

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

February 24, 2014

7:00 p.m.

Present: Kathy Pucci
Mary Balbier
Kevin Tanski
Andy Celcherts
Katie Gallagher
Tony DeMarco
Ron Van Kirk

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Pucci, second by Van Kirk to approve the minutes from the meeting of January 27, 2014. **VOTE RESULTED:** *Approve:* Yes: Pucci, Balbier, Gallagher, DeMarco, Van Kirk. Abstain: Tanski, Celcherts. No: None. **(APPROVED)**

MOTION by Pucci, second by Tanski to approve the minutes from the meeting of January 28, 2014. **VOTE RESULTED:** *Approve:* Yes: Pucci, Balbier, Tanski, Gallagher, DeMarco, Van Kirk. Abstain: Celcherts. No: None. **(APPROVED)**

MOTION by Pucci, second by Van Kirk to approve the minutes from the meeting of January 30, 2014, as amended. Councilwoman Pucci wanted the minutes to reflect that the meeting time had been changed, and she was literally on her way to work. **VOTE RESULTED:** *Approve, as amended:* Yes: Pucci, Balbier, Tanski, DeMarco, Van Kirk. Abstain: Celcherts, Gallagher. No: None. **(APPROVED)**

President Gallagher expressed on behalf of Council condolences to the family of Mary Bazelides, who passed away last week. She was an active member of the St. Thomas More Women's Guild. Economic Development Dir. Migliorino lead the first resident work group on behalf of the marketing steering committee on Feb. 11th, where there were many great ideas and a list of resident concerns to work on in the community. As leaders, it's tough to hear the negatives about Brooklyn; but for every negative issue that brought up, there was already something in the works to address the concern. There will be many more work sessions, and letters will be going out inviting residents to participate in this campaign to improve Brooklyn. The Mayor held the State of the City on Feb. 13th at the Chamber of Commerce, and on Feb. 21st at the Democratic Club. He shared great news leaving 2013 and a list of great things for 2014. The Chamber of Commerce hosted the Taste of Brooklyn on Feb. 22nd. It was a great event, with the school jazz band, great food sponsored by Brooklyn residents, and proceeds benefitted their scholarship program. The scholarship program deadline is April 4th. More information on it is available at the Chamber's website, www.brooklynohiochamber.org. Tomorrow Council will hold a budget work session with the Mayor and Finance Director at 6:30 p.m. in the Conference Room. All are welcome. On the Agenda is a Resolution to accept the Fact Finder's recommendation regarding the bargaining agreement with the Firefighters Local 1145; at the Mayor and Law Director's request, there will be an Executive Session prior to voting on it. It will be held at the end of the meeting, and then come back to vote on the matter.

PUBLIC SESSION:

Herb Brunkholz of 5230 Summerwood Dr., Seville, member of Firefighters Local 1145, said he wants to make sure everybody knows exactly what they're voting on tonight with the Fact Finder's report. And it will be public record, so they want to know how you're voting.

Tom Adamski of 9625 Melody Ln. said he's continuing to try to find a resolution about the problems on Idlewood. Reminded Council of comments by Councilmembers Pucci and Van Kirk. Councilwoman Pucci said she contacted State Rep. Skindell because of legislation about cameras, that he thinks it should be Home Rule. He agrees. This issue's been sidestepped for years. The time is to find a final resolution. Said Councilman Van Kirk is the right person to be Chair of the Safety Comm., and that there was going to be a meeting on the issue, which is very important. Asks he contact a representative of a mobile camera to see if there is a short or long-term contract, or to invest and buy one. A unit could be used at other areas besides Idlewood. The solution is to have a stop sign on Idlewood, but... He suggests if a decision can't be made on cameras that after the winter signs and a speed bump go up temporarily, to stop the flow of traffic, especially during construction period.

Marisa Hahn of 8608 Ansonia, a senior at Brooklyn, and a lead in the upcoming play Annie. Has been part of the Drama Dept. since 7th grade, part of the pit band. She plays a part in Annie. Performances are March 6, 7 and 8 at 7 p.m. (tickets \$7), and March 8th at 2 p.m. (tickets \$5). This would have been an extracurricular in danger of being cut with the failure of the levy, so she personally thanks the voters who vote yes. They would not have the opportunity to be part of the program otherwise.

Hailey Quintilano of 9724 Memphis Villas Blvd., a senior at Brooklyn, plays Annie in the play. Invites everyone to the show, which everyone has put in so much work. Repeated the show dates. Thanked everyone who voted yes for the levy, it means a lot to everyone, those who thrive off of academics, and also sports and drama. Thanked everyone again.

Esme(?) of 4161 Westbrook Dr., spoke on behalf of the High School Drama Club and music dept. Part of Drama Club for four years, an amazing experience, and she's a student director this year. Invites the senior citizens to join them March 6th at 9 a.m. for a dress rehearsal, followed by a breakfast. Also thanked the voters who voted yes for the levy.

Cynthia Walker, 4600 Pinewood Path, Copley, the School Superintendent, said she loved seeing the three young ladies who spoke today. They also taped 'Let's Talk Brooklyn' this afternoon as her guests. She reiterated what they said about the play, and asked everyone to attend. This is the 6th annual senior citizen breakfast, and to call 216-485-8112 to let them know if they will attend (and have enough breakfast food). On March 11th at 5:30 there will be tours of the old vocational wing, which is the first part of the demolition. If interested, meet in the lobby at 5:30. There will be another music program on March 13th at 7 p.m. in the auditorium. The 2nd annual Support Our Schools Spaghetti Dinner will be from 4-7 p.m. on April 5th. It was very successful last year. There will be sideboards, dinner and lots of fun, with entertainment from the students in the lobby. Again, there is a renewal this year, which is for a levy originally passed 20 years ago, renewed every five years since then. Thanks Brooklyn for their continued support, and hope to see everyone at the many upcoming events.

Jennifer Mladineo of 7419 Brookside, said the first 2014 meeting of the Brooklyn Laurel Garden Club will be March 11th at 7 p.m. in the community room at the Fire Station. It's organized for educational purposes and charitable contributions, such as the sponsoring of the Veggie U program at the elementary school, which teaches students about gardening and encourages trying different vegetables. Everyone is invited to attend, all levels of interest, expertise and experience are welcome. The meetings include education and occasional guest speakers and projects, like their annual plant sale. March 11th is a welcome back tea – bring a tea cup and wear a hat if you wish. Come to see what they are about.

Victor Ardito of 7439 Outlook Ave., brought up again the salt he thinks we're spreading like crazy, on flat streets and others. Other cities don't salt every street. There's a renewal levy asking for money. Everyone's not getting raises.

Patrick Schmitz of 6508 Archmere, said he and his wife are thinking about getting chickens, but learned in Brooklyn it is not allowed at this time. He researched and started 'Hens in Brooklyn' to attempt to join the local national movement on backyard chickens. Neighboring communities have a lot chickens for many years, the latest Cleveland Hts. in 2013, without a hitch. Cleveland passed their ordinance in 2009, with no major problems to date. There will be an informational meeting in the near future to dispose of myths of chickens in the city, and the benefits of having chickens. For upcoming dates and meetings to learn more, go to 'Hens in Brooklyn' on Facebook. Has literature on urban myths relating to it.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 and addressed the following: Ords. 2013-4 and 5 (name change and expansion of CRA) up for 3rd reading/adoption; Res. 2014-1 will be discussed in executive session (the Law Director will give an explanation on it); Ord. 2014-10 on first reading (for the permanent budget), there will be a budget session tomorrow in more detail; Ord. 2014-11 (contract with CEC for services relating to the landfill) will be adopted by emergency so a response can be given to the EPA; Ord. 2014-12 on first reading (distribution change from income tax); Ord. 2014-13 up for emergency measure (authorize purchase of vacant lot at Memphis/Brookway).

Recreation Board (Kevin Tanski): Gave learn to swim information, beginning March 11th for nine weeks, Monday and Wednesday evenings (resident, \$45; nonresident, \$60). Swim team registration (resident, \$65; nonresident, \$90). Visit the Facebook page for Brooklyn Recreation Center. The next Board meeting will be March 17th at 7 p.m. in the Mayor's Court.

School Board (Councilman Celcherts): Reminded about the Annie production March 6, 7, and 8. There will be a pre-demolition tour of the high school vocational wing March 11th at 5:30 p.m., meet at the Board of Education entrance. The second annual Support our Schools levy spaghetti dinner, April 5th, contact Bd. President Jennifer O'Banion (for tickets, volunteers, support). The Taste of Brooklyn was held this past weekend, over 185 attended, revenue was over \$5,700 towards the scholarship fund. The Board's meeting on Feb. 18th and discussed and approved: naming of Honor and Merit Roll students, second quarter; overnight trip to China in March; and several personnel matters, including coaching assignments for the school year. The next Board meeting is March 18th at 6 p.m. in room 173 at the High School. Stresses attendance at the meetings, as it's going to be a very busy year, and involvement is needed and appreciated, especially if you are a neighbor or live on a neighboring street with construction vehicles. Spoke to Bd. members and administration about possibly announcing through their Leader Alert network to make the community aware of upcoming meetings during the year, especially with construction. Plans and drawings have already been developed, but you can still try to give input. There was a meeting Feb. 20th in the High School Auditorium, with notices from the construction manager (Icon) sent to surrounding residents near the school and construction will take place. 20 people were in attendance, which included two school members and two Councilmembers. There was a presentation followed by a question and answer session. Some points presented: project compressed into 16-17 months to complete for the 2015-2016 school year; flexible work hours to not interfere while school is in session (possibly staggered times to also not interfere with drop-off/pick-up of students); extended work hours during the summer, possibly weekends; construction traffic primarily coming from Behrwald; staggered deliveries from Behrwald, Southwood and Biddulph; Icon implementing noise and dust guidelines, and urge residents to contact them for issues and problems (with construction vehicles, etc.). More information on the project is at Icon's website, www.iconohio.com. They will have a construction webcam, updated every two minutes, to view progress. The bulk of construction should be bid out in May 2014, encouraging local contractor involvement. The Q & A session brought up concern of property grading and drainage problems; lighting direction; traffic control; a contingency fund for any damage to surrounding streets. Rodoan and Brookridge will be eventually torn down, and then consist of the current stadium and baseball field, and other athletic fields (no site plan developed yet). In the field house will be a walking track, anticipated for use by the public, and possibly other events at the gym and field house (for revenue purposes). There are flyers that were presented by Icon he has placed on the reception counter.

Planning Commission (Katie Gallagher): The next meeting of the Commission is March 6th at 6 p.m. in the conference room for: request from Yvette Thompson for a similar conditional use for RB District for a child daycare center at 7405 Memphis; request from Archer Corp. to install illuminated wall mounted sign at 7020 Biddulph for business identification of Cricket; request from Global Signs and Graphics, Inc. to install illuminated wall mounted sign at 5020 Tiedeman for business identification of Buffalo Wild Wings.

REPORTS OF COUNCIL:

Kathy Pucci: Safe Routes to school met Feb. 13th, relating to \$174,000 infrastructure (due to school construction and affecting areas in the grant). The grant will be rescinded and they were encouraged to re-

apply for the grant after the building project is completed. This will not be held against us in future rounds of funding because of the construction. Thanked the Chamber for two events: the Feb. 13th State of the City (thanked the Mayor for that, and thanked the Westbrook staff for their hospitality hosting the event); the Taste of Brooklyn, which again broke their record for attendance and money raised. Thanked everyone who sponsored it and local restaurants. Through their donations, most of the money goes to the scholarships. Attended the school meeting that Councilman Celcherts reported on. Added she saw a real commitment on the school's and contractor's parts to address any and all concerns residents have. Any questions at all please contact them. Thanked the students who spoke this evening, and encouraged all residents to attend the Annie performance (senior portion or regular performance). The level of talent our students have is amazing.

Mary Albier: Gave special thanks to the Chamber for great job with Taste of Brooklyn. Many restaurants were represented, serving delicious signature dishes. Entertainment was by the High School Jazz Band, under direction of Sean Sullivan. It was an enjoyable evening visiting, and raising scholarship money. Encourages everyone to attend next year to make it even bigger. Kudos to the Jazz Band. Summer is around the corner, and time to think about signing kids up for summer day camp at the Cleveland Zoo. Registration starts March 15th, with the day camp running June 9 thru Aug. 15th in different sessions, half or full days, ages 5-14, special program for ages 3-4. Their website has more information, or call 661-6500. The Metroparks is also looking for seasonal positions at upcoming job fairs (includes counseling, guest service associate, junior and senior camp counselor, lifeguards, cashier, transporter), on their website, or call 635-3253.

Kevin Tanski: Is introducing Ord. 2014-13, Entering adjoining property, to allow residents and landlord to maintain their property, if needed by using adjoining next door property without resistance from the neighbor. There could be a fence or structure that needs to be maintained and the adjoining property needs to be entered. The city negotiated multiply union contracts, spending more than \$75,000 doing so. He asked, though not seen, any major article in a contract that the city benefited in some major monetary way. He was against subcontracting to an outside attorney at the beginning, and is still against it. The city could have gone to federal mediation, costing the city far less. Sincerely hopes that in the next round of negotiations or wage reopeners, understanding what happened, be more open to reconsider their position on spending amounts of tax dollars on outside attorney fees, and let our experienced attorney handle the contracts.

Andy Celcherts: Condolences to Greg Booth and his family on the passing of his mother Ruth. As mentioned, he's still trying to work with Brecksville Service Dept. on meeting with them, to determine how they use their automated leaf collection vehicle. It's a similar to our one-armed system we have for trash. The unit is about \$60,000 and put on a truck chassis; after the fall they put a salt bed on it, and a plow on the front – so it has multiple uses. Dir. Verba will go with him to check it out when the weather breaks, and see if it's something we can implement here, and use the personnel in other ways. He's also working on something with two other cities. As Supt. Walker mentioned, the school renewal levy is coming up in May, 6.7 mills for six years, generating \$2.175M per year, which is about 12-13% of their general fund.

Tony DeMarco: As mentioned, they've had a couple meetings on the budget. When he got on Council 4½ years ago we weren't in good financial shape; but thanks to the employees, administration, and Councils, the city is in very good shape today. But his concern is, what is the plan for the future? The future vision? He's hopeful during this process we'll come up with a budget for this year, and to the immediate and long-term future of the city. He was a proponent of the school levy for the construction of the new building, and encourages all residents to consider their current situation and the value of the school system in the city. He supports the school renewal levy, and hopes all residents will also. Regarding Councilman Tanski's comments about use of outside counsel, he does not agree. The city did receive benefit for the outside counsel we utilized and engage. Negotiation is a long and back and forth process. We're not privy to every conversation; but he should talk to the Law Dir. and he can provide that. But he feels the dollars spent on outside counsel were well spent, and he would support it in the future.

Ron Van Kirk: Thanked everyone for coming. As discussed last meeting, he's been in contact with companies regarding controlling speeding vehicles on Idlewood. The Chief said traffic tickets have decreased dramatically in that area. But with spring coming, construction on Ridge, there will be more traffic, and the police can't sit all day monitoring. So there will be a Safety Comm. meeting Thursday, March

20th at 7 p.m. to discuss the issue. He invites all residents to attend, especially the Idlewood neighborhood. He plans to have representatives from companies he's spoken to regarding various options for controlling speed. Safety is the number one priority. If the reps can come to the meeting, they can explain various solutions; and then residents can ask questions and voice concerns about the program. If the program works, it should permanent solve the process on Idlewood and free up officers to handle other issues. If anyone has questions about that meeting, or any other concerns for safety, please call him at 216-965-5737.

MAYOR'S REPORT:

Mayor Balbier: Received a letter from NOPEC, as the residents have or will. Brooklyn belongs to NOPEC for gas and electricity. Every two years they notify if you want to opt out. This year they changed gas suppliers for gas to The Next Era Energy, and you have until March 7th to opt-out, otherwise do nothing and you stay with NOPEC. The Fire Dept. turned in their 2013 annual report: 573 fire alarms, 1,655 EMS calls, for combined 2,228 service requests; fire loss of \$899,175; one civilian injured in a fire, and one civilian fatality in a fire; no firemen were injured. It's been a hard winter on the Service Dept. with equipment. The mechanics have kept everything running, our salt supply is fine, and we haven't had any flooding. Last Thursday he and Council President Gallagher attended an economic development seminar in Independence, with many speakers. One was Global Cleveland, whose purpose is to increase Greater Cleveland's population. Their website, globalcleveland.net has a job site link. A resident asked if we could do anything at the sled riding hill at Tiedeman/Memphis Metropark; he called the Metroparks and they will look into it, like adding benches or lighting. Ord. 2014-13 is a good thing, and he wished we had it in effect in the past; but there should be added some type of a permission to let the person know you will go on their property.

DIRECTORS' REPORTS:

Finance Dir. Enovitch: Reported that Ord. 2014-10 is the most important legislation to deal with in the year. It builds upon the 2013-72 Ordinance as the cornerstone for the foundation of the budget process for this year. This builds upon that legislation adding the capital budget and discusses anticipated revenues. This establishes the budget for 2014 by identifying expected resources for the period and establishing the allocation of the resources. He likens it to a household budget, knowing what is coming in, fixed costs, and what is left. The city starts the year with \$8.7M in the General Fund. For planning purposes we kept the anticipated estimated revenues for the funds flat with 2013. That's assuming what we received in tax revenue will be maintained, with no major losses. Plus, we're already into the first quarter, with nine months to go. We expect to not see a major exit of a large taxpayer before the end of the year; and there's no large employer on the horizon for 2014. The revenue stream will be adjusted during the year if any changes occur. Four amendments will be participated in before the end of the year. Revenues for 2014 are projected to be approx. \$20,800,000 from all sources; \$16,700,000 from RITA taxes; \$1.5M from general property taxes. Interesting is that of the \$16.7M of the taxes, 80-90% of that comes from taxpayers that live outside of Brooklyn, and come into Brooklyn to work. \$1.5M is all we get from property taxes. There's \$142,000 in shared local taxes; we get shares from gasoline tax, earmarked from road improvement; license plate taxes, etc., are major sources of tax revenue. So about \$20M in income for the year. Categories for expenditures include the General Fund (operation of day to day business, largely for salaries and wages, the largest amounts for Police and Fire Depts.), with expenditures projected at \$15,947,000 (\$10.8M in wages and benefits, 5% increase over 2013, with staffing staying the same with 201 full-time; added allowance for collective bargaining agreements). The city issued notes in 2013 for \$1,375,000; the budget includes a 15% principal reduction, payment of interest on them, and refunding them for one year. We have to deal with the landfill closure (allocated almost \$4M, but could go as high as \$20M with some EPA projections); Fire improvement bonds (annual payments of \$382,000); Ohio Public Works loan (\$54,000). The Capital Improvement will allocate \$2,697,084 for improvements for roads, assets at the Fire and Police Depts., Rec Dept. improvements, Service and Senior Centers, and current leases. If projections are correct and we stay on budget we should end the year next year with a General Fund balance of \$10M plus.

REQUESTS:

Liquor permit request for 7Eleven for a stock transfer at 10300 Brookpark Rd. **MOTION** by Pucci, second by DeMarco for a position of no objection. **VOTE RESULTED:** *No Objection:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco. Abstain: Van Kirk. No: None. **(NO OBJECTION)**

LEGISLATION:

ORDINANCE 2014-4, Amending Section 1 of Ordinance 2011-67, adopted November 28, 2011 entitled, 'Approving and authorizing the Mayor to execute a Community Reinvestment Area Tax Agreement with ClevelandTech Solutions, LLC at an estimated cost of \$350,000 to reflect a name change and expansion at 4476 Ridge Road. **MOTION** by Pucci, second by Celcherts to adopt. **VOTE RESULTED:** *To Adopt:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

ORDINANCE 2014-5, Amending Section 1 of Ordinance 2011-66, adopted November 28, 2011 entitled, 'Authorizing the City of Brooklyn to enter into a Job Creation Grant Agreement with ClevelandTech Solutions, LLC on behalf of Loving Cups Kids Academy of Brooklyn for the sole purpose of redeveloping the former Brooklyn Library properties into a child care center to reflect a name change. **MOTION** by Pucci, second by Tanski to adopt. **VOTE RESULTED:** *To Adopt:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

President Gallagher said next item is the Fact Finder's report and asked Council if they wanted to address it now or at the end of the meeting. It was decided to wait to the end of the meeting. Dir. Claussen will explain the report after the executive session.

RESOLUTION 2014-2, In support of the proposed Brooklyn School District renewal levy. **MOTION** by Pucci to place on first reading. Pres. Gallagher read: The levy was initially passed in 1994; it's a six year emergency renewal levy that will generate \$2,175,000; it accounts for 13% of the School's General Fund budget and is crucial to maintain the Schools' financial stability; it will mean no increase in taxes for residents; Council recognizes the importance of a good, stable school system to the community; the School District has demonstrated financial stability. She spoke to Treasurer Todd Hopkins, and he explained the mill is 1.5 less than the original, so some residents could see a decrease in taxes if it's passed. **MOTION** by Van Kirk, second by Tanski to Table. **VOTE RESULTED:** *To Table:* Yes: Balbier, Tanski, Celcherts, Gallagher, Van Kirk. No: Pucci, DeMarco. **(TABLED)**

ORDINANCE 2014-10, Annual Appropriations. **(FIRST READING)**

ORDINANCE 2014-11, Authorizing the Mayor to enter into an agreement with Civil & Environmental Consultants, (CEC, Inc.) to provide consulting and other services for 2014 for the Sanitary Landfill in the amount not to exceed \$35,150. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. *To Adopt:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

Councilman Van Kirk asked Dir. Verba to explain the importance of this passage for the public's information. Dir. Verba said one of the tasks on the proposal is a Notice of Violation that has to be responded within a specified time, so this needs to be acted on immediately.

ORDINANCE 2014-12, Determining the percentages of gross receipts from the Brooklyn Municipal Income Tax to be deposited into the General, Capital Improvement, Termination Leave Payments, and Retrospective Medical Claims Funds. This is to move from 10% to 12% to capital expenditures; 2% to 1% in Termination Leave; and 1% to 0% in Retrospective Medical Claims Funds. **(FIRST READING)**

ORDINANCE 2014-13, Enacting Section 1371, Entering Adjoining Properties; Damage, to Chapter 13, Title 3, Building Code of the Brooklyn Codified Ordinances. **(FIRST READING)**

ORDINANCE 2014-14, Authorizing the Mayor to enter into an agreement with Authorizing the Mayor to enter into an agreement with Hieu Chi Lieu for the purchase of certain real property known as 8202 Memphis Avenue, PP#431-21-028. **MOTION** by Pucci, second by Tanski to suspend the rules. Councilwoman Pucci explained why this was being passed by emergency; that this was going to be on the agenda last meeting, but they were working with the realtor and title company to reduce the costs to the city, which they did. Because it's a purchase of a piece of property, we don't want someone to get it before we have the authorization to sign the purchase agreements. President Gallagher noted the purchase is for \$10,500. **VOTE RESULTED: Suspend the Rules:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. *To Adopt:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

Mayor Balbier pointed out the property is at Brookway and Memphis, next to the animal shelter building.

President Gallagher said the Council will go into executive session to hear the Fact Finder's recommendation regarding the collective bargaining agreement between the City of Brooklyn, Ohio and the International Association of Fire Fighters Local 1145, with the Mayor and Law Director. **MOTION** by Tanski, second by Van Kirk to adjourn to executive session to hear the Fact Finder's recommendation. *Adjourn to Executive Session:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADJOURNED TO EXECUTIVE SESSION)** President Gallagher said the Council will vote on this when they return from executive session.

MOTION by Pucci, second by Tanski to reconvene. *Reconvene:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(RECONVENED)**

Dir. Claussen explained the Fact Finder's report was received late last week with regard to the hearing between the city and the fire union. Upon receipt, it was reviewed, and the city's legal representative feels the report is unclear, that with the language, any action the city takes with regard to the topic could open the city to future litigation, grievances, arbitration, etc. His recommendation is to reject the Fact Finder report and look for clarification at conciliation. President Gallagher noted that she will have to abstain from this issue as her sister was the attorney of record for the Fire Fighters.

RESOLUTION 2014-1, To authorize the city to accept the Fact Finder's recommendations regarding the collective bargaining agreement between the City of Brooklyn, Ohio and International Association of Fire Fighters Local 1145. Councilwoman Pucci noted for the record that they are not attorneys they have hired an attorney to represent the interests of the city, and they have to follow the advice of the attorney based on the explanation that they were given, because of the potential for future grievances. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. *To Adopt:* Yes: Tanski. Abstain: Gallagher. No: Pucci, Balbier, Celcherts, DeMarco, Van Kirk. **(NOT ADOPTED)**

There being no further business, **MOTION** by DeMarco, second by Pucci to adjourn. **VOTE RESULTED: Adjourn:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADJOURNED)**

Asst. Clerk of Council

President of Council