

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

February 28, 2011

7:00 p.m.

The Council and all in attendance recited the Pledge of Allegiance.

President Pucci: "I apologize that we're starting a bit late. Our Finance Committee meeting ran over by a few minutes. Mary-Jo, will you call the roll please?"

Clerk Banish: "Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Here."
Councilman Patta: "Here."
Councilwoman Gallagher: "Here."
Councilman Magrey: "Here."
Councilman Tanski: "Here."
Councilman Murphy: "Here."
Councilwoman Pucci: "Here."

President Pucci: "Okay, next we'll have approval of the minutes of November 22nd. Oh, I apologize, I'm going to read the agenda. Approval of minutes of November 22, 2010; public session; reports of committees, commissions and boards; Council reports; Mayor's report; directors' reports; public participation for items on the Agenda only; Resolution 2011-2, Authorizing the Mayor of the City of Brooklyn to prepare and submit an application to participate in the Cuyahoga County Municipal Energy Program (MEP) and to execute contracts as required; Ordinance 2011-2, Authorizing the Mayor of the City of Brooklyn to enter into an amended and restated agreement with Great Lakes Billing Associates, Inc. for third party EMS and ambulance billing, consultation and related services; Ordinance 2011-10, Establishing Parma Hts. Community Partner rates at the John M. Coyne Recreation Center and Natatorium; Ordinance 2011-11, Annual Appropriations Ordinance; Ordinance 2011-12, Authorizing inter-fund transfers and advances during 2011; Ordinance 2011-13, Authorizing the purchase of three 2011 vehicles for use by the Brooklyn Police Department; Ordinance 2011-14, Authorizing the Mayor to enter into an agreement with the Juvenile Diversion Coordinator; other matters that may come before the Council; and adjournment. At this time we need a motion to approve the minutes of November 22, 2010."

Councilman Patta: "Move to approve."

Councilman DeMarco: "Second."

Clerk Banish: "To approve the minutes, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "Okay, at this time we will have our public session. If anyone has anything to say for the welfare of the City of Brooklyn, please step to the podium, state your name and address for the record, and please recognize our five minute time limit."

Barbara Paulitzky: "Good evening. My name is Barbara Paulitzky, I live at 4795 Tiedeman Road. I read with interest how Senator Sherrod Brown and Governor John Kasich have been exploring options that would keep American Greeting here in Brooklyn. What has Brooklyn been doing? I've been told that Brooklyn has done all that they can do. Really? Has Council considered offering to place the tax issue back on the ballot to see if voters still want this tax? School issues get defeated all the time. Does that end it? No, it goes back on the ballot to see if the voters have changed their mind. Is there a law that says it can't be done in reverse? I'd like to address Councilman DeMarco, who has suggested that an economic development director actively pursue other businesses, regardless of what happens with American Greeting. I thought we had one on staff now. Are you suggesting hiring a new one Mr. DeMarco? How does the current economic development director, or anyone for that matter, convince new business that Brooklyn is a good place to locate, if we can't keep a 45 year business here, because our tax rate is higher than most of the surrounding communities. You can suggest that American Greeting is considering leaving for other reasons. American Greeting says it's

because of the tax. I believe that to be true. If any of the voters in Brooklyn would like to see this issue back on the ballot, call your Councilman or the Mayor and let them know about it. Anyone here tonight that believes we need American Greeting can step up right now. It's your city, it's your tax dollars, and you have a right to be heard. I hope that City Council will have some answers to these questions soon. Thank you for allowing me to voice my concerns."

Mary Lee Bowen: "Good evening everyone. My name's Mary Lee Bowen, I live at 4783 Tiedeman Road. I want to again invite all residents to participate in the Charter Review, which is done only ever six years. If you have any suggestions or comments regarding the Brooklyn Charter, please contact one of the Commission members. Better yet, please come to the next meeting on Thursday, March 10th at 6 p.m. here at City Hall. You can discuss your thoughts with other residents and the Commission members. I also want to express some concerns, which make your help even more important. It seems that some people feel that everything in Brooklyn is just fine, and that no changes are needed. Some feel it would be too expensive to change anything. That's ridiculous. We can't afford to not make changes to business as usual. Yes. Our services are still reduced. There's still a costly problem with our landfill. And recent developments mean that it will be at least July before we learn if our largest employer and source of city revenue will remain in Brooklyn. We cannot afford to continue with the status quo. Meanwhile, others feel that the solution is to add another layer of ineffective leadership to the city, increasing our costs, but doing nothing to improve services, let alone to prepare for what may happen next. We need your help now, and I ask you to provide it through your suggestions or participation. Again, the next Charter Review Commission meeting is Thursday, March 10th at 6 p.m. Please come, or contact me at 216-941-7562. Thank you."

Tom Adamski: "Tom Adamski, 9625 Melody Lane. My comments are directed to Mr. Kennedy. Also, in regards to the proposed legislation by Governor Kasich. In reading the Plain Dealer article, it doesn't mention American Greetings and regarding the half percent increase in the taxation. I'd like to know if you have seen a draft of this legislation? If you are any part of the impact it would have on Brooklyn. It would seem to me that it would establish a precedent, because you can't single out just American Greetings. Obviously other businesses would come forth and say, well we also want to eliminate the half percent tax. I'd like to appreciate your comments."

Dir. Kennedy: "Mr. Adamski, I had seen a draft of the legislation. It is specific to American Greetings, in that the body of the language requires the application of the law to any company that was offered an out of state proposal in 2010, and is subject to different parameters and criterias in terms of number of employees. So there really wouldn't be another company that I know of, at least in Brooklyn, that would fit the model or the changes that will come out of that legislation."

John Bundy: "Good evening. My name is John Bundy, I live at 9211 Torrance Avenue in Brooklyn. I'd like to thank those who have helped me make the Brooklyn Loves American Greetings campaign a successful one. Through local support and my website, we collected a couple hundred signatures. We got the express support of some Brooklyn School Board members, and Brooklyn Councilman Tom Murphy. Last week Parma City Council unanimously passed a resolution urging American Greetings to stay in Brooklyn. All of this was done to compliment the efforts that the City Council and administration have done to negotiate. And it was done in support of the rank and file of the American Greeting workers living in and near Brooklyn. We like them too. Thank you."

Rocky Neale: "Evening everyone. My name is Rocky Neale, on behalf of the Brooklyn City School District. I live at 4552 Winter Lane. I'd like to share some dates and times and information with the City Council, the Mayor and the citizens of Brooklyn. Parent-Teacher conferences are March 3rd from 3:30-5:30 and 6:30-9:00. The annual school musical will be held on March 10th and 11th at 7 p.m., and March 12th at 1 and 7 p.m. Please plan on attending. This year's performance will be the Little Shop of Horrors. The senior citizen preview will be free for all seniors on Thursday, March 10th, beginning with breakfast at 9 a.m. Please call Mrs. Rawlings at 216-485-8112 for reservations. Curious about Kindergarten is a meeting for all parents, guardians who have a child who will turn five by September 30, 2011. It will be held on Thursday, March 3rd at 6:30 p.m. in the Brookridge cafeteria. Please join us to learn about the registration process and the expectations of routine and curriculum for our new school children. Our spring registration for new kindergarten students will be held at the Board of Education office on March 23rd between 9-11 p.m. (a.m.), or 4:30 and 6:30 p.m. Packets are available in the Board of Education office now, as well as the March 3rd meeting. Please bring your completed packet with you on the 23rd. There will be an informational meeting

relating to the post-secondary enrollment options program on Thursday, March 3, 2011 at 7 p.m. in Room 173 of Brooklyn High School. This is a state mandated meeting for parents and students if a child is considering taking college classes for high school credit during the 2011-12 academic year for the first time. Please contact your high school guidance counselor if you need more information. Recently, 73 of our sixth grade students enjoyed their annual trip to Mohican in an outdoors camp. They were accompanied by four full-time staff members and our school nurse. Mohican is a wonderful experience for our Middle School learners about science, but also about living from home, living from home, working together on projects, getting along in a group, developing skills of independence. They were gone from February 22nd to Friday, 25th. Many of you know that there is a bond levy tour of the school properties. That will be on March 19th at 10 a.m., and March 22nd at 6 p.m. We will be having tours of the Middle School for any citizen who is interested in the construction project coming up in August. Longtime Brooklyn resident Mr. Earl Bloam has been named chairperson for the bond levy committee. In addition, former Mayor John M. Coyne has been named honorary chairperson. Please come join us to get your own view on the conditions of the school properties. The Middle School is nearly 90 years old. Thank you on behalf of the Brooklyn City Schools and myself. I can be reached at 216-485-8197. Thank you."

Bob Kinney: "Bob Kinney, 4208 Springcrest Drive. First I want to apologize to Channel 19 and Scott Taylor. At our Brooklyn Democratic Club meeting last Friday, Mr. Taylor and his cameraman did show up. They had wanted to participate in our meeting, and did not stay. I'm not sure why, but I for one probably gave them a little bit of a hard time. And again, I want to apologize for that, because I do believe in transparency. And they're more than welcome to come back at our next meeting. Secondly, it's in regards to the bond, school bond issue scheduled in August. On the website there is some literature that you can get pertaining to the financial numbers involved with this. The principal amount is \$19,800,000 and they're estimating a 4.75 interest rate. The cost per \$100,000 home... Now if you live in that home, as opposed to being a landlord, you get 12.5% reduction. And that reduction in this case, we start out with \$108.38 less 13.55 for that reduction, leaving you an annual cost of \$94.83. I want to know, from every Councilmember, and the Mayor, tonight, how they feel about taxing, wanting to tax our residents some more? Back in '08 we did give the schools a 25% increase. When we increased the city income tax that was a 25% increase. This one, close as I can estimate, it's probably 8% increase. The real kicker here is that this is for 37 years. Now along with those figures, now what the projected cost are, and I'm not going to go through them, but they do call for us to tear down Rodoan and tear down the Middle School. And then the rest is new construction. But again, I want to ask Councilmembers and the Mayor whether or not they're in favor of this project. I think that School Board of ours has to live within their means, and I for one do not want to give them taxes for 37 years. Thank you."

President Pucci: "Does anyone else have anything to say for the good and welfare of the city? Okay. We'll move onto reports of committees, commissions and boards. We begin with the Finance Committee, which is chaired by Mr. DeMarco."

Councilman DeMarco: "Thank you. As Mrs. Pucci mentioned, our meeting did run a little over time. We had several items on the agenda, beginning with Resolution 2011-2, which is basically authorizing the Mayor to enter into an application to participate in the Cuyahoga County Municipal Energy Program. Which basically, they'll perform an audit on the energy services provided to the City of Brooklyn, and make recommendations. The resolution of those recommended were approved by the Finance Committee. The next Ordinance was 2011-2, which is up for third reading and adoption this evening. And this is authorizing the Mayor to enter into an amended and restated agreement with the Great Lakes Billing Associates, for third party EMS and ambulance billing. That was recommended for approval this evening. Ordinance 2011-10, which establishes the Parma Heights Community Partner rates at the John M. Coyne Recreation Center. That was recommended to be put on first reading this evening. Ordinance 2011-11 was recommended by the Finance Committee to be put on first reading tonight. This is our annual appropriations Ordinance. We have received our preliminary budget from Finance Director Kennedy. We will be having, the Council will be having several meetings to discuss various departments within the city to get a better grip of what the budget looks like for this year. But suffice it to say, we will be making some additional and needed Capital expenditures in 2011 that have not been made in prior years. Next was Ordinance 2011-12, which are basically authorizing inter-fund transfers. That was recommended for approval. Ordinance 2011-13, which was to authorize the purchase of three 2011 vehicles for use by the Brooklyn Police Department. That was recommended for approval. And the final Ordinance, which was 2011-14, which authorizes the Mayor to

enter into an agreement with the Juvenile Diversion Coordinator. It was also recommended for approval by the Finance Committee. And that completes my report."

President Pucci: "Thank you. Next is Public Works, which is chaired by Mr. Magrey."

Councilman Magrey: "Thank you Mrs. Pucci. Good evening everyone. At tonight's Finance meeting we had discussed a possible Public Works meeting scheduled for next Monday, March 7th. And this will be agreed upon by Councilmembers, and it will be a public meeting. We will be discussing road projects for the year, followed by afterwards a Finance Work Session to discuss the budget. And that concludes my report."

President Pucci: "Thank you. Next is Public Safety & Environmental, Mr. DeMarco."

Councilman DeMarco: "There's been no meeting and I have no report."

President Pucci: "Thank you. Legislative Update, Domestic Violence and Juvenile Diversion, Mrs. Gallagher."

Councilwoman Gallagher: "Thank you Mrs. Pucci. State Senator Tom Patton announced last week that an amendment he offered that revises Ohio's Job Retention Tax Credit has been approved by the Ohio Senate as part of House Bill 58, which conforms Ohio's Tax Code with recent changes made to the Federal Tax Code. Senator Patton stated, 'The measure allows a company that employs more than 1,000 workers and invests at least 25 million in its facility during three consecutive calendar years to claim their credit on the state income tax and employees' pay. Another requirement is that the business receive a written offer of financial incentives from another state that is deemed sufficient for the company to move. The credit may not exceed 75% of the state or municipal income tax liability of the company's employees and may not exceed a total value of \$6 million. House Bill 58 now moves back to the Ohio House where members must agree to the changes made by the Senate.' I think that's what you're talking about Tom. Also, State Representative Tim DeGeeter has joined with the Ohio Association of Career Colleges and Schools to offer more than 260 scholarships worth over \$1 million in tuition assistance to high school seniors. With today's high cost of education, these private scholarships are an excellent opportunity for seniors who may not be able to afford college without some form of assistance. Funding for the program comes from career colleges and schools, and no state money is used. To be considered by the Association's scholarship committee, you must be nominated by a member of the Ohio Legislature. In the past, a student from Normandy High School was nominated for the Criminal Justice Scholarship, and a student from Parma High School won \$5,000 for the Computer Network System Scholarship at the ITT Technical Institute in Strongsville. Scholarships may cover one-half tuition or the specific dollar amount. Scholarships are available to high school seniors graduating from any Ohio high school in June of 2011. Students do not have to demonstrate financial need, but they must have a C average or better to apply. Legislative nomination forms and applications are available at www.ohiocareercolleges.org. The deadline for submission is April 1, 2011. Please do not miss this opportunity. College can be a heavy financial burden, and every dollar of scholarship money will be a dollar that stays in your pocket. If you are a high school student graduating this year, contact your high school counselor for more details. Or you can contact my office at 614-466-3485. And that completes my report."

President Pucci: "Thank you. Next is the Planning Commission, and our representative is Mr. Patta."

Councilman Patta: "Thank you. Good evening. The next Planning Commission will be Thursday, March 3rd at 6 p.m. in the Mayor's Court. There is one item on the agenda. It is a request for re-approval of a two-phase parking lot expansion to expand or reconfigure parking lot located at 8700 Brookpark Road. The project was originally approved by the Planning Commission in October 2003, and phase 1 was completed in 2005. That concludes my report."

President Pucci: "Thank you. Zoning Board of Appeals, Mr. Ockington."

Comm. Ockington: "Thank you Mrs. Pucci. The Board of Zoning Appeals met on Thursday, February 17th in Brooklyn Mayor's Court to hear an appeal request from Larson Architects for alterations to an existing non-conforming sign located at 10700 Brookpark Road, which was denied by the Planning Commission on January 6, 2011. The request included a 49 foot height variance and 55 foot setback variance and a 141

square foot area variance. After considerable discussion on the matter, a motion to table the appeal request was made and approved by the Board, pending submission of more information and/or an alternate request by the applicant. That concludes my report."

President Pucci: "Thank you. Recreation Board, Mr. Tanski."

Councilman Tanski: "Thank you Mrs. Pucci. I have contacted Youth Opportunities to inquire on summer jobs program that the city has enjoyed last year. The program is on hold until the county determines on what funds will be available for the cities involved. I have emphasized to the county the City of Brooklyn Recreation Department wants to be included in this program again. Youth Opportunities assured me the Rec Department of the City of Brooklyn will be at the top of the list. Learn to swim registration will take place at the Recreation Center on Saturday, March 5, 2011 from 11 a.m. to 1 p.m., residents; Sunday, March 6, 2011, 11 a.m. to 1 p.m., residents and nonresidents; Monday, March 7, 2011, 6-7 p.m., residents and nonresidents. Ohio High School Hockey tournaments are being held at the Recreation Center this week. Games being played: Tuesday at 7 p.m., St. Ignatius vs Padua; Wednesday, 7 p.m., St. Edward vs Amherst. The winner of these two games will play in the championship game at the Recreation Center on Saturday, March 5th at 6 p.m. Winner of the championship game will go on to the state semi-finals in Columbus on March 12th. The next Recreation Board meeting is scheduled for Monday, March 21st at 6:30 in the Mayor's Court Room. That concludes my report."

President Pucci: "Thank you. Next is the School Board liaison, Mr. Murphy."

Councilman Murphy: "Thank you. Mr. Neale covered quite a bit of things of what happened at the last meeting. I do want to let you know that in August, just a reminder, that there'll be a bond issue coming up for the school in August. I do want to encourage you to talk to, two of the people here tonight, Mr. Neale and Mr. Krause. They're sending somebody to every one of the Council meetings, for those of you that are here. If you want to discuss this with them, please do. I would be the wrong person to discuss it, they know all the details, and they will be here. They're not dodging anybody. There will be an open house March 19th and March 22nd; and I have told Mrs. Walker that I will probably be there on the 19th, because I want to walk through, and I want to see what's going on. So don't miss an opportunity to go to that open house, and don't miss the opportunity to talk to the School Board members here tonight either. Thank you. That's all."

President Pucci: "Thank you Mr. Murphy. Next we'll move onto Council reports, and this evening we begin with Mr. Patta."

Councilman John Patta: "Thank you. Good evening. With regard to Mr. Kinney's question about whether or not I'm in favor of the new bond issue, I've not seen the entire proposal. Generally, though, I do believe we live in a business unfriendly city, county and state. I was publicly opposed to the city tax increase a couple years ago, and is also opposed to the last school bond issue. I believe any increase in our taxes will continue to make our city business unfriendly. What we need to do is look at how the schools are funded. The funding of our schools has been declared un-Constitutional three or four times already. We need to find a new way and a new method to fund our schools. I urge all of you to contact your State Senator and your State Representative, Mr. DeGeeter, your State Representative, and Michael Skindell, your State Senator. It's important that we actually change the way we fund schools in the State of Ohio.

I mentioned at the last meeting that the Flower Factory is closing. The Flower Factory, over the last several years, has employed between 55 and 60 full and part-time employees. Annually, the Flower Factory accounted for approximately \$10,000 in income taxes for our city. Now this does not include the unseen impact that the losses of these jobs has on our city. For example, shopping that the employees might do at our other retailers and restaurants. We will be going through and finalizing our budget during the next month or so. I've talked about this before, we need to make our city more attractive to new businesses. This should be the beginning of our discussions for how we should make our city more attractive to business. We as a city need to come up with a comprehensive plan to bring new business into our city. We need to start now to distinguish Brooklyn from other cities. We need to give businesses a reason to come to Brooklyn, and a reason to stay in Brooklyn. Mr. DeMarco and I have both talked about hiring a full-time economic development director, someone whose only task is to bring new business into our city. I believe that the time to do that is now. That concludes my report."

President Pucci: "Thank you. Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mrs. Pucci. Good evening. I had a conversation with a resident regarding the 2011 Brooklyn calendar recently sent out. This resident felt the calendar was a waste of citizens' money and also harmful to the environment because it wasted paper, postage and energy that could be used in a more efficient manner. This resident wanted to know how much money we spent on what she felt was a poorly designed calendar that she planned on putting right into the recycle bin. To answer this resident's question, the estimated cost was approximately \$4,000 to date, which included printing, handling and postage. However, the city does not have all the invoices in yet, so the final total was not available. There were, however, three businesses that advertised on the calendar, which covered \$600 of the cost.

Next, I would like to thank Chief Tenaglia for the 2010 annual police report. I have talked to many residents about the increase in crime throughout the City of Brooklyn over the last year. The 2010 report mirrors the many crimes I have heard about from residents over the last several months. I think this major increase in crime calls for us to take a closer look at our safety measures in Brooklyn. Councilman DeMarco, since you are the chairperson of the Public Safety and Environmental Committee, I believe it's time we meet with the Police Chief and with the residents to implement a better safety plan, or talk about measures that would help the police officers do their job more effectively. I think it is important that our residents will feel protected in their neighborhoods, and this should be one of our highest priorities.

Also, just a reminder, the Senior pancake breakfast is Sunday, April 3rd from 9-1. Tickets are on sale now. They're, advanced tickets are \$5, tickets at the door are six. Everyone's welcome. And children six years of age and under are free. And that concludes my report."

President Pucci: "Thank you. Mr. Magrey."

Councilman Joe Magrey: "Thank you Mrs. Pucci. I'd like to start tonight by talking about Ohio Senate Bill 5. I'm against this Bill. I believe the place to work out bargaining issues is at the negotiating table. In Brooklyn the city has been able to work with our employees and their unions. Concessions have already been made in Brooklyn. Like Brooklyn, other cities and school systems have been making concessions without threatening their workers. Trying to balance the budget is one thing, but paying for it on the backs of state, county, city and school employees is wrong. Many of these jobs are paid less than in the private sector. I do not believe that eliminating collective bargaining is the right way to attempt to balance the state's budget. Governor Kasich and other state representatives should lead by example. They should take pay cuts and reduce their benefits. Let's see if one State Rep. will take a 0% pay increase for the next three years, like our employees have done here in Brooklyn. Let's see them reduce their healthcare benefits and pensions. The leadership in Ohio should see Senate Bill 5 for what it is, a way to get back at employees and their unions. Senate Bill 5 should be thrown out. I would definitely support a resolution against it.

I'd like to thank a resident who contacted me this weekend to talk about the bad conditions on Delora after last week's snow storm. I was able to work with our Acting Service Director, John Verba, and Mayor Balbier to get the streets cleared on Saturday nights. After the clearing I drove down Delora and the neighboring streets around 9 p.m. Saturday. I inspected Delora, Northcliff, Archmere, Vandalia, Ira, Traymore, Glencoe and Pelham. Each street was neatly plowed, making it safe for driving. I appreciate the extra help, Mayor, that you got with the gentlemen to get out there to clear those streets. Thank you.

This past week I was invited to speak at Boy Scout Troop 319's monthly meeting. They asked me to speak about our city, how it works, and about the city's finances. The Scouts would like to help the city by volunteering their services. I told them America was made great by many volunteers like them across the country.

And as far as the school bond levy, I too would be very interested to see what's going on. I appreciate the invitation Mr. Neale. March 19th I will definitely plan to attend. I definitely want to learn more about the levy. I don't know a lot of details about it now, but I appreciate you taking your time to address us tonight. And that concludes my report."

President Pucci: "Thank you. Next is Mr. Tanski."

Councilman Kevin Tanski: "Thank you Mrs. Pucci. I have discussed with Mayor Balbier last week on sidewalks and over-sized trees on the treelawns, sidewalks being raised due to tree roots, and also the roots entering into the sewer lines. As these trees get bigger and grow, problems increase. Homeowners in Brooklyn will have an expense to deal with if the damage is done by the roots of these trees beyond the sidewalk towards the front yard. The Cuyahoga County Sanitary that the city has a contract with will only snake lines, not repair them, if roots do major damage to the lines. Former Mayor Coyne had new sidewalks put in certain areas, and now some of them have been damaged. I have received numerous calls on the sidewalks being cracked, buckled, up to a point where you can actually stumble and fall. Also, treelawns buckling up from the roots and trunk. The City of Parma has a program cutting down trees, eliminating damage, and also grinding down the stumps so no further damage can be done. Mayor Balbier, can you give us an update on where we are at as far as what we are doing with damage sidewalks and reducing these roots from buckling the sidewalks and entering the sanitary lines? I know some residents like the trees in the front. Maybe their sidewalks are not getting affected as bad. But when it comes to a safety issue, walking down sidewalks, or sanitary lines getting problems, then that is a major expense to Brooklyn residents. Also putting asphalts on sidewalks to try to level the bump is getting ridiculous and looks terrible, and most of the time it does not work. We all know the problem from these trees. This city is going to have to address it as soon as possible.

And a little bit about this bond issue. I'm on the edge with this bond issue again, not only hitting our residents' pocketbooks, but another tax on real estate property hitting our businesses with more taxes. We have raised our city taxes, and now another tax might put our businesses over the edge. We already have a major company irritated by our increase in city tax. I think we need to take a hard look at any tax increase. But I think the School Board opening a nice open house to the public is a great idea to hear both sides and see what is actually going on in the schools, and why we need this bond issue. I urge all residents to attend and ask questions. And I think that between this tax increase and what these schools are looking for, I think the questions are being asked, both residents and Council will get all their answers. And that concludes my report."

President Pucci: "Thank you. Mr. Murphy."

Councilman Tom Murphy: "Thank you. I first want to thank Mr. Ockington for his attention to a resident complaint that I had this week on dog feces. I was accosted by a resident. I went there, and, you don't know when people talk to you whether, just who every resident is, so I went to their driveway and talked to them for awhile, and they continued on and on, and I said I want to take a look at this. So I went in their backyard, it was atrocious. It was unbelievable. Mr. Ockington took care of it. I appreciate that. Allowing dog feces to accumulate over an extended period of time, that is, well over a month I would say, probably three months, is a bit much. Thank you Tom, I appreciate that."

Comm. Ockington: "You're welcome."

Councilman Murphy: "American Greetings has stated before, qualifies for a nice package that would keep them in Ohio. We do want to encourage American Greetings to stay in the City of Brooklyn. John Bundy, I really appreciate the opportunity to sign your petition that went to and for the workers of American Greetings. We want them to stay.

I missed part of the Finance meeting tonight, just the beginning of it, because I was at an AFSCME rally downtown for, or against, Senate Bill 5. I want to make a proposal tonight for a resolution opposing passage of Ohio Substitute Senate Bill 5 to be voted on tonight by Council. You know, our residents know that our workers gave back. They get it. We don't need, or... We want collective bargaining. They get it, they all gave back. Now Mr. Kasich, I understand his position. He's got his, well, he gets a pension and healthcare for the rest of his life. And then he joined Wall Street and took money, got money out of all the public coffers, the pension funds. Got a nice cut out of that too. That's gone, the money is gone, it got lost in the stock market. But apparently he found out there was still some money left, so he wants it. We've got to stay behind collective bargaining. It's a right.

Let's see... There is also a proposal. On January 7th U.S. Representative Joanne Emerson, a Republican from Missouri, introduced legislation for the 112th Congress proposing a Constitutional Amendment that would restore to Congress the power to prohibit physical desecration of the nation's flag. If you remember, well, I

got a lot of gray hair, but years ago they voted on it, it's a right you could burn it, you could destroy it, you could desecrate it. I never agreed with it, don't agree with it now. I want it back. If you have any interest in this you can go to the American Legion. Just get on the internet, and you can find out all about how we can restore the dignity we need for the American Flag.

Mr. Kinney did ask for everybody's, how we're going to look at the School Board levy. Mr. Kinney, I'm going to be there on the 19th, I want to find out what they're talking about. I want to give them the opportunity, as I told Mrs. Walker. They're going to be able to explain it to me better than me just looking at the thing. And however it turns out, I promise if you ask in the future, or after the 19th, I'll give you my answer. But I can't give it tonight because I don't know enough about it. And I think they want a fair shake. They want an opportunity to tell us what we need, or what they need. I have nothing further, thank you."

President Pucci: "Thank you. Next is Mr. DeMarco."

Councilman Tony DeMarco: "Thank you. I would like to also thank Chief Tenaglia on submitting his annual report for 2010. Again, very informative, good information, so I appreciate it. And I think, with spring fast approaching, I would like to make sure we are working towards reinstating the senior grass cutting program. I'm a strong advocate for the service, but I will not support an ordinance that requires eligible residents the need to present personal tax return information, or any other financial information to qualify. Our senior residents deserve this service from our city. I am confident that we will work through whatever issues we may encounter with our Local 1099 employees so that we are able to provide his very valuable service. Mayor, if you could provide an update when you give your report, I would appreciate that.

I'd like to congratulate John Verba on his appointment to Acting Service Director for the City of Brooklyn. You know, talk about baptism by fire, you know, he had to deal this weekend with a pretty bad snowstorm that hit Friday and Saturday. And I think overall the folks down there did a fantastic job, as they always do. So my hat's off to everybody for their hard work and dedication to making sure Brooklyn streets are safe.

Over the weekend I had the distinct pleasure of being interviewed by one of our local Boy Scouts, a member of Boy Scout Troop 319, who needed to interview a Councilperson as part of his effort to earn his Merit Badge. I learned a lot about some of the activities these young men are involved with. I came away very impressed. I would like to thank the Prusak family for asking me to participate, including Kevin and Linda, along with their 12 year old son Kevin, a 6th grade student at Brooklyn Middle School. For me it's great to see young people in our community involved with the Boy Scouts.

I did meet earlier today with Mayor Balbier to discuss some items as it pertains to the Economic Development Director that I brought up at the last meeting. You know, I hope we continue to dialogue on that. My opinion is, as opposed to being reactionary I like to be proactive, and I believe that a full time economic development director for the City of Brooklyn is a good use of taxpayer dollars, even though yes, it will increase our payroll cost. If we hire the right person and provide the right incentives, I think they'll provide a valuable service for the City of Brooklyn. So yes, today we do have an Economic Development Director, but they are part-time.

And finally, as it relates to the bond issue, I'm like probably most up here, I know some high level details about it, but not enough. I unfortunately can't make it on the 19th, so I will be there on the 22nd. I haven't been in the schools actually for some time now. But I think, you know, one of the things that we may be missing is that, although the age of our building is important, and that definitely is a consideration, always the emphasis has to be on the education. And I just want to make sure that the folks at the School Board and the school continue to emphasize the progress that you make, because I think it's important for residents to know what's going on up there. And I believe that's all I have, thank you."

President Kathy Pucci: "Thank you. I have a report from the Economic Development Committee, which met last Friday, February 25th. We had the following items on the agenda. NOPEC Grant applications. Brooklyn has \$49,150 remaining. We received two applications. One from Allotech Ablation and one from Wieslowski Transfer. We reviewed both applications and recommended moving forward. Which these both require the funds to be invested in energy savings, and also require commitment from the businesses to maintain their current level of payroll. These grants are tied to retaining jobs in our community. This approval is contingent upon Mr. Kennedy verifying that they are current with all tax obligations. The old

library. Three independent appraisers were contacted. Fran will get the references and pass them along to the committee members. We had a discussion on the different types of appraisals, and Mr. Claussen will contact a title company to have a title search done. Regarding Memphis Industrial Parkway, we have a construction easement agreement that has been approved by all parties except the county. The county's scheduled to approve it at their March 1st meeting. There's a signage easement that we anticipate the county approving at their March 8th meeting. We discussed other easements with First Energy and Cleveland Water. The First Suburbs Advanced Energy District, we were advised that the documents that were prepared omitted some language, so they will be revised and re-presented to the City Councils for approval. The Landbank, we reviewed the available properties, and there was a consensus to put an available lot, which is on Brook Lane at the Richard Drive cut-through, into the city's Landbank. We did review the comprehensive energy audit, which is on our agenda this evening. The county received a grant for energy conservation; however, it must begin with an energy audit, so we will be moving forward with that. Our final issue we discussed was the Community Reinvestment Areas. We reviewed the situation with the former Max and Irma's and recommended that the tax abatement be rescinded due to noncompliance.

As Mr. Magrey mentioned, we are looking at a possible Public Works meeting and Work Session on our permanent budget, hopefully for next Monday. Mrs. Paulitzky, just so you know, everything is on the table. Regarding the school bond issue, I think we're all looking forward to learning more about the details of the new proposal. And I too would like to encourage all of our residents. I know that if you can't attend one of those two dates, I know that they'd be more than happy to, if you contact the schools, that, you know, if you have any questions or would like to see the condition of the Middle School for yourself, please make sure you do that, and get your questions answered.

Congratulations to John Verba in his new position as Acting Service Director. And Mr. Murphy, were you asking for the Law Director to draw up a resolution?"

Councilman Murphy: "That's exactly it. Because our Charter demands that all Council have it in writing, can we get, have the Law Director prepare that so we can vote at the next meeting?"

President Pucci: "Yes. Mr. Claussen, if you would do that."

Dir. Claussen: "Fine."

President Pucci: "Thank you."

Councilman Murphy: "Thank you."

President Pucci: "I believe that completes my report. Next we'll move onto the report of the Mayor. Mayor Balbier."

Mayor Rich Balbier: "Thank you Mrs. Pucci. Mr. DeMarco, you want an update on the grass cutting. There's a bunch of hurdles we have to get over. I'm also in favor of doing it, so I don't want you to get the wrong impression. One of the things we had to get over with, all full time employees had to be back to work, because you can't hire a part-time employee if there's a full time employee laid off. Well I'm happy to say, this morning I called back the last employee that had been laid off at the city garage. And he was so thrilled when he came in to see me. But he's back, so we got over that hurdle. The other thing I talked to the garage about was the equipment we need, and they got me a list, and I have to see about in the budget if we could get that in there. But I'm working on it, hopefully, to get over all these hurdles.

And Mr. Tanski, I have a meeting scheduled this week with our city engineer. And one of the items at the top of the list was the sidewalks over by you; so we're going to discuss that also. And Mr. Kinney, I met once with Mrs. Walker, and she described the project to me. And then I received an invitation to be there on the 19th, which I intend to be there also; so my answer to you tonight is I haven't made up my mind yet, all my questions haven't been answered. But I'll try to get them all answered.

I'd also like to bring all the residents up to date on anything that might affect them, so I'm going to go over the schedule with our construction. Tiedeman Road is going to start this spring. It's going to be repaved from Memphis Avenue all the way to Brookpark. It's going to be re-paving. And it's only going to take one

construction season, because they're just doing the re-paving. And Brooklyn's share is \$365,000 and we have that money set aside already. So at the end of this construction season Tiedeman Road should be done. Then, I thought it was going to start in 2012, but I was mistaken. We had a meeting, and Ridge Road is going to start in 2013. And this is a biggie, because they're going to take it all the way down to the dirt. It's going to be a completely new road, and it's going to be built from 480 all the way to Memphis Avenue. From 480 to Glencoe, not only is it going to be re-built, it's going to be widened. And not a lot, but when you're building a new road you've got to meet the dimensions that ODOT requires, and the lanes that are there now are not quite wide enough. So they'll probably take a foot on each side of the road, from 480 up to Glencoe. Then from Glencoe all the way to Memphis Avenue the rest of the street will be done. Like I said, it's going all the way to the ground, and it's going to be built up completely. So this is going to take two construction years. So in other words, for two years you're going to see a lot of yellow barrels. And then after that job's done Memphis Avenue will start. So probably by the end of 2014 or 2015 our three major highways in Brooklyn will be completed. But the big one's going to be Ridge Road starting in 2013. And Ridge Park Square is all worried about this. We had a meeting with them before, but we have a meeting with them this week, they're afraid what it's going to do to their business while it's under construction. They intend to do one lane at a time. And the county is going to do everything they can to make sure it has the least impact on the Ridge Park Square. So they're going to do from 480 to Glencoe first, so that should be done in one construction season and be over with. And the rest of it will be for the next construction season. So you're going to see all these yellow barrels for the next few years; but when we're done we should have our three main roads should be in good condition.

Also, I interviewed a half a dozen different people for the Service Director's job. And a lot of times when you do those interviews you can throw a couple out right away. But these were all good people. I'd be satisfied with any one of them. But I decided to hire from within. And like you've heard up here tonight, I am appointing John Verba as Acting Service Director. John, counting the time he worked here when he was a juvenile over at the Rec Center, he's been with the city for 25 years. And right now he's head of our recycling and composting coordinator, he's a dispatcher, he's written government grants for our recycling program, he has a four year degree from Cleveland State University. And I think he's going to be the perfect person. But I put him on acting, I told him he'll be acting director for about 90 days, and we'll see. If he likes the job, and if I like his performance, which I think I will, he had a lot of good ideas when I interviewed him, then I'll bring his name before Council for a permanent verification. And like I said, I just brought back the last employee that was laid off at the Service Department.

The Brooklyn Senior Center is going to have their indoor garage sale. It'll be on March 5th, Saturday, and if you want to rent a table or need any other information, this is their money maker for the Senior Center, call 661-4535. And because we're going to have all this construction, most Councilmen, and myself included, we spend a lot of our time reading. So the one thing I got this week had to do with deaths in construction zones. It says, 'In the United States between 700-1,000 people lose their lives in construction zones.' In the State of Ohio between 10-25 people lose their life in one year. And also in Ohio, we have 5,000 work zone related crashes. So all I'm saying, when all this construction starts, please observe the speed limit, because always something happens.

And the Police Department did give their annual report. And I usually like to hit the highlights of it so you know what your city's been doing. The Police Department in their annual report, the jail processed 1,361 prisoners went through the Brooklyn jail. 858 were males and 503 were females. The Juvenile Court filings were 51 males and 38 females. So that's 89 juveniles they filed on in Juvenile Court. The Mayor's Court took in \$993,631. That's for 8,568 cases. And I just looked up the one statistic I thought you might be interested in for the cell phones. They wrote 1,267 cell phone tickets last year. The Juvenile Diversion Program handled 32 cases. The Animal Care and Control Officer handled 1,223 messages, and she was called out 43 times. And the Police Department crime statistics, the Police Department answered, for 2010, the answered 18,935 calls. They had 53 stolen vehicles. The DARE Program, that's with our drug program, they had 155 students participate at Brookridge, they had 160 students participate at the Middle School, and 50 students at St. Thomas More, in addition to a lot of other functions they did.

And today, the biggest thing we had was flooding. We had approximately 10-12 residents call where their basements had been flooded. And we refer them to the county, because they can come out and snake out the line if there's a problem there. The biggest flooding, you probably know, was up by Sam's Club. I went up there this morning. Supposedly at its peak it was flooded on Brookpark Road from Long John Silver's on the

west all the way to the Corral on the east side. When I went up it was really bad. The Sam's Club has huge trees in their parking lot. Supposedly the water was like three foot deep. And it went all the way down to the underpass on Tiedeman, at Aldi's over there, it was flooded also. And here in the city, our boiler room was flooded downstairs, and part of the Police Department. So we put in a new sump pump. I'm not sure that even had anything to do with it, but just to be safe we put in that. And then I went up to Brookpark Road again, and they opened the road about 1:15 this afternoon. So it was a lot of flooding.

And the snow plowing, we received a lot of good compliments, but we also received a lot of bad calls. And the one thing that bothers me, though, that we get a lot of calls when the snow plow goes down, naturally the snow has to go somewhere, so it goes into people's aprons, and the people call and want us to come back and shovel out their aprons. Well we can't do that, our responsibility is to do the streets. So that's what we try to do.

The Animal Shelter asked me to make a statement to you today. It says, 'The Brooklyn Animal Shelter is having a fundraiser from now until April 23rd at 5 Below store located at Ridge Park Square. Pick up a flyer at the Shelter or download it from their website. When you bring it with you when you shop, the Shelter will receive 10% of the dollars you spend. Again, the store is called 5 Below and it's right next door to Pet Supplies at 4816 Ridge Road. And this runs until April 23rd. And that's all I have Mrs. Pucci.'

President Pucci: "Thank you Mayor. I've got a question for you on Ridge Road. In all our previous discussions, we had concerns about the residential treelawns on the east side of Ridge, and it was my understanding they were going to take from the west side, the retail."

Mayor Albier: "Right. Well the last I heard they're going to take a little bit from both sides. So that was the last... There's going to be a lot more meetings before the 14th."

President Pucci: "Alright."

Mayor Albier: "And the total has to be a foot, I believe. There may be a foot on each side at the absolute most."

President Pucci: "Okay. Maybe they forget, or maybe it's new people though too, you know what I'm saying, because this has been going on for at least five years. So if you could please remind them that in our last discussions they indicated that they would take from the retail side and not the residential."

Mayor Albier: "Okay."

President Pucci: "And then also, could you have Jill put all the annual reports up on the website please, so our residents have access to them?"

Mayor Albier: "Okay."

President Pucci: "Thank you. Okay, next we'll move on to reports of directors, chiefs and department heads. Mr. Ockington with the Building Department."

Comm. Ockington: "Thank you Mrs. Pucci. The annual meeting of the Community Reinvestment Council and the Community Reinvestment Housing Council has been set for Tuesday, March 8, 2011 starting at 6 p.m. in the Conference Room in Brooklyn City Hall located at 7619 Memphis Avenue. All individuals may attend the Community Reinvestment meetings and have the right to comment at the meeting. That concludes my report."

President Pucci: "Thank you. Chief Tenaglia is ill this evening. Next is the Fire Department, Chief Zemek."

Chief Zemek: "I have no report tonight Mrs. Pucci."

President Pucci: "Okay, Recreation Department, Mr. Hammond."

Mgr. Hammond: "Mr. Tanski covered just about everything that I had."

President Pucci: "Finance Director, Mr. Kennedy."

Dir. Kennedy: "Council will be getting notified, if you haven't already, about a pre-audit conference on March 7th. So if you have any questions about that, please feel free to give me a call. I also distributed some financial reports last week in anticipation of the special meeting that was going on. So if anybody has any questions about any of those materials, please get in touch. That's it."

President Pucci: "Okay. And you'll have all the details behind the summary for the budget, the permanent budget, right?"

Dir. Kennedy: "Yes. And if anybody has anything in particular outside of summary information that they'd like to see. I'll get that out at the beginning of, well, at the end of this week. So you have it. But if anybody has any kind of particulars they want information on, just let me know."

President Pucci: "Okay. It would probably be helpful, since one of the things we're going to discuss is the Capital Improvement expenditures, to have the department heads provide information on the vehicles? Because I know we're planning on purchasing some vehicles, so, you know, how many vehicles everybody has, the year, the mileage, the condition, and particularly in the Service Department, what it's used for. I think that would be helpful if we had that information. Okay, thank you. Law Director, Mr. Claussen."

Dir. Claussen: "No report tonight, thank you."

President Pucci: "Thank you."

Councilman DeMarco: "Mrs. Pucci, may I be recognized real quick?"

President Pucci: "Yes, Mr. DeMarco."

Councilman DeMarco: "Back on the Economic Development meeting that took place, I just want to make sure I'm clear. So the NOPEC funds that were available, the 49,000 and some change, were they all used up by these two businesses, or..."

President Pucci: "The applications were due today, so the city did apply for those two projects. And that would take care of all the money we were initially awarded. However, there is a possibility of some additional funds becoming available from other cities that did not use funding that had been awarded to them. So we had a discussion, I think we talked about it in a Finance Committee meeting before, that there was some issues over at the Rec Center, and one of the things we talked about was Fran being ready to go with another application on behalf of the Rec Center, if more funds become available."

Councilman DeMarco: "Yeah, I just want to make sure that no funds went unused."

Councilwoman Pucci: "No, no."

Councilman DeMarco: "Okay, thank you."

Councilwoman Pucci: "No, we're going to try for me. Okay. Next we'll move on to the public participation for legislative items on our agenda this evening. And this is limited to three minutes. Is there anyone who has any comments on our legislative items this evening? Okay. **RESOLUTION 2011-2**, which we'll be passing by emergency measure this evening, because there's a deadline on this, which was actually today. Authorizing the Mayor of the City of Brooklyn to prepare and submit an application to participate in the Cuyahoga County Municipal Energy Program (MEP) and to execute contracts as required. We need a motion to suspend the rules."

Councilwoman Gallagher: "Introduced by all, suspend the rules."

Councilman DeMarco: "Second."

Councilman Tanski: "Second."

Clerk Banish: "To suspend the rules, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-2**, which according to our agenda is up for third reading and adoption this evening; however we did have several changes, so I will read what the changes are, we will vote on the amendments, and then at that point, because the changes were made after the second reading, we will pass this by emergency measure this evening. So the title is, Authorizing the Mayor of the City of Brooklyn, Ohio to enter into an amended and restated agreement with Great Lakes Billing Associates, Inc. for third party EMS ambulance billing, consultation, and related services. And I'm going to take a stab at this. The changes are in Section 9, 9.1. That Section was struck, it had to do with indemnification, and it is now replaced by 'intentionally left blank.' 9.3 was stricken also from the agreement, and I believe that had to do with the jurisdiction?"

Dir. Claussen: "That's correct. Just for clarification, there is a contract for Great Lakes, and then attached to the contract for Great Lakes was the EMS Charts agreement. The changes are to the EMS Charts agreement, it'll be Article 9, Section 9.1, which was named Limitation of Liability. That is being changed to say 'intentionally left blank'. Section 9.3 was titled Applicable Law and Jurisdiction, and that is going to be replaced with 'intentionally left blank'."

President Pucci: "And then we are also adding Schedule C to that contract as well."

Dir. Claussen: "Yeah, I believe, was is schedule? Attachment C."

President Pucci: "Attachment C."

Dir. Claussen: "That's correct. That was, there was only an Attachment B before, so we are adding Attachment C."

President Pucci: "So we need a motion to amend it as was just stated."

Councilman Magrey: "Move to amend."

Councilman Tanski: "Second."

Clerk Banish: "To amend, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "And now we need a motion to suspend the rules and adopt by emergency measure."

Councilman DeMarco: "Introduced by all, suspend the rules."

Councilman Magrey: "Second."

Clerk Banish: "To suspend the rules, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-10**. Establishing Parma Heights Community Partner Rates at the John M. Coyne Recreation Center and Natatorium. And this is up for first reading this evening."

Councilwoman Gallagher: "Move to put on first reading."

Councilman DeMarco: "Second."

Clerk Banish: "To place on first reading, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-11**, which is also up for first reading this evening. Annual Appropriations Ordinance. To make appropriations for current and other expenditures of the City of Brooklyn, State of Ohio, for the period January 1, 2011 to December 31, 2011."

Councilwoman Gallagher: "Move to put on first reading."

Councilman DeMarco: "Move for first reading. Second."

Clerk Banish: "To place on first reading, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-12**, which we'll be passing by emergency measure this evening so that we can get the transfers accomplished. Authorizing inter-fund transfers and advances during 2011. The transfers are from the Plain Dealer Fund to Bond Retirement Fund in the amount of \$50,000; from the General Fund to the Safety Forces Construction Fund, \$132,711.86; then from the Safety Forces Construction Fund into Bond Retirement Fund, \$132,711.86. And this is in anticipation of bond payments that come due in May."

Councilwoman Gallagher: "Introduced by all, suspend the rules."

Councilman DeMarco: "Second."

Clerk Banish: "To suspend the rules, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-13.** Authorizing the purchase of three 2011 vehicles for use by the Brooklyn Police Department. We'll be passing this by emergency measure this evening because today is the deadline to order Crown Victorias. And the total price is \$95,558. This may be adjusted when we get some information on an amount to trade in some other police vehicles."

Councilman DeMarco: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Banish: "To suspend the rules, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-14.** Authorizing the Mayor to enter into an agreement with the Juvenile Diversion Coordinator. This is retroactive to January, so we want to pass this by emergency measure this evening."

Councilman Tanski: "Introduced by all, suspend the rules."

Councilman DeMarco: "Second."

President Pucci: "Yes Mr. Murphy."

Councilman Murphy: "I would like to ask a question of the Mayor. I think the Mayor said that there was 32 cases in Juvenile Diversion? And the ordinance reads for \$15,000 annually. And if I divide that correctly, that's \$475 a case."

President Pucci: "We get a separate report from Mr. Galizio, and I believe it was more than that."

Councilwoman Gallagher: "Right."

President Pucci: "So there could be... Are those juveniles that were referred to Juvenile Court maybe, Mayor, instead of the Diversion Program?"

Mayor Albieri: "I don't know."

Councilman DeMarco: "His report was included in their..."

Councilman Murphy: "I know what Colleen has..."

Councilman DeMarco: "...report from the Chief of Police."

Councilwoman Gallagher: "I gave you the report. I gave you the report the last time. I don't have it on me now."

Councilman Murphy: "Okay."

Councilman DeMarco: "The 15,000 is maximum that we can spend."

Councilman Murphy: "Right, but it's 800-something..."

Councilman DeMarco: "825."

President Pucci: "We get, is it \$750 from the county? I mean, if people have questions, there's no problem if we want to put this on first reading."

Dir. Claussen: "I believe that it is. I think the portion that was increasing was the cost of the actual children participating."

President Pucci: "Right. The county used to give us, I believe it was \$1,000 a month, and that is what the cities have used to pay their Juvenile Diversion coordinators, then they lowered it; so then that's when we went to this type of agreement, which it was lowered to 750, which is what the county received. And then we started charging the parents of the juvenile offenders a fee to come into the program. And that's why there's, that's why sometimes the amount fluctuates, but there is a cap on it. But if there are questions there's, you know, not a problem putting it on first reading. But I believe there were more than 32 juveniles."

Councilwoman Gallagher: "Right."

Mayor Albieri: "I just have from the police..."

President Pucci: "Well the first report we received from..."

Councilman DeMarco: "I believe Mr. Galizio's report is different than the one that was in the Police Chief's annual report."

President Pucci: "Okay."

Mayor Albieri: "It might have been the number of cases filed."

President Pucci: "For Juvenile Court?"

Mayor Balbier: "Yeah."

President Pucci: "That's what I'm thinking."

Councilman Murphy: "Okay. Alright. I just wanted to get it right here."

President Pucci: "Mr. Claussen."

Dir. Claussen: "Well oftentimes you go into juvenile diversion prior to going into Juvenile Court. And if they successfully complete the diversion program they don't get sent down to..."

President Pucci: "Right. Mr. Galizio has a separate report, which we received several weeks ago, and I don't remember it being 32."

Mayor Balbier: "Okay."

President Pucci: "And then Mrs. Gallagher has periodically worked with the volunteers, helping to supervise with, and... Oh, do you have it with you?"

Councilman DeMarco: "She's got the Police Chief's annual report."

Councilwoman Gallagher: "Total filings, 89."

Councilman DeMarco: "That sounds right."

Councilwoman Gallagher: "89 filings."

President Pucci: "Is everyone comfortable with this?"

Councilman Murphy: "I think that Colleen cleared it up. I guess it's 750 that the juvenile..."

President Pucci: "We get from the county..."

Councilman Murphy: "The county, and so we're just taking in \$75."

President Pucci: "Yes. We're increasing his stipend. We're increasing the stipend that he receives because he makes less than he did a couple years ago."

Councilman Murphy: "Okay."

President Pucci: "But \$750 of his stipend comes from the county."

Councilman DeMarco: "So the net cost to us is \$75 a month increase."

President Pucci: "Is everyone good with that, or do we want more information?"

Councilwoman Gallagher: "I'm fine."

Councilman DeMarco: "Did we suspend the rules yet, or...?"

Clerk Banish: "I had a second."

President Pucci: "Okay."

Clerk Banish: "To suspend the rules, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."

"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "Does the Mayor or any other Councilmember have anything further they'd like to say? Mayor."

Mayor Balbier: "Yeah. When I talked about the construction on Ridge Road, I don't know if I mentioned, the city's share for that job will be \$1.3 million."

President Pucci: "Okay, do we have a motion to adjourn?"

Councilman DeMarco: "Motion to adjourn."

Councilman Tanski: "Second."

Clerk Banish: "To adjourn, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

Meeting adjourned.

Asst. Clerk of Council

President of Council