

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
HELD ON TUESDAY, JANUARY 24, 2017 AT 7:00 PM**

The meeting was called to order by Council President Astorino at 7:04 p.m., the clerk called the roll and the following Members of Council answered:

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

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

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Regular Caucus Meeting held on May 24, 2016

**Motion** by Mr. Mencini, supported by Mr. Burgio.

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

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

2. Regular Caucus Meeting held on June 14, 2016.

**Motion** by Mr. Mencini, supported by Mr. Burgio.

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

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

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**DISCUSSION:**

1. THE DEPARTMENT OF LIQUOR CONTROL – DBA SANDRA K ENT LLC 15119 AND15109 SNOW RD., BROOKE PARK, OH 44142. THIS IS FOR A NEW D1, D2, D3, D3A AND D6 LIQUOR PERMIT. THE DEADLINE DATE IS ONE – 2/7/2017 AND1/30/2017. There are two applications received for the same address. Mr. Astorino stated that he spoke with the mayor and there are no problems with this, so we don't really need a hearing He just needs a motion to acknowledge that this was discussed.

Mr. Salvatore questioned if you are allowed to have two liquor licenses at one address.

Mr. Coyne replied there is one permit, two storefronts.

**Motion** by Mr. Troyer, supported by Mr. Mencini to approve.

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

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

**Discussion: cont.**

2. INVESTIGATION OF COUNCILMEMBERS AND COUNCIL OFFICE OPERATIONS -  
Councilman Scott

Mr. Scott stated that he wanted to take the words "Councilmembers and" out of it and just have it become "Council Office Operations; noted some irregularities and wants to investigate it.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to place on the February 7th Council agenda under verbal approval.

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Mr. Astorino asked Mr. Scott what will be investigated or how will it be conducted?

Law Director Horvath replied that there should be independent counsel and an investigator who would look at a portion of what might be deemed by Council to be inappropriate. Depending on what Council deems to be inappropriate, there may or may not need to be a special counsel or investigator; some things Council may be able to determine on their own. There could be a template drawn up for everyone to review at the next meeting. For instance, there may be something about the website that you are investigating that is different from Council office procedure.

Mr. Scott stated the words Council Office operations is too vague, that we need to keep this on Caucus to determine what's going to be investigated. Before this goes to Council it should determine what's going to be investigated.

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

The motion is now placed before you to investigate Council operations on the February 7th Council agenda under verbal approval.

**Motion** by Mr. Salvatore supported by Mr. Mencini  
**ROLL CALL: AYES:** Salvatore, Mencini, Powers, Troyer, Burgio, Scott.  
**NAYS:** None. The motion carried.

3. CITIZEN OF THE YEAR

Mr. Astorino stated a resolution that was passed back in 1997 Council was asked to name members of the committee to start getting busy on this.

Mr. Mencini asked how is the Citizen of the Year picked does it come from the Chamber of Commerce or the city?

Mr. Salvatore when this first began every Councilmember and the Mayor picked a person to serve on this committee to review nominations received. Mayor Elliott asked Council during his term to have the Citizen of the Year be incorporated with the Best of Brook Park ceremonies. But it is still Council's responsibility to form this committee by

**Discussion: cont.:**

selecting a chairman and have every member of Council provide names of their choice to serve on this committee. Mr. Salvatore nominated Richard Scott to chair the committee and place on verbal approval at the next Council meeting.

**Motion** by Mr. Salvatore supported by Mr. Mencini.

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

**NAYS:** Powers. The motion carried for verbal approval at the next council meeting.

Mr. Astorino asked that the names for the nominating committee should be turned into the Council Clerk's office sometime next week.

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**FINANCE COMMITTEE – CO-CHAIRMAN, TROYER:**

1. AN ORDINANCE AUTHORIZING THE HUMAN RESOURCES COMMISSIONER TO PREPARE SPECIFICATIONS FOR AND TO ADVERTISE FOR PROPOSALS ("RFP") FOR THE EXECUTION OF A COMPREHENSIVE JOB AND SALARY STUDY AND FURTHER AUTHORIZING THE MAYOR TO SEEK SUCH PROPOSALS AND DECLARING AN EMERGENCY. Introduced by Council President Astorino.

Mr. Astorino stated at the beginning of last year there were some discussion on this matter. A resident spoke at a meeting and provided her viewpoint and stated from her experience there should be a salary review every several years or so with the goal of pay scales being similar to other jobs. This resident also stated that an outside firm was the best way to a fair assessment.

Mr. Salvatore stated that it was unfortunate that this didn't have everything in place for 2017 and thinks this should wait until the end of the year to provide enough time to see what other municipalities are doing.

Mr. Burgio expressed concern with this not being the right time to spend \$20-\$30,000, but would be in favor at a later time.

Mr. Scott stated originally he wanted to last year but his feelings have changed and concurred with Councilmembers Salvatore and Burgio.

Ms. Powers stated that too often Council waits until the last minute to address an issue and if this is addressed now or over the next month or so then Council won't be faced with this problem at the end of the year.

Mr. Mencini stated that originally he was also in favor of this in 2016 and thinks that this isn't the right time but would definitely be interested in 2018.

**Finance Committee – Co-Chairman, Troyer: cont.**

Mayor Coyne stated this goes beyond compensation, it's the City of Brook Park Practices and Conditions; there is substantial law that the city has to conform to in employment practices. Almost every employee of the city is a member of organized labor governed by union contract. Directors, division heads, the Chiefs of the police and fire divisions, probably less than a dozen people. What has been done in the past is take an examination of other cities of like size and similar budget and average it out then make a recommendation to Council. Mayor Coyne continued the amount of money to do this analysis would be close to \$20,000 or more and these employment practices and conditions would expand that cost. It's not simply a comparison of compensation, it's how you operate. The city must conform to civil service regulations and have union contracts that govern as well as city ordinances, state law and equal opportunity issues. Mayor Coyne thinks that for this small group a simple review of similar operations in the immediate region will tell us that and can be obtained through simple research.

Mr. Astorino stated that his intention was simply to get ahead of the game instead of always trying to play catch up. This only allows us to get proposals to get it done; there is nothing that says the city has to enter into a contract at this time. This would allow to get proposals together and decide at a later time in the year what to do with the information.

Mr. Troyer stated that last year at this time a lot of research was done and there was a report from Fairview Park that had a lot of information that would've helped; along with some other research that was done that could have helped. Last year Council decided that a study was needed so let's find out how much it is going to cost to get the study done and then a decision on what Council wants to do.

**Motion** by Ms. Powers to place it on the next council agenda, supported by Mr. Troyer.

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

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

**Motion** by Mr. Scott, supported by Mr. Burgio, that this was discussed.

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

**NAYS:** None. The motion passed.

2. AN ORDINANCE AMENDING SECTION 121.01(A) AND(B) OF THE BROOK PARK CODIFIED ORDINANCES RELATING TO THE PRESIDENT OF COUNCIL AND MEMBERS OF COUNCIL AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

Mr. Troyer stated that this was brought forward in 2014, because at the time there was talk about cuts throughout the city, in salaries, jobs and services. At that time, he felt that Council should start with the cuts but it's a moot point now.

**Finance Committee – Co-Chairman, Troyer: cont.:**

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to amend section 121.01 (A) by changing the date to January 1, 2018.

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

**NAYS:** None. The motion passed.

Mr. Salvatore stated that in that same section it states that it will be duly changed by \$15, 300 per year and would like to amend to read \$12,500 per year.

**Motion** to by Mr. Salvatore, supported by Mr. Burgio, to amend the salary to \$12,500 per year.

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

**NAYS:** Powers, Troyer. The motion carried with a vote of 4-2.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to amend page 2 - Section 121.01 (B) by changing the year to read 2018.

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

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

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to amend the same section by changing the salary to read \$12,500 per annum.

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Ms. Powers asked the Finance Director what percentage of a cut is this for the President of Council and Members of Council salaries.

Mr. Cingle replied for the Council President there is a decrease of \$4,193, or about 25%; for Members of Council, the decrease is 18%.

Ms. Powers' further comment is when Council started this there was mention that monies were needed to be saved wherever possible because the city was broke. This was brought forward in good faith to say that Council will set a good example and start with Council salaries. Since that time there has been enough monies to give employees an 8% increase and doesn't feel it's fair that Council takes a 185 or 25% cut.

Mr. Salvatore stated that this is just a little higher than what was proposed in 2014. Mr. Salvatore asked what were the proposed cuts for all the boards and commissions?

Mr. Cingle replied I don't have that information with me this evening, but it was greater than 25%; it was a large reduction.

Mr. Salvatore stated these cuts are in line and will streamline the city's government. Mr. Salvatore commented that he would not mind seeing Council downsize or that the Council President be able to vote.

**Finance Committee – Co-Chairman, Troyer: cont.**

Mr. Scott stated the Boards and Commissions took a 54% pay cut and it would be interesting to find out what labor group received an 8% pay raise.

Mr. Mencini stated that if we start cutting anything it should start with Council. Many employees of the city had pay freezes for a long time and I will support this.

Ms. Powers responded, since our pay cut for Council would be 18%, and the pay cut for Council President would be 25%. Then all elected officials should take a 25% pay cut that would be the fair thing to do.

Mr. Astorino asked how were these numbers arrived at?

Mr. Salvatore replied back in 2014 it was around \$11,693; so it was rounded up to \$12,500.

Mr. Troyer asked, there was no study or research done?

Mr. Salvatore replied in my opinion that's the right amount.

Mr. Burgio stated that he thinks it's just a way of giving back to the community and it shows that you want to serve. When I was on the school board I didn't receive a salary although I think they do get a salary now.

Mr. Salvatore asked if Mr. Troyer had a study done?

Mr. Troyer stated that he took it back to the point before the last increase around 2008, that's what it was before the last two increases.

Ms. Powers said in response to Mr. Burgio that this has nothing to do with the money it has to do with principle. The principle is that if one elected official takes a cut then all elected officials should take a cut.

Mr. Burgio and Mr. Mencini concurred with Ms. Powers.

Mr. Troyer commented that he would like to keep the \$14,446 because that's what it was before the last increase; even though he believes we are worth the \$15,300 that we currently earn.

The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Mencini, to amend Section 121.0 the same section by changing the salary to read \$12,500 per annum.

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

**NAYS:** Powers, Troyer. The motion carried with a vote of 4-1.

**Finance Committee – Co-Chairman, Troyer: cont.:**

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

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

**NAYS:** None. The motion passed.

3. AN ORDINANCE AMENDING SECTION 1805.02 (2)(A) AND (B) OF THE BROOK PARK CODIFIED ORDINANCES COLLECTIONS AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Mr. Cingle said the amendment refers to a change in legislation for House Bill 5 which went into effect January 1, 2016. Under House Bill 5, the quarterly withholding payments are due on the 15<sup>th</sup> following the end of the calendar year. Senate Bill 172, adopted in June, 2016, changed the quarterly withholding tax to be due on the last day of the month following the end of a calendar quarter. This legislation changes the language to be the way it was before Senate Bill 172 and also stated that Section 2 should be amended to read 1805.01.

**Motion** by Mr. Mencini, supported by Mr. Scott, to amend section 2 to read 1805.01.

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

**NAYS:** None. The motion passed

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

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

**NAYS:** None. The motion passed.

4. AN ORDINANCE AMENDING SECTION 1809.01 (I) (2) OF THE BROOK PARK CODIFIED ORDINANCES RETURN AND PAYMENT OF TAX AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Mr. Cingle said that House Bill 5 originally made changes to payments made by electronic transfer to be considered paid on the date when the taxpayer designates delivery of payment, which may or may not have been the same date when the payment was initiated. Senate Bill 172 now states that the payment is considered on the time stamp assigned by the first electronic receiving organization. The change was mainly made because of the time that it takes for the payment to transfer through the Ohio Business Gateway to local municipalities.

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

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

**NAYS:** None. The motion passed

**Finance Committee – Co-Chairman, Troyer: cont.:**

5. ORDINANCE NUMBER 10052-2016, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A JOB RETENTION AND BUSINESS EXPANSION GRANT TO DRABEK MANUFACTURING INC., 15601 COMMERCE PARK DR. Introduced by Mayor Coyne.

Mayor Coyne wants a better level of what is the guaranteed payroll of \$500,000. The amount has to be changed from \$608,707.50 to \$500, 000, to reflect the fact the Mr. Drabik's salary had to come out of this; the same changes made to the contract.

Ms. Horvath said that the amendments could be made here.

Mr. Coyne reviewed the Ordinance and Contract made the necessary adjustments.

**Motion** by Mr. Mencini, supported by Mr. Scott, to amend the Ordinance as stated.

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

**NAYS:** Powers. The motion passed.

**Motion** by Mr. Mencini, supported by Scott, to amend the contract in four places.

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Ms. Powers stated that she has opposed this and their grants from the beginning; reiterating where does it end. If one company gets a grant, another one comes forward and does not think it's in the city's best interest to invest in a machine, even if can't be moved out. Also, it cannot be said what's going to happen to this company next year. If it goes back up to \$608,000 that's great but what happens if he goes down to \$300,000? There is prediction what any company is going to do.

Mr. Salvatore responded by saying first off you look is at the businesses that are here; that's probably more important than bringing in new businesses. The businesses this city has is the best businesses that we have; any company that comes into the city is a bonus.

Mr. Mencini commented the hope is this doesn't end and hopes that a long-standing company like Drabik brings in more companies to the city. It's the competitiveness that the city has with other areas and communities and this is a tool that's probably going to continue to be used.

Mr. Burgio stated that it's been established that the city gives grants to companies for decades, it's good business to do that.

Ms. Powers replied calling it corporate welfare. For Harley-Davidson the company headquarters said they wanted their stores located as close to a freeway as possible, when moving to the city they got the ideal location. Cuyahoga Machine had already purchased three acres of new land to expand their building. Mr. Drabik already bought his new machine and hopefully won't be like Ford Motor Company and lose any employees and will stay in the city. If another company was coming in and the city gave them an incentive of \$50,000 to entice them to come here, that would be a different



**Finance Committee – Co-Chairman, Troyer: cont.:**

story. If Drabik is successful enough to buy a new machine, then she doesn't think they need the corporate welfare.

Mr. Coyne stated existing businesses in the city talk to their counterparts. Brook Park gave Ford Motor Company an abatement for clean air emissions and has NASA Glenn. The real strength in this community are the smaller manufacturing operations. Parma just recently announced that there is going to be several million dollars in improvements in the General Motors facility; I hope Brook Park can capture some of that work like in the past. If the city doesn't maintain their own, then new companies won't come in. Brook Park has made a statement that we're open for business.

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The clerk called the roll by Mr. Mencini, supported by Mr. Scott, to amend the contract in four different places.

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

**NAYS:** Powers. The motion carried with a vote of 5-1.

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

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

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

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**LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER:**

1. A RESOLUTION TO REINSTATE THE ASSAULT WEAPONS BAN, TO INSTITUTE A NEW FEDERAL ASSAULT WEAPONS BAN AND TO SUPPORT UNIVERSAL BACKGROUND CHECKS AND STRICTER GUN CONTROL MEASURES AND DECLARING AN EMERGENCY. Introduced by Councilwoman McCormick.

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

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

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

2. RESOLUTION NO. 21-2016, URGING THE BEREA CITY SCHOOL DISTRICT TO BUILD A NEW HIGH SCHOOL ON THE CURRENT SITE OF FORD INTERMEDIATE SCHOOL AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

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

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

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

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

3. A RESOLUTION HONORING MARIO LEANZA FOR HIS 45 YEARS OF SERVICE AT BROOKGATE AS LEANZA'S QUALITY SHOE SERVICE AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, Mayor Coyne, Council President Astorino and all members of Council.

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

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

**NAYS:** None. The motion passed

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Mr. Astorino asked the Council for a motion to go into Executive Session for the purpose of Attorney Conferences (Litigation)

**Motion** by Mr. Mencini, supported by Mr. Scott, to go into Executive Session.

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

**NAYS:** None. The motion carried at 8:38 p.m.

**Motion** by Mr. Troyer, supported by Mr. Mencini, to adjourn the Executive Session.

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

**NAYS:** None. The motion carried at 9:55 PM.

**Motion** by Mr. Mencini, supported by Mr. Scott, to go back to the Regular Order of Business.

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

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

**Motion** by Mr. Mencini, supported by Mr. Scott, to adjourn the Caucus meeting.

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

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

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There being no further business to come before this meeting Council President Astorino declared this meeting adjourned at 10:05 PM.

RESPECTFULLY SUBMITTED



Michelle Blazak  
Clerk of Council

APPROVED



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