

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

February 13, 2017

7:00 p.m.

Present: Barb Paulitzky
Ron Van Kirk
Tony DeMarco
Debbie Tomusko
Kathy Pucci
Mary Balbier
Kevin Tanski

Absent: None

Pledge of Allegiance.

Pres. Van Kirk asked to amend the Agenda to change approval of minutes from Dec. 12 to Dec. 27, 2016 (Dec. 12 was already approved). **MOTION** by Van Kirk, second by Paulitzky to amend the agenda. **VOTE RESULTED: Amend Agenda:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. (**AGENDA AMENDED**) Councilwoman Pucci asked the Dec. 27th minutes be held off so everyone can read them since the Agenda was not correct. **MOTION** by Van Kirk, to approve the minutes of January 3, 2017. Councilwoman Pucci made some corrections (*reflected in the minutes, pgs. 2 & 3*), and made a **MOTION** to approve as amended, second by Van Kirk. **VOTE RESULTED: Approve as amended:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. (**APPROVED**)

MAYOR'S PROCLAMATION

Mayor Gallagher presented a Proclamation to Sonia Brown, to recognize her for 18 years of service to the Civil Service Commission of the City of Brooklyn. Joe Magrey, chair of Civil Service Comm. spoke about Mrs. Brown and also gave an overview of the Commission. Mrs. Brown thanked Mayor Gallagher, Mr. Magrey, and said she's enjoyed serving on the Commission all those years, and will miss it tremendously; the new guy coming in will be wonderful.

Council President Van Kirk updated that Council has had several special meetings: Jan. 26th, where placed on 1st Reading was Ord. 2017-1, regarding the Planned Use Development District, as discussed Jan. 23rd. Dir. Butler read into the record changes from Council and Administration. Council held a special mtg. on Jan. 30th and passed Ord. 2017-1, (vote: yes-4, no-0, abstain-2, with 1 member absent). Placed on 2nd Reading was Ord. 2017-9, authorizing Ord. 2017-1 be placed on the ballot to be voted on, (vote: yes-5, no-0, abstain-1, with 1 member absent). Dir. Udriis will give a report regarding the passage of the Ordinances later in the meeting. –Council met Feb. 6th to complete budget discussions, on 1st Reading this evening, and updated on some figures. Dir. Schaeffer will update on that. –On tonight's Agenda: grant request for Solid Waste District; items still in abeyance (Ord. 2015-77, Res. 2016-5, Ord. 2016-32.) –**Old business:** Res. 2017-1 (3rd reading/adoption), Extend moratorium on granting bldg. permits or certificates of occupancy for any building, structure, use or change of use, that would enable the cultivation, processing, or retail sale of medical marijuana for a period not to exceed six months from the effective date of this resolution; Ord. 2017-2 (3rd reading/adoption), Extend moratorium not to exceed 120 days from the effective date of this ordinance on the acceptance or processing of any permits for the activation or installation of any systems, structures, equipment or devices for the operation of small cells or nodes for communication purposes in the City, and declaring an emergency Ord. 2017-3 (to be amended), Establish Soza Fitness and Wellness Community Partner Rates for certain programs at the Recreation Center; Ord. 2017-4 (2nd Reading), Authorize contract w/ Sandy Regal and City to provide Ceramics Instructions for Senior Center; Ord. 2017-5, Amend Ex. A of Ord. 2013-44, Establishing price list for Brooklyn Community-Senior Center for items, fees, services and sales; Ord. 2017-6 (2nd Reading, hope to pass by emergency), Authorize contract modification/extension (Change Order 1) with Quality Control Inspection, Inc. for extended services for Memphis Ave. for \$7,278.04; Ord. 2017-7 (2nd Reading, hope to pass by emergency), Authorize contract modification (Change Order 2) with Quality Control Inspection, Inc. for extended services for Tiedeman Rd. project for \$23,745.20; Ord. 2017-8 (2nd Reading, hope to pass by emergency), Authorize payment of

\$149,175 to CW Courtney Co. for professional services relating to the Rodoan Rd. and alley pavement and sewer rehabilitation project. –New business: Res. 2017-2, Strongly oppose State of Ohio Governor's proposed 2017-18 Budget, which proposes centralized collection of net profit tax returns and other provisions related to municipal tax, which will cause a substantial loss of revenue needed to support the health, safety and welfare and economic development efforts of Ohio municipalities; Ord. 2017-11 (1st Reading), \$202,000 Notes, to retire improvements, building and parking; Ord. 2017-12 (1st Reading), \$238,000 Notes, retiring notes for resurfacing of streets; Ord. 2017-13 (1st Reading), \$1.5 million in new Notes for reconstruction for the Rodoan Road and Alley Project; Ord. 2017-14 (1st Reading), Establish position of part-time Recreation Program Coordinator; Ord. 2017-15 (1st Reading, hope to pass by emergency), Authorize expenditure of approx. \$24,679 for emergency replacement of the heat exchanger for Rec Center Ice Rink as specified in proposal from Brewer Garrett; Ord. 2017-16 (1st Reading), Enact new Sect. 335.073, 'Proof of Financial Responsibility' of Codified Ords.; Ord. 2017-17 (1st Reading), Annual Appropriations; Ord. 2017-18 (1st Reading), Authorize Mayor to enter into Job Retention and Creation Agreement w/ Inogen, Inc.; Ord. 2017-19, Authorize Mayor to enter into a revised agreement with Life Force Management, Inc. for third party EMS and ambulance billing consultation and related services, and directing Life Force Management, Inc. to bill non-residents for unreimbursed EMS and ambulance services. –At the conclusion of the meeting there will be an Executive Session to discuss negotiations and possible lease of public lands.

Andi Udris, Economic Development Director for City of Brooklyn, wanted to respond to some questions and concerns regarding the PUD zoning issue on the ballot prior to the public session in case someone present from the audience has questions. –He explained PUD, Planned Unit Development, allows for the mix of uses of residential, retail, office; a variety of uses. Current zoning allows one or two uses within certain areas and is very restrictive. Today's market has office tenants looking for this type of mixed use area; most suburbs with active office development areas have this type of zoning and are attracting new tenants and businesses. –PUD allows for properties with at least 25 acres of land to submit a PUD to the City Council and Planning Commission for review and approval. It requires many layers of approval and at least 13 public hearings; making sure all concerns and issues residents may have regarding a project are aired and the public has a right to review and consider the impact on the community. –We need competitive office space to attract new jobs and new tax revenue to Brooklyn. As American Greetings' jobs have left, we don't have the competitive office space to attract new office tenants to make up for that lost tax revenue. This type of development, in specific locations, with Council's review and approval, will make us competitive and attract those types of businesses. –Years ago we spoke about possibly replacing City Hall, building a new Police Station, and providing other amenities (improved area for animal control, etc.). This opportunity could allow us to use this legislation to coordinate with retail, office, and not a standalone project with dead activity. It would give more vibrancy and excitement to our center of city, and allows for a development to accomplish that. –He stressed he's hearing concerns about the "City Center" project. That was proposed back in 2006 with the Master Plan process. This PUD does not approve any project; it allows for the voters to have a discussion about potentially doing a project. Without this legislation we can't even have the conversation. The City Center project has not been planned. We are starting a process of looking at any issues with the land being proposed. The city owns 152 acres, along with the School Bd. When this was first envisioned in 2006 we didn't envision the School Bd. would be selling 35 acres to the south. With this opportunity to combine the 35 acres with the city, would give a competitive project that could attract a lot of new jobs to the city. –There's also concern that residents have enough information to make a good decision. He will be sending to Council a detailed plan and schedule of the types of activities the city would like to propose to provide the kind of information to residents, so they can make a knowledgeable decision and feel they understand the issues, along with pros and cons to this legislation. He asks Council to give their advice and ideas about this. It's important to the residents; we want to make sure everyone's input is provided, and that we can respond to everyone's concerns.

PUBLIC SESSION:
None.

Councilwoman Tomusko asked if a letter went out from the Mayor detailing the Planned Unit Development to the residents; she's had people tell her they got a letter from her about the PUD. Mayor Gallagher said

she was going to mail it out this week. Councilwoman Tomusko asked to send a copy to Council, because she doesn't know what they're referring to. –Councilwoman Pucci said something did go out electronically, and Council wasn't told ahead of time. She received something electronically. Mayor Gallagher said she just finished it Friday and it was supposed to go out this week.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Recreation Board (Councilwoman Balbier): The next Board mtg. is February 22nd at 7 p.m. in the Rec Center mtg. room. All are invited.

Bd. of Zoning Appeals (Comm. Kulcsar): The next Board. mtg. is February 16th at 6 p.m. in the conference room for: request from Outfront Media for height variances for two billboards (along 71 on city property) to replace with digital display, it was previously approved at the Planning Comm.

Planning Commission (Councilman DeMarco): The Commission met February 2nd at 6 p.m. and approved: request from Lamar Advertising (previously deferred) to change two billboards to a digital display along I-71 (two parcels); request from Outfront Media LLC to relocate three billboards, and change two to digital display along I-71 (one parcel). The approvals are contingent upon guidelines set by the Planning Comm.

Public Works Committee (Councilman Van Kirk): The Comm. met February 6th where the Administration shared information as a follow-up to previous conversations with Council regarding to possible partnering with the County for a solar panel farm on the old landfill. The Mayor will give update information later in executive session.

School Board Liaison (Councilwoman Paulitzky): There will be a levy on the May ballot. To learn more attend the next mtg. on February 21st at 6 p.m. She will share information at the next Council meeting for those who are unable to attend.

Finance Committee (Councilman Van Kirk): The Comm. met at 6:15 today. Updated that the Audit Comm. met February 2nd with Zupka (contracted auditor) to discuss the audit of 2016 finances. Dir. Schaeffer reported the auditors were in today; and the audit is tentatively set to be complete in late spring this year. New items and items looking to be passed tonight: Ord. 2017-3, for Soza Fitness and Wellness Community Partner rates for programs (there will be changes later in the mtg); Ord. 2017-6, modifications for QCI for extended services for the Memphis project (to do with broken watermain at Memphis/Tiedeman, causing delays) for \$7,278.04; Ord. 2017-7, modification for the Tiedeman project (charge due to delay in start of project and round the clock inspections by QCI) for \$23,745.20, with the Law Dept. looking at any legal options we may/may not have to recoup costs; Ord. 2017-8, payment of \$149,175 to CW Courtney for engineering services for Radoan Rd. and ally reconstruction (hope to go to bid in March, with construction beginning in May, completion by October.). New business: Ord. 2017-11 & 12 (1st Readings) are for Notes (the outstanding balance will be \$440,000 –down from \$660,000 last year; paying down 20% every year for five years); Ord. 2017-13 (1st Reading) is \$1.5 million in Notes (for Radoan Road/Alley, total est. cost of project is \$2.6 million); Ord. 2017-14 , establish position of p-time Recreation Program Coordinator (making one person take over for three different persons, and utilize one contact person, rate between \$10-\$15/hour); Ord. 2017-15 (hope to pass by emergency for 9-week lead time to get it made), \$24,679 for emergency replacement of a heat exchanger at Ice Rink (replace it in May when the ice comes down); Ord. 2017-16 (1st Reading), new Sect. 335.073 Proof of Finance Responsibility of Codified Ords. (allows police, when pulling someone over without having proof of car insurance, to ticket at city level); Ord. 2017-17, Annual Appropriations; Ord. 2017-18, Job Retention & Creation Grant with Inogen (will return 30% income taxes in 1st year, 20% in second, 10% in final, not to exceed \$100,000; they will create 240 new jobs over three years, estimated payroll of \$12 million, and project investment of \$500,000 in tenant improvements at part of American Greetings facility); Ord. 2017-19, Authorize contract with Life Force Mgmt. to permit hard bill of non-residents for ambulance services –the Chief will speak on it during his report).

REPORTS OF COUNCIL:

Barb Paulitzky: Last Friday she attended Coffee with the Mayor at the Senior Center. A resident expressed concern over her water and sewer bill over the amount, and dates affected. Receiving her bill she

noticed the same things, also with the dates (Nov-Feb.) She called the Water Dept. and was told meter readings through December would still have three month bills, with readings in Jan. starting billing monthly; and additionally that everyone should receive a monthly bill by April. Advises checking your bill for the dates of service it's for. –Mentioned to the Chief (who had not heard of it), that she heard a scam where someone calls and makes comments and ask if you can hear them, expecting a response of 'yes'. They record your voice and at a later date charge to your credit card using your voice as a signature. Suggests not answer calls from numbers you don't know.

Tony DeMarco: Offered condolences to the family of Vito DiCillo and his family, longtime neighbor growing up; he was a wonderful man and will be greatly missed. He was very active at St. Rocco Church during Labor Day festival. –Spoke of last few weeks of the process Council has gone through to pass the PUD legislation and put it on the ballot in May. He's not proud there were four meetings in eight days. He doesn't think it's transparency for residents. Dir. Udriš spoke eloquently about the benefits of the PUD; he is not debating the benefits, but that Council was rushed in their decision to put it on the ballot. He's not sure everyone on Council fully understands what's being proposed. Council can't be dealt with by this Mayor in a respectful and honest manner. She said nothing went out; Councilwoman Pucci said she received something. Which is it? –He listened again to the Council mtg. from Jan. 23rd, where it was brought up a few times by a Councilperson we have to trust the Administration. He would love to; but when not dealt with honestly and respectfully, it's hard for him. The last mtg. Councilman Tanski said we'll save \$700,000 on our budget in General Fund; now after asking questions in a budget work session, the cost savings is \$67-68,000 –a big difference. Those are details for the public to know, and details that could be missed rushing through this PUD legislation. –Said to residents to pay attention to what is going on in the city; ask more of elected officials. Call if something doesn't sound right to get an answer that is satisfactory and makes sense. It's disheartening being part of Council and things can't be done in a timely manner, and respect the opinions of Councilmembers. There was back and forth, disrespect, badgering of a Councilmember to change position. Repeated to ask if something doesn't sound right. We're in tough times in Brooklyn. He's having a hard time with the budget that the cost savings aren't what was proposed and presented to residents at Jan. 23rd meeting. We will deficit spend. The first thing we do is take services away from residents. He thinks there's a better way that we haven't explored yet.

Debbie Tomusko: Some should have received a survey sent to a cross section of Brooklyn, not to all. If you receive one, fill it out. Though long and complicated, it's trying to see what services are valued the most, what kind of job is the city doing (police, fire, service...), to use feedback to make more decisions on the budget (how much do people value the Rec Center? Utilize it? Community events?). If you get a survey take the time to fill it out. We need feedback. This is the best way to get it. This survey has been used in other communities successfully. If you don't receive one, but want to fill one out, Dir. Schaeffer will also tell you, it will be available on the website in another week or so. –Commented she also attended the Coffee at the Senior Center. There are people going around knocking on doors from utilities. She had a high-pressure person come to her door telling her NOPEC doesn't exist anymore. NOPEC is the consortium that buys in bulk so we get reduced savings and better costs. NOPEC is alive and well, and you can still get your utilities through them; they only changed one of the suppliers they were using. She closed the door on that person, and is asking other people to do if someone attempts to pressure you into changing your utility provider. Don't show them your bill either. Go to the Public Utilities Commission of Ohio (PUCO) website if you wish to shop around on their Apples to Apples Comparison (for electric and gas). Just *read* fine print. If someone comes after dark you can call the police, they are not supposed to be soliciting after dusk; and they must have a license. The Chief said they haven't given licenses for solicitation of utilities. –There have been many budget meetings (she's only missed one due to a conflict), and she's asked many questions and participated. We are looking at a deficit spending situation –spending more money than we have to spend, which is never good. The directors presented and Council asked questions, and the Administration presented their plans for the spending. It contains a lot of cutting services to residents (as a way to cut costs), raising costs for residents, charging more for services, maybe trash, etc. She asks the directors to look again at their internal operations and look for internal cost savings in how they do business. There might be an assistant they can do without, by changing the way they do business. She also proposed a salary reduction across the board for salary personnel (would not impact contract employees). Where she had worked previously they all said they'd take a 10% pay cut before anyone would be laid off or get rid of hourly people. She thinks it shows leadership, and help in negotiations with the unions; shows a shared sacrifice. Everybody needs to sacrifice, not just the citizens, by paying more and seeing reduced services; the government entity needs to share in the sacrifice too. She just asks the directors to take another look.

Kathy Pucci: Offered condolences on Mr. DiCillo's passing, a longtime family friend. Thanked and congratulated Sonia Brown on being honored; she's known her for decades, one of the most pleasant and professionally mannered persons. –It's been a busy several weeks with a lot of meetings. Special Council mtgs., budget mtg., Audit Comm. mtg., Planning Comm. mtg. (where digital billboards issues are being finalized). –There was also the annual meeting for the Brooklyn Community Improvement Corp. Feb. 6th. The trustees were elected; she and Councilwoman Tomusko (who is also a member) were re-elected. She pointed out to Dir. Udris that officers were not elected, and that has to be done. –She met with Dir. Udris to review where the steering comm. is in the process relating to the feasibility study for potential City Center; she thanked him for his time. There are still unanswered questions, but she expressed to Dir. Udris her objection to losing the lower park, and thinks residents will push back on this. As a community we have always valued our green space, and kept it up, spent money and improved it. She personally is not in favor of losing the lower park. –Told Clerk Banish there is still an issue with the sound on WOW; a resident told her about it. Also wondered if there is a schedule; Clerk Banish said it should be on a continuous loop. She asked that someone let them know what's going on, especially because it's been asked before about the schedule. –Echoed comments about the community survey, to please complete it. There's a statistical pool so the results are scientific as to who received initial mailed surveys. We are interested in all residents' thoughts, but especially in that from the statistical pool. They will all be gone through. Stressed again to respond to the mailed survey. –Followed up on the school issue comment. There is a 1 mill permanent improvement levy being collected for a long time; they are proposing to renew it and add an additional .5 mill to it. Permanent improvement levy can only be used for facilities, bldg. structures, and anything with a five year life span (no salaries, operating costs...) The projected increase would cost a homeowner of \$100,000 home an additional \$17.50/year. The schools have a meeting Feb. 23rd at 7 p.m., room 173, for anyone interested in finding out more about the levy and volunteering to work on the levy comm. Contact the superintendent or Board members for more information. –She attended the Charter Review Comm. mtg. last week, and thanked the members for serving, it's time consuming. They meet the second and fourth Thursday in Feb., March, April, June at 5:30 in the conference room; it's a public meeting. She explained every six years the Comm. reviews the Charter and makes recommendations that go on the ballot for the people to vote on. –There was a letter sent out Feb. 10th at 4:51 from the Mayor regarding the Planned Unit Development. Mayor Gallagher replied that her secretary is super efficient and posted the letter on the website and did an e-mail blast. The letter will be mailed to every resident's home this week. She wrote it, it's her word explaining the basics of a PUD, and beginning the conversation. Councilwoman Pucci said it's another example of Council not being in the loop of this process. She'll reserve comments on this process until the Mayor's report. But she thanks Dir. Udris for sending the plan tomorrow. They're the governing body, partners in this; they hopefully will be on the same page when there's something on the ballot for the residents. She was disappointed to get it, with no advance notice to Council it was going out.

Councilman DeMarco said, as he's pushed to get Time Warner up and running, after a week of back and forth e-mails with no response, he came here to get his cell phone fixed and spent time with Bailey Communications, and the uploaded file has a problem. As of Friday the file should be re-uploaded today and working; but he hasn't received a confirmation. The volume on the Jan. 23rd mtg. goes out part way through mtg., and residents have called him. He hopes if it gone done today the issue is resolved. It's annoying to leave work to come in and get it resolved and not get an answer via e-mail.

Mary Albier: Sorry to see the passing of Judge Ray Pianka, Cleveland Municipal Court Housing Judge. He was involved in the Detroit Shoreway reconstruction area, an amazing area. He was a friend and fair judge. She offered condolences to his family. –Congratulated to wonderful residents Mr./Mrs. James Grabie for celebrating 67 years of marriage. –Gave special thanks to people that volunteer, mentioning the Kelbers, who are always there for the school or anything for the city (this week on a raffle for the school, hockey tournament...) People like that make a difference, they are wonderful people. –Congratulated Sonia Brown, always kind and sweet. –Her neighbor got a mailed survey and called her to make sure it is confidential; she assured her it was. It might be a concern for others – stated it's confidential and very important to fill it out. –She is in favor of the PUD, but she doesn't like how it was done. It's not one size fits all, we are not other cities (Westlake, Rocky River); but taking time is good. She felt it was rushed on a May ballot. Being in her business, residents come and chat, and many of them asked why it couldn't wait for the November ballot, to give time to understand. This is what she has heard. She also wishes it was on November ballot. Again, she's not against any of it; but against it being on the May ballot.

Kevin Tanski: Thanked Councilmembers Pucci, Tomusko, Paulitzky and Van Kirk for support on Ord. 2017-1, to move forward on the Brooklyn City Center project. He's displeased with conversations about tax increases and/or cuts in services at budget mtgs. The city and school system are on tight budgets. The schools want to raise taxes with an operating levy. Tax increases or cuts from either are not headed in the right direction. They would greatly benefit from increased revenue resulting from the City Center project. Council needs to put differences aside and act as one to move forward in generating more revenue for the city. In the future he asks Councilmembers with questions or concerns regarding legislating felt being rushed or not handled how they wish to call or stop in to see the Mayor, her door is always open. He may not always agree with her, but tries to work it out so the residents don't suffer from major disagreements that could result in confrontations on Council delaying the process of an ordinance (in this case a possible high revenue employer possibly leaving the city.) -Thanked the same Councilmembers for supporting Ord. 2017-9, allowing it to go on the May ballot, giving residents opportunity to vote on it. -Summer youth employment begins, helping teens and young adults (ages 14-24) in the county find summer jobs. Brooklyn's minimum age requirement is 16 years old, but ages 14-15 are encouraged to register (surrounding communities may have different requirements.) Register at www.youthopportunities.org. It closes May 1st at 5 p.m. There are some requirements. -Congratulated Brooklyn Varsity hockey team going undefeated in league play this season, winning the division championship. -Has a problem with Ord. 2017-16, wants to loosen up being pulled over and instant ticket if you forgot your insurance card. He'd like to see adding so many hours to produce it; it would help those being stopped. He asked the Chief how many hours they have to produce it. Chief Mielke replied we do not write the citation, we can confirm the driver's license through the computer. Councilman Tanski said giving time to produce it would be good. He said he will get with Dir. Butler to include something in the ordinance. -He believes Time Warner is Spectrum now.

Ron Van Kirk: Thanked various Councilmembers for their flexibility and support, the last couple of weeks has had all kinds of meetings going on; he appreciates them coming and offering opinions. He e-mailed after 2017-1 was passed, it got contentious at times, but we have a solid piece of legislation; it will now go to the residents for their approval. -Regarding the timing, it's a three month window from when it was passed to when it will be on the ballot, which is one month more than we give for people to review for Charter changes. His opinion is the three months is plenty of time to review it as long as we have a program to make residents aware of it; Dir. Udris said he has a plan he will spell out to Council tomorrow. He agrees we're not other cities (Westlake, Rocky River), and not trying to be; but we need to come into 21st Century and this helps it. He loves Brooklyn, and we're a small town, and we're not trying to change that. As was said, 13 public mtgs. will be held before anything can be approved. Public mtgs. means residents invited, informed, voice heard. Again, he appreciates Councilmembers giving their time, and he looks forward to residents having their say. -Comments on budget. We're had numerous mtgs., we will be deficit spending to almost \$1.5 million. No one likes it, but he thinks Council saw it was coming for a time, which is why the last several years we've been building up fund balances to a large number; to be able to cushion us for a time that when American Greetings did leave, we would be able to get some newer tenants in. There is some interest, and more people are coming. We won't deficit spend forever, or continue year to year deficit spending. He is against deficit spending, but Council saw it coming. Without 'draconian' cuts to services, which he doesn't think we should do, we have some time to do it. We will revisit it year to year. -Thanked Dir. Schaeffer for the hard work he's put in, including the spreadsheet he sent to Council that gave a lot of information; and thanks for the budget work. -Agrees with Councilman Tanski on Ord. 2017-16 and working on that with Councilman Tanski and Dir. Butler, there should be a little time cushion to present it.

MAYOR'S REPORT:

Mayor Gallagher: Last Thursday and Friday she did the State of the City. Gave some highlights, and her directors will give annual reports. American Greetings, our largest subcontract left Sept., making up 30% of the city's overall income tax revenue, 18% of overall revenue. Brooklyn's been hit hard the last few years by state funding cuts (CAT tax, tangible personal property, estate, local government funds), accounting for \$1 million annually to the city. The housing recession hit -between 2006 to 2016 homeowners saw 41% decline in property values; but in the last two years the majority have seen a slight increase. Construction: Rodoan Rd. and alley will be reconstructed (includes utilities beneath, curbs, sidewalks) beginning in Mayor, completed in October. ODOT will begin installation of noise barriers along 480 this spring, beginning in March, completed in October. Major technology upgrades: new network, new servers, upgraded all software; consolidated five copy machine vendor contracts to one to save maintenance and copy costs;

upgrading phone system to VOIP. Partnered with OhioCheckbook. Made an agreement with N.E. Ohio Sewer District to take over Ridge Rd. line to save city a couple million dollars on the repair. Had our first annual wellness fair. Introduced two new options to employees on healthcare, in an effort to try to reduce costs in the future. Updated City's Policy Manual (not updated since 2004). Pushed on the Heritage Home Program, resulting in the biggest investment in residential property to date in the program. Updated room rental ordinance. Finishing Records Retention Policy (not updated since 1996). Work with all directors through regionalization in shopping vendors and prices (\$250,000 annual savings in costs from last to this year we will see). Overall, the city brought in \$30.8 million in revenue; \$19 million was municipal income taxes (62%). 95% of the municipal income tax is from our businesses, the remainder from residents. Will see a decrease next year because Cleveland changed their tax rate to 2.5%, and Brooklyn still offers residents 100% credit on full 2.5%, so the city will lose about \$300,000. That portion will go greater as far as business contribution, and lower for residents' contribution. Our real estate taxes for 2016 were \$1.6 million (5%), which is \$100,000 less than previous year. Other sources, \$10.2 million (33%) was from local taxes, fees, fines, grants and (large chunk) federal funding from Memphis and Tiedeman. Our expenses were \$27.7 million; \$12.3 million (44%) from wages and benefits; \$3.8 million for capital expenditures (13%); \$1.3 million for debt reduction (5%); \$10.6 million was other expenditures (utilities, insurance, economic development incentives and funding for the Fund, fees for garbage and tax, engineering costs). Ending balance for General Fund was a little over \$14 million; Budget Stabilization Fund balance was \$3.5 million; Economic Fund balance was \$1.1 million. –Big challenges in upcoming years include need to improve capital investment. Had assessment of all buildings, which said our city buildings need about \$19.7 million in improvements: Police Station and City Hall, best suited as new rather than improve existing (which would be about \$6.8 million); Rec Center, \$7.9 million improvements needed. –Financial health report by Ohio Auditor indicated this as a cautionary outlook on the city's condition of capital assets. Positive –we were among the 8% of cities having no critical outlook indicators. We need to work on our capital assets. –Back to American Greetings, the subcontractor, and Cleveland's new tax rate amounts to projects from RITA of \$6.1 million in income loss for Brooklyn starting this year. It means we will be deficit spending to about \$1.5 million this year. –As a Mayor, she's comfortable going forward with deficit spending because we have healthy General Fund balances right now; we have a healthy Budget Stabilization Fund; we're working toward economic development deals. –On tonight's Agenda is a Job Creation Grant with Inogen. There is one out there for "Project Century" (no name of company), which could possibly bring either 1500 new sales, billing and customer service drops with \$88 million payroll and \$15 million facility improvements (option 1 deal). Second deal is about 2,452 headquarter sales, billing, customer service jobs over three years with \$158 million payroll and \$50 million of facility improvements. This would be the American Greetings property if we secure it. –There is a Job Creation Grant option on the table with an apparel company to purchase the Keystone Tailor building (old Hugo Boss), with 228 employees with additional 100 more over three years, ending payroll of \$12 million and \$1 million in building improvements. –The senior living facility planned on Northcliff was purchased by a new owner; we are hopeful for some movement on it this summer, with 80 new assisted living units. –A national flooring company is looking to lease the old Staple's site for major renovations and expansions, including to part of Best Buy, as well as the Dollar Tree, and take over that space. –With all this, and the beginning budget work session when she asked Council what they were comfortable with, with deficit spending going forward, she was told they needed more information (which is fair). Information was provided on every single department, every service offered to residents, use data for everything done here, including detailed information on Rec Center, and how much it is costing. Bottom line, at beginning of budget sessions, we were looking at \$2.6 million deficit spending and we're down to \$1.5 million. –As a big picture she provided Council what \$2.6 million was equivalent to our city: 11 employees laid off and closing the Rec Center (two major things). 11 employee layoffs is a reduction in services; without the employees we cannot provide services, bottom line. Closing one of our major buildings in the city. With some of these things on the horizon this is not the time to do it, especially with built up reserves. Two of the layoffs would be Police officers, and that's not going to happen under her watch. If anything will be preserved in the city it's the safety forces; and she will make that a priority as long as she is in the seat. –As we go through budget sessions and get to the final one, her Finance Dir. and she were looking for direction on the outcome. She has to make the calls on layoffs, but Council has to pass the budget. She needs to know what Council's going to vote for. Vote for the budget? If not, why not? –One suggestion she got, and it was changed for this meeting, was add an additional \$10,000 to Council's Other Expenditures for their ability to go to outside counsel. That was it. –She sits and listens to criticisms of the budget, which none are easy decisions, she needs feedback. The services that we cut included: minimize window time at Police Station for part-time Law Enforcement Clerks; modifications at Rec Center: closing Sundays except for summer, closing pool between 1-4 p.m. (which is a regular thing in cities with healthy

budgets and should have been looked at years ago for efficiency), no fall soccer (barely anyone signed up), eliminate summer ice monitors, closing three holidays after Memorial Day, eliminate one grass cutter (possible with different cuts). Cutting anything else –she doesn't see any other cuts to services, except we won't plant trees this year. –Looking at these, it's minimal. It's a lot less than closing a Rec Center and laying off 12 employees. If Council has better ideas she is welcome to it, and has been for months. She'd love to hear them. –It's easy to criticize people, and say you did this wrong; the harder thing is making the decisions. She welcomes the decisions. If Council has any feedback, please hand them to her. –The Planned Unit Development. The contract with Geis was passed with Council's approval in December. It was no one's intention to try to push this PUD this fast; but as we learned of a major employer looking to leave the city it was rushed up. The legislation put to Council was good legislation with a lot of hard work from her three directors, and she's proud of it. Is it the ideal case? No. She doesn't think her Administration pushed legislation in any fast paced manner. If there was a pattern, she'd say one thing; but it wasn't. Based on circumstances of the particular motion. –She's apologized. What's in front of you in May will help our city. With zoning, explore idea of a City Center. We need sources of revenue; if we don't it equates to increase in taxes or service cuts. –She thinks the issue is over. The gripes are out about it. She looks forward to educating the public on what a Planned Unit Development is. The letter she wrote on Friday was her words, no one else's. She doesn't ask for Council's grammatical fixes on her letters or content; it's coming from her desk, and it's her words. That's what will be in the mail next week. Hopefully everyone will have a base knowledge of it and then have public meetings going forward. –Congratulated the Brooklyn hockey team, they did a terrific job. She saw one of their last games Saturday, a disappointing loss. They did an amazing job and had a great season and should be proud. –Reminded next week is President's Day, City buildings, except for Rec Center, are closed; trash will be delayed one day.

Councilwoman Pucci said she had missed the Mayor's apology, regarding the PUD. She stated at one special meeting she thought the Mayor owed Council an apology for something started in October (understands additional information learned in December), but Council didn't get anything until their meeting Jan. 9th. And at the last regular meeting telling Council to do their job, which for some is what they were doing. There were questions and concerns from the beginning, they ended up making modifications, and she thinks it's a stronger legislation. But she had not heard an apology to Council at a meeting. Mayor Gallagher said she'd provide minutes where she'd been through it. Councilwoman Pucci said as far as saying she was disappointed to hear a letter went out, she's not questioning the Mayor's writing ability or authority to send a letter, just another example of Council being kept out of the loop on this important issue. They were told they'd hear last week the strategy, and they didn't (there is some time); but the first step is this letter and Council should have been told a heads up in case they heard from residents. –She corrected about the school levy, Councilman Tanski said operating levy; it is a permanent improvement levy.

Councilwoman Tomusko said she's insulted that the only feedback they gave the Mayor on the budget is the comment on \$10,000. She sat in many meetings, for hours, during holiday, asking questions, directors coming in with proposals, and questions and recommendations... She knows she gave plenty of feedback, questions and ideas. But that they only said that one comment is erroneous. She worked considerably going over the budget to find best solutions for residents and the city. The Mayor said some had gripes on the legislation, which she voted to pass. Though she didn't like the approach, she voted to pass it, because she felt it would be in the best interest of Brooklyn, as we'd been backed into a corner, so she supported it. The gripes on legislation (mostly from her and Councilwoman Pucci), where they've felt trashed and insulted by other Councilmembers for not immediately supporting it; some of what came about as result of the 'gripes' were the public meetings (multiple public meetings) on the issue. Originally in the legislation was a Planning mtg. with the public invited. Councilwoman Pucci said public meetings, not only for the public to go to, but meetings to talk about it. Very valuable content was added to the legislation. –Echoed Councilwoman Pucci's comment – the Mayor can write everything she wants (she's a lawyer, she knows how to write, it's her prerogative), they just ask for a copy of it. She had someone come to her and say they got a letter from the Mayor about PUD, and she had no idea what they were talking about. –Working together goes both ways. No question on ability or right to write it; they just want a copy of it.

Councilman Tanski commented he thought the levy discussion first came out it was an operating levy, but he will look into it. It's what he was told. But Councilwoman Pucci said it's for permanent. Councilwoman Pucci responded it's the permanent improvement for 1 mill for infrastructure, bldgs., and anything with a life expectancy of five years or more – that's up for renewal; they're asking residents to add a ½ mill, ending up

with 1.5 mills versus the 1 mill on the books. Councilman Tanski thought when it was started it was supposed to be operating, but he will look into it. He could be wrong.

DIRECTORS REPORTS:

Finance Dir. Schaeffer: Ord. 2017-2 comes down to central collection by the State of net profit municipal income tax on the businesses. The State would enact 2% administration fee with collecting the net profit. He spoke of numerous funding cuts to local governments over past four budgets, and this is another reduction. It's higher than what RITA charges. We're asking Council to approve it by emergency is to get the ordinance to the appropriate Reps. and Senator of our support of not making that change. -He thanked all department heads, all Councilmembers, for sitting for hours going through special budget work sessions to itemize major initiatives for the departmental operating expenditure and capital requests, since November. Productive work sessions were held to prioritize funding for city services; he appreciates feedback, suggestions, comments, concerns. The numbers are all provided in the budget. Proposing 2017 permanent appropriations of \$15,507,629. Total all other funds, \$6,375,314. Total all funds, \$21,882,943. Trying to continue bolstering Econ. Dev. Fund to attract major employers through Job Creation Grants. Some larger employers wanting to move to former AG site are savvy enough to ask for the incentives. -To prioritize services goes back to the community survey. He knows residents have received them as early as late last week. He encourages feedback on the city services. If you don't get one in the mail you can still provide feedback, with a link from city website and Facebook page to go directly to the survey, early next week. Echoed Councilwoman Balbier's point about confidentiality; they want the responses mailed directly to ETC (the firm) for tabulation. The Administration and Council do not get individual surveys, they get tabulated results. We want the results by the end of February, to understand the city services that the residents value the most; and if there are modifications later on in the appropriations, we want to know what is valued the most, and impact those services the least. When itemizing reductions in operating expenditure for each department, there was a concerted effort to impact the least number of people, and incorporate usage data into the Senior and Rec Center, and gauge what services the residents are using. Thanked Council again for their feedback on the budget work sessions. If there are more questions between now and next mtg., contact him. He will sit down and walk through what we're trying to accomplish. -Again, the city is projecting \$14,026,792 in General Fund revenue for 2017. That's RITA projections and best known information for the drop in income taxes the city will realize based on departure of AG. General Fund proposed permanent appropriations are approx. \$15.5 million. So the 2017 General Fund projected deficit is \$1,480,837. We want to be able to understand the level of support from Council. It's a large enough. If there are any issues with departmental breakdown, let him know, give feedback, he will go over it.

Fire Chief Zemek: Brief overview of 2016 Fire annual report. Dept. responded to 2,680 emergency requests (4% increase over 2015). With mutual aid and regional dispatch center, responded to help neighbors 56 times; they responded to help us 96 times (60 were EMS calls). They took in \$7,350 in donations and grants for 2016. Collected \$315,000 in EMS billing. Fire loss of \$234,240 (decrease from 2015 with the \$2 million stadium fire loss). The rest of the report is on the City's website. As Council President Van Kirk requested, with the EMS billing, they are proposing to hard bill all non-residents. It would be around \$100,000 more per year. We soft bill everyone now. If you work in the city and don't live here, we soft bill. Soft bill means we accept what the insurance gives. In front of Council now is to approve hard billing for non-residents. Residents that work or live in the city get soft billed (we'll accept what insurance pays us.) For non-residents, we will hard bill. It's better than laying off three firefighters.

Service Dir. Verba: Brief overview of Service annual report. Curbside, residents recycle 617.28 tons of material, 653 tons compost, saving \$69,907 in tipping fees. The amount of trash picked up diminished by 153.54 tons in 2016. Residents recycled 7 tons of clothing and textiles in the first six months of the new curbside pick-up program with Simple Recycling. Through the Cuyahoga County Waste District we recycled 17.53 tons of household hazardous waste, computers and tires. There is plenty more information on the City's website.

Police Chief Mielke: Brief overview of Police annual report. Calls for service were 21,769; 4,538 911 calls; increased number of prisoners from 2015 by 195 for total of 1,473; made 715 misdemeanor arrests, and 106 felony arrests. Wrote 3,989 traffic citations. Officers participated in over 1500 hours of training (over 40 hours per officer). Increased presence in community by adding Senior Center drop-ins throughout the week,

bicycle officers still out there, jumped on a program called Coffee with a Cop (hold informal meetings, starting with the apartments); had an internship for the first time (Brooklyn Highschooler). Thanked Mayor Gallagher, Council and all departments for their support, assistance and cooperation in 2016, and look forward to a peaceful 2017.

Bldg. Comm. Kulcsar: Annual report, also on the website. Overview of Bldg. Dept. To start a project, plans are submitted, reviewed for compliance with Ohio Bldg. Codes (commercial), Residential Code of Ohio (residential), and our city zoning regulations. Inspections throughout project, then at end to close and finalize the job. Contractors register with the city to verify they are licensed, if need be by the State for plbg., electrical, heating, cooling; we retain a copy of insurance certificate, so if there is a problem we have some teeth to help get satisfaction (depending on circumstances). Permits are required for homeowners and contractors alike. For 2016: Over \$8 million in estimated cost projects (commercial, \$2.1 million in residential alone for remodeling, roofs...). This year the Ryder project alone is \$5.5 million. Exterior property maintenance inspections are done by part-time inspector Baier; in 2015 he did west of Ridge from Orchard Grove to Southfield, Memphis Villas, Torrance, north Outlook and Roadan; 243 violation notices were issued for repairs; over 300 came into compliance through the year. Rental dwelling licenses for apartments or single family homes (being rent/lease) are subject to inspections (properly maintained for the tenant); there are 275 properties licensed. A new software program was new this year, which includes a couple iPads to use in the field, which helps streamline processes.

Senior Coord. Fratto: Brief recap of Annual report, full report on website. 2016: installed new carpet, painted Community room, we now do rentals on the weekend; delivered 1,312 homebound meals; provided 333 household senior snowplowing; 414 seniors assisted with income tax; 640 health screenings; 3,019 Thursday and Tuesday meals served; transported 2,500 to doctor appts., grocery stores, and other with Senior van. Thanked the 52 volunteers that put in over 4,921 hours at the Center; it could not be run without their help.

REQUESTS:

Request from Dir. Verba for approval to apply for Solid Waste District 2017 Awareness Grant, to be used for door hangars informing residents of enforcement of new ordinances. Will also purchase green door hangars notifying of any violation. The grant is for \$700, there is no match. **MOTION** by Pucci, second by Van Kirk to approve. **VOTE RESULTED:** *To approve:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(APPROVED)**

LEGISLATION:

RESOLUTION 2017-1, Extending a moratorium on the granting of Building permits or Certificates of Occupancy for any building, structure, use or change of use, that would enable the cultivation, processing or retail sale of medical marijuana for a period not to exceed six months from effective date of this Resolution. **MOTION** by Pucci, second by Tomusko to adopt. **VOTE RESULTED:** *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2017-2, Extending a moratorium not to exceed 120 days from the effective date of this Ordinance on the acceptance or processing of any permits for the activation or installation of any systems, structures, equipment or devices for the operation of small cells or nodes for communication purposes within the City of Brooklyn, and declaring an emergency. **MOTION** by Pucci, second by Paulitzky to adopt. **VOTE RESULTED:** *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2017-3 (needs amended), Establishing Soza Fitness and Wellness Community Partner rates for certain programs at the John M. Coyne Recreation Center and Natatorium. New language in Section 3: Soza will collect all revenues from participants and pay 30% of the total on a class basis to the Brooklyn Recreation Dept. (removed: rent out the fitness room at a rate of \$30-60 depending upon the amount of participants that will be agreed upon.) **MOTION** by Pucci, second by Tanski to amend. **VOTE RESULTED:** *To amend:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None.

(AMENDED) MOTION by Van Kirk, second by Pucci to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt, as amended:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Pucci, Balbier, Tanski. No: None. **(ADOPTED, as amended)**

ORDINANCE 2017-4, Authorizing a contract between Sandy Regal and the City of Brooklyn to provide Ceramics Instructions for the Senior Center. **(SECOND READING)**

ORDINANCE 2017-5, Amending Ex. A of Ord. 2013-44, 'Establishing a price list for the Brooklyn Community-Senior Center for various items, fees, services and sales.' **(SECOND READING)**

ORDINANCE 2017-6, Authorizing a contract modification and extension (Change Order 1) with Quality Control Inspection, Inc. for extended services for Memphis Ave. for \$7,278.04. **MOTION** by Pucci, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2017-7, Authorizing a contract modification (Change Order 2) with Quality Control Inspection, inc. for extended services for Tiedeman Rd. project for \$23,745.20. **MOTION** by Pucci, second by Paulitzky to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2017-8, Authorizing the payment of \$149,175 to the CW Courtney Co. for professional engineering fees relating to the Rodoan Rd./Alley pavement and sewer rehabilitation project. **MOTION** by Pucci, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, Tomusko, Pucci, Balbier, Pucci, Balbier, Tanski. No: DeMarco. **(ADOPTED)**

RESOLUTION 2017-2, Strongly opposing the State of Ohio Governor's proposed 2017-18 Budget, which proposes centralized collection of net profit tax returns and other provisions related to municipal tax, which will cause a substantial loss of revenue needed to support the health, safety and welfare and economic development efforts of Ohio municipalities, and declaring an emergency. Councilwoman Pucci encouraged residents to write Legislatures and Governor, this is an overreach on the State. Dir. Schaeffer explained how it would hurt us a city, on top of \$1 million we've already lost in previous state funding. Councilman DeMarco understands and agrees with the purpose of the Resolution, but doesn't like opposing the entire budget; if we can modify it for the next mtg. Dir. Butler said he didn't draft this, and the timing is up to Council and the Mayor. Mayor Gallagher said she thinks the only thing needed to be changed is the title; the content of the legislation outlines what Council is opposing, the throwback rule and collection by the State. Councilman DeMarco asked to put it on first reading until the next meeting. **(FIRST READING)**

ORDINANCE 2017-11, \$202,000 Notes (improvements, building and parking). President Van Kirk read the Fiscal Officer's Certificate into the record. **(FIRST READING)**

ORDINANCE 2017-12, \$238,000 Notes (resurfacing of streets). President Van Kirk read the Fiscal Officer's Certificate into the record. **(FIRST READING)**

ORDINANCE 2017-13, \$1,500,000 Notes (for Rodoan Rd. and Alley Reconstruction project). President Van Kirk read the Fiscal Officer's Certificate into the record. **(FIRST READING)**

ORDINANCE 2017-14, Establishing the position of part-time Recreation Program Coordinator. **(FIRST READING)**

ORDINANCE 2017-15, Authorizing the expenditure of approx. \$24,679 for the emergency replacement of the heat exchanger for Rec Center Ice Rink as specified in proposal from Brewer Garrett. **MOTION** by Pucci, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *To suspend the rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2017-16, Enacting new Section 335.073, 'Proof of Financial Responsibility' of Codified Ordinances of the City of Brooklyn. **(FIRST READING)**

ORDINANCE 2017-17, Annual Appropriations Ordinance. **(FIRST READING)**

ORDINANCE 2017-18, Authorizing the Mayor to enter into Job Retention and Creation Grant Agreement w/ Inogen, Inc. **(FIRST READING)**

ORDINANCE 2017-19, Authorizing the Mayor of the City of Brooklyn, Ohio to enter into a revised agreement with Life Force Management, Inc. for third party EMS and ambulance billing consultation and related services, and directing Life Force Management, Inc. to bill non-residents for unreimbursed EMS and ambulance services. **(FIRST READING)**

President Van Kirk said Council will go into Executive Session to discuss issues relating to negotiations and possible lease of public lands. After the Executive Session is over Council will reconvene, with no action, just to adjourn. **MOTION** by Pucci, second by Van Kirk to go into Executive Session for purposes of discussing labor negotiations and potential lease of public lands, with the Law Director, Finance Director and Mayor. **VOTE RESULTED: To adjourn to Executive Session:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

Return to Regular Session.

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

Clerk of Council

President of Council