

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**June 25, 2018**

**7:00 p.m.**

Present: Mary Albier  
Kevin Tanski  
Barb Paulitzky  
Ron Van Kirk  
Meg Ryan Shockey  
Andy Celcherts  
Kathy Pucci

Absent: None

Pledge of Allegiance.

Opening Prayer was offered by Father Bill of St. Thomas More Church.

Pres. Van Kirk thanked Fr. Bill, and all the pastors from the six Brooklyn churches that have opened our Council mtgs., along with Lt. Col. Borke. There will be a mtg. of the City of Brooklyn Audit Comm. June 28<sup>th</sup> at 8 a.m. for the 2<sup>nd</sup> Qtr. Audit Comm. mtg. to discuss the audit in process; it is not open to the public due to the nature of the items being addressed.

#### **PUBLIC SESSION:**

*Mike Changeri and his son John of 8705 Morton Ave.* (John) spoke of concerns he has for the tornado warning system, Emergency Alert System (EAS), National Oceanic Atmospheric Administration (NOAA weather radio) and commented that our siren is not working, and they would like to see it put back into repair or replaced to use if needed.

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

-June 11, 2018. **MOTION** by Pucci, second by Tanski to approve as previously amended. **VOTE RESULTED:** *To approve, as amended:* Yes: Albier, Tanski, Paulitzky, Ryan Shockey, Celcherts, Pucci. Abstain: Van Kirk. No: None. (**APPROVED**)

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

Public Safety & Environmental Committee (Councilman Van Kirk): The Comm. will meet immediately following this Council mtg. for: possibility of sharing Animal Control Officer with the City of Parma Hts., and Ord. 2018-52, to amend Codified Sect. 967.12 'Forestry Program. Orders.'

Domestic Abuse Commission (Councilwoman Ryan Shockey): The Comm. met June 14<sup>th</sup> where they approved minutes, discussed hanging bathroom signs around the community and feedback on what they would look like, and potential locations around the community (city and private business) to also hang them; waiting to hear back on the Wal-Mart grant (to help print the signs and for new brochures for information for residents); discussed potential partner with Love Doesn't Shove (a local non-profit geared towards unhealthy relationships in teenagers) with our schools. They will not meet over the summer. The next mtg. is scheduled for Sept. 6<sup>th</sup> at 6:30. Notified Ohio law is changing July 1<sup>st</sup>, which will extend the Civil Domestic Abuse Rights, including access to shelters, and Protection Orders for couples that do not live together.

Planning Commission (Councilman Van Kirk): The Comm. will meet July 5<sup>th</sup> at 6 p.m. to discuss requests from: The Douglas Co. for monument sign for Brooklyn Pointe at 4800 Idlewood Ave.; Ace Lighting for new signage pkg. from the Hampton Inn at 10305 Cascade Crossing; All Signs & Designs for one wall sign, and one double sided sign on existing multi-tenant free-standing sign for Granite Depot at 11400 Brookpark Rd.; Brilliant Electric Sign for one free-standing and one wall sign for Ryder Truck at 11250 Brookpark Rd.; A Sign Above for one free-standing sign for Taylor Group at One American Rd.; Brilliant Electric Sign for two

internally illuminated wall signs for Victory Capital at 4900 Tiedeman; St. Thomas More School for preliminary plan review for new entrance, drives and parking for the school at 4180 No. Amber. All are welcome.

School Board Liaison (Councilwoman Paulitzky): She received and read an e-mail from Dr. Gleichauf regarding the hire a couple weeks ago of a principal (Cristin Cicco) for grades pre-K thru 7 and some of her accomplishments. Also said there is newly appointed High School Principal Bill Wingler.

Finance Committee (Councilman Van Kirk): The Comm. met and recommended approval: request to accept \$600 donation from Elwood Ohio Machines to the Fire Dept. (to purchase ancillary equip. as needed); request for authorization to apply for NOACA grant for a new senior bus (\$66,880 with city responsible for 20%); Ord. 2018-4, adopts the Tax Budget for fiscal year 2019; Ord. 2018-51, Amended annual appropriations; Ord. 2018-53, fee ranges for registration and participation in youth, adult, senior teams/leagues; Ord. 2018-54, authorizes a Job Retention and Creation Grant agreement with TRG Studios; Ord. 2018-5, authorizes the submittal of application to NOACA for Cleveland Urbanized Area FTA Funding from Enhanced Mobility for Seniors and Individuals (relating to request for the grant); Ord. 2018-55 and -56 add Linndale as a community partner for the Rec Center; Ord. 2018-57, authorize Mayor enter agreement with JJ Real Estate Solutions for purchase of 4747 Tiedeman (\$42,000); Ord. 2018-58, authorizes the purchase of 4761 Tiedeman (\$157,000) (those are first readings to give residents in the area notification of purchase, the Econ. Dev. Dir. hand-delivered letters to the residents there); Ord. 2018-60, authorizes the Mayor enter a Job Retention and Creation Grant with RhinoSystems, Inc. (allows \$45,000 grant over three years, will relocate 17 jobs in one year, add additional 83 new jobs by year three, total payroll of \$5M and 10 year retention period, taking 65,000+ sq. feet of space at AG location); Ord. 2018-61, authorizes Updated Capital Improvement Plan for 2018 (will include the City's portion for LED lighting for Biddulph, Tiedeman and Ridge Rds., as recommended by Public Works Comm., for \$18,842 – the rest from the NOPEC grant of \$39,000).

#### **REPORTS OF COUNCIL:**

**Mary Balbier:** Thanked Fr. Bill for doing the opening prayer and special blessing. –Thanked the younger Changeri for his spunk to talk about the tornado warning. –Wished everyone a happy 4<sup>th</sup> of July next week. She does think of the immigration situation we have in the country; and prays God guides our leaders to handle the situation. She hopes the trauma of separating families is at an end; our country does not ignore compassion, empathy and common sense, and she prays those qualities prevail. –Wished all a happy, safe summer.

**Kevin Tanski:** Wished all residents a safe and happy summer. Our Recreation Center offers a variety of activities for all ages, get out and enjoy our great community.

**Barb Paulitzky:** Thanked Fr. Bill for his great speech and his blessing. –Mentor Police Officer Mazany on Sunday lost his life in a hit and run accident; it was a 24 yr. old man that hit him. Cautioned people to move over when a police vehicle is stopped, it's the law. We can't thank our Brooklyn officers enough for their service and what they do every day. –Save the date Wed., July 18 at 7 p.m. for a Concert in the Park, it will be a great time.

**Meg Ryan Shockey:** July 1 Seattle, Washington officially bans single use plastic (includes straws, utensils). She thinks it's great to see measures take place, with less plastics becoming eligible for curbside recycling. SB 210 in Ohio would prevent cities enacting such laws. Besides other problems with it, it infringes on municipalities' Home Rule rights. If against the legislation contact Sen. Skindell at 614-466-5123. Encourages everyone to be more aware of single use plastics.

**Andy Celcherts:** Thanked all who donated to the Zarins and the GoFundMe acct., it helped their situation. –Thanks to N.Jaworski and D.Turner for their quick response in helping clean up the leftover utility pole parts tied by the Library. –Aug. 18<sup>th</sup> is the Picnic in the Park from 1-8:30, free, with DJ, a band, beer/wine, food trucks, and fireworks at dusk, a car show, craft vendors and exhibitors. –Repeated to drive safely this summer, and slow down. –Wished everyone a happy and safe summer.

**Kathy Pucci:** Thanked Fr. Bill for the opening prayer and what he does for our community. –Thanked John Changeri for bringing up the tornado siren situation; asked the Chief to address the current situation with the siren for the public. –Offered condolences to the Mentor officer's family, the department, and all police officers. –Repeated to be cautious, driving with kids out, or our Police and Firefighters on a highway or a street (the law is to pull over to the left). –Thanked Ms. Neal, Bldg. Dept. secretary, for all her efforts in coordinating the Community Wide Garage Sale. It was nice to see residents out going to sales and back and forth on Facebook. –Last mtg. she mentioned the problem of contamination of recycling, and had calls from residents; confusion with plastics is we were trained from the start to look at the number, and knew if it was recyclable. It's not that easy now. Plastics is bottles and jugs with cap on. Most produce and takeout and food containers contain the recycling symbol and a common number no longer means it's recyclable. We hurt the system when we put items that cannot be in curbside recycling. 99% of our recycling ships to China, and they have serious recycling contamination, so have put restrictions on acceptable materials, including plastics and papers. They want only cleaner, sorted recyclables. Everyone should have received a magnet from the city, and we have to stick to what is on it for curbside recycling. –Ord. 2018-52 (trees and shrubs), she understands there are concerns and discuss it at the following committee mtg. Stressed the amendment is not to address usual complaints (tree/shrub growing over a resident's property, where they can trim that overhanging); this could address a serious matter (diseased tree, hit by lightning, creates a hazard). It's about taking responsibility for what's on your property. Dir. Butler modeled it after an existing Lakewood ordinance, and she's spoken to their Public Works Dir. (will share that info at committee mtg.)

**Ron Van Kirk:** Thanked Fr. Bill, and all the pastors that took their time; it is appreciated and a positive addition to our Council mtgs. –Thanked John Changeri for his comments regarding the tornado system. –Wished everyone a happy summer, and happy birthday to America, 242 years old. Be safe as you are celebrating. We are a nation of laws; and though we are divided in our nation, we must follow those laws or we will no longer be a nation. Thanks law enforcement for enforcing laws that are passed. –As he was out it seemed every other house was having a garage sale. And the yards are looking good for the most part; keep up the good work. Complimented the residents for keeping up with beautiful lawns.

Councilwoman Tanski asked Mayor Gallagher to address the wall along 480; he's getting calls from residents that between the wall and fence there are out of control weeds and garbage, and they can't get in there to clean it up.

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

**Mayor Gallagher:** Hopes everyone enjoyed the 2<sup>nd</sup> annual garage sale. We're always looking for feedback to make it better; call her office or Dawn Neal in Building. –Last mtg. the city was granted the Master Plan Grant from the County for \$50,000; the city's contribution is \$8,000. Thanks Meg Ryan Shockey for writing the grant. Updated she will meet with the County Planning Comm. this week, and can roll out the process after that, with tips from them on the most effective way to move forward. –Reminded that Brooklyn Pointe Senior Assisted Living facility has a Hard Hat preview this week at 4:30 on Wednesday; if interested in checking it out, all are welcome. –Thanks to the residents who came last week to her neighborhood mtg. on Tiedeman. This week's mtg. is Wednesday at 7 p.m. with another neighborhood mtg. at 4087 Apple Creek. There will be other mtgs. throughout the summer, most all Wednesdays at 7 p.m. The information will be on the City's website. –She got a NOACA update, about our roadway pavement maintenance report, with some background on our city. She also got a Bicentennial invite for Cuyahoga Hts. She read what NOACA had as part of our background, and then said why she's reading it. (Stated Brooklyn Twp. founded 1818, with much annexed by Cleveland, leaving 4.4 square miles, becoming Brooklyn Village in 1927, and the City of Brooklyn in 1950.) She brings it up because our city seal says 1867. It's a big debate for the Historical Society, and it's unsure why our seal has that date. At one point the city considered updating the seal. A resident last year asked to do a celebration of the City's year (150 at that time), and she knows it's not the correct date. It's a good opportunity to start talking about where we go from here; and maybe talk about updating our city seal with a fresh design. Talking with the Master Plan Comm. could a good-tie in to get a fresh look at where we're going. She wanted everyone's thoughts about that moving forward, and solidify where that birth place and starting point for Brooklyn is, so we can celebrate it and it mean something. –Thanked Councilman Celcherts for taking care of that pole by the Library; directors have all contacted Mr. Turner, but he got it done. –Reminded that Picnic in the Park is Aug. 18<sup>th</sup> from noon-6:30. The Chamber will have fireworks, food trucks, antique car show, and craft fair. –She would like to have an executive session to briefly speak

about hiring the Finance Dir., with the Law Dir. and Interim Finance Dir. Val Harry. –Hopes everyone has a terrific summer.

### **DIRECTORS REPORTS:**

Recreation Mgr. McGinty: There will be two concerts in the park this summer: Funkology on July 18<sup>th</sup> from 7-9 p.m.; and Haywire on Sept. 5<sup>th</sup> from 7-9 p.m. –There will be a dog swim in the indoor pool on Sun., Aug. 5<sup>th</sup> from 10 a.m. - 2 p.m., resident only. A signed waiver is required to participate (available at Rec Center or online under Recreation Dept.) Dog handlers must be 18 years or older, dogs enter/exit on leash and be unleashed in the pool; must be non-aggressive, be able to enter/exit using ladder or stairs. Dog swim is for dogs only, no owners or onlookers in the pool. Must be in view of, and in control of owner at all time. Any aggressively acting dog, the owner and dog may be asked to leave.

Mayor Gallagher said she forgot to address Councilman Tanski's question. She turned it over to Dir. Verba, as he's been working with ODOT closely on this. Dir. Verba explained of his contacts with ODOT, and they will connect this week. There is the possibility (which could take a year) of removing the fence, which would then be the responsibility of the resident to take care of the property. He'll be meeting with the maintenance supervisor to show him all the complaints he's received, and show him areas, that they will take care of as much as they can. He asked Council to pass on addresses of people with complaints he can pass along. He will fight to try to get all those properties taken care of. There was further brief discussion.

Police Chief Mielke: He spoke to the concerns of the sirens, fallen into disrepair over the years and difficult to keep up and running. The last Administration decided not to fix them due to the financial constraints. The city has stressed the use of CodeRed, which has been transferred over to ReadyNotify (the county's notification system). That allows us to do a reverse 9-1-1 type phone call to residents. The sirens are no longer operational. –Reminds the 4<sup>th</sup> of July coming, and fireworks are still illegal in Brooklyn. Celebrate responsibly, but be a good neighbor. –Councilwoman Pucci mentioned the transition struggle from Code Red to ReadyNotify; she asked if our numbers are still low of registered residents. The Chief said yes, and he's spoken to the county who are in the midst of getting new RFPs for a new vendor for ReadyNotify (as they and most cities are not happy with it). He's encouraged them to look into CodeRed, which is better. He does believe it should be a regional approach on this notification, as so much affects so many communities. The process has to play out. She encouraged residents not signed up with ReadyNotify to sign up. The Chief said the information/sign-up is on the city website, and it is an opt-in.

Economic Development Dir. Udris: Received a phone call today from representatives of RhinoSystems (Ord. 2018-60 for Job Retention and Creation Grant Agreement). The company is requesting Council consider passing it by emergency and suspension of rules so they can sign the least agreement with IRG and not delay construction and relocation. It's been a strenuous negotiations and they would like to get into property as soon as possible.

Building Comm. Kulcsar: Reminded people who will be putting up a pool, even the box pools from stores, need a permit. No matter what kind or size of pool, it needs to be fenced in, and electricity that feeds the pump needs GFCI protected, and a permit is required. Safety is the big concern for any pool. Call him with any questions regarding it before you get your pool.

### **REQUESTS:**

Request from Fire Chief Paul for acceptance of a donation from Ellwood City Forge Company (affiliate of Ellwood Ohio Machine) on Brookpark Rd. for \$600. He has expressed appreciation for their generosity. **MOTION** by Pucci, second by Ryan Shockey to accept the donation. **VOTE RESULTED:** *To approve:* Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(APPROVED)**

Request from Mayor Gallagher to submit a proposal for a grant for Enhanced Mobility for Seniors and Individuals with Disabilities Program through NOACA. A new van is being requested for the Senior Center at an estimated cost of \$66,880; the most Brooklyn would expend to acquire it is 20% of the figure. A Resolution of support is required for the grant; due to limited timeframe from the funding opportunity

announcement and the application is due, she is asking the Resolution be passed tonight. There will be a public hearing at the Community Center on July 9<sup>th</sup> at noon to explain the grant funding. **MOTION** by Celcherts, second by Ryan Shockey to authorize application for the grant. **VOTE RESULTED: To approve:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(APPROVED)**

**LEGISLATION:**

**RES. 2018-4**, Adopting the Tax Budget for Fiscal Year 2019. **MOTION** by Pucci, second by Tanski to adopt. **VOTE RESULTED: To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-51**, Amended Annual Appropriations. **MOTION** by Pucci, second by Tanski to adopt. **VOTE RESULTED: To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-52**, To amend Section 967.12 of the Codified Ords. of the City of Brooklyn entitled "Forestry Programs. Orders." **(SECOND READING)**

**ORD. 2018-53**, Establishing fee ranges to registration for participation in youth, adult and senior teams and leagues through the Brooklyn Recreation Dept. **MOTION** by Van Kirk, second by Celcherts to suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-54**, Authorizing the Mayor to enter into a Job Retention and Creation Grant Agreement with TRG Studios, Inc. **MOTION** by Celcherts, second by Ryan Shockey to introduce by all, suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**RES. 2018-5**, Authorizing the submittal of application to NOACA for Cleveland Urbanized Area FTA Funding from the Enhanced Mobility for Seniors and Individuals with Disabilities Program. **MOTION** by Pucci, second by Celcherts to introduce by all, suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-55**, Establishing Linndale (Community Partner) rates at the John M. Coyne Recreation Center and Natatorium. **MOTION** by Pucci, second by Celcherts to introduce by all, suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-56**, Providing for the programs operated and conducted by the Recreation Dept. (this adds Linndale to that list). **MOTION** by Celcherts, second by Ryan Shockey to introduce by all, suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-57**, Authorizing the Mayor to enter into an agreement with JJ Real Estate Solutions LLC for the purchase of certain real property known as 4747 Tiedeman Rd. PP#433-02-002. **(FIRST READING)**

**ORD. 2018-58**, Authorizing the Mayor to enter into an agreement with Jan Marie Shannon for the purchase of certain real property known as 4761 Tiedeman Rd. PP#433-02-005 and -007. **(FIRST READING)**

**ORD. 2018-59**, Enacting new Chapter 937, "Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures" of the Streets, Utilities and Public Services Code of the Codified Ordinances of the City. **(FIRST READING)**

**ORD 2018-60**, Authorizing the Mayor to enter into a Job Retention and Creation Grant Agreement with RhinoSystems, Inc. **MOTION** by Celcherts, second by Tanski to introduce by all, suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**ORD. 2018-61**, Authorizing the Updated Capital Improvement Plan for 2018. (this adds the new street lighting for Biddulph). **MOTION** by Pucci, second by Celcherts to introduce by all, suspend the rules. **VOTE RESULTED: To Suspend the Rules:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **To Adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADOPTED)**

**MOTION** by Van Kirk, second by Pucci to adjourn to Executive Session with the Mayor, Law Director and Interim Finance Director to discuss matters of personnel relating to the Finance Director. **To Adjourn to Executive Session:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, Ryan Shockey, Celcherts, Pucci. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

**Council reconvened.**

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

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Clerk of Council

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President of Council

Minutes approved: 9/10/18