

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**February 22, 2016**

**7:00 p.m.**

Present: Mary Balbier  
Kevin Tanski  
Barb Paulitzky  
Ron Van Kirk  
Tony DeMarco

Absent: Kathy Pucci  
Debbie Tomusko

Pledge of Allegiance.

#### **APPROVAL OF MINUTES:**

**MOTION** by Tanski, second by Paulitzky to approve the minutes from the meeting of January 25, 2016.  
**VOTE RESULTED:** *Approve:* Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None.  
**(APPROVED)**

Interim President Van Kirk updated that after the last Council meeting the Public Works and Public Safety & Environmental Committees convened to elect chairpersons: Public Works is Tony DeMarco; Public Safety is Debbie Tomusko. After tonight's Council meeting will be a Council work session to continue discussion of the 2016 budget. Tonight's Agenda is mostly Finance related, and he'll give the information later; also a confirmation for an appointment for Economic Development Committee.

#### **PUBLIC SESSION:**

*Todd Hopkins* of 642 Redstone Circle, Brunswick, and with Brooklyn City Schools – on behalf of the District and community, thanked the Fire Dept., Police Dept. and safety services involved in the fire at the stadium complex. He asked that everyone be commended and thanked. Announced the District, in partnership with the Police Dept. and Internet Crimes Against Children Task Force will be providing an information session, "The Dark Side of the Internet" (dangerous apps, hidden apps, social media) on Monday, March 14<sup>th</sup> at 6:30 p.m. at Educational Service Center in Independence. In light of recent community events, they encourage attendance. The annual Drama play, *Oliver*, will be March 10, 11 and 12; and complimentary continental breakfast and preview of the production to Brooklyn senior citizens on March 10<sup>th</sup> at 9 a.m. RSVP to 485-8112 by March 7<sup>th</sup>.

*Victor Ardito* of 7439 Outlook Ave. brought up the timing of the traffic lights on Ridge Rd., which he thinks changed, reducing the number of cars through certain northbound lights into Ridge Park Sq. Also, when a street is re-done in concrete, is there a requirement for how smooth it will be; because the section of Ridge coming off 480 towards Biddulph has a lot of vibrations and noise, and especially between Memphis southbound to Outlook. Chief Mielke said in regard to Ridge Rd. timings, ODOT is in a study right now from 480 to Biddulph, which will sync to Memphis. The timing is still the same program from after construction. He doesn't have a timetable when they'll come back with the new timing program. Dir. Verba said the roadwork was brought to the County's attention, and it met their specs, and they approved it.

#### **REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:**

Recreation Board (Councilman Tanski): The Rec Center is accepting applications for spring and summer part-time employment for lifeguards, water safety instructors, baseball instructors, maintenance, pool attendance, sport court attendance, Day Camp counselors, soccer and cashiers. Applications are on-line and at the Rec Center. Various learn to swim registrations are going on (classes March 7- May 4) and for swim team. Youth soccer registration is also going on. Lifeguarding classes begin in April (age 15 and up). Spring learn to skate registrations is going on now. Youth baseball registration begins March 1. Information for all

registrations at the Rec Center or at 216-351-5334. The Baron Cup Hockey Tournament Sectionals are Feb. 15-27; Districts March 1-2; District championship March 5 at 1 p.m. Reservations for Memorial Park pavilion rentals are being taken now for May 8 to the end of September through [twestfall@brooklynohio.gov](mailto:twestfall@brooklynohio.gov) or 351-5334. The next Board meeting is Monday, March 21<sup>st</sup> in the Recreation mtg. room at 7 p.m.

Zoning Bd. of Appeals and CRA: (Comm. Kulcsar): The Bd. of Zoning Appeals for Feb. 18<sup>th</sup> was cancelled, the applicant withdrew their appeal for the denial of the billboard at 5111 Tiedeman Rd. The next mtg. is March 17<sup>th</sup>. The Community Reinvestment Area (CRA) Housing Council will hold its annual meeting Tues., Feb. 23<sup>rd</sup> at 6 p.m. in the Conference Room, open to the public. They are responsible for tax abatements for remodeling projects that a homeowner does that adds value to their home. 100% tax abatement is available for the increase, with a five year term. Five applications were received in 2015.

Finance Committee (Int. Pres. Van Kirk for Councilwoman Pucci): The Comm. met at 6:15 and discussed: Ord. #5, Annual Appropriations (2<sup>nd</sup> reading) with a budget work session after this Council mtg.; Ord. #6, Amends fees for program sponsorships (adjusted ranges) (2<sup>nd</sup> Reading); Ord. #9, Service agreement renewal with Bailey Communications (IT services for the city) for \$51,641.10 (increase of \$2,458.50 over last year) (1<sup>st</sup> Reading); Ord. #10, provides positions of two Magistrates (which was explained by a guest Magistrate of the Mayor's (Mr. D. Lambros) explaining how this would work and the benefits of two – salary range is \$12,000-\$15,000 each annually); Ords. #11, 12 and 13 relate to Magistrate position also (#11 removes from receiving healthcare benefits, which saves \$18,818.52); Ord. #14, Agree. with CEC, Inc. for engineering services for Landfill for \$13,500 (for required plat drawings by end of the month); Ord. #15, fees for evening basketball program; Ord. #16, new volleyball program and fees; Ord. #17, fees for ice skating instructions (new ranges); Ord. #18, fees for soccer, baseball and softball fields (new ranges); Ord. #19, fees for t-ball and baseball programs (new ranges); Ord. #20, fees for learn to swim program (new ranges); Ord. #21, for compost site improvements at the Landfill for \$28,031 (dealing with runoff). Chief Mielke updated on the Dispatch transition (and Chief Zemek), reported going well, any issues being addressed as needed, and meeting on a regular basis relating to it. Chief Mielke updated on the dashboard cameras for police vehicles (up and running) and body cameras (soon to be up and running end of March).

Planning Commission (Int. Pres. Van Kirk for Councilwoman Pucci): The Comm. will meet March 3<sup>rd</sup> at 6 p.m. in the Conference Room at City Hall. Three requests: Menard, Inc. for site plan approval for a 172,700 sq. ft. Menard's store at 7700 Brookpark Rd. (original request of Nov. 2014 has expired so they have to come back.); Menard request for illuminated wall-mounted and free-standing business identification signs at same location; old business from S. Clifford for TDA Architects for site plan approval at 4500 Ridge Rd. (former Brookridge Elementary) and 4525 Rodoan Rd. (former Rodoan School).

### **REPORTS OF COUNCIL:**

**Mary Balbier:** Brought up previous discussion about traffic cameras (picture taken of a violator, with a notice with picture of car and license sent to house with fine and cost statement), and restricted by law requiring an actual police officer to witness it and issue the citation. Small towns did this by assigning an officer, made affordable by the money brought in by fines. Sen. Patton has introduced four legislations regarding the use of traffic cameras in the state, designed to curtail the process. They would limit the ability of smaller communities to issue camera tickets: -bar community from raising more than 30% of annual revenue from traffic tickets, -restrict number of camera tickets issued to twice their population, -block a community with 200/fewer residents from cameras; -bar community without a fire or EMS from cameras. It would hugely affect in this area Newburg Hts. and Linndale. Our Senior Center has AARP conducting income tax assistance once a week on Mondays. This Saturday is Taste of Brooklyn, supporting scholarships for students, and it is a great event.

**Kevin Tanski:** Youth Opportunities has begun registration, for ages 14-24. Brooklyn's age requirement is 16, but 14-15 year olds can register for possible surrounding communities. Registration must be done on-line with an e-mail address at [www.youthopportunities.org](http://www.youthopportunities.org) by May 2<sup>nd</sup> at 5 p.m. All requirements and information is available at the site. He strongly supports this program and encourages registration for eligible teens and young adults in the community. There will be informational papers at the school, City Hall and Rec Center. 20 applications from Brooklyn were received last year, but not followed through on. Told Chief Mielke he was stuck in the light at Tiedeman and Biddulph, way back and blocking Tiedeman

drives; asked if the light can be changed during rush hour. The Chief said the light is in coordination with the Tiedeman/480 lights, programmed by ODOT, and will be re-evaluated when the extra lane goes in. The problem seems to be the first car not moving up to the loop, even though they put a sign up. Said he is 100% with Tom Patton on the traffic cameras, and knows those mentioned cities are waiting to see what happens with court cases relating to them. He hopes the new legislation will strengthen the stand along cameras and tickets with no one around.

**Barb Paulitzky:** Attended the annual Northeast Ohio City Council Association meeting on Feb. 11<sup>th</sup>, the subject 'Planning for strong public safety initiatives.' Guest speakers included Frank Bova (current Cuyahoga County Sheriff) and other county officials. She's glad she's part of this group and attended and learned all the programs available. An important issue to her is drug and heroin addictions. There are many opiate and drug awareness and prevention programs, and she plans to find out what would be appropriate for our city.

**Tony DeMarco:** Commented on the IKEA project. It looks like it's not moving forward, though we're still optimistic it may happen. He wants Brooklyn and the outside public to not take what is written out of context in a statement that said 'we have no more undeveloped and in the City of Brooklyn', as that is far from the truth. We don't control the land at American Greetings, it is one of the most undeveloped and available pieces of property in the county. So for those interested in coming to Brooklyn, we do have land available.

**Ron Van Kirk:** With the temperatures warming up, he's not holding his breath that the snow is gone for good. Some residents called complaining about snow being blown from a drive onto other's property. An Ordinance was passed last year to prevent that from happening. As a friendly reminder, asking residents to be conscientious of what they are doing concerning that, possibly even causing a safety hazard. If you accidentally blow snow into your neighbor's drive, please blow it back into your yard. Remember to vote on March 15<sup>th</sup>. Besides President, there is a US Senator, State Senator, State Representative, and a lot of state and local officials and judges. A listing is on the Secretary of State's website is [sos.state.ohio.us](http://sos.state.ohio.us). Voting at the Board of Elections started on Feb. 17<sup>th</sup> and your ballot can be cast any time they are open. Thanked Mr. Hopkins for coming and talking about the Drama production. They do a fantastic, well done job. Encouraged residents to go and support them. He went through the Rec fees in the ordinances quickly, if there are any questions call the Rec Center at 351-5334 for all the information. Also apologized for the number of ordinances, but we'll be working on consolidating them into one so as not to have that many to read through. Commented on Ord. #10, the positions of two Magistrates. This is a good example of a way of finding ways to run departments more effectively and efficiently. Thanked Mr. Lambros from coming to Finance and answering questions. It will not only save the city significant dollars, it will provide a more fluid system in Mayor's Court, and have us not hold people in jails longer than we need to and move them through quicker. Commends the Mayor and Administration on that.

### **MAYOR'S REPORT:**

**Mayor Gallagher:** Thanked Acting Senior director Karen Fratto for the great job at the Valentine's luncheon dance, and all the senior volunteers at the great event. The Bldg. and Police Depts. finished their annual reports. Highlights from Bldg. Dept for 2015: modifying business forms to be user friendly; scanning documents instead of printing records; helped transition of eight new businesses and the relocation of three; continue systematic house to house approach (all houses west of Ridge from Outlook to Southfield), leading to 281 notifications (239 of those violations brought into compliance); completed 34 rental inspections (including Westbrooks, Floridians and Ridge Rd. apartments); 2015 construction was down from previous two years, estimated amt. of construction \$6,800,000 (which totaled \$154,000 in permit fees). Highlights from Police Dept: there was a drop in service calls by 10.6% from 2014, and overall decrease in crimes from previous year; continued with training a priority with over 800 hours (to meet the changes in policing, and comply with State standards); every officer had special training in domestic violence, first aid, CPR, cultural competence, and firearms; added new dashboard cameras and body cameras for each officer (helps with evidence, accountability and training). The Fire and Bldg. Dept. annual reports are available on the City's website, and the Police Chief will send his report to Council, and then on the website this week. She sent an e-mail to Council this week that she, the Police and Fire Chiefs met with the County about the ReadyNotify Program (to replace the CodeRED program), for emergencies, snow bans, and other

notifications the city would use. It will save the city approx. \$25,650 over three years; it is free from the County. This is a self-populated database – we will have to notify all CodeRED participants about switching over. It will be available on the website. Training is being done on the program with the Chiefs and Service Director. A CodeRED update will be sent out for those who are participating, and if they wish they can sign up again on-line, and also with sign-ups at the Senior Center on March 10<sup>th</sup> and 24<sup>th</sup> from 11:30-12:30 to assist (just fill out forms and the staff will enter their information), and notifications on website and other means. Updated on the cable stations: up and running on AT&T U-verse, and waiting for Time Warner and WOW (gave some explanations on those stations).

### **DIRECTORS REPORTS:**

Econ. Dev. Dir. Udris: Wanted to update Council regarding the current situation with IKEA. Though they chose not to renew their options with the city (through CIC) and Plain Dealer, they have not withdrawn their application from the Army Corps. of Engineers and we're continuing to work with the Ohio Dept. of EPA and the Greater Cleveland Partnership to identify how we can convince the US Army Corps. of Engineers and US EPA to change their positions on this project. Though a setback, we have not given up and are pursuing all options. Int. Pres. Van Kirk said he's had residents talk to him, and he knows a letter was sent out. What can the residents do to contact the Corps. of Engineers, or what to do to push this forward? Dir. Udris replied if residents will, it's an opportunity to contract federal and Congressional legislators to urge them to look into the matter and identify whether the US Army Corps. of Engineers and the US EPA are acting properly and in accordance with the rules. We think they're not being creative in this matter and in order to protect 350 jobs and a major new investment to our community it would be wise for the federal officials to look into this and see if we have misunderstood something or there's other options available to us. Int. Pres. Van Kirk encouraged residents, if this is something they feel is positive for Brooklyn, which he thinks it would be, to take time to contact the officials – because they do work for us. The Mayor's office has been in contact with Senators Brown, Portman, and Rep. Kaptur's office many times to try getting movement on this. Hearing from residents (phone calls or e-mails) would help them pay attention. It's an important project for the city.

### **CONFIRMATIONS:**

Mayor Gallagher requests Council Confirmation for the appointment of Andy Celcherts to the City's Economic Development Committee, to replace former member Debbie Tomusko (now Councilwoman). Mayor Gallagher said there were questions last meeting, and Dir. Butler addressed an e-mail to the two Councilmembers with objections; so she wanted to reassure it was followed up on. **MOTION** by Van Kirk, second by Tanski to confirm the appointment. **VOTE RESULTED:** *To Confirm Appointment:* Yes: Tanski, Paulitzky, Van Kirk. No: Balbier, DeMarco. **(NOT CONFIRMED)**

### **LEGISLATION:**

**ORDINANCE 2016-5:** Annual Appropriations Ordinance. **(SECOND READING)**

**ORDINANCE 2016-6:** Amending Section 1 of Ord. 2009-66, Establishing fees for the Sports Sponsorship at the John M. Coyne Recreation Center. **(SECOND READING)**

**ORDINANCE 2016-9:** Authorizing the Mayor to enter into a service agreement renewal with Bailey Communications to provide maintenance of network, software support, and other related services for the City of Brooklyn in the amount of \$51,641.10. **(FIRST READING)**

**ORDINANCE 2016-10:** Providing for the positions of two Magistrates with the City of Brooklyn, Ohio. **(FIRST READING)**

**ORDINANCE 2016-11:** Amending Section 2 of Ord. 2012-91, adopted 1/28/13, entitled "Health Insurance Coverage for the position of part-time Law Director, Prosecutor and Magistrate." This will remove Magistrate from the requirement. **(FIRST READING)**

**ORDINANCE 2016-12:** Amending Section 3 of Ord. 2013-31, adopted 5/13/13, entitled, "To Provide for the policy governing the maximum hours worked for part-time employees for the City of Brooklyn." This removes Magistrate from the requirements. **(FIRST READING)**

**ORDINANCE 2016-13:** Amending Exhibit A of Ord. 2015-62, Providing for the compensation for the part-time, full-time and Administrative employees (non-bargaining agreement) for the City of Brooklyn, Ohio. **(FIRST READING)**

**ORDINANCE 2016-14:** Authorizing the Mayor to enter into an agreement with Civil & Environmental Consultants, Inc. to provide engineering services relating to the Sanitary Landfill for the estimated cost of \$13,500. **MOTION** by Van Kirk, second by Tanski to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. *To Adopt:* Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADOPTED)**

**ORDINANCE 2016-15:** Amending Section 1 of Ord. 2008-65, Establishing the fee for evening basketball program with the Recreation Department of the City of Brooklyn. **(FIRST READING)**

**ORDINANCE 2016-16:** Establishing the fee for the evening volleyball program within the Recreation Dept. of the City of Brooklyn. **(FIRST READING)**

**ORDINANCE 2016-17:** Amending Section 1 of Ord. 2009-7, Providing for fees for instruction in ice skating within the City of Brooklyn Recreation Dept. **(FIRST READING)**

**ORDINANCE 2016-18:** Amending Section 1 of Ord. 2009-23, Providing for fees for softball, soccer, baseball field usage within the City of Brooklyn Recreation Dept. **(FIRST READING)**

**ORDINANCE 2016-19:** Establishing registration fees for the t-ball and baseball programs within the Recreation Dept. of the City of Brooklyn, and repealing Ords. 2010-10 and 2011-15. **(FIRST READING)**

**ORDINANCE 2016-20:** Amending Section 2 of Ord. 2003-19, Establishing fees for Learn to Swim Program at the City of Brooklyn Natatorium and Outdoor Swim Complex. **(FIRST READING)**

**ORDINANCE 2016-21:** Authorizing and approving compost pond site improvements at the Sanitary Landfill in the amount of \$28,031 as specified in the proposal of Independence Excavating. This will be passed by emergency because if it goes through three readings it would take three weeks, and this work needs to be done to get the Landfill to where it's supposed to be. **MOTION** by Van Kirk, second by Tanski to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. *To Adopt:* Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADOPTED)**

Councilman DeMarco wanted the residents to know, in the last month or so we have authorized and spent, or will spend, almost \$90,000 in fees related to maintaining our compost service to the residents. Dir. Verba said this is the first item for the compost, to remain with the EPA. He repeated it is the first, not 70,000.

Int. Pres. Van Kirk said it's a shame Mr. Celcherts was not approved this evening for the Economic Development Comm. He is a seasoned veteran in the business world, for numerous years before his retirement; served on Council for last two years; and would have been a good asset to the Committee. He expressed disappointment he was not approved. For residents wanting to make contact with senators: their phone numbers: Senator Sherrod Brown, 440-242-4100; Senator Portman, 216-522-7095. Urge them to contact the Army Corps. of Engineers so IKEA can move the project forward. Mayor Gallagher added if anyone wanted a form letter that Dir. Udriis had created, contact a City Councilmember or City Hall.

There being no further business, **MOTION** by Tanski, second by Paulitzky to adjourn. **VOTE RESULTED: To Adjourn:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco. No: None. **(ADJOURNED)**