

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

December 23, 2013

7:00 p.m.

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

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

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

President Pucci said we will alter the order of business, with the House Decorating contest winners, some officials for Councilwoman Colleen Gallagher's retirement from public service, and two Resolutions to honor and thank Councilwoman C.Gallagher and Councilman Murphy.

HOUSE DECORATING CONTEST WINNERS:

Mayor Balbier introduced the winners of the House Decorating contest and presented them with a gift for their awards. First Place: Sean Flanagan, 6119 Delora; Second Place: Alan and Kelly Bowser, 9728 Memphis Villas So.; Third Place: Raymond Hale, 7421 Hammond.

GUEST SPEAKERS:

Hon. David Matia, Common Pleas Court, spoke on Councilwoman Colleen Gallagher's 16 years of public service to the City of Brooklyn, and knowing her for that time, also as his bailiff. He spoke of her dedication, as Councilwoman and bailiff, counting her among his family. He said her empathy for people makes her a great public servant. She wants the best for people. She has made Brooklyn a better place. He thanks her for her service.

Hon. Martin Sweeney, Cleveland City Councilman, outgoing Council President, recognized his friend, Colleen Coyne-Gallagher. He met her in 1990 while she was working in Municipal Court, and their political paths have crossed many times. He presented an official Resolution of Congratulations by the Cleveland City Council. He pointed out it was voted 19-0, unanimous support. He again said the public service and advocacy for the people she represents jumps off the page.

PRESENTATION OF RESOLUTIONS:

RESOLUTION 2013-10: To honor and recognize Councilman Thomas C. Murphy, Sr. for his service to the City of Brooklyn, Ohio. **MOTION** by Van Kirk, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski. Abstain: Murphy. No: None. *To Adopt:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski. Abstain: Murphy. No: None. **(ADOPTED)**

RESOLUTION 2013-11: To honor and recognize Councilwoman Colleen Coyne-Gallagher for her 16 years of outstanding, dedicated service to the City of Brooklyn, Ohio. Councilman DeMarco asked to have his name removed from the introduction. **MOTION** by Van Kirk, second by K.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, DeMarco, Van Kirk, K.Gallagher, Tanski, Murphy. Abstain: C.Gallagher. No: None. *To Adopt:* Yes: Pucci, Van Kirk, K.Gallagher, Tanski, Murphy. Abstain: C.Gallagher. No: DeMarco. **(ADOPTED)**

Council President Pucci read and presented Resolution 2013-10 to Councilman Tom Murphy.

Mayor Balbier read and presented Resolution 2013-11 to Councilwoman Colleen Coyne-Gallagher.

PUBLIC SESSION:

Shirley Palumbo of 10218 Micka Dr., conveyed her congratulations to Councilwoman Gallagher on her retirement from 16 years of service. She said it's not an easy thing, requiring a thick skin to persevere. She has always voted her conscience and tried to do the best she could for the citizens, including being an advocate for victims of domestic violence, rehabilitate juvenile delinquents through community, and kept everyone abreast of legislative updates and communications pertaining to Brooklyn. She's been on the lookout for ideas to benefit Brooklyn. Has attended hundreds of meetings, taken phone calls and followed through for residents, community events and political campaigns. She has earned admiration and respect for a job well done. She (Shirley) and her husband personally offer their gratitude for all the work she has done on behalf of the city, and offer best wishes for a long and happy retirement.

Tom Adamski of 9625 Melody Ln., said Councilwoman Gallagher inspired him to run for School Board, at a critical time in Brooklyn, and with her assistance encouraged him on his successful campaign. She comes from the heart of Brooklyn. He said she never chickened out on an issue. She epitomizes the essence of what a Councilperson should be, which is for the betterment of a community, always working for it. She spent many hours attending meetings, running the Democratic Club, etc. Three things point to her being a visionary, the first Juvenile Diversion, then Domestic Abuse, and then the one-armed bandit. He wishes her the best of health in 2014 and hopes she has the time to do her bucket list. Congratulated her.

Paula Ritter of 8974 Boxwood Circle, said she is thankful to Councilwoman Gallagher and Councilman Murphy for their service. She did not always agree with Councilwoman Gallagher, but what she saw in her was a heart. She had great empathy for people and served us well. She thanked Dir. Verba for communicating to the residents regarding Ridge Rd. trash collection, which is a great service to the residents (CodeRED). Thanked the city Administration, the staff (particularly Jill), all the residents, all the employees, who together joined with St. Thomas More, Fr. Bill, Fr. Paul, the school, staff and parishioners, to make Thanksgiving a better day for those less fortunate. Thanked all churches and organizations and individuals who do it, especially St. Augustine in Tremont. Thanked Councilwoman Gallagher and hopes her new life and whatever she moves onto she will succeed and do well. Thanked Councilman Murphy for his service, and giving her the honor to serve on the Charter Review Commission. The school levy was a touchy issue. He had a view, and she respects his view, and those who had an opposite view. His was not the popular view, but she respects him for holding firm to the principal he believed in. To the election, we have no rule or law, and it might need to be changed, which meant Katie Gallagher could not have run. The people chose her. It's over and done. The people also chose Mary Balbier. She hears 'nepotism', and would like to see how it is defined politically. The fact is the people elected Mayor Richard Balbier, a different administration hired the Magistrate, and now the people have elected Mary. In our history there is the Freys (father and son, treasured and respected by the people); Colleen and her daughter Katie, voted in by the people; John M. Coyne's years, he as Mayor, his son Recreation Director... To continue to be politically incorrect, she wished everyone a blessed Christmas and a holy, healthy and blessed new year.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Committee met at 6:30 p.m. and addressed the agenda items relating to Finance.

Economic Development Committee (Councilwoman Pucci): There is a tentative meeting January 8th at 10 a.m.

Recreation Board (Councilman Tanski): He gave the holiday hours for the Recreation Center and Pool. The buildings are closed on Christmas Day and New Year's Day. Friday Night Basketball begins January 10th, open to residents only, grades 1-8, register at the Rec Center from Dec. 16 to Jan 6, cost is \$35. Various session dates. The next Board meeting is January 21st at 7 p.m. in the Mayor's Court.

REPORTS OF COUNCIL:

Tony DeMarco: Congratulated House Decorating Contest winners. Thanked the Seniors for his attending their Christmas party. Wished all residents, their families, the employees and their families Merry Christmas and healthy 2014.

Ron Van Kirk: Congratulated Councilman Murphy and Councilwoman Gallagher on their time on City Council and thanks for their service. Thanked the residents who came to Christmas in Brooklyn at the Senior Center, and they look forward to doing it again next year. Thanked the residents for giving him the privilege to serve on City Council for another year, which he counts as an honor, and is a pleasure to serve. Will politically incorrect as well and wish everyone a Merry Christmas and a blessed 2014.

Colleen Gallagher: Said it's been a privilege and pleasure to serve for the last 16 years, and values the friendships made. Said to Mr. Adamski and Mrs. Palumbo they've been her friends for a long time and she appreciates their kind words. She is looking forward to joining her husband in their new home, and enjoying her family and grandchildren. Thanked Mayor Balbier for being a friend and confidant for 16 years, sharing ups and downs together, and weathered the storm; wished he and his family the best. Thanked Judge Matia, and appreciated his kind words; he is a great boss and also her best friend. Thanked Council President Sweeney for the Proclamation, and has enjoyed sharing information with the Cleveland Councilmembers that benefited both cities, and wish them all the best. Thanked Mary-Jo Banish, the Clerk of Council, for her insight and knowledge on aspects of legislation and rules, and doing an amazing job and being an asset to the city. Thanked the directors and employees for their dedication and commitment to the city. All employees go above and beyond to provide excellent service to our residents, thank you. Thanked Council President Kathy Pucci for her commitment this year as President, and in the past; she has also weathered the storm through the years with the Mayor and her, and she appreciates her dedication and help through the years. Wished her past and present colleagues and their families all the best, and appreciate their dedication and service. Council has to make difficult decisions that affect everyone. Their hard work makes a difference and secures a better future for all families. Thanked her friends from the Domestic Violence Committee, Helen, Ruth, Bonnie and Robin, for their continuing commitment. Thanked her husband, Mike, and daughters Kelly and Katie, for sharing this honor with her tonight. They have supported her and stood with her through the past 16 years on Council. She loves them. She wished Tom Murphy the best, he has done a great job, and she has enjoyed working with him. Wished everyone a Merry Christmas.

Katie Gallagher: Thanked Pastor Folger and the Cleveland Baptist Church for hosting Christmas in Brooklyn on Saturday. The choir did an amazing job, and some of their members need to start singing professionally. The Cleveland Baptist Church, like many Brooklyn organizations, see the importance of bringing the community together, so thanks for the commitment to Brooklyn. Thanked Councilman Murphy and Councilwoman Gallagher for their hard work on Council. Councilman Murphy is a great colleague, she's enjoyed working with him, as he is open minded and willing to listen to everyone. She admires most that he does what he believes is in the best interest of the city, even if it's not popular. Thanked him for everything he's done for Brooklyn, as a resident, a police officer, and Councilman. Said she could speak for hours about Councilwoman Gallagher, and how she's influenced her life, as a colleague and a mother. She tried to limit to three of the most important things. First, she leads by example, leading with her actions, not her words. Second, she stands up for what she believes in, and if she feels it is right she will fight for it. Lastly, she never forgets why she's here, the residents, always being available if someone needs help. There's never a problem too small or unimportant, and if it mattered to you it mattered to her. She thinks this is the one part of her job she took the most pride in. Thanked her for being such an amazing role model, she will be missed here. Wished everyone Merry Christmas and a nice new year.

Kevin Tanski: Congratulated Sean and Christine Flanagan on Delora, the winners of the House Decorating contest, on an awesome display. Thanked all the residents who participated. Addressed Councilman Murphy, saying he served for four years, and during the time taken some criticism for standing up for what he believed in, whether it was favorable or not. His dedication to the city is much appreciated, and it's been a pleasure serving with him on Council. Wished best wishes to him and his family. Addressed Councilwoman Gallagher, saying as a colleague and a friend, thanks for her honesty, integrity and dedication to the city throughout the years. As a lifelong resident she has served the community well, serving on numerous committees, and introduced legislation that benefited the city. It's been a pleasure serving with her on Council, and wishes her and her family the best of luck in the future and much happiness. Wished all the residents and their families and Merry Christmas and a happy new year.

Tom Murphy: Thanked everyone for their kind words. He was always taught that you pay back. He worked on the Police Department, for the Attorney General's Office, worked in organized crime as a director of task forces, then on City Council. Thanked everyone, it was and is his privilege to serve. To his Council colleagues, we didn't always agree, and sometimes we agreed to disagree. He is who he is, and that's it. He was taught to stand up for those that couldn't or wouldn't stand up for themselves. For the next Council coming in, good luck, there is a good crew coming in. Thanked Councilwoman Colleen Gallagher for her kind words. Wished everyone Merry Christmas and happy new year. Thank you.

Kathy Pucci: Congratulated the Holiday Decorating contest winners, and appreciate their efforts making the community a little brighter. Thanked the staff and volunteers at the Senior Center, she attended the Christmas party, and it was wonderful. Gave an update on the Safe Routes to School regarding the infrastructure grant for \$174,000. It was originally for improvements at Brookridge and the Middle School; because of the redevelopment of the high school/middle school area and the proposed tearing down of Brookridge, it would be limited improvements with a reasonable lifespan. So the options are to cancel the project or reduce the scope. They will reconvene in the beginning of the year, and based on the district's development plan and timeline, determine the best course of action. Announcements: The deadline to apply for the vacancy Council was at 4 p.m. today, and there are nine applicants. Interviews are scheduled for January 9th at 7 p.m. A letter and fact sheet will be sent to each applicant. The swearing-in of elected officials will be January 1st at 11 a.m. in the Council Chambers. The 2014 Organizational meeting of the Council is January 6th at 6:45 p.m. in the Council Chambers. Thanked Councilman Murphy for his service to the community, as a resident, police officer and Councilperson. It's been a pleasure serving with him, and she respects how he stuck to his guns and did what he believed was right. She wished him all the best. Thanked Councilwoman Gallagher. They've been on 16 years at the same time. They didn't always agree, but over time they both came to understand you can't get a lot accomplished by yourself; and she thinks they both learned how important it is to find the common ground and go from there to work for the betterment of the community. She appreciates her always taking the time to listen, and for her dedication to the community, and wishes her the best. Thanked Councilman Van Kirk, Pastor Folger and the Cleveland Baptist Church choir. There's been a lot of feedback from residents that we don't have enough events to bring the community together; so she commends Councilman Van Kirk for taking this to heart and saw a Christmas program as a way to bring the community together. She and her family attended, and it was a fabulous program. Thank you, it's appreciated what was done for the community. On behalf of Brooklyn City Council, thanked the directors, Chiefs, department heads, and all of the employees for their efforts this past year. They sincerely appreciate the work they do on behalf of the community, and look forward to a productive 2014. To all the residents Merry Christmas and happy new year.

MAYOR'S REPORT:

Mayor Balbier: Thanked Councilman Murphy and Councilwoman Gallagher for their service to the city, they both will be missed. Received an e-mail from Shannon Blackwell, the president and CEO of Ridge Park Square, saying he's excited to share that Ashley Furniture Home Store will be the latest new anchor tenant at Ridge Park Square (where Circuit used to be.) It's recognized as a number one furniture store brand in the world, and number one retailer of furniture and bedding in the United States. He also said the AMC theater opened half of their newly renovated building a few weeks ago, and the early response is overwhelmingly favorable. Thanked Councilman Van Kirk, the Christmas in Brooklyn was well attended, and they did a

wonderful job. Councilman Van Kirk is also an excellent music director. Said everyone appreciated it, and he has had nothing but compliments about it. Wished everyone a Merry Christmas and a happy new year.

DIRECTORS' REPORTS:

Finance Dir. Enovitch: Gave a brief update: 2013 will finish strong for the city. Year to date, the General Fund revenues exceeded the General Fund expenses by \$2,506,871, meaning we've taken in \$2,506,871 more than we've spent. Revenues exceeded expectations by \$2,397,000 – taking in \$2,397,000 more than expected, and spent \$997,000 less than we budgeted. The General Fund balance as of today is \$8,430,000. The overall total fund balance, both restricted and unrestricted, is \$20,011,855.82. Total cash balance is \$21,352,520.73. Gave kudos to the Finance Department. The last couple weeks JoAnn Haig went through every account to make sure the final appropriation ordinance's bottom line is zero. We were able to find places where we hadn't spent money that we reallocated so we didn't have to ask Council to re-appropriate funds for the final appropriation ordinance for tonight. Linda Kelber made sure every one of the city's bills were paid on time, to close out the end of the year. And most importantly, Tina Westfall. At the last meeting Council approved two union contracts, and the conditions passed were in their paycheck last Friday. They worked hard and knew it was important, and followed through on that. Merry Christmas.

REQUESTS:

Bid approval request for the Recreation Center maintenance of the HVAC and refrigeration. One bid was submitted by K-Company, who has serviced the Center for many years, in the amount of \$26,868. **MOTION** by Van Kirk, second by Tanski to approve the bid. **VOTE RESULTED:** *Approve:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(APPROVED)**

Change Order request for the Recreation restroom facilities. Authorization for additional services by the plumbing contractor for changing the toilet specifications (better grade), in the amount of \$1,449. **MOTION** by Van Kirk, second by Murphy to approve the Change Order. **VOTE RESULTED:** *Approve:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(APPROVED)**

LEGISLATION:

ORDINANCE 2013-74: Authorizing inter-fund transfers and advances during 2013. President Pucci went over the transfers. **MOTION** by Van Kirk, second by K.Gallagher to suspend the rules. *Suspend the Rules:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. *Adopt:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADOPTED)**

ORDINANCE 2013-75: Amended Annual Appropriations Ordinance. Amending Ordinance 2013-8, as amended by Ordinance 2013-36, 2013-40 and 2013-58, entitled 'An Ordinance to make appropriations for current and other expenditures of the City of Brooklyn, State of Ohio, for the period January 1, 2013 to December 31, 2013.' As stated, the bottom line on the appropriations is zero, this is just the end of the year adjustment. **MOTION** by K.Gallagher, second by Van Kirk to suspend the rules. *Suspend the Rules:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. *Adopt:* Yes: Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy. No: None. **(ADOPTED)**

ORDINANCE 2013-76 (1st Reading): Repealing Section 1 of Ordinance 2012-6 Amended, relating to compensation for full-time and administrative employees (non-bargaining agreement). The Mayor is proposing Council repeal the 5% reduction from the top level of the salary range for the administrative employees. **(FIRST READING)**

ORDINANCE 2013-77 (1st Reading): Repealing Section 1 of Ordinance 2012-22, relating to compensation for the part-time position of Economic Development Director. The Mayor is proposing Council repeal the 5% decrease to the upper limit for this positions. **(FIRST READING)**

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

Asst. Clerk of Council

President of Council