

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

November 10, 2014

7:00 p.m.

Present: Andy Celcherts
Katie Gallagher
Tony DeMarco
Ron Van Kirk
Kathy Pucci
Mary Balbier
Kevin Tanski

Absent: None

Pledge of Allegiance.

President Gallagher said she will give Councilman Celcherts the honors of announcing the winners of the Halloween Decorating Contest, since he introduced this community activity.

Councilman Celcherts thanked the judges for helping, and applauded the efforts the residents took in the contest. There were so many potential winners, and there is a photo gallery on the city's website and Facebook page. He had the following winners come to the podium for their gifts: Scariest, 7509 Ira, Gina Fiorente; Most Creative, 6223 Traymore, Bombik family; Most Original, 6828 Traymore. Honorable mentions went to Rini residence, 4357 Roadan; and 6568 and 6400 Ira. Delora and the Pelham area were also noteworthy. We will do this next year also.

President Gallagher congratulated Councilwoman Pucci for her acceptance into the Cleveland State University Leadership Program. New items on the Agenda: Service Dir. requests Council approve a Change Order for the Rec Center for \$6,277.08 for additional piping in locker rooms; two Ordinances repealing a 5% reduction in salary ranges voted on in 2012 (for non-bargaining unit employee); the mayor's appointment for Building Commissioner will be taken off the Table, and there will be an executive session at the end of the meeting to interview the candidate, Dave Kulcsar (and Council will reconvene to vote). Tomorrow (Nov. 11) city buildings will be closed for Veteran's Day (Rec Center will be open). Thank you from Council to all armed service veterans. Tomorrow at 6 p.m. the Council, Mayor and Finance Dir. will meet in the Conference Room to discuss next year's budget. She also thanked the Mayor and Directors for their timely responses. This is the earliest she's remembered that Council's met to discuss the budget. The city will be facing difficult choices in the future with the departure of American Greetings; but with the right planning in the next few years we can move forward more efficiently and properly planned for what opportunities lie ahead.

PUBLIC SESSION:

Tom Adamski of 9625 Melody Ln. addressed Melody Lane residents that the street is not a racetrack or to throw trash onto. He recited a reading about the American Flag, in memory of veterans.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 and addressed the following: recommended approval on the Change Order for the Rec Center; Ord. #52 (full-time Rec Comm., pay range \$50,000 to \$80,000), with Ord. #64 being tabled (competing Ord); Ord. #65 (multi-purpose hook lift truck, accessories- \$279,789.18). Ord. #68 on 1st reading (repeals 5% wages reduction for non-bargaining administrative); Ord. #69 on 1st reading (for p-time Econ. Dev. Dir. 5% cap on wage). They will also be discussed at tomorrow's budget meeting. As mentioned, there is a budget work session tomorrow at 6 p.m.

Public Safety/Environmental Comm. (Councilman Van Kirk): The Comm. met after the last Council mtg. to discuss pay increases for various p-time employees within the Police Dept. Proposals for any increases will

be presented by the Chief at the 2015 budget mtgs. The Police Chief also updated on the current state of the Police Station, which is in very poor shape, with numerous problems increasing and needing to be addressed. We are in great need of a new facility so the police can do their job. We will see how best to fill that need. The Comm. will continue to meet regarding this need in the future, and hope the residents get involved in the process.

Recreation Board (Councilman Tanski): Friday Night Basketball begins Jan. 9 – Feb. 20, 2015 in the High School's east gym, open to residents only, grade 1-8, with registration Dec. 1 – Jan. 9 at the Rec Center. Cost is \$35.

Legislative Update (Councilwoman Balbier): Traffic photo monitoring devices have been discussed a lot, and is the subject of pending HB 69 and SB 342. If passed, they would not be outright banned, but require the presence of a police officer at the site for the ticket. Two communities using them have proposed Charter amendments on the ballot to regulate them. The feeling is the State will be putting some restrictions on it statewide, with the Bills pending before the Assembly.

Zoning Bd. of Appeals (Acting Comm. Kulcsar): The Board will meet Nov. 20th at 6 p.m. to hear eight requests for variances from rep. from Menard, Inc. for the new Menard's Home Improvement Store at 7700 Brookpark Rd. (accessory structure height, fence height, parking spaces, various signage)

Planning Commission (Councilwoman Gallagher): The Comm. met Thurs., Nov. 6th at 6 p.m. and passed a request from Anchor Sign, Inc. to install illuminated wall-mounted sign for business identification of PPG Paints at 7580 Northcliff; passed a request from Great Lakes Sign Co. to install illuminated LED wall-mounted sign for business identification at Z-Brothers Trucking at 7603 Clinton; passed a request from Great Lakes Sign Co. to install illuminated LED video message center side wall business identification sign for Z-Brothers Trucking at 7603 Clinton; passed a request from Menards, Inc. for site plan approval to construct a new 172,740 sq. ft. store at 7700 Brookpark, and to install illuminated wall-mounted and freestanding signs for business identification of that store.

Public Works Committee (Councilman Celcherts): He has notes from Dir. Verba since he is not available for this meeting: Outlook, Bentwood and Rodoan have been completed, with a punch list to be submitted to correct a few minor things and landscaping. Ridge Rd. has not been opened by the Library yet because the castings by W. 66th were stolen, and were specially ordered castings. When the weather breaks a temporary striping will be put down, and when that's complete Ridge will be open to traffic. They will come back in the spring to permanently stripe and landscape, and address the punch list items. This past Friday we received the new automated recycling truck, and information will be on the city website and Facebook. Delivery of the carts will be Nov. 12th, and recycling start with Monday's route on Nov. 17th. Educational information was sent to the printers, and residents should receive it sometime this week. Installation of an exhaust system at the Service Garage started. The fire alarm system there will not be done by this year. The bocce ball court's roof should be completed by next week, weather dependent. It was outsourced because there is not enough manpower to get it done in time. One more court will be completed next year, and some electrical work. 500 tons of salt has been ordered for the winter. Banners for the holiday season are in, and Christmas lights are starting to get put up. There are still plans for crack filling on Memphis Villas So. and Winter Ln. this winter, sharing the services with Parma Hts. (the equipment and one employee).

School Board (Councilman Celcherts): The Bd. held interviews on Nov. 1st for the open position that was created with the resignation of Jennifer O'Banion. Carl Etheridge was voted into the vacation position. There was a special Bd. mtg. on Nov. 3rd, they accepted the resignation of Supt. Walker effective June 30, 2015. There was lengthy discussion on the search process for a new superintendent. Check their website for all upcoming winter sports events. The Nov. 22nd Night at the Races has been cancelled. The next Bd. mtg. is Nov. 18th and open to the public.

REPORTS OF COUNCIL:

Andy Celcherts: On the Agenda is Ord. #65, the purchase of the V-Hook truck. The process began two years ago seeing a similar vehicle, and much research was put into this. It's a multipurpose vehicle that can be converted into a salt truck with a plow after leaf season ends. This week he sent a five-year plan to

Council for repair and upkeep of city streets, and up for discussion at the work session and Council meetings. In 2015 the proposed plan would cost the city approximately \$1.2M; in 2016 it is approximately \$517,000. Memphis Ave. and Radoan are tentatively set for work. 2017 projection is approximately \$707,000; and 2018 almost \$579,000. The plan will get the worst streets done, while tackling not so bad streets to not have to perform major rehabilitation. This helps get the bidding process out earlier than previous years, as well as getting work done sooner. The streets will be looked at again, and a crack filling program will be looked at to maintain the streets recently re-done.

Tony DeMarco: Congratulated the Halloween decorating contest winners, and also those who decorated to make the neighborhoods look nice. Was going to comment on Ords. #68 and 69 (repeal the ceiling on a cap on compensation for directors by 5%), which he voted in 2012 not to decrease the range; now we're back to request to bring it back to where it was. He's hoping to find out the basis for these ordinances. Wanted to comment on economic development, as he was unable to attend the last Council meeting due to a work commitment. He's spoken on it several times, and it's an essential issue vital to the future success of the city; but everyone doesn't seem it's as urgent as he feels it is. He's made previous comments and clearly stated he doesn't question the competency of our econ. dev. director, who he met over 15 years ago, but feels there is no accountability, or positive action that will help prepare for the city's future. He thinks we can do more and better. Directors should be held accountable for their areas of responsibility and expertise. At the Oct. 14th Council mtg. the econ. dev. director took his past comments personally and made unfortunate personal comments about him. They don't bother him, but speak to the character of the person. He thinks he's the only Councilmember who expects accountability from the Mayor and directors (or is willing to bring it up publicly). At the Oct. 14th mtg. the econ. dev. director said he hasn't presented, 'one plan or suggestion for economic development since he's been on Council', which is not true. If the Mayor's administration is looking for a Councilmember to develop our economic development strategy, what's the point in compensating the person with the title Econ. Dev. Director. She did state he met with her when he first because a Councilmember in 2009 to discuss econ. development; and her responses were she was working with inferior real estate assets for today's business owners. But positive outcomes occur in other cities and excuses are not made. His assessment several years ago (and still today) is we need more resources allocated to this endeavor; and he suggested finding someone else to lead econ. development efforts, with different skills, and a compensation plan with an incentive if they generate results. It met with resistance from the Mayor, he suggested a compromise to hire an additional resource to sell Brooklyn to the greater business computer, and still use Fran's vast funding sources knowledge. After several months the Mayor decided it wasn't a good idea and it did not move forward. He also realized back then we have no marketing plan in terms of econ. development (what we want to communicate to business owners/ reps., reasons they would consider locating here...) As everyone knows, he pushed to develop an econ. development plan by an experienced econ. development firm; but a decision was to go in a different direction. Today we have no defined marketing plan. He asked the Mayor to have an annual breakfast for business owners, to give them a forum to talk directly to the Mayor, Council and directors, communicating the positive of Brooklyn. We had a breakfast in 2012 and 2013, but it was cancelled this year. In 2012 he presented to the Mayor to purchase the land where Sheetz is and take econ. development of that site into our hands, instead of relying on a third party in the efforts. He's confident we can bring office users to Brooklyn. But nothing happened, and we have a gas station there. So he's made several suggestions and solutions, but they weren't acted on or though viable. He repeated the city is at a major crossroad, and serious action should have been taken years ago to tackle these issues head on, and develop contingency plans; but we wait and take no meaningful action. We're about to embark on the biggest change our city has seen financially in over 50 years; without a plan we won't have an opportunity to succeed. Addressed Mr. Adamski and his comments from the last meeting, that his ideas are untrue and without merit. He understands he supports the current Council President, and her mother (former Councilmember); but he should pay attention and have facts in order before making incorrect public statements.

Ron Van Kirk: Thanked Mr. Adamski for the flag poem. On the Agenda is an ordinance creating a new position at the Rec Center; here after many discussions on the topic. He's gone back and forth on this issue, and has decided to support it. To him it's a lesser of two evils. Something different needs to take place with the Rec Center moving forward; but proper funding for the Center has been lacking for some time. This position will alleviate some short term needs; but the problem is an aging facility becoming increasingly expensive to maintain. The person in this position won't have necessary resources to run the Center effectively, and it won't be their fault. But with the major loss of revenue coming, we must distinguish wants and needs. He will expect the highest level of accountability with this new leadership, with a clear plan for

the Center's future. Tough decisions will have to be made about this facility. Tomorrow is the 95th anniversary of the celebration of Armistice Day. He cited a quote commemorating this event, marking the first Veteran's Day, to honor and thank those who served, and their families. He ended with another quote from Pres. Regan. He expressed his thanks to veterans for their service.

Kathy Pucci: Congratulated winners in the Halloween decorating contest, and all the residents who decorated. The Cuyahoga County Library was given a five-star rating, for the sixth year in a row, and other awards. We're fortunate to have a great library system, and Brooklyn's Library is one of the busiest libraries. The next Safe Routes to School meeting is Nov. 19th at 7:30 a.m. at Brookridge. She was honored to be asked to apply and be accepted to the Levin College of Urban Affairs Leadership Academy (a seven month program). She thanked the Northeast Ohio City Council Assn., as she was awarded a \$500 scholarship for the program. Thanked veterans for their service. Also thanked Mr. Adamski for the poem he read.

Mary Balbier: Also thanked Mr. Adamski. Spoke of her father who served in the Army during WWII, and his extensive injury there; and her husband as a Vietnam Veteran. She thanks all veterans for their service, and asked everyone to acknowledge those who served. She attended a self-defense workshop put on by the US Shuai Chiao Academy for the community. She thanked the owners for their time and expertise, and helping residents with self-defense. She wished more residents had taken part. She said she's now considered a lethal weapon, having learned some techniques! The city and St. Thomas More will be collecting food for Thanksgiving baskets for those in need; drop off at City Hall from 8-4 Mon-Fri, last day of collection Nov. 21st. Baskets will be delivered Nov. 25th. Nov. 25th is the 15th Annual Chef Training holiday bake sale at Polaris from 10-4. Call 440-891-7600 for more information. It's run by the students under direction of a professional Chef, with proceeds to help the Polaris Chef Training student activities. She thanked Chief Zemek for showing her the command vehicle, it was interesting.

Kevin Tanski: Commented on the elections and traffic cameras, as Cleveland and surrounding cities put new cameras throughout their area. Instead of removing the unpopular cameras, Cleveland installed more. It went to a vote, and 78% voted to remove them. It's a shame that officials elected to run a city, don't listen to the majority (to remove the cameras). Clevelanders he spoke to were just going to polls just to vote against the camera issue. They are that unpopular. Spoke further on camera ticket issues and placement. He thinks it is all about money. He hopes that cities will respect what their residents are saying and not force their own agendas, camera light issue, or any other unpopular issue.

Katie Gallagher: As evidenced in the last few Council meetings, some Councilmembers are cautiously approaching the newly created Rec Comm. position, and the Bldg. Dept. appointment. She explained her thoughts on these positions. A few months ago Council agreed to hire a Human Resource consultant, as there are many issues regarding employee matters, and our Law Director's background is not specifically employment law. Thought it's costly having this consultant, there is a higher return on the investment. His first task was to create job descriptions for the Rec. Dept. management team; her position was to move in the same manner with descriptions for the Bldg. Dept. Since the last meeting, the Mayor fulfilled the request, and those descriptions were created. As far as posting the position, it's the Mayor's authority to choose his candidate to bring to Council for confirmation. Some Councilmembers thought we should still post the position and follow the HR's process; but the Mayor assured he's done due diligence exploring all options for this position when picking Dave Kulcsar as the Asst. Bldg. Comm. He knew Mr. Fitzgerald intended to retire in 2014, so he filled the position knowing Mr. Kulcsar could move up and fill that position. So with no huge issues in the Council interview with Mr. Kulcsar, she will take the Mayor's word he went through a fair and detailed process when hiring him. As for the Rec. Comm. position, she's discussed it at length with Council, the Mayor, and HR consultant, and understands benefits to creating the position and why the Mayor chose to bring it to Council; but she still has reservations. If the position passes, she commits to work with the person, but feels we failed to create a financial plan for the Rec Center's future, which will hinder the person taking the job from creating a successful, long-term plan. She concedes the position will solve some short-term problems, but haven't looked into the future. She will not be voting for it tonight. Also thanked the Shuai Chiao Kung Fu Academy for holding the self-defense class. When the owners moved into Brooklyn they became involved with Brooklyn right away, and offered to hold this class at a resident's request. She's taken many self-defense classes as a Probation Officer, and they did a great job on talking points and defense techniques, and one of the best classes she has been to.

MAYOR'S REPORT:

Mayor Balbier: As mentioned, the side streets are completed (Rodoan north, Bentwood, Outlook), and Ridge is very close to open the end of the week (weather permitting), with a couple of spots to do (W. 66th area, street swept, lines painted). Thanked all veterans. He served six years with Army Reserves before Vietnam War started, so he has great respect for them all. Halloween went without incidents. Thanked the decorating contest winners for their efforts. Councilman Celcherts asked him a few months ago asking to hold the contest, and he advised him to not tell who the judges are. Dir. Verba gave a rundown before he left, and Councilman Celcherts covered the rest. Getting the literature out on the recycling bins will go out, and they will start getting delivered Wednesday, and start next week. Congratulated the winners of last week's election; he looks forward to working with Mr. Budish at the county level. We received a Certificate of Achievement for Excellence in Financial Reporting to Brooklyn for its Comprehensive Annual Financial Report for Fiscal Year ended 12/31/13. Also an award for Finance Dir. Enovitch, for Financial Reporting Achievement. Thanks to Dan and the Finance Dept. employees for a job well done.

DIRECTORS REPORTS:

Finance Dir. Enovitch: Reported that year to date, our unencumbered General Fund balance is \$10,446,258.27. Year to date into the General Fund, \$16,820,831.33. expenditures are \$14,178,127.37. Total fund balance is \$26,487,041.65.

REQUEST:

Request to approve a change order for the locker room and restroom renovations at the Recreation Center (\$6,277.08). **MOTION** by Pucci, second by Celcherts to approve. **VOTE RESULTED:** *To Approve:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. **(APPROVED)**

LEGISLATION:

ORDINANCE 2014-52, Establishing the full-time position of Parks and Recreation Commissioner and repealing the position of Recreation Commissioner. **MOTION** by Pucci, second by DeMarco to Suspend the Rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: DeMarco, Van Kirk, Pucci, Balbier. No: Celcherts, Gallagher, Tanski. *To Adopt:* Yes: DeMarco, Van Kirk, Pucci, Balbier. No: Celcherts, Gallagher, Tanski. **(ADOPTED with 30 day waiting period)**

ORDINANCE 2014-64, Establishing the full-time position of Parks and Recreation Commissioner for a three-year period, effective 1/1/15 and expiring on 12/31/17, and repealing the position of Recreation Commissioner. **MOTION** by Van Kirk, second by Pucci to Table. **VOTE RESULTED:** *Table:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. **(TABLED)**

ORDINANCE 2014-65, Authorizing the purchase of a Multi-Purpose Hook Lift Truck and Accessories for use by the Service Dept. for a total of \$279,789.18 through cooperative purchasing programs. **MOTION** by Celcherts, second by Tanski to Suspend the Rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. *To Adopt:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2014-68, Repealing Sect. 1 of Ord. 2012-6, as amended, relating to compensation for full-time and administrative employees in non-bargaining agreement. **(FIRST READING)**

ORDINANCE 2014-69, Repealing Sect. 1 of Ord. 2012-22, relating to the compensation for the part-time position of Economic Development Director. **(FIRST READING)**

President Gallagher said Council will go into Executive Session to interview Dave Kulcsar for the position of Building Commissioner; and also to discuss matters relating to negotiation, with the Mayor, Law Director, and Mr. Kulcsar. **MOTION** by Pucci, second by Celcherts to adjourn to Executive Session. **VOTE**

RESULTED: *Adjourn to Executive Session:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. (**ADJOURNED TO EXECUTIVE SESSION**)

Council adjourned to Executive Session and then reconvened.

MOTION by Pucci, second by Tanski to reconvene. **VOTE RESULTED:** *Reconvene:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. (**RECONVENED**)

MOTION by Pucci, second by Celcherts to confirm the appointment of Dave Kulcsar as Building Commissioner. **VOTE RESULTED:** *Confirm:* Yes: Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier, Tanski. No: None. (**CONFIRMED**)

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

Asst. Clerk of Council

President of Council