

**MINUTES OF A REGULAR MEETING**

**BROOKLYN CITY COUNCIL**

**March 28, 2011**

**7:00 p.m.**

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

President Pucci: "Mary-Jo, will you call the roll please?"

Clerk Banish: "Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

Councilwoman Gallagher: "Here."

Councilman Magrey: "Here."

Councilman Tanski: "Here."

Councilman Murphy: "Here."

Councilwoman Pucci: "Here."

Councilman DeMarco: "Here."

Councilman Patta: "Here."

President Pucci: "Okay, next is the reading of the agenda. And prior to reading the agenda, we're going to be amending it. An Ordinance was mistakenly omitted from our agenda; however it had been on two previous agendas, for February 28<sup>th</sup> and March 14<sup>th</sup>. We are required to adopt the Appropriations Ordinance by March 31<sup>st</sup>. Mr. Claussen and Mr. Kennedy have researched the issue, and we are still in compliance with the state requirements. We have our own local rules of Council that state that the agenda will be posted and available at 4 p.m. on the Thursday preceding the Council meetings. The Ordinance was available, both to the public and to the members, on the website and also at the reception desk at City Hall, it was just not listed on our agenda. So first we're going to make a motion to temporarily suspend that rule, then we will amend the agenda to include the third reading and adoption of Ordinance 2011-11. So first I need a motion to temporarily suspend that rule."

Councilman Patta: "Motion to temporarily suspend local Council rule."

Councilman Magrey: "Second."

Councilwoman Gallagher: "Second."

Clerk Banish: "To temporarily suspend the rule, Colleen Gallagher." Councilwoman Gallagher: "Yes."

"Joe Magrey."

Councilman Magrey: "Yes."

"Kevin Tanski."

Councilman Tanski: "Yes."

"Tom Murphy."

Councilman Murphy: "Yes."

"Kathy Pucci."

Councilwoman Pucci: "Yes."

"Tony DeMarco."

Councilman DeMarco: "Yes."

"John Patta."

Councilman Patta: "Yes."

President Pucci: "Next I need a motion to amend this evening's agenda to add Ordinance 2011-11, which is up for third reading and adoption, titled Annual Appropriations Ordinance."

Councilman Magrey: "Move to add Ordinance 2011-11."

Councilman Tanski: "Second."

Councilman DeMarco: "Second."

Clerk Banish: "To add the legislation, Colleen Gallagher."

"Joe Magrey."

Councilwoman Gallagher: "Yes."

"Kevin Tanski."

Councilman Magrey: "Yes."

"Tom Murphy."

Councilman Tanski: "Yes."

"Kathy Pucci."

Councilman Murphy: "Yes."

"Tony DeMarco."

Councilwoman Pucci: "Yes."

"John Patta."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

President Pucci: "Okay, next we'll have the reading of the agenda. Approval of minutes of December 13, 2010; public session; reports of committees, commissions and boards; Council reports; Mayor's report;

directors' reports; public participation for items on agenda only; Resolution 2011-3, which is up for second reading, Objecting to Senate Bill 5 which would eliminate collective bargaining for state employees and reform collective bargaining rules for local government employees; Resolution 2011-4, Accepting the Improvement Target Areas, as designated by the county, and improving the project proposed to be funded and the application for assistance to be submitted under the Community Development Block Grant Program; Ordinance 2011-10, which is up for third reading and adoption, Establishing Parma Hts. Community Partner Rates at the John M. Coyne Recreation Center and Natatorium; Ordinance 2011-11, up for third reading and adoption, Annual Appropriations Ordinance; Ordinance 2011-17, Providing for the issuance and sale of \$1,676,000 in notes; Ordinance 2011-19, Amending Section 1369.01 of the Building Code and 1507.05 of the Fire Prevention Code of the Codified Ordinances of the City of Brooklyn entitled, 'Residential Smoke Detectors; To require the installation of photoelectric smoke detectors under certain circumstances and other updates'; Ordinance 2011-20, Authorizing the Mayor to enter into amended agreement with the City of Parma to lease, for the purposes of the City of Brooklyn safety forces or Service Department, in connection with their public functions, such audio communications space as is needed; Ordinance 2011-21, Authorizing the Mayor to enter into an agreement with Civil and Environmental Consultants, Inc. (CEC, Inc.) to provide hydrogeologic consulting services for the 2011 Groundwater Compliance Services for the Sanitary Landfill in an amount not to exceed \$9,860; Ordinance 2011-22, Authorizing the Mayor to enter into an agreement with Civil and Environmental Consultants, Inc. (CEC, Inc.) to provide hydrogeologic consulting services for the 2011 Groundwater Compliance Services for the Sanitary Landfill in an amount not to exceed \$12,140; Ordinance 2011-23, Amending Section 7.4(A) of the Personnel Policy Manual of the City of Brooklyn relating to sick leave conversion; Ordinance 2011-24, Authorizing the Mayor of the City of Brooklyn to enter into a temporary construction license with Gateway Park, LLC, Ferrous Realty Limited, and Cuyahoga County for the sole purpose of modifying the Memphis Industrial Parkway; other matters that may come before Council; and adjournment. Okay, next we'll have approval of the minutes of December 13, 2010. And I think we have just one minor correction on page four. The last paragraph, if you count up the 10<sup>th</sup> line from the bottom in the middle, where it says, '...the area in Marc's let along...', the word along should be stricken and it should be alone. So it should read, '...let alone.' I don't know if anyone else has anything. Okay, I'll move that we approve them as amended."

Councilwoman Gallagher: "Second."

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

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

President Pucci: "Next we'll have our public session..."

From audience: "Do I understand it right, you cannot bring up anything new tonight? Or it's closed, or... Can I bring something up?"

President Pucci: "We're just about to move to the public session right now. Okay. Next we'll have the public session. If anyone has anything to say for the good and welfare of the City of Brooklyn, please come to the microphone, state your name and address for the record, and please recognize our five minute time limit."

**Mary Lee Bowen:** "Good evening everyone. My name's Mary Lee Bowen, I live at 4783 Tiedeman Road. As you likely know by now, I'm a member of the Charter Review Commission. At the last meeting of that group, some other members told me not to speak to residents about the work of the Commission at these Council meetings. Well, I feel that the Commission, like City Council and all other entities of city government, is accountable to the residents. So far, the only suggestions for the Commission from people other than members of it, are in a six page document from a current member of City Council. With two former members of City Council on the Commission, and six pages from a current member, that's an awful lot of influence to continue business as usual in this city. With the events in this city over the past two years, and the possible events facing us when we learn American Greetings' plans, we need to change business as usual. And we have the opportunity to make productive and meaningful changes now, through the Charter

Review. The last meeting of the Commission, again, accomplished very little. Certainly nothing that could be termed productive or meaningful change. The meetings are proceeding at a snail's pace, even though any changes must be finalized and presented to City Council by June, before City Council starts its two month vacation. Otherwise, nothing will be on the November ballot. Aside from the six pages of suggestions from a current Councilmember, in my opinion, there are some of the most important issues that we as voters should be voting on this November, as follows: number one, to rescind the income tax increase; number two, to reduce the size of City Council from seven to five; number three, to create Council Wards; number four, to have term limits for each Council seat; and number five, to add a plain language description of the effect of any ordinance or resolution when only the title is read. If you have an opinion on these, please let us know. If you have other issues you want addressed, please let us know what they are. We, the voters, should determine whether or not we want change; but we won't have the chance if it's not on the ballot. This is a call to action folks. The city is still in financial danger. American Greetings, the largest contributor to our tax base, has agreed to stay in Ohio, but not necessarily in Brooklyn. The majority of Council, when Patton was Mayor, pushed for the tax increase, and where has that gotten us? It is the tax increase that started all of this. And don't forget, the future of many of our other businesses in our city is now at stake, like Key Bank, and others. This is my heartfelt cry for help to save our Brooklyn. We can only save Brooklyn by becoming vocal and demanding that issues be placed on the November ballot. That is our right as voters. I'm here to help. Will you help me? Let's not sit back and just hope that things could be better in Brooklyn. Let's not just hope that American Greetings would stay in Brooklyn. And let's not just wish and only hope that other businesses would stop leaving Brooklyn. Let's take action now. Step one is to demand that the tax, size of Council, and Council Wards be put on the November ballot. Your comments and suggestions, as always, are welcome. You can contact me at 216-941-7562, or at my e-mail address of [maryleebowen@earthlink.net](mailto:maryleebowen@earthlink.net). Thank you."

**Victor Ardito:** "Good evening everyone, I'm Victor Ardito, I live at 7439..."

President Pucci: "Excuse me sir, could you pull the microphone down and speak into the microphone? Thank you very much."

Mr. Ardito: "Hello, I'm Victor Ardito, I live at 7439 Outlook Avenue in Brooklyn. I brought this electric scooter, and evidently they're illegal to drive in the city at all, unless on your own property. This is for an adult. It'll hold up a 260 pound person. I've gotten it for a friend, to go over and visit my mom, she's 88 and lives in Brooklyn, because she did not have a car at the time, wasn't allowed to drive, and I thought it was a good way, and driving on the sidewalk, out of the way, but some police said it was okay, others not, and we got busted for it. With the price of gas going towards \$4 a gallon, I mean there's different electric things coming, I'd like to see something like this, or some possible change in the criteria where you could actually ride something like this on the sidewalk and not get pulled over or possibly get in jail. I can understand how not wanting all the kids to have them. But I mean, they're prevalent out there. I was at Berea Cycle in Berea, I didn't check in depth, but Ben there that runs the place says he sells them, and Berea, he claims it's no problem out there. But I don't know in depth. I mean, there's things out there like, this retails for probably close to \$500 if I recall properly, I bought it used. And they're out there, it's something coming with electric. You have electric cars, flex-fuel. You know we were first with the seatbelts, maybe move into something like this where you can get around and use it legally on the street; or not on the street, because I don't like riding a bicycle in the street, let alone a little scooter like this. But to be on the sidewalk I would think would be a safe idea. I think it would be something to look into. Thank you very much."

**Barbara Paulitzky:** "Hi, my name is Barbara Paulitzky, I live at 4795 Tiedeman Road. I'd like to thank some of our newest Councilmen, Mr. Patta, Mr. Tanski, for having the courage to state that the tax increase is a problem for all business in this city, not just American Greeting. And Mr. Murphy, for his belief that American Greeting will stay. Boy, I hope you're right. However, no one has answered my question. I will restate the question I have asked for four weeks. Will you put the tax increase issue back on the ballot so voters can have their say? I certainly hope you know your position on this issue by now. The voters don't want to hear, it's more complicated than that, as Mrs. Pucci said. What is complicated about yes or no? If you ignore this question tonight I'll continue to ask the same question until you say yes or no, or publicly state that you refuse to answer my question all together. Thank you for listening."

**James Oper:** "James Oper, 4823 Elizabeth Lane. As you all know, Governor Kasich announced his biennium budget late last week. The public education portion of this budget will remove \$2.6 million from

the Brooklyn City School budget over the next two years, of which two million is originally locally generated tax dollars, generated in Brooklyn, which now the state is keeping. The School Board will be meeting tomorrow in executive session addressing options that will be discussed and presented to both unions. At this point the administration and the unions have been working very closely, knowing that we are all in this together. I would like to ask the Mayor, Council and all concerned citizens to please contact our State Representatives stating we disapprove of the dismantling of public education in Ohio. Our fear is that the building project will be put on hold, and the district will need to go into survival mode immediately. As always, if you have any questions, please contact me or any members of the Board and administration. Thank you."

**Mr. Lada:** "Mr. Lada, 4710 Elizabeth Lane. My friend passed away recently, Ed Krakowski. In fact he was murdered. He doesn't deserve that. At his wake I was surprised there were no pictures. He was a photographer. He developed his own pictures. He had a darkroom. Anyways, they said it was a crime scene, so we weren't allowed to go into his residence. He lived off Memphis. Ed Krakowski and myself, we were friends from way back. We come from the Tremont area. We grew up together, back in the 50s. We had a lot of fun. And we played at Lincoln Park, and we stayed at ... In fact, Ed at one time was employed there. And he loved music. He had a pipe organ in his house. Last time I talked to Ed was in May. And he felt pretty good, he looked good. And he got around by his own power. So I'm going to miss him. So are a lot of my friends going to miss him, because they know, we grew up all together. Another friend I lost recently, Ed Domino. Ed Domino was in the same category. We grew up together in the Tremont area. In fact he went to the same school I went to. He liked basketball and baseball. And then he moved to Brooklyn, just like I did, and he enjoyed going to the Rec Center. I seen him there many times. Chit chat and whatever. Last time I seen Ed it was in October, coming out of Giant Eagle, and he looked bad. I knew he had cancer, and he was taking treatments. Then he passed away. However, Ed could not forget about the Rec Center. He designated in his will \$77,000 to go directly to the Rec Center. That's pretty good. That's how much he thought of the Rec Center. He loved it. He went there more than I did. I used to go there a couple times a week, and I think he was there just about every day. He was employed for CEI in the... base, then he went over to NASA, and that's where he retired from. I mention this because these are good Brooklyn citizens. So there are a lot of good people around in Brooklyn. They're quiet, but they're size shows up. Back when I seen Ed last time in October coming out of Giant Eagle, I suggested to him to get his will squared away. That's what he did. And he looked very bad at that point. Thank you very much. I'm going to miss these two fellows. They were good citizens."

**Bob Kinney:** "Bob Kinney, 4208 Springcrest Drive. I have quite a list here. But I want to pick up right off on Mr. Lada talking about a gentleman donating \$77,000 – I believe that was towards the renovation, repair or equipping of the exercising facility at the Rec Center. I don't see Mr. Hammond here tonight, but the question that I have was, about four months ago I went there on a Saturday late morning, and just to check out the facility. The exercise room, there was one person. She was not a resident, but she did say she enjoyed the facility there. I then went into the pool area, and there was two people. One was the lifeguard. I would ask that the city work very hard at putting the \$77,000 or any portion thereof into that facility, without knowing how much it's being used. My second topic would be the Brooklyn Schools. They had an open house there on the 19<sup>th</sup> and then the 22<sup>nd</sup>. I did attend the one on the 22<sup>nd</sup>, which started at 6 p.m. in the evening. One of the things I was given was this very colorful flyer, or flyers, that were telling all the negative things about the facility. First of all, I can't believe that an entity would put this kind of thing in writing to show chipped and peeling paint, to show exposed asbestos, and to show that the only way this can be corrected is by increasing our taxes to the tune of approximately \$95 a year for the next 37 years. I did question some of the people there that was representing the construction group and the school. And obviously, an awful lot of these bad areas are caused by rain water. So an obvious question to me was, as opposed to tearing down and building new, what would it cost to put a roof on this place? Well, not only could they not tell me how much it would cost, they could not tell me how many square feet was involved. Another question I had was, are the windows thermal paned windows. And I was really, really surprised that no one knew whether they were or not; but in fact that were, and in fact they were installed in 1996, making them I believe 15 years old. And there are a lot of clouded windows where the seal is broken, what have you. But again, nobody could say anything about whether or not they were even thermal paned. Everything that they presented was geared around replacing. Replacing, replacing. And there's no doubt in mind, there's a lot of things that need work, but I can't believe that they haven't given us any comparisons to either renovate or repair. One of the classrooms had a 12 foot ceiling, the hallway had a nine foot ceiling. I asked how much

space was below, or above, I'm sorry, the nine foot ceiling. Nobody had a clue. Well that would be an excellent channel for ductwork..."

President Pucci: "Excuse me Mr. Kinney, 30 seconds."

Mr. Kinney: "Okay. We jump from there to, I want the Council and the Mayor to respond tonight to whether or not they support this new tax, which is going to put us in a higher tax category. And it might be the clinch of your kick us out of, kick American Greetings out of Brooklyn. Mr. DeMarco, on the television viewing of the Council meeting, you stated that you thought American Greetings should stay in Cleveland. I'm sure that was a slip of the tongue. But I found you \$680,000 from rescinding the city income tax back that half a percent. I'll say again, I expect some answers tonight..."

President Pucci: "Excuse me Mr. Kinney, your time is up. You're well over."

Mr. Kinney: "Time is up. Thank you."

President Pucci: "Thank you."

**John Pacek:** "John Pacek, 4758 Rodoan. Low taxes bring new businesses into and industry to Brooklyn. High taxes chase businesses and industry away from Brooklyn. This is the fourth year in a row Brooklyn School District has a levy on a special election to be voted on in August. Besides the Brooklyn School District, on your tax bill you'll see PVHS. Polaris Vocational High School. We also pay taxes to Polaris Vocational High School, Tri-C Community College, and to Cleveland State University. As soon as American Greetings leaves, you will have to make it up in an automatic tax increase. Dip a sponge into a bucket of water, it holds only so much water. Dip a sponge into a lake, it holds only so much water. Dip a sponge into the ocean, it holds only so much water. It's called the saturation point. I've reached the saturation point of school taxes. Enough is enough. Going green. China, India, Portugal, Turkey will continue to burn coal. The USA has to show them how to burn it without polluting. High priced electricity increase costs to businesses and industry. Solar power, weather power, using natural gas to heat water to make steam increases your electric bill two to three times. Why are not communities not fighting the EPA on the 3-1/2 times increase in our sewer bills? I listen to Mr. McKinney talk here on... If I remember right, we had a levy about, must be about 10 years ago, for asbestos abatement. In repairing the work on the school, it was an emergency levy, and it was renewed, and I think it was renewed again. Is that right? Why a duplication of what's already on the tax? It's just like when the war bonuses were going to be paid to the Vietnam veterans, they wanted to put a penny increase on cigarettes and gasoline and alcohol, and then someone found out that, hey, back in 1954 we already had these increases, and there was a lot of money in the state budget. In fact, they got a hell of a good whopping bonus with just Korean veterans... Technology. I want to give you the definition of technology. It's the application of science, especially through industries and/or commercial objectives. I heard the word technology, I listened to the School Board there, and they use technology, technology. I just wonder how many of them know what technology is. Thank you for listening."

President Pucci: "Does anyone else have anything to say for the good and welfare of the City of Brooklyn? Okay. We'll move on to reports of committees, commissions and boards. And we begin with the Finance Committee, which is chaired by Mr. DeMarco. And I just want to remind everybody, both Councilmembers and directors and department heads, I had a resident as I was walking in say that some people, their voice drops off, or they're not speaking closely enough into the microphone. So everyone can please make an effort to speak directly into the microphone, our residents would appreciate it. Thank you. Mr. DeMarco."

Councilman DeMarco: "Thank you. The Finance Committee met this evening at 6:15 p.m. We reviewed one Resolution and several Ordinances. Resolution 2011-4 was recommended for adoption by the Finance Committee, and it accepts the Improvement Target Areas as designated by the County, and approving the project proposed to be funded and the application for assistance to be submitted under the Community Development Block Grant Program. Council also recommended, or the Finance Committee recommended for adoption this evening Ordinance 2011-10, which establishes the Parma Hts. community partner rates at the John M. Coyne Recreation Center and Natatorium. The Finance Committee recommended Council adopt Ordinance 2011-11, which is our Annual Appropriations Ordinance. The Finance Committee recommended Council adopt Ordinance 2011-17, which provides for the issuance and sale of \$1,676,000 in notes. Ordinance 2011-19, the Finance Committee recommended it be put on first reading this evening.

This amends the Building Code and the Fire Prevention Code of the Codified Ordinances of the City of Brooklyn entitled Residential Smoke Detectors, to require the installation of photoelectric smoke detectors under certain circumstances, and other updates. The Finance Committee recommended Council put on first reading this evening Ordinance 2011-20, which authorizes the Mayor to enter into an amended agreement with the City of Parma to lease for the purposes of the City of Brooklyn safety forces or service department, in connection with their public functions, such audio equipment space as needed. Ordinance 2011-21, was recommended for approval by the Finance Committee. It authorizes the Mayor to enter into an agreement with Civil Environmental Consultants, Inc. to provide hydrogeologic consulting services for the 2011 groundwater compliance services for the sanitary landfill in an amount not to exceed \$9,860. The Finance Committee also recommended the Council adopt Ordinance 2011-22, which again authorizes the Mayor entering an agreement with Civil and Environmental Consultants to provide hydrogeologic consulting services for the 2011 groundwater compliance services for the sanitary landfill in an amount not to exceed \$12,140. Ordinance 2011-23 was recommended to be placed on first reading this evening. This amends Section 7.4(A) of the Personnel Policy Manual of the City of Brooklyn relating to sick leave conversion. And finally, the Finance Committee recommended Council adopt Ordinance 2011-24, which authorizes the Mayor of the City of Brooklyn to enter into a temporary construction license with Gateway Park LLC, Ferrous Realty Ltd., and Cuyahoga County for the sole purpose of modifying the Memphis Industrial Parkway. And for me personally, this is something that has been many, many years in coming. It's going to be a good thing for the City of Brooklyn, so I'm glad to see that. Construction equipment will start mobilizing I believe next Monday. 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. I was unable to make it the last Council meeting due to work responsibilities, so I understand that Council President Pucci made some comments. But I just wanted to share a few things in case they were not covered. At our last Public Works meeting, Doug Courtney with the C.W. Courtney Company gave Council an extensive review, and it was color coded, of the condition of the streets in Brooklyn. It was called the street inventory and pavement condition rating sheet. And we were told at that meeting that Mr. Courtney and his company would be going through and analyzing each street the City of Brooklyn, due to the changes from this past winter. Over the next few weeks he will be collecting that data and giving it to Council. We plan on having another Public Works meeting to go through and look at the review of each of the streets, so we will have a better idea as to how we will spend tax money on street repairs. And that concludes my report."

President Pucci: "Thank you. Next is Public Safety and Environmental, which is chaired by Mr. DeMarco."

Councilman DeMarco: "Thank you. There will be a Public Safety and Environmental meeting this Thursday, March 31, 2011, 6 p.m., here in the Council Chambers. The focus of the meeting will be to discuss the findings reported by the Chief of Police in his 2010 annual report as it relates to various crime rates in the City of Brooklyn. So all are welcome to attend. And that completes my report, thank you."

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

Councilwoman Gallagher: "Thank you. The Domestic Abuse Commission, or the Committee, will meet on Wednesday, April 20<sup>th</sup> at 6:30 p.m. in the Brooklyn Senior-Community Center. And that concludes my report."

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

Councilman Patta: "Thank you, good evening. There was a special meeting of the Planning Commission on March 24<sup>th</sup>. At that time the McDonald's restaurant, 10700 Brookpark Road, received final site plan approval for the restaurant and site improvements. The next meeting of the Planning Commission will be on Thursday, April 7<sup>th</sup> at 6:00 in the Mayor's Court. On the agenda that night is a request from the Hadgis Consolidated Investments for a lot split and consolidation located at 7603 Clinton Road and 3700 Ridge Road. There also will be heard a request to construct a 20,205 square foot storage and warehouse addition for JD Norman Industries located at 4650 Tiedeman Road. There also will be heard a request for a 1,989 square foot addition to an existing administrative office for Ferrous Metal Processing located at 11103

Memphis Avenue. And also a request from Next Awning and Graphics for sign approval for 101 square foot sign, 20 feet two inches tall, for LaVilla Conference and Banquet Center located at 11500 Brookpark Road. And finally a request for a lot consolidation at the McDonald's restaurant located at 10700 Brookpark Road. That concludes my report."

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

Comm. Ockington: "Thank you Mrs. Pucci. The March 24, 2011 Board of Zoning Appeals meeting was cancelled due to lack of applications. The next scheduled meeting of the Board of Zoning Appeals is scheduled for April 21, 2011 in Brooklyn Mayor's Court at 7 p.m. That concludes my report."

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

Councilman Tanski: "Thank you Mrs. Pucci. The Recreation Department's youth baseball registration took place last week. T-ball for three and four year olds has been added to the schedule this year and will be sponsored by the Brooklyn PTA. The Cuyahoga County Department of Development is offering a playground equipment grant which the city is applying for in the amount of \$35,000. The Recreation Board has approved a partnership with the City of Parma Hts. The Recreation Department has been working with the City of Parma Hts. on the partnership with our recreation center and the City of Parma Hts. The city spring egg hunt for resident children six and under will be Saturday, April 16<sup>th</sup>. Registration will begin at 10:30 a.m. at the Brooklyn Senior Center. The next meeting of the Recreation Board will be on Monday, April 18<sup>th</sup> at 6:30 p.m. in the Mayor's Court Room. And that concludes my report."

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

Councilman Murphy: "Thank you. The next School Board meeting will be April 19<sup>th</sup>, as I announced at the last meeting. That's all I have."

President Pucci: "Okay, next we'll move onto Council reports, and this evening we begin with Mr. Magrey."

***Councilman Joe Magrey:*** "Thank you Mrs. Pucci. Good evening everyone. First of all I'd like to thank everyone that came up to speak tonight. It's what makes Brooklyn a better city, when our residents come up to speak. Victor, I appreciate you coming up tonight with your electric bike. I think it's something we should look at. We could probably have a meeting maybe with the Police Chief and figure out the legalities on it, how they pertain to traffic laws and so on and so forth. But the timeliness is good, especially with the price of gasoline as high as it is. So I appreciate your coming up tonight and spending your time. For those that spoke about the school levy, and also about American Greetings, and about what's going to happen in the fall, whether or not we support rescinding the tax, I just want to say I thoroughly enjoy looking through and reviewing things. I like giving my opinion, once I have the facts. Right now, with the state budget the way it is, there are many school districts, not just Brooklyn City Schools, that are questioning the revenue stream that's coming from the State of Ohio. There's a lot of unanswered questions. I don't know where I stand on the school levy. I do know that the schools are very eager to see how much money is going to be cut, and how they're going to absorb those cuts. It's a very, very tough time when the state decides to move the burden of their responsibilities onto the local levels, on both the city and schools.

Going on to American Greetings, I have said many times during the past few months that I will not speak about American Greetings. These are very difficult times. It is a very challenging time for the City of Brooklyn. And I do not want to jeopardize that in any way, shape or form, other than to say that I will not be speaking about American Greetings. So until American Greetings makes a decision, and the ball is in their court, we will continue to try and do what we can as a city to move forward.

We're going to be voting tonight on an Ordinance against Senate Bill 5. As I stated before, I am against Ohio Senate Bill 5 for several reasons. I believe that the place to work out bargaining issues is at the negotiating tables. We have done this in the City of Brooklyn. Our employees have come forward, they have worked with us, and they have done a very good job of the self-sacrifices that they have made during our very tough economic time the past two years. So I'm hoping that this Resolution will pass tonight, and that we will move forward with making our State Representatives fully aware that we are against this. Senate Bill 5 was a

bad idea. It puts the burden on the employees, and it's just wrong. It's the wrong way to do it. We've done a better job here in Brooklyn handling that.

Tonight we're going to be voting on our Annual Appropriation Ordinance, 2011-11. I would like to thank everyone on Council for working hard at our Finance Workshops. We met with the directors, we met with our Finance Director, Dennis Kennedy. We went through things. We talked with the Mayor. And I think we did a very good job on trying to pinpoint our budget, which needs to be passed by the end of the month. So that will be passed, hopefully, tonight.

And lastly, I do have a letter here from K&D Group. They're the owners of the Westbrook Village Apartments. I just received this in the mail today. They have a program called Saluting Our Troops. And K&D Group owns the Westbrook Village Apartments, and they have a letter here, I'm just going to paraphrase a few things. That they are starting a letter writing campaign, and they're asking their residents that live in the Westbrooks to sign letters, which are similar to this, which is a Salute Our Troops letter. But they're also extending it to everyone in the City of Brooklyn. And that was the purpose of this letter that was mailed to residents. It says, 'You, your employees, co-workers and business associates are invited to stop by our leasing office and fill out a letter to the troops.' Their office hours are Monday, Wednesday and Friday from 9 a.m. to 5 p.m.; Tuesdays and Thursdays from 9 a.m. to 7 p.m.; and Saturdays from 10-2 p.m. So, in an effort to show a support for our troops, please consider stopping by their offices and filling that letter out. And that concludes my report."

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

***Councilman Kevin Tanski:*** "Thank you Mrs. Pucci. I am becoming more and more appalled by Senate Bill 5. The more I obtain on how it has been debated, and the truth altered over the last few weeks, has really distorted the sincerity of the Bill. I believe the public needs to understand how we navigated into this deficit. In short, we lost our private sector jobs that paid a big part of the federal, state and city taxes through trade agreements over the last 15-20 years. Now, not all, but a lot of these same elected officials that should look in the mirror, that supported outsourcing our jobs to poverty wages overseas, destroying our tax base and our high paid jobs in America, these same elected officials that supported and created these trade agreements, and this major mess, now want the deficit and their created nonsense, Senate Bill 5, on the backs of labor. I would hope the public really understands and thinks it through from the beginning why this deficit is looming over us. It is not labor that created it, it is the elected officials with special interests, whether it be federal, state or local elected officials that supported the outsourcing of jobs diminishing our tax base. I would honestly hope the Mayor and the entire Council supports and sees the real truth, and do the right thing and support labor, and defeat Senate Bill 5, if and when it hits the ballot box. That's assuming it is signed into law. Also, I am asking for support on the passage of Resolution 2011-3 in its entirety.

On March 19<sup>th</sup> the Brooklyn School Board invited residents of Brooklyn to visit and tour the Middle School to let the public see what's really happening on the inside of the school, as far as the condition, as well as the structure of the building. I attended this event and took the tour through the entire building. It really surprised me of the insufficient ADA accessibility, along with outdated electric gear, broken seals on windows, deteriorating structure, lack of storage, general storage, not to mention deteriorating plumbing, disconnected fixtures, improvised ventilation systems, along with poor lighting and limited air control are extremely horrifying. The bottom line is the economy. And just like I expressed before, and also recent to the School Board, any sort of tax increase at this stage is going to be difficult to pass. The public is either laid off or their hours have been reduced work, or their employment has ended. Social Security also has been frozen at this time. Some of the residents are picking what they should pay for now, their medication or food. Also, with major deficit hanging over our head at the state, county and city levels, creating more instability, cutting back services, raising taxes in our own city in the last years does not make things any easier. The problem I know still remains, not only the schools but in our city. I hope there are many more future tours through the Middle School so everybody gets a chance to visit the building. I encourage all residents to attend with an open mind, just to see what our children of this city have to put up with on a daily basis, along with their staff. I applaud the School Board for putting together a terrific piece of literature, showing us the breakdown of the bond issue, and the pictures and the condition of the building. Again, I hope you have many more tours through the schools. It's a great way to have all residents to see what their tax dollars are really paying for, and why the School Board is asking for the bond issue. And that concludes my report."

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

***Councilman Tom Murphy:*** "Thank you. Miss Bowen and Miss Paulitzky talked about the tax increase. The issue may already be on the table, we don't know on Council, to roll back the tax increase. And if AG leaves, I think that then is the most appropriate time to discuss that, and place that issue on the ballot. Mr. Ardito, that's a nice scooter. I think, I see as many problems as solutions with it. For the few that would use it, I would certainly want to get with the Police Department and the Fire Department. There's going to have to be helmets, people walking and pushing strollers, and the elderly, and very young. You know, they don't really pay attention on the sidewalk, they're just doing their own things. And if you're scooting by on that, you could hurt somebody. It does deserve to be looked at. Mr. Oper and Mr. Kinney did mention the school issue. I too on the 18<sup>th</sup> took the tour at the Middle School facility. It's very obvious that the repairs are needed. And in a perfect world they need a new school. They really do. However, at the present time, I would not be able to support that issue. If AG leaves, we would have to make that pickup in taxes. So there would be a tax increase. And if AG leaves we're going to have to make up the difference. And people are hurting. I just would not be able to support that. Mr. Lada, thank you very much for your support of your past friends. That's commendable. That's all I have."

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

***Councilman Tony DeMarco:*** "Thank you. As I alluded to earlier, we did complete our budget review, and had an opportunity to meet with all the directors within the City of Brooklyn. Again, I want to thank them for taking the time out to run through their budget, talk to us a little bit about what's happening in each of their respective departments, and frankly talking about some of their needs. So it was very informative for all of us. I believe the budget that we will vote on tonight is a responsible budget, which among other items includes funding for the city's portion of Tiedeman Road reconstruction, and additional funding for street repairs above what we spent in 2010. I think we probably all can agree that our streets took a beating this winter, and there's many that are not only in need of repair, but total replacement. And I believe in the coming years we will need to spend higher amounts than we have in the past few years on infrastructure improvements to maintain our facilities and roads."

A couple Saturdays ago, on March 19<sup>th</sup>, I also took the opportunity to tour the Brooklyn Middle School with the Mayor and other members of Council. It had probably been 20 years or so since I had been through the Middle School, so I really wasn't sure what to expect. Needless to say, as others have already mentioned, the classrooms are undersized, the space is very inefficiently laid out, and the building is in need of major repairs. And I have many questions still unanswered at this point. But I would recommend that all interested residents, and we all should have an interest in this, to take the opportunity, call the Superintendent. I believe they're going to have additional tours of the facility. In fact, I think you should get up there and see it. If you can't make it up there, which is one of the things we discussed on that Saturday morning, I believe they are going to either do some kind of mailer or go to door and drop some documentation off to the residents that are not able to physically make it for the tour up there.

Last Council meeting it was requested of each director to come up with 30% reduction in their respective departmental budgets. With the cuts we've been through in the last 18 months or so, I just don't see that's feasible without severely reducing services to the residents of the City of Brooklyn, and reducing our staffing, which is already at just barely manageable levels. So as I mentioned previously, we should be developing alternate plans that attempt to deal with some of the major issues facing our city in the near term. To sit back, do nothing, and then try to deal with potentially negative news will likely result in not so good results. Again, my opinion is we should be actively seeking ways to bring revenue to the City of Brooklyn. There are many examples of this happening across the state. I've got an article here from the Columbus Dispatch, and it frankly speaks to what I've been trying to say, which is Columbus has been fighting for several months now to keep Bob Evans' headquarters in the City of Columbus. They thought they had an agreement, the agreement fell through, they moved to a neighboring city; and so those residents are now lost in the City of Columbus. Well, what they turn around and do is, they poached other corporations from fellow cities to come to Columbus. So I've just got a couple quotes here that I think are kind of important, and it speaks to, I think what I've been saying for a few months now. The Mayor down there has called for more regional cooperation on economic development issues, while acknowledging that until a solution is found, Columbus and its leaders have no choice but to poach jobs. And just to give you some numbers, granted, I know we

can't compare the City of Columbus to the City of Brooklyn; but there are four or five businesses that were brought to the City of Columbus with various forms of incentives to move there. So my thought is, we should explore that. It's something that we need to do, is to generate additional revenue for the City of Brooklyn. And I'll kind of continue to beat that drum for awhile now until some other folks get on board. So that's all I have this evening. Thank you."

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

**Councilman John Patta:** "Thank you. We are voting tonight on our budget for 2011. Council has had a chance to meet with the Service Director, Rec Manager, Police Chief and Fire Chief. Based on our discussions we have a final proposed budget tonight. While this budget is balanced for this year, I am disappointed that the administration and some of my colleagues have not taken more seriously the potential cut in our revenue sources over the next few years. Based upon the current proposed state budget, the City of Brooklyn stands to lose between 350-\$400,00 over the next two years. We still have the potential to lose millions if American Greetings does not stay; and even if they do stay, there will be some amount of lost revenue. How much will our revenue decrease if American Greetings does remain in Brooklyn? I don't know. Only a handful of people, including the Mayor and President of Council, are privy to the proposal that was made to American Greetings. We still have the major issue of the landfill, which is unresolved. Given the cuts and the uncertainties of our budget over the next few years, I urge the Mayor to have all of the directors and Chiefs propose a budget now for 2012, '13 and '14 with a decrease in their budget in the amounts of 10% for each of those years. We need to have a three year budget forecast and we need to have it now. We should also prepare, if it becomes necessary, for a reduction in our budget by 5% this year, in the event that American Greetings does decide to leave. The reason for this is if American Greetings does not stay in Brooklyn we will lose a substantial portion of our revenue. Even if American Greetings does stay we could still face a substantial decrease in our revenue. If we do not do this and take a serious look at potential budgets with large decreases in our revenue, we are not acting in the best interest of the citizens of Brooklyn. To wait until something happens is irresponsible. Our city too often has been reactive. We need to be very proactive in our budget. We must have a plan in place to face the possibility of losing approximately 30% or more of our income tax revenue over the next few years. Keep in mind that if American Greetings leaves, we not only lose that revenue, but almost certainly all of our local businesses will suffer as well by the daily loss of 2,000 potential customers.

Which brings me to what I am learning is a very popular program among the Mayor and Councilmembers in an election year. This is a city paid grass cutting service for senior citizens. We did not have a grass cutting program for the seniors last summer. What we did for our residents was provide through the Senior Center a list of individuals and businesses that were willing to provide grass cutting services to seniors. According to Kay Hutkay from the service center, she provided a list of 46 individuals and businesses to any senior that was interested in getting their grass cut. Some residents were understandably upset at first, but were okay with the list that Kay sent to them. According to Kay there was never any negative feedback from the program, other than the fact that the city was no longer providing that service to senior residents. The grass cutting proposal that is being discussed is charging residents between \$75 and \$100 for this service. The program will last for 15 weeks. It's estimated that 500 people would sign up for this program. If 500 people signed up and the city charged \$75 per resident, the revenue for this program would be \$37,500. If 500 people signed up and the city charged \$100 per resident, the revenue for this program would be \$50,000. However, we need to take a close look at the costs involved in this program. The city would need to purchase three additional pickup trucks for use in this program at an approximate cost of \$25,000 in total. There's also the cost to paint those trucks of approximately \$1,750. The city would need to hire 10 part-time workers for a 15-week period at the cost of approximately \$54,000 for that 15 weeks. Fuel costs for the trucks and lawnmowers would be in addition to those figures. Maintenance costs for the trucks and lawnmowers would also be in addition to those figures. No record of maintenance costs and fuel costs has ever been kept in the past, so we have no idea what the maintenance and fuel costs would be. With gas prices already near 3.50 a gallon and more, and from what I have read could easily go to \$4 per gallon, that cost could add up rather quickly. Even if 500 residents signed up for the program at a cost of \$100 per resident, it would still cost the city more than an additional \$30,000 to run the program for 15 weeks. Don't get me wrong, I think the senior grass cutting program is a great program. I wish that the city were in good enough financial condition to offer this program to its residents. And also, if the city were to charge \$75 per resident for the service, the cost to the city, above and beyond what they would bring in, would be more than \$45,000. I think this is a great perk for our residents, but it is just that, a perk.

A perk being something that can be offered when there are no potential financial issues on the horizon. But we do have financial issues on the horizon. We have, as I discussed, the unresolved issues surrounding American Greetings and the landfill. In general, the business environment in our state and county is still not good. Our local roads are in horrible condition. We also have major road projects coming up over the next several years, including Tiedeman Road, Ridge Road and Memphis Avenue. The Tiedeman Road project will be done this year, and we have budgeted that money. However, Ridge Road, which will be a complete tear-down and construction, is scheduled to start in 2013. The total cost of the Ridge Road project is estimated to be near \$13 million, with the city's share \$1.6 million. Memphis Avenue is expected to start in 2014, and the city share of that project will be approximately \$1 million. As we know about projects, actual cost usually exceeds the estimates. We need to look to the future, not just to the present. As you will probably hear, the grass cutting is just a small portion of our budget. While it may be a small portion of our budget, the savings of over 30,000 to \$45,000 per year can help pay a substantial portion of the salary for a new police officer or a new firefighter, or more equipment to keep our police officers and firefighters safe; or go towards a much needed repair of our local streets. The grass cutting program for seniors should not be used to curry favors during an election year.

With regard to the income taxes, I mentioned last meeting I was publicly opposed to the income tax when it was presented to the voters. I thought it was a mistake then, and I still think it was a mistake. I don't know at this point if it will have any impact on American Greetings' decision; however, I would not object to that being placed on the ballot. Certainly the public would need to be informed of how exactly the potential loss of revenue will impact the city, and it would be substantial. But that is something we should be informing the public of anyway.

With regard to the school bond issue, at this time I'm not in favor of any new taxes. I think it's the wrong time to seek an increase of taxes. And it's interesting that the representative from School Board mentioned that they will have approximately a \$2.6 million cut in the budget. And I wonder out loud is the School Board will need to seek a levy because of this cut. I think they really need to find out what the impact of the state budget cut will be before they try to add on a bond issue for a new building, and then possibly come back within a year or two seeking additional money because of the state cuts.

And with regards to Senate Bill 5, I did outline my position on that last week. One thing to keep in mind is, under the proposed legislation, if negotiations between the city and a union reach an impasse, the City Council would have the final authority and impose the terms of the contract. If that happens, which it is very possible it will, it will be interesting to see the comments of the Councilmembers that vote today in opposition of Senate Bill 5 when they are faced with that prospect. Thank you, that concludes my report."

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

***Councilwoman Colleen Gallagher:*** "Thank you. At one point Brooklyn was the Westlake of the Cleveland area. We had one of the newest and best recreation centers, and unlimited funds to pay for services like senior grass cutting, snow plowing and public trash pickup. However, times have changed. Our schools, recreation center, and city buildings have aged dramatically. Specifically, our city is in dire need of a new police station, at an estimated cost of \$6 million. The older the city buildings get, the more maintenance they require. In addition, we have seen a dramatic decrease in our population in the City of Brooklyn over the last 10 years, leading to the loss of income to the city. Unfortunately we are now in a position where we do not have the best facilities and service to offer anymore. On top of these realities, Brooklyn is now faced with the possibility that American Greetings may leave, which will lead to an approximate loss of three million in city income. In addition, we may lose some state funding and estate tax revenue totaling approximately 300,000. Because of our position, we can't put aside money for our future without making the necessary cuts that are needed to the city.

Throughout the budget meetings so far, Council has met with the Service Garage Director, Police Chief, Fire Chief, and Recreational Director. As a result of these meetings, I believe there have been some great ideas. Conversely, it has been also clear that we are still conducting business as usual in Brooklyn, and I fear that we are failing to take into consideration the actual state of our city. As part of our budget meetings I asked all the directors to create a budget that includes 30% cut in their individual department budgets. This 30% equals the amount of income that the city will lose if American Greetings leaves. This percentage fails to

include the additional possible cuts from the loss of state funds and estate tax revenue. Many of the directors offer suggestions of cutting personnel as a solution if we lose 30% of our income. The city's personnel make up more than 80% of our budget, so this is an obvious cut. Maybe I did not make myself clear in my request, but I was looking for our directors to give me something other than the obvious. I was looking for some ways we could regionalize or get additional revenue for our city. It's time that we start thinking outside the box. For example, Councilman Magrey suggested that we join together with another city or two to fund the training of one of our employees, or to learn how to make the necessary repairs to our fire vehicles. This idea would have saved our city thousands of dollars a year. It is these types of ideas I was looking for from our directors. Consequently I am asking the directors one more time, please give me some ideas to cut your budget or bring in revenue. I don't want to see more jobs lost in the city; but this will be our only option if we keep conducting business as usual. I would ask residents to present your ideas too. Please e-mail or call me, or other Councilmembers or directors, if you have any ideas for change.

There are two specific topics I'd like to discuss tonight regarding the budget. First, Council had a lengthy discussion about senior grass cutting at the budget meeting. Although I think the senior grass cutting at one time was a great service for the city, we are just not in the financial position to offer this service right now. We have asked residents to pay more income tax because of budget shortfalls, and I could not ethically support this service with an estimated minimum cost of \$30,750 – which still does not include the cost of gasoline and the maintenance on our city vehicles. This figure is over and above the deducted payments by residents at a cost of \$100 per senior.

Next I would like to talk again about the automated waste collection truck for the Service Garage. Should the state of Brooklyn economy worsen, the city may be left to privatize garbage pickup like other communities did. I don't want to see this happen, and this is why I think we should invest in an automated waste collection truck. It requires less staffing to do the same amount of work as before. Right now the Service Garage Director has submitted a request for a used dump truck at the cost of \$75,000. After paying for the used equipment, and a savings from not continuing senior grass cutting, I think we are in a position to buy one of these trucks. This choice permanently reduces our budget for the future.

On another note, I would like to talk about the Brooklyn City Schools. Council was invited by the Brooklyn School Board and Superintendent to tour the city schools last Saturday. As of right now they are proposing \$20 million in renovations through a bond issue. After touring the schools, I agree with the School Board and Superintendent that changes need to be made to the school, and it is unfair to students who are sitting in these dated classrooms. However, I disagree with the most of their proposed project areas, because they are not necessary for the students' academic future. Some of the projects I disagree with include renovations of the stadium, three additional gymnasiums, and a new Hurricane Alley. These costs alone made up approximately five million of the proposed approximate \$20 million budget. I would encourage all residents to tour this facility as soon as possible.

Tonight on our agenda we have a Resolution objecting to Senate Bill 5. As Senate Bill 5 reads right now, Council, as a legislative body, might have to make some decisions on issues between the unions and management. Mr. Murphy introduced this Resolution. I have spoke to our Law Director about my concerns regarding this conflict of interest should the resolution pass. Mr. Claussen has stated this Resolution is not legally binding and it is just to support or not support Senate Bill 5. Therefore, I would like to say that I come from a long line of family members to belong to unions. I support unions. However, as part of the legislative body, I still have concerns about placing myself in a position where my vote here may take away from any possible official duties. Therefore, please know that I will formally abstain from this Resolution; but personally I oppose Senate Bill 5 as it reads at this time.

And Mrs. Paulitzky, again, I did not support the municipal income tax, because I felt it would hurt our businesses, and because we had not yet made the necessary cuts in our city. However, the damage is already done. Should American Greetings leave, this income tax may be vital to our city's survival. So I cannot say right now whether I'm willing to rescind the municipal income tax. And I'd like to thank all the residents who commented tonight. And that concludes my report."

***President Kathy Pucci:*** "Thank you. First I'll give a report of Council's most recent work session. Our work session was conducted on Monday, March 21, 2011. All members of Council were in attendance, along with Mayor Balbier, Mr. Kennedy, Mr. Hammond, Mrs. McGinty, Chief Zemek, and Chief Tenaglia. We

discussed the Capital Improvement requests, and general operations in the Recreation, Fire and Police Departments. I'd like to thank all the department heads for meeting with us as part of the permanent budget process. These discussions are very helpful to us and informative. And thank you Mr. Kennedy for all you did in the preparation, both for the budget and for these meetings, and all the information you provided us.

I had the pleasure of attending the St. Patrick's Day party at the Senior Center. I'd like to thank Kay, her staff, and all the volunteers for a wonderful afternoon. I enjoyed being able to visit with our seniors. I'd like to put a plug in for the Senior Center pancake breakfast, which is this Sunday, April 3<sup>rd</sup>, from 9-1. And Mr. Rosatti is here in attendance if anyone would like advanced ticket sales.

I too would like to thank Superintendent Cynthia Walker and the School Board for hosting a tour of the Middle School. It was very informative. And if they do have these open houses or tours in the future, I would encourage anyone who's able to attend. I do suspect, though, that the schools will have to be reviewing their decision on the bond issue in light of the announced cuts in the state budget.

Chief Tenaglia, when it's your report, could you please address Mr. Ardito's concerns about the electric scooters?"

Chief Tenaglia: "I don't have all the information that's required by the state in front of me right now."

President Pucci: "Okay, okay. But Mr. Ardito, we will take a look at it. And Mr. Claussen, if you could please draw up a Resolution for the next meeting opposing the proposed cuts in school funding in this current state budget, I would appreciate it. And Mr. Lada, my sympathies to you on the loss of your friends. We are most grateful to Mr. Domino's generosity. I asked that the city pay for a plaque to honor and recognize his generosity to our community.

Regarding the comment on, for Miss Bowen on the Charter Review Commission, I was the person that wrote the letter, so I'm just going to read the letter. 'Dear Chairman Frey and Commission Members. Due to work and other commitments, I'm not able to attend the upcoming meetings you have scheduled. I wish to bring to your attention some items in our Charter that I believe should be reviewed, with some consideration given to possible revisions. Attached I have detailed the information, and where applicable, provided you with a background. Please understand that my intention is to bring these matters to your attention for your review and consideration. It is not my intention to either interfere with or exert undue influence over the Commission. I'd like to thank each and every one of you for accepting the appointment and taking on this assignment. I appreciate you giving of your time and talent for the betterment of our community. If you have any questions for me, please do not hesitate to contact me either by telephone, 215-459-1195, or e-mail, [kpucci@brooklynohio.gov](mailto:kpucci@brooklynohio.gov). Thank you again for your dedication and commitment to our fine city.' And all members of the Commission received this, as did our Law Director. I've been keeping track, and when something comes up relative to the Charter, I've just been kind of making a note on it. I feel it's my obligation to bring these to the attention of the Commission. It is actually unusual for a Charter Review Commission not to speak with the Mayor, Council, President and department heads to see, you know, are there anything that you've come across in your duties in public office that you think we should look at. So it's certainly nothing sinister. Most of what I attached actually goes into an explanation or background of what has occurred. And I believe that completes my report. So we will move onto the Mayor's report. Mayor Balbier."

**Mayor Rich Balbier:** "Thank you Mrs. Pucci. Two meetings ago I spoke about safety. We're going to have Tiedeman Road under construction this year, and then it's going to be Ridge Road, then it's going to be Memphis, and there's going to be a lot of yellow barrels out, and to drive safely. Well last week, two of our people were patching, doing cold patching on Tiedeman Road, and they were hit. And we invested in one of those big arrows in the back of a trailer that points you over, but someone waited till the last minute, didn't see it, swerved, hit the arrow, and threw it into our employees. They were both taken to Parma Hospital, but they're both okay. One of them had a knee injury, one of them had a neck injury. And all I could say is, when we've got all this construction, you have to drive slowly. And here's this humongous arrow and someone still hit it and hurt our two employees. So please be careful.

Last Tuesday I went to Columbus and I was there all day with the Cuyahoga County Mayors Association, and we heard talks from the State Auditor and other state representatives, and it was about issue 5 and the state

budget. And as Mayors we gave our concerns. It seems to me that, at the state level, they kind of missed the boat. Like, they make all these cuts, then they pass them down to the cities, as though you haven't done any cuts yet and now you can absorb all this. In the cities, 80% of our budget comes from the employees and their benefits. So basically you only have 20% to cut, outside of employees. At the state level the employees only make up 7% of the budget. So if they laid off every worker for the State of Ohio, they'd still only save 7% of their budget. So it's different between cities and the state. At the state level, Medicaid and education make up about 2/3 of their budget. So that's obviously where they have to cut from. But they make these cuts and send it down to us. The only thing left, most of the Mayors I talked to are like, we're all the same, just like Brooklyn. We made all these cuts, and now they try to put more on you. The only thing left to cut is people. You've cut all your programs, you've done all this that you can do; you'd have to cut policemen and firemen, when they force this down at you. So we gave them all of our concerns. But they seem to think whatever they want to do and send down to... You've got all this money sitting there ready to cut, and everybody's down to the bare bones as it is. So that was a very interesting meeting.

I also had a meeting last Thursday with American Greeting. I called Mr. Weiss, he's the CEO of American Greetings, and I asked him, I didn't know if he would agree to it or not, but I asked him if I could meet with him one on one, without all the attorneys in the room like there usually is. And he agreed to it. So we met, we had a nice long conversation, and we covered everything, including the income tax and everything. And I told him, anything you need from me, just call me, I'll be here on a moment's notice. And it was very friendly, we were back and forth. We covered everything you could possibly think of. And I wish I had something nice to tell you, but at the end of it he still hasn't made up his mind. Brooklyn's still in the running, he'll notify me when they do. And I asked him, well, is there a deadline when you're going to do this? We have to approach our budget, and a lot of it depends on what you're going to do. And he couldn't give me an answer to that either. So after this long meeting, I still don't know any more than I did before. But we covered everything you could possibly think of in this meeting. And you do accomplish a lot, more when there's just the two of you in the room. You can say things you may not say in public. And believe me, I did. So I just want you to know we're still working on it.

The Building Department turned in their report for last month. They had 12 permits for \$811.09, and they had 18 contractor registrations, and that took in \$1,350. And Mrs. Pucci mentioned about the pancake breakfast. And the Fire Department turned in their monthly report for February. They had 196 total runs, 128 of them were rescue squad runs, and they took in \$23,608 in ambulance fees.

Like I mentioned before, the state is cutting the local government funds by 25% this year, and I believe another 25% next year. So I had Mr. Kennedy look it up, and we usually get about \$386,00 through this fund; so 25% would mean we're losing \$96,700 this year. I received the Cuyahoga County Board of Health report for Brooklyn. It's broken down into how many hours they spend on each subject. And I'll have it out at the front desk if anybody wants to look at it.

And with the school issue, I also visited the school, and the building's in horrible, horrible condition. So I was thinking to myself, it was built in the 1920s, so that makes it over 90 years old. I can't think of another building in the city that's that old. We have a couple of residential homes that are century homes, but I can't think of another commercial building. It does look... I mean, if you go through the tour and come out of there and don't think they need a building, I'd be surprised. It is really bad. However, like Mrs. Gallagher stated, there's a lot of other things in this budget I have some questions about, that they want to put up to the public. One of them, I was reading it, was \$100,000 for a new press box. I didn't quite understand why that would cost \$100,000. So I have a lot of questions yet. But there's no question in my mind they need a new school, after I looked at this. I even looked where my locker used to be, and now it's a wall. It was interesting going through there.

And with the grass cutting, it's another tough decision. You know, I understand what Mr. Patta stated, and I'm about as penny pinching as you can get. For this city, I watch every penny we spend. Like when I was on this tour with these other Mayors, one of them from Lorain County asked me, oh, you're from Brooklyn, I understand, we hear a lot about Brooklyn, with all the services you offer. So our reputation is out there with these services. And we would have to charge at least \$100 per person. Okay? And it doesn't cover the cost of it, and we might do it this year, and maybe next year we'd have to cut it out. But it's a big decision to do this. But I usually do these things to help people who need help. And usually the seniors are on fixed income, and if you could help them with their grass cutting, that's fine. Like I didn't cut the snow plowing,

because every year you can always hear of someone having a heart attack plowing snow, and I didn't want to cut that at all no matter what it cost us. But the grass cutting, we could cut it, we couldn't. But I'm going to put together something if the budget passes tonight, and because it will cost us more than \$15,000 for this program, I'd have to bring it in front of Council so Council will have to vote if we're going to do it or not. But it is a big decision. But I'd like to be able to help the seniors, and it's going to be at least \$100 per person. And we're guessing at how many people. And our city population is dropping, so it may only be about 500 people, which would bring in 50,000; but that's still not enough to cover the program. But I'll put together something, and at the Council meeting, like I said, because it's over 15,000 – Council would have to vote on it. And that's all I have Mrs. Pucci."

President Pucci: "Thank you Mayor. Next we'll move onto reports of directors, Chiefs and department heads. We'll start with the Service Department, Mr. Verba."

Dir. Verba: "Thank you Mrs. Pucci. I hope the residents have seen our crews have been out cold patching the streets. To this date we used 71 tons of cold patch. Like the Mayor said, we had two service garage workers that were injured, Jim Catania and Don Pesta. And they're both back to work. One is at full duty and one is on light duty. Residents will be receiving a mailing to promote our upcoming compost program which will start on Monday, April 11<sup>th</sup>. And just to let the residents know, we will not accept any yard waste that is going to be placed in a plastic bag. It's got to be either a compost biodegradable bag or your garbage can. That's all I have."

President Pucci: "Thank you. When does the asphalt plant open up so that we can get the.."

Dir. Verba: "The hot mix?"

President Pucci: "...the hot mix."

Dir. Verba: "Usually it's about the third week in April."

President Pucci: "Okay, thank you. Next is the Building Department, Mr. Ockington."

Comm. Ockington: "Thank you Mrs. Pucci. Based upon several recent inquiries, it's come to my attention that many residents do not fully understand the tax abatements available to them and local businesses. Community Reinvestment Area tax abatements are temporary reductions in assessed value of an improvement to real property. Not all renovations will increase the assessed value determined by Cuyahoga County, therefore no tax abatement will be given by the county if the renovation does not increase the assessed value of the property. Community Reinvestment Area ordinances are created by municipalities under authority granted by the Ohio Revised Code, and the terms of tax abatements are included in the original ordinances. Municipalities cannot alter the terms of existing abatements, and they cannot grant new abatements unless there are new eligible construction projects. If you have any questions or comments regarding tax abatement, please contact me at 216-635-4202. That concludes my report."

President Pucci: "Thank you. Police Department, Chief Tenaglia."

Chief Tenaglia: "I have no report. But Mr. Ardito, if you'd see me afterwards, give me your phone number if you can't stay for the entire meeting, get it to me and I'll give you a call tomorrow."

President Pucci: "Thank you Chief. Next is the Fire Department, Chief Zemek. And could you explain a little bit about the legislation that we have on our agenda this evening for the photoelectric smoke detectors please?"

Chief Zemek: "Sure. Thank you Mrs. Pucci. The legislation that's in front of you tonight has to do with the changing of smoke detectors, the type of style that we'd like to see in residences, within 10 years of passage of this legislation. The photoelectric detectors, which are being proposed, offer an early warning to fires, and have a substantial decrease of a report in false alarms, as in the ionization type. I think everybody can think about when you're cooking and your house is humid right now, and your detector goes off, and you kind of take the battery out of it and let it clear out, that's the ionization chamber that has to have the smoke actually enter it, and usually it's dust particles and stuff over winter that's sitting in it. Photoelectric is just that. It's

an electric eye, so it senses the smoke, it senses the change of brightness, automatically, with a flame even. So it gives about 53 minutes actually total time of warning to get out in the middle of the night, you know, out of your home, once it goes off and stuff. So it kind of gives a very substantial increase of existing the home, and activating early and activating for the real reason, that would be smoke or fire in your home."

President Pucci: "Thank you."

Chief Zemek: "Thank you. And other than that, I have nothing else to report."

President Pucci: "Okay, thank you. Next is Recreation Department, Mrs. McGinty."

Asst. Mgr. McGinty: "Good evening. Our Camp Brooklyn summer day camp program, flyers will be sent out this next weekend, or next week at school. And two first registration dates will be Thursday, April 14<sup>th</sup> from 5- p.m. and Saturday, April 30<sup>th</sup> from 11-1. If you want a flyer you can stop up at the Recreation Center or you can call us and ask for any information at 216-351-5334. That's it."

President Pucci: "Thank you. Safety Director, Ed Chessar."

Dir. Chessar: "Thank you Mrs. Pucci. When the snow disappears you usually see the birds and the plants come out, but it's the solicitors' time each year too. I just want to remind the residents of Brooklyn that the ability to be put on a Do Not Call List for solicitors and peddlers is available to you. If you would check on the brooklynohio.gov, you can download the form to get on the no solicitors list; or you can pick up a copy of that form here at City Hall, fill it out, get it to the Police Department, and they will either mail you a sticker for your window, or you'll get one when you bring the form in. Also, one other thing, the Fire Department here is, their number one priority is to prevent fires. A lot of people think their number one priority is to fight fires, but their number one priority is to prevent it. With that said, we offer a home safety evaluation to all the residents in the city. It's free. I know people think there's nothing for free, but this is for free. All you have to do is call the Fire Department, set up an appointment with them, and firefighters will come out to your home, they will do a safety evaluation of your home, they will discuss the problems that they had found, and maybe you can correct on your own, and they will leave. So it's a good idea to take advantage of that, okay. Especially after a long winter where you probably stored a lot of stuff in the basement underneath the steps, or you might have five or 10 extension cords running around your house that that's not good. So that's my report Mrs. Pucci, thank you."

President Pucci: "Thank you. Next is the Finance Director, Mr. Kennedy."

Dir. Kennedy: "Thank you Mrs. Pucci. Just a reminder to everybody that the filing deadline for municipal income taxes this year is April 18<sup>th</sup>, not the 15<sup>th</sup>. We will have staff available here at City Hall, both on Tuesday, April 5<sup>th</sup> and Thursday, April 7<sup>th</sup> from 4:30-7; and Saturday, April 16<sup>th</sup> from 10-2. We offer free assistance in filing your municipal income taxes. You're also free to call the Regional Income Tax Agency, but we will have folks here those dates to help you if you want some personal assistance. Thank you."

President Pucci: "Thank you. Our Law Director, Mr. Claussen."

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

President Pucci: "Thank you. Mr. Tanski, did you want to be recognized again?"

Councilman Tanski: "Yes I have a question, either to the Mayor or maybe Mr. Verba. The Mayor brought it up, we'll go with him first. The two men that got injured on the city service side, are there trucks behind them people, them employees, I should say, cold patching?"

Mayor Balbier: "I think they have to take the cold patch off the truck, so they're behind the truck, right?"

Dir. Verba: "Yeah, what we have is, we bought a solar arrow panel, which is similar to the one that's on Tiedeman Road now. With that construction project we bought that, and it was hooked to a trailer with our pickup truck. And then in front of that truck was our cold patch truck. So the guy actually swerved over and

hit the arrow board, which then flung around and hit our truck, and then one of our guys was on the truck, he got injured."

Councilman Tanski: "So there's always a truck behind the individuals cold patching, correct?"

Dir. Verba: "Yes."

Councilman Tanski: "I'm just looking at the Worker's Comp rates, and then you start to rock it again. I just want to make sure that's safe on the road, because our employees should have, just like the state does, and on 480 they always have either a TNA or a truck behind any individual that's either cold patching, concrete patching, or whatever asphalt patching there is. And that's all I want to..."

Dir. Verba: "Yeah, we've never had the arrow board before. When I came in we talked to the guys that are always on the road, and they stressed that it's very important, and we went ahead and got it, and the second day we used it we had an accident. But it'll be replaced and it'll be back up."

Councilman Tanski: "Okay, that answers my question, thank you."

President Pucci: "Okay, next we move on to public participation for items on the agenda only. This is, if anyone has any comments or questions to legislative items on our agenda this evening, and there is a three minute time limit."

Barb Paulitzky: "Hi, Barb Paulitzky, 4795 Tiedeman Road. If you look at Ordinance #2011-21 and 2011-22, the wording on both of them is the same. I don't understand. Is the money, 9,860 plus 12,140... The wording is the same on both of those. Will you explain it?"

President Pucci: "Yes I can. It's two separate contracts. One is, we have an annual report... Let me pull it out, just a moment. We have an annual report that we're required to file on our landfill, so the first Ordinance, 2011-21, not to exceed \$9,860 is for the required testing to be done in April. And there is also a requirement for further testing to be done in October. So the first one is for April, the next one is for October. Anyone else have any comments or questions on legislative items on our agenda this evening? Okay, the first item is **RESOLUTION 2011-3**. Objecting to Senate Bill 5 which would eliminate collective bargaining for state employees and reform collective bargaining rules for local government employees."

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

Councilman Tanski: "Second."

Clerk Banish: "To place on second reading..."

President Pucci: "I just want to make a comment. I made a comment at the last meeting. But I do belong to a public union, which precludes me from voting on something that could potentially impact me personally. So I'm required to abstain."

Councilman Magrey: "May I be recognized?"

President Pucci: "Yes."

Councilman Magrey: "This vote is going to occur, more than likely, tomorrow. Is there a possibility we could put this on emergency and get it passed tonight, so that would have the passage before a decision was made by the state?"

President Pucci: "There is a possibility, if there are enough votes to suspend the rules. As of right now, we have a motion and a second, so the people that made the motion and second would have to rescind that if they don't want us to vote on it, and then we could determine if there were sufficient votes to suspend the rules. So it would be..."

Councilwoman Gallagher: "I rescind my motion to put on second reading."

Councilman Tanski: "I rescind my second to put on second reading."

President Pucci: "Okay."

Councilman Magrey: "I move to put on..."

Councilwoman Gallagher: "Can I be recognized? When is the vote?"

Councilman Magrey: "I heard..."

President Pucci: "The House is scheduled to vote tomorrow."

Councilwoman Gallagher: "Oh, okay, I didn't know that."

President Pucci: "So then somebody needs to make a motion to suspend the rules."

Councilman Magrey: "Move to suspend the rules."

Councilman Tanski: "Second."

Clerk Banish: "To suspend the rules, Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

Councilwoman Gallagher: "Yea."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Abstain."

Councilman DeMarco: "Abstain."

Councilman Patta: "No."

Councilwoman Gallagher: "Excuse me, I'm going to change my vote to abstain. I'm sorry."

Clerk Banish: "We don't have enough to suspend."

President Pucci: "Okay, so there are not enough votes to suspend the rules. So does someone then want to make a motion to put it on second reading? Or... I mean, it's up to Council what they want to do."

Councilman Magrey: "Move to put on second reading."

Councilman Tanski: "Second."

Clerk Banish: "To place on second reading, Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Abstain."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Mayor Albier: "Can I make a...?"

President Pucci: "Yes Mayor."

Mayor Albier: "I'd just like to make a comment. When we were down in Columbus we talked about this Senate Bill 5. The impression we got from the legislators were that it is going to pass, however it's going to be watered down a lot. To what degree I don't know, but they said it's not going to pass in the form that the Governor put before, and everybody had a complaint about it. So it was going to pass though, but it was going to be watered down quite a bit. So to what extent though I don't know."

President Pucci: "Okay, next is **RESOLUTION 2011-4**. A Resolution accepting the Improvement Target Areas as designated by the county and approving the project proposed to be funded and the application for assistance to be submitted under the Community Development Block Grant Program. We are going to pass this this evening by emergency measure because the deadline for the grant is April 14<sup>th</sup>. This is the public hearing that we conducted prior to our last Council meeting. There is approximately \$35,000 available to communities for playground improvements. We are applying for that. We anticipate approximately \$11,000 in costs to us to install it. I do want to point out that I'm going to first make a motion to amend it. In the first whereas we're going to strike the words 'Backyard of Fun.' This refers to our playground area, not Backyard Fun, which is the basketball courts, the tennis courts, and the skateboard park. So I need a second for that motion on amendment."

Councilwoman Gallagher: "Second."

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

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

President Pucci: "And now we need a motion to suspend the rules."

Councilman Murphy: "Motion to suspend the rules."

Councilman Tanski: "Second."

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

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

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

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

President Pucci: "Okay, **ORDINANCE 2011-10**, which we amended at our last meeting. Establishing Parma Hts. Community Partner Rates at the John M. Coyne Recreation Center and Natatorium. And this is up for third reading and adoption, so we need a motion to adopt."

Councilman DeMarco: "Move to adopt."

Councilman Magrey: "Second."

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

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

President Pucci: "**ORDINANCE 2011-11**. This is our 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. First we're going to amend it, because we did have some changes. And then because our work sessions resulted in some revisions after the second reading, our rules require that we either extend it to another reading or vote to suspend the rules and adopt it under the emergency clause. So let me go to what the amendments are. In the Capital, the proposed Capital budget, we have added a salt spreader for \$16,000; we revised the miscellaneous emergency equipment, \$15,000; we added under general government a roof for the Historical Society for \$15,000; and we revised under the Fire Department the amount for the fire emergency response vehicle to \$35,000. So the original proposal for the Capital Improvement plan was \$1,986,090; the revised is \$1,982,090. And those are the only changes, Mr. Kennedy?"

Dir. Kennedy: "Those are the only changes right now. I will tell Council that, you know, we approved that Federal Drug Forfeiture Fund, we haven't received the confirmation from the Auditor's Office. Once that comes back we'll have to amend these appropriations to include that. But, as is right now, it's fine."

President Pucci: "Okay, so first we need a second to the amendments that I just read."

Councilman DeMarco: "Second."

Clerk Banish: "To amend, Colleen Gallagher."

"Joe Magrey."  
"Kevin Tanski."  
"Tom Murphy."  
"Kathy Pucci."  
"Tony DeMarco."  
"John Patta."

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

President Pucci: "Okay, next we'll need a motion to suspend the rules to pass this by emergency measure this evening."

Councilman Murphy: "Motion to suspend the rules."

Councilman Tanski: "Second."

Clerk Banish: "To suspend the rules, Colleen Gallagher."

"Joe Magrey."  
"Kevin Tanski."  
"Tom Murphy."  
"Kathy Pucci."  
"Tony DeMarco."  
"John Patta."

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

Clerk Banish: "To adopt, as amended, Colleen Gallagher."

"Joe Magrey."  
"Kevin Tanski."  
"Tom Murphy."  
"Kathy Pucci."  
"Tony DeMarco."  
"John Patta."

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

President Pucci: "Next is **ORDINANCE 2011-17**. An Ordinance providing for the issuance and sale of \$1,676,000 in notes in anticipation of the issuance of bonds to pay costs of 1, acquiring property known as Marquardt Park to be used for recreational purposes; 2, reconstructing Biddulph Road in cooperation with the Ohio Department of Transportation between Tiedeman Road and Ridge Road; 3, acquiring and equipping a technical rescue vehicle; 4, acquiring motor vehicles for operation of the city's Police Department; 5, acquiring and installing communication equipment for the city's Police Department; 6,

resurfacing of certain city streets to be approved by City Council, together with all work incidental thereto; and 7, acquiring road servicing vehicles, and declaring an emergency. This is the annual rollover on our notes. We are paying down \$139,000. This was scheduled for second reading; however, we are going to suspend the rules and pass it by emergency measure this evening, so that there is more time for pricing of the notes. So we need a motion to suspend the rules."

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

Councilwoman Gallagher: "Second."

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

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

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

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

President Pucci: "**ORDINANCE 2011-20**, which is also on for first reading this evening. Authorizing the Mayor to enter into an amended agreement with the City of Parma to lease, for the purposes of the City of Brooklyn Safety Forces or Service Department, in connection with their public functions, such audio communication space as needed. This is a contract with the City of Parma, who has been providing our radio service for many years. We currently have been paying a monthly fee of \$9 per unit, which is \$9 per radio; this will increase it to \$17.50 per unit. And this is up for first reading."

Councilman DeMarco: "Move to put on first reading."

Councilwoman Gallagher: "Second."

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

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

President Pucci: "Next is **ORDINANCE 2011-21**, which we will be passing by emergency measure this evening because of the time constraints with the annual report that's due on our landfill. Authorizing the Mayor to enter into an agreement with Civil Environmental Consultants, Inc. (CEC, Inc.) to provide hydrogeologic consulting services for the 2011 groundwater compliance services for the Sanitary Landfill in an amount not to exceed \$9,860."

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

Councilman DeMarco: "Second."

Clerk Banish: "To suspend the rules, Colleen Gallagher."  
"Joe Magrey."  
"Kevin Tanski."

Councilwoman Gallagher: "Yes."  
Councilman Magrey: "Yes."  
Councilman Tanski: "Yes."

"Tom Murphy."  
"Kathy Pucci."  
"Tony DeMarco."  
"John Patta."

Councilman Murphy: "Yes."  
Councilwoman Pucci: "Yes."  
Councilman DeMarco: "Yes."  
Councilman Patta: "Yes."

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

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

President Pucci: "**ORDINANCE 2011-22**, which is the second component to our reporting. Authorizing the Mayor to enter into an agreement with Civil Environmental Consultants, Inc. (CEC, Inc.) to provide hydrogeologic consulting services for the 2011 groundwater compliance services for the Sanitary Landfill in an amount not to exceed \$12,140. And we'll be passing this by emergency measure this evening to ensure that the contract is in place."

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

Councilman Magrey: "Second."

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

Councilwoman Gallagher: "Yes."  
Councilman Magrey: "Yes."  
Councilman Tanski: "Yes."  
Councilman Murphy: "Yes."  
Councilwoman Pucci: "Yes."  
Councilman DeMarco: "Yes."  
Councilman Patta: "No."

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

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

President Pucci: "Okay, next is Ordinance... Just a minute. It says **2010-23**, we have to make an amendment, so we can make two amendments. This is up for first reading this evening. Amending Section 7.4(A) of the Personnel Policy Manual of the City of Brooklyn related to sick leave conversion. So there will be two amendments. The first will be, we will change the 2010 to 2011. And the second is, in the amended section, the second line where it says, the second line up from the bottom where it says 'unused sick days', we're going to strike the word 'days' and insert the word 'hours.' So it will read, 'accumulated by unused sick hours earned by the employee'. I need a second to that motion."

Councilman Magrey: "Second."

Councilman DeMarco: "Second."

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

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

President Pucci: "Okay. And we will have this up for first reading. Just so the public is aware, this takes the sick time conversion when non-union employees retire, it takes it down to the 33% with a cap, which is equal to what our bargaining units agreed to in their new contracts. So we need a motion to put on first reading."

Councilman Magrey: "Move to put on first reading."

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

Councilman Tanski: "Second."

Clerk Banish: "To place on first reading, Colleen Gallagher."	Councilwoman Gallagher: "Yes."
"Joe Magrey."	Councilman Magrey: "Yes."
"Kevin Tanski."	Councilman Tanski: "Yes."
"Tom Murphy."	Councilman Murphy: "Yes."
"Kathy Pucci."	Councilwoman Pucci: "Yes."
"Tony DeMarco."	Councilman DeMarco: "Yes."
"John Patta."	Councilman Patta: "Yes."

President Pucci: "Okay, **2011-24**, which we will be passing by emergency measure this evening, so construction can commence on Memphis Industrial Parkway. Authorizing the Mayor of the City of Brooklyn to enter into a temporary construction license with Gateway Park LLC, Ferrous Realty Limited, and Cuyahoga County for the sole purpose of modifying the Memphis Industrial Parkway. These are the necessary easements we need to have in place so construction can start on Memphis Industrial Parkway. We've had this ready to go since January, but because the county owns part of the property there was a slow, bureaucratic process we had to go through to get it approved by the county. But it has been approved."

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

Councilwoman Gallagher: "Second."

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

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

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

Mayor Balbier: "Yes, I'd just like to thank our Economic Development Director Fran. I think she spent half her career putting this thing together, when finally this Gateway will start. And the other thing is, please drive safely in construction zones. Thank you."

President Pucci: "When we received the e-mail from Mr. Claussen regarding the labor negotiations I had mentioned to Mr. Claussen it might be helpful if we had an executive session if anyone had any questions. So I'll leave it up to Council if they want to adjourn into executive session for the purpose of labor negotiations, or not."

Councilwoman Gallagher: "I would like to be recognized about something else before you go into that."

President Pucci: "Okay, sure. Mrs. Gallagher."

Councilwoman Gallagher: "Mr. Claussen, could you draw up a memorial resolution for the next meeting for Ed Domino, to present to his family please? Thank you, that's all."

President Pucci: "Okay, is there any interest in going into executive session?"

Councilman Murphy: "I'm not interested."

President Pucci: "Okay."

Councilman Tanski: "Motion to adjourn."

Councilman DeMarco: "Second."

Councilwoman Gallagher: "Second."

Clerk Banish: "To adjourn, Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Meeting adjourned.

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Asst. Clerk of Council

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President of Council