

Brooklyn City Council
March 25, 2019 @ 7:00 p.m.

Roll Call

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

Pledge of Allegiance.

A moment of silence was observed at the request of Councilwoman Ryan Shockey.

Approval of Minutes

MOTION by Tanski, second by Ryan Shockey to approve the minutes of March 11, 2019. **VOTE:** *To approve:* Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(APPROVED)**

Council President Van Kirk informed there will be two Executive Sessions: the first to interview the Mayor's candidate for Recreation Commissioner (following the directors' reports), then vote on the confirmation; the second at the end of the Agenda to discuss potential purchase of public property.

PUBLIC SESSION:

Victor Ardito of 7439 Outlook Ave., said he mentioned last mtg. about the left turn lane going south on Ridge into Northcliff going into oncoming traffic being hard to make. Asked if it will be on the agenda for striping this time or next time. Remarked that they won't be doing anything for the people now on Death Row because it could hurt them; but they didn't do nice things, so if the injection hurts, sorry.

Kelli Krall of 10523 Manoa Ave., said as current Boosters President spoke on behalf of the Boosters that they passed a motion to fully support Issue 1. Thanked those on Council and the public for attending Willy Wonka and saw the talent in Brooklyn. Spoke for herself: 140 students were in the play (10% of student population); marching band has around 90 students (20% of high school population). Her son will be a senior next year, in marching band, the Pit, hockey team and baseball – and looking forward to all that comes with his junior year. Spoke of things that will be cut if Issue 1 fails (sports and band), which leaves students with nothing to occupy free time or be motivated. Spoke of importance of extracurricular activities. Believes a strong school system makes a strong city, which is desirable for new families. Urges Council and the community to support Issue 1. It's for the kids.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Domestic Abuse Commission (Councilwoman Ryan Shockey): The Commission will meet March 26th at the Fire Station community room at 7 p.m. with guest speaker Judge Ashley Kilbane.

Finance Committee (Councilman Van Kirk): The Committee met at 6:30 and recommended the following approvals: three notifications: timing pad donations from Hudson Schools worth \$3,000 to be used for swim meets; \$6,900 Cleveland Foundation grant awarded for a summer internship program, working in the Bldg. Dept.; \$26,316 from Ohio Attorney General's 2018 Law Enforcement Body Armor Program, to purchase body armor for each officer, grant reimburses up to 75% of cost of each vest; request for bid approval for construction of American Roadway Ext. and rehabilitation, from Fabrizi Trucking and Paving for \$1,108,552 (12% less than Engineer's est.); Ord. 2019-9, amends Codified Sect. 351, Prohibiting Standing or Parking Spaces (adds to prohibit parking within 12 inches of the widest part of apron in front of people's driveways); 2019-12, Authorizes payment of \$130,530 to C.W. Courtney Co. for engineering services for the American Roadway extension just discussed. New business: Ord. 2019-15, Authorizes the Mayor to enter into Consulting Services Agreement with McCaulley&Company to provide various services to the City (to coordinate communications and apply for various grants - \$5,000/month, a one year contract); Ord. 2019-15, Amending Codified Sect. 351.20, Waivers (parking fees not updated since 1995). The Comm. meets every Council mtg. day at 6:30 in the conference room, all are welcome.

Recreation Board (Councilman Tanski): Youth Baseball registration is through May 6th at the Rec Center, in person or online at www.activityreg.com (also for fees and requirements). The next Rec Board mtg. is April 15th at 7 p.m. in the Rec Center mtg. room.

Public Safety & Environmental Committee (Councilman Van Kirk): The Committee met at 6:15 prior to the Finance mtg. to discuss Ord. 2019-7, Establishing Codified Ch. 746 to create housing protections for victims of domestic violence and affected landlords. This was drafted at request of Councilwoman Ryan Shockey – she explained when she was appointed Chair of the Commission she researched the topic and reached out to similar organizations around the nation. Ohio was one of 13 states with no laws such as this, for tenant rights for victims of domestic abuse. This Ord. allows the victim (with a protection order) to get locks changed by landlord, or break their lease without additional costs. Councilman Van Kirk said he will read the amendments when the Ord. comes up and it will go on second reading.

Legislative Update (Councilwoman Balbier): Has previously discussed the transportation budget and cost of gasoline per gallon. Gov. DeWine requested an increase of 18 cents/gallon. HB62 was passed to raise it 10.7 cents (7 cents this year and 3.7 cents next year, with no automatic raise for inflation). It went to the Ohio Senate, where they approved two-year transportation with only six cent/gallon increase beginning July 1. It was expected the Senate would approve the House's version of going from two license plates to one in the rear). But the Senate version requires two plates (the one plate was criticized by Police authorities in the state). She asked Chief Mielke to comment on his thoughts on this in his report. A joint mtg. will be held to compromise the two versions. It appears the reason for keeping the low tax is because of elections and candidates not wanting to advocate a big raise in a tax. The Bill must be done by March 31st before going to the Governor's desk. Ohio Rep. Patton introduced four Bills to limit city use of traffic cameras, that the stated reason they are used for safety is bunk, and feels it's for money only. HB 139 would prohibit communities that don't operate a Fire Dept. or EMS from traffic cameras; HB 140 would prohibit governments with populations under 200 from traffic cameras; HB 141 prohibits communities from using a number of traffic camera tickets that are more than twice its population (ex. Linndale gets around \$1M in revenue and has around 173 people.); HB 142 prohibits governments from raising more than 30% of their total revenue from tickets generated from cameras. Many of his constituents must drive through Linndale and gotten tickets and complained to him, and can't afford it.

Board of Zoning Appeals (Commissioner Kulcsar): The Board met March 21st and heard requests from: L. Kincaid of 9203 Ansonia Ave. - for three-foot variance from minimum distance required between principal structure and swimming pool; and a four-foot variance from minimum distance required between side lot line and swimming pool. The next mtg. is April 18th at 6 p.m. in the conference room.

Community Reinvestment Housing Council (Commissioner Kulcsar): The Council met today at 5:30. They meet once a year to review applications and hear his report on abatements we have. This program allows improvements made to your home that are subject to increase in County taxes to be abated for five years. There were two applications this year (with three projects that qualified). Projects vary as to what is allowable to receive the abatement. People should look into it and utilize it more. Contact him for any questions.

School Board Liaison (Councilwoman Ryan Shockey): The Board met March 19th where student achievement presentation was given about winter sports. The hockey team was named division champions. Wrestler Seth (Majewski) signed with Defiance College; Marcello (Carrossellia) was a state qualifier in bowling; 8th grade girls basketball team were PAC champions; other achievements included two students receiving scholarships. 130 students were involved in the musical, and 1508 community members attended performances that weekend. The second finance forum was held March 20th.

Planning Commission (Councilman Van Kirk): The Commission met for special mtg. on March 14th and approved a request from: M. Love from Gateway Park, LLC for a conditional use in general industrial district for temporary outdoor storage at o Memphis Ave. The Council also has to approve this, which is on the Agenda tonight. The next regular mtg. will be April 4th at 6 p.m. to hear requests from: Eco-Site for new cell tower at 8720 Brookpark Rd.; from Boxes Builders for preliminary site plan approval for self-storage facility at 11400 Brookpark Rd.; from Adams Signs for free-standing sign for the Plaza on existing foundation at

6910 Biddulph; from Robert Corna from Prime Properties for a preliminary site plan approval for a gas station at 3580 Ridge (updating/replacing current station).

REPORTS OF COUNCIL:

Kathy Pucci: Thanked Mr. Ardito and Ms. Krall for speaking. Asked Chief Mielke to address the turn lane on Ridge question in his director report. –Couldn't attend previous financial forums for the schools, so sat with Dr. Gleichauf to review the finances and things related to the levy. Had a conversation with a resident who commented that for years heard if a levy doesn't pass the extracurriculars would be cut, and they might have felt it was empty threats; she assured that when there isn't enough revenue that's where the cuts will start. The extracurriculars are very important for many reasons, including colleges looking for these participations. So they're not threats, but where cuts have to begin. Mentioned cuts made in past where they couldn't have a play. Encouraged everyone get information. Early voting begins April 9th. She is supporting the levy. Get all the information, contact the Superintendent, attend a finance forum, or contact a School Bd. member. –Received some complaints relating to the Dominion gas meter replacements and thanked Dir. Verba and Mr. Courtney for looking into them. One issue is the condition of how they leave the sidewalks after the tear them up (which creates a hard time for walkers), and they could do better job. Asked Dir. Verba if they were able to start addressing them on March 21st. Dir. Verba said the date he has is April 1st. She said if there is a problem, call them at 1-800-544-5768, then if no satisfaction, contact the city (Service). –If a resident would like to have their clergy member offer the prayer before Council, contact a Councilmember (they are rotating). She'd like to make sure we're inclusive of the religious beliefs of our residents. –Asked Dir. Kulcsar to give Council a copy of the CRA report.

Mary Balbier: Congratulated Ms. Krall on her son's achievements. Agreed that schools look for academics and something 'extra'. She supports Issue 1 and hopes it passes (as does her husband). She wants other's children to have as many opportunities as hers have had. –The beginning of April is when we can start putting out yard shrubbery and clean up (she checked with Dir. Verba). Also, the parking ban is until April 1st. –Many churches are having fish fries (3 more weeks of Lent), so go out and support some of the churches. St. Charles on Ridge was voted best fish fry in Parma.

Kevin Tanski: Asked Dir. Kulcsar about the multiple calls he's received about the trees cut, and believes the Sewer District is involved. Asked for an update on why, what they're doing, and if they'll replant. Dir. Kulcsar said the Sewer District sent a letter explaining it and sent notifications to everyone in the area. The letter is also on the city's website explaining it. Mayor Gallagher said it's private property there, Brooklyn Acres Mutual Home, who worked with their Board to a consensus on tree removals and replanting pattern. They're working on the sanitary sewer/storm water treatment there. With the Ohio Clean Water Act there are mandates the NEORSB has to do over the course of next 10 years, and one is to eliminate cross connections (where the sewer and sanitary are connected in certain areas), and this is an area where it will help. It's not a city project, though they briefed the city because it's in the City of Brooklyn; it was an agreement with the private owners (Brooklyn Acres Mutual Homes), and they have an agreement on the restoration of the property. Councilman Tanski asked about a retention pond; Mayor Gallagher said one key goal is to minimize flooding, and there will be a retention area (and it is sort of a natural retention area now).

Barb Paulitzky: At last Thursday's Chamber luncheon members previewed the menu for Taste of Brooklyn at La Villa Party Center on April 6th (food was superb). It will support the scholarship program for graduating seniors, and hear the High School Jazz Band, and drink and dine for \$20 now, \$25 at the door. –March 12th the Laurel Garden Club had a speaker who gave ideas on how to have a great lawn without chemicals. She has handouts and will share some information. Call her at 216-671-6777, and some will be at City Hall next week. –Keystone Tailoring closes soon. When it was built it was the old Joseph & Feiss. She (and others her age group) worked there at one time. The Brooklyn Historical Society made a big historical find there, including retirement records from 1/1/1917 of Moritz Joseph, ledgers from the 1800s to early 1900s, and inventories, timesheets and others. The Society keeps records from the past (some from early Cleveland company days). If interested in history, visit the Historical Society on Tuesdays from 10-2. –Gold's Gym has new name/owner, they are not closing, and no changes made to membership, and Silver Sneakers is still available there.

Meg Ryan Shockey: Thanked Kelli (Krall) for speaking, and all she does for our students. She understands threats from school districts becoming reality, from her experience as a 7th grader in No. Olmsted and spring sports were cut. She supports Issue 1 and hopes the students continue to have busy days with extracurricular activities next school year. –Last week attended a brown bag lunch forum regarding the County Housing Plan, to begin in 2020. Informational, discussed how county funds transitioned from demolition to rehab for vacant/abandoned properties. The Dept. of Development will run the program, and plan talks with CDCs and first-ring suburbs on implementing it. –News Channel 5 had an article regarding SNAP (Supplemental Nutrition Assistance Programs), showing there are hundreds of thousands of Ohioans age 60 plus struggling to eat because they're not signed up for these benefits they qualify for (mostly due to pride and lack of information). Cited additional information relating to it. Encourages people to see if they qualify, the programs are there to help; United Way's hotline is a great resource by dialing 2-1-1.

Andy Celcherts: Breakfast with the Bunny is April 6th at Applebee's from 8-10 a.m.; proceeds benefit the Class of 2019 Post Prom. –As mentioned, April 6th is Taste of Brooklyn at La Villa. –Thanked Kelli Krall for talking about Issue 1. He is a supporter of the Issue, and been on committees working on it, along with Dr. Gleichauf, on being financially smarter, etc. on it. The moves they've made are in the right direction, and trust them, and support this important issue.

Ron Van Kirk: Had several communications regarding the houses being razed on Tiedeman. There are four- two at corner of Tiedeman/Memphis, and two closer to 480. It's been in the works for a time, and the County has it on the top of their list. The ones at Tiedeman/Memphis, the city owns all that property, and it will be marketed as one plot of land, and hoping for a lease/buyer for it. The others are being razed, and there have been security issues. Again, they're all city owned properties.

MAYOR'S REPORT:

Mayor Katie Gallagher: There is one more financial forum for the school levy on April 10th at 6:30 at the Brooklyn Fire Station Community Room. People depend on Facebook and other social media for answers to questions, and it's not the best place to go. Talk to the Superintendent, the School Treasurer, attend a meeting. If you can't make a meeting send an email to them, and someone will get back to you. When people ask her about school finances, she cannot answer individual questions about their budget, as it's different than the City's, so she forwards them to the superintendent. That's best, they have the right answers to provide you. –She has a neighborhood mtg. Wed., March 27th at 6:30 at the Brooklyn Library, all are welcome to attend. –Composting by the Service Dept. begins April 1st. –McCaulley Consultant's ordinance is on the Agenda. Identified as a need during appropriations budget discussions, during her 3-1/2 years, is communications, getting out proper press releases, concise/cohesive messages from City Hall. Her administrative team individually partakes in all of it, so McCaulley&Company will come in and help with it, as well as provide grants. There's no individual in charge of grant writing; she does some, directors do some, and there are opportunities to improve in that area. This will help us see what our long-term needs are (full-time or on a consultant basis). It will also help her administrative team learn these better, as things change in communication. She's learned some things meeting with them about social media she's never heard of, indicating how rapidly things change, and we need to stay with it so we can reach Brooklyn audiences and get them engaged and coming to meetings and completing the dialogue. Thanked Council for their openness and approval through the Finance Comm. of this.

DIRECTORS REPORTS:

Recreation Mgr. McGinty: Friday, April 5th from 8-9 p.m. is the last public theme night "Cleveland Sports". Wear your Cleveland sports clothing and receive free skate rental. –Spring into Fitness promotion will be held April 7-13; all recreation classes will be free. Buy a yearly pass, get two months free; buy a monthly pass, get two weeks free. –The annual Easter Egg Hunt is Saturday, April 13th at 11 a.m., with registration at 10:30 a.m. at the Senior-Community Center. Resident children 6 years and under are invited to participate, rain or shine, bring a basket.

Finance Dir. Raguz: As part of Council's financial packet he sent on Thursday: in General Fund revenues we are trending on line with the prior year (1% less) and 17% of the estimated amount (in line with our budget

that was set at last fall's budget process). Expenses trending pretty consistently with last year (1% more than prior year). Overall the General Fund unencumbered balance was \$14.2M at the end of February. –As mentioned over the last six weeks, the Financial Transparency portal site will be going live this week. Something will be on the home page and the Finance page, and he looks forward to see what kind of traffic we get. Councilwoman Pucci asked if he had a list of changes that were or weren't incorporated. Dir. Raguz said he will send it out.

Police Chief Mielke: Responded to questions. To Councilwoman Balbier, regarding the one vs. two plate debate, Police Depts. prefers the two plates (for identifying purposes and viewing the front plate). The Cuyahoga County Police Chiefs Assn. is sending a letter to the Legislature supporting the current two-plate standard. Regarding the turn lane that Mr. Ardito has mentioned, he personally looked at it, and found it wasn't an issue before, and doesn't see it as an issue now, and believes the traffic engineers designed it in keeping with required widths (which left a gap). There have been no other complaints, and there have been no accidents relating to it (he reviewed them). Restriping will not be done at this time. Menards will be opening soon, and the traffic light on Brookpark Rd. is now operational.

EXECUTIVE SESSION:

MOTION by Van Kirk, second by Pucci that the Council go into Executive Session to interview Jack Abbruzzese for the position of Recreation Commissioner, with Council, the Mayor, and the candidate. **VOTE: To adjourn to executive session:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

Council reconvened.

CONFIRMATION:

MOTION by Van Kirk, second by Pucci to confirm the appointment of Jack Abbruzzese for Recreation Commissioner. **VOTE: To confirm the appointment:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(CONFIRMED)**

REQUESTS:

Council Confirmation for Conditional Use of Gateway Park (as previously discussed). **MOTION** by Pucci, second by Van Kirk to grant the Conditional Use. **VOTE: To confirm the Conditional Use:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(CONFIRMED)**

Bid approval for American Roadway Ext. and Rehab, with the lowest and best bid from Fabrizi Trucking and Paving for \$1,108,552. **MOTION** by Pucci, second by Tanski to award bid to Fabrizi as lowest/best bid. **VOTE: To approve the bid:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(APPROVED)**

LEGISLATION:

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. Some changes were made and Pres. Van Kirk read them, as presented to Council. **MOTION** by Pucci, second by Paulitzky to amend. **VOTE: To amend:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(SECOND READING, as amended)**

Ord. #2019-9, Amending Sect. 351.03 "Prohibiting Standing or Parking Spaces" of the Codified Ordinances of the City of Brooklyn. Extends the prohibited area for parking 12 inches from the widest section of the apron. **MOTION** by Pucci, second by Celcherts to adopt. **VOTE: To adopt:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(ADOPTED)**

Ord. #2019-12, Authorizing the payment of \$130,530 to the CW Courtney Co. for professional engineering fees relating to the Former AG Site Roadway Extension South Project. Requested to suspend rules and adopt, at the request of Medical Mutual to ensure road construction gets completed on time. **MOTION** by Celcherts, second by Ryan Shockey to introduce by all, suspend the rules. **VOTE: To suspend the rules:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **To adopt:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(ADOPTED)**

Ord. #2019-13, Providing for the issuance and sale of not to exceed amount of \$1,420,000 of notes, in anticipation of the issuance of bonds, to pay costs of reconstructing Radoan Road and Radoan Alley, and declaring an emergency. **(SECOND READING)**

Ord. #2019-14, Providing for the issuance and sale of not to exceed \$2,100,000 of notes, in anticipation of the issuance of bonds, to pay costs of extending American Road by constructing, grading, draining, paving, constructing curbs, gutters and driveway aprons, installing storm sewers and making other improvements as designated in the plans approved or to be approved by Council. **(SECOND READING)**

Ord. #2019-15, Authorizing the Mayor to enter into a Consulting Services Agreement with McCaulley&Company LLC to provide various services for the City of Brooklyn. The cost is \$5,000/month, a one year contract. **MOTION** by Pucci, second by Celcherts to introduce by all, suspend the rules. **VOTE: To suspend the rules:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **To adopt:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(ADOPTED)**

Ord. #2019-16, Amending Sect. 351.20 "Waivers" of the Codified Ords. of the City of Brooklyn. **(FIRST READING)**

MOTION by Van Kirk, second by Ryan Shockey to adjourn to executive session to discuss the possible purchase of public property, with the Council, Mayor, Finance Dir., and Law Dir. After executive session is over the Council will come back just to adjourn its meeting, with no further business to take place. **VOTE: To adjourn to executive session:** Yes: Pucci, Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

Council reconvened.

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

Mary-Jo Banish, Clerk of Council
Minutes approved: 04.08.19

Ron Van Kirk, Council President