

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

April 22, 2013

7:00 p.m.

Present: Kevin Tanski
Tom Murphy
Kathy Pucci
Tony DeMarco
Ron Van Kirk
Colleen Gallagher
Katie Gallagher

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Murphy, second by K.Gallagher to approve the minutes from March 25, 2013. **VOTE RESULTED:** *Approve:* Yes: Tanski, Murphy, Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher. No: None. **(APPROVED)**

MOTION by C.Gallagher, second by Murphy to approve the minutes from April 8, 2013. **VOTE RESULTED:** *Approve:* Yes: Murphy, Pucci, DeMarco, Van Kirk, C.Gallagher. Abstain: Tanski, K.Gallagher. No: None. **(APPROVED)**

PUBLIC SESSION:

Angret Georgi of 9508 Behrwald Ave. addressed her concern that people are not fully made aware of funds held through Sheriff's Sales, and how they can go about being informed of it and how to retrieve funds. (she gave an example list on a handout). After the funds are moved to the State as unclaimed funds there is no information given to the public. She is asking people to be aware of it, and also to seek ways to remedy this.

Don Stopa of 4190 Ivywood Dr. said he's been a homeowner for 42 years, seeing his home increase in value three and a half times during that period, also seeing property taxes increase six and a half times, while seeing minimal increases to city services. The majority of increases were results of bonds/levies for the school, library and zoo. The current bond/operating levy on ballot will increase his property taxes another \$300/year. Why is the Middle School in deplorable condition, with numerous past bonds/levies, which should have included maintenance? Wondering why the schools cannot be funded in a more equitable manner, where not just homeowners will contribute, like a school district income tax.

Lou Changeri of 8972 Trail Run Dr. said he's one of the silent majority, but it's time to speak out. He asked when the levy and bond issues became one, and it is for 36 years. It's \$281.05 for every \$100,000 property value. Taxes never go down. Property values have been dropping the past few years. For people who have to live on only Social Security this is a big thing. Said the taxpayers of Brooklyn can't pick up the slack every time the School Board says they don't have enough funds. You cannot support your school if you cannot support yourself. Also, remember that April is Autism Month.

Greg Markus of 9818 Memphis Villas So. said he's talking in support of the levy. At the end of the day it comes down to where do we want our community to be, in 10, 15 and 20 years. He is the Treasurer and CFO of a neighboring school district, so understands the finances of schools and how they work. Brooklyn's distract has done a fine job of trying to manage the resources they have over the last several years. The age of the buildings and some staffing needs that have not been addressed to save dollars, there comes to a point where it's close to a bare bones educational program, and Brooklyn is getting close. With school funding the way it is, the resources they have, and the levy cycles, they can only do so much. He is strongly supporting the levy. The capital needs are great. Vote for what you can afford and what your conscience will tell you.

Information is available at brooklynschoollevy.org or an informational page on Facebook. He would also be happy to speak to anyone about school finances.

Councilman Van Kirk said he received an e-mail from a resident who could not attend due to health concerns. (from the e-mail) *Terry Rizonca* of 4386 Tiedeman Rd. is upset this is a bond and operating levy. It's not fair if the combined issue does not pass that the students will have activities taken away. Feels it should be two different levies. She also passed her thoughts onto the School Board members.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Committee met at 6:30 and recommended approval of all the legislation on the Agenda.

Recreation Board (Councilman Tanski): The Board met April 15th. The last day of youth baseball registration was April 20th, and reminder notices were sent out. After review of the spray pad bids there were some informalities, and the Law and Service Directors decided to reject the bids and re-bid the project. Super Sign-Up dates are May 18th and 19th, 11 .m .to 1 p.m. for Learn to Swim and Learn to Skate. The next Board meeting is May 20th at 6:30 p.m. in the Mayor's Court.

Domestic Violence Committee (Councilwoman C.Gallagher): The Committee met and discussed human trafficking. Cited some statistics relating to this, with Toledo, Ohio identified as the top U.S. recruitment city for trafficking children in to the sex industry. Various State Bills have been introduced relating to this, five which have been passed. The National Human Trafficking Hotline is 1-888-373-7888. The Committee also has contacted Superintendent Walker to work with community teens to educate and make them aware of the reality in which we live and situations to avoid.

Zoning Bd. of Appeals (Acting Comm. Fitzgerald): The Board met April 18th and granted a variance for signage for Dunkin' Donuts/Baskin Robbins at 4740 Ridge Rd.

Planning Commission (Councilwoman K. Gallagher): The Commission will meet May 2nd at 6 p.m. to hear a request from Brilliant Electric Sign Co. to install a sign panel replacement and update the current freestanding sign at Memphis Kiddie Park, 10341 Memphis Ave.; and a request from Global Signs and Graphics to install a business identification sign of "good cents grocery and more" at 4798 Ridge Road.

REPORTS OF COUNCIL:

Kevin Tanski: Announce over 75 applicants registered for Youth Opportunities. They will look at the criteria to see who is eligible and notify them in the near future. Glad Brooklyn will enjoy saving tax dollars by Youth Opportunity paying wages, also providing jobs for our students.

Tom Murphy: Thanked the speakers. Thinks the media should pick up on the unclaimed funds from Sheriff's sales. He would even ask them to do it. Understands comments made about the tax increase for the levy, as his past silence has shown he is not supportive of it. The levy would not fall off for 36 years, in 2049. He represents those that are unemployed, under employed, those recovering and on fixed incomes. Felt they should have split the issue, it might have stood a better chance. He just cannot support it, it's too much money.

Tony DeMarco: Thanked the speakers. The levy issue is a tough issue, and those who cannot support it for whatever reason, then they should not. He firmly supports it and hopes that it passes. Offered condolences to the Paycheck family on the passing of Joe Paycheck. Also offered condolences to the Gerakis family on the passing of Maria Gerakis. Said that petitions for Council-at-Large are available at the County Board of Elections. There are four Councilmember seats up for election in November; contact him with any questions. Said has spoken for several years on economic development and its importance to the city's future. Our part-time director has many years of experience through the State of Ohio, and knowledge about all public funding sources available to the city, businesses and residents. But they are not a sales or marketing person. The city's needs have changed, but the changes have not been addressed. He has a

general overview of a successful strategy and the benefits it would provide to the city and schools. There are many vacant commercial buildings, and under and un-developed parcels of land, all opportunities for economic expansion. A strategy that motivates the property owners to make their properties attractive to potential tenants, wheels of economic growth begin to turn. Then capital is invested in the properties, jobs created, and values increase, providing additional revenue to the city with income tax, net profit tax, and property taxes, also for the schools. We're heavily reliant on income taxes from three companies in tough, competitive businesses. Council is elected to solve complex issues, not avoid them. Solutions are not easy and painless, but is demanded by the residents of their leaders, and they are not getting and real solutions. Hoping for assistance from the county or state, or doing nothing and hoping things remain the same are not strategies. Our thought processes need to change with the rapidly changing world. Also commented he is not surprised by the pending announcement that the County Executive will seek the Democratic nomination for Governor in 2014; which was also a contributing factor of his not supporting the anti-poaching agreement the city adopted after pressure from the county. He questions whether the best interests of the county are in mind or his own political aspirations. Believes we will have resident support in spending tax dollars necessary to make the marking strategy and endeavor successful. There should also be a residential component added, encouraging residents to update properties and attract potential home buyers. He can meet with the Mayor and speak to him about why this is important, but if the Mayor is not compelled to take action then nothing can or will happen.

Ron Van Kirk: Congratulated Councilwoman Katie Gallagher and her husband Matt on the birth of their daughter, and to Councilwoman Colleen Gallagher on the birth of her granddaughter. The important issue of the bond/operational levy is coming up, and there is an informational meeting at the High School and encourages all residents to attend to ask any and all questions. Whether for the issue or against it, make your voice heard on May 7th at the voting booth. There are two notes on the Agenda for road work and building improvements. There were discussions last year in regard to debt and issuance of notes; and though he does not agree with the issuance of the notes, he realizes he is in the minority. For the record, the way the notes were planned for in the budget meetings will allow Council to revisit the issue at the end of 2013 and pay them off if deemed feasible; otherwise they will be paid off within five years. He doesn't feel relying on a debt to pay for infrastructure issues is not a good long term solution, and believes a sinking fund approach should be used.

Colleen Gallagher: May 1st at 6:30 p.m. the Brooklyn City Schools will hold presentation on the growing drug problem in our community and northeast Ohio, with guest speakers with knowledge and insight on the issue. Last week Channel 3 aired an hour long documentary on the growing heroin epidemic across the area, hoping to open eyes to the problem. Said she works for Judge Matia, who handles Drug Court, and she sees how the drug tears families apart. She stressed attendance at the upcoming meeting so as to understand the epidemic that's happening in our own community.

Katie Gallagher: Thanked everyone for the well wishes for the birth of her daughter Quinn O'Brien, who is two weeks old today.

Kathy Pucci: There is a Safe Routes to Schools meeting for April 23rd at 7:30 a.m. at Brookridge. Reminded on the Community Awareness Night on May 1st and stressed community attendance. The main topic will be the problem with opiates and heroin, a growing problem in every community in northeast Ohio, and other teen risky behaviors. Speakers include a county prosecutor, Judge Matia, an AA member, and two residents affected by a family member's opiate addiction. It is happening here and needs to be addressed. Thanked the speakers tonight. Understands that for some people the school levy would be a hardship. She is supporting the levy; has seen how the schools have cut the budget. Our schools have a 1 mill capital improvement levy passed a number of years ago, and it doesn't give them leeway to address the major issues. Those who have toured or seen the video can see the conditions of the schools. Respects others' opinions; but said to get the information needed and make an informed decision. The bottom line to her is that it's a fact the schools have their revenue decreasing; and it's an obligation of every community to provide safe facilities and educational opportunities for its young people.

MAYOR'S REPORT:

Mayor Balbier: The city received a check for \$40,000 plus for Tiedeman Road, as it came in under bid. On April 12th he held a joint press conference with ODOT at the Hampton Inn, where it was explained how the two new lanes will be put in (one on eastbound off ramp, and one on westbound off ramp), done by November. The Service Dept. received its new chipper last week. The City Hall roof has started, and they need 15 working days to complete it. An old mailbox has been repainted and in the upstairs lobby and is being used for the deposit of old flags to be destroyed. The Drug Box is located in the lobby of the Police Department, for pills and capsules, no liquid or needles. Ridge Road resurfacing will start on July 8, 2013 and finish June 10, 2016; segment one will start at Memphis Avenue, and there are three segments. Asked our Econ. Development Dir. for a run down on our different grants. The CDBG applied for \$150,000 for upgrade to the playground structures behind City Hall and Recreation Center, and new pavement for the basketball courts behind the Senior Center. The city's participation will be approximately \$3,000 for the upgrades. The County Council will be approving the recommendation April 23rd at their public session. We also received an ODOT Office, Jobs and Commerce Agreement for \$50,000 for roadwork to widen the intersection and improve Associate Ave. It's being reviewed by the Law Dir. Also slated for approval is from Jobs Ohio from the State Controlling Board for \$25,000 on May 6th for the same project, with the city's participation of about \$80,800 towards a \$155,800 project. The infrastructure project was approved at the March 25th meeting. Also, the widening of the two extra lanes at 480 will be \$2.4 million, and the State will pay the whole cost – project begins June 1, 2013 and done by October 1, 2013.

DIRECTORS' REPORTS:

Fire Chief Zemek: Reminded residents and businesses that the annual hydrant maintenance and flushing will begin around May 15th, until all hydrants are completed. Signs will be posted the day before for the affected streets. Residents are urged to turn off all automatic icemakers for that day of flushing, and run the cold water in the kitchen sink until the discoloration disappears. More information will be posted on the city's website.

Acting Bldg. Comm. Fitzgerald: Just reminded citizens to dust off lawnmowers and start their engines. Grass is starting to grow and the lawns need to start being maintained.

Council President Pucci asked Sgt. Knapp if we're participating in the countywide effort on April 27th, for the collection of drugs. Sgt. Knapp said he was not familiar with an initiative for the weekend, but knows the county will check boxes randomly to establish which boxes have higher traffic than others, then set a schedule as to the routine pickups. She also said someone asked her if pet medication could be put in the box. Sgt. Knapp said the description states prescription and over the counter medications, and does not refer to pet or not, but he will call the county and find out.

REQUESTS:

Request for liquor permit transfer, from Jackie Craddock (Ace's Bar and Grill), 6600 Biddulph Plaza to 6600 Tavern, LLC. (Wild Billy's Bar and Grill) at 6600 Biddulph Plaza. The Chief had no concerns about the establishment. **MOTION** by C.Gallagher, second by Murphy for a position of no objection. **VOTE RESULTED:** *No Objection:* Yes: Tanski, Murphy, Pucci, DeMarco, C.Gallagher, K.Gallagher. Abstain: Van Kirk. No: None. **(NO OBJECTION)**

From the City Engineer: Bids were opened on April 5th, with three bids submitted for the Splash Pad project. The Engineer's estimate was \$219,635; for Alt. 1, \$12,000; for Alt. 2, \$17,800. Submitted bids and tabulations were attached. Total bids: Astro Pool, \$210,000; Platform Cement, \$237,890; Brookside Constr., \$241,932.90. After review, the low bidder was non-response to bid requirements on unit prices, and time to complete would have extended beyond completion date stated in bid documents. The others bidders did not provide adequate experience records to satisfaction. The Engineer, Law Director and Service Director recommend to reject the three bids and re-bid the project. **MOTION** by C.Gallagher, second by Tanski to reject bids. **VOTE RESULTED:** *Reject bids:* Yes: Tanski, Murphy, Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher. No: None. **(APPROVED TO REJECT BIDS)** **MOTION** by Tanski, second by Van Kirk to re-advertise for bids. **VOTE RESULTED:** *Re-Advertise bids:* Yes: Tanski, Murphy, Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher. No: None. **(APPROVED TO RE-ADVERTISE BIDS)**

LEGISLATION:

ORDINANCE 2013-16: Providing for the issuance and sale of \$728,900 notes, in anticipation of the issuance of bonds, to pay costs of resurfacing certain city streets to be approved by City Council, together with all work incidental thereto. The Fiscal Officer's Certificate is attached. **MOTION** by C.Gallagher, second by Murphy to adopt. **VOTE RESULTED:** *Adopt:* Yes: Tanski, Murphy, Pucci, DeMarco, C.Gallagher, K.Gallagher. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2013-17: Providing for the issuance and sale of \$646,100 notes, in anticipation of the issuance of bonds, to pay for costs of improvements to city buildings, including parking therefor. The Fiscal Officer's Certificate is attached. **MOTION** by C.Gallagher, second by Murphy to adopt. **VOTE RESULTED:** *Adopt:* Yes: Tanski, Murphy, Pucci, DeMarco, C.Gallagher, K.Gallagher. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2013-18: Amending Sections 1360.16(b) and (e), License Application Form and Fee, of Chapter 1360, Property Maintenance and Rental Licensing Code, of the Brooklyn Codified Ordinances. (fee from \$50 to \$100; late fee from \$50 to \$100) **(SECOND READING)**

ORDINANCE 2013-20: Amending Section 1361.05, Occupancy Permit Fee, of Chapter 1361, Occupancy Permits, of the Brooklyn Codified Ordinances. (fee from \$25 for permanent and \$25 for temporary to \$75 for each) **(SECOND READING)**

ORDINANCE 2013-25: Authorizing the Mayor to enter into a contract with the K Company for the repairs of a Munters Unit at the John M. Coyne Recreation Center not to exceed \$24,626.84. (a dehumidification system for the rink) **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher. No: None. *Adopt:* Yes: Tanski, Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher. No: None. **(ADOPTED)**

ORDINANCE 2013-26: Authorizing the Mayor to enter into agreements with the Emergency Communications Network, LLC to provide CodeRED and MyDaily Call services for the City of Brooklyn. (Reverse 911 system and check-up calls) **(FIRST READING)**

ORDINANCE 2013-27: Amending Section 1345.01 Fee Scheduled, of Chapter 1345 Permit Fees, of the Brooklyn Codified Ordinances. (updating of fees for Building Dept.) **(FIRST READING)**

Councilman DeMarco announced that the School Board and Superintendent will be available tomorrow evening in the Auditorium of the High School at 6:30 p.m. for a Q & A session for the levy issue, for any questions, complaints, answers. Everyone is welcome to attend.

Councilwoman C.Gallagher wanted it known the drug awareness meeting on May 1st at 6:30 will be in the Auditorium of the High School.

There being no further business, **MOTION** by Tanski, second by C.Gallagher to adjourn. **VOTE RESULTED:** *Adjourn:* Yes: Tanski, Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher. No: None **(ADJOURNED)**

Asst. Clerk of Council

President of Council