regular  
11 order of business to go to the Finance Committee.

12 MR. MENCINI: Support.

13 COUNCIL PRESIDENT: Okay. The motion to go  
14 out of regular order of business to go the item number  
15 six, the Finance Committee has properly been supported.  
16 Seeing no discussion, clerk, please call the roll.

17 CLERK: Salvatore?

18 MR. SALVATORE: Yes.

19 CLERK: Mencini?

20 MR. MENCINI: Yes.

21 CLERK: McCormick?

22 MS. MCCORMICK: Yes.

23 CLERK: Powers?

1 MRS. POWERS: Yes.

2 CLERK: Troyer?

3 MR. TROYER: I suppose. Yes.

4 CLERK: Burgio?

5 BURGIO: Yes.

6 CLERK: Scott?

7 MR. SCOTT: Yes.

8 COUNCIL PRESIDENT: Okay. We're out of the

9 of Regular ordinance of business. We'll go the item

10 number six to Finance Committee. Chairwoman McCormick.

11 MS. MCCORMICK: Okay. Finance committee has

12 four items on for tonight, and we're going out of the

13 regular order because our Economic Development

14 Commissioner is here to answer questions on all of these

15 and explain them. The first one we have is an Ordinance

16 authorizing the Renewal of the Brook Park Home

17 Maintenance Grant Program for 2017, Introduced by

18 Councilmember McCormick, Troyer, Powers and Council

19 President Astorino. Also in everybody's mailbox today,

20 and by e-mail I think we all got this handout with all

21 of the people who have applied for, I guess the home

22 maintenance program for 2016 and the information that we

23 had requested at our last meeting.

24 If Mr. Dolan wants to take over and give us

25 some insight into how the program has gone so far this

1 year and anything else you want to add.

2 MR. DOLAN: Sure. From the Chair to the  
3 Councilwoman. First of all, the Ordinance that was  
4 introduced is redundant and not necessary. The Council  
5 passed an ordinance last, I believe it was April or May  
6 that created the program and provided for the parameters  
7 of the program.

8 We're almost out of money in the program so  
9 what's necessary to keep the program going would be an  
10 appropriation, a line item in the appropriation ordinance  
11 to put more money in the program to serve the residents  
12 of Brook Park. If you recall back, there was discussion  
13 about who would be eligible with an  
14 emphasis on trying to assist Brook Park residents who  
15 were economically challenged and fell below the federal  
16 low-moderate income guidelines. I can tell the Council  
17 that the overwhelming majority of applications have been  
18 from people who are financially distressed. I can  
19 probably say over half of them are, there is two or  
20 three different sub-classes under low-moderate income.  
21 From severely low-moderate to low-moderate, and there is  
22 many people in this city who are in very difficult  
23 financial circumstances and cannot adequately maintain  
24 their property and have no resources or family to assist  
25 them. There is one family I'm thinking of, a senior

1 citizen with a 48 to 50-year-old daughter in the house  
2 who is disabled. The two of them are living on \$20,000 a  
3 year and carrying a mortgage of upward of \$1,000 a  
4 month. I'm not quite sure how they feed themselves, but  
5 they required substantial work to the inside of the home  
6 and to the exterior of the home to make it weather  
7 tight and I'm happy we were able to help them; they  
8 could have used a lot more assistance. The house  
9 still needs work and the family still needs help, but  
10 that is a typical family that's is taking advantage  
11 of the program.

12           There was two or three people who have  
13 applied who has not met the low moderate income; they  
14 have been offered loans. Two people have returned the  
15 loan documents, executed and one of those families' have  
16 picked up the check to implement the home improvements,  
17 the other family has not. The check is in a folder in  
18 my office waiting for them to pick up the check. If  
19 they don't pick up the check we'll ask the Department of  
20 Finance to cancel the purchase order and put the money  
21 back into the program to help somebody else.

22           The program has worked pretty well. There  
23 is a lot of exterior violations, which you see on the  
24 list I've given you. Where you see a contractor has been  
25 identified that is generally a property that the grant

1 had been approved and the work had been completed. If  
2 there is nothing in the contractor field or the  
3 description field, they have been approved based on  
4 income but have not completed the other requirements of  
5 three estimates and moving forward they have the  
6 contractors agreed to participate in the program.

7           The one difficulty with the program so far  
8 has been most of the contractors put their money in up  
9 front with little or no money by the homeowner, especially  
10 the low-moderate homeowners and its kind of a  
11 of a slow pace situation. Once the work is approved,  
12 the purchase order is submitted and then comes back after  
13 Board of Control. It then gets processed by Finance and  
14 comes back to me, then I sign off on it and resubmit  
15 it for payment that can take two or three weeks  
16 sometimes; that's kind of a long time for a contractor to  
17 wait. But I suppose they've agreed to participate in  
18 the program, so if there is a way to speed that up I'm  
19 not quite sure how to do that. Nobody gets paid until  
20 the work is done and inspected.

21           All in all, I think the program is a big  
22 Success; its helped a lot of people who need help and  
23 even those people who don't need help, it's a good deal.  
24 We're charging prime rate of interest so on a  
25 \$5,000 loan, homeowners are paying about, \$90.00 or

1 \$93.00 in five years, on a five-year term with interest.  
2 Amortization schedules are being set up by the  
3 Department of Finance. It's not a huge amount of money  
4 but it's a good amount of money to help people fix their  
5 houses up, it's a good program.

6           You know, I had, in previous lives I ran a  
7 HMAT program that helps senior citizens have a higher  
8 quality of life in their senior years and it also helps  
9 maintain the housing values in the city, I think  
10 it's a win-win. If the Council were to put more money  
11 into the program I don't think it would be any problem of  
12 getting it out into the community and having it used for  
13 Capital Improvements on houses to maintain the  
14 housing value. The Building Department  
15 does a pretty good job inspecting the properties and there  
16 is no shortage of people calling and asking about the  
17 program. The biggest difficulty is sometimes the  
18 residents aren't quick or prompt in responding. So  
19 there seems to be a fair amount of delay in getting there,  
20 and there is a lot of seniors who seem to be overwhelmed  
21 with the task of identifying a contractor and getting  
22 three estimates and things like that; I am reticent  
23 to recommend contractors. Usually I  
24 just refer them to the Better Business Bureau or the

1 Chamber of Commerce or someplace like that,  
2 so they can get a recommendation. All in all, it's a  
good  
3 Program and helps people. So I will answer any  
4 questions you have on any of the lists.

5 MS. MCCORMICK: I have one question. Are  
6 there any changes to the program after having it  
7 implemented that you would recommend or  
8 like to see?

9 MR. DOLAN: From the Chair to the  
10 Councilwoman, no, I think it works pretty good, it's a  
11 it's a pretty simple program. I think  
12 if anything, any change wanted would be to increase  
13 the cap on what a family can get, you know, we worked hard  
14 to help a very qualified homeowner get a new furnace  
15 and roof repairs for \$5,000. Basically had to plead  
16 with the contractors to take care of them because that's  
17 a pretty darn good deal to get a good roof repair and a  
18 new furnace put in with heating and air conditioning in  
19 the house for \$5,000. That is the one  
20 thing but there is a slippery slope that's  
21 involved with doing that and we try to help but  
22 but we're not here to be a social  
23 service agency and there is always competing demands for  
24 funds. This is kind of a, hopefully a leverage program  
25 where they'll match an investment by the city or

1 assistance by the city. But as it's turned out we  
2 really have kind of been like a finger in the dike to  
3 put people from falling farther through the cracks or  
4 through the cracks completely.

5 MS. MCCORMICK: Do any other Councilmembers  
6 have questions? Councilman Mencini?

7 MR. MENCINI: Thank you, Mrs. Chairwoman.  
8 Mike, thanks for coming tonight, I appreciate it. I  
9 myself did, and I'm sure other colleagues, got a lot of  
10 calls on this. Unfortunately for some there were a lot  
11 of maybe middle-aged, there were little bit, too -- did  
12 you get a lot of calls on that. Really quick, besides the  
13 one that are on the sheet? Did you get calls from  
14 people, maybe 30, 40 family people really quick?

15 MR. DOLAN: Yes, from the Chair, to the  
16 Council people. Normal processes are if you call and  
17 inquire about the program you will get a letter of  
18 introduction with the checklist to fill out and send  
19 back that requests for your last final signed income tax  
20 returns, and three contractors estimates. The checklist  
21 has a description of the nature of the work so on, and  
22 so forth and verifies who is in the home over 18 years  
23 of age to calculate gross household income. Our people  
24 send out the information don't hear back  
25 from them, you know, they don't submit it and turn it

1 around for whatever reason. And then the people who  
2 actually return the questionnaires and inquire are  
3 generally listed here. If they didn't qualify and they  
4 qualified for a loan I sent them a letter saying, you  
5 know, you're either qualified for a grant or a loan.

6 MR. MENCINI: Okay.

7 MR. DOLAN: If you're interested in pursuing  
8 a loan at three and a half percent (3 1/2%), fine,  
9 let me know and I'll send you out the loan  
10 documents. So if they didn't respond to that I don't  
11 send out the loan documents; it's still a pretty good  
12 deal for a loan. I mean, we have this program is  
13 better and more attractive than the County Home Equity  
14 Loan Program, which as it turns out is a bit of a lark.  
15 The County Home Loan Program is offered through the  
16 major commercial banks, Huntington and Key. The way  
17 that works is, first of all, you have to have equity in  
18 your home. Secondly the interest rate, which is  
19 supposedly three points below prime is really not three  
20 points below prime, because you have to follow normal  
21 bank lending guidelines. Even people with good  
22 credit isn't getting charged 13 to 15 percent by those  
23 banks in the county program because the county, you  
24 know, you late paid once on a phone bill or -- I don't  
25 know what they do. But nothing is really getting a

1 three -- you probably have to have a 2,000 credit rating  
2 to three points below prime and at that credit rating  
3 you probably don't need the loan.

4 MR. MENCINI: Right.

5 MR. DOLAN: So.

6 MR. MENCINI: Really quick and I'll be done,  
7 I do agree with you. Maybe it's something and you had  
8 said it in your introduction maybe more money should  
9 be looked down the road to be put in this, because I  
10 thought we did get -- it was probably more than I  
11 thought. More people who are interested. I was a  
12 little caught off guard, and I probably wholeheartedly  
13 agree with you on the point where, you know, there is  
14 people who could definitely use these monies. I know it  
15 doesn't offset everything but, you know, \$5,000 for a  
16 roof or a driveway could offset some costs on the  
17 major construction project. Like the ones that are  
18 blank here, would them have been the ones that were  
19 interested and just didn't -- I know unfortunately a  
20 woman on here she passed. But the ones that are just  
21 blank on the contractor description --

22 MR. DOLAN: Who would that be?

23 MR. MENCINI: That would have been Mr. Barb  
24 Smith on Rademaker.

25 MR. DOLAN: Oh, really? I had no idea.

1 That explains why she didn't respond.

2 MR. MENCINI: Yeah. Good woman. Good  
3 family. But the rest of them would have been, just they  
4 didn't get back to you or they didn't --

5 MR. DOLAN: Yeah. When they get the initial  
6 packet if they don't return it with their tax returns  
7 and their questionnaire and their estimates, I don't  
8 fill anything in, you know. I might send them a  
9 letter saying, whether  
10 they qualified or not. But your application was  
11 deficient, supplement, and if they don't respond then,  
12 I don't really chase them down the street.

13 MR. MENCINI: Okay. That's all I have.  
14 Thank you, Mike. I appreciate it. Thank you, Ms.  
15 Chairwoman

16 MS. MCCORMICK: Councilwoman  
17 Powers?

18 MRS. POWERS: Thank you, Ms. Chairwoman I  
19 have a couple of questions. I guess some were partially  
20 answered one with the blanks on it. So that means that,  
21 are they still eligible if they wanted to reconsider,  
22 the ones that --

23 MR. DOLAN: The ones that are, yes.

24 MRS. POWERS: Okay.

25 MR. DOLAN: But -- excuse me Councilwoman.

1 The complete answer would be if funding was available.  
2 The people who have complied and submitted their  
3 financial information and qualified per our discussion  
4 here last spring. It was a first come, first serve  
5 program to make sure that, you know, nobody was kind of  
6 pushed out. And so if you sent your information in and  
7 you qualified and maybe you're waiting to get another  
8 estimate from a contractor and you've been approved,  
9 that \$5,000 grant would be marked as awarded and  
10 pending. So say for example you see some of these  
11 people with blank spaces. There is not enough money in  
12 the program right now to handle all of those people. We  
13 have about \$8,000. So they would be out of luck. I  
14 could probably do one more. The average grant is \$4,000 or  
15 \$5,000. We've had maybe one or two less than that.

16 MRS. POWERS: Right.

17 MR. DOLAN: So, you know, they would  
18 be eligible but we're out of money.

19 MRS. POWERS: Well, and another question  
20 with that, I see under Rossi Construction you've got a  
21 \$4,700 concrete driveway and a \$2,800. \$4,700 and  
22 \$2,800, and then one with no amount in five. How do  
23 you, does the driveway just cost \$5,000 or is the city  
24 adding \$5,000 to that?

25 MR. DOLAN: If it's generally less

1 than \$5,000 it was a repair and not a replacement, they  
2 didn't tear out the entire driveway. If you see a  
3 \$5,000 grant it doesn't mean it's a complete  
4 replacement. It could mean that the homeowner  
5 supplemented. And we require -- if the contractor  
6 estimates your driveway and he comes in at \$7,500, or  
7 anything over \$5,000, they're required to have that paid  
8 in advance prior to getting the city grant.

9 MRS. POWERS: So when we see the amounts  
10 over here, like the \$5,000, the \$4,100, whatever, is  
11 that the amount that the city invested, or is that the  
12 total investment? Did the homeowner invest any of  
13 this?

14 MR. DOLAN: That would be the city grant.  
15 The report does not indicate the total project cost.

16 MRS. POWERS: And you said most of these  
17 meet the federal guidelines for poverty level income.  
18 Are people getting this that are above the poverty level  
19 and if they are, why?

20 MR. DOLAN: From the Chair to the Council  
21 person, yes. The program was set up for all residents  
22 in the City of Brook Park to take advantage of it. If  
23 you're below the poverty level guidelines you're  
24 eligible for a grant. If you're above the poverty  
25 eligible guidelines you get a loan. You're eligible to

1 take a loan. That was discussed last April, and that  
2 was the perimeters of the program.

3 MRS. POWERS: And you said people are coming  
4 back. Well, you have 35 but then you've got  
5 maybe 10. So you had about 25 people you've actually  
6 helped this year. Now when you get more money, whether  
7 it's this year or next year, are these...  
8 do these people go to the bottom of the list? Like do  
9 they get another grant next year or do you say no, we've  
10 got other people that we have to help first? Do you  
11 repeat help for one person before you give help to  
12 another?

13 MR. DOLAN: Through the Chair to the Council  
14 person, no, it's not in the legislation. But I've told  
15 people that if you participate you can't come back on an  
16 annual basis. It's once every three years maybe at most  
17 or five years. That's something that you could probably  
18 tweak or we could set a guideline on. It's not meant to  
19 be a revolving fund for home repairs to get free money  
20 to fix up your house. It's really things that are going  
21 to improve, maintain and improve the value of the  
22 home, and whether it's a roof or furnace or, you know, the  
23 driveways -- or probably this summer seemed to be a lot  
24 of citations issued for bad concrete and driveways and  
25 things like that. A lot of roofs. One or two kitchens

1 were done. Bathrooms were done. Things like that.

2 But, no. It shouldn't be ever considered as a program  
3 that people can participate in on an annual basis.

4 There should be a minimum of three years. Probably more  
5 like five years before you would qualify again. Quite  
6 frankly, most of the people who are receiving grants are  
7 senior citizens. Some of them very elderly. I think  
8 that Mrs. Smith on Rademaker would be a prime example.

9 MRS. POWERS: Yeah. I know some of the  
10 names on the list, and I know their approximate age.

11 But my last question is; how are the contractors chosen?  
12 Does the homeowner choose or do they have to get three and  
13 then the city chooses who is doing to do the work for  
14 them?

15 MR. DOLAN: From the Chair to the  
16 Councilwoman, the homeowner is responsible to identify  
17 and obtain three estimates. The purpose of that is I  
18 talk with them about it. So if you had three estimates  
19 from three different vendors for the same work and there  
20 is a great amount disparity between them, you know,  
21 these people are all interested in fixing their homes.  
22 They learn pretty quickly who is the best value and we,  
23 kind of chat about that a little bit. You  
24 know, I'm not here to pick your contractor, but if I see  
25 a glaring difference in the price for the same work, and

1 they say I want to go with Acme Industrial, and their  
2 the high cost provider I'll will say tell me why you  
3 want to do that because you're not going to get as much  
4 for your house if you went with XYZ Company.

5 So we do have that discussion. Most of the  
6 people are pretty discerning. You know, I mean, you  
7 know, don't mistake people with low incomes to be people  
8 with low IQs or low intelligence levels. They're smart.  
9 A lot of those seniors are sharp people. They just are  
10 on hard times.

11 MRS. POWERS: The only other question I have  
12 then is do you ask the homeowner for feedback about the  
13 contractor that did their work?

14 MR. DOLAN: Absolutely. The way it works is  
15 when the work is done the building department inspects  
16 it, and then every homeowner is required to come in and  
17 sign a receipt guaranteeing that the money they received  
18 from the city will be used to pay the contractor  
19 directly. Nobody has complained about the work. As a  
20 matter of fact everybody who has done work on here they,  
21 generally, especially with people in need they go a  
22 little bit beyond what they're supposed to do to try and  
23 help people out. There haven't been any problems with  
24 the contractors or the quality of the work.

25 MRS. POWERS: All right. Thank you.

1 MS. MCCORMICK: Councilman Troyer?

2 MR. TROYER: Thank you, Madam Chairwoman.

3 Mr. Dolan, I  
4 have a few questions. On any of these loans I know  
5 there is a very few here that were loans. Were there  
6 any payments made to pay back?

7 MR. DOLAN: The Ruggerio's I  
8 believe are payment, repayment for -- they were the  
9 first family to receive the loan. It's a five-year  
10 loan. They're paying \$90.00 a month. The other two people  
11 on the list who qualified for a loan, neither of them  
12 has actually fully executed the program or picked up the  
13 check that has been cut. They may have returned the  
14 loan documents, but when they were notified the funds  
15 were available to pick up they haven't come up to pick  
16 up. And the way that works is they come up and Finance  
17 will tell them when their first payment is to be made. And  
18 then they will direct their payments to the Finance  
19 department. And the loan would be amortized on a  
20 five-year schedule.

21 MR. TROYER: Okay. So nobody has missed a  
22 payment is what I'm getting at.

23 MR. DOLAN: Not to my knowledge.

24 MR. TROYER: Okay. And you mentioned first  
25 Come-first serve. Was there ever an application

1 deadline put in place?

2 MR. DOLAN: No.

3 MR. TROYER: Okay. So it was always first  
4 Come-first serve and not given to the, after a certain  
5 amount of time the preference given to the lowest income  
6 people?

7 MR. DOLAN: No.

8 MR. TROYER: Okay. And I have a  
9 list here. Well, before I get to the list, I did  
10 request much more information. Are you working on  
11 getting that information for me?

12 MR. DOLAN: Through the Chair to the Council  
13 person, the information, the file has been advised to me  
14 that the financial records of the homeowners are  
15 privileged and not to be released and that the remaining  
16 records are business records and are not subject to  
17 public records. What I prepared for you here is a  
18 description of the number of people who participate in  
19 the program and whether they received a grant or a loan.  
20 It covers just about all the information that -- it  
21 summarizes all the information for each person who  
22 participated. Some suggestion whether or not even  
23 identifying the residents would be a potential violation  
24 of the privacy laws, because you can tell who is low income  
25 so this report is provided to you per

1 your public records request.

2 MR. TROYER: Okay. On section one of the  
3 original legislation it says that the city shall  
4 maintain complete records of all grants and loans issued  
5 under the HMAP Program. And you're saying this is all  
6 you can give me?

7 MR. DOLAN: Yeah.

8 MR. TROYER: At this point I disagree with  
9 that. I'll check on that but we'll discuss that at  
10 another time.

11 I have some other questions as far as number  
12 35 wi the -- that's a kitchen remodel.  
th

13 MR. DOLAN: Yeah.

14 MR. TROYER: Self-build? What does that  
23 The work was verified to have been done in her home,  
24 And she was allowed to participate in the program.

25 MR. TROYER: Okay. And all permits were

1 pulled from the city?

2 MR. DOLAN: Yes.

3 MR. TROYER: So I would have to follow that  
4 avenue to try to find out what was actually done?

5 MR. DOLAN: There was a kitchen remodel. A  
6 complete kitchen remodel.

7 MR. TROYER: Complete floor, cabinets,  
8 everything?

9 MR. DOLAN: Complete floor, cabinets,  
10 appliances.

11 MR. TROYER: Do we know what kind of  
12 condition it was beforehand?

13 MR. DOLAN: No. It was -- the condition of  
14 the property beforehand is not a prerequisite to  
15 participate in a program.

16 MR. TROYER: Okay. So a person could  
17 possibly do a, do the kitchen remodel for their, a  
18 kitchen remodel or a bathroom remodel, and turn around  
19 and sell their house, get a grant for that, because this  
20 is a grant. Turn around and sell their house and  
21 actually make a profit over that remodel?

22 MR. DOLAN: I guess anything is possible,  
23 Council.

24 MR. TROYER: Okay. And what about  
25 number six, which is a bathroom remodel. Can you give

1 me the scope of that and what that is? It says Divine  
2 Home Improvements did that.

3 MR. DOLAN: Uh-huh.

4 MR. TROYER: Is that a complete remodel.

5 MR. DOLAN: Yes. Floors. Complete remodel.

6 MR. TROYER: All right. And just a, on  
7 number 17, that's -- can you tell me where that one  
8 stands? That's the house without the gutters; correct?

9 MR. DOLAN: I don't know. I haven't been  
10 out to her house. She hadn't fully complied with the  
11 program and she was sent the information. She obviously  
12 has not responded completely and provided full  
13 information, either financial or otherwise to allow her  
14 to fully participate and so she has not been given any  
15 further consideration.

16 MR. TROYER: Okay. So right now there is  
17 very little money in this, but if some of the people do  
18 not follow through there could be a little more this  
19 year? Because you're saying that some people, the check  
20 is just waiting for them to respond and do the proper  
21 thing so...

22 MR. DOLAN: The people who have been -- from  
23 the Chair to the Councilperson, the people who have  
24 been approved but have not either submitted the  
25 necessary information to, you know, be processed, there

1 might be \$10,000 to \$15,000 extra.

2 MR. TROYER: Okay. And well, I need, if you  
3 could give me a call tomorrow I need to bring something  
4 to your attention on this but I won't do it here. So  
5 are you currently still taking applications in  
6 anticipation of next year's, it being financed for next  
7 year?

8 MR. DOLAN: From the Chair to the Council  
9 person, yes, but not in anticipation of funding. I'm  
10 taking them and explaining that we're almost out of  
11 funding until there is additional funding, you know,  
12 I'll let them know. If they're on the list they're on  
13 the list. But I have no idea what the intent of the  
14 Council is so I'm not making promises.

15 MR. TROYER: Okay. I understand. But  
16 you're still accepting applications?

17 MR. DOLAN: Sure.

18 MR. TROYER: Get on the list or the pile.  
19 Okay. Thank you. I appreciate it.

20 MS. MCCORMICK: Councilman Mencini?

21 MR. MENCINI: Thank you for recognizing me,  
22 Councilwoman. Mike, really quick, most of the companies  
23 that are on here, if I stand corrected, there is only  
24 two that I don't know and they're solo on there. I got  
25 to admit, I've been around Brook Park for a long time.

1 Pretty solid companies. Do I stand corrected on that?

2 MR. DOLAN: From the Chair to the Council  
3 person, I've not had any complaints. I'm not personally  
4 familiar with a lot of them. Neubert Painting is new to  
5 the city --

6 MR. MENCINI: Yeah, that would be one that I  
7 didn't know.

8 MR. DOLAN: -- they moved in and occupied on  
9 Commerce Park, they're actually a Brook Park  
10 corporation now.

11 MR. MENCINI: I think a lot of these names  
12 kind of stand for themselves. So I think I agree with  
13 your statement that most of these people did pick some  
14 pretty good, with some reputable, good reputation type  
15 contractors.

16 The other thing I want to bring out, my  
17 colleague, Mr. Troyer brought out, on that kitchen  
18 remodel, on that bottom one, number 35. I don't know,  
19 Mike. I have owned other homes besides my own home, I  
20 mean \$3,500 on a kitchen remodel doesn't really get you  
21 real far. Am I right on that? I mean, depending on  
22 what grade you're going to go, sometimes it won't even  
23 get you a kitchen sink. But my point on it is, even the  
24 \$5,000 it offsets the cost. It sure helps. And I'm  
25 sure for these people it does. But, you know, it isn't

1 like, you know, you're rebuilding their house with it  
2 either. So I just kind of wanted to make that statement  
3 a little bit. It does offset I think the help that  
4 they need, and I think that's our job so, to help them  
5 and that's why we did this program. So thank you.

6 MR. DOLAN: You're welcome.

7 MS. MCCORMICK: Mr. Astorino?

8 MR. ASTORINO: Yes. Thank you. You know,  
9 you made a -- I don't think I really heard your comments  
10 so well so I'm asking you. As far as the process, the  
11 time that it takes, is there anything that the city can  
12 do to expedite it, or is it more on the homeowner that  
13 causes it? Because I notice that one of these was just  
14 given in like, I mean, it went through Board of Control  
15 in October and it was actually one of the ladies that  
16 you brought to the meeting in January that said, you  
17 know, that they were looking for it in January. So it  
18 would concern me if they started looking in January and  
19 they don't get it until October. Is it something we're  
20 doing wrong or is it --

21 MR. DOLAN: No. Mr. Chairman, no. That  
22 individual had a contractor problem. She couldn't  
23 afford to make the balance of the payments. She is a  
24 senior citizen, very limited income. And the nature of  
25 her repair required her to come up with a few thousand

1 dollars in addition to the grant. And she didn't have  
2 the money. So she was working on that and in the  
3 interim the contractor who agreed to do it in the first  
4 instance didn't want to do the work because he didn't  
5 get paid quick enough at the end of the job. So we  
6 shopped her around. I mean, most of these people are  
7 really kind of nice folks. We shopped her around and  
8 got her somebody who is going to work with her and she  
9 was able to, you know, they have to have the payment  
10 plan and the contractor has to certify, you know, I  
11 don't want to deal with an angry contractor saying he got  
12 stiffed on the balance of the bill. That's not why I'm  
13 here. So they have to square that away and have that  
14 all worked out and acknowledged in advance.

15           The payment issue is really, and it's gotten  
16 better because what I'm doing is requiring them to give  
17 me an invoice when they start the work or just prior to  
18 start of the work and I'll submit the purchase order on  
19 that and I'll hold the check until the work is certified.  
20 So it cuts off about a week and a half or two week times  
21 and can wait a week or so. That's just a procedural  
22 thing. It's not anything that is structural in the  
23 program I would say.

24           MR. ASTORINO: Yeah. I mean, I'm not really  
25 Worried about one or two weeks. But that one that --

1 MR. DOLAN: There is a few we got up to --  
2 and I'll blame Mr. Cingle.

3 MR. ASTORINO: Okay. So would I.

4 The other question I have is the first come  
5 first serve basis, is there, -- I know some of the  
6 discussion we had we were hoping that maybe there would  
7 be like an enrollment period. Because the problem with  
8 the first come-first serve I think it would be hard for  
9 you to prioritize on who you want to go too. Was it or  
10 no?

11 MR. DOLAN: No. If you are diligent and you  
12 turn your paperwork around, even if you turn the  
13 financial information around to qualify, I'll hold your  
14 spot in the program. I'll qualify you and, you know, if  
15 you qualify for a grant you'll get locked in. And then  
16 I'll work with you to get your contractor information.  
17 If you're not diligent in responding the guy who comes  
18 in after you who is, gets locked in. And then so, in  
19 essence those people who come forward early but don't do  
20 what they're supposed to do, kind of drop down in status  
21 in favor of somebody who came in afterwards and provided  
22 all the information and was ready to have the work down.

23 MR. ASTORINO: Okay. Thank you.

24 MR. DOLAN: It works pretty good.

25 MR. ASTORINO: Thank you. That's all.

1 MS. MCCORMICK: Law director?

2 MRS. HORVATH: Yes. I just wanted to  
3 indicate that I concur that the Ordinance is redundant.  
4 That it would be appropriate to fund the prior  
5 Ordinance, and if you wanted to make any changes that it  
6 would be appropriate to amend the prior Ordinance. And  
7 I also wanted to indicate from what I've seen of this  
8 program people in and out of City Hall, I would say it's  
9 been a very good program and a boon to many people.

10 MS. MCCORMICK: Councilwoman Powers?

11 MRS. POWERS: Thank you, Madam Chairwoman.  
12 Has all of the work been completed that's listed here  
13 with the amounts? Has it all been completed yet?

14 MR. DOLAN: From the Chair to the Council  
15 person, no. There are two people who were offered loans  
16 who have not followed through.

17 MRS. POWERS: But it says like the very  
18 first one up here it's got a grant and what --

19 MR. DOLAN: Yes.

20 MRS. POWERS: What the problem was and the  
21 amount that they were given. Has that been done?

22 MR. DOLAN: Yes.

23 MRS. POWERS: So everyone then, that's what  
24 I'm asking. Is every one that has a contractor and a  
25 description of the work done and an amount there, have

1 those all been completed?

2 MR. DOLAN: No, item 21 has not been  
3 completed because they did not respond for the loan.  
4 You could see that they, there is no money allocated.  
5 And item 18, they have not responded. They returned the  
6 loan documents but have not responded to pick up the  
7 loan funds.

8 MRS. POWERS: Okay. And how do you get the  
9 word out to the whole community that this program is  
10 available?

11 MR. DOLAN: Well, it's been on the web page,  
12 It's also been on the Councilperson's newsletters. It's  
13 been, the building and housing department who are in daily  
14 contact with people who need work done through the  
15 inspection services and they refer a great number of  
16 people. Word of mouth as well. Neighbors talk about it  
17 and relatives I guess or, there is no shortage of phone  
18 calls on it.

19 MRS. POWERS: But the city hasn't sent out a  
20 letter to the general public to let them know this is  
21 available?

22 MR. DOLAN: No, it's been done on a,  
23 basically an at-need basis. I think it was Councilman Scott  
24 and another Councilperson who wrote it up in their  
25 newsletters. It was talked about. I don't know if it's

1 a secret or not, but it's been out. Yeah, Councilman  
2 Mencini put it in his newsletter and it's on the web  
3 page. And -- the problem is with the City of 19,000  
4 people and 10,000 homes, \$100,000 doesn't go very far.

5 MRS. POWERS: All right. Thank you.

6 MS. MCCORMICK: Any further questions from  
7 Council? Okay. Thank you, Mr. Dolan. What is  
8 Council's pleasure?

9 MR. SALVATORE: Motion was discussed.

10 MR. TROYER: To have more discussion.

11 MS. MCCORMICK: Oh.

12 MR. TROYER: Unless we're just going to do  
13 that part of it and place it back in committee  
14 because I was going to ask -- what do we want to do  
15 here? Because I would like to ask the Finance Director  
16 if he's had any issue with this and if he has any  
17 recommendations.

18 MS. MCCORMICK: Mr. Troyer, do you want to  
19 ask?

20 MR. TROYER: Thank you. Through the chair  
21 to the Finance Director, Mr. Cingle, have you had any  
22 issues with this or any suggestions for us on this piece  
23 of legislation?

24 MR. CINGLE: Through the Chair to Councilman  
25 Troyer, no. I think just from listening to Mr. Dolan

1 here I know, and where maybe one or two instances where  
2 he has come back and asked for payment. I don't believe  
3 anyone has waited an extremely long period of time.  
4 Maybe a week or so. And I think our turnaround from a  
5 payment perspective is a lot faster than these  
6 contractors were to get in the open market. But I like  
7 the idea of what Mike is doing as far as receiving the  
8 invoice. Once the contract is signed or near  
9 the time the contract is signed and then we can start  
10 the process of putting it on the Board of Control and,  
11 you know, working through our procedures on our end. So  
12 that just saves time here in paying the contractors a  
13 little more quickly. But again I'm only aware of I  
14 think maybe one or two instances where, you know, Mike  
15 has come back to, you know, to ask about a check and,  
16 you know, at least the one time I know we processed it  
17 and called him and he wasn't in the office to actually  
18 pick it up, so the contractor may have to wait another day  
19 or so. I think again, to go through Board of  
20 Control and I know once the, you know, the payment is  
21 Processed. I think I like the idea of what he, how he is  
22 working it now. And again as he said no payment goes  
23 out until the resident comes in and signs off on the  
24 paperwork that's needed before a check is issued so.

25 I've only talked to one contractor

1 personally and that was earlier this week and it was one  
2 that Mr. Dolan was talking about earlier. He was the  
3 HVAC contractor on the improvement for the HVAC work and  
4 the roof. So I did talk to, you know, that person and,  
5 you know, he had nothing but good things to say about  
6 the program. So I thing again, I don't see any issues  
7 from my perspective and it's been a good program,  
8 seamless on our end. We are administering the one loan,  
9 I checked again today; all payments have been received.  
10 So we haven't had to make numerous phone calls to get  
11 payment made to the city. So that, you know, that loan  
12 process is going fine as well. So nothing on my end.  
13 Again, we'll just work through the procedural issues and  
14 I think we've got a pretty good handle on it now so I  
15 don't think we'll have any issues getting contractors  
16 paid timely. And I think they've been timely paid  
17 throughout this year. But if we can move it along a  
18 little quicker, that's better for the program.

19 MR. TROYER: Thanks, Greg, I appreciate  
20 it.

21 MS. MCCORMICK: Any further --

22 MR. TROYER: Madam Chairwoman, I have one  
23 more.

24 Through the chair to the law director, Madam  
25 Law Director, are you aware of the issue of some

1 amendments that, I thought you were notified of this  
2 that there were some amendments on January 5th, the day  
3 it was passed? Are you familiar with that issue?

4 MRS. HORVATH: I did have an opportunity to  
5 take a look at that paperwork. My initial assessment  
6 was that for some reason the amendments weren't picked  
7 up and so the legislation was put into effect. So the  
8 proper thing would be if you wish to make amendments do it  
9 to the current legislation as it is. My thoughts are  
10 that there is no going back with regard to that. The  
11 legislation stands as it was passed.

12 MR. TROYER: Okay. But even though they  
13 were made that night and it was, I believe it was made  
14 that night and passed. So couldn't you just go back and  
15 look at the minutes and go by the minutes and adjust it  
16 according?

17 MRS. HORVATH: No. I don't believe that's  
18 possible. If you need something in writing, I'll provide  
19 that for you but --

20 MR. TROYER: Okay. That's fine.

21 MRS. HORVATH: But I don't believe that's  
22 the case.

23 MR. TROYER: We'll just have to go ahead and  
24 put those amendments back in?

25 MRS. HORVATH: That would be appropriate.

1 MR. TROYER: Right. Okay. Along with a few  
2 other things tweaked. Okay. Thank you. That's good.

3 MS. MCCORMICK: Any further discussion? I  
4 think at this point we probably want to just do a motion  
5 that this was discussed and then draft legislation that  
6 would make amendments to the existing legislation. So  
7 if Mr. Salvatore, if you would like the motion again.

8 MR. SALVATORE: Yeah. I'll make the motion  
9 that this was discussed and have last year's ordinance  
10 put on the next Caucus agenda for discussion.

11 MR. SCOTT: Support.

12 MS. MCCORMICK: Could the clerk call the  
15 roll? Or any discussion? I'm sorry. Okay. Clerk can  
16 you call the roll?

17 CLERK: Salvatore?

18 MR. SALVATORE: Yes.

19 CLERK: Scott?

20 MR. SCOTT: Yes.

21 CLERK: Burgio?

22 BURGIO: Yes.

23 CLERK: Troyer?

24 MR. TROYER: Yes.

25 CLERK: Powers?

1 MRS. POWERS: Yes.

2 CLERK: McCormick?

3 MS. MCCORMICK: Yes.

4 CLERK: Mencini.

5 MR. MENCINI: Yes.

6 MS. MCCORMICK: Okay. So that item has been  
7 discussed and last year's ordinance will be placed on  
8 the next Caucus. Item number two is an Ordinance  
9 authorizing the City of Brook Park to provide a job  
10 retention and business expansion grant to Drabik  
11 Manufacturing, Incorporated. 15601 Commerce Park Drive,  
12 Introduced by Mayor Coyne. That should be in your  
13 packets. If Mr. Dolan would like to speak on this.

14 MR. DOLAN: Thank you. From the Chair to  
15 the Councilwoman, Jim Drabik is here. He is the  
16 President of Drabik Manufacturing, they've been in the  
17 city for a long time. They're a specialty tool and die  
18 company, and they needed in order for main  
19 competitive and expand their business lines and service,  
20 their existing lines. To purchase a machine, the cost of  
21 which is a specialized CNC lathe, and the cost was  
22 \$105,000. He applied for a grant through the program,  
23 they're a good company, and what can I tell you about  
24 them? They employ nine full-time people and one part-time  
25 employee. Their average payroll over the last ten years

1 has been over \$608,000 a year. They spent over a  
2 \$1.2 million dollars since they have moved to Brook Park  
3 over on Commerce Park. And they have a lot of very  
4 skilled artisans in that shop. It's a family-owned  
5 business and Mr. Drabik's son is currently there and is  
6 set to take the reins from his father, if his father  
7 ever decides to step down, which is not likely.

8           You may know Mr. Drabik; he is the Chair of  
9 the Brook Park Chamber of Commerce. And the important  
10 thing with this program is to assist them. That while  
11 they went out to get the needed the machine so they went  
12 out and got a loan, which has. The company was able to  
13 do, but it has put them in a less competitive position  
14 because they have less resources to bring in more people  
15 and make additional changes, put resources in the  
16 marketing and the soft services with the business that  
17 you can't really get a loan for. So the grant here  
18 would go to help him reduce his loan burden so that he  
19 could redirect the resources and finance of the company  
20 into marketing and activities that will expand the  
21 business and create additional economic opportunities  
22 and job creation opportunities within the city.

23           I can't really talk to you about the  
24 technical aspects of what the machine does because I'm  
25 not a specialty machinist. I think Mr. Drabik can

1 answer any of those questions. Just as past projects  
2 of this type, just so you know, that the benefit is  
3 reaped by the City and are all aware of the benefit that  
4 was given to Cuyahoga Machine. A similar type grant for  
5 a different type of specialty lathe. They not only have  
6 already built the new building on their property and  
7 added employees, but they've also been able to purchase  
8 additional property in the city, specifically the Pistol  
9 Truck service down here on Engle Road. And have gone in  
10 there and refurbished it and we have a new tenant moving  
11 in there. So what you see is this Brook Park business  
12 reinvesting in the city and the benefits and assistance  
13 we're giving them is very beneficial to helping us grow  
14 our business base. It also helps us become more  
15 competitive with other cities that we compete with;  
16 Cities like Middleburg Heights and Strongsville who  
17 routinely give out \$100,000 grants to attract business  
18 on green space land. It's incredibly difficult to  
19 compete with that, and this is a program that allows us  
20 to grow our existing businesses and hopefully get them  
21 to expand in our footprint.

22 MS. MCCORMICK: I have one question. In the  
23 Ordinance it refers to maintaining payroll at 2015  
24 Levels, but the agreement says 2016 levels.  
25 Which one is it supposed to be?

1 MR. DOLAN: From the Chair to the Council  
2 person, that was a typo, it should be 2015. He hasn't  
3 added the new people in 2016 yet.

4 MS. MCCORMICK: Okay. I just want to make  
5 sure. Council have any other questions? Mr. Mencini?

6 MR. MENCINI: Thank you, Councilwoman.  
7 Mr. Drabik welcome tonight and I want to thank you for  
8 your commitment to Brook Park for the 26 years. I also  
9 want to congratulate you on your contribution to the  
10 Brook Park Chamber of Commerce. It's a great  
11 organization and I know you guys are trying to do a lot  
12 so I appreciate that.

13 I'm looking at over the past ten years you  
14 generated, I believe \$6 million dollars in payroll and  
15 the past ten years you've had nine full-time employees  
16 and one part-time with an average payroll for the past  
17 ten years of \$600,000. Do you look to maybe hiring  
18 here down the road with any specific time?

19 MR. DRABIK: Yes, actually we have hired  
20 one employee this year --

21 COUNCIL PRESIDENT: Excuse me, Mr. Drabik,  
22 for the record if you can give your name and address  
23 into the microphone so it's recorded.

24 MR. DRABIK: Oh, sure. I'm James R. Drabik.  
25 President or actually CEO of Drabik Manufacturing at

1 15601 Commerce Park Drive, Brook Park, Ohio, 44142.

2 MR. ASTORINO: Thank you, Mr. Drabik.

3 MR. DRABIK: And to answer your question, we  
4 just hired one person about a month ago. We are also  
5 looking to, in the next year, to hire two more people.  
6 With a little bit of luck, I just interviewed a  
7 salesperson today that will not be on the payroll but  
8 will be a, what do you want to call him? Ten percent (10%)  
9 or whatever. So I'm hoping that he comes through which  
10 will also help by bringing in more work but, we are  
11 planning definitely in the next year of hiring two more  
12 people.

13 MR. MENCINI: Great. The machine that we're  
14 talking about, the cost is \$107,000 and obviously with  
15 this it would defer the cost in half. The Harding V1000  
16 DMC.

17 How much would that help the business? Is  
18 that the machine that we're talking about? Do I have  
19 that right?

20 MR. DRABIK: The machine will -- well, we  
21 added to the equipment that we have do have. So that  
22 will increase our capacity. It also falls in line with  
23 the other machines that we have that do the same type of  
24 work. Our work is all specialty machining, all low  
25 volume, 1 to 200 pieces. So it's all, our work is

1 from -- well, we have medical companies we deal with all  
2 the way through maintenance departments we deal with.  
3 So we do a wide variety of work. This machine gives us  
4 the capability of being able to expedite work, get it  
5 out quicker, by adding to other machine it would also  
6 add production to our work.

7 MR. MENCINI: Okay. And one final question  
8 if I could, how many machines do you have inside your  
9 business in Brook Park on Commerce?

10 MR. DRABIK: How many machines?

11 MR. MENCINI: Yes.

12 MR. DRABIK: We have four similar machines  
13 that are all various sizes. Our, it's -- let's see. I  
14 want to say we have approximately 20 machines.

15 MR. MENCINI: Thank you.

16 MR. DRABIK: One thing I want to add is --

17 MR. MENCINI: Sure.

18 MR. DRABIK: -- the machine was \$107,500.  
19 We had spent another \$6,500 in tooling for the machine,  
20 and also another, almost \$3,000 just to bring it in and  
21 set it up. So purchasing a new machine is one thing,  
22 but all of the other stuff that adds up because you  
23 got the machine but you have to have the tooling that  
24 goes with it so.

25 MR. MENCINI: Right.

1 MR. DRABIK: And we're working at having the  
2 State of Art stuff here so that we get into better work  
3 and again, hire more people.

4 MR. MENCINI: Okay. Thank you again for  
5 your answers and thank you for your dedication to Brook  
6 Park. That's all I have, Madam Chairwoman.

7 MS. MCCORMICK: Councilman Salvatore?

8 MR. SALVATORE: Thank you. I just want to  
9 say thank you for being in attendance this evening.  
10 It's always nice to see someone who is asking for  
11 assistance or some type of grant to show up personally  
12 and to make their own presentation. It's nice to see  
13 that and welcome this evening.

14 Now you mentioned that you were thinking  
15 about adding one employee as a sales rep?

16 MR. DRABIK: Correct.

17 MR. SALVATORE: He would receive ten percent  
18 (10%) I'm assuming that he would commission type --

19 MR. DRABIK: Yes, it will be. At five  
20 percent (5%)

21 MR. SALVATORE: Will that ten percent  
22 commission, (10%) will that be paid in the form of, as an  
23 employee or would that be a consultant.

24 MR. DRABIK: That would be as a consultant.  
25 Any work he brings in to me, let's say that the job is

1 \$1,000, I would pay him five percent (5%) after we have  
2 been paid for it. So we'll pay him \$50 approximately. So  
3 for every job he brings in he gets five percent (5%) of it.  
4 So it's actually a consultant basis or -- I can't think  
5 of the word right now. Yes. He's a sales rep is what  
6 he is. He owns his own business, so we're paying him  
7 to bring us work.

8 MR. SALVATORE: So those numbers will  
9 never show up on the bottom line of a formal payroll  
10 then.

11 MR. DRABIK: No, it doesn't. But it does  
12 show up at the bottom line as I pay my employees. So  
13 the more work they bring me, the more work I can put  
14 out, the more work I can put out, the more employees I  
15 can have. And also, as you know, manufacturing is  
16 starting to come back in this country. And machinists  
17 are hard to find, especially the type of work I do. So  
18 a lot of my guys work overtime or quite a bit of  
19 overtime just because I can't find the people.

20 MR. SALVATORE: I understand.

21 MR. DRABIK: Also, we are, the one fellow we  
22 did hire, he is going to be a trainee. We're going  
23 to send him for an apprenticeship and train him to be an  
24 machinist.

1 MR. SALVATORE: Not that it makes any  
2 difference on the decision as far as this application  
3 goes, but how many people do you have that are working  
4 for you that live in the city?

5 MR. DRABIK: That live in the city?

6 MR. SALVATORE: Live in our city.

7 MR. DRABIK: Good question. Yeah. Cathy is  
8 one.

9 MR. SALVATORE: If you don't have it, you  
10 can let me know later.

11 MR. DRABIK: Okay.

12 MR. SALVATORE: I can get it through Mr. Dolan.

13 MR. DRABIK: Yeah.

14 MR. SALVATORE: Okay. Thank you very much.  
15 Thank you, Madam Chairwoman.

16 MS. MCCORMICK: Councilman Troyer?

17 MR. TROYER: Thank you, Madam Chairwoman.  
18 Mr. Drabik, thank you for coming. I want to make this  
19 as short as possible so can I visit you sometime next  
20 week or later this week?

21 MR. DRABIK: Certainly, next week would be  
22 much better.

23 MR. TROYER: I believe I have your card at  
24 home so I can give you a call. Next week would be

1 better?

2 MR. DRABIK: Yes, next week would be  
3 better. Just give us a call. Actually you want to  
4 talk to Cathy. Her extension is 401. She knows our  
5 schedule between my son and I.

6 MR. TROYER: All right. So right now you  
7 have besides your salesman you have ten employees with  
8 the one extra?

9 MR. DRABIK: Correct.

10 MR. TROYER: Okay. This is starting at  
11 nine. So you've already accomplished half of what we're  
12 asking you to do here; right?

13 MR. DRABIK: Right.

14 MR. TROYER: Great. Let's see, what  
15 else did I have?

16 MR. DRABIK: One thing if I may add to the  
17 rest of the Council, we do have an open door policy.  
18 Anybody is welcome. I mean Mike has stopped in several  
19 times and we encourage people to come in and see who we  
20 are and what we do, and our company so...

21 MR. TROYER: Okay. And that's probably, I  
22 have some other issues with the legislation itself so I  
23 appreciate -- that's the last of my questions for you.  
24 I'll talk to you next week.

25 MR. DRABIK: All right. Thank you.

1 MR. TROYER: Mr. Dolan and Council, these  
2 pages aren't numbered. But on the actual,  
3 let me make sure, on the actual agreement -- no I'm  
4 sorry. Let me start with the actual Ordinance on  
5 section five it talks about, at the end, about the  
6 expression of the covenant set forth in section three.  
7 I think that should actually be section four if you want  
8 to take a look at that really quick.

9 MR. DOLAN: Are you talking about  
10 the legislation?

11 MR. TROYER: What's that?

12 MR. DOLAN: I don't have a copy.  
13 Well, here we go.

14 MR. TROYER: On the actual Ordinance,  
15 Section five.

16 MR. DOLAN: Hang on. My section  
17 five is to determine all formal actions, I may  
18 not have the last copy --

19 MR. TROYER: Okay. Well. Let section five  
20 of the actual Ordinance says the City of Brook Park  
21 shall maintain an equitable interest in the ownership of  
22 the machine, and equipment to be acquired by Drabik  
23 Manufacturing which interest shall expire upon the  
24 expiration of the covenant set forth in section three.  
25 But it's actually --the timeframe and everything is

1 actually set forth in section four.

2           **MR. DOLAN:**                           That's fine. It  
3 should be four. It should be the 15 years for the  
4 machine.

5           **MR. TROYER:** Okay. So I would like to make  
6 an amendment right now that we go ahead and make that  
7 change from three to four.

8           **MR. MENCINI:**                       Support.

9           **MS. MCCORMICK:** Any discussion on the  
10 amendment? Clerk can you call the roll?

11           **CLERK:** Troyer?

12           **MR. TROYER:** Yes.

13           **CLERK:** Mencini?

14           **MR. MENCINI:** Yes.

15           **CLERK:** McCormick?

16           **MS. MCCORMICK:** Yes.

17           **CLERK:** Powers?

18           **MRS. POWERS:** Yes.

19           **CLERK:** Salvatore?

20           **MR. SALVATORE:** Yes.

21           **CLERK:** Burgio?

22           **BURGIO:** Yes.

23           **CLERK:** Scott?

1 MR. SCOTT: Yes.

2 CLERK: The amendment carried.

3 MR. TROYER: Okay. And then I have -- I  
4 think we should also make the amendment to change 2016  
5 to 2015 so I would like to make that motion. Oh, I'm  
6 sorry. On the actual agreement Section two where it  
7 says at 2016 levels that would be changed to 2015  
8 levels.

9 MS. MCCORMICK: Are you making a motion?

10 MR. TROYER: Yes, I made the motion to do  
11 that.

12 MS. MCCORMICK: Is there support on the  
13 motion?

14 MR. TROYER: Can I get a second?

15 **MRS. POWERS:** Second.

16 MS. MCCORMICK: Okay. The motion is to  
17 change in Section two on the actual agreement the year  
18 2016 to 2015. Any discussion? Okay. Clerk can you  
19 call the roll?

20 CLERK: Troyer?

21 MR. TROYER: Yes.

22 CLERK: Powers?

23 MRS. POWERS: Yes.

24 CLERK: McCormick?

25 MS. MCCORMICK: Yes.

1 CLERK: Mencini?

2 MR. MENCINI: Yes.

3 CLERK: Scott?

4 MR. SCOTT: Yes.

5 CLERK: Burgio?

6 BURGIO: Yes.

7 CLERK: Salvatore?

8 MR. SALVATORE: Yes.

9 MR. TROYER: Okay. And then on that last,  
10 on that same page, the last Whereas, it says that the  
11 Brook Park City Council Ordinance number authorizes.  
12 There is no space, there should be a space for the  
13 Ordinance number.

14 MR. ASTORINO: Okay.

15 MR. TROYER: So I would like to make a  
16 motion to add that space there for the ordinance number  
17 to be placed.

18 **MRS. POWERS:** Second.

19 MS. MCCORMICK: Any discussion? Call the  
20 roll.

21 CLERK: Troyer?

22 MR. TROYER: Yes.

23 CLERK: Powers?

24 MRS. POWERS: Yes.

25 CLERK: McCormick?

1 MS. MCCORMICK: Yes.

2 CLERK: Mencini?

3 MR. MENCINI: Yes.

4 CLERK: Scott?

5 MR. SCOTT: Yes.

6 CLERK: Burgio?

7 BURGIO: Yes.

8 CLERK: Salvatore?

9 MR. SALVATORE: Yes.

10 MR. TROYER: Okay. If I may, I do have one  
11 question on -- Mr. Drabik, I'm sorry. You can just say  
12 it from there. Your 2015 payroll levels are \$680,000;  
13 correct?

14 MR. DRABIK: No, that is an average of the  
15 last ten years.

16 MR. TROYER: Okay. One moment. Do you have  
17 a number for the 2015 payroll levels?

18 MR. DRABIK: Offhand I do not.

19 MR. TROYER: Because this states, Section  
20 two that guarantees agrees to maintain its base payroll  
21 in the City of Brook Park at 2015 levels in  
22 (\$680,000) per annum throughout the useful life of the  
23 machine, and to use best efforts to expand his payroll  
24 by two employees, which you've already done one.

25 MR. DOLAN: From the chair to the Council

1 person, his 2015 payroll level was lower than \$680,000 and  
2 the figure and the average figure over to last ten years  
3 was put in there. Because as the economy goes up and  
4 down it's kind of difficult for a small business like  
5 Drabik Manufacturing to lock into that. So the average  
6 gives him a much better chance of satisfying the  
7 requirement. His last year was below that, the year  
8 before that was higher than that; the average payroll  
9 over ten years is something that it's probably more  
10 readily attained than locking into the 2015 level. I  
11 think you can just put the number in as the average and  
12 that will assure that he is going to meet his goals and  
13 add the jobs and not put him in a bind by having a slow  
14 year, he still has to meet the average.

15 MR. ASTORINO: Point of information.

16 MS. MCCORMICK: Yes.

17 MR. ASTORINO: Just for the, the agreement  
18 says \$680,000 was the average. Part of the Ordinance  
19 lists the average payroll at \$608,750, so there is  
20 discrepancies there.

21 MR. DOLAN: This is a typo there.

22 MR. ASTORINO: Which one is the typo.

23 MR. DOLAN: \$608,000, the average is \$680,000

24 MR. ASTORINO: Okay. So the agreement is  
25 the correct number then?

1 MR. DOLAN: Correct.

2 MR. ASTORINO: Thank you.

3 MS. MCCORMICK: Any further questions?

4 MR. TROYER: I just --

5 MS. MCCORMICK: Councilman Troyer?

6 MR. TROYER: I think we should look into  
7 this because I don't know, we're going to -- this says  
8 we're going to hold him to something that he's not  
9 agreeing to be held to. I mean, we could --

10 MR. SALVATORE: I have one question on the  
11 first motion to amend. I just want to make sure  
12 your motion was to move section three to four? That was  
13 the motion?

14 MR. TROYER: Yes.

15 MR. SALVATORE: So what happens to four?

16 MR. ASTORINO: No, it just changed the  
17 language.

18 MS. MCCORMICK: The motion was in section  
19 five to change the number three to number four.

20 MR. SALVATORE: Okay. All right I thought  
21 it's changed sections --

22 MR. DOLAN: Mr. Drabik has no problem  
23 locking in the 2015 payroll, which would probably less  
24 than the average payroll over ten years.

25 MR. TROYER: Madam Chairwoman, may I?

1 MS. MCCORMICK: Councilman Troyer?

2 MR. TROYER: Okay. Thank you. The problem  
3 is it locks you into this \$680,000 because it's printed in  
4 here. So I don't want to -- I don't want to do that to  
5 you.

6 MR. DRABIK: I know what you're saying. And  
7 as Council knows, manufacturing is up and down in this  
8 country, right now manufacturing is down and it's  
9 election year. Nobody knows what's going to go on.  
10 Everybody has got their own theories. Work is being  
11 quoted all over the place. I have several customers  
12 that have told me if they get half of what they have  
13 quoted they can't do it. But the economy with,  
14 especially with -- housing is up. My wife is a realtor.  
15 There are hardly any houses that, you know, not back like  
16 it was. But manufacturing is down right now. So it  
17 varies back and forth. So that's the only concern I  
18 have is guaranteeing you know what I'm saying.

19 MR. TROYER: Yeah. And I don't want you to  
20 -- because this says you're guaranteeing it and I don't  
21 know want you there if you can't do that.

22 MR. DRABIK: Right. Next year I might have  
23 a booming year and it's like wow. I'm way over the  
24 thing and then the following year I get half of that.  
25 But next year will be our 60th anniversary. The company

1 was started in 1957 by my dad and my son is running it  
2 now, he takes care of the operations. So he is third  
3 generation and we're 60 years in business. So you know,  
4 we've had our ups and downs over the last 60 years.

5 MR. TROYER: Okay. Madam Chairwoman, if I  
6 may?

7 MS. MCCORMICK: Sure.

8 MR. TROYER: Thank you. Do you have this  
9 year's perspective, an idea of what this year is going  
10 to be, an estimate?

11 MR. DRABIK: I have not got my third quarter  
12 financials yet.

13 MR. TROYER: Okay. That might help.

14 MS. MCCORMICK: Councilman Mencini.

15 MR. MENCINI: Thank you. Thank you, Madam  
16 Chairwoman. Mr. Drabik, I concur 100% with  
17 what you just said. And I don't even know if you know  
18 how right you are about business being cyclical, any  
19 business. The auto industry, the real estate business,  
20 Burger King, very cyclical. And I know that  
21 business that you're in, it is very up and down. What  
22 was it doing in the 60s and 70s and 80s here? It was  
23 booming here. Lorain, Youngstown, steel, industrial.  
24 Maybe not so much now, I give you credit for surviving  
25 for 60 years.

1 MR. DRABIK: Thank you.

2 MR. MENCINI: To me that's 600 years in that  
3 business. So I very much concur with what you just  
4 said. I don't know how right you really knew you were  
5 but so I just wanted to give you a little prop  
6 on that because you're absolutely would right. Go  
7 ahead, Mike.

8 MR. DOLAN: From the Chair to Councilman  
9 Troyer, the issue of 2015 payroll can be easily  
10 certified by the Tax Department and the Finance  
11 Department. That's the basis on which the municipal  
12 income tax is generated and which they're held  
13 accountable for. So if the concern of the  
14 Councilperson is to have a number that is readily  
15 ascertainable, tax can certainly do that for the issue  
16 of compliance, to make sure that he meets his levels. I  
17 think what you'll find is that 2015 was a low year for  
18 them, they didn't come close to the \$680,000  
19 so, in payroll they were well under that.  
20 But the goal is to get it up over back to what their  
21 average is on ten years; I hope that helps.

22 MR. TROYER: If I may?

23 MS. MCCORMICK: So I think what we need is  
24 an amendment to the agreement where it says \$680,000 to  
25 the \$608,000; is that correct? Or is it the other way

1 around?

2 MR. DOLAN: From the Chair to Councilperson  
3 I think the appropriate amendment would be to lock it in  
4 at 2015 payroll levels as determined by the Department  
5 of Finance and Department of Taxation.

6 MS. MCCORMICK: Would anybody like to make  
7 the amendment? Councilman Troyer?

8 MR. TROYER: Thank you, Madam Chairwoman. Let  
9 me first stress that Councilman Mencini' s points are  
10 valid and so is Mr. Drabik's, and be that as it may  
11 that's not my point. My point is the way it's written  
12 it's locking you into at \$680,000 and that's -- I know  
13 you don't want that and I don't think you're going to  
14 make that. I just want this to be right for you.

15 MR. DRABIK: Correct.

16 MR. TROYER: But we have to have some number  
17 in there so we're doing our jobs.

18 MR. DRABIK: Right.

19 MR. TROYER: So, you know, I don't know if  
20 we can come up with some tonight or put this pack in  
21 committee and call a special meeting to bring it back  
22 out before the next meeting or something. But, you  
23 know, to get this amended, I mean the law department  
24 could word it differently, whatever. I don't think you  
25 want to be locked in at \$680,000 and I don't want you to

1 be there either. But I don't want to  
2 have-- I want to know what the 2015 numbers were. And at  
3 least, and in if we're moving up from the 2015, which  
4 should be, the numbers should be, you know, that higher  
5 number, a little bit higher than 2015. So you know,  
6 because that's what we're looking to do. So that's just  
7 what I'm -- I don't want to stick -- I don't want to put  
8 you on the spot and I don't want to put us the spot. I  
9 would like to be right.

10 MR. DRABIK: I would like the numbers to be  
11 at \$680,000.

12 MS. MCCORMICK: Councilman Salvatore?

13 MR. SALVATORE: Thank you, Madam Chairwoman.  
14 If the intent is to move forward I would suggest that we  
15 add this to the next Council agenda. We can amend it on  
16 the floor next Tuesday night based on the numbers given  
17 to us from the Finance Director. Somewhere between the  
18 \$680,000 and last year's number which you indicated could  
19 be possibly quite low, we could arrive at a number  
20 somewhere in the middle. But I'm sure you can obtain  
21 that happy medium somewhere between 2015 and your last,  
22 and your average.

23 MR. DOLAN: From the Chair to the Council  
24 person, I think what Mr. Drabik and I can do is come up  
25 with a medium between 2015 and what he is anticipating

1 as we're nearing the end of the third quarter of 2016.  
2 So we'll have a better idea of what his sales are now.  
3 I think if you lock him in at 2015, you know, it would  
4 have been an off year. So that's going to be not a true  
5 representation. But I think you're doing better this  
6 year than last; is that correct?

7 MR. DRABIK: Truthfully it's about the same.

8 MR. SALVATORE: So Madam Chairwoman, if there  
9 is no other question I would like to make a motion to  
10 put that on the next Council agenda.

11 MR. BURGIO: Support.

12 MS. MCCORMICK: Councilman Scott, did you  
13 have a question?

14 MR. SCOTT: No. That was mine.

15 MS. MCCORMICK: Okay.

16 MR. SCOTT: I was going to ask the same  
17 thing.

18 MR. ASTORINO: You know, I have one other  
19 thing but I can do it in discussion.

20 MS. MCCORMICK: Okay.

21 MR. ASTORINO: It's not to them but it's  
22 more to Greg. Section three, under the agreement  
23 talks about a note, cognovits note in favor for the pro  
24 rata repayment. It's at the top of the page. Do you

1 see it?

2 **MR. CINGLE:** In the agreement?

3 Through the chair to Mr. Astorino, just in the brief  
4 conversation with the law director, they have a standard  
5 cognovits note that they'll execute and attach to the  
6 agreement. It's been used, I believe, in other  
7 applications.

8 **MR. ASTORINO:** Okay. I guess one of the  
9 questions I have, it says pro-rata repayment. Would it  
10 just be as simple as you take that \$50,000, divide it by  
11 the 15 years and if he doesn't meet it after that's  
12 where it's comes back?

13 **MR. CINGLE:** Through the chair to  
14 Council President Astorino, yes.

15 **MR. ASTORINO:** Okay. Thank you.

16 **MS. MCCORMICK:** Any further discussion?  
17 Councilwoman Powers?

18 **MRS. POWERS:** Well, in section one it says  
19 the amount of \$50,000, and add two full-time employees to  
20 his payroll providing that Drabik maintains its base  
21 payroll at 2015 levels throughout the useful life of the  
22 machine, 15 years. I don't think anyone can really  
23 predict what's going to happen over 15 years with a  
24 volatile business where the numbers changes regularly.  
25 You might do a whole lot better than that but you might

1 not because we don't know what other government  
2 regulations are going to be, or what the economy is  
3 going to do generally. So I don't think you can say that  
4 you're going to -- the economy is going to allow you to  
5 maintain the same level that you have right now for 15  
6 years. So that's just my opinion. Thank you, Ms.  
7 Chairwoman.

8 MS. MCCORMICK: Clerk can you call the roll?

9 CLERK: Salvatore?

10 MR. SALVATORE: Yes.

11 CLERK: Burgio?

12 BURGIO: Yes.

13 CLERK: Scott?

14 MR. SCOTT: Yes.

15 CLERK: Mencini?

16 MR. MENCINI: Yes.

17 CLERK: McCormick?

18 MS. MCCORMICK: Yes.

19 CLERK: Powers?

20 MRS. POWERS: Yes.

21 CLERK: Troyer?

22 MR. TROYER: Yes.

23 MS. MCCORMICK: Okay. The Ordinance will be  
24 on the next Council meeting. And I will like to thank  
25 Mr. Drabik for coming out the tonight and answering our

1 questions. Also Mr. Dolan, and we're going to move on  
2 to the next item, item three, An Ordinance authorizing the  
3 Mayor to allow transfer of a parcel of property located  
4 at 16513 Hummel Road and declaring an emergency.

5 This was first introduced in June and there  
6 were a number of questions. We tabled it for 90 days I  
7 believe to allow the city the opportunity to post a sign  
8 or advertise it for possible sale. We also had inquired  
9 whether a legal document from the other neighbor could  
10 be signed saying that they officially did not have any  
11 interest in this piece of land.

12 Anybody want to, anybody have questions on  
13 this one or -- okay. Mr. Dolan, could you tell us  
14 whether this was advertised or anything about this piece  
15 of property?

16 MR. DOLAN: From the Chair to the  
17 Councilperson, it has had a sign on it since the spring  
18 and we had other residential properties in the city that  
19 also have had signs on them. And there is not a demand  
20 for residential empty lots in the City of Brook Park.  
21 The city was built on post World War II construction and  
22 the simple way to say it is that the standard post World  
23 War II construction of the bungalow lot is not the  
24 competitive preferred market. An example would be  
25 Sheldon and Christine and I've been trying to

1 get several builders to come put houses on there and put  
2 marketable houses on there. The lot sizes are just not big  
3 enough that people are interested, even some of the  
4 houses that we were trying to avoid demolition on.

5 Really quick story, I went to the eye doctor.  
6 The gal who was the medical assistant was a delightful  
7 young lady who was pregnant with her first child and  
8 they were living in their parents' basement in Brook  
9 Park. I tried to get them interested in a Brook Park  
10 bungalow or building in Brook Park on an empty lot and,  
11 you know, not interested.

12 That lot there has been zero interest on any  
13 of the lots that we have residential. There is a lot  
14 that may come online over here on --

15 **MR. MENCINI:** Eavenson.

16 MR. DOLAN: It's a nice lot, that's more of  
17 a lot that I think is more marketable. The lot that was  
18 on 146th or 148th Street, decades sat there  
19 unmarketable. This lot on Hummel is not very  
20 marketable unless you're going to put a very, very small  
21 affordable housing unit in there, and quite frankly the  
22 cost to build -- the type of house that was torn down on  
23 that lot would probably cost you upward of \$100,000 and  
24 on Hummel Road you're probably not going to get much  
25 more than that for an asking price or sale price on a

1 new construction unit on that lot. I think the best use  
2 of that is for yard expansion to raise the additional  
3 property values on that lot, in the neighborhood so that  
4 you have, you know, the yards are pretty tiny, and  
5 especially in that neighborhood. It's a very  
6 constricted tight close neighborhood, and no builders  
7 have inquired. No homeowners or potential purchasers to  
8 build homes have inquired and I attribute that to and  
9 it's not just the city lot. There's a nice lot on Smith  
10 Road over there that's been available for a long time.  
11 And if you talk to the owner of that lot he's had the  
12 for sale sign up there for years. No interest. It's  
13 all due, in my opinion, to the lot size. They're  
14 just not large enough to attract new construction when  
15 Middleburg Heights and Strongsville and North Royalton  
16 and other cities have larger lots that are available.

17 MS. MCCORMICK: Councilman Mencini?

18 MR. MENCINI: Thank you for recognizing me  
19 again, Councilwoman Chairman. Mike, on that and I don't  
20 want to rehash old things but I concur on one end and I  
21 totally disagree on another. I concur that the lot on  
22 Hummel is a good example as you used, very -- too small.

23 And I would think any contractor if they're  
24 going to build, most of them are going to build multiple  
25 homes if they're going to come build. I mean, it ain't

1 too much in a city like ours and a city that's, you  
2 know, our age of over 55 years or so. But that, they  
3 want, they want, you know, they want to build multiple  
4 like they did right off there off Sheldon Road. Yes, the  
5 lots are small.

6 I also disagree on that Smith Road you said  
7 because I had, and that one on Michael. I would say the  
8 one on Michael, you know, I think a lot of people  
9 there wanted that lot but, you know, they were looking  
10 for I believe the name of the person that owned that  
11 home. They weren't looking for the parcel number. And  
12 I don't know if the sign ever went up there. I actually  
13 personally probably think it would be a little more  
14 better maintained. But I think that if that went up I  
15 think that one might go up. I want to believe that  
16 everyone is probably independent of each other here in  
17 Brook Park, because our lot sizes are so different, you  
18 know, that Hummel Road to the Michael to the Eavenson to  
19 the one on the west end that you talked about, all them  
20 lots would not be the same at all, so every lot is a  
21 little different. But again, builders come in and they  
22 want, you know, they want to build four or five, 20 of  
23 them.

24 On that though, I know people have asked me,  
25 I would like to get that lot next door. Okay.

1 If you need -- maintain it. I mean, I think that's  
2 always the big thing. You got to maintain it. You got  
3 to keep it nice and that. On this one, if it were to go  
4 to this individual, he would pay the property taxes on  
5 it; right? I would believe on that lot, he would pay  
6 the property taxes on 343-13-03, on the land --

7 MR. DOLAN: Yes.

8 MR. MENCINI: On the land only; right?

9 MR. DOLAN: Yes. That lot is technically a  
10 buildable lot within the City of Brook Park. Any lot  
11 that was offered for yard expansion would have a deed  
12 that was owned by the City of Brook Park, would have a  
13 deed restriction that it could not be built upon,  
14 therefore, you can take up the issue of well, I'm going  
15 to get this for yard expansion and then be a profiteer and  
16 put up a house and sell it and make a lot of money. You  
17 would just put a deed restriction on there that says  
18 it's for yard expansion only and that the owner of that  
19 parcel is not permitted to construct a home on the  
20 property, maybe put a nice garage on the property to match  
21 the house or something like that but definitely not  
22 a house.

23 Councilman, not to correct you but I'm going  
24 to correct you. The city never owned the lot on  
25 Michael and that, in fact, was bought by a developer

1 in foreclosure and we had an argument. It was  
2 completely unsalvageable and was demolished and you can  
3 see what the developer has done with it. Nothing, it's  
4 just sitting there. The person who owns the lot on  
5 Smith has done nothing with the lot. We were basically  
6 Begging the developer to come forward with a plan to put a  
7 house at Christine and Sheldon and that fell through. And,  
8 you know, the fact is the City of Brook Park is an inner  
9 ring suburb with an aging housing population that is post  
10 World War II. It's a beautiful suburb, there's great  
11 homes in it, but they're not new homes. And, you know,  
12 as you say developers don't want to come in and do spot  
13 housing. They want to come in and do track housing and  
14 do 30, 40 houses because that's where they make their  
15 money. It severely retards the marketability of an  
16 individual lot in a neighborhood like Hummel.

17 MR. MENCINI: Well, and I also believe, too,  
18 rates are low and people, if they're going to go buy,  
19 they're probably not going to go by a single built home  
20 right in Brook Park, right in the middle of  
21 Smith Road, or I would say right at the end of Michael  
22 there. They would probably go maybe out a little west.  
23 Maybe they would go a little south, too. I mean, the  
24 rates are low enough where you could -- they weren't  
25 like that at the end of the 2000s, so homes I would

1 say even though the average price of a home is up a  
2 little bit including Brook Park, but I would still say  
3 that they would take that journey and go look there  
4 first before here for an individual home between two houses  
5 that are 60 years old or 55 years old. I could  
6 stand to be corrected but...

7 MR. DOLAN: Well, here is the thing. It's  
8 in an exact science. If you read **Crain's** Cleveland  
9 Business a few weeks ago there is an article about the  
10 teeny homes. And you say, aha. I finally have a  
11 perfect home for a perfect lot. A teeny lot with a  
12 teeny home, the teeny homes cost \$120,000 to build.  
13 There's what they're selling them for that they're  
14 putting in the city. When you look at comparable sales  
15 on Hummel Road, I challenge you to find a house on  
16 Hummel Road in the immediate vicinity that was even  
17 close to that price.

18 MR. MENCINI: To \$120,000?

19 MR. DOLAN: Yeah, it's tough. So you can't  
20 build a house and put it out there for what the  
21 competitive market is pricing values on. As soon as you  
22 got done your house wouldn't be worth \$120,000 and if it  
23 was I'm not quite sure you would find a buyer there  
24 because you would be the richest guy in the  
25 neighborhood. That's not the way it works.

1 MR. MENCINI: Well, I definitely concur on  
2 that. If you get a bill for \$60,000 and sell it for  
3 \$80,000 but that isn't happening.

4 MR. DOLAN: That's the problem. If you  
5 could build a house for \$60,000 or maybe \$80,000 and  
6 sell it for \$100,000, you would be in business. You  
7 could probably attract a new homeowner, first time  
8 homeowner to do that, but you can't do that. You're  
9 probably  
10 looking at more of a \$100,000 to put a new house on that  
11 property. And that's the top of the market and when  
12 you're done with it, if you remember the house that was  
13 on Hummel, there was very little yard, maybe, I don't  
14 know, maybe 15 yards in the back to the fence. It was  
15 incredibly restricted. The garage took up the majority  
16 of the yard and it was a typical post World War II  
17 bungalow that is not being built in the current market.

18 MR. MENCINI: Thanks, Mike. That's all I have.

19 MS. MCCORMICK: Councilman Troyer?

20 MR. TROYER: Thank you, Madam Chairwoman.  
21 Mr. Dolan, this house in question on Hummel Road, or  
22 this land in question, was it ever advertised?

23 MR. DOLAN: Just on the street signs, we do  
24 not have a residential broker. We have a brokerage for  
25 commercial, industrial properties, that is made

1 available to all people in the commercial, industrial  
2 sector. But there is not much of a market for  
3 residential lots in the city.

4 MR. TROYER: So was it listed or advertised?

5 MR. DOLAN: Well, it was advertised not --

6 MR. TROYER: Just a sign.

7 MR. DOLAN: Not listed.

8 MR. TROYER: The advertising was a sign out  
9 front?

10 MR. DOLAN: Correct.

11 MR. TROYER: And that's it. Okay. Was the  
12 other neighbor contacted? Because there was some  
13 question about whether both neighbors on both sides  
14 were.

15 MR. DOLAN: Yes, they were. The neighbor on  
16 the west side declined.

17 MR. TROYER: Okay.

18 MR. DOLAN: The original idea is to split it  
19 so that both houses have a healthier--

20 MR. TROYER: Right. And I actually like the  
21 idea of having one neighbor get it because let's say he  
22 wanted to build a garage on it. I mean, I actually  
23 think that would something maybe you would do because  
24 that increases the value. Now we get a little more  
25 taxes on it. Within reason of course. Within our

1 codes. And I just have one more question because of the  
2 whole conversation. Any of these other houses any of  
3 these other lots in the city have we listed or -- have  
4 we listed or advertised them in any other way besides a  
5 sign out front?

6 MR. DOLAN: No, we don't have a residential  
7 brokerage.

8 MR. TROYER: Okay.

9 MR. DOLAN: They're available, you know. On  
10 the same token, Councilman, nobody has really called  
11 asking either. I think in the last two years there has  
12 been one house rebuilt new in the City of Brook Park.  
13 It was over on 147th Street, maybe two. I think there  
14 were two over there. And actually, curiously in the  
15 oldest portion of the city. The person who built one of  
16 the houses had been there for a very long time. And the  
17 other house was built by the father for his disabled son  
18 so...

19 And the Michael property, you would think  
20 that's a nice property. You would think somebody would  
21 be interested in it and yet the developer has just not  
22 done it.

23 MR. TROYER: You would think the Eavenson and  
24 the Burton property would -- those are nice big lots.

25 MR. DOLAN: Eavenson is held by a bank. It's

1 a nice lot. That's the perfect size lot for a nice  
2 house and a nice yard, competitive suburban footprint.  
3 Hummel Road footprint is incredibly small.

4 MR. TROYER: Right, understood and then I  
5 just want to say one last thing. Council, this is why  
6 when you hear me, when we're going to tear down houses I  
7 start questioning what kind of condition it's in,  
8 because once that house is torn down it's really hard to  
9 get another one on there. And I want to know, you know,  
10 in my opinion because I know the work, unless that  
11 foundation is bad that's a viable house. Thank you.

12 MS. MCCORMICK: Councilman Salvatore?

13 MR. SALVATORE: Thank you. Through the  
14 Chair to Mr. Dolan. Did you have the lot size off hand?

15 MR. DOLAN: Normally, Ted is here and he can  
16 rattle that off. I want to say it's probably 40 by 70,  
17 somewhere in that range. It's not a large lot it's a  
18 pretty small lot.

19 MR. SALVATORE: So that lot size would  
20 make it unbuildable, correct?

21 MR. DOLAN: It's just over, the minimal  
22 buildable lot in the city is what that has to be.

23 MR. SALVATORE: So it is a buildable lot  
24 then?

25 MR. DOLAN: Yes, the house was on there,

1 the garage was on there, but between the house and the  
2 garage there was a teeny little backyard, very teeny.

3 MR. SALVATORE: I know the house before it  
4 was torn down and understand. I thought something  
5 changed.

6 MR. DOLAN: No, it was the minimal  
7 buildable lot in the city.

8 MR. SALVATORE: So the Second whereas then  
9 would have to be removed because it says it's landlocked  
10 and not buildable; neither one of those statements are  
11 correct.

12 MR. DOLAN: It's not competitive.

13 MR. SALVATORE: So we have to remove that and  
14 I heard some concern about someone being able to  
15 take it and turn around and sell it and make a profit  
16 with it. We could eliminate any possibility of that  
17 with a deed restriction and/or consolidating that parcel  
18 into the other parcel, which would prohibit anybody from  
19 being able to do that.

20 MR. DOLAN: Yes, the easiest most expedient  
21 way of doing that would be in the deed restriction  
22 when buying the land because the city owns the lot. So the  
23 only person who could relieve the restriction would be the  
24 city.

25 The consolidation makes it expensive.

1 Probably a couple thousand dollars to do. So it kind of  
2 is, you know, defeats the purpose and puts a hardship on  
3 the people who are expanding the yard. Deed restriction  
4 is entirely sufficient and it would remain on the books as  
5 a separate PPN, but, and be taxable to the new owner  
6 but you could put a garage and on there and they could  
7 come in and get the necessary variance or conditional  
8 use in order to facilitate that.

9 MR. SALVATORE: And all of that would be  
10 indicated in the restriction?

11 MR. DOLAN: Oh, yeah. Absolutely. That's  
12 the normal process that they would have to go through on  
13 any construction they would have to do on there. They  
14 would have to submit the plan. The plan would go  
15 through an exam. It would be in the city records that  
16 this is not a buildable lot for a residence and the  
17 garage would have to come to City Planning, be approved,  
18 so on and so forth. The deed restriction would prohibit  
19 the construction of a residential structure on the  
20 property and that would satisfy. You can't put a  
21 house up on, no bank will give you money to put a house  
22 up on a property with a deed restriction.

23 MR. SALVATORE: Okay. Thank you. Thank  
24 you, Madam Chairwoman.

25 MS. MCCORMICK: Mr. Astorino?

1 MR. ASTORINO: Thank you. Mr. Dolan, last  
2 year at this time there was a house--there was a lot  
3 that was sold on 148th Street to the next door neighbor.  
4 That one was sold for and we gave that property for \$5,000.  
5 Is there any reason why this we're just  
6 transferring and this is actually no sale of the  
7 property going on?

8 MR. DOLAN: I think that lot in question,  
9 I'm not quite sure it went for \$5,000. It was  
10 appraised, but the appraiser made an error. That lot  
11 was actually not a buildable lot it was smaller than  
12 the lot size is my understanding of it. I don't believe  
13 the city -- was paid any money for that.

14 MR. ASTORINO: Well the Ordinance was passed  
15 that we received \$5,000.

16 MR. DOLAN: That didn't go through my  
17 department.

18 MR. ASTORINO: Okay. But there is --

19 MR. DOLAN: I don't know.

20 MR. ASTORINO: Okay.

21 MR. DOLAN: I know that that issue came up  
22 and that lot was -- the appraiser came. I had an  
23 appraisal done, they came back with a value and then it  
24 was corrected by the appraiser because he erred in  
25 believing that it was a buildable lot within the city.

1 MR. ASTORINO: Okay. Thank you. That's  
2 all.

3 MS. MCCORMICK: Councilwoman Powers?

4 MRS. POWERS: Thank you, Ms. Chairwoman. I  
5 don't think it is in the best interest of the City of  
6 Brook Park to only put a sign on the property. I think  
7 every single piece of property the city owns should be  
8 put on the multiple listing and you said we don't  
9 have a residential. You can just get any realty company  
10 to put it on their multiple listing. That way more than  
11 just the people that are driving by it know it's for  
12 sale. I have talked with the law director about that  
13 particular property but also for any other properties  
14 that available that the city owns. That is, we  
15 reconfigure the house to conform to the lot in a more  
16 desirable way. And the more desirable way for that lot  
17 is to make the house narrower, to put the garage even  
18 with the level -- make the garage a part of the house,  
19 attach it to the house. But make it where it is even  
20 with the front of the house. And so you pull off the  
21 street, you've got a car length or a little more of  
22 space before you go into your garage, and build the  
23 house back. The way we built houses in Brook Park so  
24 far have been driveway to driveway. Well, if you turn  
25 the house around then you could have more space on each

1 side which would make for better communication with your  
2 neighbors. It would also, if we made them all, if  
3 they're in a flood prone area, if we made them  
4 basement-less and you can always put a second floor on  
5 one. Not everyone wants a bigger yard anymore  
6 because that's less maintenance if you have a smaller  
7 yard. And if you make them more energy efficient then  
8 you can have a better lot, a better building without  
9 having it so crowded. It won't seem as  
10 crowded if you -- it won't be as crowded if you make the  
11 house longer, front to back of the lot instead of  
12 driveway to driveway. I think that's what should be  
13 done and we've talked about it before.

14 I think that it should be a rule that  
15 every piece of property the city owns has to go on the  
16 multiple. Because you're not going to get anybody  
17 interested if the only people that know it are the ones  
18 that drive by and actually--the house on Hummel if you  
19 want to know more than residential you've got to stop  
20 and read the sign because you can't read it passing by.  
21 So that's all I have, Mrs. Chairman.

22 MS. MCCORMICK: Councilman Troyer? Did you  
23 still have a question? Oh, did you want to answer?

24 MR. DOLAN: We do, just so the Council is  
25 aware, we have two commercial and industrial listings.

1 Costar lists all available commercial and industrial  
2 properties in the city, as well as Intelius, or I can't  
3 remember the name of it. But if you go to the city web  
4 page and you click on economic development and it says  
5 available commercial properties and you will see the  
6 service; that is made available to every commercial  
7 brokerage in Northeast Ohio. So all of our commercial  
8 properties are available and I can tell you that whether  
9 or not we own them or not they're all available. Any  
10 broker puts it's on that service so you can, you know,  
11 in one glance see all available properties in the City  
12 of Brook Park.

13           The problem with hiring a broker to list an  
14 empty lot in Brook Park is you got to pay them  
15 something, they get paid on commission, and at least  
16 with respect to Hummel, they're not going to do  
17 anything. It's just going to sit out there. They're  
18 not going to shop it and bring people by, they're not  
19 going to bring a developer by; there is not a whole  
20 lot in it for them to do that. So in theory it sounds  
21 great, yeah, it's on the normal service but if it's  
22 one of 100,000 properties in Northeast Ohio and one of  
23 50,000 that don't have houses on them, there is nobody  
24 shopping those because there is no money for the broker  
25 in them. So in effect it has no impact, you know. I

1 think church bulletins would probably be better to  
2 advertise an empty buildable lot in the City of Brook  
3 Park than the multiple listing service because you have  
4 to have a broker tell you that the lot is there and  
5 they're just not motivated to do that because they're  
6 100% commission and they're not dealing with builders.

7 It's, I get the point, but it's an  
8 imperfect protect situation.

9 MRS. POWERS: And you talked about,  
10 everything you said right now is about commercial  
11 properties. We're talking about residential properties.  
12 Residential properties can be put on a residential  
13 multiple listing and it doesn't cost anything until the  
14 property is sold. When you list your house with a  
15 realtor you don't pay him anything until he sells your  
16 house, and if you have that lot it doesn't cost anything  
17 until the place is sold.

18 MR. DOLAN: Councilwoman, my point was that  
19 even with a residential listing that you're referring  
20 to, the way that works is a broker takes a potential  
21 buyer to a site. There is no motivation for a real  
22 estate broker to take somebody to an empty lot in the  
23 City of Brook Park and say I'll sell you the lot. They  
24 will take to you to a house that they're listing. But  
25 on a lot that arguably has an de minimal value of \$5,000

1 for argument and they're going to get a 3 1/2%  
2 percent commission at worst or a 7% commission on \$5,000,  
3 they're not going there.

4 The reality is that they're going to take you to a  
5 house that they want to sell you that they can make some  
6 money on. The empty lot will be on the multiple listing  
7 service it just is not going to be communicated  
8 effectively to anybody. It's, if you had 30 lots in a  
9 row, sure, then you could go out and entice. That would  
10 be enough motivation for a residential real estate  
11 broker to go find somebody to put 30 houses on 30 lots.  
12 Do you see what I'm saying? It's a difficult situation  
13 and there is no motivation for a residential real estate  
14 agent to show anyone an empty lot on Hummel Road because  
15 it's just, there is not much in it for them if anything.

16 MRS. POWERS: If you had it on the multiple  
17 who is to say that one of our people here that are in  
18 the housing business wouldn't want to purchase it and  
19 put a house on it? As far as purchasing it and  
20 putting a house on it, if people knew that that was out  
21 there and it doesn't cost the realtor anything to put it  
22 on the website. So if it was made known that it was  
23 available then you might have the perfect buyer come to  
24 you because maybe someone out there is looking for a lot  
25 to build on. If you have a new house and if you

1 could put one on there that would be energy efficient  
2 and giving you more yard space and more space  
3 between houses, it might become a very desirable  
4 property. My thought is that if you looked up the  
5 records to see what that house is worth with the County  
6 Auditor's office. Most of the lots in Brook Park, the  
7 land is valued, our little postage stamp lots, they're  
8 value at \$30,000 or \$35,000 for that little piece of  
9 land. So I don't think that we should be even  
10 considering selling it for less than what the tax value  
11 of it is. Like I know when this first came up the Mayor  
12 wanted to sell it to this guy for what, \$5,000 or  
13 something like that? No. If he is going to buy  
14 it he should pay the going market value. If I were going  
15 to buy it, I would expect to pay the going market value.

20 I would like to share with everybody. It's been  
21 brought to my attention that the Indians are winning  
22 two to nothing.

23 **MR. SCOTT:** Yeah.

24 **MR. DOLAN:** All right.

25 **MRS. POWERS:** Are you playing with those

1 electronic devices you're not supposed to be using in  
2 here?

3 MR. SALVATORE: It was someone from the  
4 audience shared that with me and I want to thank them  
5 for telling me because I've been worried over here what  
6 the score is.

7 MS. MCCORMICK: Councilman Troyer?

8 MR. TROYER: Thank you, Madam Chairwoman, and  
9 thank you Councilman Salvatore for that update. I've  
10 been waiting for one.

11 As far as this, we had this up in  
12 June, and I would just feel -- I'll just say it this  
13 way. I would just feel better if -- let me set this up.

14 You don't know until you ask, and I say that  
15 all the time. Because, you know, I will give you an  
16 instance. The Beautification and Pride Committee raffle  
17 off a lawnmower every year. And a lot of people don't  
18 know that you can go and ask, you know, you need  
19 something donated. Maybe they won't donate it  
20 but you can go and ask somebody. I went in and they  
21 said they can't donate or whatever the deal was, and I  
22 said well, can you give me cost, can you give me half  
23 off. And that's what I get. I ask for it. You know  
24 you don't know until you ask. And I'm looking at this

1 going, you know, I would feel so much better if over the  
2 last four months, a couple of those months, this would  
3 have been listed so I know there is no chance that we  
4 could have sold this and got some money to do things in  
5 the city. That's the big, I think that's the catch  
6 here. You know, and I don't think it does cost anything  
7 and maybe Mr. Salvatore you could elaborate on this a  
8 little bit, being a realtor, or Mr. Burgio.

9           The other thing I want to clarify in  
10 my memory is when we talked about this is June is that  
11 this lot is un-buildable on today's standard. I think  
12 it was obviously buildable when it was built. But I  
13 think, I think Ted came up and said that it was no  
14 longer buildable on your standard. Not that there can't  
15 be a variance given. For instance, there is a house  
16 going up over on Southway. Well, slowly but it's the  
17 foundation.

18           That's it. I just would feel better if I  
19 knew for sure, we're not going to sell it and  
20 we can do this with it. That's it, thanks.

21           MS. MCCORMICK: Councilman Mencini.

22           MR. MENCINI: Thank you. I don't want to  
23 beat this up all night and, Councilman Troyer, you make  
24 a valid point there. To go back to my colleague, Mrs.  
25 Powers. Mike on her thought, and I understand exactly

1 what she is saying with that home, smaller, smaller  
2 yard, you'll probably get an older person it's  
3 done right over here on Engle Court. That said who  
4 would built that, I think you said it earlier, who  
5 would build that home? Who wins in that? I just can't  
6 see who is going to build that home. I mean, she made a  
7 good comment. Well, somebody -- I wouldn't buy it to  
8 build there, you know. I just can't see the win-win  
9 there. Do I stand corrected on that? I mean, I like  
10 her idea, yeah, build a home, smaller yard, two stories,  
11 great. But who is going to build it and who is going  
12 to pay for them to build it? I mean, you don't win. If  
13 something happens a year -- like they said about the  
14 business, the market crashes this and that, and that  
15 guy's got to sell that house who is he going to sell it  
16 too. He's not, he's not, he's stuck with it and  
17 that's how I feel about that.

18 Now to go back to Mr. Troyer where he says,  
19 well, advertise, put a sign out and it did -- there  
20 was a sign out there. I don't think Hummel Road traffic  
21 is as it was when the Ford plant had 60,000 people --  
22 16,000 people. So I stopped and looked at it myself.  
23 Now you go put a for rent on sign on Mr. Duncan's yard,  
24 house for rent, you go put a sign for rent there, okay?  
25 You will get a million phone calls. I guarantee it

1 because I've done it. That's the business I'm in a  
2 little bit.

3 **MR. DOLAN:** On the point,  
4 Councilman, there's a house on that lot. There is  
5 something to rent. There was a condemned property that  
6 was demolished, was beyond repair. It was filled with  
7 mold. It had no working furnace, it had no working  
8 sanitary. It was demolished, it's gone. The cost to  
9 put a small house, a teeny house is probably more than  
10 the market in that neighborhood would support. It's  
11 just, you can list it all you want. I mean, frankly as  
12 your Community Economic Development Commissioner, I  
13 don't care, list it. It's going to sit there and be  
14 nonproductive until the cows come home. Nobody is  
15 coming to build a house on that lot in Brook Park. I may  
16 be wrong. Put it on normal see what  
17 you get. You'll get it on Normals when a real estate  
18 broker has you sign a listing agreement, and you agree  
19 to pay 3 1/2% or 7% on any eventual sale.

20 **MRS. POWERS:** Well, that's is normal.

21 **MR. DUNCAN:** Well, that's not free.

22 **MRS. POWERS:** Whether you're selling a house  
23 or a lot, you're going to pay the realtor's fee which is  
24 normally around 7%.

25 (Multiple speakers.)

1 MS. MCCORMICK: Point of order guys.

2 MR. DOLAN: Well, the comment was it's free  
3 to put it on Normals, it's not. Then you have to  
4 assume that your broker, your one broker that you have  
5 out there, is going to actively market that lot to  
6 potential new construction home owners. People who want  
7 to build a new home on a very small lot in the City of  
8 Brook Park. That's a very, very small group of people,  
9 you know? Compared with somebody who has made the  
10 investment, lives next door, want to expand their yard  
11 and increase the home values in the neighborhood. You  
12 know, list it, I don't care. I just don't think you're  
13 going to find a whole lot of interest in new  
14 construction on a very small lot in the city.

15 MS. MCCORMICK: Okay. I think at this point  
16 we've spent quite a long time on three items. I would  
17 like to move things along.

18 MRS. POWERS: Can I just --

19 MS. MCCORMICK: Hold on. I'm allowed to  
20 speak. My personal feelings on this are, there has been a  
21 sign up for about four months.  
22 Nobody has been, you know, nobody has contacted. Nobody  
23 has inquired about it. Let alone made an offer on it.  
24 I think it would be better be in the hands of somebody  
25 who is going to take care of this property than just be

1 sitting there vacant for years. So I would be in  
2 support of moving this along. Anybody else have any  
3 comments to make?

4 MRS. POWERS: I just have one, that to Jimmy  
5 and to Mike Dolan both, I wasn't talking about a small  
6 house. I was talking about an average size house and I  
7 have seen these houses on this size lot in other  
8 cities that is new construction and they're very  
9 desirable. Because the houses we have on these lots are  
10 either ranches or bungalows. And if you have a lot that  
11 you, if you want more space that you can put on a lot  
12 building it longer front to back, build up. It's still  
13 going to be energy efficient, and maybe more energy  
14 efficient if you do build up. So you can put a, you can  
15 put a house with even more square footage than most of  
16 the houses in Brook Park by building it a different way.  
17 Because every house in Brook Park was built that way.  
18 We need to look at modernization and new ideas and  
19 innovative building. Thank you.

20 MS. MCCORMICK: If somebody has a motion I  
21 would be very happy--Councilman Salvatore.

22 MR. SALVATORE: Thank you. I would just  
23 like to summarize what I've been hearing here most of  
24 the evening on this topic. I think we're looking at  
25 an substandard lot, it may be buildable, it may not be

1 Buildable but it's all in the matter of supply and  
2 demand. Nobody is going to beat the door down to  
3 acquire a lot in the dimensions that gave 40x70, and the  
4 average building cost today for new construction. Even  
5 if you built an 800-square-foot home on it, which that  
6 would probably be a little too large for that lot, but  
7 that is not the typical Brook Park lot. It's a  
8 substandard lot. It would probably cost you somewhere  
9 between \$87,000 and \$97,000 to put an 800-square-foot  
10 which would consume most of that lot and you wouldn't  
11 even have any yard. Secondly you would have to add the  
12 price of the garage into that, factor that in and then  
13 have to squeeze that into the substandard lot.

14           And early on when we first started  
15 discussing it there was really not much of opposition to  
16 it when the discussion was to split it in half and give  
17 half to each neighbor. There was no concern whatsoever  
18 at that point. So I totally agree with Councilwoman  
19 McCormick. I mean, if it's okay to split it in two and  
20 divide it between the two yards and the one party  
21 doesn't want it, just give it all to the one who does  
22 want and who was agreed to maintain it and take care of  
23 it. I really don't think we're going to go out and sell  
24 this lot for \$35,000, I would rest assured that is not  
25 going to happen. I'm all in favor if there is no more

1 discussion, and there probably shouldn't be, to put this  
2 on the Council agenda and I put that in the form of a  
3 motion.

4 **MR. SCOTT:** Support.

5  
6 **MR. DOLAN:** On the point it needs  
7 a deed restrictions requirement.

8 **MR. SALVATORE:** So we'll make an amendment  
9 once we get it on the Council floor. That gives  
10 everybody a week to digest the restrictions and sit with  
11 the law director to come up with a nice paragraph that  
12 will protect the integrity of this particular  
13 transaction.

14 **MS. MCCORMICK:** Okay. We have a motion to  
15 put this on the next Council meeting and properly  
16 supported. Any discussion on the motion? Councilman  
17 Troyer.

18 **MR. TROYER:** Thank you, Madam Chairwoman. I'm  
19 going to go ahead and vote yes on bringing this to  
20 Council, but I would be inclined on our other properties  
21 that are bigger to vote no. My point is I guess this  
22 wasn't a good example, my point is we should be listing  
23 all of these properties. Those big lots, they shouldn't  
24 be sitting there with signs on it. We should be listing  
25 them and getting it out there. So in this case I'll go

1 ahead and vote to move this forward but, you know, I'm  
2 just holding out on this lot because I think it, I think we  
3 should be listing all of these and including this one.  
4 And that's the only way we know if there is a buyer out  
5 there or not.

6 MS. MCCORMICK: Any other discussion?

7 Clerk, can you call the roll?

8 CLERK: Salvatore?

9 MR. SALVATORE: Yes.

10 CLERK: Scott?

11 MR. SCOTT: Yes.

12 CLERK: Burgio?

13 BURGIO: Yes.

14 CLERK: Troyer?

15 MR. TROYER: Yes.

16 CLERK: Powers?

17 MRS. POWERS: Yes.

18 CLERK: McCormick?

19 MS. MCCORMICK: Yes.

20 CLERK: Mencini?

21 MR. MENCINI: Yes.

22 MS. MCCORMICK: Okay. This Ordinance will  
23 be on the next Council agenda, and before we get to  
24 number four I would like to make a motion to take a  
25 brief five-minute break, I also have papers to pass

1 out.

2 MR. MENCINI: Support.

3 MS. MCCORMICK: Can we call the roll on  
4 that?

5 MS. MCCORMICK: Yes.

6 CLERK: Mencini?

7 MR. MENCINI: Yes.

8 CLERK: Powers?

9 MRS. POWERS: Yes.

10 CLERK: Troyer?

11 MR. TROYER: Yes.

12 CLERK: Salvatore?

13 MR. SALVATORE: Yes.

14 CLERK: Burgio?

15 BURGIO: Yes.

16 CLERK: Scott?

17 MR. SCOTT: Yes.

18 COUNCIL PRESIDENT: Okay. There will be a  
19 five-minute recess to 9:05.

20 - - - -

21 (Thereupon, a recess was had.)

22 - - - -

23 COUNCIL PRESIDENT: Okay. It's 9:05, we're  
24 back in session.

25 MS. MCCORMICK: Okay. Item number four is

1 an Ordinance authorizing the City of Brook Park to  
2 provide Job Retention Business Expansion and Grant to  
3 James C. and Mary Ann White to facilitate the retention  
4 and expansion of Blue Line Rentals, 16000 Brookpark  
5 Road Ohio and declaring an emergency.

6           While we were on break I also passed out to  
7 everybody a revised copy of this Ordinance, there is  
8 some mistakes that I found in it, there is quite a  
9 few. So I highlighted them all and put the revisions,  
10 they're just simple mistakes. I'd like to offer  
11 that as a mass amendment after we get done discussing  
12 this. If Mr. Dolan would like to speak about the grant  
13 that would be great.

14           MR. DOLAN: Sure, so here is deal with that  
15 property. It used to be part of Ohio Northern Trucking.  
16 It's owned by James C. and Mary Ann White individually  
17 as individuals. The building that is in the back that  
18 the Blue Line uses for their operations was a former  
19 tractor trailer car wash so on and so forth and it's  
20 been leased out for the last five to seven years to Blue  
21 Line, formerly Volvo - Blue Line Heavy Equipment Rental.  
22 You know, that Sunshine or Sunbelt is down there at  
23 West 140th, and you just got United Rentals in there.

24           So their lease is expiring at the end of  
25 this year. They're either going to modernize or they're

1 going to get eaten by their competition down  
2 the street.

3 So Mr. White did not own the property up  
4 front. That was owned by a guy by the name of Wayne  
5 Weimer, who passed away in 2015. Mr. White was worried  
6 that the competition was going to drive Blue Line out.  
7 So I guess you could say at my recommendation he  
8 purchased the Weimer property in an effort to approach  
9 Blue Line and make them competitive with Sunbelt, and  
10 United Rentals.

11 The conditions upon which Blue Line will  
12 renew their lease is that Mr. White needs to construct  
13 in the back a larger permanent canopy so that they can  
14 service their equipment and make other improvements.  
15 They will expand their footprint and increase the net  
16 value of equipment on the yard and attempt to increase  
17 their payroll over there. The benefit to the city  
18 by doing that would be, he was going to rip out, take  
19 the building down on Weimer's property, which is not  
20 very useful for anything, take all that old obsolete  
21 ugly fencing out, take the landscape planters out, and  
22 make it look as close as possible to the new dealerships.  
23 New fencing, decorative or architectural fencing  
24 would be up front with landscape buffers and new  
25 parking. And it would all be replaced and it would look

1 modern and wouldn't look so much like a ghoul that  
2 it looks like today.

3 That paired with the property and the  
4 improvements that are coming immediately west of that by  
5 Luni & Wurz or Mr. Lavelle, who was here the week before,  
6 will take a huge chunk of Brookpark Road and take it  
7 from the 1940s and 1950s and put it up at 2016 and make the  
8 city much more marketable. It actually will, even with  
9 the Crematorium and the Crane company there and Akron  
10 Rebar, it's going to go a long way to improving the  
11 appearance of Brook Park leaving really the Travelodge  
12 as the major eye sore on that stretch of W 150th Street.

13 It would then allow us to focus on working  
14 from this property eastward towards West 150th  
15 and clean that up a little bit and attract some more  
16 businesses that generate more payroll. Which means more  
17 tax dollars and removes the decades of neglect occurred on  
18 that stretch of Brookpark Road when it was in the City of  
19 Cleveland.

20 All these properties that we're trying to  
21 deal with here are formerly within the City of  
22 Cleveland. The boundary line was the centerline of  
23 Brookpark Road and that's where Cleveland dumped all of  
24 their adult businesses and businesses that they weren't  
25 really interested in having in other areas of the city.

1 Jim White ran a good business., he brought  
2 Ohio Northern Trucking over from Memphis Avenue, and he  
3 ran a good business there but it was an pretty heavy  
4 industrial business, and the look and feel has changed  
5 on Brookpark to be more of a retail type center with  
6 the auto dealerships to the east, and new development  
7 down here on the west with Boss Pro Karting. There  
8 has been several people who are interested.

9 One of the problems with redeveloping  
10 Brookpark Road is we control three acres and its just not  
11 large enough. This would actually take a nice chunk of  
12 property and bring it's into 2016 and allow us to work  
13 on some of the other properties like the Travelodge and  
14 the other properties going down West 161st Street and 164th  
15 Street that are vacant. The Holiday Inn properties, the  
16 empty Town Freight building and the other terminals that  
17 are in there, to generate more business. This is  
18 one of those things when people see it it's not very  
19 attractive, and its, there is not much you can do with  
20 the Weimer property, collectively we have a tenant  
21 there. If they increase their inventory, increase their  
22 personnel, it will go a long way to improving the look  
23 and appearance of Brookpark Road.

24 Total cost for the Blue Line improvements to  
25 keep them for a new lease, five years with two five-year

1 options to renew is about \$200,000 to \$220,000. It's a  
2 lot of money.

3 MRS. POWERS: It says \$280,000 in here.

4 MR. DOLAN: It is \$280,000 in there?

5 MRS. POWERS: Yes.

6 MR. DOLAN: That's what the estimates are, the fencing  
7 alone is over \$40,000. The landscaping, the  
8 building is \$20,000 -- \$10,000 to \$20,000 to take it down;  
9 concrete and so on and so forth. It's expensive and  
10 I'll be perfectly candid with Council, Blue Line isn't  
11 generating a whole lot of payroll but it's kind of like  
12 having your two front teeth knocked out. You can live  
13 without them but you don't really look pretty. You  
14 know, I think it's a good investment because it tells  
15 people Brook Park is living in 2016 and has a concern  
16 for how, what their appearance is.

17 Now the worst part of the city is West 150th  
18 Street and Brookpark West, from Fanooses'  
19 which we hope to have a solution soon and the stretch  
20 from, I don't know what they call it now, the old Foxes  
21 Den west, it's improved. It still looks dated and  
22 somewhat obsolete on the corner there but we're  
23 getting Earl Olds is coming in that one property on  
24 the other side of the Stone property. And we have a  
25 couple of small vacancies in there but, you know, its

1 coming along. There just hasn't been much change down  
2 there for 20 or 30 years; so, you know, it's -- this  
3 will improve the appearances dramatically and keep a  
4 good tenant. If they increase their volume and their  
5 employees, it's a good service-oriented business that  
6 will draw people into the city and hopefully attract  
7 more people to do the same. I don't know what more I  
8 can say about it.

9 MS. MCCORMICK: Council have any questions?  
10 Mr. Astorino.

11 MR. ASTORINO: No questions really other  
12 than I would like to make a comment, Mr. Dolan, if you  
13 can pass it on. I know the Whites have been a good  
14 business owner in Brook Park for a long time and it's  
15 good to see that we're looking to do something for them.  
16 Because in the past they've approached the city about  
17 trying to do certain things with their business and four or  
18 five years ago they had some difficulties operating  
19 with the city; so it's good to see that maybe it will  
20 smooth things over again.

21 MR. DOLAN: They're good people.

22 MR. ASTORINO: Yes.

23 MR. DOLAN: They're good people, he's a  
24 smart guy, this is one of those situations  
25 where he wants to help the city and help himself at the

1 same time. Like you say, he has been here for a long  
2 time. Employed a lot of people, done a lot of  
3 good, and these were properties that part of it was  
4 formerly adult entertainment, so we've made progress.

5 MR. ASTORINO: Yes.

6 MS. MCCORMICK: Councilman Mencini.

7 MR. MENCINI: Thank you, Councilwoman  
8 Chairman. I'll concur with my Council President that I  
9 know them sparingly, and I know they've been here a long  
10 time and it would be great to help them out as our --  
11 Mr. Drabik also. They have a history here, too.

12 Mike, I do concur with you on that  
13 section of Brook park Road. Obviously that's an section  
14 that, you know, people are off I-480 and they're heading  
15 west, heading to the airport and a lot of other nice  
16 things towards the west side communities. That would be  
17 nice to maybe dress that up a little bit.

18 So that was more so a comment.

19 I also like in one of the Whereas, it would  
20 be the third one on the second page where they want to  
21 extend their equipment inventory from \$11 million in  
22 2017, \$15 million in 2019, \$17 million in 2020. You  
23 would like seeing things like that so that was just a  
24 comment, that's all I had. Thank you. That's all I have  
25 thank you. Thank you, Madam Chairwoman.

1 MS. MCCORMICK: Any other questions?  
2 Councilman Troyer.

3 MR. TROYER: Thank you, Madam Chairwoman.  
4 Mr. Dolan, I just want to, well I want to ask you about  
5 consolidating the lots. Have they given any  
6 consideration to that? Is that going to happen? Did I  
7 miss that? Was that happening before I got back? Did  
8 you mention anything about that?

9 MR. DOLAN: No, they didn't mention  
10 anything about it. From the Chair to the Council  
11 person, where zoning is a matter of municipal control a  
12 lot consolidation is something that is not legally  
13 required and there is no building across lot lines,  
14 it's simply going to be fencing and landscaping. The  
15 owners at this time have indicated they don't want to  
16 incur the additional expense. They're spending this  
17 kind of money on that lot for and it's not going to  
18 harm anything and I don't think he is interested in  
19 consolidating the lots, doesn't necessarily serve the  
20 purpose. I think the one lot ought to be consolidated  
21 with the Blue Line lot, but that is not something we can  
22 really force. I mean, you can deny the grant and say  
23 we're not going to help you out if you don't consolidate  
24 the lots, but I don't think that's counter-productive.  
25 We don't benefit by having consolidated lots there.



1 MR. TROYER: Okay. Not like the property  
2 next door where we did include that and we had wording  
3 in there.

4 MR. DOLAN: Well, the reason we did that  
5 next door is that the building that's going to go on  
6 there is going to go across lot lines.

7 MR. TROYER: Okay.

8 MR. DOLAN: And, you know, it's kind of hard  
9 to, and you can have, there is nothing wrong with having  
10 one lot with multiple zonings on it too and that was an  
11 issue there. He had some adult entertainment zoning on  
12 that lot and we said well, why don't you get rid of that  
13 because you're building across lot lines. It's a lot  
14 simpler, neater and easier just to put it all on one  
15 parcel.

16 MR. TROYER: Yeah. I was just thinking it  
17 might be better but if it's a bit cost to them and it  
18 doesn't really make a big difference --

19  
20 MR. DOLAN: There is no building going to go  
21 on there.

22 MR. TROYER: Okay. I got you.

23 MR. DOLAN: Yeah. The building is going to  
24 be new construction will go behind the existing  
25 structure and it's a canopy type thing that they can

1 put equipment underneath, charge it, clean it, service  
2 it and move it through.

3 MR. TROYER: Do we, do you know do we get  
4 any revenue from equipment?

5 MR. DOLAN: No, it's used to be under prior  
6 tax code there was tax generated on things like that.  
7 But under the new tax I don't believe it's taxable.

8 MR. TROYER: Okay. But they will be  
9 probably the building permits and for the canopy, there  
10 will be improvements with the canopy.

11 Okay. This is a very unique situation and  
12 it's very simple. I mean, we mean a section one of two  
13 and then it goes into our normal sections. Well, three  
14 maybe. But, you know, it's basically giving a grant to  
15 the owners of the property so they can help out the  
16 company on the property who leases from them to expand  
17 and hire people, so it's kind of going down the line  
18 and filling in. And I did do some number crunching  
19 here. You're looking at about \$300,000 there, in the  
20 Whereas which are not binding, **but expecting \$300,000** it  
21 would take us about, to recoup that \$50,000 about 8 1/2  
22 years. But I'd say that's worth it for what we're  
23 getting over there, you know, and that's only the  
24 difference. So, you know, I have no problem with that  
25 and the fact that we're getting all cleaned up, getting

1 that old -- it's probably an old gas station it looks  
2 like, that building on there.

3 MR. DOLAN: There's no tanks there,  
4 Councilman, and it's just a slab on grade.

5 MR. TROYER: Right.

6 MR. DOLAN: That lot cost \$225,000.

7 MR. TROYER: Right.

8 SO DOLAN: Add your improvements on top of  
9 that and you're look at \$50,000 dollars of  
10 investment.

11 MR. TROYER: Great. Because I know I've  
12 seen it, people come forward wanting to use, it's not  
13 allowed anymore. Years past sitting out here trying to  
14 get used car lots and that kind of stuff if there, and  
15 it's just going to make that whole area look better and  
16 that business to operate much more efficiently. So, yeah.  
17 I, you know, had very little qualms on this one, but you  
18 had to read it and figure out how everything is flowing.  
19 So thank you.

20 MS. MCCORMICK: Seeing no other questions I  
21 would like to offer the, as an amendment, the paper I  
22 handed out to everybody. It's just the same changes over  
23 and over again, Blue Line Rentals to Blueline Rentals,  
24 LLC, the possessive form of Whites' to White the plural  
25 form and Brook Park is two words to Brookpark one word

1 All of those are highlighted in your packet.  
2 So I would like to make those amendments.

3 MR. ASTORINO: Councilwoman, before you make  
4 those amendments because there are some more amendments and  
5 would like to deal with.

6 MS. MCCORMICK: Okay.

7 MR. ASTORINO: On the second page, third  
8 Whereas, it says Blue Line intends to expand its equipment  
9 inventories to \$11 million dollars and in parenthesis has  
10 (\$11.1) shouldn't that be \$11 million, one hundred thousand  
11 dollars written there. Then I just wondered as far as the  
12 accuracy of the years because it goes from 2017 the next  
13 one is written 2019 and the third one is written as 2020  
14 and the last one is written as 2018. I think the years are  
15 out of sequence and so if we could just change those years.

16 I think it should be \$11.1 million for 2017,  
17 \$15 million for 2018, \$17 million for  
18  
19

20 MR. DOLAN: On the point. --

21 MR. DOLAN: It's \$11 million for 2017; \$15 million  
22 \$17 Million for 2019 and \$18 million would last  
23 be the last one.

24 MR. ASTORINO: In 2020?

MR. DOLAN: Yeah.

1 MR. ASTORINO: Okay. So that \$11 million  
2 dollars is the accurate number then; so the parenthesis  
3 should just be \$11?

4 MR. DOLAN: Correct.

5 MR. ASTORINO: Okay. So I thought rather  
6 than do just that, and then this one I thought if we  
7 could just add that to your amendments.

8 MR. DOLAN: On the point to the Councilwoman  
9 Chair, I'm not sure they're an LLC, and that needs to be  
10 confirmed and I think maybe either **DIRECTOR CINGLE** can  
11 confirm it or I can confirm it with them. If you look  
12 at the Secretary of State there is a couple of different  
13 Blue Lines.

14 MS. MCCORMICK: That's where I got the  
15 information from. There is no Blue Line Rentals,  
16 Incorporated. It's actually Blue Line Rental, LLC.  
17 That's why I changed it.

18 MR. DOLAN: It just needs to be confirmed  
19 with them, I don't think it makes a difference to be  
20 honest with you.

21 MS. MCCORMICK: Okay. So we'll make those  
22 changes. Also to the third Whereas, \$11.1 million, and  
23 then the \$15 is for 2018, the \$17 is for 2019, and the \$18  
24 million is for 2020. So just flip all those years  
25 around. Do I have support on the amendment?

1                   **MR. MENCINI:**                   Support.

2                   **MS. MCCORMICK:** Any discussion?

3                   **MRS. POWERS:** Yes. Madame Chairwoman, we have  
4 two other mistakes that weren't mentioned in the, on the  
5 first page. The last Whereas, it's written \$520,000, but  
6 it's, when the numbers are there it's \$525,000 and then  
7 then the fifth Whereas on the next page is  
8 written \$280,000 but Mr. Dolan said it's \$220,000. So we  
9 need to get that straightened out so that we know what  
10 that number is.

11                   **MR. DOLAN:** It's \$280,000 and the first page  
12 is, I'm going to say, I'll double check it, but I  
13 believe it's \$525,000.

14                   **MRS. POWERS:** Thank you.

15                   **MS. MCCORMICK:** I'm going to say let's leave  
16 the one on the front page \$525,000 and then we can care of  
17 that later once he verifies. Any further discussion on  
18 the motion to amendment? Clerk, can you call the  
19 roll?

20                   **CLERK:** McCormick?

21                   **MS. MCCORMICK:** Yes.

22                   **CLERK:** Mencini?

23                   **MR. MENCINI:** Yes.

24                   **CLERK:** Powers?

25                   **MRS. POWERS:** Yes.

1 CLERK: Troyer?  
2 MR. TROYER: Yes.  
3 CLERK: Scott?  
4 MR. SCOTT: Yes.  
5 CLERK: Burgio?  
6 BURGIO: Yes.  
7 CLERK: Salvatore?  
8 MR. SALVATORE: Yes.  
9 MS. MCCORMICK: Okay, what is Council's  
10 pleasure?  
11 **MR. SCOTT:** Move to place on the next Council  
12 agenda.  
13 **MR. MENCINI:** Support.  
14 MS. MCCORMICK: Motion to place on the next  
15 Council agenda properly supported. Any discussion on  
16 the motion? Clerk, can you call the roll?  
17 CLERK: Scott?  
18 MR. SCOTT: Yes.  
19 CLERK: Mencini?  
20 MR. MENCINI: Yes.  
21 CLERK: McCormick?  
22 MS. MCCORMICK: Yes.  
23 CLERK: Powers?  
24 MRS. POWERS: Yes.

1 CLERK: Troyer?

2 MR. TROYER: Yes.

3 CLERK: Salvatore?

4 MR. SALVATORE: Yes.

5 CLERK: Burgio?

6 BURGIO: Yes.

7 MS. MCCORMICK: Okay. That's all for the  
8 Finance committee so I will turn it back over to the  
9 Council President.

10 COUNCIL PRESIDENT: Okay. Council, I need a  
11 motion to go back to the regular order of business.

12 MR. BURGIO: Motion so made.

13 MR. MENCINI: Support.

14 COUNCIL PRESIDENT: Motion and support.  
15 Clerk, please call the roll.

16 CLERK: Burgio?

17 BURGIO: Yes.

18 CLERK: Mencini?

19 MR. MENCINI: Yes.

20 CLERK: McCormick?

21 MS. MCCORMICK: Yes.

22 CLERK: Powers?

23 MRS. POWERS: Yes.

1 CLERK: Troyer?

2 MR. TROYER: Yes.

3 CLERK: Salvatore?

4 MR. SALVATORE: Yes.

5 CLERK: Scott?

6 MR. SCOTT: Yes.

7 COUNCIL PRESIDENT: Okay. We're back to the  
8 Regular order of Business under item number four on the  
9 agenda. Discussion, we have the first item under there  
10 is the 2017 Caucus and Council meeting schedule for  
11 Council President Astorino. The clerk has provided you  
12 a schedule for next year that we're looking to do. The  
13 three points I wanted to bring out is that in July we  
14 have a meeting scheduled for July 4th and in September we  
15 have a meeting that's scheduled for September 12th,  
16 which is a Primary Election day, and then in November we  
17 have a meeting scheduled for November 7th.

18 So Council I would like to know your  
19 thoughts on these meetings. I think obviously the July  
20 4th we need to move. September 12th is a Caucus so we  
21 might just very easily be able to cancel that or move  
22 it, and then same thing with November. But other than  
23 that the, the other schedules, there are no conflicts.  
24 Councilwoman McCormick.

25 MS. MCCORMICK: I would like to suggest that

1 the July 4th, just cancel that one since it's a  
2 holiday. And I assume we're probably taking a recess;  
3 is that correct? Do we have one scheduled or no?

4 COUNCIL PRESIDENT: Well, the only thing we  
5 can do is if we're going, we can't cancel a meeting, a  
6 Council meeting because the Charter requires us to have  
7 two Council meetings a month. But we could declare that  
8 we're in recess during that period of time. So you  
9 could call a recess for July 4th and July 11th.

10 MS. MCCORMICK: That's what I was going to  
11 suggest, a recess for the weeks of July 4th and July  
12 11th, and then we would still have the 18th and the 25th  
13 for any business that came up. Then my suggestions  
14 for the September and November. For September that would  
15 be Caucus, put that on the 19th before the  
16 Council. For November that would be a Council  
17 Meeting maybe want to move that one for the  
18 14th and do Caucus and Council again.

19 COUNCIL PRESIDENT: Do I have that in the  
20 form of a motion then?

21 MS. MCCORMICK: I would like to make a  
22 motion that we take a recess the weeks of July 4th and  
23 July 11th, which would effectively cancel those  
24 meetings. In September move the September 12th Caucus  
25 meeting to 6 p.m. on the 19th, and then move the Council

1 meeting to 7 p.m., that's for September. And then for  
2 November for the 7th cancel that because it's  
3 Election day, and then move that to the 14th. We would  
4 have Caucus at 6 p.m. and Council at 7 p.m.

5 **MR. BURGIO:** I support that.

6 **COUNCIL PRESIDENT:** Any discussion?  
7 Councilman Mencini.

8 **MR. MENCINI:** Thank you, Mr. Chairman. I  
9 mean, I'm just throwing this out there. With that July  
10 4th and 11th, I mean to give us that whole month  
11 wouldn't we want to maybe take June 20th and June 27th  
12 off with that, too? That would give us that month.

13 **MS. MCCORMICK:** You can take it between July  
14 and August.

15 **COUNCIL PRESIDENT:** No, because according  
16 to the Charter, the way the Charter reads, Councilman  
17 Mencini it says, you may recess during the  
18 months of July and August. So the Charter only allows  
19 us to take recess between July and August.

20 **MR. MENCINI:** Anybody else suggestions to  
21 take that month, I mean, comfortable with two weeks?

22 **MS. MCCORMICK:** Can I speak?

23 **COUNCIL PRESIDENT:** Councilwoman McCormick.

24 **MS. MCCORMICK:** I think we found this past  
25 summer that we ended up having a lot more meetings than

1 what would have been scheduled had we just taken the  
2 shortened recess. We ended up having quite a few  
3 special meetings; much more than what was scheduled.  
4 So I think a two-week break would be sufficient. That  
5 gives us the July 4th holiday and then the Home Days  
6 celebration is the next week. I know there is a lot of  
7 stuff going around then so I think those would make  
8 the most sense to.

9 MR. MENCINI: Anybody else?

10 COUNCIL PRESIDENT: Councilman Salvatore.

11 MR. SALVATORE: Thank you, Mr. Chairman. If  
12 you're trying to get a four-week recess, and comply with  
13 the Charter like the President said, you really can only  
14 recess in July and August. So why don't we just recess  
15 two weeks in July and two weeks in August. Because that  
16 way they'll be scheduled meetings if anything is coming  
17 up they'll already be scheduled and we'll all know that  
18 we have to be here and sure -- if we do cancel --  
19 if we did -- it happens all the time. If we recess for  
20 the whole month of July or the whole month of August  
21 we're going to probably get about 15 Special meetings.  
22 So maybe we should just plan on having the meetings both  
23 months, but also plan on allowing for Council to take  
24 vacations, et cetera, through those two weeks in each  
25 month, it's only a suggestion.

1 MR. MENCINI: I support that.

2 COUNCIL PRESIDENT: We have a motion on the  
3 floor that doesn't have that. If you want to make an  
4 amendment to that to add a recess on August 1st and  
5 August 8th that, I would take -- I would accept that  
6 motion. Councilman Troyer.

7 MR. TROYER: Thank you, Mr. Chairman.  
8 I suggest we just vote on that and then add --

9 COUNCIL PRESIDENT: Well, I'd like to set  
10 the whole schedule, we have the schedule before us. We  
11 can just do it as a full motion and work that out. So,  
12 I mean, we could add to her motion. This is just  
13 proving the schedule. It's not something that we  
14 couldn't change later on if it was needed anyway. But  
15 sometimes it's good to see it and know like Councilman  
16 Salvatore said. If we know we have two weeks off in  
17 July and two weeks off in August, we know that business  
18 can be handled in July and August and we don't have to  
19 -- it'll relieve the Special meeting urge.

20 MR. TROYER: I was just talking about doing  
21 that tonight.

22 COUNCIL PRESIDENT: So we can just amend  
23 your motion --

24 MS. MCCORMICK: I'll amend my motion to  
25 include August, the weeks of August 1st and 8th to also

1 be a recess.

2 COUNCIL PRESIDENT: Because my intent is --  
3 any more discussion on this? The intent is if we --  
4 when we go to vote on this now, we're voting on the  
5 schedule as it's amended. We're not going to approve  
6 the amendment and then have to -- the amendment is  
7 obviously relative to the whole schedule. So we'll call  
8 the roll on this seeing there is no other discussion.  
9 We'll call the roll on the schedule as amended. It's  
10 going to be July 4th, July 11th will be a recess, August  
11 1st and August 8th there will be a recess. In the month of  
12 September, September 12th meeting will be cancelled, but  
13 on the 19th we will have a Caucus that starts at 6 p.m. and  
14 a Council meeting afterwards at 7 p.m. And in November  
15 cancel the November 7th meeting but will have  
16 on the 14th, we'll have a Caucus at 6 p.m. and a Council  
17 at 7 p.m., That's the motion before you, Council.

18 MR. SALVATORE: I just want to thank Council  
19 for cancelling November 7th, that's my birthday.  
20 Thanks a lot everyone.

21 MR. ASTORINO: Clerk, please call the  
22 roll on the motion.

23 CLERK: McCormick?

24 MS. MCCORMICK: Yes.

1 CLERK: Burgio?  
2 BURGIO: Yes.  
3 CLERK: Scott?  
4 MR. SCOTT: Yes.  
5 CLERK: Salvatore?  
6 MR. SALVATORE: Yes.  
7 CLERK: Troyer?  
8 MR. TROYER: Yes.  
9 CLERK: Powers?  
10 MRS. POWERS: Yes.  
11 CLERK: Mencini?  
12 MR. MENCINI: Yes.  
13 MR. ASTORINO: Okay. This schedule has  
14 been approved. Thank you Council on that.  
15 **MR. SALVATORE:** Motion to place on the next  
16 Council agenda pending verbal approval.  
17 **MR. MENCINI:** Support.  
18 COUNCIL PRESIDENT: Seeing no discussion  
19 we'll call the roll.  
20 CLERK: Salvatore?  
21 MR. SALVATORE: Yes.  
22 CLERK: Mencini?  
23 MR. MENCINI: Yes.  
24 CLERK: McCormick?  
25 MS. MCCORMICK: Yes.

1 CLERK: Powers?

2 MRS. POWERS: Yes.

3 CLERK: Troyer?

4 MR. TROYER: Yes.

5 CLERK: Burgio?

6 BURGIO: Yes.

7 CLERK: Scott?

8 MR. SCOTT: Yes.

9 COUNCIL PRESIDENT: Okay. So that Council  
10 schedule will be placed on the next Council meeting for  
11 Verbal Approval. I'll move to item number two which is  
12 Council Rule number 27, I've asked for this to be put  
13 on the agenda today. I wanted to come before Council  
14 and-- we've move this a couple of times from  
15 other meetings just to, because of the number of items  
16 that were on the meetings. So I'm asking Council this  
17 was a subjected amendment that was put out there? I  
18 would like--I would ask that there be some sort of  
19 action on it tonight, so that we can move through our  
20 unfinished business.

21 MR. SALVATORE: Mr. Chairman?

22 COUNCIL PRESIDENT: Councilman Salvatore.

23 MR. SALVATORE: I really don't think it  
24 should even be on the agenda. It was by vote of Council  
25 that it was removed. So I don't know how, unless your

1 putting this Council Rule on this as your suggestion. I  
2 think it should not be on the Council agenda at all. So I  
3 make a motion to remove it again from the Council  
4 agenda.

5 COUNCIL PRESIDENT: Okay. Seeing no support  
6 we'll move -- Councilwoman McCormick.

7 MS. MCCORMICK: I'd like to motion a motion  
8 that this was discussed --

9 MR. TROYER: Support.

10 MS. MCCORMICK: -- I don't think that there is  
11 support for the change.

12 MR. SALVATORE: Point of order?

13 COUNCIL PRESIDENT: What's your Point of  
14 Order, Councilman?

15 MR. SALVATORE: My point of order is it  
16 shouldn't be on the agenda in the first place, but in  
17 the second place by making a motion that it was  
18 discussed it doesn't preclude this from being brought  
19 back up at a later date, so it's a moot point and  
20 doesn't really matter. We're discussing something that,  
21 it doesn't seem like anybody really wants to do it. But  
22 just because it's on an agenda at a Caucus meeting and  
23 you make a motion that it was discussed doesn't mean  
24 that it can't be brought back and discussed again. Not  
25 that it will, but I see no reason to even have this on

1 the agenda this evening. That's my point, Mr. Chairman.

2 COUNCIL PRESIDENT: Councilman, I'm not  
3 aware of what rule is being violated by placing it on  
4 the agenda. It was removed from another Caucus agenda  
5 to lighten the workload, so it's out there. It's  
6 suggested change, and it's impacting to have that there  
7 it just unfinished business, it's not indicating how our  
8 office is going to run. So it's kind of an  
9 important item so I asked for it to be under discussion.  
10 I think as Council President I get to establish certain  
11 agendas and I put this one on there because it's been on  
12 several different agendas and never seen any action.

13 MR. SALVATORE: There was action, Mr.  
14 Chairman, it was removed. That was the action and I  
15 don't see anybody who proposed this rule change asking  
16 for it to be put back on; that's my point, Mr.  
17 Chairman. So if you want to makes that motion that it  
18 was discussed that's fine but it doesn't mean it can't  
19 be brought back if that was the intent.

20 COUNCIL PRESIDENT: Well, okay. My ruling  
21 is that I'm not aware of any rule that's being violated  
22 so I'm going to do that and I'm going to go forward with  
23 the motion on the discussion. Is there any more  
24 discussion on the motion? Seeing none we'll call the  
25 roll.

1 CLERK: McCormick?  
2 MS. MCCORMICK: Yes.  
3 CLERK: Troyer?  
4 MR. TROYER: Yes.  
5 CLERK: Powers?  
6 MRS. POWERS: Yes.  
7 CLERK: Mencini?  
8 MR. MENCINI: Yes.  
9 CLERK: SCOTT?  
10 MR. SCOTT: No.  
11 CLERK: Burgio?  
12 MR. BURGIO: No.  
13 CLERK: Salvatore?  
14 MR. SALVATORE: Abstain.  
15 COUNCIL PRESIDENT: Okay, Council rule  
16 number 27 has been discussed. We'll move to item number  
17 three which is an Ordinance Amending Section 123.01 of  
18 the Brook Park Codified Ordinances entitled Posting  
19 Places and declaring an emergency. Introduced  
20 by Council President Astorino.  
21 On bringing it forward I'm sharing it with  
22 Council because as you're aware in August we received  
23 notice from the Safety Director that the police officers  
24 beginning in November will no longer be doing our  
25 postings for us, so I thought we should review the

1 Ordinance. So I put forward my suggested change and  
2 I've just simply brought it to the floor tonight to hear  
3 Council's feedback on it. I thought if you had the  
4 weekend to look at the Ordinance and develop some  
5 thoughts on it--it was to -- the Charter requires us to  
6 have at least five posting places, we've  
7 listed six. The current Ordinance, I've reduced it  
8 down and revised some of the posting areas. I would  
9 answer any questions if you want to know why I decided  
10 what I did or if you have any suggestions. Like I say,  
11 if there is any feedback from Council I'm looking for  
12 that before we bring it to the floor to look at,  
13 Councilman Scott.

14 MR. SCOTT: Yes, I only have one concern is  
15 that we're eliminating fire station number two which is  
16 on the farther side of the city. That's a pretty long drive  
17 for these seniors with everything centrally located  
18 right here. I don't understand why they're the furthest  
19 point from the city they're eliminating a posting point  
20 out there. I don't understand why we're doing that out  
21 there.

22 COUNCIL PRESIDENT: Well, I can explain the  
23 reason, the rationale used for it. Because the posting  
24 spot back there, it's very similar to the box that's  
25 right outside of Council. It's a locked glass box so

1 when they post it there all the people are able to  
2 actually read is the first page, because they don't  
3 have access to it. So if they had this package all  
4 they're able to read is actually the agenda. Because  
5 the way it's posted it's just up on the board like that.  
6 Although it's a posting place, it's not truly a  
7 functional posting place because they don't have access  
8 to the documents. So I just thought that by putting it  
9 at the recreation center there are quite a few people from  
10 that end of town that do come to our rec center. They  
11 would have access to it at that point and all the places  
12 that would be posting it at, quite a few of them are  
13 actually inside the buildings. They  
14 would have full access where they would be able to read  
15 the whole documents, and they would be much more  
16 comfortable by being inside as opposed to having to be  
17 right outside the apparatus door where the  
18 ambulance would be coming out while they're looking at  
19 that.

20           And then as you know, by the police not  
21 doing it, our clerk will be posting it so it's making it  
22 not easier, but it's, more functional for the clerk.  
23 Councilman Burgio.

24           MR. BURGIO: Thank you, Mr. Chairman. I had  
25 similar concerns as Councilman Scott, that at least they

1 see that. They at least know what's going to be on the  
2 agenda, and I think that they may feel alienated if they  
3 don't have access to that, that was my concern with  
4 that. But at least they're seeing what's going to be on  
5 the agenda. So I would be in favor of keeping it there,  
6 that's my opinion on that.

7 COUNCIL PRESIDENT: Although, I mean, I  
8 agree with you to a point that it does not -- they get  
9 to see page one of the agenda. So if it's, three pages  
10 that lists the agenda they don't know  
11 anything else that is going on there. So it's really,  
12 it's a posting place but over the years it's not a  
13 functional posting place. When I worked back there  
14 I never saw anybody come look at it because it's not  
15 functional. There was an occasional pull up and I've  
16 heard complaints over the years that they can't see the  
17 rest of it so what good does it do them.

18 MR. BURGIO: Mr. Chairman, did they have  
19 some concern about, that -- I mean, awhile back, I'm  
20 trying to remember, that maybe it wasn't kept up or it  
21 was in bad shape or something like that? I thought  
22 there was a concern about that posting situation there.

23 COUNCIL PRESIDENT: At the one back at that  
24 station?

25 MR. BURGIO: Yeah, that it was, it wasn't

1 in good shape and they wanted it to be fixed or  
2 something like that, I might  
3 be wrong.

4 COUNCIL PRESIDENT: Maybe it was, it was locked  
5 and a little beat up back there. But  
6 it was locked and it didn't cover everything but...

7 MR. BURGIO: That was any concern that  
8 people might feel that it's, something is being taken away  
9 from them, that is my concern.

10 COUNCIL PRESIDENT: Councilman Troyer?

11 MR. TROYER: Thank you, Mr. Chairman. I had  
12 the same concern but mine are standard, yes, there have  
13 been issues out there. Basically what I was told the  
14 one time is that they lost the keys to all of them. So  
15 if-- I would be happy to and, unless I'm physically able  
16 to go out there and post out there I guess we don't  
17 necessarily have to put it there, but I have that same  
18 concern. And I also have the certain of the fire  
19 station, the Smith Road fire station, or the Animal  
20 Control now, because that's another satellite  
21 so-to-speak. I wish we could find somewhere out right on  
22 Holland somewhere out in the Ward four to put postings, but  
23 we just don't have any property. So I have the  
24 same concerns. But the most egregious is the fact of  
25 fire station on Ruple. And I'm willing to, if I can

1 get, somebody can get me access to that or give me  
2 permission to go change that lock and get it set up  
3 right, I'll post it out there. Because I agree, it  
4 should be posted out there. So I'm offering that up.

5 COUNCIL PRESIDENT: Councilwoman McCormick.

6 MS. MCCORMICK: I'm satisfied with the  
7 proposed changes, I think five locations is plenty.  
8 It's all, and if you read further down sections B and C  
9 also state that it will be put on the website. That  
10 kind of brings the posting places up to what we're  
11 already doing, but it puts it into writing. I look at  
12 this as more of a housekeeping thing that we need to do.  
13 I don't think it's something that we need to spend too  
14 much time arguing about. But if Councilman Troyer wants  
15 to take them out there, I guess, be my guest. I  
16 wouldn't want to send the clerk out there all the time  
17 where nobody actually reads it.

18 COUNCIL PRESIDENT: Councilman Troyer?

19 MR. TROYER: Thank you, Mr. Chairman. I'm  
20 not saying put it on the list, I'm just saying I'll get  
21 it out there. If I can have permission to control that  
22 cabinet out there I'll get it done.

23 COUNCIL PRESIDENT: Councilman Mencini.

24 MR. MENCINI: I'm all for putting it out  
25 there, too. I would actually like to have one in every

1 ward, it would probably be nice. Mr. Scott's ward over  
2 there, I like your suggestion but I don't know if, it  
3 would be amiss if we had a Councilman going to  
4 put that out there. Somebody would call that -- I  
5 don't know if something would call that in question if  
6 it wasn't there. I mean, I just wouldn't want to put  
7 you in a bad spot. Who knows what could arise on that.  
8 I believe from what I'm stating that it would be  
9 the clerk that would take these to their designated --

10 COUNCIL PRESIDENT: That's what they're --  
11 that's what the Safety Director and Mayor decided, that  
12 the police will no longer be doing it so they've thrust  
13 that duty upon the Council clerk.

14 MR. MENCINI: And she has plenty on her  
15 plate now also, but I would like to get one in every  
16 ward. I mean, I would, I'm strong hearted on that. So  
17 I concur with my colleagues on putting it on the far  
18 west end on Ruple Road still. So that's all I have.  
19 Thank you.

20 COUNCIL PRESIDENT: I will point out in the  
21 notice that one of the reasons that the police aren't  
22 doing it is the safety director has determined that the  
23 currently staffing levels and the increase in calls is  
24 pinching their time.

25 MR. MENCINI: I get it.

1 COUNCIL PRESIDENT: So the reduced staffing  
2 and increase to calls is going to have a negative impact  
3 on us, too.

4 MR. MENCINI: Got you.

5 COUNCIL PRESIDENT: Councilwoman McCormick?

6 MS. MCCORMICK: I would just like to just  
7 point out that it says the five most public places and  
8 the five places listed are probably the most visited of  
9 public locations in the city. And then I would like to  
10 make a motion to place this on the next Council agenda.

11 MR. SALVATORE: Mr. Chairman, I don't think  
12 this discussion is finished yet.

13 COUNCIL PRESIDENT: I'm sorry?

14 MR. SALVATORE: I didn't get a chance to  
15 speak.

16 MS. MCCORMICK: I didn't see your hand.

17 COUNCIL PRESIDENT: Okay, I didn't take the  
18 motion yet, Councilman.

19 MR. SALVATORE: I just would like to say  
20 that I do believe that we should leave the one on the  
21 west end. If we have a functional problem with the way  
22 it's being posted or where it's  
23 being posted at, I think we should fix that. And I  
24 think that that should stay out there. If you look at  
25 these five locations, individually they're great spots

1 to pick but collectively they're all, you could throw a  
2 rock and hit any one of them from standing at any one  
3 of them. It doesn't make sense to me to put five spots  
4 in, all in the same little circle, I think we're  
5 defeating our purpose. If we're going to add these  
6 five, then maybe we don't need five. So I believe we  
7 should keep that one on the west end and fix the  
8 problem. That's what I think we should do. Thank you.

9 COUNCIL PRESIDENT: Do you want to offer  
10 that as an amendment to the drafting here or?

11 MR. SALVATORE: Yes, if we're having that  
12 people around can't have access to the Council agenda  
13 and it's going to require us to fix that --

14 COUNCIL PRESIDENT: Councilman, I don't have  
15 any problem with the amendment. Like I said, this was a  
16 starting part for us, that's why I brought it under  
17 discussion at the Caucus meeting. I asked the law  
18 director to draft this up, she did that,  
19 and we're bringing it here for discussion. If you have  
20 those concerns -- if you make the motion to amend it and  
21 if it gets the support you can vote on that.

22 MR. SALVATORE: Well, my amendment is to  
23 leave the west end location on the posting spot.

24 COUNCIL PRESIDENT: Okay.

25 MR. BURGIO: I support that.

1                   **MR. TROYER:**                   Mr. Chairman, may I  
2 suggest that you just take out the Holland Road fire  
3 station and put in the Ruple Road fire station.

4                   **MR. SALVATORE:**   That will work.

5                   **COUNCIL PRESIDENT:**   So, Councilman, is the  
6 amendment to add the west end fire station, or is it to  
7 replace number four?

8                   **MR. SALVATORE:**   I would like to add it, the  
9 way it was before we had six locations and we're  
10 cutting it to five. I think we leave it at the six and  
11 put the fire station one back in. People are used to  
12 going to these spots, and I see no reason to take one  
13 out.

14                   **COUNCIL PRESIDENT:**   Okay.

15                   **MR. SALVATORE:**   As far as the clerk doing it  
16 at some point maybe we can change that around. But for  
17 all intent and purpose we can start it that way, and if  
18 it doesn't work out we'll find a way to get it done.

19                   **COUNCIL PRESIDENT:**   All right. So I'm going  
20 to take it that your amendment is to add number six Fire  
21 Station at 22530 Ruple Road?

22                   **MR. SALVATORE:**   Correct.

23                   **COUNCIL PRESIDENT:**   I would suggest that we  
24 leave the station numbers off because they've been

1 changed numerous times, and with dispatch the change to  
2 dispatch they're changing their designations, too.

3 So people will know the fire  
4 stations by the Ordinance. Any discussion? Councilman  
5 Troyer.

6 MR. TROYER: Thank you, Mr. Chairman. I  
7 would just like to mention that our clerk is going to  
8 have to drive out to the west end on late Friday  
9 afternoon in the middle of winter to post this.

10 COUNCIL PRESIDENT: That's correct.

11 MR. TROYER: That's it.

12 MR. SALVATORE: I thought you volunteered to  
13 drive her there, I must have misunderstood you.

14 MR. TROYER: I figured you would rather have  
15 me because nobody really cares.

16 COUNCIL PRESIDENT: Okay, let's move the  
17 agenda. Any other discussion? Seeing none, clerk,  
18 please call the roll.

19 CLERK: On the amendment.

20 COUNCIL PRESIDENT: On the amendment.

21 CLERK: Okay. Thank you. Salvatore?

22 MR. SALVATORE: Yes.

23 CLERK: Burgio?

24 BURGIO: Yes.

25 CLERK: Scott?

1 MR. SCOTT: Yes.

2 CLERK: Mencini?

3 MR. MENCINI: Yes.

4 CLERK: McCormick?

5 MS. MCCORMICK: No.

6 CLERK: Powers?

7 MRS. POWERS: No.

8 CLERK: Troyer?

9 MR. TROYER: Abstain.

10 COUNCIL PRESIDENT: Okay. The amendment

11 passed. Council, what's your pleasure with the

12 Ordinance?

13 MS. MCCORMICK: Motion to place in next

14 Council agenda

15 COUNCIL PRESIDENT: Any other discussion

16 first? Law director?

17 MRS. HORVATH: I just wanted to note that my

18 understanding is this has yet to be introduced.

19 COUNCIL PRESIDENT: Correct, it is just to be

20 placed on for introduction. Any other discussion before

21 we take a motion? Make the motion.

22 MS. MCCORMICK: Motion to place on the next

23 Council agenda.

24 COUNCIL PRESIDENT: To be placed on the next

25 Council agenda for Introduction of New Legislation. Is

1                   there support?

2                   **MR. TROYER:**                   Support.

3  
4                   COUNCIL PRESIDENT: Any discussion? Seeing  
5 none we'll call the roll.

6                   CLERK: McCormick?

7                   MS. MCCORMICK: Yes.

8                   CLERK: Troyer?

9                   MR. TROYER: Yes.

10                  CLERK: Powers?

11                  MRS. POWERS: Yes.

12                  CLERK: Mencini?

13                  MR. MENCINI: Yes.

14                  CLERK: Scott?

15                  MR. SCOTT: Yes.

16                  CLERK: Burgio?

17                  BURGIO: Yes.

18                  CLERK: Salvatore?

19                  MR. SALVATORE: Yes.

20                  COUNCIL PRESIDENT: Alright, we now move  
21 to item number four which is tablets and laptops, put on  
22 the agenda by me. One of the reasons I put  
23 it on the agenda was because at the last meeting during  
24 one of the breaks the Mayor had mentioned there was, one  
25 of the departments was looking at purchasing some. So he

1 thought we could coordinate it, since he is not here  
2 tonight obviously so we can't go over that part. I don't  
3 know if

4 anybody else has any discussion they want to talk about  
5 for getting the tablets or laptops. Is that a yes or a  
6 no?

7 **MR. MENCINI:** No.

8 **COUNCIL PRESIDENT:** Councilwoman McCormick,  
9 any discussion?

10 **MS. MCCORMICK:** I would just like to suggest  
11 we move this to the next Caucus so to Mayor is here so  
12 he can hear about what the city is doing and getting on  
13 the purchasing with them.

14 **COUNCIL PRESIDENT:** Okay, So there is an  
15 motion to place it on the next Caucus meeting. Is there  
16 support?

17 **MR. SCOTT:** Support.

18 **COUNCIL PRESIDENT:** Okay. Any discussion?  
19 Seeing none please call the roll.

20 **CLERK:** McCormick?

21 **MS. MCCORMICK:** Yes.

22 **CLERK:** Scott?

23 **MR. SCOTT:** Yes.

24 **CLERK:** Burgio?

25 **MR. BURGIO:** Yes.

26 **CLERK:** Salvatore?

1 MR. SALVATORE: No.

2 CLERK: Troyer?

3 MR. TROYER: Yes.

4 Clerk: Powers?

5 MRS. POWERS: Yes.

6 CLERK: Mencini?

7 MR. MENCINI: Yes.

8 COUNCIL PRESIDENT: Okay, to be placed on  
9 the next Caucus agenda. That concludes item  
10 number four, we'll move to item number five which is  
11 Marijuana Public Hearings per Council President  
12 Astorino. I was asked to put this on the agenda by  
13 Councilwoman McCormick, so I'm going to let you go first  
14 in speaking on this.

15 MS. MCCORMICK: We passed a Resolution last  
16 month I believe it was, but in the Resolution we said  
17 that we would--Council would hold public hearings on the  
18 medical marijuana issue. So we would have a chance to  
19 bring in some experts in the field and also have the  
20 community have a chance to ask questions and get some  
21 feedback. So going forward, once our six-month  
22 moratorium is up we'll have--we'll be able to change our  
23 legislation, Ordinances, and such to suit the needs of  
24 the community I guess you could say. To do that, I  
25 don't want to take the lead and just start doing this

1 all myself; I think this needs to be a collective  
2 effort and need to figure out some dates that might work.  
3 I know at least Councilman Troyer said he knows  
4 somebody who may be interested in speaking. I know a  
5 couple of people if anybody else has anything to offer.  
6 I guess the first thing would probably be to pick a date  
7 and a location.

8 COUNCIL PRESIDENT: Councilman Mencini?

9 MR. MENCINI: Thank you, Mr. Chairman. I  
10 would hope that the people that come to our special  
11 speakers would be local. The other thing is Cleveland  
12 City Council last night, I don't know if you guys all  
13 seen, put a moratorium on everything. On the sale, on  
14 the growing on everything for a full year. So, I mean,  
15 maybe there is something I didn't read in that article  
16 or hear on the news but that's what I heard what they  
17 did last night. So I want to look into that a little more  
18 and see why they did that, a big city like that, that's  
19 got a lot of problems there. Not tonight they don't,  
20 but do have a lot of problems. That's all I have, Mr.  
21 Chairman. Thank you.

22 COUNCIL PRESIDENT: Councilman Troyer?

23 MR. TROYER: Thank you, Mr. Chairman.  
24 Sorry, Councilman Mencini, what city did you say did  
25 that?

1 MR. MENCINI: City of Cleveland.

2 MR. TROYER: City of Cleveland, okay. Good.  
3 We need to, we already have -- it's already legal.  
4 Correct me if I'm wrong; Medical Marijuana is already  
5 legal. They just, they have to promulgate their rules  
6 and come up with how they're going to do it. I  
7 think what we wanted to do, we put the moratorium on it  
8 so we can see what their rules are, and I think we  
9 should have these meetings of some sort. We have to  
10 figure out a way too, so we can come comply with our own  
11 rules and/or go off of their rules. So, but I just, I  
12 have a question for you.

13 MS. MCCORMICK: For me?

14 MR. TROYER: Yes.

15 MS. MCCORMICK: Okay.

16 MR. TROYER: Councilwoman McCormick, were we  
17 going to wait until after they promulgated their rules  
18 or did we want to have maybe a resolution to try to --

19 MS. MCCORMICK: We wanted to start looking  
20 at it before then, because there are a lot of rules  
21 already in place.

22 COUNCIL PRESIDENT: Julie, please speak in  
23 the microphone.

24 MS. MCCORMICK: We weren't going to wait  
25 after the moratorium. Our idea was to start working on

1 it before the moratorium expired but realistically, they  
2 won't be able to do business until all of the rules are  
3 in place anyway.

4 MR. TROYER: Okay.

5 MS. MCCORMICK: But we wanted to get the  
6 ball rolling.

7 MR. TROYER: So we got to promulgate our own  
8 rules and maybe even at some point come up with some  
9 things we want and then have a Resolution to the State;  
10 asking them to mimic what rules we might think of. So,  
11 I mean, really, we have the legislation and passed the  
12 Legislation to do this. It's a good idea, Medical  
13 Marijuana is legal, just everybody has to come up with  
14 the rules on how it's going to be distributed and how  
15 it's going to be used. It's going to help people and I  
16 don't want to get into that because it's already legal.  
17 So, we have to come up with our set of rules on how we want  
18 it administered and how we want it to work in our city.  
19 So I think we should, as soon as possible,  
20 have these meetings. Now the question is how big are  
21 they going to be? Small meetings, big meetings do we  
22 have it here, like wards, one per ward so it's a little  
23 smaller or do we do it at the Recreation center in the gym  
24 so it's the whole city, those are the little things -- we  
25 should do it. We should have the meetings and we should

1 have some feedback. Maybe we could do, maybe even do a  
2 questionnaire, mail out a questionnaire. I know it's  
3 going to cost money but, you know, maybe there is a way  
4 of doing that, a questionnaire. Maybe do could a, it's  
5 kind of weird but a suggestion box or a questionnaire at  
6 the rec center to start off to find out where everybody  
7 is at. But we have to figure that out and, you know,  
8 before we even decide when we have to decide when and  
9 where, we have to decide how big of a crowd are we going  
10 to get and where do we want, you know, what size do we  
11 want to start with? You know, if it's a smaller crowd  
12 we can start here and we can control that better. If  
13 it's--we want to do a city wide then it's, you know,  
14 obviously we do a small crowd we're going to have to  
15 have more of them. But I think we have to do it. We  
16 have to do our due diligence and come up with some  
17 Ordinances that guide the new product through the  
18 process. So that's it. Thanks.

19 COUNCIL PRESIDENT: Okay. Just to refresh  
20 everybody on this, I mean, we passed the resolution in  
21 September. And the Resolution one of the sections said,  
22 "Council will conduct a series of public hearings to  
23 assess community needs as well as explore issues that may  
24 derive from presentations including physicians,  
25 pharmacists, employers, and other medical marijuana

1 industry experts. The goal of holding the public  
2 meetings is to gather information and determine how  
3 Brook Park will respond to the states legalization of  
4 Medical Marijuana."

5 So, you know, we passed a Resolution to  
6 conduct these meetings or public hearings, I think we  
7 should, my thought is we should conduct one here. I  
8 think we have enough room to get something. If it's  
9 more that show up that will be a surprise to me. I  
10 think one of the recommendations or suggestions I would  
11 have is maybe a Representative of Southwest Hospital,  
12 Councilman Salvatore contact them to see if they have  
13 anybody that would be available to speak on this matter.  
14 That may help get somebody from Southwest Hospital to do  
15 that. whether it be a doctor or a pharmacist and such.  
16 And then if anybody else knows anybody else and then it  
17 would be difficult or us to pick an exact date but I  
18 think what we need to get is first the speakers and then  
19 try to coordinate the dates. So we get the  
20 people that are going to come. It's not a public  
21 hearing that we're going to be giving. We're going to  
22 ask them to make presentations, and you're talking about  
23 people that may have a busy schedule and they may say  
24 well, that's a nice date for you but it's not going to  
25 work for me.

1           The thing is we need to start something  
2 moving forward so I would ask Councilman Salvatore to  
3 get touch with people at Southwest to see if they'd have  
4 it, and if anybody else has people; just start  
5 gathering some names and try to make some contacts.

6           MR. SALVATORE: Mr. Chairman?

7           COUNCIL PRESIDENT: Councilman Salvatore.

8           MR. SALVATORE: I will contact their  
9 offices in the morning and find out if anybody is  
10 available to conduct a question and answer session for  
11 the first public hearing.

12          COUNCIL PRESIDENT: Thank you.

13          **MR. TROYER:**                   Mr. Chairman, also  
14 maybe if we can live stream it that would save the  
15 crowd. Maybe some people just want to listen and come  
16 in the next meeting with questions, maybe something like  
17 like that.

18          COUNCIL PRESIDENT: Okay. But we need to  
19 get the speakers first, there is a certain order to do  
20 this and you're worried about the actual function of the  
21 thing, we have to get it organized first.

22          **MR. TROYER:** Just thinking out loud.

23          COUNCIL PRESIDENT: I know.

24          **MR. TROYER:**                   That's what I

1 actually said earlier.

2 COUNCIL PRESIDENT: Councilwoman.

3 MS. MCCORMICK: Do we want to like try for  
4 something mid-December between the holidays or do we  
5 want to wait until January? Is that too long? That's  
6 more of what I -- maybe not a specific date but we're  
7 asking these people.

8 COUNCIL PRESIDENT: If suggestion wise, if  
9 you're asking me I would say after the first of the  
10 year. I think to do something in December is very  
11 difficult to put it together that quick around the  
12 holidays, is going to be difficult I think. I think  
13 if we can schedule something for mid-January that would  
14 probably be a good thing.

15 MS. MCCORMICK: Okay. And that would be the  
16 first in a series. Can I speak some more?

17 COUNCIL PRESIDENT: Go ahead.

18 MS. MCCORMICK: I participated in a web  
19 seminar from the Ohio Municipal League recently and,  
20 because we participated in it they're inviting us for  
21 three to also join another webinar that they're having  
22 in February. I don't have the date in front of me, I  
23 think it's the 16th of February, it's a Thursday. 6pm  
24 to 7pm and they said they're going  
25 to have a lot more information at that one. I

1 guess there is going to be more information coming out.

2 But the last one had three attorneys from  
3 Walter-Haverfield and the next one is a different attorney  
4 from a different firm, I don't know the name off the  
5 top of my head. Hopefully we can get something set  
6 up where more Council can participate in that one. I  
7 don't know if we can do it at the library. If they have  
8 a setup or something, we can hook our computer up to  
9 the screen but it's all on there. I will get  
10 everybody a copy of the presentation, the PowerPoint  
11 from the last one I participated in, there might be  
12 some information in there.

13 One of the things that came out was  
14 the municipalities cannot do a sales tax on the Medical  
15 Marijuana; the rules as they are now doing not allow for  
16 that. That's was one of the questions that came up.  
17 But we obviously get income tax on the employers and  
18 stuff like that. But I guess as a city we need to like  
19 look at the Ordinances and stuff that are going to need  
20 to be changed, like zoning; that may come into play.  
21 And then I think it's also a good opportunity to, like  
22 an information session for the community, so everybody  
23 is on the same page and knows what's going on.

24 So I'll start asking, we'll try for, I  
25 guess, mid-January, and if anybody else has anybody I

1 guess we can all coordinate by e-mail for something.

2 COUNCIL PRESIDENT: Councilman Mencini?

3 MR. MENCINI: Thank you, Mr. Chairman.

4 Very, very delicate issue and I'll make this really quick.

5 I think we ought to be very careful on how we go about

6 this. I concur again with the Council President,

7 January is good and don't think this should be rushed.

8 You're going to have people on the other end of the

9 Aisle if you're reading cleveland.com at

10 all, but once a week they're bringing in somebody who

11 lost a loved one to heroin and most of the time it

12 started with marijuana; they'll tell you exactly how it

13 started and it seemed to be the marijuana. So you're

14 going to have that, you're going to have that, too,

15 coming. So I think we got to look at both ends of the

16 aisle on this. We're not walking on thin ice down the

17 lake here but there's some holes in the water, so

18 we got to be a little careful on this. They'll be

19 people who have strong feelings, I'm sure, so that's all

20 I have Mr. Chairman, Thank you.

21 COUNCIL PRESIDENT: Councilman Salvatore.

22 MR. SALVATORE: If I may, update on the

23 game, Indians three to nothing.

24 COUNCIL PRESIDENT: Okay. Just to go a

25 little further with this, Law Director, I just wanted-- I

1 heard her say that the webinar was attorneys from Walter  
2 Haverfield, and I know we have a relationship with that  
3 firm. Is there a way you can maybe contact them to see  
4 if they have access to some speakers that they can  
5 recommend to us?

6 MRS. HORVATH: I can certainly do that, I  
7 think the main thing that we're going to be able to  
8 regulate is probably zoning. I don't know how you  
9 want to structure your speakers, are you looking at  
10 speakers concerning that issue? Or are you looking for  
11 medical information? Or alternately are you looking at  
12 business information? In other words, maybe we have  
13 somebody who is interested in packaging, manufacturing  
14 packaging for people who have their prescriptions  
15 sent out. I mean, I don't know. We can certainly do  
16 the legal piece first, and then I don't know if you want  
17 to fill in with medical and/or we can do Mr. Salvatore's  
18 medical expert if he is able to get one. Then do a  
19 subsequent legal piece on zoning on how it will relate  
20 to all cities. I mean, but I can see who I might be  
21 able to tap and coordinate with Mr. Salvatore.

22 COUNCIL PRESIDENT: Yes, I think that  
23 would be good, I think the nice thing about it. The  
24 nice thing is the attorney is doing something, but also the  
25 doctors and pharmacists doing something. There seems to be

1 a lot of-- I've seen a lot of discussion and people are  
2 concerned about the medical marijuana when it's --  
3 because they're thinking it's recreational marijuana  
4 also. I think the doctors and pharmacists giving  
5 some explanation to the public at a public hearing and  
6 answering those questions may relieve some tension on  
7 this issue. But I just thought that, I heard her  
8 mention that attorneys from Walter-Haverfield were  
9 involved in that webinar; they are a firm that we've  
10 work would with for many years.

11 MRS. HORVATH: That's certainly true.

12 COUNCIL PRESIDENT: Just to get their advice  
13 on how to put this public hearing together too and what  
14 they would find to be--I don't want to reinvent the  
15 wheel if they already know how to do it.

16 MRS. HORVATH: Exactly. And I don't know if  
17 you want to try and if it might be too big a bite of the  
18 apple to have medical and legal on the same night or if  
19 you want to do them different.

20 COUNCIL PRESIDENT: I don't know how long  
21 either presentation would take. Maybe by asking them it  
22 might work together, it might not.

23 MRS. HORVATH: My experience is attorneys  
24 always say that they want to be brief and then they're  
25 not so...

1 COUNCIL PRESIDENT: Council people also,  
2 too

3 MR. SALVATORE: Motion it was discussed.

4 COUNCIL PRESIDENT: Yes. Please.

5 **MRS. MCCORMICK:** Support.

6 COUNCIL PRESIDENT: Okay. Motion that it  
7 was discussed properly supported, clerk, please call  
8 the roll.

9 CLERK: Salvatore?

10 MR. SALVATORE: Yes.

11 CLERK: McCormick?

12 MS. MCCORMICK: Yes.

13 CLERK: Powers?

14 MRS. POWERS: Yes.

15 CLERK: Troyer?

16 MR. TROYER: Yes.

17 CLERK: Mencini?

18 MR. MENCINI: Yes.

19 CLERK: Scott?

20 MR. SCOTT: Yes.

21 CLERK: Burgio?

22 BURGIO: Yes.

23 COUNCIL PRESIDENT: Okay. Item number five  
24 is completed so that completes the items under discussion.

1 We'll move to letter five Aviation and  
2 Environmental Committee - Chairwoman Powers.

3 MRS. POWERS: Thank you, Mr. Chairman. I have one piece  
4 of legislation. A Resolution urging the Federal Aviation  
5 Administration to have a Community meeting with the City  
6 of Brook Park in reference to the flight paths at  
7 Cleveland Hopkins International Airport and declaring an  
8 emergency. Introduced by Councilman Burgio. Councilman  
9 Burgio, since you did not talk with me about this and as  
10 far as I know you didn't discuss it with, I'm the  
11 chairperson, and Councilman Scott is the co-chair, and I  
12 didn't get any feedback at all about any of this. So I'm  
13 going to let you discuss what this is about.

14 MR. BURGIO: Thank you, Madam Chairwoman,  
15 About a month ago, this in the Sun News. The  
16 headlines are "FAA Seeks Community Input on Flight  
17 Paths." Has anyone seen this? Well, anyway I saw  
18 that and immediately contacted our Economic  
19 Development Commissioner Dolan and asked him if  
20 the city was aware of this, and were we contacted.  
21 He had no idea and the Mayor had no idea. What  
22 the article says is that the FAA is planning and  
looking for public comment on the routes airplanes  
should fly in and out of Cleveland.

1 And they want to hear concerns  
2 about noise and the environment among other issues as it  
3 prepares to change flight paths possibly from ground  
4 based navigation to satellite based navigation.

5 So they--my understanding is that they had--  
6 they held community forums or meetings in the City of  
7 Cleveland at Gund Recreation Center, Fairview Park,  
8 Middleburg Heights, but they didn't invite Brook Park.  
9 And we're basically bordering most of, or a good portion  
10 of the airport and we had so much litigation with  
11 Cleveland over the past several years. I thought that we  
12 were slighted and I thought we needed to know if there  
13 we were going to be changing any flight patterns.

14 So the next round of meetings will not take  
15 place until next year after preliminary design is  
16 drafted and our residents in Brook Park, in my opinion,  
17 and city officials should meet with the FAA, and before  
18 next year, before these things are drafted in my opinion  
19 because it's important. I get a lot of calls over the  
20 years that I've been on Council in Ward one, and  
21 especially Ward three in the Fairlawn area because of  
22 noise complaints. If they're going to be changing  
23 flight paths, they're proposing to do that in 2018. I  
24 think we should be made aware of it so that's what this  
25 Resolution proposes that, you know, we have a meeting

1 like they had in other communities. And that's my  
2 whole point in that. I would invite all of Council  
3 to co-sponsor it with me and think you all have  
4 investigated interests in this. So, that's the whole  
5 thing in a nutshell. So I would open up for any  
6 discussion that you have, but Madam Chairwoman, that's  
7 why I felt strongly about this, I think we should have  
been invited.

8 MRS. POWERS: Okay. Thank you. Does anyone  
9 have any comments, **COUNCILWOMAN MCCORMICK:**

10 MS. MCCORMICK: I have pulled up the article  
11 that Councilman Burgio mentioned. When I was looking  
12 this up I saw that and one of the questions that I had

13 was he said the next round isn't until, you know, it's  
14 a-ways off and it said they had held the other ones in  
15 mid-September and they were taking, I guess they said  
16 they were accepting comments for 30 more days. So  
17 hopefully we didn't miss the boat on it, but hopefully  
18 we can convince them. I think if we all pass it  
19 unanimously maybe we can convince them to give us a  
20 second look and come talk to us. So if you're  
21 accepting cosponsors I would like to cosponsor this.

22 MR. BURGIO: Sure. I would invite all  
23 of Council to cosponsor it and think it's something  
24 that we need to do, and I believe that Mr. Dolan  
25 sent letters to some of these people the

1 FAA director and so forth, and I think Fred Szabo also.  
2 So we want to get some -- we have want to have public  
3 input like they did in other cities. That's all we're  
4 asking for so.

5 MRS. POWERS: Would anyone else have any  
6 comments?

7 COUNCIL PRESIDENT: Yes, I do. I mean, you  
8 just said other meeting cities had meetings?

9 MR. BURGIO: Yes.

10 COUNCIL PRESIDENT: When were those meetings  
11 held?

12 MR. BURGIO: When?

13 COUNCIL PRESIDENT: Yes, do you know?

14 MR. BURGIO: Well, this was September 22nd  
15 so it must have been right before that. I would imagine  
16 August, I don't think it says when but it says that  
17 they've had meetings. And I think that on cleveland.com  
18 they also had some information about the cities which is  
19 Fairview, Cleveland, Middleburg Heights.

20 COUNCIL PRESIDENT: Was there any  
21 explanation or did you have any understanding of why  
22 they held them there.

23 MR. BURGIO: No, I don't have that answer that  
24 what I'm trying to find out. I can see Cleveland and  
25 Fairview Park, for sure, because they border the airport.

1 Middleburg Heights, I'm sure they're effected also.  
2 But I think that we certainly should have been informed  
3 about these meetings and the city did not know anything  
4 about that, Mr. Dolan or the Mayor, and they were  
5 pretty upset that they weren't asked. So I would like  
6 to have somebody here and let the public know we're  
7 having discussions, because they want the input. The  
8 FAA wants the input from the residents about their  
9 concerns. So we're affected as much as Cleveland and  
10 maybe more so, and especially Ward one and Ward three,  
11 and the rest of the city as well. So I think it would  
12 be a good idea to have this, have it posted and done  
13 before they have new design implemented, I'd like  
14 the give feedback before that happens.

15 COUNCIL PRESIDENT: Okay. Thank you.

16 MRS. POWERS: Any other questions, comments?

17 MS. MCCORMICK: Oh, I just want to comment.

18 In the article on cleveland.com it says one was  
19 September 14th in Middleburg Heights and then September  
20 15th in Fairview Park. It does not say when the Cleveland  
21 one was but the way it's written it sounds like it was  
22 before those two during the same week. From what  
23 I've heard we're not the only community that was  
24 slighted and not contacted, other communities are also  
25 scrambling to try and figure something out that are

1 nearby and in the flight paths. So I think it's good  
2 that we're taking action to get something done. That's  
3 all.

4 MRS. POWERS: Any other comments? What is  
5 Council's pleasure? What do you want to do with this?

6 MR. BURGIO: I make a motion to  
7 put it on the next Council agenda.

8 MR. MENCINI: Support.

9 MRS. POWERS: Will, the clerk call the  
11 roll, please?

12 CLERK: Burgio.

13 BURGIO: Yes.

14 CLERK: Mencini?

15 MR. MENCINI: Yes.

16 CLERK: McCormick?

17 MS. MCCORMICK: Yes.

18 MRS. POWERS: Powers?

19 THE WITNESS: Yes.

20 CLERK: Troyer?

21 MR. TROYER: Yes.

22 CLERK: Salvatore?

23 MR. SALVATORE: Yes.

24 CLERK: Scott?

25 MR. SCOTT: Yes.

1 MRS. POWERS: That's all I have, Mr.  
2 Chairman.

3 COUNCIL PRESIDENT: Okay.

4 MR. TROYER: Mr. Chairman, we all  
5 got down as cosponsors on that; right?

6 COUNCIL PRESIDENT: Yes, everyone is.

7 CLERK: Everyone?

8 MR. ASTORINO: Everyone.

9 CLERK: Thank you.

10 COUNCIL PRESIDENT: Okay, that concludes  
11 items under letter five, Aviation and Environmental, we've  
12 we've already completed the Finance Committee. We'll  
13 move to item number seven, Legislative Committee -  
14 Councilman Troyer.

15 MR. TROYER: Thank you, Mr. Chairman. In  
16 light of the fact that the police chief was supposed to  
17 here tonight and is not, and he did give us  
18 some information to digest. I'm not going to go ahead  
19 and take these off the agenda but I would like to  
20 entertain a motion to put these on the next Caucus  
21 meeting.

22 MR. SALVATORE: I'll make a motion to put  
23 both items on the Legislative Committee on the next

1 Caucus.

2 MR. TROYER: Okay, but Mr. Mencini already  
3 just did that.

4 MR. SALVATORE: He did?

5 MR. TROYER: Yes, do you want to be the  
6 second?

7 MR. SALVATORE: Did he make a motion for  
8 both of them or just one of them?

9 MR. TROYER: I said it and he said --

10 MR. MENCINI: Eeny, meeny, miny, mo. You're  
11 the one that's got to go.

12 MR. SALVATORE: I withdraw my motion.

13 MR. TROYER: We need a second.

14 MR. SALVATORE: I'm not seconding it.

15 MR. SCOTT: Support.

16 MR. TROYER: Motion made to place on the  
17 next, both of these items on the next Caucus meeting and  
18 properly seconded, clerk please call the roll.

19 CLERK: Mencini?

20 MR. MENCINI: Yes.

21 CLERK: Scott?

22 MR. SCOTT: Yes.

23 CLERK: Burgio.

24 BURGIO: Yes.

25 CLERK: Salvatore?

1 MR. SALVATORE: Yes.

2 CLERK: Troyer?

3 MR. TROYER: Yes.

4 CLERK: McCormick?

5 MS. MCCORMICK: Yes.

6 CLERK: Powers?

7 MRS. POWERS: Yes.

8 MR. TROYER: Go Tribe, and that concludes  
9 the Legislative Committee.

10 COUNCIL PRESIDENT: Council?

11 MR. SALVATORE: Motion to adjourn.

12 COUNCIL PRESIDENT: Yes, please, we changed  
13 the rules. You need to make a motion to adjourn.

14 **MR. MENCINI:** Support.

15  
16 COUNCIL PRESIDENT: Call the roll on adjournment, please

17

18

19

20

21 MR. SALVATORE: Yes.

22 CLERK: Mencini?

23 MR. MENCINI: Yes.

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CLERK: McCormick?

MS. MCCORMICK: Yes.

CLERK: Powers?

MRS. POWERS: Yes.

CLERK: Troyer?

MR. TROYER: Yes.

CLERK: Burgio?

BURGIO: Yes.

CLERK: Scott.

MR. SCOTT: Yes.

COUNCIL PRESIDENT: Meeting is adjourned at  
10:21. Thank you.

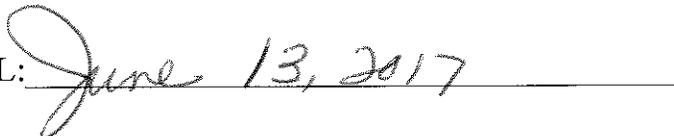
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Michelle Blazak  
Clerk of Council

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C E R T I F I C A T E

I, Lisa M. Wright, a Notary Public within and for the State of Ohio, do hereby certify that this is a true and accurate transcript of the tape-recorded proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office, at Cleveland, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_\_.

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Lisa M. Wright, Notary Public, State of Ohio  
My commission expires September 18, 2020