

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

October 27, 2014

7:08 p.m.

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

Absent: Tony DeMarco

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Tanski, second by Celcherts to approve the minutes from the meeting of June 24, 2014. **VOTE RESULTED:** *Approve:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci. Abstain: Balbier. No: None. **(APPROVED)**

MOTION by Celcherts, second by Tanski to approve the minutes from the meeting of July 10, 2014. **VOTE RESULTED:** *Approve:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. Abstain: Van Kirk. No: None. **(APPROVED)**

MOTION by Celcherts, second by Tanski to approve the minutes from the meeting of August 4, 2014. **VOTE RESULTED:** *Approve:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Balbier. Abstain: Pucci. No: None. **(APPROVED)**

President Gallagher updated that Council met for a work session Oct. 23rd to review and discuss the 2013 CAFR with Ms. Hall from Ciuni and Panichi Accounting Firm; the report is available on the city's website under the Finance tab. Council will meet again soon to start the 2015 budget process and look at the future of the Budget Stabilization Fund and Economic Development Fund. New items on the Agenda: Service Dir. requests Council reject the sole bid for the HVAC service/maintenance of city buildings (the Finance Comm. voted to table it); two change orders for the Rec. Center – one for \$373.81 for a door frame raise, and one for \$4,142.08 to repair electrical conduit damage under floor slabs; accept a \$1,000 grant from Walmart for the Fire Dept. for fire prevention materials and smoke detectors for residents; a Resolution authorizing the Mayor to submit an application and sign contracts with Ohio Public Works for funding assistance for pavement and sewer rehab of Rodoan Rd. and alley (\$2,177,300 project, requesting \$1.2M – with half as a grant and half a non-interest loan, remaining funds from County sewer fund and City's General Fund – projected start and finish in 2016). There was a Finance/Public Works Comm. mtg earlier tonight and recommend to adopt Ord. #65, to purchase a multi-purpose hook lift truck and accessories for \$279,789.18 (snow blower/salt truck/leaf collector). New on Agenda: Ord. #66, to amend an Ohio EPA agreement relating to the landfill (changes due dates for city, and requirements of landfill grade, and not bid the job until EPA approves plans); Ord. #67, modifying the agreement with Clemans and Nelson to allow our HR consultant to work up to two times per week. At the end of the meeting Council will meet briefly in Executive Session to discuss updates on personnel matters. Reminded Halloween is 6-8 p.m. Friday the 31st.

PUBLIC SESSION:

Tom Adamski of 9625 Melody Ln. President Gallagher on her publication 'The Brooklyn Brief', that her articles are accurate and timely, and at her own cost, the kind of Councilperson the city needs. Said it was unfortunate Councilman DeMarco was not present, because as a resident he's dissatisfied how he lambasted at a meeting; added if he's disenchanted with the Mayor and Council leadership, and resigned from Finance Comm., suggests he resign so someone can serve the community. He doesn't expect everyone be yes people,

but have balance. He hasn't heard Councilman DeMarco suggest any improvement for the city, for economic development. Said he's disappointed in his career he's displayed. To Council and Chief Mielke, commented on sad news in police encounters when it comes to death; as an advocate of safety, and traffic cameras (on hold), the Nov. 4th election will conclude legality of yes or no. He's still in favor of the cameras, and believes in the body cameras and their uses; hopes Council finds the money or grants to get them.

Lou Changeri of 8972 Trail Run asked if the no parking signs on streets mean no parking for everybody; because every Wednesday there is a landscaping company for the Westbrooks and they park their truck and trailer from 8:30 to 4/4:30. They block half of Westbrook Dr., which blocks for Fire and Police Depts., and people driving that area. Asked it be looked into.

Victor Ardito of 7439 Outlook Ave. asked why more of the lanes on Ridge in front of the Library can't be opened. Dir. Verba replied it's supposed to be opened up this week, but will check into it.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): There was a joint Public Works/Finance Comm. mtg prior to Finance meeting to address Ord. 2014-65, the V-Hook truck. Both Committees recommended it go on first reading. Total cost \$279,789.18; a 9-12 month lead-time on it. Hopefully it will be in service next fall. It allows for a one-person collection for leaves, and is also a salt truck. Immediately following the Finance Comm. met and addressed items on the Agenda: Recommended: tabling the request to reject bids for the HVAC and addressing it the next meeting (Dir. Verba will speak with the one bidder); approving two change orders for locker room and restroom renovations at the Rec Center (tiling and electrical); accept the Fire Dept. grant from Walmart (for fire prevention materials-smoke detectors); Res. #7, an agreement with Public Works for grant/0% from the State for Rodoan and the alley; Ord. #60, an agreement with the Juvenile Diversion Coordinator (\$500/month from County, difference made up in fees from participants); Ord. #66, an amended agreement with the Ohio EPA; Ord. #67, providing one additional day per week for HR Consultant (till backlog is caught up). Dir. Enovitch reported revenue is tracking on target, and expenses consistent with last year (up 3-4%).

Public Safety/Environmental Comm. (Councilman Van Kirk): Immediately following this meeting is a Public Safety/Environ. mtg. to discuss wages for school crossing guards, auxiliary officers, and p-time jailers; and the Police Chief will give a report on the current condition of the Police Dept.

Recreation Board (Councilman Tanski): Skating lessons are offered at a minimal cost, in accordance with national stands of the US Figure Skating Program, and instructors are accredited professionals. More information at 351-5334 or www.brooklynskating.com. The Board met and walked the park and Rec Center for suggestions to update, including a walking track around the ice rink with rubberized flooring, and small improvements to increase interest in the facility. The next mtg. is Nov. 17th at 7 p.m. in the Mayor's Court room. Official Trick or Treat hours are 6-8 p.m. on Fri., Oct. 31st. He read suggested rules.

Domestic Violence Comm. (Councilwoman Gallagher): The Comm. met Oct. 15th and wanted residents to know it is Domestic Violence Awareness Week. She read statistics on this crime. If someone you know needs immediate assistance they should call 216-391-HELP or 216-299-8800 (family help line). Member Bonnie Bartczak will speak to the Superintendent about hosting an event in February in the school for Teen Dating Violence Month.

Planning Commission (Councilwoman Gallagher): The Comm. will meet Thurs., Nov. 6th at 6 p.m. to hear a request from Anchor Sign, Inc. to install illuminated wall-mounted sign for business identification of PPG Paints at 7580 Northcliff; request from Great Lakes Sign Co. to install illuminated LED wall-mounted sign for business identification at Z-Brothers Trucking at 7603 Clinton; 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; request from Menards, Inc. to install illuminated wall-mounted and freestanding signs for business identification at 7700 Brookpark; and any other business.

Zoning Bd. of Appeals (Acting Comm. Kulcsar): The Board met Oct. 16th to hear three requests for variances from ARL Transport at 8215 Clinton, for construction of a parking lot in front of the building. The requests were tabled, as they will work on design layout of the parking spaces.

Public Works Committee (Councilman Celcherts): The Comm. met this evening and reviewed the Ord. regarding the V-Hook truck, and approved recommending it to the Finance Comm. for approval.

School Board (Councilman Celcherts): Oct. 17th was the final senior football game, with a firework display (sponsored by the Brooklyn Music Boosters). Oct. 25th was Make a Difference Day, a community service day for students. Projects including going to homes of seniors to rake leaves, and to Knight Commons. The Board met Oct. 21st. The meeting agenda is available on the school's website, clicking on the Bd. of Education tab, then BoardDocs. The Board accepted the resignation of Board member Jennifer O'Banion (effective 10/20/14); approved millage rates for 2015; and approval of a five year forecast (projections for collection rates for property taxes and expenses from 2015-2019). Suggested people should look at that. (he gave the five years projected rates) The certified collection rate should be announced in November. A solution mentioned was to increase revenues or decrease expenditures. He and Councilman Van Kirk attended a meeting with Supt. Walker and Treasurer Hopkins on Oct. 25th, covering a number of items he will defer to Councilman Van Kirk for further explanation. Supt. Walker did tell them she would be retiring at end of school year. Ohio graduation tests take place this week. Upcoming in November: boys' and girls' basketball coming up, Night at the Races on 11/26; and the next Bd. meeting on Nov. 18th, all are welcome to attend.

REPORTS OF COUNCIL:

Kevin Tanski: Commended Councilman on obtaining details on Ord. 2014-65 (purchase of multi-purpose truck for Service Dept.). The Dept. needs much updated equipment to keep up the city on services.

Andy Celcherts: Vote by mail packages should have been received – remember to vote. Ord. #65 will be similar to a truck they saw earlier in Brecksville, a one-man, automated leaf collection vehicle, allowing more efficient collection in the fall, in rain or shine; after leaf collection season it switches out to a salt spreader and a plow. Spent time on Thursday with City Engineer Courtney driving around and re-evaluating city streets to come up with recommendations for the Council for paving projects for next year. They will then meet with Dir. Verba to review the list. He is using it as part of a five-year plan to catch on our streets (and shared it with Council), and go back out this week to see the streets already done, and re-start a crackfilling program to maintain them. Mrs. Enovitch at Senior Center mentioned the passing of Leroy Lehrke. Announced this Thursday for residents to have their houses ready for the Halloween House and Yard Decorating Contest; judging to take place after dusk; in three categories: most creative, most original and scariest (winners and prizes announced at Nov. 10th Council mtg).

Ron Van Kirk: Addressed Mr. Tanski about body cameras, saying he met with Chief Mielke and staff last week and the Chief said they were working on obtaining body cameras in the near future. He and Councilman Celcherts met with Supt. Walker and Treasurer Hopkins last week, basically on better ways the city and school can work together and with each other. There was a great sharing of information, and he looks forward to a more open dialogue. Thanked Dir. Enovitch for the CAFR explanation. Brooklyn did well financially for 2013, because of the taxpaying businesses and residents. He commended and thanked them for their tax dollars that keep the city moving. Nov. 4th is Election Day. Typical non-Presidential election years is low, and it ought not to be; every citizen needs to exercise their right to vote. There are a lot of items on the ballot. The Bd. of Elections website, www.boe.cuyahogacounty.us has the ballot to view. There are five state elections (one for US House of Reps; one State Rep; two county elections, and 21 judge elections). There is also the very competitive race for County Executive, both qualified for the position; vital for the future of our county. Please research both gentlemen and cast your vote. There are also five issues: Issue 6 (tax levy renewal of 1.2 mills and increase of .9 mills for Cuy. Comm. College); County Charter amendments (11- County Exec. residency); (12- regarding county Audit Comm.); (13- regarding Charter Review Comm.); (14- reaffirming the right to vote in the county). Urges everyone to research these items, and make sure to vote.

Kathy Pucci: Expressed condolences to Mrs. Lehrke. Body cameras were briefly talked about at the last Finance Comm. mtg., and the Chief will apply for a Dept. of Justice grant for both in car and body cameras. Everyone was in agreement for it. She attended the Senior Center's Oktoberfest, and thanked Rita, Celeste, and volunteers. Oct. 17th was the last Brooklyn home game, and senior night. Private funds were solicited to pay for the fireworks by Mr. Etheridge. It was a great turnout. Some residents asked the city look into doing fireworks on the 4th of July; she asked the Mayor to look into it. Last week there was a work session with a rep from Cuini and Panichi, with the focus on the city's CAFR; it was a great learning experience for the newer Councilmembers. Ord. #65, for the multi-purpose vehicle; she thanked Councilman Celcherts for his research on it. Told the residents we are trying to move towards automation and using technology to improve our efficiency. We'll never have the number of employees we've had in the past, so it's important to be able to continue level of services and possibly increase it, but taking advantage of automation and technology where possible. In keeping in that vein, a few years ago we looked into an automated system for how City Council operates (minutes, agenda); money was tight at the time and we didn't move on it. She's spoken to Dir. Enovitch about it, and reached out to a company who helped before, and she, Dir. Enovitch and Mary-Jo will arrange for a video conference for update information and cost.

Mary Balbier: Thanked everyone who came to the Democratic Oktoberfest last Monday, it was a success. It was open to all residents, and many candidates were present; there were door prizes, food, and community togetherness. There were many positive comments. Reminded to vote next week; and if voting by mail it must be postmarked by Nov. 3rd. There will be voting for a new County Executive, various judges, and various issues. Oct. 29th the Historical Society has a meeting at 7 p.m. with a speaker on how Cleveland used to shop. Last Thursday she attended the 70th anniversary banquet for the Youth for Christ at the LaVilla Center, with around 700 people in attendance. This organization raises money and helps the youth in our community, those growing up and not making right choices. They also sponsor and help the Juvenile Diversion Program. Brooklynites Nick and Joann Maroulis are sponsors and have been helping youth for years. For those interested in donating or helping with this, call City Hall to be directed to the person to speak with. Congratulated new Police Officer Celis who just had a new baby girl, Hazel Elizabeth. One month ago his mother sat here and watched him installed as an officer, and then passed away a week later. She is smiling down upon them now.

Katie Gallagher: Councilman Celcherts joined Council in the beginning of the year and just dove in. She thanked him also. And thanked him for the Halloween decorating contest as well. It's a small thing, but puts residents in the spirit and brings the community together; he also donated gift cards for those who will win. Thanked Brooklyn High School for inviting her to speak at College and Career Day. When she was in 9th grade she didn't know what she wanted to do in life, but it's important the school is pushing and reinforcing students to have goals and follow passions. Last week she met with Dir. Verba and ODOT engineer Mark Carpenter, and other city employees, to discuss options for the sound barrier walls that will go up along the highway in 2016. There will be options for residents within 200 feet of the highway. A Northcliff resident contacted her about people speeding and driving the wrong direction, then turning around in their driveway; she spoke to Chief Mielke so said it's been a problem in the past, and though he hasn't heard anything lately he will put special attention on it. Reminded residents to contact Council or the Police Dept. if there are similar issues on Northcliff or anywhere; it's important for them to know, and they can only cover certain areas so much. As stated, Jen O'Banion did resign from her position on School Board; she wishes her good luck on her future endeavors, and she knows she will still remain involved with the schools. The School Board has posted the vacancy, and if anyone is interested send your resume and letter of intent to Treasurer Todd Hopkins at 9200 Biddulph Rd., or at todd.hopkins@brooklyn.k12.oh.us, or fax at 216-485-8161. They must be received by 4 p.m. Oct. 30th. It should be on the school's website soon, and will be on the city's website and Facebook page tomorrow. Reminded that beginning this Sat., Nov. 1st the street parking ban goes into effect from 2-7 a.m.; any additional times will be sent out by CodeRED (for over 2 inches of snow.) This remains in effect until April 1.

MAYOR'S REPORT:

Mayor Balbier: The last several weeks Ebola has been in the news, and he, the Fire Chief and Police Chief have been attending meetings on it. There are currently none in Cuyahoga County or the State of Ohio, though 56 in the county were being monitored, and 163 in the state. It seems pretty hard to catch, and it seems pretty much under control. The Cleveland Clinic and UH Hospital are on the ball with it. Chief

Zemek will give some additional details, in case the dispatcher gets a caller with questions, and protective gear for Police and Fire Depts. Vote on Nov. 4th. Remember to turn your porch lights on for Halloween between 6-8 p.m.

DIRECTORS REPORTS:

Finance Dir. Enovitch: Reported that year to date, our General Fund balance is \$15,438,147.91; expenditures are \$13,743,693.77. Unencumbered fund balance is \$10,508,009.13. Total fund balance is \$25,203,815.55. Thanked Council President Gallagher for putting together the meeting to discuss the CAFR, and getting all seven members of Council together. He appreciates all for attending.

Fire Chief Zemek: Commended the Fire Dept. for fighting some major loss fires in the last week (Texas Roadhouse and a barbershop). As the Mayor first mentioned, as of 11:00 today he was on a conference call with the Governor's Office, and there are 56 people being monitored in Cuyahoga County and one quarantined in Summit County. The Police and Fire Depts. are equipped with proper coveralls, masks and face pieces. The Dispatch is well versed in questions to ask. It will continue to be monitored, and all Police and Fire Chiefs across the state will be updated daily. Be assured we are prepared here. The only way to catch Ebola is if you have an intimate contact with body fluids, blood, vomit, feces, and aggressive sweating from a very increased fever in the patient – and exchange into your body (your skin protects you as long as it is intact). Good hand washing and hygiene procedures need to be practiced.

Service Dir. Verba: Informed residents the city will start automated recycling Monday, Nov. 17th. All residents will receive a blue 64 gallon automated container the week of Nov. 10th. Literature with information will be mailed out the week of Nov. 3rd. Follow the guidelines in the brochure; if they are not followed the loads will be contaminated, and we might not be allowed to take our loads where do anymore. It's important to follow the guidelines. For questions call 216-635-4232. He apologized, as this was originally to start in April or May; but we will receive the truck this Friday, and the cost of the toters could go up from \$2-5 each, so we are acting quickly and implementing the program.

REQUEST:

Request to reject bids for heating, ventilation, AC maintenance of city buildings. **MOTION** by Pucci, second by Van Kirk to Table. **VOTE RESULTED:** *Table:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(TABLED)**

Request to approve two change orders for locker room and restroom renovations at the Recreation center. **MOTION** by Celcherts, second by Tanski to approve. **VOTE RESULTED:** *To Approve:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(APPROVED)**

Request to receive a grant award for the Fire Dept. **MOTION** by Celcherts, second by Tanski to approve. **VOTE RESULTED:** *To Approve:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(APPROVED)**

LEGISLATION:

RESOLUTION 2014-7, Authorizing the Mayor to prepare or have prepared and submit an application to participate in Ohio Public Works Commission's State Capital Improvement and/or Local Transportation Improvement Program and to execute contracts as required. **MOTION** by Pucci, second by Celcherts to Suspend the Rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. *To Adopt:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(ADOPTED)**

ORDINANCE 2014-60, Authorizing the Mayor to enter into an agreement with the Juvenile Diversion Coordinator. **MOTION** by Van Kirk, second by Celcherts to Suspend the Rules. **VOTE RESULTED:**

Suspend the Rules: Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. *To Adopt:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(ADOPTED)**

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. **(SECOND READING)**

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. **(FIRST READING)**

ORDINANCE 2014-66, Authorizing the Mayor to enter into an amended agreement with the Ohio EPA relating to the Sanitary Landfill. **MOTION** by Pucci, second by Celcherts to Suspend the Rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. *To Adopt:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(ADOPTED)**

ORIDNANCE 2014-67, Authorizing the Mayor to enter into an amended Management Consultant Agreement with Clemans, Nelson and Assoc. for scheduled on-site personnel consulting services. **MOTION** by Pucci, second by Celcherts to Suspend the Rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. *To Adopt:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: None. **(ADOPTED)**

Councilman Tanski asked Dir. Verba to let residents know if they are parked in front of these new recycling containers that we'll be putting a non-ticket note on cars to not park in front of the containers. He asked him to elaborate. Dir. Verba said it's usually not the resident's vehicle, but another person on the street, or someone visiting. They've talked about a possible no parking ban on the day of rubbish, but haven't decided anything. We try to notify by the sticker on the car not to park there on garbage day. Councilman Tanski thinks there will be more calls with two containers and people complaining about this. Dir. Verba said the new literature suggests not parking on the street on garbage day, but right now there is nothing to do to enforce it. Councilman Tanski said we'll see where it goes after it starts.

MOTION by Pucci, second by Tanski to go into Executive Session to discuss matters of personnel within the Recreation, Police and Building Depts. with the Finance Director, Law Director and Mayor. **VOTE RESULTED:** *Adjourn to Executive Session:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. 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: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **(RECONVENED)**

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

Asst. Clerk of Council

President of Council