

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**June 26, 2017**

**7:00 p.m.**

Present: Debbie Tomusko  
Kathy Pucci  
Mary Albier  
Barb Paulitzky  
Ron Van Kirk  
Tony DeMarco

Absent: Kevin Tanski

Pledge of Allegiance.

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

**MOTION** by Pucci, second by Van Kirk to approve the minutes of May 8, 2017. Councilwoman Tomusko had some changes she reviewed with Mary-Jo (including incorrect absence and some comments for clarity, specifically one relating to 'building density in the park'). **VOTE RESULTED:** *To approve, as amended:* Yes: Tomusko, Albier, Paulitzky, Van Kirk, DeMarco. Abstain: Pucci. No: None. **(APPROVED)**

**MOTION** by Pucci, second by Van Kirk to approve the minutes of May 22, 2017. Councilwoman Pucci had a change in section from 'mail' to 'email' for clarification purposes. **VOTE RESULTED:** *To approve, as amended:* Yes: Tomusko, Pucci, Paulitzky, Van Kirk, DeMarco. Abstain: Albier. No: None. **(APPROVED)**

#### **PRESENTATION:**

Michael Dever, Dept. of Public Works for Cuyahoga County spoke in great detail on the work the Dept. has done in the past year in the city, and the cooperative relationship with the City of Brooklyn and the County. Reviewed storm and sanitary initiatives performed in the city, roadwork completed and future plans, including illicit discharge issues. Also spoke about the sanitary services provided, the differences between the Regional Sewer District, and specific explanation of the Meadowbrook/Brookside/Ridge issue that took place. They have a 24 hour dispatch center to address immediate problems- 216-443-8201. Brian Hicks, in charge of maintenance crews; Hugh Blocksage, engineer; and Mike Chambers, fiscal officer, were also present and touched upon their parts of the Dept.

Fire Chief Zemek introduced Alexander Kuhn of the American Heart Assoc. Mr. Kuhn spoke about heart attacks (STEMI heart attacks), and recognized the critical lifesaving role EMS provides to the overall success of STEMI outcome and care. He spoke about guidelines and recommendations, saying Brooklyn Fire Dept. is part of the lead group of pre-hospital care agencies in the United States, and has achieved receiving the Silver Plus Achievement Award (75% or higher quality score) on various points. This celebrates lives saved because of the hard work and dedication of the Brooklyn Fire Dept. He presented the American Heart Association's Mission Lifeline 2017 EMS Silver Performance Achievement Award. Chief Zemek added UH Parma has one of the highest door to cath times and door to opening the artery time as low as 23 minutes from Parma (90 minutes needed); Brooklyn has rated as low as 34 minutes (from time getting to patient and getting them to cath lab).

Chief Zemek also said back in May, four members responded to an industry here for a patient crushed by 700 pound piece of equipment. He told the story of his multiple traumatic injuries and the crew stabilizing, transporting him to trauma center, and en route had to perform tension pneumothorax (deflated lung). For recognition and quick action they won a Star of Life Award, presented by the Ohio Division of EMS and American College of Emergency Physicians. Mayor Gallagher made certificates for them, which are in their files, and he presented them the other day. Firefighter Edward Kriausky, Firefighter/Medic Ed Coyne, Firefighter/Medic Brian Suisse, Lt. James Mochan were honored.

Chief Zemek also spoke about PulsePoint, paid for by University Hospitals, for the communities in the Parma Regional Dispatch (Brooklyn, Parma, Parma Hts., Brook Park). It's used across the nation, that if

you're know some or are trained in CPR, with the downloaded app, and near where a person has suffered a cardiac arrest, you will be notified and mapped to where they are, if you wish to start early CPR. It also maps to the nearest AED unit. He gave further explanation. Early CPR and defibrillation is the key to saving lives. He added part of the app could be downloaded to hear the radio traffic. While the app is walking you through how to do CPR (push 'show me how'), you can hear the radio traffic to know how close they are to you. President Van Kirk said he saw some of the videos and it is impressive. Councilwoman Tomusko added Channel 8 news did an extensive news story on it. Chief Zemek said Channel 3 did a story tonight also; all the stations are jumping on it.

President Van Kirk reminded this is the final regularly scheduled mtg. before summer recess in July and August. There will be some special mtgs., and they will be noticed. Agenda: Old business: Res. 2017-8 (3<sup>rd</sup> reading/adoption), Adopting the Tax Budget for fiscal year 2018; Ord. 2017-50 (2<sup>nd</sup> reading), Approving and authorizing the Mayor to execute a Community Reinvestment Area Tax Agreement with Brooklyn Pointe LLC at the estimated cost of \$12M; Ord. 2017-53 (2<sup>nd</sup> reading), Authorizing a Community Cost Sharing Agreement with the NEORSB for the Big Creek Watershed 9 Element Plan Project; Ord. 2017-55 (2<sup>nd</sup> reading), Authorizing the Mayor to enter into a ground lease with the Cuyahoga Urban Renewable Solar One LLC for the development, design, installation and operation of a solar powered electric generation facility on the portion of land located at 9400 Memphis Ave. New business: Ord. 2017-57, To approve the 2017 replacement pages of the Brooklyn Codified Ordinances; Ord. 2017-58, Authorizing a contract between Brenda Janos and the City of Brooklyn to provide services as a Cook for the Senior Center luncheon program; Ord. 2017-59, Providing for the submission to the electorate of amendments to the City Charter.

#### **PUBLIC SESSION:**

*Victor Ardito of 7439 Outlook Ave*, asked if there was anything on Issue 3 for November to help pass it? And if there was any news on Menard's building in Brooklyn? He heard something about taxes on the building from the State.

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

Planning Commission (Councilman DeMarco): The Comm. will meet July 6<sup>th</sup> at 6 p.m. in the conference for: request from S. Crawford for conditional use for a daycare at 4674 Ridge Rd.

Econ. Develop. Committee (Councilwoman Pucci): The Comm. had authorized a letter offering a CRA to a confidential potential employer (Project Century). The process is delayed because they're not ready to be identified publicly yet. If Brooklyn is selected they will pursue the CRA after their decision and announcement. Need dates for availability for final presentation of Geiss project. There would be a joint Community Improvement Corp. and Econ. Dev. Comm. mtg. to hear presentation, and include Council, the Steering Committee, and the public is welcome. Councilman DeMarco asked the report is available to Council yet, he would like a copy prior to setting up a mtg. Councilwoman Pucci said she thinks everyone should have a copy, and believes they just finished. Mayor Gallagher said it's considered a work product until the final papers are documented. As soon as it's finalized it will be sent to Council. When asked, she thinks it will be early this week, but will know more tomorrow when Dir. Udris is in the office.

Finance Committee (Councilman Van Kirk): The Comm. at 6:30 to go over: Res. #8 (Tax Budget, he gave some highlights, approve for adoption); Ord. #50 (project for senior living community, with memory services, highlights of property tax exemption and information, for 2<sup>nd</sup> reading); Ord. #53 (approves District's \$2,000 contribution using cost sharing funds, on 2<sup>nd</sup> reading); Ord. #55 (lease for the solar powered facility at landfill, still working on terms and finalized in the new couple weeks, on 2<sup>nd</sup> reading); Ord. #58 (Senior Center cook, asking for adoption).

#### **REPORTS OF COUNCIL:**

**Debbie Tomusko:** Had previously mentioned upcoming church festivals: Trinity's strawberry festival went well; St. Thomas More's was well attended and hopefully a good amount of money made for the church.

One of the nuns won the \$10,000 prize. Complimented on the well received Community Garage Sale this weekend, with a lot of houses participating; she hopes we continue it. Gave special kudos to Dawn Neal for highlighting every home what they were selling on the city's website, it was so helpful. Sgt. Knapp was on bicycle patrol, and said it went well, well behaved and a general success. Remember if you had a sign up for it, please take it down. Repeated, it's summer, with people outside more; with fireworks and all, asks people show respect for their neighbors. Someone shot a cat in the city; if anyone knows who this is, we have to get them off the street and some serious help. Gave a bravo to the Fire Dept. and EMS; we are blessed to have them in Brooklyn. They are polite and professional. We're finally getting the long talked about senior living. People often ask why it wasn't done in another vacant area; but Brooklyn doesn't own those properties and controlled and owned by others. Members of the community volunteered as part of the Charter Review Committee, and worked diligently with Law Dir. Butler to review the Charter and recommend any changes. Council received the changes and they will be on the November ballot for residents to vote on. She thanked the members for their time and hard work on the Committee. Appreciated Chief Zemek's report, and added the more we hear from Director reports, the better; it's a great forum for them to update people on what's going on in the city. This is the last official mtg. before summer recess; but Council people are available all summer, so call for any issues. There will be some mtgs. held in the summer (budget, organizational, Geis...). Wished all a happy summer and 4<sup>th</sup> of July, reminded to respect your neighbors.

**Kathy Pucci:** Acknowledged the Charter Review Commission (Sue Grodek, Ron Campbell, Fran Barrett, Ron Balbier, Dick Kistemaker, Carl Etheridge, Denise Folger, Tom Hites, Jerry Hayes) and thanked them for their time and attention; along with Dir. Butler and Secretary Ludwig. Pulse Point was a long time coming for the community, and she thanked Chief Zemek for pursuing it, as she brought it to his attention earlier, and was hoping to bring this to Brooklyn. She explained how it originated. There was also discussion about location of AED units. Congratulated resident Michael Harry who won a Silver medal at Summer Olympics Summer Games for bowling this weekend; she asked a Proclamation/Resolution be prepared to acknowledge this. Congratulated Zac Lowther (in Acres/Cleveland) and family (in Brooklyn) who was drafted by the Baltimore Orioles. The city-wide garage sale was a success, and shouted out to resident Shirl Palumbo for mentioning it a few years ago; also to Dawn Neal (Bldg. Dept. secretary) for coordinating it and her hard work; and Mary-Jo for publicizing it on social media. Suggested next year some signs at main intersections promoting the city-wide sale (with web address and that maps are available). Attended the budget mtg. a couple weeks ago; thanked Dir Schaeffer for all provided materials. Feels we need to go beyond 2018 and look further ahead, and not going through our reserves with deficit spending. Most is tied to personnel costs (wages and benefits and collective bargaining); but have to look at it globally and further out. Disappointed they had to learn about the Animal Control Officer resigning on social media and from another resident. It just takes an e-mail to inform. Thanked the gentlemen who spoke earlier and hopes the residents found the information beneficial. The Chamber sponsors the 6<sup>th</sup> annual Picnic in the Park August 19<sup>th</sup>. Gave a brief report from the special Council mtg. on June 12<sup>th</sup> to discuss potential revisions to their Rules of Council (-draft minutes provided for review for changes; -approval date added on minutes; - Council committee minutes back on website; -Agenda order of business: presentations, etc. show specific information; reflect practice of old/new business; post Agenda on website along with packet; list reading status of legislation (and if emergency request); -remove reading of Agenda at beginning of mtg. (stop multiple reading of Agenda); add reference to Econ. Dev., Planning Comm., and Rec Bd. as related to Council. As Councilman Van Kirk could not attend, but had a previous proposal to add prayer before Council, we need to set up some mtgs. to continue the final discussion on the rules, subsequent readings and possible other meetings for: CRA for Brooklyn Pointe, solar panel lease, Charter Review amendments, and Rules of Council, and anything else. Asked everyone to contact Mary-Jo tomorrow for availability. Also from Dir. Udris, availability for the Geis. Congratulated Chief Zemek and Fire Dept. the American Heart Assn. and Star of Life awards. Our Police, Fire and Service Depts. are second to none. Wished everyone a safe summer.

**Mary Balbier:** Wished everyone a happy and safe summer. Also reminded about the kids out and about. Thanked Chiefs Zemek and Mielke for all they do in the city; she always feels safe, and our response time is amazing. They treat people with dignity and respect; she thanks them for that. There's a new scam to avoid – don't let your kids allow someone else to put their phone number on their phone, they are somehow accessing accounts. She hopes everyone enjoys the parks (ours, Berea's Coe Lake, Lakewood, Tremont, Edgewater, etc.). There are many free things going on all over to enjoy and take part in. Wished everyone a happy and safe summer.

**Barb Paulitzky:** Said it was hers and another Laurel Garden Club member's honor to help Girl Scout Troop #70648 (with only two members: Kelsey Schloemer and Kyleigh Streeter) plant the Hope Garden in front of the Senior Center on June 17<sup>th</sup>. An article was in the Parma Sun Post. Reporter Mark Holan has really promoted Brooklyn in the paper lately. She asks people to contact the Sun Post and show appreciation to Mr. Holan and getting more Brooklyn in the news. Thanked all who volunteered to be on the Charter Review Comm. She served on the previous one, and it's long, laborious and time consuming.

**Tony DeMarco:** Offered condolences to the Turek family on the passing of Bob Turek (his neighbor growing up). He will be missed. Thanked all members of Charter Review Comm., hoping they learned things and met new residents; special thanks to his appointee Mr. Hayes, he appreciates his time and effort. Wished all employees and residents a safe and enjoyable summer.

**Ron Van Kirk:** He couldn't attend the last Council mtg. Wanted to thank the Laurel Garden Club for donating/presenting the Gold and Blue Star Memorials to the City during Memorial Day. His special moment was meeting Angel Lopez's parents, present for unveiling of the Gold Star Memorial. It was very moving and a tremendous presentation, and commends Mrs. Paulitzky and the Garden Club. He and his son went back the other day to look more closely. Please visit and see it if you haven't already. Sound walls going up along 480. The north side is completed, and the residents he spoke to on that side were thrilled with it (cutting traffic noise). Thanked Mayor (then Councilwoman) Gallagher for initiating the petition drive to get the walls up. They should be finished by the end of October. Thanked ODOT, and they look very nice, especially with the personalized tiles. Commended first responders for efforts at Perkins. There was a budget mtg. last Tuesday, with Dir Schaeffer and administration laying groundwork for budget discussions. We're ahead of the process for the next year. He e-mailed Council the next day for further suggestions and ideas he can compile and convey it into one document. His idea started with a zero deficit spend for 2018. He encouraged Council to offer suggestions to get a dialogue going. Also thanked the Charter Review Comm.; he served last time and knows it can be arduous. The wording is being sent to the State and Bd. of Elections after it's adopted. He believes the Mayor or Dir Verba will answer Mr. Ardito's questions.

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

**Mayor Gallagher:** Echoed thank yous for what has been covered. Finance Dir. Schaeffer has a family commitment he has to leave for, so she will allow him to speak. To Mr. Ardito, the only update for Menard's is that we're in constant contact with them; they have every intention of building. They get a lot of land at one time, and are on their own construction schedule. We presented them an offer from another buyer for a higher rate that they paid; they have no interest in pursuing it, because they have every intention of building, it's just when. Issue 3 – as recapped after election – her administration heard voters loud and clear – they don't like Issue 3 as proposed. We're still pursuing conversations with University Hospital (moving along successfully), a concept that would have to go to the ballot. Not in November, but can talk about mixed use with the Rec Center when there is a final plan for a wellness center type. Geis has a couple different scenarios; one already seen, the other scaled down of Issue 3. To move forward from here would be piecemeal, so residents feel comfortable with each step. Hopefully Council, the CIC and Econ. Development Comm. feel that when we look at the presentation from Geis moving forward. The ACO is a part-time job. She knew it was put in the staff notes, but she doesn't know how it was communicated. She doesn't understand the point her obligation as an administrator is to notify about part-time jobs. She has multiple personal action forms on her desk weekly about staff, in and out, resignations, switching jobs. The line of what Council expects and she gives, the staff notes should establish weekly. She sits with her directors every Tuesday and they give updates on departments. Chief Mielke gave his update of the ACO resignation, they worked out an internal protocol to deal with issues while she was leaving and afterwards, and there is protocol she has to go through as an administrator (through Civil Service Comm. to fill the job). If the staff notes were read and there were questions about the position, her door is open, phone works, please call her.

Councilwoman Pucci said they received that after it was in social media. The Mayor replied she can't control what goes on social media immediately. Councilwoman Pucci said they don't need to know all about the part-time employees; but this is something that is a service we provide residents. Something like that would

be worth an e-mail letting Council know; also, when Councilman Van Kirk is out of town asked the Mayor to forward the notes to Council so there isn't a delay.

**DIRECTORS REPORTS:**

Finance Dir Schaeffer: Thanked everyone for attending budget work session last week. There are two more scheduled for the fall: Mon., Sept. 18<sup>th</sup> and Mon., Oct 16<sup>th</sup> at 6 p.m. in the conference room. Directors will go over the 2018 departmental budgets and capital requests in more detail. The mtgs. will run about 2-1/2 hours each. The discussion last week centered on RITA projections; those distributions are our largest source of revenue – the projections for 2017 were decreased. In Jan. it was projected \$12.5M, in March it was reduced to \$12.25M, and in June it was reduced to \$11M. While Council is in recess he'll be e-mailing monthly updates (distributions, where we stand). RITA is sending letters to 2016 non-filers (those who filed taxes with RITA in 2015 that did not file in 2016). It's important to respond if you receive a letter, with responses to send in (postage paid); if you don't respond you'll receive an administrative subpoena form from RITA to appear in November and required to show 2017 tax returns. Contact RITA directly with any questions – 1-800-860-7482. The Dept. is completing the 2016 CAFR to submit to GFOA this week. He will let Council know when it's reviewed by the Auditor of State's office and is publicly released.

Law Dir. Butler: Followed up on a report from Charter Review Comm. He enjoyed working with them, a good and thoughtful group of citizens. The final report was given to Council on June 22, and on file in Council office and will be on the city's website. The voters will see the four items before them.

Service Dir Verba: Rodoan construction begins this week with cleaning and televising sewers (estimated two weeks). Sewer repairs and catch basin replacement begins middle of July to mid September. Actual pavement repairs, curb and apron replacement starts after all sewer and catch basins repaired. Final asphalt surface applied week of Nov. 23<sup>rd</sup>. Pavement repairs start June 29<sup>th</sup> in the alley, to be completed by end of July. The schedule is tentative, it is dependent on weather.

Councilwoman Tomusko asked when Rodoan is done if it will be closed to all traffic or open to those living in the area? Dir. Verba said those on Rodoan will be able to have access to get to their home (an emergency vehicles). As he's aware right now, pavement repairs won't be until probably late August, where resurfacing is done. It looks like they will have southbound and a detour for residents to follow.

**LEGISLATION:**

**RESOLUTION 2017-8**, Adopting the Tax Budget for the fiscal year 2018. **MOTION** by Pucci second by Van Kirk to adopt. **VOTE RESULTED: To adopt: Yes: Tomusko, Pucci, Balbier, Paulitzky, Van Kirk, DeMarco. 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. **(SECOND READING)**

**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. **(SECOND READING)**

**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. **(SECOND READING)**

**ORDINANCE 2017-57**, To approve the 2017 replacement pages of the Brooklyn Codified Ordinances. **(SECOND READING)**

**ORDINANCE 2017-58**, Authorizing a contract between Brenda Janos and the City of Brooklyn to provide services as a Cook for the Senior Center luncheon program. **MOTION** by Van Kirk, second by Paulitzky to suspend the rules. **VOTE RESULTED: To adopt:** Yes: Tomusko, Pucci, Balbier, Paulitzky, Van Kirk, DeMarco. No: None. **(ADOPTED)**

**ORDINANCE 2017-59**, Providing for the submission to the electorate of amendments to the City Charter. **(FIRST READING)**

Councilwoman Pucci thanked the Laurel Garden Club for their assist with the Girl Scouts. The last time it was done was in the 1990s, where her kids planted flowers in the same spot.

**MOTION** by Van Kirk, second by Pucci to adjourn to executive session to discuss matters of labor negotiations, with the Council, Mayor and Law Director. **VOTE RESULTED: To adjourn to executive session:** Yes: Tomusko, Pucci, Balbier, Paulitzky, Van Kirk, DeMarco. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

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

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Clerk of Council

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President of Council

Minutes approved: 9.11.17