

**Brooklyn City Council**  
**February 11, 2019 @ 7:00 p.m.**

**Roll Call**

PRESENT: Ron Van Kirk, Meg Ryan Shockey, Andy Celcherts, Kathy Pucci, Mary Balbier, Kevin Tanski, Barb Paulitzky. ABSENT: None

Pledge of Allegiance.

Opening prayer was offered by Councilwoman Mary Balbier.

**Approval of Minutes** of January 14, 2019. **MOTION** by Tanski, second by Celcherts to approve. **VOTE:** *To approve:* Yes: Van Kirk, Ryan Shockey, Celcherts, Pucci, Balbier, Tanski, Paulitzky. No: None. **(APPROVED)**

**PRESENTATION:**

Mayor Gallagher read a Mayor's Proclamation proclaiming Feb. 7-14, 2019 Congenital Heart Defect Awareness Week and presented it to resident Jennifer Kunes, whose daughter Breanna has been affected, and brought this topic to the city's attention. Ms. Kunes thanked the Mayor and Council for the Proclamation and spoke of how it affects her daughter, family, and other children. Pres. Van Kirk thanked her for coming, and shared a personal story relating to it.

**PUBLIC SESSION:**

None.

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

Finance Committee (Councilman Van Kirk): The Committee met at 6:30 and discussed: new item 2019-8, Authorizing the Mayor enter into a Service Agreement with Bailey Communications to provide the Technology Department Management for the city. The contract cost is \$4,420/month for \$53,040/year (2.7% increase over last year); Ord. 2018-94, the Tobacco21 legislation that is held in abeyance (will hold in abeyance one more meeting and the Law Dir. will read changes to it). The Mayor brought up some items. Councilwoman Pucci asked him to reach out to the School Bd. to try and schedule a joint meeting with them regarding Hurricane Alley; he did, with Council's date of Feb. 28<sup>th</sup>, but has not heard a response back yet. An item to discuss at that meeting is the mound on Hurricane Alley abutting residents on Roadan.

Recreation Board (Councilman Tanski): Silver Sneakers had another great year, bringing in a total of \$42,968.50. Since being enacted in 2012 it has brought in more than \$215,000. The next Bd. mtg. is Feb. 20<sup>th</sup> in the Rec Center mtg. room at 7 p.m.

Domestic Abuse Commission (Councilwoman Ryan Shockey): The Comm. will meet Feb. 12<sup>th</sup> at 6 p.m. in the Fire Station Community Room. They'll discuss current news and update of getting the bathroom posters to businesses and public places throughout the city, and next steps for the Comm. in 2019.

Board of Zoning Board of Appeals (Commissioner Kulcsar): The Board mtg. scheduled for Feb. 21<sup>st</sup> is cancelled due to no applications.

Planning Commission (Councilman Van Kirk): The Commission met Feb. 7<sup>th</sup> and heard requests from: Benderson Development Co., LLC for site plan approval for 10,000 sq. ft. shopping center at 7414 Brookpark (deferred to the next mtg); approved a lot split and consolidation from M. & J. Park at 4716 Sunny Ln.; from Adam Signs for new freestanding sign for the plaza on the existing foundation at 6910 Biddulph (deferred to next mtg.); from OLIO Development Group for preliminary site plan approval for Raising Cane's Rest. at 5180 Tiedeman Rd.; from OLIO Development Group for conditional use for Raising Cane's Rest. at 5180 Tiedeman Rd. (both approved); approved Medical Mutual of Ohio for an outdoor dining patio and new entry

at 1 American Rd. The next Comm. mtg. is March 7<sup>th</sup> at 6 p.m. in the City Hall Conference room, all are welcome to attend.

Legislative Update (Councilwoman Balbier): HB 576 addresses minimum wage law in Ohio. In Jan. 2019 it increases to \$8.55 for non-tipped employees, \$4.30 for tipped. SB 296 had lawmakers approve raises for themselves, more than a cost of living raise: 2019 is 4%, 2020 is 4%, 2021 is 3%, 2022-2028 is 1.34% each year. - Alianna DeFreeze's abduction on her way to school (and subsequent death) has resulted in SB 82 to require Ohio schools to contact parents in a reasonable time if the student isn't present at start of school day (no later than two hours). -The increased number of cell phones has fewer people with wired landlines. Public Utilities asked and received the chance to raise rates. HB 402 raises rates by \$2/month instead of the current \$1.25 cap. -There was recent talk about cursive not being needed to be taught in school any longer (considered outdated and taken over by use of electronic communications). HB 58 (The Cursive Handwriting Law) was approved, and all students must read and write printed letters by third grade and cursive by fifth grade.

### **REPORTS OF COUNCIL:**

**Meg Ryan Shockey:** Thanked Jennifer (Kunes) for bringing the important topic of CHD to their attention. She was not aware of it or how many it affects. Also thanked her for sharing her personal story. -Ord. 2019-7. She took over as Chair of Domestic Abuse Comm. last year and she first researched the topic and contacted similar organizations. A resource she found discussed tenant rights for victims of domestic abuse on a state level. Ohio is one of 13 states that has no laws protecting tenants of domestic abuse. Brooklyn is one of only cities the state with a Domestic Abuse Comm. She sees it fitting to pass an ordinance this powerful on a city level before taking it through the State level process for all Ohioans. Tenant victims need these rights due to the numbers of cited homeless in Ohio. She cited various studies and statistics. She hopes when the final vote comes up next month her colleagues join her in voting yes on Ord. 2019-7.

**Andy Celcherts:** Congratulated Brooklyn Hockey for their third consecutive season championship Blue South Division. They've played in the Baron Cup, and will play in the State Sectionals this weekend. -Congratulated the Brooklyn High School trumpet trio (Marchello Carrosselli, Karli Verchio, Zack Villard) on their high score of One at the past week's competition. -The Pac-12 wrestling championship was this past weekend (with awards to Seth Majewski, Carl Ramser, Eric Kay, Jeff Rosin). These are good things happening at Brooklyn schools. -Feb. 23<sup>rd</sup> from 4-7 p.m. is the 6<sup>th</sup> Annual Support Our City Schools spaghetti dinner fundraiser with raffles and baskets. -Thanked Ms. Kunes for coming and sharing her experiences with her daughter; he hopes she was caught on camera being all full of life.

**Kathy Pucci:** Thanked Ms. Kunes for coming and making everyone aware of this topic (and shared a personal story). -Congratulated the hockey team, OEMA award winners, wrestlers, and their parents, coaches and music instructors. -The Community Improvement Corp. met Feb. 4<sup>th</sup> for their annual mtg. They approved minutes, and reappointed to three year terms Mayor Gallagher and John Wittine, elected officers for 2019 (chairperson, Mayor Gallagher; treasurer, Mr. Wittine, secretary, herself). She had a call from a resident who saw a blurb about the CIC property being sold. This is undevelopable property, the wetlands, the CIC portion IKEA was interested along with a parcel from the Plain Dealer. The only thing in the back corner is a small paved area; which was previously used as parking for Keystone, and the new developer needs the parking in order to attract other business (and have enough parking for employees). Some felt we didn't get enough money for the acreage, but it again it's not able to be developed, and the only reason they purchased it was to have the back paved area for parking.

**Mary Balbier:** Thanked Ms. Kunes for coming with her daughter; she can't imagine what she's been through, and what is yet to come. She shared a personal story also. Great things for the schools: Spaghetti dinner and Night at the Races; things helping the schools. Please consider attending or donating.

**Kevin Tanski:** Congratulated the Brooklyn hockey team on a great season, taking the Blue South Division for the third year in a row. -Congratulated Seth Majewski for placing in wrestling, along with Eric Kay and Carl Ramser. -Thanked Ms. Kunes for bringing awareness and information, and her child's great strength in overcoming this illness.

**Barb Paulitzky:** Congratulated Ms. Kunes for coming and sharing this information. She only learned about it yesterday from a great-grandchild's class involvement in a fundraiser for it. She shared her personal story about it. –Brooklyn is a 4.5 mile community with about 11,000 residents; famous in Ohio for first seatbelt and cell phone laws. An article in yesterday's paper reminded her that in 1955 Elvis Presley made his first appearance north of the Mason Dixon line in Brooklyn, making a historical event, and making us famous nationwide. There is a lot of information at the Historical Society, and she recommends people visit on a Tuesday. The challenge is what those sitting here can do to continue this tradition in Brooklyn; she welcomes ideas.

**Ron Van Kirk:** Commented to Ms. Kunes that what sticks out to him is that life is so valuable. He spoke of a personal story that affected a member of his family, as it affects her family. Life is precious and there's many that are getting away from that. He thanked her for bringing this to everyone. –Thanked Councilwoman Balbier for her Legislative Update. In context about the Legislative raises, they had not received one for 11 years. –He will not be in attendance at the next Council mtg.; he is doing recruiting for his job/school. Council President Pro-Tem Celcherts will run the meeting.

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

**Mayor Katie Gallagher:** Thanked Ms. Kunes again for coming and making everyone aware; it was emotionally moving. She chuckles at thinking of Breanna practicing soccer and being so energetic, you would never know. –As Pres. Van Kirk said, about the Planning Comm. last week, Medical Mutual has done a phenomenal job with their plans. She's excited as they break ground to the complete renovation at One American Way. It will be a first class facility that they're putting a lot of money into. Pres. Van Kirk spoke with one of their reps after the mtg. and learned they're up to 900 employees moving to here. It will be a tremendous asset for the city. –She went back to Inogen today, also at One American Way, she hadn't been since groundbreaking over a year ago. Three expansions later and nearly 500 employees here, this is the California based company's first east coast business, and they're exploding here, hiring like crazy, and doing very well. We're so lucky to have them here and continue to grow. –Reminded she has State of the City at noon at the Senior Center; and Coffee with the Mayor at 9 a.m. on Friday. –Reminded that we will be closed on Monday, Feb. 18<sup>th</sup> for President's Day, and trash will be one day late.

### **DIRECTORS REPORTS:**

Finance Dir. Raguz: He reported earlier at the Finance Comm. mtg., as we close 2018 we are starting out financial audit, so the process officially started today. We look forward to the process, and more forward to the conclusion, expected in June.

### **REQUESTS:**

Liquor permit request for stock transfer at Buffalo Wild Wings on Tiedeman Rd. **MOTION** by Pucci, second by Tanski for a position of no objection. **VOTE: No objection:** Yes: Ryan Shockey, Celcherts, Pucci, Balbier, Tanski, Paulitzky. Abstain: Van Kirk (for reasons of his faith). No: None. **(NO OBJECTION)**

### **LEGISLATION:**

**Ord. #2018-94,** Enacting Chapter 729, "Tobacco Product Vendors; Sales to persons Under (Age) 21" of the Codified Ordinances of the City of Brooklyn, and amending conflicting ordinances. Dir Butler made some changes that he read: New Sect. 2 repeals Sect. 537.16; new effective date of Ord. is May 1, 2019; signage requirement will take place June 1, 2019; Sect. 3 changes the title of existing 537.16 for consistency; and new Section 4 permits the Mayor to enter contract with the Cuyahoga County Bd. of Health to be the permitting agent and enforcement arm for new Ch. 729. **MOTION** by Pucci, second by Van Kirk to amend. **VOTE: To amend:** Yes: Van Kirk, Ryan Shockey, Celcherts, Pucci, Balbier, Tanski, Paulitzky. No: None **(AMENDED, IN ABEYANCE)**

**Ord. #2019-2**, To adopt the Solid Waste Management Plan for the Cuyahoga County Solid Waste District. **(SECOND READING)**

**Ord. #2019-3**, Amending Sect. 151.03 of Chapter 151 of the Codified Ordinances of Brooklyn, Ohio entitled 'Brooklyn Community Improvement Corporation, and approving the formation of the Brooklyn Community Improvement Corporation'. **(SECOND READING)**

**Ord. #2019-5**, Amending various Rules of Council, Codified pursuant to Section 121.01 of the Codified Ords. of the City of Brooklyn, Ohio. **(SECOND READING)**

**Ord. #2019-7**, Establishing Ch. 746 of the Codified Ordinances of the City of Brooklyn to create housing protections for victims of domestic violence and affected landlords. **(FIRST READING)**

**Ord #2019-8**, Authorizing the Mayor to enter into a Service Agreement Renewal with Bailey Communications, Inc. to provide Technology Department Management for the City of Brooklyn. **(FIRST READING)**

**MOTION** by Van Kirk, second by Ryan Shockey to adjourn to executive session for the purpose of considering the appointment of a public official at the Recreation Center, with the Mayor, Dir. Verba, Dir. Butler and Mgr. McGinty. No further business will take place when Council reconvenes except to adjourn. **VOTE: To adjourn to executive session: Yes: Van Kirk, Ryan Shockey, Celcherts, Pucci, Balbier, Tanski, Paulitzky. No: None. (ADJOURNED TO EXECUTIVE SESSION)**

The Council reconvened to regular session.

There being no further business, **MOTION** by Ryan Shockey, second by Celcherts to adjourn. **VOTE: To adjourn: Yes: Van Kirk, Ryan Shockey, Celcherts, Pucci, Balbier, Tanski, Paulitzky. No: None. (ADJOURNED)**

Mary-Jo Banish, Clerk of Council

Ron Van Kirk, President of Council

Minutes approved: 2.25.19