

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

October 24, 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: "Tony DeMarco."
"John Patta."
"Colleen Gallagher."

Councilman DeMarco: "Here."
Councilman Patta: "Here."

President Pucci: "Mrs. Gallagher is ill this evening."

Clerk Banish: "Joe Magrey."

President Pucci: "And Mr. Magrey is also ill this evening."

Clerk Banish: "Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

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

President Pucci: "Next we'll have reading of the Agenda. Approval of the minutes of April 25, 2011; presentation by Mr. Ivan Schwarz; public session; reports of committees, commissions and boards; Council reports; Mayor's report; directors' reports; public participation for legislative items only; Ordinance 2011-58, Authorizing the Mayor of the City of Brooklyn, Ohio to enter into a contract with the International Association of Firefighters Local 1145; other matters that may come before the Council; and adjournment. At this time I'll entertain a motion for the approval of the minutes of April 25, 2011."

Councilman Murphy: "Motion to approve."

Councilman DeMarco: "Second."

Clerk Banish: "To approve, Tony DeMarco."
"John Patta."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

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

President Pucci: "At this time I'd like to recognize Mr. Councilman DeMarco, Tony DeMarco, who's going to introduce Mr. Ivan Schwarz of the Greater Cleveland Film Commission."

Councilman DeMarco: "Thank you. Early this year I had the pleasure of meeting a gentleman through a mutual acquaintance, who happens also to be this group's legal counsel. And from our initial meeting I realized very quickly that this person is exactly what is badly needed in Northeast Ohio. Ivan is a positive, energetic, bright, experienced and major focused individual. I commented to him that our region needs many more people like him, so that together we can succeed. We have had several meetings since that time, and I've also introduced Ivan to our Mayor, the Finance Director, our Police Chief and our Law Director. If anyone questions this gentleman's commitment to Cleveland, simply look to his family, who uprooted from Los Angeles, California and moved to Cleveland, Ohio. And I'm not sure how many people can say that in this town. So we love having you here. And I am hopeful that this will not be the last time we'll be hearing from Ivan. So with that, let me introduced to you the executive director of the Greater Cleveland Film Commission, Ivan Schwarz."

Ivan Schwarz: "I just want to thank Councilman DeMarco for inviting me here today. We have been working together, and also with the Mayor, to... Basically what we're trying to do is we're trying to build a film industry in the State of Ohio. So what we're trying to do is..."

Councilman Murphy: "Mr. Schwarz."

President Pucci: "I'll handle it Mr. Murphy. Could you just move the mic up a little bit please? There you go, perfect. Thank you. We want to make sure everyone could hear you."

Mr. Schwarz: "Oh, I did that on purpose. So the way we're doing that is, we need to create... You know, I moved here five years ago now from Los Angeles. I was working on an HBO series called Entourage, and I was just sort of done with living in Los Angeles, and I had just had a baby, and I didn't want to raise my children in LA. And I had come through Cleveland back in 1999 when I was scouting for another HBO series called Band of Brothers. And we were looking for dis-used military bases, and so I was in Ohio, and I always thought in the back of my mind what a great place to raise a family. And I had no idea what I would do here, but it's always resonated with me. So moved to Europe, lived in London for five years, met my wife, came back to Los Angeles, we had a baby, and I realized, in the back of my mind, I was like, well where can I go where we can have a great quality of life and to make a difference. And an opportunity came up in Cleveland, coincidentally, and we took it. We packed our house up, we moved out here, and six months later we were both pretty much convinced that we were not going back to Los Angeles, and that we loved living in the Cleveland area. And we've never looked back since, and it's been five years. And what we're trying to do here, what I'm trying to do here with my staff is, we're trying to build a film industry. People are getting very excited that we had a lot of movies here this summer. The Avengers, and I, Alex Cross, and Boot Tracks, and Fun Size, and we're getting a lot of attention for that, and that's great. But what I want to do is, I want it to be so anybody that wants to work in the film industry can do so 365 days a year. And we need to do something in, I believe, in Northeast Ohio. And in Ohio where we need an industry that attracts young people and gives young people a reason to stay here, and a reason for young people to come here. And I don't think there's an industry in the State of Ohio that caters to young people in large numbers, and also provides them with a living wage that's, you know, starting wage in the film industry is about \$500-\$600 a week, and that's your entry level wage. And the average person probably makes \$65-75,000 a year on the film set. And living in New York or LA that buys you a curb; in Cleveland it buys you quality of life. And that's what we're trying to do.

We're trying to build something where, so young people, and you know, people who have lost their jobs, because the truth is, working in the film industry is not rocket science. It's a skill that you can learn with getting a few films under your belt, so that you can move on and then move up and have a great, a good job, working in an industry that's cool. You don't have to wear a suit and tie; most of the days it's shorts, except for in the winter. And you make a really good living. And we need to do something that keeps young people here and engaged in our community. And I also think that if we don't do that, the creative culture that we do have, and that we're clinging to now with the Orchestra, and University Circle, is going to go by the wayside, because we don't have that next generation coming up to take over the reins from the current generation. And I think that having a film industry is vital to the survival of Northeast Ohio. The average age of Northeast Ohio is 40 years old, and I think that's, I'm over that, and I think it's too old. I think we need to start working on bringing that age down, through the industry. And what we want to do, and what we're looking at, it's no secret now, is we've been looking at building infrastructure. For four years I've been looking on how can I build something that's going to be sustainable, and have that physical infrastructure that the industry needs. And it's not just sound stages, what it is is also creating an environment where businesses from outside the State of Ohio will want to come here and set up shop. Because we need those businesses in order to support a film industry. I equate it to, I don't know if anybody here has been to Fort Campbell, Kentucky; but Fort Campbell is in the middle of nowhere, but it's surrounded by these small towns, and those towns are there solely to support Fort Campbell. If Fort Campbell wasn't there, those towns wouldn't be there. And those are the businesses that we're trying to attract to Ohio as well. The businesses that wouldn't be here if it wasn't for the industry, but the industry needs them. And it's in the industry's interest to attract these businesses, because they will count for the film incentive, which I spent the first 2½ years writing and passing in the Legislature, which allowed us to have a level playing field and be competitive with 40 other states that have an incentive that are also trying to do this. The one thing I think we have a leg up on from other states, and which makes us competitive, is my goal was never to bring movie stars here, and to have that excitement, and then that would be what I considered success. You know, it was great to be downtown in Cleveland. It was great to see hundreds of people coming to see the Avengers, that normally wouldn't go downtown. But that's just part of it. What I don't care about is like the movie stars and all that kind of stuff; what I care about is jobs. What I care about is having enough of these movies going year round, where anybody that wants to work in the film industry has the opportunity. And if we're successful, or I should say when we're successful, which is, you know, it's like two to three years, we'll have

created probably around 5,000 jobs in the industry and in the ancillary businesses surrounding the industry, that don't exist in Ohio today.

So that's kind of what we're trying to do. We're hoping that we can find a home here in Brooklyn. We're working closely with American Greetings, to turn that into a media technology park. We are working on that very hard, because I believe that we can turn that into a place that, not only are we going to be able to make movies, but also help create a creative workforce in media technologies, such as gaming, animation, and software that is being developed for the industry. And there's no reason it can't be developed here. It doesn't have to be developed in northern California, it doesn't have to be developed in Los Angeles, it doesn't have to be developed in New York. You know, you can make... I was talking to somebody recently that, you know, the starting wage for somebody out of college going to work in the Silicon Valley is about \$150,000 a year; but they have \$100,000 a year kind of lifestyle. And in Cleveland you could pay them \$100,000 a year, and they would have a \$300,000 a year quality of life. So, and people are looking for quality of life now. People don't... You know, the people who want to live in LA are in LA, and they're going to stay in LA; but people are really looking for quality of life. I mean, I don't have any family here, there's no reason for us to be here, other than my experience I had back in 1999. It resonated with me. I thought Cleveland had this amazing sense of community. I love the way that it comes together. And it's always resonated with me. And I'm not the only one that is going to have that feeling. We bring a lot of people here. Everybody we've brought in has basically said that this is amazing. What an amazing city. What a beautiful city. You know, we had 1,000 people, film makers coming through Northeast Ohio in the last year, and we didn't hear one negative, even smirky comment from anybody. Everybody kept saying, oh my God, I had no idea, this is fantastic. The food's great. You know, we went to Cedar Point, we walked through the Metroparks, and we took bike rides through the Metroparks. We did... You know, they took advantage of everything that we have to offer here, and it was easy. You know, here in Northeast Ohio we have sort of a rush 15 minutes, where in Los Angeles the rush hour lasts the entire day. So there's a lot of reasons why we can be successful. There's a lot of reasons that are going to make us successful, that exist here. And communities like Brooklyn and Cleveland are the reasons why we can be successful. Because it's the people here, and the people that we're hiring, and getting jobs on these films, that are really making the mark for these film makers and these producers. And when they come back, you know, we've had a couple, with the Avengers was a repeat customer. The executive producer was somebody I've known for years. She had come out here for a movie called The Soloist. And then when, back in, I don't know, my mind is going, it seemed like yesterday but it wasn't yesterday, and then she came and they called me when Michigan pulled their incentive, she called me and basically said can you be in LA tomorrow. And that was on a Thursday night, on Friday morning I was on a plane to LA, Friday night we came back with the Avengers. And it was all because I had a relationship with this person. People, you know, Cleveland resonates with people. And I'm hoping that this is, as Tony said, the first of many conversations that we can have, you know, going into the future, and hopefully we'll have a more permanent residency in Brooklyn. But for me to be successful, for us to be successful as a region, we have to build infrastructure, and keep movies coming here, and providing really good service for people.

So I just wanted to, I really thank you, Tony, for inviting me, and Council President and Mayor, for having me, to be able to talk to people; because the best thing for me is getting the word out one person at a time. You know, advocating for this. I'll talk to anybody about anything so that we can move this forward. That's how important I think it is to Northeastern Ohio. And I was telling you I have no, we don't, we don't have any roots here. There's no reason for us to be here other than we really, really love living in Northeast Ohio, and it's our home, and it's where we're raising our children. And one of the reasons that I really want to be successful is I want to take that Cleveland-ship that's so prevalent, and I don't want my kids growing up with it. I want my kids thinking they can do and be whatever they want to be. And one thing I found here is that, you know, the worst, Cleveland is its worst enemy. This is an amazing region. It has amazing resources, and the people are amazing. And when people come up to me and ask me why did you move here, I'm like, look around. You have Memphis Kiddie Park right here. My kids spent a ton of time here. You know, you have... And it's all within like 10 or 15 minutes. We have an amazing quality of life. And to be able to do something that I'm passionate about, and that I love, and also have the 15 minutes from anything that we want to do is fantastic. So I thank you for the opportunity, and I look forward to working with you."

President Pucci: "Thanks."

Mayor Balbier: "I'd just like to say something. I met with Mr. Schwarz a few times, and I always get the feeling he's checking us out to see if we want him here. So I just want to say publicly we want you here, we welcome you, and I hope you end up here. Thank you."

President Pucci: "Okay, next we'll move onto our public session. If anyone has anything to say for the good and welfare of the City of Brooklyn, please step forward to the podium, state your name and address for the record, and please observe our five minute time limit."

Mary Lee Bowen: "Good evening everyone. Mary Lee Bowen, 4783 Tiedeman Road. Based on comments from the Board of Elections, I want to remind everyone who requested vote by mail ballots to complete all information on the ballot and the envelope to make it valid. And of course, remember to mail it in on time with 64 cents postage. To all voters, I want to again urge you to vote in this election, which is so critical to the future of Brooklyn. I also have a comment about our guest speaker, Mr. Scharwz of the Greater Cleveland Film Commission. Several people have cited his group as being able to replace the tax revenue that will leave Brooklyn with American Greetings. Many of us are wondering how they would replace the income taxes from a profitable billion dollar company, and from nearly 2,000 of its full-time employees here in Brooklyn. That is more than \$3 million a year. His presentation, I believe, would have been far more meaningful had he covered this in detail. Thank you."

Bob Kinney: "Bob Kinney, 4208 Springcrest Drive, Brooklyn. Amongst the many things I would like to talk about tonight, I don't know how much time I'll be able to work on. But I want to start with, to all the candidates that are sitting up here behind me, and to ask that you please stop the bleeding of our city. School levy, \$12.5 million; animal shelter, \$500,000 and growing; Polaris, \$7 million and growing; city income tax, I have no clue, but I want to say millions and millions and millions of dollars. I direct this letter that I received to the Mayor. This states the meeting happened last November, and Chief Tenaglia, Kay Hutkay, Tom Ockington, Dennis Kennedy, Dane Hammond, Scott Claussen, and the Fire Chief were in attendance. Mayor Balbier asked them to come back to him with wish lists, as he had more money than he thought he would have, and needed to spend it. He told some of them that he had to spend the money before the firefighters found out, because they were still negotiating, and he had to be tricky about the money. I questioned Mr. Kelber over there about the Candidate Night video, who authorized it to be edited. He said it wasn't edited. And then I wanted to know who had the authorization to only show it four or five days. Now his contention was that it had been showed for two weeks. And I disagree with that. The Mayor told us that it was going to be aired on the 13th and the 14th, and it ended up being like four or five days. Last Friday we had a Brooklyn Democratic Club meeting. And on Thursday I was called and told, or asked, if I could allow Katherine Gallagher to speak. I asked Colleen if she was a Democrat, and she said yes she was. Then there's no problem. Well, the next day, which was a Friday, I found out that she is not a registered Democrat. And then Katherine herself called me and said she's not a registered Democrat because it would conflict with her job. I'd still like some of those questions answered. At that Democratic Club meeting I was really, really reamed out by Don Hilberg, who does not attend any meetings, nor does he attend Council meetings. Didn't like the way that the Candidates Night was handled. And I told him he was entitled to an opinion; but at the same time, how many meetings has he attended. Well he of course didn't have an answer to that one. I then was confronted by Colleen Gallagher, basically saying the same things, how her and Mike were doing so well in the past, and I, of course, don't do it right. When I asked for a ward leader report, Mike Gallagher wasn't there. Unfortunately, nobody told me that Mike Gallagher, his brother Pat Gallagher, I believe it is, had resigned..."

President Pucci: "30 seconds Mr. Kinney."

Mr. Kinney: "Okay. He had, they had, resigned due to conflict of interest with their county jobs. There are people up here against the safety forces. That would be Kathy Pucci, that would be Colleen Gallagher, that would be John Patta, and Mr. DeMarco. And I guess that's all I have time for. Please, stop the bleeding."

Tom Adamski: "Tom Adamski, 9625 Melody Lane. First I would like to appeal to all the residents to vote yes on all the Charter recommendations that you will see. These were discussed by the Charter Commission, and are necessary to update our Charter. Second, and most important, I'd like to discuss House of Representative Bill 4646. The origin of the Bill goes back to 2004 when Representative Fauta of Pennsylvania presented a Bill calling on Congress to fund a study regarding the replacement of the Federal Tax Code with a transaction fee based system. In 2005, 2007, 2009 he submitted similar Bills. None of

these Bills was ever put to a vote. In 2010 Rep. Fauta moved beyond proposing studies and submitted the Debt Free America Act, House of Representatives 4646. A Bill calling for the implementation to pay down the National Debt and eliminate federal income tax on individuals by imposing a 1% fee on specified financial transactions. The term specified transaction means any transaction that uses a payment instrument, including any check, cash, credit card, transfer of stock, bonds or other financial instrument. The term transaction includes retail and wholesale sales, purchases of immediate goods and financial and intangible transactions. Persons become liable for the fee at the moment the person exercises control over a piece of property or service, regardless of the payment method. The Bill provides for individuals earning \$125,000 or less to receive a credit equal to 1% of the income against the tax. And it gives the Treasury Department discretion to exempt certain transactions on which lower income people disproportionately rely on. The Bill, HR 4646, was introduced on September 14, 2011 by US Representative DeFazio of Oregon and US Senator Harkin of Iowa. Unnamed sources say they plan to submit and enact passage after November election. The 1% transaction fees applies to the following: any deposit you make, any withdrawal, any transfer within your account, a transfer to or from savings and checking, any ATM transaction, if your paycheck or Social Security check is direct deposited, if you carry a check to your bank to deposit, if you take cash in to deposit, if you receive any income from bond or a dividend from stock, any real estate transaction. All these that I mention are substantive of 1% tax. Some additional details. If you weed out the pros and cons of this, first of all, neither President Obama's financial team nor Nancy Pelosi is recommending a 1% transaction fee. I went to Snopes.com, which basically weeds out the false e-mails that go around and represent a more objective view of this. While they say the enactment is doubtful, I still recommend that most people follow this, whether it passes or not, because I firmly believe that a knowledgeable voter is an informed voter. Thank you."

Rocky Neale: "Evening. Rocky Neale, 4552 Winter Lane. And I am representing the Brooklyn School District. Just a few notes. On October 13th we had six inductees into the Brooklyn School City Hall of Fame. It was a wonderful event. Happens every two or three years. If you ever have a chance to get involved, please do so. Over Labor Day weekend the elementary school at Brookridge had a pipe burst on September 6th. It was flooded, and we just had it all cleaned up. It's been inspected by the EPA. They just delivered the boilers today. The other ones were ripped out. All the safety regulations have been followed. So we just wanted to update and let the people know that we're staying on top of what we've done. Hoping the insurance company has just given us note that we should have the boilers in place and proper heat by November 3rd. Right now there's temporary heat, if needed. Alright? Thank you."

Ron Van Kirk: "Good evening, my name is Ron Van Kirk, I live at 10122 Manoa. I too would like to remind voters that Election Day is just two weeks from tomorrow. It's hard to believe. I do not need to tell you the importance of both the Mayoral and the Council races. However, there's some other ballot issues, besides the races for city offices, that are important. Much attention has been given to Issue 2, and rightfully so. But there's another very important I wanted to bring our residents' attention to. Issue 3 is entitled to preserve freedom of Ohioans to choose their health care and healthcare coverage. As it stands, soon federal law could require all citizens to obtain healthcare, and if you choose not to you will be penalized. A yes vote to this amendment will allow that decision to be out of the federal government's hands and will stay right here with Brooklyn residents and Ohioans. There's a couple of other also issues with this amendment as well. But I urge all Brooklyn residents, whether you're looking at these amendments or these issues, and the candidates for Council or for Mayor, that you find out the truth for yourself. There's a lot of misinformation out there about a lot of people, and about a lot of these issues; and it's very important that you find out for yourself what the truth is. Don't take my word for it, don't take someone else's word for it. You should have trustworthy individuals up here on Council and the Mayor's seat. But it's your responsibility as a voter to find out the truth for yourself. And that's what I would encourage you to do. If you have any questions on this issue, on other issues, I'd be happy to try to help you out, and give you the information that I have and where I found it. You can call me at 216-965-5737. Again, that's 216-965-5737. And I thank you for your time; and don't forget to vote in two weeks on November 8th."

Shirley Palumbo: "Shirley Palumbo, 10218 Micka Drive, Brooklyn. I'm the founder and former president of Brooklyn Animal Shelter. From the beginning we have been willing to work with and get along with any Animal Control Officer. Even before the Shelter opened, we gave up our storage area on the first floor, because she wanted a bigger office. In the first 18 months she was Animal Control Officer she started criminal investigations on nine different volunteers, including the entire Board of Trustees of 2011, and one volunteer who was accused of animal cruelty because he tapped an out of control dog on the top of the head

to get its attention. The ACO fostered a Pit Bull from Lakewood Buds Animal Rescue in one of the kennels in the dog intake room. The City of Brooklyn and BAS both paid its vet bills. The dog ended up biting a volunteer. The volunteer quit after the Animal Control Officer refused to report the bite to the Health Department. The Animal Control Officer put up a sign stating that the dog might give nippy kisses in lieu of a warning to the volunteers. The Animal Control Officer refused to allow BAS to use its quarantine room for animals who had ringworm. Instead she told them to put the animals in a colony room, despite the known protocol for the treatment of ringworm, which calls for isolation and quarantine in separate cages. Several volunteers and citizens of Brooklyn went to Mayor Balbier to complain that the Animal Control Officer was berating volunteers, calling them mother f-ers, and threatening them with a criminal investigation to keep them in line. I was told the volunteers did whatever she told them because they were afraid. They were also told to throw away thousands of dollars worth of cabinetry and Formica countertops that had been donated by Kaiser Permanente, saying it was contaminated. This equipment could have been sterilized. Another volunteer called me in tears, saying that the ACO demanded that 13 animals be moved out of the intake area by the end of one day, or she was going to euthanize them. In response to these complaints and others, the Service Department was ordered to put a lock on the door to the intake and quarantine area to limit the interaction between volunteers and the Animal Control Officer. Last fall the Shelter was home to 65 cats and 16 dogs, overcrowded, because the ACO was taking in animals from outside Brooklyn. When volunteers complained, we were chastised, because we signed the impound form when the Animal Control Officer turned them over to us. Many times we would have been taking care of these animals for weeks before they were turned over to us to take to the vet and get them spay/neuter and adopted. We were never able to then say we couldn't take them, because she should not have taken them in in the first place. Our shelter is only for the City of Brooklyn, according to our ordinance. Shortly after volunteers complained to the Mayor, Police Chief Tenaglia called then president Nancy Kofron to warn her to lay off the ACO. Then police detectives Brian and Cindy began coming to the Shelter, looking at our records, saying there was a criminal investigation going on. We were not told what we were being charged with, but they paid particular attention to a form I made, that records the intake and output of animals, meaning what they've eaten, if they've gone to the bathroom, and so forth. I made this form when I was at Parma Shelter, so we could take it with us to the vet when the animal had an appointment. We don't even keep the form after the animal is adopted, it's not a legal form that shelters have to do. The police detective were very critical if someone forgot to fill out the form or stated there was no food or water. Some animals are lively in their cages and knock their water over, so the next volunteer would circle none. We love our animals in our care, and doing our best to see that they are taken care of to the highest standards recommended by the UC Davis College of Veterinary Medicine."

President Pucci: "30 seconds Mrs. Palumbo."

Mrs. Palumbo: "Volunteers are human, sometimes mistakes are made; but no animals have been harmed. We have two shifts a day for cats and three shifts a day for dogs. Pretty much most of the day there are volunteers caring for or playing with animals in the Shelter, cleaning, washing clothes, and doing paperwork. To my knowledge, no other animal shelter volunteers have had to endure such scrutiny by their city police department. When one volunteer complained to the Animal Control Officer that her behavior might hurt the Shelter and cause it to close, she was laughed at and told, they love me down there, I will always have a job."

Nancy Kofron: "Nancy Kofron, 4091 Brookhill Circle. I've been with the Brooklyn Animal Shelter since the beginning. And I'd like to read you a section of the Brooklyn Animal Shelter's lease agreement. Section 8. Attempt to resolve differences. BAS and the city agree to work together to make the Animal Shelter a successful venture for the benefit of the residents of the City of Brooklyn. The parties agree to, in good faith, try and resolve any and all points of conflict by working together and meeting with each other. We all enjoy working with the animals, and will continue to do so, and we hope the city will work with us on this also. Thank you."

Debbie Shiroki: "Hi, my name is Debbie Shiroki and I live at 6019 Biddulph Road. I've been a volunteer at the Brooklyn Animal Shelter for over a year now. The National Humane Society reports there are..."

President Pucci: "Excuse me, could you put the microphone just a little bit closer? Thank you."

Ms. Shiroki: "Sure. The National Humane Society reports that there are 4 million dogs and cats put down each year. I know the Brooklyn Animal Shelter is a no-kill shelter. Question, is the City of Brooklyn

responsible for the unnecessary killings of innocent animals. We provide individual medical attention for all of our animals in the Shelter. Question, does the City of Brooklyn provide the same? One of our volunteers recently adopted a dog from the city. When she took it to the vet there was minimal paperwork on the animal itself. It had no shots and was not seen by a vet and was not spayed or neutered. The city just recently also had three puppies, one of whom my family and I wanted to adopt. But now they are gone. I know for a fact one of them was taken away by the ACO. Where did they go? Did they find? I'd like to see proof of that. What exactly happens to the animals when they come in from the city and the ACO? The city has been scrutinizing the way we've been running the Shelter. Why? What are the grounds for these harsh feelings? Why are we looked down upon for having a voice for these innocent animals? We are only volunteers. We do not have to volunteer; but we are very dedicated and passionate about the Shelter. There are some of us that are up there daily taking care of dogs and cats. The Shelter follows strict sanitation protocols. Yes, we do have our differences, as with any other organization or business; but I am proud to say I volunteer at the Brooklyn Animal Shelter, and I will stand by the Shelter. Thank you."

Kit Krause: "Hello, my name is Kit Krause, I'm at 4764 Heather Lane. I'm here to represent the Brooklyn Animal Shelter tonight. First of all, I want to give you some background pertaining to the last three months. I was told by some Animal Shelter trustees and volunteers that there was problems three months ago, and that they were coming from City Hall and the Animal Warden. Honestly, I didn't believe it. I was there at that time as the fundraising chairman. I did step up since then, and I was involved with the board of trustees and then became the president. Now I am appalled by the lack of communication, and the total disrespect happening to the volunteers and the animals at this Shelter. I immediately went to the Mayor, who I update on average weekly, and I asked him for some respect and for some open communication. He told me that I was to work with the Animal Warden and a detective, known as a liaison to his office. I sat down with the warden and a detective and told them I have an open door policy, that I'm available 24/7; and I'm available to help anytime to make sure we can straighten out any dis-opinions of health, or new crews, of anything else that would come to make the success of this animal shelter. What has happened since then? They've disrespected the policy that we've agreed upon, to work with each other, and to deal with each other, and to meet with each other, in this open door policy. I have been only approached twice by the Animal Warden, and that was to complain about a couple of volunteers around there and an issue that was done on the phone. Point is, with this, without using the open door policy, since then the State Board of Health has showed up, news crews have showed up, sergeant from our Police Department has showed up, detectives almost weekly, and just as of last week handed me numerous subpoenas. During this time I met with the Police Chief about my concerns. Wouldn't you know, the next day, the next business day, volunteers found two detectives and the Animal Warden in the Shelter taking pictures of our files, behind locked doors. I have done nothing but communicate harder in the past three months, and tried to keep this community and this animal shelter a success, this shelter. But the Animal Warden, the Mayor, the Police Chief, are no longer in compliance with communicating with us, as you just heard about we're trying to keep this together, which was in our original contract, and to work in good faith. I was told just last week on Monday when I contacted the Mayor and told him I had another issue, a concern mind you, he told me he was no longer interested or involved, he will wash his hands of it, and that I should talk to the Prosecutor. Although we are in compliance with the county and local policies and codes, it is strongly suggested by the County Board of Health that we have a separate intake room for new animals that are brought in. So no sick animals that are brought in are infected or housed with healthy animals before they are vet checked. Along with the quarantine room for animals with contagious diseases. However, the city not only took these specially designed rooms away from us, they are specially ventilated, they're working properly, they also put a lock on these rooms, and we have no reference to them, even though we are responsible, in case there is an emergency or a fire, of any way to get to them. There's nothing we can do. That's illegal. There is no reason for the Animal Shelter and us not to work together. We have asked to work with the warden, and we've tried to make an agreement to share these intake rooms, which again were strongly suggested by the Health Department that we have. Again, with the subpoenas that were handed last week, there's over 1200 pages of information. The Animal Shelter has hundreds or hours of people daily and weekly that take care of these animals regularly. We are not there just to make copies of paperwork. Why would we make copies of these paperwork? Because last time that the City of Brooklyn asked us for our files, we gave them every file, with every animal. By the time they were done with them, they did not give them back to us in an orderly fashion. Most of them came back in four to six weeks. After that happened, the last paperwork was given back to us about our dogs, that was just last Tuesday, which was two and a half months after we gave these files to the Brooklyn City. It's just a mockery of what City Hall is doing..."

President Pucci: "30 seconds."

Mr. Krause: "Thank you. Of what City Hall is doing to try to work with us. Does it sound like they're trying to work with us? The Animal Warden has brought in over 20 animals to our city, that were not adopted to our city. We have brought that to the liaison and the warden. Since then, I told them we will not tolerate bringing in these illegal animals from outside, we do Brooklyn only. I could go on with this. Over and over. This is just a fraction of what happens up at the Animal Shelter. Now that you'll know about it, you can contact me anytime. Like I said, I'm an open door policy 24/7. I'm available at 216-398-7283. As I stated earlier, in retaliation, this has happened from now..."

President Pucci: "Time Mr. Krause. Thank you."

Mr. Krause: "Again, keep in touch please, I have a lot more to say. Thank you."

Bill Anderson: "My name is Bill Anderson, I live at 4338 Rodoan Road. I'm not here to talk about the Animal Shelter tonight. I think for now there's been enough said. I am about to talk about several things I brought up in the past. And it has to do with people up here on Council, and the Mayor slightly. One, I went... you know, we're being told about how we, the people, give the wrong information. And it ain't us. Here's one example. Now Mr. Tanski, on the real estate, he's complained about before, brought a part, and this is from the Cuyahoga County Fiscal Office, by the same man he got the letter from, Brian O'Malley. I got this via our Law Director's office, from somebody else. So I didn't just go out and get this, it was brought by somebody else. And here's what it originally said. Now he made out like they had no problem with everything he did. But here's what it originally said. It said, 'An inquiry was forwarded to this office concerning the above listed properties, which include, according to our records, are owned by Kevin A. Tanski. The inquiry suggested that the rental properties illegitimately receiving a 2.5 owner occupied tax credit, which is granted through an application process prescribed in ORC 323.153. The 2.5 reduction is available to owner of a homestead regardless of age, provided the dwelling is occupied at the home.' Now there was five. You can only occupy one home. They did admit they made a mistake on one of them, but he still owed the tax credit on. The other three he asked for the tax credit, was not entitled but he got it. He stated he lived there and he didn't. So our information was not just found out of the clear blue sky, this came from the office, as I say, of the County Fiscal Office, that he claimed to have read his letter from, where they said everything was okay. If you remember well, it was just not too long ago. Okay. Now we got that out of the way. Second on the agenda, I think it's time, you know, again, we've been accused of slander, and me more than once by Mrs. Pucci, and lies, and there was never any slander, never an apology. Even the Law Director, he didn't find any slander. And when I asked him if he can show me the slander that Miss Pucci addressed to, he said it wasn't his job to look it up. I understand that. Maybe it ain't his job. I don't know what his job is. But I thought as Law Director he should have. Secondly, on Issue 2, and I am going to say right now I hope you vote no on Issue 2. And that's my opinion. I think most of the people that involved in that deserve what they get. They've worked hard and they earn it. They risk their lives, many of them. Anyhow, Mrs. Pucci again, twice they had a forum to get the City Council and the city to have a, I forget the term they use, but they wanted them to approve it, the city back it; and Mrs. Pucci, and it's her right, let me make that clear, it's her right, she felt she had a conflict of interest, and she had to say she voted no on it. But at the Democratic Club meeting she's telling everybody to vote for it. Now twice up here she's saying she can't 'cause there's a conflict, but then, and this is my opinion again, to get a couple votes, integrity goes out the window, give me a vote, vote no on it. Well you can either vote no or yes, but you can't have it both ways. And as far as the facts, I'll go back again Mr. DeMarco, the facts I brought about your taxes, they were never wrong. You had a right to file a year behind, but you hadn't done them when we brought it up, it was after it was brought up that you did it. So nobody was bringing up anything against you that wasn't a fact."

President Pucci: "30 seconds Mr. Anderson."

Mr. Anderson: "Okay. And as far as Mrs. Gallagher goes, I've been threatened. The last time I made a statement about the people she was supporting down at county, now we know that there's a rumor I'm being threatened again. By several times I've heard this rumor. And I want you to know, Police Chief, and I want, I'm glad the federal authorities know about it, and I'm not going to stand for threats from anybody up here. Nobody. And you know, we talk about conflicts of interest. You know her brother, and I wasn't going to bring this up."

President Pucci: "Mr. Anderson, your time is up. You're at five minutes and 12 seconds."

Mr. Anderson: "Okay. That's why we ask for more than five. Thank you."

Katherine Gallagher: "Hello. Katherine Gallagher, 1202 Northridge Oval. As most of you know, I am running for City Council. And I just wanted to clarify Mr. Kinney's statement. I'm an adult probation officer, so I'm a classified civil servant. Because of that I am not allowed to declare a party. His statements are false. And if you have any questions, about any issues, you can call me at 216-469-2561. Thank you."

Victor Ardito: "Good evening everyone. My name's Victor Ardito, 7439 Outlook Avenue. This may be trivial compared to everything else tonight. Regarding the trees growing and busting up the sidewalks and things. Just a thought. I like trees. I've been known to chop them down when they start destroying the sidewalks. At my mom's house we had that sidewalk re-done, for the sidewalk, because it was like almost two inches off last year, and we paid for it. And I thought too, like you mentioned before, when the sidewalks are so narrow, maybe when a tree is like 20 years old, 30 years old, and starts busting things up, maybe take the tree out and plant a new one so it doesn't destroy everything, destroy the street, the sidewalks. Because, you know, my Mom's tree, the sidewalk repaired, but the driveway's slowly starting to go. So down the road that'll be something to do. So thank you."

President Pucci: "Does anyone else have anything to say for the good and welfare of the City of Brooklyn? Okay, we will move forward then with reports of committees, commissions and boards. We begin with the Finance Committee, which is chaired by Mr. DeMarco."

Councilman DeMarco: "Thank you. The Finance Committee met at 6:30 this evening. We had one item, which is Ordinance 2011-58, which we recommended Council adopt, which Authorizes the Mayor of the City of Brooklyn to enter into a contract with International Association of Fire Fighters – Local 1145. And that concludes my report."

President Pucci: "Thank you. Next would normally be Public Works, but Mr. Magrey is absent this evening, so we'll move back to Mr. DeMarco, who's also Chair of the Public Safety and Environmental Committee."

Councilman DeMarco: "I have no report this evening."

President Pucci: "Thank you. Normally we have our Legislative Update, Domestic Violence and Juvenile Diversion from Mrs. Gallagher; so next is the Planning Commission, Mr. Patta."

Councilman Patta: "Thank you. Good evening. The next Planning Commission meeting is November 3rd at 6:00 in the Mayor's Court. That concludes my report."

President Pucci: "Thank you. Zoning Board of Appeals, Mr. Ockington. Oh, I'm sorry, I forgot he's on vacation. Recreation Board, Mr. Tanski."

Councilman Tanski: "Good evening. Thank you Mrs. Pucci. Brooklyn Recreation Board meeting was held October 17, 2011. The Hallow Scream Skate will take place on Friday, October 28th, 8 p.m. to 9:15 p.m. at the public skating session. Halloween skating contest sponsored by the Recreation Department, Police Department and Fire Department is for children age preschool to grade 3. Flyers went out to all the local schools. Silver Sneakers August revenue was \$477. Going out to bid for fire alarm system. Going out to bid for HVAC service contract. The Recreation Department's trying to apply for a state co-op GSA for the chiller system. Director McGinty looking into new exercise programs for the Recreation Center. Next meeting of the Recreation Board is scheduled for November 24, 2011 at 6:30 in the Mayor's Court Room. And that concludes my report."

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

Councilman Murphy: "The only thing I have is, the next high school meeting will be the 15th. Please pay attention, they are having problems up there. The watermain, they have to resolve that issue. They need some help, monies help. We know that the issue failed, and I believe that it should have failed. But the place

is old, it's going to need some repairs up there. We have to bear with them and watch it. Please pay attention and go to the School Board meetings. Or at least watch them on the television. Thank you."

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

Councilman Kevin Tanski: "Thank you Mrs. Pucci. To address Mr. Anderson's comments. I'm glad you brought it up again about the tax issue, and that it was taken care of four months ago, as per letter. Mr. Ardito, I've been addressing the sidewalk issue and these trees for the last couple months. We are now taking steps in some of the areas where they're really bad, on bringing up these sidewalks, taking out the roots, and laying the slabs back down. The only question that I have, and I brought it up to Mr. Balbier and Mr. Verba, that some of these trees are so overgrown that they're going to have to be taken out, because they're going to buckle these sidewalks, again, and now possible in the future entering our sanitary systems. So I've been real outspoken on this issue, and I'm hoping we continue to address these sidewalk problems, and continue to repair some of the areas that are getting out of control.

This Animal Shelter, I've been hearing more and more on it. And talked to Kit Krause about it, a little bit yesterday, and I'm getting more disturbed on what I'm hearing. All I hear since this Animal Shelter's been open is to wait till someone makes an honest mistake, or not knowing the rules or laws, we then throw negatives at it. We have to understand, these employees are just volunteers, hoping and trying to do the right thing. What I have been hearing is not trying to resolve the ongoing problems, but make further mess out of it. We need to do, in my opinion, is to sit down with both the City Hall and the Animal Shelter and help them produce the path of excellence, not destroying it within, and then costing the taxpayers more money. If this can't be done, we need to form a committee to put this entity on the right track.

Mr. Balbier, in your report, have we sat down with the Animal Warden to see what is really happening when an animal is brought in? Is it quarantined and checked out before we put it with the rest of the animals? I'm really disturbed when I'm hearing what's going on inside the Animal Shelter. And that concludes my report."

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

Councilman Tom Murphy: "Thank you. I want to echo Miss Bowen's and Mr. Van Kirk's sentiments on voting. We need to vote. Mr. Kinney, I do believe that we must stop the bleeding. When that's going to be done, I don't know. November of the meeting, alleged meeting, in November of 2010, I wasn't invited, so I have no idea if that occurred.

The Animal Shelter. I think everybody knows... You know, the last meeting we had, the Animal Shelter is not the city's thing to run. It's a private entity. It's a 501.3.C. It is, however, on our property. I did bring up the fact that I felt that we were liable for what went on in there. As it relates to the animals, I did go to the Animal meeting, the last Animal meeting. I'll go to the next one. I think the volunteers over there, there aren't enough volunteers. They've got too many cats and dogs, not enough people helping. But I think that they try their best. Unfortunately, their best sometimes falls short. I, however, do not agree that pointing the finger at the Police Department is the correct thing to do. I think that they have enough to do that they don't have to pay attention to the Animal Shelter. I certainly have some issues with the reason the Animal Shelter is where it is, and the amount of money it cost the city. But I don't think that we should have to sit down and spend more time to tell a 501.C.3 how to run their business. They should know how to run their business; and if they don't, there are other options.

Mr. Anderson, Mr. Tanski has answered his question. The slander issue, there was no slander as I told you in the past. And Mr. Ardito, the tree issue has been brought up by, or spoken to by Mr. Tanski. That's all I have. Thank you."

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

Councilman DeMarco: "Thank you. I have been the leading advocate regarding economic development; and with that in mind, I'd like to ask Mr. Claussen to prepare an ordinance that will create an Economic Development Fund, and if we could possibly see something at the next meeting that'd be fantastic. Just something for Council to review.

As others have already indicated, Tuesday, November 8th is Election Day. Polls open at 6:30 a.m. and close at 7:30 p.m. I did over the weekend have a chance to go to the Animal Shelter as well, and meet with Mr. Krause and... I'm really at a loss for words, I have no idea what the heck's going on. You know, in my opinion, we have volunteers providing a valuable service to the city; and for some reason they're kind of being stonewalled at every turn. And I just don't understand it. So I hope we get this thing fixed sooner rather than later.

Again, I want to thank Mr. Schwarz for coming this evening. There's not a lot more detail to share at this point, for a lot of reasons. Ms. Bowen, to your question, the very simple math is, the hope is, with the city working with Mr. Schwarz and his group, and the folks at American Greetings, those 5,000 jobs will end up here in the City of Brooklyn. So 5,000 less the 2,000 leave, puts us substantially ahead of the game.

And finally, I really hate to waste the public's time with this, but Mr. Anderson, your facts are wrong. This isn't a threat, but if you continue to bring it up, I'll do what I need to do to put an end to it. And that's all I have."

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

Councilman John Patta: "Thank you. Good evening, I'll be very brief this evening. Just a reminder that Halloween is next Monday, so if you are out driving on Halloween evening, please exercise additional care as you're driving. Because if your kids are like mine, when they have sugar, they listen even less than they do now. That concludes my report, thank you."

President Kathy Pucci: "Thank you. I have a very brief report from our Community Improvement Corporation. We had a brief meeting this evening at 6 p.m. to amend the amount of earnest money that we are requiring of the interested party for the former library. We amended that from \$10,000 to \$4,000; and we also removed, there was a forfeiture clause that we had in there, so we agreed to remove that from the agreement. They do expect to close on the property prior to December 31st of this year. And the Landbank should be completed with their cleanup of the former library in about two days. So everything is progressing very nicely and on schedule as far as that goes.

I had a call from a resident, and they brought up the whole Do Not Call issue. And I had also noticed that we were getting more frequent phone calls from solicitors, even though we're on the Do Not Call list. So I'm just going to reiterate that if you want to get on that list, it's donotcall.gov. Or if you don't have access to the internet it's 1-888-382-1222. And I'm going to also ask that we put a link up on the city's website. And there's a lot of good information there that basically explains what to do if you continue to get phone calls once you've been on the Do Not Call registry for a period of 31 days. And if they continue to call you you can actually collect money from them.

It's already been mentioned about Election Day being Tuesday, November 8th. Please become educated about candidates and issues. Mr. Van Kirk brought up the state issues. And actually, the best source of information for the statewide issues is the Secretary of State; because what they do is, not only do they have the explanation of what the issue is, they enlist someone to write a pro argument and someone to write a con argument. So you can get the actual facts, and then you can get the arguments for or against an issue. So I believe their web address is www.sos.state.oh.us. But you can also just Google Ohio Secretary of State, and that'll bring it up also.

I too would like to sincerely thank Mr. Ivan Schwarz for his attendance this evening, and for his enthusiasm and commitment to our region. And I pledge to do everything that I'm able to do to bring them into the City of Brooklyn. I think it's a very exciting prospect for our community, and hopefully it will be successful. I don't necessarily think that that's the entire answer for us. I do think we still need to pursue other avenues of economic development.

Regarding the Animal Shelter, these are our residents who stepped up. They raised over \$66,000 which they then turned over to the city to go towards renovations of the building. They continue to care for the animals, to pay for everything connected with the animals, the vet care, the spay and neuter, feeding of them, anything they need. It's unfortunate that this situation has escalated to the point where it is. We need to put

a stop to this and get all parties concerned together and try and resolve the differences. You know, right now, Mr. Murphy, you said that they know how to run an animal shelter. They don't have the quarantine room that is, that's a violation of the lease agreement that the city has with them. It's common sense that if you're bringing new animals into a shelter situation you have to isolate them until they've been checked out by a vet and started their vaccinations, because otherwise you then risk contaminating other animals that are healthy. So somehow we need some leadership here to step up and get everything back on track.

Mr. Ardito, you brought up the issue of trees. And we do know it's a problem. And I think really what has to be done is, once we identify where the problems are, which I know that we already have a list going, because I had spoke with Mr. Verba about it, and I believe Mr. Tanski read off some of the addresses, when those particular trees are removed, we have to plant something that is not going to bring up the sidewalks and the driveways. I mean, it's just common sense. A lot of the trees were planted decades ago, and they're just so large that that's what's happening. So we need to find species of trees that don't get that large, and that they don't have a negative impact on the sidewalks and the driveways.

Mr. Anderson, you I think purposely twist the facts. I never voted no on the Resolution for Issue 2, which is on Senate Bill 5. I abstained. And I was very clear when I abstained. I stated publicly on numerous occasions, right here at the Council meeting, I am opposed to Issue 2. I've said it on several occasions. I could not vote on the Resolution because it's a conflict of interest for me as a Councilperson, because I have a personal interest because of my job. My pay, my benefits and my working conditions are impacted by Senate Bill 5. So I can't vote here as a Councilperson on an issue that impacts me personally. I did not vote no, I abstained. Yes, when I was asked a question at the candidates night, what is my position on Issue 2, I was very clear. I am a no vote on Issue 2, and I stated several reasons why. So please do not say that I voted no on something I did not. And again, I'm opposed to Issue 2.

And Mr. Kinney, how dare you say that I'm against our safety forces, because I am not. You don't know what you're talking about. My husband spent 35 years on the Brooklyn Fire Department; my father-in-law basically helped craft the modern Fire Department that it became over decades of his service. I'm not opposed to the safety forces. That's an absurd statement. I'm very proud to be a member of the firefighting community. And that completes my report. We will move onto the Mayor's report. Mayor Balbier."

Mayor Rich Balbier: "Thank you Mrs. Pucci. Mr. Ardito, with the trees, we're well aware of it. I think we're going to have to come up with a formula where we don't replace a tree on a treelawn. That a treelawn would have to be so many feet wide even to put the tree back on there. Because when I walk around the city, I've been over by St. Thomas More area, there's a house there that has two Oak trees with a trunk that touches the sidewalk on one side, and it touches the curb on the other side. And she has two of those on the treelawn. So I mean, obviously they should have never been planted there in the first place. So even though I love trees, I think we're going to have to come up with a formula where a treelawn has to be X number of feet wide before we even replace them. But we're well aware of the situation, we're trying to fix as many as we can.

I also attended the Hall of Fame dinner for the Brooklyn High School. It was a very nice event. And I told the inductees that I would mention their names at the City Council meeting so it's read into the record. The first inductee was Dana Dempsey from the Class of 2003. And she was inducted for her accomplishment in sports. She also obtained a Master's Degree of Medical Science from Wake Forest University. The next inductee was Dr. Barbara Sposet. She was a teacher at Brooklyn from 1968 to 2000. She taught Spanish. She taught all my daughters Spanish. Now she has her Doctorates Degree and she's now a professor at Baldwin Wallace College. And she's teaching kids to become teachers. So there's been some excellent people coming out of Brooklyn High School. And the reason I was there, because I wanted to explain the city's just as proud of these students as the school is. The next one was Clint Nageotte, and he had a career in pro-baseball. And he graduated from Brooklyn in 1999. The next inductee was a James Price. He was Class of 1969. And he made his mark with the theater. He's now the acting instructor at the New York Film Academy in New York City. The next one was Jessica Latimer. She graduated in 2003. Her accomplishments were also in sports. And she also got two degrees from Baldwin Wallace. And the last inductee was Michael Smith. He was class of 1990. He's a Major in the Army, and he piloted a Black Hawk helicopter, and he served in Iraq, Alaska and Korea. And every one of these people were well deserving of being put in the Hall of Fame.

They started paving finally on Memphis Avenue, this industrial parkway we have down there at Linndale. They've done half of it. They have to wait till that cures, and then they'll pour the other half. But they're moving along with it.

I've also been conducting interviews for a new Finance Director. I've had two interviews so far, I have another one this week. Every one of them is excellent. Mr. Kennedy's been helping me with who the candidates area. But I want to get the best one. And everyone so far has been very good though.

I also have a letter that was sent to me from the American Legion, Squadron 469. They're located at 4910 Memphis Avenue. They're going to have a dinner/dance on Saturday, November 12th. Now the tickets are \$12 each, and all the proceeds will go to help local veterans, at the local veteran's hospital. And they said they know a lot of their members have families in Brooklyn. So if you're interested you can call them at 74-1880. That's the Post hall to get tickets, \$12 apiece.

I also have a lot of information on the election, but it'll just be the same that the other Councilmen said. Also, Mr. Verba's on vacation, but he asked me to read a couple of things. He just ordered 1,000 tons of salt, which will be delivered in 7-10 business days, and we'll be ready for the winter. I hate to hear that, but we'll have our salt anyway. He said, 'Tentatively our last day for compost pickup will be the week of December 1st.' And this could change if the weather gets severe.

And also I was asked to read, every year now we've been doing baskets at Thanksgiving for families that are needy in the City of Brooklyn and surrounding Brooklyn. So we send letters to all the churches in our area, asking for any families that are needy that might appreciate this. And we don't want the names of the people, we just want their address and how many adults and children are in each household. So Barb Stanton and Jill Ludwig from City Hall usually put this together, and they asked me to read this. 'Thanksgiving dinner theme. We are requesting only items for the Thanksgiving dinner. The donations last year were overwhelming. This year we are limiting the items to the following: canned sweet potatoes, cake mix, frosting, boxes of stuffing, gravy, vegetables, and instant mashed potatoes. Any donations can be dropped off at the City Hall, the Senior Center, or the Recreation Center. And we thank you in advance for your generosity.' Most of the food is collected by St. Thomas More. And believe me, this is well appreciated, because when they go out and deliver these baskets, I got about a half a dozen thank you notes from people, and some of them bring a tear to your eyes. I know the one, our basketball team from the High School was delivering them last year, and they said they took a basket to this woman, and when she opened her refrigerator the only food that was going to be in that refrigerator was from this basket we were given them. So there are people in Brooklyn that need help. So if you care to bring up some canned goods or something we'd really appreciate it.

Okay, the Animal Shelter. I just want to give you some background. About, I think it was maybe five, six months ago, I got a call from the Animal Shelter, their executive board, and they wanted to meet with me. So I meet with everybody, so I said yes. And so they came to me, and I had to give them credit, because they told me they were meeting with me because they didn't know how to run their Animal Shelter, they needed some advise. Well I don't know how to run an animal shelter either, but I'm an animal lover. I was a volunteer at the Zoo for five years until this job got so busy I couldn't put my time in. So they said that they don't... First of all, everybody up there loves animals or they wouldn't be there. They're all good people, believe me. They all are concerned about the animals, like we are. However, they admitted that they had a hard time running the place. So I talked to my Law Director, and he said he knew a woman who was a lawyer, and that was her expertise, was with animal shelters. So we set up a meeting. So I wasn't at the meeting, but they told me it lasted a couple hours, and they outlined what they were doing wrong, and what they should do. So I told them I'd give them a few more months to get things straightened out. So they changed leadership, I think this is the second or third time they changed the presidency, and then that last one is Kit. So Mr. Krause came in to see me, like he said, once a week, and it seems like everything was going along good. But you have to understand, I'm in the middle. When I get complaints, like against the Animal Warden, I get just as many compliments about the Animal Warden, from people that have worked at the Animal Shelter. So I mean, there's two sides to the story all the time. And I'm in the middle trying to settle this here. So Mr. Krause came in every week, and we talked, and it seemed to me like it was going pretty good. And I think it was improving. So then last week I got a call, well not a call, but she came up to see me, is our City Prosecutor, and she said that the Police Department has advised her that there's some things going on at the Animal Shelter that are wrong. And I said, are you speaking like six months ago? And she

said, no, we're speaking up right now, it's continuing up till now, and they're investigating. So as soon as they told me... I'm the Mayor of the city, but I'm not a dictator; I can't say, no, no, I don't want you to do that, because I like the Animal Shelter, I want them to succeed. I can't do that, that's illegal. On the other hand, I can't do the opposite and say I want you to go down there and investigate every little thing you've got because I want to put them out of business. I can't do either one. Either one is wrong. I want to see the Animal Shelter succeed. I mean, that's my true feeling. However... I've talked to Mr. Krause, I've talked to Shirley, I've talked to other ones that have come to see me; I've always been trying to be helpful to them. I'm telling the Animal Shelter, if you have a problem with the Animal Warden, or you have a problem with the Police Department or the detectives or the Chief, or anybody, you have to file a complaint. Talking about it is no good. You have to go in and file a complaint with the Police Chief. He's the one that's in charge of the Police Department and the animal officer. And then it will move from that point on. But just talking about it is not good enough. You have to file a complaint. And if it's legit, it'll be investigated. Trust me, it will be. I want to see the Animal Shelter succeed. But like I said, I have to take a step back, because I can't tell them, no, no, don't investigate it, or investigate it to the tilt; because I can't do either one, it's illegal. So that's where I stand with this. But I've tried to help as much as I can. And that's all I have Mrs. Pucci."

President Pucci: "Thank you. And, you know, I might make a suggestion, because of the close ties with the Prosecutor, Police Department, and whatever dispute is going on. I would suggest that we hire a special prosecutor to look into this Mayor. Someone who's independent and can look into it. That would be my suggestion."

Mayor Balbier: "Thank you."

President Pucci: "Next we'll move onto directors' reports, and we have Chief Tenaglia."

Chief Tenaglia: "Thank you. November 1, 2011 we'll begin the winter no parking ban. It will go to March 31, 2012, where residents cannot park their vehicles on the city streets between the hours of 2 a.m. and 7 a.m., seven days a week, or when the snow reaches or exceeds two inches in depth. Trick or Treat will be observed Monday, October 31st between the hours of 6 p.m. and 8 p.m. The Police Department will have officers and patrol units assigned to different areas of the city during these hours. So people that are out Trick or Treating, if you see a cop continuously driving by, that officer is in that zone until Trick or Treating is finished. We will be supported by members of the special police officers, who will also be out in marked units, and members of the Brooklyn Auxiliary Police. The police officers will be out in uniform walking in the neighborhoods that they live in, and we'll have a physical presence. As far as the Animal Shelter, the Mayor or anybody in City Hall has never had anything to do with our investigation. Nobody has ever tried to influence our investigation. I've gotten calls from people requesting information, and they know that an ongoing police investigation is not public record until charges are filed or the case is closed. We are continuing our investigation until we have everything that we need to show that there is a problem or that there isn't a problem. That's all I have to say on this. Thank you."

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

Chief Zemek: "Thank you President Pucci. October 31st the Fire Department will also be out between the hours of 6-8 p.m., just driving around the neighborhood. And our Community Emergency Response Team members will be out in our green vests. They'll be patrolling the neighborhoods that they are, or I'm sorry, just walking the neighborhoods that they live in, and if they notice anything I've told them to call the Police Department and report it. So that's all I have. Thank you."

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

Mgr. McGinty: "Good evening. I just want to remind everybody that we have the Hallow Scream Skate this Friday night, October 28th from 8-9:15. For more information call 216-351-5334. And our Silver Sneakers report for September just came in, and we took in \$694 this year, or for September. Thank you."

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

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

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

Dir. Claussen: "No report this evening."

President Pucci: "Okay. Next we'll move onto public participation for legislative items. Yes Mr. Murphy?"

Councilman Murphy: "I wanted to ask the Mayor a couple things."

President Pucci: "You have a question for the Mayor?"

Councilman Murphy: "I have a couple questions for him."

President Pucci: "Do you want to take a question?"

Mayor Balbier: "That's fine."

Councilman Murphy: "There as supposed to be a report made on the history, or what's going on down at the Police Department, as it came up, as it had to do with mold. And here tonight in the Finance meeting we find out there's high incidence of cancer. And I know that there's been four or five incidences of cancer at the Police Department. Does that mold have anything to do with it? You know, I think we have a duty to protect our employees. It's just like the one-armed trash trucks. We'd save money there too, but... Please..."

Mayor Balbier: "As far as I know, the only problem we have with the mold was just caused by this last flood, because it's only at that level. We never had any problem that I know of with mold."

Councilman Murphy: "Well we have a problem with cancer, in the Police Department."

Mayor Balbier: "I don't know what to tell you. You asked me if it was related to mold. The only mold I ever heard of was because of this past flooding we've had."

President Pucci: "Actually, if we do feel that there is a higher rate or higher incidences of cancer in a certain demographic, the County Health Department actually provides like assessment for things like that."

Councilman Murphy: "Well I know that the Finance Director did say there is some, and it just seems to me we owe a duty to our employees."

President Pucci: "Mr. Kennedy..."

Dir. Kennedy: "I believe what we discussed in the Finance Committee meeting; first of all, because of HIPA rules I did not even disclose what people had cancer, I just said we had an abundance of it, given our pool size. You have to remember that the number of claims that get filed also includes family members, not just employees. So the numbers that I quoted, without being specific to a department, or a individual, could have included family members that are covered under our policy."

President Pucci: "That discussion was relative to our renewal rate for health insurance for 2012."

Dir. Kennedy: "Correct."

President Pucci: "Okay?"

Councilman Murphy: "But no, it's not okay. It won't..."

President Pucci: "I'm not saying that that's okay, I'm asking are you finished, or did you have another question?"

Councilman Murphy: "No, I'd still like to know if the incidents of cancer to our employees, at the Police Department, has to do with mold, or a particular problem in that department? Because we've got to fix it if there is."

Mayor Balbier: "Nobody would disagree with that."

President Pucci: "Okay, public participation for legislative items only. If anyone has any comment or question on the legislative item that's on our agenda this evening, please step forward to the microphone, state your name and address for the record, and please observe our three minute time limit. Okay, we move on then. **ORDINANCE 2011-58**, which we will be passing by emergency measure this evening, so that we can implement the changes. An Ordinance authorizing the Mayor of the City of Brooklyn, Ohio to enter into a contract with the International Association of Firefighters Local 1145. And I'll entertain a motion to get it on the table, then I'll ask Mr. Claussen to review what the pertinent changes are. Is there a motion to suspend the rules?"

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

Councilman Tanski: "Second."

President Pucci: "Okay, Mr. Claussen, if you could just give a brief overview of the changes."

Dir. Claussen: "There are a lot of changes. Just briefly, the Fire Department and the union decided, or, through negotiations we determined that they're not going to take any raises for the year 2012. Also, with regard to some of the cuts that they are taking, they gave back two holidays and two personal days. Also we kind of switched around how they accumulate comp time, which we believe will save the city money. Also, with regard, we also changed some of the language with regard to using part-timers in the Fire Department, which the city believes will help us save money in the long run. Also, in accordance with the other unions, the sick payout was unlimited, there wasn't a cap on how much they get paid at the end of their service, and along with the other unions they put a cap on it, which we believe over the long-term will save the city a lot of money. So in summary that's the changes to the collective bargaining agreement."

President Pucci: "Okay, thank you. And there was a cap, it was half of the amount, the cap, it wasn't unlimited, and now it's 1/3 with a limited cap. I would just like to thank our firefighters. I know it's not a pleasant time to be a public employee, they're kind of getting bashed from all angles, which is really unfortunate. These are, you know, the men and women that protect the residents of our community. We appreciate the willingness to give back in these economic times, and we appreciate what you do for our community. Mary-Jo, will you call the roll please?"

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

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

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

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

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

Councilman Murphy: "Yes, I do. If we're taking a vote, or something happens about getting a special prosecutor for the Animal Shelter, that's ludicrous. We've already got a half a million dollars down there. What are we spending more money for? A special prosecutor? You've got to be kidding me. That's my opinion. If we're going to take a vote, and we didn't take a vote on the half million dollars for the place... But I think we should start thinking about how much more money we're going to spend."

Councilman DeMarco: "Motion to adjourn."

President Pucci: "There wasn't a half a million dollars in the Animal Shelter. It's been told to you before, this was prior to you getting on Council; that property was not purchased for an animal shelter. The previous Mayor had plans to tear it down. It was only after we purchased that property that it was determined that it would be a suitable facility for the Animal Shelter. And there was a vote taken on purchasing the property; but it was not for the purpose of an animal shelter."

Councilman Murphy: "Well that's what you say. There's a half a million dollars in there so far."

President Pucci: "It's not what I say, it's the fact."

Councilman Murphy: "Well that's what you say."

President Pucci: "Was there a motion to adjourn Mr. DeMarco?"

Councilman DeMarco: "Yes."

President Pucci: "We need a second."

Councilman Tanski: "Second."

Clerk Banish: "To adjourn, Tony DeMarco."

"John Patta."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

President Pucci: "We're adjourned. Thank you."

Asst. Clerk of Council

President of Council