

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**June 12, 2017**

**7:00 p.m.**

Present: Tony DeMarco  
Debbie Tomusko  
Kathy Pucci (Acting Chair of mtg)  
Mary Balbier  
Kevin Tanski  
Barb Paulitzky

Absent: Ron Van Kirk

**MOTION** by Tomusko, second by Paulitzky to have Councilwoman Pucci serve as temporary Council President for this meeting (in absence of Pres. Van Kirk). **VOTE RESULTED:** *To approve:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski Paulitzky. No: None.

Pledge of Allegiance.

#### **APPROVAL OF MINUTES:**

**MOTION** by Tanski, second by Paulitzky to approve the minutes of April 27, 2017. Councilwoman Pucci had various corrections, Councilwoman Tomusko made one change. **VOTE RESULTED:** *To approve, as amended:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(APPROVED)**

Mayor Gallagher asked that the recognition of the Star of Life recipients be moved to a later time in the meeting; the medics that were present just got called into a working fire and had to backfill the Fire Station. She'd like to do it when the Chief and medics can be present and be recognized.

#### **PUBLIC SESSION:**

*Angret Georgi of 9508 Behrwald Ave.* asked that corrections/typos be made privately; it's embarrassing and petty to listen to. Said she doesn't want to hear Councilman DeMarco mention again a thank you for who gives the \$6M figure related to American Greetings she will be ill. Spoke on the Amer. Greetings' staff reductions, their eventual leaving, and city's preparation for it, the additional income tax, and dates relating to all this. She's asking what is going on – that the city is broke? Questioned the new budget numbers, a new entity, and spoke of an overdose of medication possibly added to her coffee... Said what Council is agreeing to, without realizing it, the numbers need to be reviewed.

*Victor Ardito of 7439 Outlook Ave,* asked after the last mtg. and found out the percentage of income tax that came from American Greetings was 30%. Though downsizing, a lot of the money came from the 'bigwigs' making the bid dollars. Example, 30% of \$20,000 made is a loss of \$6,000. Something has to be done, and he thinks it's trying to be done and being watched. But the money is gone.

#### **REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:**

Finance Committee (Councilwoman Paulitzky, acting chair): The Comm. agreed to accept a donation for the Fire Dept.; Res. to support application of Northcoast Brownfield Coalition Comm. Assessment Initiative; 3<sup>rd</sup> reading to authorize a Community Cost Sharing Agree. with NEORS for Roadan project; will pass Ord. #52, #54 by emergency.

Planning Commission (Councilman DeMarco): The Comm. met June 1<sup>st</sup> and approved requests from: Ellwood Ohio Machinery for sign approval at 9000 Brookpark Rd.; from Blink Signs for sign approval of two illuminated wall signs, a business identification and redirection at 7731 Clinton Rd.; from K. Mancini for sign approval of internally lit cabinet wall sign at 7004 Biddulph.

Board of Zoning Appeals (Councilwoman Pucci for Commissioner Kulcsar): The Board mtg. scheduled for June 15<sup>th</sup> is cancelled due to lack of applications.

Econ. Develop. Committee (Councilwoman Pucci): The Comm. met June 7<sup>th</sup> and approved minutes and revised letter of solicitation for Project Century (for former Amer. Greetings property) to include a request of a CRA. If they qualify for the CRA it would involve revenue sharing with the schools. Recommended Council approve Ord. 2017-50, the CRA agreement with Brooklyn Pointe (senior living project on Idlewood) with a couple changes made by the Committee. Brief discussion of possible land acquisition for potential development. Discussed sale of city landbank property (adjacent to 9936 Shady Ln.- an unbuildable lot for \$100 plus cost of survey), and recommended sale with two stipulations (*maintain easement and not build on it*). Dir. Udri said Geiss was getting a final review; there will be a joint Community Improvement Corp./Economic Development Comm. meeting to review study results (with two plans).

School Board Liaison (Councilwoman Paulitzky): The State of the Schools was presented at the Chamber of Commerce mtg. last week, highlights as follows: The Chamber awarded three scholarships for \$2,000 each to two from Brooklyn and one from St. Ignatius. AVID program for high school students lets them focus on careers, getting dual credits for high school and college. Testing is going on. Polaris offers several programs for students. Brooklyn has the highest attendance at Polaris of six suburbs. 110 students participated in Bye Bye Birdie; others are involved in sports. The plan is to involve all students in some extracurricular activities. New courses offered: internet safety, mental health, distracted driving. The budget is balanced for 2017; the forecast for 2018 is a \$762,678 deficit. Goals: value; fiscal responsibility; looking to the future.

### **REPORTS OF COUNCIL:**

**Tony DeMarco:** Talking to Dir. Vera on sewer connects on Orchard and Ansonia. Residents should have received a letter explaining what city's doing (with engineer). For any questions, contact Dir. Verba. Said he doesn't know what Mrs. Georgi is asking. If he's used the \$6M figure, it's been provided by the Finance Dir.; if she knows something he doesn't she should call or meet with him.

**Debbie Tomusko:** Recognized and participated in the Memorial Day activities; it was very nicely done, with a moving ceremony. Applauded the Laurel Garden Club for their addition to memorial garden. She takes it very seriously. Is thankful for the veterans who have served, and we can live in a free country. She's taking a course on the Constitution. Holy Cross Cemetery was moving with all the flags of veterans. It's a Christian nation, and she's spoken about supporting our churches here. St. Thomas More will have St. Thomas More Day June 25<sup>th</sup> from 1-8 p.m. (food, prizes). Trinity (near Westbrooks) on June 17<sup>th</sup> has an annual Strawberry Festival from 5-7 p.m. Saturday she participated (as a grateful cancer survivor) in the Brooklyn Relay for Life; a very nice day, group celebrating life, and recognizes those who put this on. With warmer weather is more people interacting outside. A resident called and asked about fire pits and a concern; Chief Zemek responded to her with information on fire pits: they are allowed, but common sense must be used. It must be contained in the fire pit, if windy don't do one, issues should be called into the Fire Station. Loud music, people outside and late, etc.; call the Police if it gets intrusive. Basically it's having respect for your neighbors, and don't infringe on their rights. There is a Domestic Abuse Committee, and this is also the time people's tempers could flare; remember if it happens, report it, if it's not addressed it will happen again. There's also workplace abuse, where there's an expectation of professional non-menacing behavior. If it's not addressed it will happen again. She brings it up because she had that experience, and she will call an executive session to bring fellow Councilmembers up to date on what happened to her, with a city employee after a comment she made at a meeting. Go Cavs.

**Mary Balbier:** Elderly persons in retirement homes and hospitals gain new legal protections under HB 68, which expands protecting minors from sexual exploitation and obscenity by including impaired persons. The broad array of crimes will be a 3<sup>rd</sup> degree felony. It will protect those persons with dementia, Alzheimers, advanced age, mental or physical impairment from predators. Expressed condolences to the Enovitch family on the loss of Rita. Everyone loved her at the Senior Center; she was a good, personal friend. Thanked Sharon Kovach, organization person for Relay for Life. She's happy to help her out with a donation each year. Cancer touches everyone; it's wonderful to have the Relay in Brooklyn, and it's a wonderful cause. Thanked Boy Scouts Troop 319 for their hard work behind the Fire Station and the

Kingdom for cleaning up debris, that she took part in. Former Mayor Balbier said if anyone has old, tattered, worn out flags bring them to the City Hall to be disposed of properly.

**Kevin Tanski:** Thanked residents and families who came to the Memorial Day parade. Special thanks to Laurel Garden Club Pres. and Councilwoman Paulitzky for speaking on the meaning of the Blue Star Memorial and Gold Star Byway markers. Cited an article from the National Assoc. of Realtors on the benefits of a community solar model, similar to the soon to be placed solar farm on the city's landfill. It allows communities in promoting economic development and being better stewards of taxpayers' resources.

**Barb Paulitzky:** It was her privilege as Laurel Garden Club President to present the Blue and Gold Star Memorials to the city as a permanent reminder of the men and women of all wars who gave their lives to keep us free. Thanked Congresswoman Kaptur for taking part; and all Laurel Garden Club members for hard work over months to make it a success. There are additional programs of the event at the reception desk. Summer is here, remember the children out there enjoying their time. Lou Changeri always reminded everyone the first summer Council mtg.

**Kathy Pucci:** Thanked all involved in Memorial Day festivities. She attended services at West Park Cemetery, which is always meaningful. Encouraged people to attend next year. Attended post-audit conference May 25<sup>th</sup>, (also the 2<sup>nd</sup> quarter mtg. for Audit Committee). We're ahead of schedule, and the Auditor is on track to submit report by June 30<sup>th</sup>. We'll be notified when the audit is released, and then will be posted to our website. She was out of town for the first 2018 budget mtg., but met with Dir. Schaeffer on it. She also reviewed the CAFR draft and sent him comments. Thanked all who participated at the June 3<sup>rd</sup> Big Creek clean-up. Attended the Relay for Life event, and thanked all organizers and volunteers, especially Sharon Kovach for coordinating it for many years. School is out, please slow down and make sure everybody is safe. Encouraged residents to register their bikes with the Police Dept.; we have a program to reunite people with their bikes if they are found. She thinks she understands Mrs. Georgi's point; but it's a misunderstanding she thinks where she's interpreting the \$6M amount that our budget is \$6M in the hole. That is the revenue that we'll lose. But as stated, we have saved money, planned and prepared for this. The cushion won't last forever, and we have to cut the budget; but that could be the misunderstanding she has. We are not running at a \$6M deficit.

#### **MAYOR'S REPORT:**

**Mayor Gallagher:** Thanked Ellwood Machinery for donating \$600 to the Fire Dept.; and Gateway Safety Corp. for a supply of disposable vented respirators to the Police Dept. We're lucky to have generous businesses in our community. Reminded we have a City-wide Garage Sale still taking sign-ups, extending the deadline to July 14<sup>th</sup>. There are over 110 homes signed up. This takes place July 24<sup>th</sup> and 25<sup>th</sup>. Forms are at the front reception desk, as well as on the city's website (e-mail to Dawn Neal at [dneal@brooklynohio.gov](mailto:dneal@brooklynohio.gov)). Friday there is a Coffee with the Mayor at 9 a.m. at the Senior Center, all are welcome.

#### **DIRECTORS REPORTS:**

Law Dir. Butler: Reported that the Charter Review Comm., appointed by Council and the Mayor, is wrapping up its work. They've met 10 times so far, and will meet again June 22<sup>nd</sup>. They've prepared their draft final report and will vote on any recommended changes that will come to Council by Ordinance. Council has until the beginning of Sept. to put the suggested changes from Charter Review Comm. onto the Nov. 2017 ballot. The Ordinance will be to Council the Monday following their June 22<sup>nd</sup> mtg.

#### **REQUESTS:**

Chief Zemek requests permission to accept a \$600 donation from Ohio Ellwood Machine of 9000 Brookpark Rd., to be used to apply to costs of needed firefighting/EMS equipment. **MOTION** by Paulitzky, second by Tanski to accept the donation. **VOTE RESULTED:** *To accept:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(APPROVED)**

**LEGISLATION:**

**RESOLUTION 2017-7**, In support of City's application for a Northcoast Brownfield Coalition Community Assessment Initiative Guidelines Grant. **MOTION** by Tanski, second by Paulitzky to adopt. **VOTE RESULTED:** *To adopt:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADOPTED)**

**RESOLUTION 2017-8**, Adopting the Tax Budget for the fiscal year 2018. **(SECOND READING)**

**ORDINANCE 2017-49**, Authorizing a Community Cost Sharing Agreement with NEORS D for the Rodoan Rd. Improvements Project. **MOTION** by Tanski, second by Paulitzky to adopt. **VOTE RESULTED:** *To adopt:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADOPTED)**

**ORDINANCE 2017-50**, Approving and authorizing the Mayor to execute a Community Reinvestment Area Tax Agreement with Brooklyn Pointe LLC at the estimated cost of \$12 million. This is for a 68,000 sq. ft. senior living community with 58 assisted living apartments and 22 memory care units; hoping to start in August if all goes as planned. **(FIRST READING)**

**ORDINANCE 2017-51**, Authorizing the purchase of a Storm Force Dump Body package from Cenweld Truck Bodies and Equip. for \$10,895 through a govt. contract. This will be amended: in the title to be 'two' packages; the price will be \$10,985 each, for a total of \$21,790; and in Sect. 1 to reflect the same (two units and price update). **MOTION** by Paulitzky, second by Tanski to amend. **VOTE RESULTED:** *To amend:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(AMENDED)** **MOTION** by Paulitzky, second by Tanski to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: DeMarco, Pucci, Balbier, Tanski, Paulitzky. No: Tomusko. *To adopt, as amended:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADOPTED)**

**ORDINANCE 2017-52**, To amend Sect. 1345.01(g2)(m1) Permit Fees of the Codified Ordinances of the City of Brooklyn. Two errors were noticed in the sections referenced and the section numbers. It will be passed by emergency to meet the deadline for the re-codification of our codes. Amendments to title, 'Section 1345.01(k2)' and the wording related to be added and deleted. **MOTION** by Tanski, second by Tomusko to amend. **VOTE RESULTED:** *To amend:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(AMENDED)** **MOTION** by Tanski, second by Tomusko to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. *To adopt, as amended:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADOPTED)**

**ORDINANCE 2017-53**, Authorizing a Community Cost Sharing Agreement with Northeast Ohio Regional Sewer District for the Big Creek Watershed 9-Element Plan Project. It approves \$2,000 in cost share funds to a Big Creek Connects storm water management project in our portion of the Big Creek Watershed. **(FIRST READING)**

**ORDINANCE 2017-54**, Amending Chapter 737, Solicitors and Peddlers, of the Codified Ordinances of the City of Brooklyn. The Law Dir. and Police Chief updated this, and the Chief asks for emergency passage. **MOTION** by Tanski, second by Tomusko to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. *To adopt:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADOPTED)**

**ORDINANCE 2017-55**, Authorizing the Mayor to enter into a ground lease with Cuyahoga Urban Renewal Solar One LLC for the development, design, installation and operation of a solar powered electric generation facility on a portion of land located at 9400 Memphis Ave. This is the anticipated solar farm we're going to have at the landfill. Dir. Butler advised the lengthy contract attached is still a work on progress, and more revisions will come. **(FIRST READING)**

**ORDINANCE 2017-56**, Authorizing a payment amendment to Change Order 9 with Quality Control Inspection, Inc. for Memphis Ave. PID #86256 in the amount of \$268.80. This is money we will have reimbursed from Linndale. **MOTION** by Tanski, second by Paulitzky to suspend the rules. **VOTE**

**RESULTED:** *To suspend the rules:* Yes: DeMarco, Pucci, Balbier, Tanski, Paulitzky. No: Tomusko. *To adopt:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADOPTED)**

Mayor Gallagher said, as mentioned, there was discussion doing a CRA with Project Century. Because the schools need a 30 day notice of this, Council will be asked to meet for a special meeting in July. Please check your calendars and Mary-Jo will send a follow-up reminder.

**MOTION** by Tomusko, second by DeMarco for a brief executive session, with the Law Director, for the purpose of matters of personnel, to discuss the discipline of a public employee or official. **VOTE RESULTED:** *To adjourn to executive session:* Yes: DeMarco, Tomusko, Pucci, Balbier, Tanski, Paulitzky. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

Council reconvened. There being no further business, **MOTION** by Pucci, second by Paulitzky to adjourn. **VOTE RESULTED:** *To Adjourn:* Yes: DeMarco, Tomusko, Pucci, Balbier, Paulitzky. (Councilman Tanski had to leave) No: None. **(ADJOURNED)**

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Clerk of Council

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President of Council

Minutes approved: 9.11.17