

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**November 24, 2014**

**7:00 p.m.**

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

Absent: None

Pledge of Allegiance.

President Pro-Tem Van Kirk will chair the meeting this evening for President Gallagher as she is not feeling well. (though is present at meeting)

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

**MOTION** by Pucci, second by Celcherts to approve the minutes from the meeting of August 25, 2014. **VOTE RESULTED:** *Approve:* Yes: DeMarco, Van Kirk, Pucci, Albier, Celcherts, Gallagher. Abstain: Tanski. No: None. **(APPROVED)**

Pres. Pro-Tem Van Kirk: Reported that Council held their first budget work session Nov. 11<sup>th</sup>, and discussed various topics (Budget Stabilization, economic development, capital expenditures for 2014, and 2015 street repairs). There will be another work session on Dec. 4<sup>th</sup> at 6:30 p.m. in the conference room to continue budget discussions. All are welcome to attend. New items on tonight's Agenda include a liquor permit renewal for Sheetz; confirmation of Greg Farkas to Zoning Bd. of Appeals; request to advertise for bids for City Hall ADA ramp; request to advertise for 2015 street rprs. (Brookhill Cir., Century Cir., Deborah Lynn, Fairway, Forest Edge north, Glenn Daniel Cir., Manoa, Micka, Newberry, Rockland, Shady Ln., and Southwood south of 480) at a total estimated cost of \$1,282,960; a Res. to enter into a contract with the County Bd. of Health for 2015 (for medical, nursing, sanitary, other health services) for \$43,782 (same as 2014); Ord. #70, to accept Med. Mutual proposal to renew medical insurance coverage for employees from 12/1/14 – 11/30/15; Ord. to enter into final settlement agreement and release in case known as Michael P. Weitzsacker vs City of Brooklyn. Council will also meet in executive session to discuss labor negotiations and other legal matter, then reconvene to vote on the last two Agenda items. He informed that City Hall offices will closed Thursday and Friday for Thanksgiving.

#### **PUBLIC SESSION:**

*Victor Ardito* of 7439 Outlook Ave. asked if the trash and recycling containers are coded to each house, since with the weather today he doesn't know if he has his correct one. Dir. Verba said he will speak to him after the meeting and get the correct information.

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

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 (reminded they are open to the public) and addressed the following: recommended approve authorizing for bids for the ADA ramp at City Hall and the 2015 streets program (getting the bids out early to hopefully recognize cost savings); Res. #7, first reading for the Bd. of Health contract (\$43,782 for 2015); on second readings, Ord. #68 and #69 (both for repealing 5% lowered ceiling on salaries for non-union administrative employees); Ord. #70 (medical insurance renewal with Medical Mutual); Ord. #71 (regarding the lawsuit – Council will go into executive session for information).

Safe Routes to School (Councilwoman Pucci): The Comm. met Nov. 19<sup>th</sup> and had a re-cap of the numbers for Walk to School Week. The Bd. of Health staff will inventory all of their supplies, in preparation for storage of items for the new buildings. Working to make the program self-sufficient for when outside funding is no longer available. Discussed the City's Fall Fest and how the Comm. can take a role in it, by having a 5K run/1 mile family walk. The Bike Rodeo's Touch a Truck event will have participants confirmed by early February, and adding a food truck (Fire Truck Pizza) to the event with a token for free pizza for students. Spoke about grant opportunities, and possibly working with the school's healthcare consultant. In January will start the planning process for the new campus opening, and have packets and maps for the Safe Routes to School ready to pass out in August.

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, with sessions from 6-9 p.m. Skate with Santa will be Sunday, Dec. 7<sup>th</sup> from 2:45 – 3:45 p.m. Residents and guests are free with resident ID card. The next mtg. is Dec. 15<sup>th</sup> at 7 p.m. in the Mayor's Court.

Legislative Update (Councilwoman Balbier): HB 594 would prohibit the sale of crystalline alcohol (a powdered liquor in a pouch, when mixed with water becomes vodka, gin, rum and others). The product is called 'palcohol'. Each State would have the responsibility of allowing or prohibiting it, which Alaska and So. Carolina have banned it. It cannot be sold at this time, but some in the Legislature want to get ahead of it, to not allow it in the State of Ohio. This product could be too easily concealed into schools or events, and even sprinkled into food without knowledge, or even snorted. It appears it will be banned in Ohio.

Zoning Bd. of Appeals (Comm. Kulcsar): The Board met Nov. 20<sup>th</sup> to hear requests for variances from rep. from Menard, Inc. for the new Menard's Home Improvement Store at 7700 Brookpark Rd. Approvals were given for accessory structure height, fence height, parking spaces, various signage. One sign variance was withdrawn from consideration.

Planning Commission (Councilwoman Gallagher): The Commission will meet Thurs., Dec. 4<sup>th</sup> at 6 p.m. and hear requests from: Agile Sign and Lighting Maintenance to install illuminated LED wall-mounted sign for business identification of Check-n-Go at 4660 Ridge Rd.; a request from Rough Neon and Lighting Maintenance. to install illuminated LED wall-mounted sign for business identification of North Shore Gastroenterology and Endoscopy at 7580 Northcliff.

School Board (Councilman Celcherts): The Bd. met on Nov. 18<sup>th</sup> with various student presentations and commendations (academic and athletic, including Shaelyn Bauchens signing with Cornell) These and other items that took place are available on the School's website, the Board of Education tab, then BoardDocs. The hockey league night opener is Thurs., Dec. 4<sup>th</sup> at 7:15 p.m. The Middle-High School holiday concert is Dec. 13<sup>th</sup> at 7 p.m. Brooklyn Community Cares Holiday Wishes has a family/children designated by a number, and can be clicked on for details for their needs; to sign up for a family e-mail Ms. Marquis at [suzy.marquis@brooklyn.k12.oh.us](mailto:suzy.marquis@brooklyn.k12.oh.us). Donations collected at Brookridge until Dec. 12<sup>th</sup>. Contact her for more information by e-mail or at 216-485-8191, ext 8232. Hockey and wrestling schedules are also available on the website. The next Board meeting is Dec. 16<sup>th</sup> in room 173, open to the public.

### **REPORTS OF COUNCIL:**

**Tony DeMarco:** Thanked Dir. Verba and the Service Dept. employees for taking care of a longstanding issue at the Westbrook/Rabbit Run turn. The residents in the area have also complimented them on this. Wished residents a happy Thanksgiving.

**Ron Van Kirk:** Also thanked Dir. Verba and the Service Garage for being prepared for the unexpected snow and their fantastic job cleaning it up. Informed residents that the Service Dept. is getting to the leaf pickup as soon as they can; but six inches of snow and 50 mph winds makes it difficult. They're working around the clock, so he asked for patience. Thanked Councilman Celcherts for working with the City Engineer on the 2015 streets; this is the earliest we've had this done as far as he knows. Now the construction can start in the spring, instead of waiting until the fall. Encouraged people to read President Lincoln's Proclamation declaring Thanksgiving a national holiday in the middle of the Civil War (1863). Wished everyone a happy Thanksgiving.

**Kathy Pucci:** Congratulated Shaelyn Bauchens for signing with Cornell (daughter of a Service Dept. employee, and granddaughter of retired Senior Center coordinator.) Nov. 13<sup>th</sup> attended a NOACA (Northeast Ohio City Council Assn) forum about youth engagement in local government, which covered students in the Bedford School District. She briefly spoke on the students' participation in local government, adding it would be great to see Brooklyn take part in it. Asked Comm. Kulcar to review the details on sign variances for Menards, particularly the large variance on Brookpark; which he replied that was withdrawn. When asked about the 480 free-standing sign, Comm. Kulcar replied it was limited to 80 foot maximum height. The Brookpark Rd. sign will have something alternate to the pole sign. Wished everyone a happy Thanksgiving; and further expressed gratitude for the employees who do a great job for residents year around, their efforts are appreciated.

**Mary Barbier:** This past weekend students from Brooklyn Schools, St. Thomas More, Parma and Magnificat High Schools to help assemble Thanksgiving baskets to be delivered to the needy. Personally thanked Seth and Thomas, and Rachel and William who helped her. It was a wonderful morning and experience for everyone. Two weeks ago the Chamber held a get together at Ridge Manor, presenting a PowerPoint of their activities showing how they give back to the community: the Taste of Brooklyn event in February benefits Brooklyn school children with scholarships and monthly luncheons. They also met the new manager at Ridge Manor, Joe Gallo, who informed of upcoming renovations and ideas for the center. They will be holding a Thanksgiving Day buffet. The Historical Society has their annual Christmas brunch on Dec. 7<sup>th</sup>, call Barb at 216-941-0160 for reservations; their gift shop will be open after the brunch from 2-4. There are many churches that will serve Thanksgiving dinners for those in need, one in particular, St. Augustine's in Tremont; if anyone is in need call the rectory at 216-781-5881. They will also deliver to homebound. They always welcome volunteers to help out. Wished everyone a happy Thanksgiving; expressed her reflection and thankfulness, for all she has, friends and family, and all in Brooklyn.

**Kevin Tanski:** Asked Chief Mielke for an update on the synchronization on Ridge, from Biddulph to Northcliff. Chief Mielke said they're still working on the final synchronization, so the County and their engineer will come up with something to maximize the traffic flow. Asked Dir. Verba to give an update on the landscaping on Ridge Road, when they'll come out, seed and level it. Dir. Verba replied this is just a temporary seeding; they will come back around April, do the landscaping again, review a punchlist, and do the permanent striping. He thanked Dir. Verba for responding to all his many calls, and he has his support on any additional staff needed in the Service Dept. Wished everyone a happy Thanksgiving.

**Andy Celcherts:** Congratulated the Brooklyn Youth football program for becoming State Champions in the U-10 category. The Fire Dept. is holding a spaghetti dinner benefit for Andrew Star family on Dec. 12<sup>th</sup>, 4-8 p.m., \$6 adults, \$4 seniors, \$2 six and under. Andrew is a six year old resident battling cancer, and this will help offset medical costs. Donations can also be dropped of at the Fire Dept. Wished everyone a happy Thanksgiving.

**Katie Gallagher:** Congratulated the Westbrook Apts. and Ridge Park Square, named Businesses of the Year by the Chamber of Commerce. They both donate and give back to the community throughout the year, and are loyal supporters to the Chamber. Last week she attended her first City Council Association meeting, as mentioned previously by Councilwoman Pucci. She added it's important to teach children and teenagers how government impacts lives; with voting down it's important to push in our community. She thanked Judge Cassandra Williams for coming to Brooklyn Schools last week to hold an actual court hearing for 7<sup>th</sup> graders. This live on-site court appearance is part of an on-going program to help children understand how our court system works. Reminded that the Holiday Gathering will be Sunday, Dec. 7<sup>th</sup> from 3-6 p.m. at the Senior-Community Center, with Santa, crafts, cookies, and music from the Brooklyn Show Choir, third graders, and the Brooklyn High School Concert Band. Also reminded the Holiday House Decorating Contest will be held the week of Dec. 8<sup>th</sup>; the three winners will be announced at the Dec. 22<sup>nd</sup> Council meeting. Wished everyone a happy Thanksgiving.

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

**Mayor Barbier:** As mentioned, Ridge Rd. is finally open; and they'll be back in the spring to do odds and ends and re-plant treelawns. Thanked for all the donations for Thanksgiving baskets, especially St. Thomas More for the bulk of it; it will be distributed tomorrow. He also thanked all the volunteers who helped

prepare the baskets, especially his secretary Jill for coordinating everything. Thanked Triad Engineering, from Clinton Rd., for their donation of \$500, we used for purchasing the turkeys. Everyone should have received their recycling cart, if not, please call City Hall and it will be delivered. The old yellow binds are yours to keep and use as wished, or throw it away. Last week he visited, along with Parma and Parma Hts., visited Mr. Fitzgerald's Chief of Staff at the County building, presenting our case for the grant needed for the Dispatch Center; then followed up with a visit with the transition team and Mr. Budish to explain again. There is supposed to be a decision on the grant and the amount by the end of December. On tonight's Agenda he's asking for a confirmation on his appointment of Greg Farkus to the Zoning Bd. of Appeals. Mr. Farkus is a resident who graduated from Brooklyn, is a small business owner, and would make an excellent contribution to the Board. We applied for a grant to get LED lights for all the city properties, but we found out this afternoon we were turned down. We will re-apply, if not for that, but for something else as soon as we are able to. Wished everyone a happy and safe Thanksgiving.

### **DIRECTORS REPORTS:**

Rec. Mgr. McGinty: The Rec Center will be closed on Thanksgiving, but will be open Friday, Nov. 28<sup>th</sup>, regular hours. There will be a \$1 hotdog and \$1 pretzel night for the Brooklyn High School home opener hockey game, Dec. 4<sup>th</sup>, 7:15 p.m. Come out and support the Hurricanes.

### **REQUESTS:**

Liquor permit renewal for Sheetz. Chief Mielke has no issues or problems with this request. **MOTION** by Pucci, second by Celcherts for a position of No Objection. **VOTE RESULTED: To Approve:** Yes: DeMarco, Pucci, Balbier, Tanski, Celcherts, Gallagher. Abstain: Van Kirk. No: None. **(NO OBJECTION)**

The Mayor is requests Confirmation of his appointment of Greg Farkus to the Zoning Board of Appeals. **MOTION** by Pucci, second by Gallagher to Confirm the appointment. **VOTE RESULTED: To Confirm:** Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **(CONFIRMED)**

Request to advertise for bids for the replacement of the ADA accessible ramp at City Hall, **MOTION** by Celcherts, second by Pucci to approve advertising for bids. **VOTE RESULTED: To Approve:** Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **(APPROVED)**

Request to advertise for bids for the 2015 Streets Program. **MOTION** by Gallagher, second by Pucci to approve advertising for bids. **VOTE RESULTED: To Approve:** Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **(APPROVED)**

### **LEGISLATION:**

**RESOLUTION 2014-7**, Authorizing the Mayor to enter into a contract with the District Board of Health of Cuyahoga County for Health Services for the year 2015. Amount is \$43,782. **(FIRST READING)**

**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. **(SECOND READING)**

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

**ORDINANCE 2014-70**, Accepting the medical insurance renewal for Medical Mutual of Ohio providing medical insurance coverage for city employees from December 1, 2014 to November 30, 2015. **MOTION** by Pucci, second by Celcherts to Suspend the Rules. **VOTE RESULTED: Suspend the Rules:** Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **To Adopt:** Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **(ADOPTED)**

Pres. Pro-Tem Van Kirk said Council will go into Executive Session to discuss the union wage reopener and other legal matters, with the Mayor, Council, Law Director. They will reconvene and vote on Ord. 2014-71. **MOTION** by Pucci, second by Celcherts to adjourn to Executive Session. **VOTE RESULTED:** *Adjourn to Executive Session:* Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

Council adjourned to Executive Session and then reconvened.

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

**ORDINANCE 2014-71**, Authorizing the Mayor to enter into a Final Settlement Agreement and Release in the case known as Michael Paul Weitzsacker vs the City of Brooklyn et al United States District Court, Northern District of Ohio, Eastern Division, Case #1:14-CV-1690. **MOTION** by Pucci, second by Tanski to Suspend the Rules, further stipulating the amount is for \$28,500. **VOTE RESULTED:** *Suspend the Rules:* Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. *To Adopt:* Yes: DeMarco, Van Kirk, Pucci, Balbier, Tanski, Celcherts, Gallagher. No: None. **(ADOPTED)**

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

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Asst. Clerk of Council

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President of Council