

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

April 11, 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: "Joe Magrey."
"Kevin Tanski."

Councilman Magrey: "Here."

President Pucci: "Mr. Tanski had a work obligation this evening, so he is excused from this evening's meeting."

Clerk Banish: "Tom Murphy."
"Kathy Pucci."
"Tony DeMarco."
"John Patta."
"Colleen Gallagher."

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

President Pucci: "Okay, before we have the reading of the agenda, unfortunately we had an Ordinance that was mistakenly omitted from our agenda, and that was Ordinance 2011-20, our new agreement with the City of Parma for radio communications, which was on first reading at our last meeting. 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 Council meeting. At this time we will, I will entertain a motion to temporarily suspend that rule; then we will amend the agenda to include the second reading of Ordinance 2011-10."

Councilman Murphy: "I'll make that motion."

President Pucci: "Okay. And is there a second?"

Councilwoman Gallagher: "Second."

Councilman DeMarco: "Second."

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

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

President Pucci: "Okay, now I will entertain a motion to amend the agenda to include the second reading of Ordinance 2011-20."

Councilman Murphy: "I'd like to make that motion."

Councilman Patta: "Second."

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

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

Clerk Banish: "Thank you."

President Pucci: "Okay, now we'll have the reading of the agenda. Approval of minutes of December 28, 2010, January 3, 2011 and January 10, 2011; public session; Charter Review Commission update; reports of

committees, commissions and boards; Council reports; Mayor's report; directors' reports, appointment confirmation for Parma Hospital Board of Trustees; salt purchase approval; liquor permit, stock change for Yesterday's Lounge; public participation for legislative items on the agenda only; Resolution 2011-3, which is up for third reading and adoption, Objecting to Senate Bill 5, which would eliminate collective bargaining for state employees, and reform collective bargaining rules for local government employees; Ordinance 2011-19, second reading, 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, second reading, 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 is needed; Ordinance 2011-23, second reading, Amending Section 7.4(A) of the Personnel Policy Manual of the City of Brooklyn relating to sick leave conversion; Ordinance 2011-25, Authorizing the purchase of taser devices and related accessories for use by the Brooklyn Police Department; Ordinance 2011-26, Authorizing inter-fund transfers and advances during 2011; other matters that may come before the Council; and adjournment. So next we'll have approval of the minutes of December 28, 2010."

Councilman Magrey: "Move to approve."

Councilman DeMarco: "Second."

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

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

President Pucci: "Approval of the minutes from January 3, 2011."

Councilwoman Gallagher: "Move to approve."

Councilman DeMarco: "Move to approve."

Councilman Magrey: "Second."

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

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

President Pucci: "Approval of minutes from January 10, 2011."

Councilwoman Gallagher: "Move to approve."

Councilman DeMarco: "Second."

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

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

President Pucci: "Next we'll have the public session. If anyone has anything to say for the good and welfare of the City of Brooklyn, please step forward to the microphone, state your name and address for the record,

and please recognize our five minute time limit. I'm going to say one brief thing before you start, Miss Bowen. Last meeting I had instructed all the Councilpeople and the directors to please speak very clearly into the microphone, because we had some in the listening audience who were having difficulty. That microphone is the exception. There were apparently some members of the public who were way too close, and it came out very garbled on the transmission. So I think if you just point it in the general direction that you're speaking you should be fine. Thank you."

Mary Lee Bowen: "Good evening everyone. I'm Mary Lee Bowen, I live at 4783 Tiedeman Road. In a few minutes you'll hear the official update of the Charter Review Commission from former Councilman and Chairman Greg Frey. And I certainly don't want to detract from that. But I've been speaking to you at every Council meeting, and I want to continue that dialogue to keep your interest, and maybe get your opinions and suggestions. I'm enjoying working with all the members of this Commission. All of us were appointed by former and current Councilmembers, and two of the members are former Councilmembers. Unfortunately, I wasn't able to convince the other members to put the size of Council, or the assignment of wards, on the ballot for you to decide what's best for this city. But we have some other matters to consider, and I hope you'll add your suggestion to our list of considerations. The next Commission meeting is scheduled for Tuesday, April 19th at 6 p.m., and I invite you to attend or at least forward your suggestions to us. It's your city, and it should be doing the things you want done, and in the ways that you want them done. Thank you."

Bob Kinney: "Bob Kinney, 4208 Springcrest Drive. I'm one of those..."

President Pucci: "Mr. Kinney, you're not coming out over the mic. I think as long as you just don't stand, or have the mic that close, you should be fine. Thank you."

Mr. Kinney: "Bob Kinney, 4208 Springcrest Drive. I'm one of those public speakers of the last Council meeting that you could not understand what I was saying, because I was too close to the mic. And I want to apologize, and I want to briefly go over what I did last time. I did attend the Brooklyn Board of Education open house of the Middle School on March 22nd. It was very informative, and showed us all the negative aspects of the property. Unfortunately, when I was asking questions about such things as the roof, how much would it cost, how many square feet, they have no idea. Wanted to know whether the windows were thermal pane or not, they did not know. You were talking about not having space for ductwork and/or cable for computers, and I asked about the drop ceiling, how much space was between the drop ceiling and the actual ceiling, they did not know. I'm being told now that the Board of Education has dropped their bond issue for August, which was going to cover this Middle School. I'm still wanting to know who negotiates with the school and its employees in regards to their salaries. From them, I have a list of 191 employees, and they're both certified and classified. 18% or 33 are costing the City of Brooklyn taxpayers over \$100,000 each. And there's an additional 15 that are costing the taxpayers \$90,000 each, over 90,000. Apparently they have quite a bit of money over there, because they have two treasurers. I'm still thinking that something drastically has to be done regarding this. If my memory serves me correctly, the administration there do not contribute to their pension funds. And I think this is something else that should be looked into. And I want to ask the Councilmembers, the Mayor, who negotiates with the school? Because I think the city should be more involved. Friday is a Democratic Club meeting. Our guest speakers are going to be State Senator Michael Skindell, and we're also going to have Larry Amato, he's a VA representative, and he's going to speak on the benefits that are available for veterans and family members. So I'd like to maybe get a good turnout. That's 7:00 Friday, and that's conducted in the Senior Center. Thank you."

John Pacek: "John Pacek, 4758 Rodoan. This year April 12th marks the sesquicentennial of the beginning of the Civil War, when the Confederate states of American fired upon Ft. Sumter, located near Charleston, So. Carolina. On April 12, 1861, 11 southern states succeeded from the Union following the election of Abraham Lincoln in 1860. The issue was slavery. Lincoln issued the Emancipation Proclamation, freeing the slaves in these states of rebellion in late 1862. Ohio, a Union state, furnished over 325,000 men in the northern armies. Several famous generals from Ohio emerged during the Civil War, including George Armstrong Custard, James Garfield, Rutherford B. Hayes, William T. Sherman, and Ulysses S. Grant. President Abraham Lincoln studied in log cabins, using oil lamps and candles to read by. A self-made man, having many hardships as a young boy and growing up. Listening to Brooklyn School Superintendent, you can't learn unless you have a new building. Schools have leaking roof, exposed wiring, etc. In my opinion, this means a lack of maintenance to building. Does the maintenance supervisor have a maintenance sheet showing daily, weekly, monthly guide for maintenance procedures? The maintenance sheets could be

checked off and initialed by the technician doing the inspection. A flat roof on a building is not flat, but sloped to water drains. In hot weather the tar roofs sometimes melt and plug the drains partially or completely, causing the roof to eventually leak. We had a school levy to repair leaking roofs and asbestos abatement. It's still in existence. Why are we having problems? Here's an article that I threw in at the last minute from Wednesday, April 6th Plain Dealer. 'Asian American students outperform at advanced levels. As policy makers over the past decade focus on closing the achievement gap between white students and under-represented minorities, another rift was widened, the one between Asian American students and everyone else. A new study from the Center of Education Policy underscores how significantly Asian American students outpaced their peers. The data focuses on student achievement on 8th grade standardized tests, including arrear analysis of student performance at advanced levels. It is at those levels that the exceptionally and rapidly improving achievement of Asian American middle school is most pronounced. Nationwide, the percentage of Asian American students scoring in the upper echelons on math exams was 17 points higher than the percentage of white students. Notably that gap has continued to widen in recent years. In most states, Asian Americans sometimes are labeled the model minority, outperform other sub-populations. Some scholars are quick to argue against that label, saying it plays down adversity, and it challenges that pervade the sub-population. Oriental supremacy, I mentioned this before, they've gotten you to buy their non-union, don't support the USA cars and trucks, built by robots not people. They're perfect. Thank you for listening."

President Pucci: "Does anyone else have anything to say for the good and welfare of the City of Brooklyn? Mr. Ardito."

Victor Ardito: "Hi, I'm Victor Ardito, 7439 Outlook Avenue. I'd like to thank the Council for being open-minded last month, and also Chief Tenaglia. He was very helpful. He has researched the problem for the electric scooters, and he's designated them as illegal to drive them on the road. Not on the road per say, but it is legal to drive them, if you're... He's going to put the ordinance together, write down the different things you're allowed to do. But it is going to be allowed to ride electric scooters. And just to keep people informed, there are larger scooters, instead of just the little teeny ones. There are larger ones out there that will carry a full adult, 200 plus pounds, 280 pounds. They are several hundred dollars, I think 5-600, possibly more. But they are there. And the way gas is again today, I think \$4 gallon by the end of the month, you know, it's coming. Thank you very much."

President Pucci: "Does anyone else have anything to say for the good and welfare of the City of Brooklyn? Okay, this evening we have our State Senator Michael Skindell, who I'm going to recognize at this time, who's going to give us a legislative update. Welcome State Senator Skindell."

Senator Michael Skindell: "Thank you Council President Pucci, Mayor Balbier, and members of Council. It's a pleasure being here. And I should note that I'm here at the request of the distinguished Councilwoman Colleen Coyne Gallagher. And thank you for the invitation tonight. I'm here to give a legislative report as to what has been happening in the General Assembly during the first quarter of this year. As with the first six months of any General Assembly, the primary activity of the Legislature involves the adoption of a biennial operating budget for the state, which by Constitution is required to be in place by July 1, 2011. At the onset, it is important to note that the fiscal year 2010-2011 Budget adopted by the 128th General Assembly and Governor Strickland, remains balanced and is on track of being in the black by more than \$600 million at the end of the biennium, which is June 30th. Looking forward, news reports fueled by several legislators have stated that the state faces up to a mythical \$8 billion shortfall for the fiscal year 2012-2013 budget. Generally a shortfall means that government cannot meet current spending levels. The same legislators have argued that the spending levels attained in the current budget occurred only through the use of Federal Stimulus dollars. The American Recovery and Reinvestment Act of 2009, despite the criticisms, was designed in part to assure that state and local governments and schools could avoid massive layoffs of teachers, police and fire personnel, and others in the public workforce. The Federal Stimulus measure accomplished its goals. Any budget shortfall in Ohio was not caused by using Federal Stimulus to fill a hole, but rather the structural imbalance created by the tax cuts passed in 2005 under House Bill 66, and the economic collapse caused by Wall Street. The 2005 tax changes alone are currently resulting in more than \$2.1 billion annually in less revenue to state and local governments.

To balance his budget, the current Governor, Governor Kasich, relies upon revenue growth estimated by the Office of Budget and Management of \$2.791 billion over the biennium. The Legislative Service Commission

estimates that the revenue growth will be \$3.2 billion. Governor Kasich also utilizes spending of one time monies, that is the sale of prisons, transfer of liquor distribution, and refinancing of bonds, etc., of \$1.364 billion; Medicaid changes amounting to \$1.195 billion; \$400 million in cuts, and that includes programs like adult literacy, and these cuts are over and above the cuts of the current budget, and revenue redirections amounting to 2.173 billion. And that's important for the City of Brooklyn and its residents. The Governor does not cut the special interest expenditures amounting to more than 7.4 billion annually. He also leaves in place the approximately 450 million annual income tax cut, which primarily benefit high income earners, that was implemented on January 1, 2011.

As you have already heard from various reports, Governor Kasich's operating budgets targets state aid to and revenue received by local governments, including the City of Brooklyn, to balance the state budget. This redirection of aid and revenue, a \$2.173 billion loss to local entities. This amount does not include all cuts to schools. A cornerstone of Governor's proposal is reducing local government fund allocations to 75 and 50% of fiscal year 2011 levels, amounting to a \$555.3 million loss over the biennium to local governments. Other notable aid and revenue reductions include the Local Government Fund, which I just talked about, reduction of public library fund allocations of \$163.5 million, redirection of the natural gas distribution tax, \$132 million, redirection of dealers in intangibles tax, \$22 million, redirection of the Commercial Activities Tax, \$879 million, and redirection of the kilowatt hour tax, \$291 million. As you are aware, these dollars help supplement local income and property taxes to provide basic municipal services including police and fire services, waste collection, road maintenance and snow plowing, and senior and youth services. The programs, because of these cuts, will most likely be slashed. The Governor's budget also contains proposals in a number of areas in which it is claimed will result in savings to local governments. The savings, short versus long-term, are questionable in a number of areas. First, prevailing wages. The Governor's budget raises the threshold from \$78,258 – it's 50,000 baseline adjusted – to \$5 million, baseline subject to adjustment, in which prevailing wages must be paid on the construction projects involving public improvements. This does not include roads and streets. So if the City of Brooklyn was building a building of some type, a municipal service building, they would only be subject to prevailing wage if that project was more than \$5 million. The pensions. The Governor's Budget Bill decreases by 2% of payroll the employer contribution rate and increases by 2% of salary the employee contribution rate of public retirement plans. This is in addition to the changes proposed by the retirement systems that were introduced as House Bill 69 and Senate Bill 3. The retirement systems have expressed concerns that the Governor's budget proposals may destabilize the public retirement systems. Publication requirements. The Governor's Bill establishes a state public notice website and permits local governments who have requirements to run public notices in newspapers to choose to use the website instead. An abbreviated notice is still mandated in the newspaper.

It is expected that the State Operating Budget Bill, House Bill 153, will be voted out of the House of Representatives on May 4th, at which time the Ohio Senate will take up consideration of the Bill. I am pleased to announce to you and to the citizens of Brooklyn that I have been appointed as the ranking Democratic, the ranking Minority member in the House Finance Committee. The Senate most likely... Excuse me, the Senate Finance Committee. The Senate most likely will vote on the Budget bill the first week of June. The Bill will then go to conference committee for the remainder of June. The State Constitution requires that the new Budget Bill be in place the beginning of July 1st. It is also important to update you as to the repeal efforts of the Estate Tax in Ohio. Again, a revenue stream that impacts the City of Brooklyn. The House legislation, House Bill 3, passed the Ways and Means Committee on February 2, 2011, and is waiting for it to be scheduled for a floor vote. House Bill 3 impacts estates in which the death occurred after January 1, 2013. The Senate companion legislation, Senate Bill 90, is scheduled to be voted out of the Senate Ways and Means Committee this Thursday, April 14, 2011. Senate Bill 90, a little bit different than the House Bill, impacts estates in which the death occurred after January 1, 2011. We do not know yet if that date will be changed in the committee. According to Policy Matters Ohio, the estate tax was finalized in fiscal year 2009 on just 8,003 estates, Ohio estates, compared to the 109,000 Ohio deaths in 2008 and 107,000 deaths in calendar year 2009. It shows the small number of estates that the tax actually applies to. These numbers have been very stable year after year. The estate tax is paid on about 7.5% of the estate. This is not a tax on Ohio's middle class, since more than 90% of Ohioans will never have an estate tax due after they pass away. In effect, the first \$338,333 of each estate is not taxed.

Finally, there's Senate Bill 5, which significantly limits public employees' collective bargaining. The Bill authorizes an alteration of a collective bargaining agreement if a government entity is declared in fiscal emergency or in fiscal watch. It also replaces salary schedules and longevity pay with so-called performance

based pay ranges for employees. There is not a definition of what performance is. Senate Bill 5 causes, in some circumstances, the last best offer to be placed on the ballot during an election. Although it allows collective bargaining for personal safety equipment for police and fire, it prohibits collective bargaining on other issues of safety for everyone. A referendum process to repeal Senate Bill 5 is underway and the appropriate number of signatures must be submitted to the Secretary of State before July 1, 2011. And I certainly will be back before this Council to update you on the progress of that measure. There are other aspects of, other than the operating, that I would be happy to discuss with you at a later of time. For purposes of this communication, I attempted to limit my comments on matters impacting local government, and particularly your duty here in the City of Brooklyn. I appreciate this opportunity to provide this legislative update. If you have any questions regarding any state matter, please do not hesitate to call, contact me or my office, at 614-466-5123, or by e-mail at sd23@senate.state.oh.us. And members of Council, if you have any questions I would happy to try to answer any questions.

President Pucci: "Okay. Thank you very much for attending this evening, and providing us with that very comprehensive update. We appreciate it."

Sen. Skindell: "Great. Thank you."

President Pucci: "Okay, next on our agenda is Charter Review Commission update. And at this time I'd like to recognize Mr. Gregory Frey, who is chairman of the Commission."

Greg Frey: "Good evening. Council President Pucci and the rest of Council, Mayor Balbier, citizens of Brooklyn. My purpose here tonight is to introduce the members of the Charter Review Commission. Every six years the city has a committee that goes through the Charter and recommends any updates or changes that needed to be made towards our Charter. We are one of a fair significant number of cities in Ohio that operates under a Charter. Other municipalities operate under strictly a state code. It gives us a little more flexibility in the way we govern ourselves. We have a Charter that I believe has worked very well for us for 60 years. I think it works well for us today. It needs some tinkering, and it needs some adjusting, and we will do that. I want to commend the Council and the Mayor. The people that you have appointed to the Charter Review Commission are just excellent, good Brooklyn people. We have had spirited discussions, we have talked about lots of issues. We don't agree on all of them, but we have done it civilly. And I just, I commend you. These are high quality people I'm glad to be associated with. So if you would pardon me, or grant me the indulgence, I'd like to introduce the members that are here, and ask them to please come up front so that you can see who they are. You see them in your stores, your schools, your churches. If you have issues about the Charter that you'd like to address to them, please do it. Feel free to do it. They'd love to talk to you. I'd love to talk to you. You're welcome to come to our meetings. The next Charter Review Commission meeting will be a week from tomorrow, next Tuesday, right? The 12th. No..."

Comm. Ockington: "19th."

Mr. Frey: "The 19th. The 19th at 7:00. The members of the Commission, beside myself, are Ron Tumino. Is Ron here? I don't see him. Sue Grodek, Marcia Balina, Barb Paulitzky, Earle Bloam, Mary Lee Bowen, Tom Adamski, and Paula Ritter. These are the members of the Charter Review Commission. We meet... Well, the Charter Review Commission meets every six years, and goes through the Charter. I want to tell you what a pleasure it is for me to work with them, to be associated with them. So, does anybody want to say anything?"

Ms. Bowen: "I do. I would just like to say how very much I appreciate and feel that it's an honor to be part of this group. I was appointed by Councilman John Patta, who I have a great deal of respect and admiration for. And I want to pledge my support to continue representing the residents of this city. Thank you."

Mr. Frey: "Anybody else? Okay. I'd like to make a few comments, if I could, regarding Brooklyn and its Charter. You know, we've been going through some very difficult times. We're like everybody else, okay. The way the city operates has changed somewhat. We've had to find ways to do things differently. We have less people employed by the city. But I want to tell you a couple of things. Number one, we deliver services every day. Our police and fire and emergency service personnel are well trained, they're well equipped, they're caring professionals. And when you call, our response times are among the best in Cuyahoga County. They were before, they are today, they will be tomorrow. Our Recreation Department delivers excellent programs and services. Our Senior Department operates five days a week, and we have lots of things for our

seniors to do and participate in. The folks here at City Hall are just wonderful. They'll help you connect with the various departments in the city to get things done. Our Service Department, I don't know how they get done, what they managed to get done the last couple of years. We may be a little slower at getting the trash or plowing the snow, because we can't do both things at the same time, but we do get them done, with a lot fewer people than we used to have. So I want to commend Mayor Balbier, who has made some, I know, very difficult choices to get us to this point; and the Council, for their judicious watching of the budget, and the harboring of our resources. I think you've done an excellent job, and I thank you for it. Regarding the Charter, you're heard a lot of things about it. I'm of a little different opinion. I think it needs some tinkering, I think it needs some updating. There are nine people on this committee who are dedicated to going through it and giving it a good look, and trying to determine what we need, and to make the changes. I will be back in June to give you an update on what changes we're going to recommend to the Council. I believe the Council has until August 10th, or something like that, to recommend any changes they're going to put on the ballot. And with that, I bid you all good evening. Thank you very much for your attention. Thank you."

President Pucci: "Okay, next we'll move on to reports of committees, commissions and boards, and we'll begin with the Finance Committee, which is chaired by Mr. DeMarco."

Councilman DeMarco: "Thank you. The finance Committee met this evening at 6:30 p.m. and discussed several items. The agenda was actually fairly short. We reviewed our salt purchase approval for our road salt. That authorization was put on hold pending receipt of some additional information that we hope to have by the next Finance Committee meeting. The next Ordinance, which is 2011-20, which was recommended by Finance Committee to be put on second reading, as amended, to reflect an updated date of 2011. Again, that was recommended by the Finance Committee. Ordinance 2011-25, which authorizes the purchase of taser devices and related accessories for use by the Brooklyn Police Department, was recommended by the Finance Committee and put on first reading. And the final Ordinance, Ordinance 2011-26 was recommended by the Finance Committee for approval. And I believe that's all I have tonight."

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

Councilman Magrey: "No report."

President Pucci: "Thank you. Public Safety and Environmental, Mr. DeMarco."

Councilman DeMarco: "Thank you. I did hold a Public Safety and Environmental meeting on Thursday, March 31st, here at 6 p.m. in the Council Chambers. And our discussions mainly focused on the 2010 annual report put out by Chief Tenaglia. I just wanted to highlight a couple of items that I took away from the meeting that I think were important. The biggest is, as we all need to be, is that is to be vigilant in your neighborhood. In my opinion, the most effective assistance we can provide our police officers is to add those additional pairs of eyes in the neighborhoods and in our retail establishments. If something looks suspicious, please call the police. Some other common sense things that Chief Tenaglia brought to our attention. If you're in the yard or doing something outside, lock your front door, lock your side door, lock your back door if that's the case. If you go to a shopping center, if you leave something in the car, it's an attraction for thieves. So scoop everything up off the floor and off your seats and dump it in the trunk. If you're going to be out of town for an extended period of time, talk to your neighbors, let them know, so they can keep their eyes peeled for anything that may look suspicious around your residence. There are also a couple of services that I wanted to bring to everyone's attention that I think are important as well. And actually, I have a couple props. The first is this Policing After Dark. And I've actually had a few of these dropped on my front step. But the police, at night, if something, you leave your garage on, leave a light on, you leave lights on your car, it's nice to know the next morning that they were actually in the neighborhood. But there's some very helpful hints, again, on the back of this. You know, lock your car at night, do not leave valuables in your car such as cell phones, laptops, purses and wallets, do not leave your keys in the car. The second item is, this is called House Checks. This is a service provided by the city, free of charge. If you're going to be away from your home for an extended period of time, stop at the police station, pick this thing up. Police officers will perform a perimeter check of your residence while you are away, including a physical and a visual check of doors and windows, verification of vehicles parked on the property, excluding the garage, and a verification of any people found on the property. One other item was, weather permitting, which it's been a little rainy here lately, but we will be reinstating police patrol via bicycle. And I'm very happy that we're able to reinstate that. I think it's a very effective way for us to, again, police our

neighborhoods in a different manner. And Chief Tenaglia, once again, I'd like to publicly thank you and the entire Police Department for the work that your folks do to keep our city safe and secure. And that's all I have."

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

Councilwoman Gallagher: "Thank you Mrs. Pucci. Please be advised that the next meeting of the Brooklyn Abuse Commission (Domestic Abuse) will be held April 20th at 6:30 p.m. at the Brooklyn Senior-Community Center. I also have a Legislative Update from State Representative Tim DeGeeter. 'Dear friends. First and foremost, I would like to thank the hundreds of people who have sent e-mails, letters and placed phone calls to my office over the past couple of months. With all the changes being proposed in the Legislature, I know that many of you have questions and would like to express your opinions. I encourage each of you to continue communicating with my office, because it is through hearing your thoughts, ideas and concerns that I am able to best represent you. At this time I'd like to provide you with a brief update on some of the happenings at the State House. As you are aware, it is a busy time at the State House. Governor Kasich recently unveiled his budget proposal, which among other things includes slashes in funding to local governments, hospitals, libraries and schools. Although we are in the midst of challenging economic times, I disagree with some of these cuts. I disagree with these cuts, because instead of making responsible choices, this budget simply passes the buck to local governments. I firmly believe that during this hard economic times we need to stop the partisan games and come together to form real ideas that will create jobs and strengthen our middle class. The House Finance Appropriations Committee is currently hearing testimony on the budget, House Bill 153. Hearings are scheduled throughout the month of April, and a full House vote is expected in early May. As your State Representative, I promise to make decisions that serve the best interest of our district when considering the budget. The House Transportation Committee, which I serve on, unanimously approved a ban on texting while driving, House Bill 99 last Wednesday. I am supportive of this legislation because I believe that texting while driving should be a matter of statewide concern, rather than having a patchwork of local ordinances throughout the state. For example, Cleveland already has a ban on texting while driving, while Parma does not. If the Bill is enacted, Ohio would join 30 states and the District of Columbia in banning texting for all drivers. A violation would be a minor misdemeanor, punishable by a fine of up to \$150. It would be a primary offense, and two points would be assessed on the motorist's driver's license. If signed into law, there would be a six month's grace period before a driver would be stopped for the offense. Further, I offered an amendment to this Bill. I was able to get the chairman of the Transportation Committee to agree to include a provision in the Bill that allows municipalities that have texting while driving ordinance with equivalent or greater penalties to go above the statewide law. This will give local governments the option to prescribe their own penalties for violations. This amendment I proposed would need unanimously agreed to. A full House vote has not yet been scheduled for this Bill. Last Wednesday I voted against Senate Bill 5. The House approved this measure in a 53-44 vote. The Senate concurred 17-16, and the Governor signed a Bill into law the next day. The following is a statement I issued in response to the passage of Senate Bill 5. 'It was a sad day for families in Ohio in the 15th House District on March 31st. Raised in a union family, and representing a legislative district with many working families, I am deeply disappointed to see Senate Bill signed into law. Collective bargaining works in Ohio, and concessions are made. This legislation is an attack on the middle class. Our office received hundreds of calls, letters and e-mails expressing strong opposition against this Bill. The aftermath of this legislation will clearly show that this is an overreach. I am confident that this vote will not stand up to the test of the people in November.' Please do not hesitate to contact my office should you have any questions or concerns. Again, it is through hearing your voice that I am able to best service the 15th House District. Sincerely, Tim DeGeeter.' Tim's e-mail is at district15@ohr.state.oh.us. And that concludes my report."

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

Councilman Patta: "Thank you. Good evening. The last Planning Commission meeting was held on Thursday, April 7th at 6:00. There were a number of items on the agenda, including a request for a lot split and consolidation located at 7603 Clinton Road and 3700 Ridge Road. That request was approved. There was also a request for to construct a 2,205 square foot storage and warehouse addition to J.D. Norman Industries located at 4650 Tiedeman Road. That was approved subject to city engineer's review. There was a request for a 1,989 square foot addition to an existing administrative office for Ferrous Metal Processing

located at 11103 Memphis. Again, that was also approved subject to a city engineer's review. There was also a request for a 101 square foot sign for LaVilla Conference and Banquet Center located at 11500 Brookpark Road. That was approved subject to the granting of necessary variances by the Board of Zoning Appeals. And finally, there was a request for a lot consolidation at the McDonald's Restaurant located at 10700 Brookpark Road, and that request was approved. That concludes my report."

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

Comm. Ockington: "Thank you Mrs. Pucci. The April meeting of the Board of Zoning Appeals has been scheduled for April 28, 2011 in Brooklyn Mayor's Court at 7 p.m. That concludes my report."

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

Councilman Murphy: "Thank you. The next School Board meeting will be the 19th. It is true that the raise in taxes has been put off, or came off the table, by the School Board. But the School Board does continue to be interested in having, in showing the buildings, and expressing the needs they now have, and the needs they're going to have in the future. I would encourage you to take advantage of the invitations, so you could be aware, for the future. Because they're certainly, there's certainly going to be needs in the future. That's all I have."

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

Councilman Tom Murphy: "Thank you. I wanted to congratulate Aldo's for being one of the best restaurants in the Greater Cleveland area. For those of you that did not attend the senior pancake breakfast, you missed a good time. They needed some more people there, and they're going to have another one later in the year. It was really good. Thank you to the Senator for his updates on Senate Bill 5. I'm a big proponent for collective bargaining. I can remember, and I think some of the people here, I see some people with gray hair like I do, that can remember the one family, income family, then it wound up to be two incomes, now it seems like it's two and a quarter it becomes, just to make it for the kids. This is a mistake.

There is also going to be, at the Brooklyn Athletic Complex, the American Cancer Society Relay for Life. That's going to be June 24th and 25th. I want to encourage you to get involved in this. There's a 1-800 number attached. You can get involved. 1-800-227-2345. 1-800-227-2345. I have also been advised that I missed a phone message, and I don't know how I did that. I've only had one phone message that I didn't understand, it was garbled, it might have been me. I didn't get it, and I haven't returned it. Don't give up, get back to me. You can e-mail me if you would like. I think that that's pretty much all I have. And I want to thank Mr. Frey for coming up here tonight. I'm sure that the Charter Review Commission has been very, very busy. I would like for Mr. Verba to, when he gets a whack at it, to at least let us know... I know he's got some money in the budget for a truck, or trucks, if there's any plans to continue that. That's all I have. Thank you."

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

Councilman Tony DeMarco: "Thank you. As I had mentioned several times in the past, economic development is the key area of focus for the city, if we are going to continue to offer the services that our residents deserve, and also allow us to be the unique and special city that we are. And with that in mind, we do have an Economic Development Committee, and I don't know if either the Mayor or some members of Council that are part of that committee can provide some kind of update on what's happening in terms of economic development in the city. I know this is getting a little bit old, but I think it's that important. You know, what is the plan to attract businesses and residents to our city? Are there financial incentives being offered? If so, what are they? I'm not aware of a strategy, but I think it's important that we develop one, and we develop one quickly.

I believe there is some good news to report. As it appears, there's a potential new business that is looking to relocate to the City of Brooklyn. I think permits have been requested, I don't know if they've been granted yet at this point, but it's to occupy 25,000 square feet up at the old Tops at Ridge Park Square. This is fantastic news for Ridge Park Square, and also for the City of Brooklyn.

President Pucci at the last meeting mentioned that she had received several complaints from residents watching at home that could not hear a lot of what happens at these meetings, and part of it's probably the way I speak. I received several calls as well in the last two weeks. We have old technology that needs to be updated. It must integrate with our recording device used to broadcast a signal to our local cable channels. I did ask Mary-Jo, the Assistant Clerk of Council, to look into what equipment costs, compatibility, etc., with our current system, and then provide that information to the appropriate parties. If someone could provide an update on that, that would be fantastic. And the final item I had was the pancake breakfast at the Senior Center. I was actually able to, I don't know if you consider it work, I tried to help as best I can and not get in the way. I want to thank Kay, Gretchen, and the entire group of volunteers for providing what I heard was a fantastic breakfast, and allowing me to help serve. And that concludes my report."

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

Councilman John Patta: "Thank you. Good evening. I talked the last couple of weeks about the proposed budget that we've been dealing with, and the one that we approved. Given the uncertainties in our city, I continue to urge the Mayor to have all of his directors and Chiefs propose a budget now for 2012, '13 and '14 with a decrease in the budget in the amount of 10% for each of those years. We need to have a three year budget forecast, and we need to have it now. Our city needs to be prepared. We have major unanswered questions regarding American Greetings and the landfill. We were caught unprepared when American Greetings announced they were considering leaving Brooklyn, and panic set in. We were caught unprepared when the landfill closed unexpectedly. As a result, we had to begin paying to have our refuse collected and disposed. Because we were unprepared for those possibilities, the Mayor closed the Natatorium to save money so that we could afford to pay for the new costs to dispose of our refuse. We need to be prepared for the unexpected, and we need to take steps to become prepared now. And I don't know if this question is really for the Mayor or for Mrs. Pucci. We talked before about getting a new trash packer truck. Has there been any update on looking into or scheduling a meeting to look at the one-armed truck?"

Mayor Balbier: "We don't have a meeting set up, but Mr. Verba's been looking into it, and has all the literature and everything. We're pretty close to having all the answers."

Councilman Patta: "Okay, because I haven't heard anything on that. I'd like to look at that. Have you also looked into privatizing?"

Mayor Balbier: "Not recently. I did that last year."

Councilman Patta: "Alright. I think we need to look into that now, given the fact that we're considering to buying either a used truck to continue the existing services, or look to using a one-armed automated truck, so that we can make an informed, prepared decision on what we should do in the future. I hate to see just looking at one thing and not considering all available options."

Mayor Balbier: "All of these options were on my board to start with. All of them. I looked into all of them. I just haven't looked at them recently because we keep improving a little bit. But Mr. Verba's been looking into the one-armed thing. I don't know if he's going to give a report tonight or not, but he has all the information. And if Council wants to call a special meeting so he can give you all this, that's fine. Or you can meet with him privately."

Councilman Patta: "Okay, thank you."

President Pucci: "And I'll address that too. I spoke with Mr. Verba, and like the Mayor said, he was getting all the specific information. We talked also about the possibility of visiting one of the communities that had implemented one of the automated trash collection system, and then we're going to call a, we could either do a work session or joint Safety and Environmental and Public Works Committee meeting. So I anticipate like within the next month we'll be looking to call a meeting to look at it."

Councilman Patta: "Will we have the information regarding privatizing at that time as well?"

President Pucci: "I don't know, that would be up to the Mayor."

Mayor Balbier: "We can look into that, yes."

Councilman Patta: "Alright, I think it's important, like I said, to look at all options."

Mayor Balbier: "Okay."

Councilman Patta: "Thank you, that completes my report."

President Pucci: "Okay, thank you Mr. Patta. Next is Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mrs. Pucci. Good evening. A welcome to the Charter Review Commission members. And I would like to extend my gratitude to each and every one of you for your service. Welcome to State Senator Mike Skindell, and thank you for your legislative update. My deepest sympathies to Peggy and Rich Hovan on the loss of your mother Jewel. Rich worked for the Brooklyn Police Department, and Peggy still works there today as the Police Chief's secretary. Thank you to Chief Tenaglia and Zemek for attending the Safety meeting. Chief Tenaglia updated the committee on the city crime statistics for 2010, as Tony DeMarco said. This information could be found in the Chief's annual report. And Mr. Kennedy, I'd like to thank you for your recent financial reports. Both you and your financial staff do a great job, so thank you. And that concludes my report."

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

Councilman Joe Magrey: "Thank you Mrs. Pucci. Good evening everyone. Last week I too attended the community pancake breakfast with my family at the Senior Center. And I'll thank you for all who attended and all who volunteered. Last week I attended the Public Safety meeting, and most of the discussion centered around the 2010 annual report. One note of interest was, Police Chief Tenaglia did mention that there were two repeat offenders who were apprehended that had caused some robberies. Brooklyn is a safe community; but our safety definitely starts with you. If you see anything unusual going on, anything that is out of place, please don't hesitate to call the police. Better for Brooklyn to be safe than to have a crime. So again, it does start with each and every one of us."

My condolences to the Hovan family of the passing of Jewel Hovan Blasco. She was a longtime parishioner at St. Thomas More, and as was mentioned earlier, her family has served our city for years. I too would like to thank State Senator Michael Skindell for speaking with us tonight. We did have a range of speakers tonight. Everyone that came up to speak, thank you very much. And I also wanted to thank Greg Frey, Chairman of the Charter Review Commission. The work your commission does is definitely appreciated. I'd like to thank each and every one of you for putting the time in. And I know it takes a lot of time and a lot of energy, and we thank you."

Tonight we heard words from two state elected officials against Senate Bill 5. Tonight I'm asking each member of this Council to support and pass Resolution 2011-3, which is on its third reading. Senate Bill 5 is bad for Brooklyn. Our employees in the City of Brooklyn, as in many area communities, have already made sacrifices by agreeing with no pay raises, or reductions in benefits. The City of Brooklyn stands to lose about \$96,000 from the state. On March 30, 2011 the Plain Dealer reported that between 2013 and 2011 the state would reduce funding to the Brooklyn City Schools by \$1,364,000 or a 42% cut to local funding. That is bad for Brooklyn. Savings seen by the State of Ohio are at the expense of our local community. Cities and schools that have been cut will now probably be asking for more help from area voters. Public workers, such as nurses, police, fire, emergency, teachers, will be taking a big pay hit. Last month I stated the same state legislatures should ante up and also sacrifice and have their benefits reduced too. Yesterday the Plain Dealer took the same position, and it was on the front page of the paper. If you haven't seen it, please take a look at it. It's titled, 'Public workers are taking a hit, what about pay for legislatures?' As Senate Bill 5 hits the middle class, it will have a negative effect on our economy. Just when we need people to buy a new car, go out and dine, make renovations to their homes, and buy, now they're going to have less money to do that. This will have a damaging impact on Ohio's revitalization. There are better ways to save money in Ohio than Senate Bill 5's hatchet job. Senate Bill 5 is bad for Brooklyn, Brooklyn Schools, and employees of the City of Brooklyn. I hope that our City Council supports tonight's legislation to oppose Senate Bill 5. And that concludes my report."

President Kathy Pucci: "Thank you. I too would like to offer my sympathies to the Hovan family at the passing of their mother. And congratulations to Aldo's. Aldo is not only a local business owner, but he's also a resident. So that was really great news for our community that his restaurant was selected as one of the best in the area. I also attended the pancake breakfast, and I just want to thank all the volunteers who worked to make this event such a success.

I have a report from the Safe Routes to School Committee. I've been working on this committee for about two years. We received funding to conduct the study, then applied for two different grants. One for infrastructure, which unfortunately we were not selected as a recipient in this round of funding. The second grant application was under the non-infrastructure category, and this one was selected for funding. We applied for \$77,800 and were awarded \$71,000. This grant does not require any local matching funds from the city or the schools. One of our proposals addressed having bike patrol officers visible as our children are walking to and from school. And we do anticipate being able to assist in the costs associated with this. I want to thank Allison Patrick from the County Board of Health. She's been our team leader in this effort. And also thanks to all of the other members of this hard working committee. We will meet again in May to discuss our next steps.

Last week I met with all the directors and Mary-Jo to discuss the details of our new agenda procedure for Council meetings. Thanks to everyone for their willingness to comply with our new procedure. Chris from Bailey Communications is putting the form on the computer network so directors will have access to it, they will be able to complete it on the computer, then print it out and attach it to their legislation. I know change is not easy; however, I'm confident once this is in full swing we will all be more efficient. I anticipate phasing in period while everyone gets used to the new procedure.

Mr. Krause, who's President of the School Board, did inform me that the School Board did vote not to move forward with the bond issue. And that's not only a decision not to move forward in this August, it's also for sure not at all this year. They're regrouping based on the impact... And I believe the latest estimate of what our school system will lose from the state budget is \$2.4 million over the two years. And Board members were not available this evening. I know one of them wanted to come up and speak to this, but they held a special School Board meeting this evening.

I too would like to thank all the members of the Charter Review Commission. We appreciate your involvement and commitment to our community, and your willingness to serve in this capacity. Mr. DeMarco, I did give a report after... The Economic Development Committee meets approximately every two months, and I think it was probably about a month ago that I did give a report. I could send it on to you. And we are going to be scheduling a meeting sometime towards the end of April. So I will keep you posted. And regarding the sound system, Mr. Kennedy and I started last year looking at what the options were, and we looked at one specifically. We received some more information on a couple other options. We received the information that Mary-Jo was able to gather. And once we got this whole agenda procedure out of the way, I told Mr. Kennedy I want to put that back to the front burner. So we will be taking a look at that soon. There's a lot of different options out there; it's just going to be a matter of how far do we want to go with the technology. And also we have to consult with Mr. Kelber, as far as, you know, what options are available with his equipment also. So I hope that answers your questions. And now we move onto the Mayor's report, Mayor Balbier."

Mayor Rich Balbier: "Thank you Mrs. Pucci. I also want to offer my condolences to the Hovan family. I've known Rich and Peggy for many, many years. I also want to thank Mr. Frey for giving us an update on the Charter Review Commission. And I want to thank all the members of the Charter Review Commission. They give up their personal time, and their only goal is to help the City of Brooklyn. And I appreciate each one of you doing that. Thank you.

As far as Aldo's goes, being one of the best restaurants, they have the best calamari in the world, as far as I'm concerned. So they deserve what they got. I had to make another tough decision, with the grass cutting program. I tried to put it into play about six weeks, and I thought we could do it. But as I progressed, I realize that I'm not going to do it. I'm not going to do the grass cutting this year, for a lot of reasons. One of them is, you have to try to break even with it, and to break even I thought we could do it for \$75 or \$100; but to break even you'd have to charge \$150 per person. And our finances are fine, we're taking in more money

each month, like I said, than we're putting out. But it's the state. Like with this local fund, they may cut about \$100,000 and it'll be twice as much next year. So you don't know what the finances are from week to week. So rather than start something and have to stop it in the middle... I wouldn't want to do that. And I want to make sure that we always have enough money to do the snow plowing for the seniors in the wintertime. So it was a tough decision. I know part of Council wanted it, and part of it didn't. And with gasoline going up, like the gentleman said, it'll probably hit \$4 a gallon pretty soon. So I decided the best thing is not to do the grass cutting this year. I know some people will be upset with that, but that's my decision. And Mrs. Hutkay told me to read this. She said that they are updating their contractor list for grass cutting. If anyone would like their name put on the list to verify, or that they're still on last year's list, please give us a call at 635-4222. So if you want to get ahold of someone to cut your grass you call the Senior Center, she has a whole list of people, and she'll give the ones that are closest to your area.

Brooklyn's been named a Tree City USA for the 26th year, and they asked me to read a Proclamation. The Mayor's Proclamation. To proclaim Friday, May 6, 2011 as Arbor Day in the City of Brooklyn, Ohio. Whereas, in 1872, Jay Sterling Morgan proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. And whereas, this holiday called Arbor Day was first observed with the planting of more than a million trees in Nebraska. And Arbor Day is now observed throughout the nation and the world. And whereas, trees can reduce the erosion of our precious topsoil by wind and water, cutting heat and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife. And whereas, trees are a renewable resource, giving us paper, wood for our homes, fuel for our fires, and countless other wood products. And whereas, trees in our city increase property values, enhance economic vitality of the business areas, and beautify our community. And whereas, trees are a source of joy and spiritual renewal. And whereas, Brooklyn has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways. Therefore, I, Richard H. Balbier, Mayor of the City of Brooklyn, do hereby proclaim Friday, May 6, 2011 as Arbor Day in the City of Brooklyn. And I urge all citizens to support efforts to care for our trees and our woodlands, and to support our City's community forestry program. And also on that Arbor Day, we bring in the students from Brookridge, from Heritage Christian, and St. Thomas More, and we meet in the back here and each one of them is given a seedling. And the seedling this year is a Snowdrift Crabtree. And I remember last year we were giving out pine trees, and I gave one to the little boy, and he asked me what kind of fruit it was going to get. And I told him it was a pine tree. So we're going to do that on Friday.

I also have a notice from the Regional Sewer System. This is for rate information meetings. And it says, 'How is my sewer rate changing', and 'How am I going to pay for this', and so forth. So the Northeast Ohio Regional Sewer District has a seminar on our upcoming rates, affordability programs, and other topics. They have six programs set up, and two of them are in the Brooklyn area. So if you want to find out why the rates are going up, you want to ask them any kind of questions about the sewer. The first one is Tuesday, April 26th from 7-8:30 at Gunning Park Recreation Center. That's at 16700 Puritas Avenue in Cleveland. The other one that's close to Brooklyn is Wednesday, May 4th from 7-8:30 in Middleburg Hts. Community Center at 16000 Bagley Road. So if you have any questions about the sewer commission be sure to attend those meetings.

I have some monthly reports. The Building Department had 49 permits they issued for \$3,003 and 35 contractor registrations for \$2,625. The Senior Center took in \$5,245.09 from social programs and receipts; and charges and donations for services, they took in \$2,648.40. So for the month of March they took in \$7,893.49.

This morning Fran, our Economic Development Director, and myself, we were invited to a meeting. The meeting was for all the Mayors and their Economic Development Directors to meet with the County. When we put this new County Government, when we voted it in, they set up an Economic Development Commission. Mr. FitzGerald's ambition is to get all the cities in the county to work together as one to attract industry and businesses to Cuyahoga County. And they're looking for us to give them ideas, and we talked for two hours, and went on and on and on. And a lot of the things that were brought up were poaching. Like when one city takes a business from another city in Cuyahoga County. And also revenue sharing. So the poaching part, I said if you come up with a committee I want to be on that committee. And we had different Mayors saying how they lost businesses from their city to another city in the same county, and they were just out of luck. So American Greetings' name came up a few times. So they were also discussing revenue sharing, and I've been looking into that. In Summit County they've been doing revenue sharing for years.

The way that works, like if you lose a company, let's say in Brooklyn, and they went to another city in Cuyahoga County, that city would split the city income tax with you 50/50 for five years. And during that five years, if the vacant building in your city gets filled up to the same level that it was when it left, then it would stop. So in other words, you don't take a whole hit from it; and in five years you may be able to fill up the business that left. So every, not everybody, but most people are in favor of this. And the county hopes to have \$100 million in this fund. So we're going to have other meetings. And that's Mr. FitzGerald's goal, is get all the counties to work together, I mean all the cities to work together as one unit in attracting business to Cuyahoga County. And American Greetings' name kept coming up during this. And a couple Mayors, one of the Mayors stood up and said, my Council wanted us to draw up legislation to try to attract American Greetings to our city and I refused to do it. He said, I'm not going to poach on anybody. And fortunately, that's how most of the Mayors are. There's a few that aren't, but that's how most of them are. Hopefully we can make this work.

This Saturday is our Easter Egg Hunt in front of the Senior Center, and it starts at 10:30. And also the Animal Shelter will have a bake sale at the same time. I also received a letter this morning from the Ohio Secretary of State. They were stating the official federal Census for 2010 shows that the City of Brooklyn has a population of 11,169 residents. So if anybody asks you how many people live in our city, that's the figure we're going to use. 11,169. And the reason the Secretary of State sent us this is they're required by the Revised Code Section 703.06 to notify cities that have more than 5,000 residents that they still have their city status. So at 11,169 Brooklyn is still a city. 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. And we'll begin with our Acting Service Director, Mr. Verba."

Dir. Verba: "Thanks Mrs. Pucci. Just a reminder to residents not to put their rubbish out too early. There is an ordinance just to put it out. The earliest that you can is the night before, 6 p.m. We've seen a lot of people that are putting it out way too early. We do have special pickups only on Fridays now, so if you have a big item, an appliance, or paint cans, you can call the Service Garage at 635-4232, and we'll get that for you on Friday. Mr. Murphy, in response to the trucks, they were, the money set aside was for the grass cutting, and we are now looking into possibly purchase a new truck for the Service Garage. The automation, I'm ready to go whenever Council's ready to go for a meeting. I've got speakers lined up, presentations ready. This is the future. A lot of cities are willing to help us out. And I'd also like to give my condolences to the Mayernick family on the passing of Eddie, who was one of our former employees at the Service Garage. That's all I have."

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

Comm. Ockington: "Thank you Mrs. Pucci. As Mr. DeMarco previously mentioned, the Building Department has approved plans for the 25,000 square foot Michael's Craft Store to be located in a portion of the former Tops store at 4798 Ridge Road in Ridge Park Square. We are ready to issue the permits as soon as they apply for them. That concludes my report."

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

Councilman Magrey: "I have no report tonight."

President Pucci: "Thank you. Fire Department, Chief Zemek."

Chief Zemek: "Thank you Mrs. Pucci. My condolences to the Hovan family also. And I just want to let everybody know that this past Saturday we held a preliminary meeting for the involvement for the re-established CERT team, Community Emergency Response Team, and had a good showing. There's about eight people that are interested in joining us, so we'll be pursuing to re-establish this again within the community. Everybody's worried about earthquakes and stuff. I received this from the state government, from the State EMA. I'll leave this out on the counter. It's just a little guideline for earthquakes here in Ohio. Thursday, April 28th is known as the US Shakeout Day, so there will be sirens going off and things like that at 10:15 a.m. And that concludes my report, thank you."

President Pucci: "Thank you. Recreation Department, Mrs. McGinty."

Asst. Mgr. McGinty: "Good evening. Dane and I met with Mayor Byrnes and the Recreation Director Tom Moran from Parma Hts. last week. We discussed how we were going to promote our partnership with Parma Hts. Everyone at the meeting was very excited, and feels that this is a great opportunity for both cities, because we are joining together for our common goal, and that would be beneficial for both cities. Day Camp registration. The first two registrations will be held Thursday, April 14th from 5-7 p.m., and Saturday, April 30th from 11 a.m. to 1 p.m. And then, like the Mayor said, the Easter Egg Hunt will be held this Saturday at 10:30 a.m. Registration starts at 10 a.m., and it will be sponsored by Giant Eagle and the Recreation Department. Thank you, that concludes my report."

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

Dir. Kennedy: "I have no report this evening."

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

Dir. Claussen: "I would just state that I'm happy to see that the ordinance regarding tasers is on the agenda. I know, during negotiations with the police officers that were there for the negotiations, did state that they felt that they wanted a option, and this will give them that, and I think it'll provide better safety for our law enforcement officers. That's it."

President Pucci: "Okay, thank you. Next we'll move forward on the Agenda. Appointment confirmation for Parma Hospital Board of Trustees. 'Dear members of Brooklyn City Council. I hereby request Council confirmation of the reappointment of Mrs. Jacqueline Patton as the City of Brooklyn's representative to the Parma Community General Hospital Board of Trustees. Her current term expires on May 31, 2011. The new term will begin on June 1, 2011. Thank you for your consideration to this matter. Sincerely, Richard H. Balbier, Mayor.' And Mayor, you want to be recognized?"

Mayor Balbier: "Yes, I'd like to be recognized. I called the chairman of the Board of Trustees at Parma Hospital and asked him how Mrs. Patton was doing as our representative, and he was very pleased. He said it takes a long time to get into the swing of things on a board of directors of a hospital. But he was very pleased with her contribution. I asked her if she makes all the meetings, and he says yes, and he was hoping we reappointed her. So I then called Mrs. Patton and asked if she wanted to be reappointed, and she said she did. So I am requesting they take a vote tonight and reappoint Mrs. Patton for a term. Thank you."

President Pucci: "Does anyone want to be recognized?"

Councilman DeMarco: "Move to approve Mrs. Patton."

Councilman Magrey: "Second."

Councilman Patta: "Excuse me, I would like to make a comment."

Councilman DeMarco: "Sorry."

Councilman Patta: "That's okay."

President Pucci: "Mr. Patta."

Councilman Patta: "It's my understanding that Mrs. Patton does not have any legal, medical or social work background. I believe that we should find somebody who does have such a background to be on the hospital board. It's my understanding she was appointed by the former Mayor Patton. At the time I questioned the ethics of that, and I still do; but that's neither here nor there at this point. But I do believe we should find someone who has some type of medical, social or legal background to serve on the hospital board. Thank you."

Councilwoman Gallagher: "May I be recognized?"

President Pucci: "Yes, Mrs. Gallagher."

Councilwoman Gallagher: "In regards to the appointment of Jackie Patton as the City of Brooklyn's representative to the Parma Community General Hospital Board of Trustees, Mrs. Patton has attended all of her meetings, and is respected by her colleagues. It's difficult to find residents to fill these boards, so in my opinion we should allow her to continue her dedicated service. That concludes my opinion."

President Pucci: "Thank you. Anyone else want to be recognized?"

Councilman Magrey: "Could I be recognized?"

President Pucci: "Mr. Magrey."

Councilman Magrey: "Yes. I've know Jackie Patton for a number of years. As an individual she has worked as president of the Laurel Garden Club, she's been active in the community with the Brooklyn Democratic Club, and she's carried herself well with the City of Brooklyn. And I think, upon her record with the board, I think that we should reappoint her. Thank you."

President Pucci: "Anyone else? Okay, we have a motion and a second to reappoint Mrs. Jacqueline Patton to the Parma Hospital Board of Trustees."

Clerk Banish: "To confirm the appointment, Joe Magrey."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

"Colleen Gallagher."

Councilman Magrey: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Councilman DeMarco: "Yes."

Councilman Patta: "No."

Councilwoman Gallagher: "Yes."

President Pucci: "Okay, it carries 5-1."

Mayor Balbier: "Thank you very much."

President Pucci: "Next we have a letter from Mr. Verba. 'Dear Mayor and members of Council. I hereby request authorization to enter into an agreement with Cargill, Inc. Salt Division, in cooperation with the Brecksville Purchasing Consortium. The bid opening was on Friday, April 1, 2011. After review of the bid results, Cargill, Inc. submitted a cost in the amount of \$47.97 per ton for dump delivery and \$50.97 per ton piler delivery. With this contract there will be an increase of 76 cents per ton dump delivery and a 26 cent increase per piler delivery. This agreement will be in effect as of November 1, 2011 through November 1, 2012. Attached you will find the documents pertaining to this contract. Sincerely, John Verba, Acting Director of Public Service.' In the Finance Committee meeting we raised the issue that there are some other avenues for pricing for salt, ODOT and the state pricing contract. So because there is no time issue, because this would not be effective until November 1st of this year, I'll entertain a motion to hold this in abeyance until Mr. Verba can come back with a little bit more information for us."

Councilwoman Gallagher: "Move to hold in abeyance."

Councilman DeMarco: "Second."

Clerk Banish: "To hold in abeyance, Joe Magrey."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

"Colleen Gallagher."

Councilman Magrey: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

President Pucci: "Next we have a liquor permit. And this involves just a stock change. And it is for Yesterday's Lounge, 7104 Biddulph Road. And the previous ownership was split 50/50 between Edward T.

Walsh and Thomas E. Walsh. The change will be 100% for Edward Walsh. And Chief, you have no objections to this?"

Chief Tenaglia: "No I don't."

President Pucci: "Thank you very much."

Councilwoman Gallagher: "Move with no objection."

Councilman Magrey: "Second."

Clerk Banish: "For a position of no objection, Joe Magrey."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

"Colleen Gallagher."

Councilman Magrey: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

President Pucci: "Okay, next we come to the public participation for legislative items on the agenda only. If anyone has any comments or questions regarding legislation on our agenda this evening, please step to the podium, state your name and address for the record, and there is a three minute time limit."

Tom Adamski: "Tom Adamski, 9625 Melody Lane. My questions are directed to the Fire Chief regarding Ordinance 2011-19, which is entitled Residential Smoke Detectors; Require the installation of photoelectric smoke detectors under certain circumstances. Chief, my first question is, under residential does that include the apartments that are in Brooklyn?"

President Pucci: "You can answer Chief."

Chief Zemek: "Yes it would."

Mr. Adamski: "The next question I have is, what are certain circumstances and other updates that pertain to residences?"

Chief Zemek: "Well in certain circumstances would be naturally if they cannot be afforded by our senior population, then we are looking at going for some grant money to provide those free of charge to our residents, like we do the older detectors now. The updates would just mean if there was something better coming out, a more advanced form of a photoelectric detector, naturally we would reserve the right to update once again that legislation."

Mr. Adamski: "Would this cover any new construction of residences that would possibly occur?"

Chief Zemek: "Yes it would. That would be the biggest part of it."

Mr. Adamski: "And if I'm understanding correctly, in the past, if a resident wanted a detector installed in their house, that that's still going to be available to the residents."

Chief Zemek: "Yes it is. It's available presently, and again, if we could get the grant that I went for, we'll update our detectors that we're giving out, we'll install those new style detectors."

Mr. Adamski: "The other thing that I wanted to mention to our residents is that the Fire Department also provides a safety search in the house..."

President Pucci: "Mr. Adamski, that's going off legislative items."

Mr. Adamski: "I thought that was, isn't that covered under this also?"

President Pucci: "No."

Mr. Adamski: "Alright, thank you."

President Pucci: "Thank you. Anyone else have any comments or questions on legislative items on our agenda this evening? Okay, **RESOLUTION 2011-3**, which is up for third reading and adoption this evening. Objecting to Senate Bill 5 which would eliminate collective bargaining for state employees and reform collective bargaining rules for local government employees. I imagine there are going to be some comments, so first we'll have a motion and a second to get it on the floor; and then if anyone has any comments they'd like to make, they'll be recognized at that time."

Councilman Murphy: "I make a motion it be adopted."

Councilman Magrey: "Second."

President Pucci: "Does anyone have any comments?"

Councilwoman Gallagher: "I do."

President Pucci: "Mrs. Gallagher."

Councilwoman Gallagher: "May I be recognized?"

President Pucci: "Yes."

Councilwoman Gallagher: "I support unions; however, as part of a 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, I will formally abstain from this resolution; but I personally oppose Senate Bill 5 as it reads at this time."

President Pucci: "Anyone else have any comments?"

Councilman Patta: "Yes I do, thank you."

President Pucci: "Yes, Mr. Patta."

Councilman Patta: "Very briefly, I have outlined my position on this the last couple of weeks. Personally I'm opposed to it; but I believe, sitting up here, I'm not sitting up here as the husband of a school teacher, I am sitting up here as a Councilman for the City of Brooklyn. And I think for the City of Brooklyn itself it is in the best interest of the city. Thank you."

President Pucci: "Anyone else have anything they'd like to say? Okay, I would just repeat my comments. I am opposed to Senate Bill 5; however, I work part-time for a public employer, and because Senate Bill would impact me personally, I am prohibited from taking a vote on it. So I must abstain. Mary-Jo, would you please call the vote."

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

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

President Pucci: "Okay, so we have two yes votes, one no vote, and three abstentions. So it does not carry. Next we have **ORDINANCE 2011-19**, which is on for second reading. And after consulting with the Law Director, the Fire Chief, the Building Commissioner, and our Assistant Clerk of Council, what we're going to do this evening is we're going to table this, and that those parties are going to work together. We think it's going to be better if this actually gets split into two different ordinances. One would address the Building

Code, and the other one would address the Fire Prevention Code. This way it's going to be much more clearer, and especially when we have to cross reference other statutes. So we need a motion to table this."

Councilman DeMarco: "Motion to table Ordinance 2011-19."

Councilman Patta: "Second."

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

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

President Pucci: "**ORDINANCE 2011-20**, which is up for second 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 is needed. And I announced at the last meeting that our current contract provides that we pay \$9 per unit; this would increase it to 17.50 per unit. Before we vote to put it on second reading we have an amendment. So I'm going to need a motion to amend. There are three places in the contract that states that this will be entered into this day or (blank) in 2010. We need to amend where 2010 is referenced and replace it with 2011."

Councilman DeMarco: "Motion to amend."

Councilman Murphy: "Second."

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

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

President Pucci: "And now we need a motion to place on second reading 2011-20, as amended."

Councilwoman Gallagher: "Move to put on second reading, as amended."

Councilman DeMarco: "Second."

Clerk Banish: "For second reading, Joe Magrey."
"Tom Murphy."
"Kathy Pucci."
"Tony DeMarco."
"John Patta."
"Colleen Gallagher."

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

President Pucci: "**ORDINANCE 2011-23**, which is also on for second reading. Amending Section 7.4(A) of the Personnel Policy Manual of the City of Brooklyn relating to sick leave conversion. And I believe we discussed this more in-depth at a previous Finance Committee meeting. This is going to reduce the sick time conversion for our non-union employees. They will now be in line with what our unions had agreed to, which is a cash payment equal to their hourly rate of pay at the time of retirement, multiplied by 33% of the total number of accumulated but unused sick hours earned by the employee, not to exceed a maximum of 900 hours of pay."

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

Councilman DeMarco: "Second."

Clerk Banish: "For second reading, Joe Magrey."
"Tom Murphy."
"Kathy Pucci."
"Tony DeMarco."
"John Patta."
"Colleen Gallagher."

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

President Pucci: "**ORDINANCE 2011-25**, which is on for first reading. Authorizing the purchase of Tasar devices and related accessories for use by the Brooklyn Police Department. We will be purchasing the 20 tasers and the accessories for a total cost of \$21,730.85 per the State Term contract. And the funds for this are coming out of our POPAS funds. This is the fund that when the police are on POPAS patrol the tickets that are issued go into a special fund, and then we are able to then purchase equipment for our officers."

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

Councilman DeMarco: "Second."

Clerk Banish: "For first reading, Joe Magrey."
"Tom Murphy."
"Kathy Pucci."
"Tony DeMarco."
"John Patta."
"Colleen Gallagher."

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

President Pucci: "**ORDINANCE 2011-26**, which we will be passing by emergency measure this evening. Authorizing inter-fund transfers and advances during 2011."

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

Councilman DeMarco: "Second."

President Pucci: "Let me just say what it is. We're going to advance back \$50,000 from the Termination Leave Fund back to the General Fund."

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

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

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

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

President Pucci: "Does the Mayor or any other member of Council have anything they'd like to add?"

Councilman DeMarco: "If I could be... Go ahead Mayor."

President Pucci: "Mayor."

Mayor Balbier: "Just wanted to say, remember to bring the little ones to the Easter Egg Hunt on Saturday."

President Pucci: "Mr. DeMarco."

Councilman DeMarco: "Just a couple of items. One I forgot. I did have the opportunity a couple weeks back to walk some of the sidestreets with our City Engineer; and as some of you may know, they're not in fantastic shape. We do have the financial capacity to make some of these infrastructure improvements, and we need to do that on a regular basis, or we're going to continue to have deterioration in our roads and our buildings. So I'm awaiting anxiously to see what the report comes back, and then how many streets we are able to make improvements to this year. Secondly, on the grass cutting, although I don't like to start and stop particular programs, and this really isn't anything to do with an election issue, I feel this is a service that the residents deserve. None of the departments in this city operate at break even. So I was very supportive of trying to reinstitute this program, and it's unfortunate that we're not able to bring it to a vote. And just in terms of the economic development, if you could provide some specifics as to what we're doing, I would be appreciative of that. And that's all I have."

President Pucci: "Anyone else?"

Councilman Patta: "May I be recognized?"

President Pucci: "Yes, Mr. Patta."

Councilman Patta: "Thank you. I'd like to just applaud the Mayor on not going forward with the grass cutting program. I don't believe now is the time to reinstitute that that program. I think, given the circumstances the city is facing, the uncertainties of American Greetings and the landfill, it would irresponsible at this time to go forward with grass cutting. Thank you."

President Pucci: "Anyone else? Okay, then we need a motion to adjourn."

Councilwoman Gallagher: "Move to adjourn."

Councilman DeMarco: "Second."

Clerk Banish: "To adjourn, Joe Magrey."

"Tom Murphy."

"Kathy Pucci."

"Tony DeMarco."

"John Patta."

"Colleen Gallagher."

Councilman Magrey: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Meeting adjourned.

Asst. Clerk of Council

President of Council