

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

October 23, 2017

7:00 p.m.

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

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

The minutes approval will wait for next meeting for clarification of some comments/items.

Pres. Van Kirk said some items had to be addressed as was brought to his attention by the Law Dept. He reviewed some Rules of Council relating to decorum, public participation, and right of floor at Council meetings (for Council and public speakers). He encourages open debate and dialogue. It's imperative to avoid being combative or slanderous. The rules will be enforced.

PRESENTATION:

Mayor Gallagher presented a Mayor's Proclamation: To Recognize Robert Hennings on his Retirement from the City of Brooklyn Service Department. Service Dir. Verba said a few words of appreciation to Bob. Robert Hennings thanked the Mayor and Council for his Proclamation, supervisors and co-workers, and to Joe Pucci and Mayor John Coyne.

PUBLIC SESSION:

Earl Bloam of 4720 Forest Edge Dr. asked for support of Issue 58, the permanent improvement levy for the Brooklyn Schools. Explained the renewal and new millage for this levy, what the monies can and cannot be used for, and what the cost breakdown is. He also addressed some problems facing the roofs at the schools. He urged everyone to support Issue 58.

Wesam Elrabadi of 4427 W. 62nd St., Brooklyn Acres expressed his disappointment in watching the Oct. 10th City Council mtg. because of lack of dialogue with civility and mutual respect of an exchange of ideas by both parties. Said disheartened by name calling, random accusations, defaming personal characters. Believes the best years of the city are to come if we can stand in brotherhood, with mutual respect for each other.

Victor Ardito of 7439 Outlook Ave. said So. Amber is in a shambles and asked if it was coming up on the road repair list soon. Asked if there is a reason they're not trying to build office space where they want to put a hotel up on Tiedeman.

Mike Prochko of 11040 Gordon Dr. Parma said he's a former resident for 27 years, and current Rec. Center patron. Spoke about the cleaning and maintenance of the swimming pool, and he had surveyed other local centers about their practice (shared information of draining/re-fill). Said Brooklyn has not done a drain/re-fill since 2007 (the other cities did it every 1-3 years). He was informed by our director that the chemicals are well maintained and therefore no need to drain. He questioned the practice and had additional comments.

Andy Celcherts of 9732 Memphis Villas Blvd. addressed a letter supporting him that was spoken about at the last mtg., that the former Mayor's was of similar form and content for his candidate. He was labeled a yes man by people who haven't even talked with him. Said if anyone wishes to connect with him to call 216-548-7644. He spoke of the school addressing bullying, and how Campus Life is trying to help children deal with it, along with other problems they have (school, family life, hunger), and he's working with them for over three years. Said Council and Administration need to be role models for the next generation, and the last meeting was not a good example. It's not right to create a dialogue and misconceptions about him. Council needs to get back to working for the citizens of the community.

Steven Herbig of 4402 So Amber Dr. said he's a candidate running for Council, and he thinks the Administration lead by the Mayor and Council President are trying to load Council with yes men/women. If Issue 3 passed you would have lost the right to vote on future PUD developments. Said he and his daughter built and ran a successful campaign to keep the park and the right to vote. Cited voting record of Councilman Tanski with no no votes for current 2017, 2016 on legislation, and one no in 2014 on legislation; Councilwoman Paulitzky with no no votes. Relating to the Issue 3 signs and campaign, he said Mr. Celcherts crossed a line by being the treasurer for the Friends of Issue 3, the Geis super Pac (according to Bd. of Elections information), and Geis have profited greatly financially. Asked that people elect those who represent the residents, not the will of the administration; and vote Tomusko, Balbier, himself, Ms. Pucci. Also asked for support of Issue 58, school levy.

Meg Ryan Shockey of 7440 Woodhaven Ave. said she attended last week's Bd. of Education mtg., where four students were recognized (athletically on and off the field), and a plan of action was discussed on addressing bullying in the schools. Gave the definition of bullying and where it can occur, and that many parents spoke about it at the schools. This bullying is taking place on Brooklyn social media pages and at Council mtgs. Asked what kind of role models are adults being or want to be for our community's children; we need to think about the examples we are setting.

Kent Cicerchi of 4720 Autumn Ln. spoke about the First Amendment and the Fourth Amendment. If a Councilperson finds a form of chastisement by a community member is too much, maybe they shouldn't be sitting there. He did see an endorsement letter from years ago, it stated from desk of Mayor, not Brooklyn City Council; saying it was deceptive to residents. Attorney's code of ethics say not to give appearance of impropriety; he thinks the letter/letterhead gave appearance of impropriety. Asked about a school crossing guard at W. 66th and Hurricane Alley, and when one will be put back; that the students in the Acres and the area deserve the protection.

Paul Foradora of 4721 Rodoan Rd. said he can't get to mtgs., but watch on-line; expressed being disturbed by some of the speech. Has both Councilman Van Kirk's and former Mayor's letter and they're identical. Said it's a misguided witch hunt to impugn the Council President. We're taught and encouraged to strive for degrees and awards, but we think that's what makes us, and is all there is; but we need to get back to civility and humility and basic character traits. He likes the community we live in. Provided a saying by Benjamin Franklin about 13 character traits. We're a city, a team, and we all have to work together. Repeated what was at the last mtg. was not a good display; disagree in a civil manner.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Recreation Board (Councilwoman Balbier): The Bd. met last week and discussed the next skating session from Nov. 4 – Jan. 6. For questions on classes call the Rec Center at 351-5334. Frightening Friday Night Hallow-scream Skate is Oct. 27th from 8-9:15 p.m.; free with current resident ID, wearing a costume, and canned good donation for Thanksgiving basket. Every month on Fridays from 8-9:15 will be a different themed skating event (ex. 90s night, Ugly Christmas Sweater night, Roaring 20s Great Gatsby, Pajama night, and others). For kids 3-10 years, they have 'Try hockey for free for a day' on Oct. 29th from 12-1. Any questions call 351-5334.

Planning Commission (Councilman DeMarco): The next Comm. mtg. is Nov. 2nd at 6 p.m. in the Conference Room to hear requests: from Re-Pros for one internally illuminated cabinet sign and vinyl window sign for Great Works Employment Service at 7020 Biddulph; (old business) from M. Weber for preliminary site plan for four-story, 85 room hotel on Tiedeman Rd.; request from M. Weber for conditional use for four-story, 85

room hotel at Tiedeman Rd.; request from M. Weber for lot consolidation approval on Tiedeman Rd. Everyone is welcome to attend and comment in person or in writing.

School Board Liaison (Councilwoman Paulitzky): Added to what was already mentioned. A hotline for children to call 24/7 is 1-866-547-8362. Dr. Gleichauf thanked her for attending the last mtg. and sharing information; and has invited all parents who spoke at the Board mtg. or attended, to a special District Climate Task Force mtg. next Monday at 5:30, to provide more detail and gain feedback from parents.

Finance Committee (Councilman Van Kirk): He reviewed items on the Agenda: Res. 2016-5, Declaring City Council's intent to vacate a portion of Montgomery Place south of Manoa Ave. and requiring notice to be published, and declaring an emergency (had been in abeyance, Dir. Butler will explain in his report); Ord. #74 (3rd reading/adoption), Amending Ord. 2017-2, Authorizing the Mayor to enter into an agreement with Cost Recovery Corp. LLC for billing and related services attributed to Fire Dept. incidents (detailed list for incident costs on scene); Res #11 (2nd reading), Authorizing the Mayor to enter into a contract with the District Bd. of Health of Cuyahoga County for Health Services for the year 2018 (cost same as last year, \$23,008 semi-annual payments); Ord. #75 (2nd reading), Amended annual appropriations (Dir. Schaeffer gave an extensive explanation previously); Ord. #76 (2nd reading), Authorizing the Mayor to enter into a Job Retention and Creation Agreement with HMI Industries (highlighted some items in agreement: est. \$3M payroll, leasing portion of AG facility; investing \$310,000 in machinery, equipment and inventory, commencing 1.1.18, 60 full-time jobs, grant of 30% of total income taxes first year, 20% in second); Res. #13 (1st reading), Requesting the County Fiscal Officer to advance tax proceeds of the 2017 tax levies pursuant to the ORC Section 321.34 (Dir. Schaeffer will elaborate in his report); Ord. #77 (1st reading), Amending Sect. 182.02 of Ch. 182 Income Tax-Jan. 1, 2016 of the Codified Ords. of Brooklyn (Dir. Schaeffer will address in his report).

REPORTS OF COUNCIL:

Mary Barbier: Congratulated Mr. Hennings. -Congratulated to residents Diane and Dennis Esper, grandparents of Zac Lowther, drafted and signed to Baltimore Oriels for pitching. -Thanked Brooklyn Acres for their Halloween party for the area children and a Trunk or Treat event, also complimenting the ladies who cooked. -In walking door to door, she hears residents talk about services: they love the police, but the Fire Dept. better, especially the EMS. -Asked Law Dir. Butler if he could explain the amendment to the Charter concerning zoning in simple terms and the purpose. -Remember to vote Nov. 7th; Issue 58, strong schools, strong cities. -Commented since the start of the United States, the free-est nation, with laws based on the Constitution, which many amendments, none more important that First Amendment involving the right to freedom of speech. Anyone has the right to disagree and criticize actions here. -Told Mr. Foradora she would have to beg to differ (and Mayor Barbier would) that his letter and Mr. Van Kirk's letters are worlds apart. -Issue 3 was not lies, it was defeated by two to one.

Kevin Tanski: Had a seven page report, but after the speakers, he's putting to bed the back and forth today. What happened last week, he heard residents don't want to see it again, but business of the city to move on and make it great. His union background says to read it, because what they did was wrong. The day of the candidates' night he couldn't attend because of his mother. Won't be personal, but will address a few. -Said if a sign of his doesn't belong somewhere he will pull it, it's not intentional. -In a bullying time, he's proud of people who support him, and will continue to take the high road. -Mr. Herbig gave a public request for all records of the solar farm going in the landfill that will generate the city revenue. Wish he'd seen e-mails and letters sent to him by Mike Foley, Dir. of Sustainability; he read excerpts from one letter thanking him for initiating and pushing for the city landfill for the possible use for the solar project, and it becoming the perfect site for it. -Will keep everything positive through the rest of the campaign. If anyone has questions to feel free to call him, or to clear up anything. Any candidate running for office makes mistakes, as has he.

Barb Paulitzky: She will be 80 in January. She ran for Council to be a voice for seniors here. She started with having to choose an appointment to Council to fill the Mayor's seat; her first choice was not Councilwoman Tomusko (nothing against her, but felt she should have run and campaigned like the rest). Council was divided, and rather than continue to fight, she compromised and changed her vote to vote for her. When it was time to vote for Council President, others weren't willing to compromise. Stands by vote to

keep Councilman Van Kirk as President. Compromise and working through problems shouldn't rest on one or two; it's a group effort. Council should represent you and be check and balance to the Mayor; not putting personal agendas before voters. Mayor Gallagher was also not her first choice for Mayor, Ms. Bowen was. But it didn't mean she wouldn't get a chance to do her job. Left with a lot of problems to deal with, she's been working hard to resolve them. She has helped her with any ideas and projects for the residents. Because of this she has been labeled (with Councilmen Van Kirk and Tanski) as Mayor's people. If working with the Mayor to get things done for the residents makes her a Mayor's person, she gladly accepts that. Residents are smart to read through rhetoric. –Thoughts from someone in Brooklyn since 1971: the longer people keep tearing things down, the longer and harder to build it back up.

Tony DeMarco: Had a three page report, but will keep it short. Thanked all speakers. Words he put down as underlying theme: civility and trust. In his eight and also most reason years on Council, his trust violated many times. –It's political season. Asked for support for re-election of Councilwomen Pucci, Tomusko and Balbier (though disagreed before, appreciates their thoughtfulness, research of topics, and speaking opinions). A Councilmember should have an independent voice, think for them, and vote their opinion after talking and research on issue. Asked to give opportunity to Mr. Herbig (for his work on Issue 3). Development is needed in the city, but that time and way was not the right process. –Encouraged everyone to get out and vote; the residents will do the right thing.

Debbie Tomusko: She's an engineer, so she likes facts, so appreciated that from Mr. Prochko about the pool draining info. A friend takes water aerobics class and said their swimsuits discolor and almost disintegrated based on amount of chemicals in pool. Asks the Rec Board and Rec Mgr. to seriously look at chemical situation. –Clarifying in terms of facts, much said from people, Councilmembers, previously the Mayor, saying we're not working for citizens, or getting things done, the business of the city because of conflict on Council with disagreements. To set straight, they are doing the business of the city, passing things, budgets getting done, legislation being passed; nothing is not happening because of disagreements. She thinks it's better because of open debate in meetings about spending, etc. Work is getting done. Challenged the Mayor to give one piece of legislation she'd like support on that they haven't supported. On Issue 3 the voters came across loud and clear. Clearing up misconception that work is not being done. They are. People can come to the Finance mtg., various sub-committee mtgs., and see. –Last week the Mayor commented she's available all the time, is there, does Coffee with Mayor (which she has attended), and that she has some well-attended community mtgs. The last mtg. (Sept. 17) was at Shady Ln. (Service Director's house), with the Mayor and members of staff; the problem is only some of the Council people the Mayor supports knew about it. She didn't know about it, nor Councilmembers Pucci, Balbier, DeMarco. In the future she'd appreciate being invited so she can go and listen to residents. –People tonight said Councilman Van Kirk's letter was no big deal, and reading it at a public mtg. was no big deal. She felt it was a big deal, and she contacted the Ohio Attorney General's Office, who kind of thought it was a big deal (reading campaign literature at a Council mtg. She scheduled another call with them, to follow up. –Facts. Data. –Upcoming election, she'll be happy when it's over. Do research, based on facts. Brooklyn Acres hosted a candidate night with majority of candidates, answering same question; can see where everyone stands on issues. It will be available on YouTube, it was taped. –Wished everyone a happy and safe Halloween, our police will be watching. Hopes people give out candy. She enjoyed participating in the Acres event. –Veterans Day, they are the public servants, who give their lives for our country, and gave us the right to vote. –Vote on Nov. 7th.

Kathy Pucci: Congratulated Bobby Hennings on his retirement. She appreciated his mention of her father-in-law for helping get him his job. Wish him the best. –Thanked Brooklyn Acres for invite to Halloween event. She visited her mother later who shared they've always done a great job having events for young people and families. –Reported the Safe Routes to School kicked off the Fall Fest with a 5K walk/run. There no charge, so everyone can be involved. –Thanked the planners and volunteers in Fall Fest. –Oct. 4th was Safe Route's Walk to School Day, she walked with those east of Ridge; the theme was Walk with a Hero, with police officers, firefighters, Chief Zemek. Thanked them all, it was thrilling for the kids. They also did a walkability study Oct. 16th (she partnered with Sgt. Knapp), a step to apply for ODOT infrastructure grant, for enhancement of safety of students walking. –Attended Coffee with a Cop, thanked Dunkin' Donuts and the participating officers. She asked the officers what the residents don't know, or wish them know; they said there's more in the city they deal with than people know, and that if something gives cause for concern to call right away and not wait. –The Safety Comm. will schedule a visit to Regional Dispatch Center. –Attended Oktoberfest at Senior Center; thanked Karen, Kathy and the volunteers. –Had budget mtg. Oct.

16th; thanked Dir. Schaeffer and Mrs. Haig for preparations. –Resident told her the Mayor said at the Coffee with Mayor we will do shredding next year, and is glad to see it's coming back, it's a popular event. We were able to get a grant for it before (part of Beautify Brooklyn), and reminded that paid for it. –Glad Dir. Butler will talk about Charter amendments, she's gotten questions going door to door about it, especially the zoning language. –Bullying has come up in the past, and brought to Chief Mielke's attention because we have a School Resource Officer. In speaking to some Board members, there is a system set up for parents to follow it, so the Board can know what the complaints are and how they get resolved. The Board and administrators are looking at this, stressing to follow the process and close the loop. –Been involved in neighborhood issues involving trees and shrubs, and their encroaching, sometime without ideal resolve. Spoke with Dir. Butler about some solutions, which he shared Lakewood's solutions, and she got others; asked him to draft an Ord. to see what could help us address the situations. She'll share the draft with Council when she gets it. –She missed the last mtg. due to a family medical issue (thanked those who reached out to her on it), and the letter was brought to her attention (she did not receive it), with their concern it said Brooklyn City Council. Her opinion is it is deceptive because it looks like it represented a group. Though she recognizes it's not illegal or not unethical, a resident did bring it to her attention. Echoed Councilwoman Tomusko that there's nothing proposed that hasn't passed. Repeated on 95% of issues Council is on the same page, and unanimous, and everyone here is working for the betterment of the city. Not always on the same page, but that's ok. She always tries to conduct herself with civility and it's important for everyone. –Asked the Mayor for assurance to let them know when there are neighborhood mtgs. She found out from a resident wondering why she couldn't make it. Thinks it is wrong, and are all entitled to know when there's a neighborhood mtg. –Mr. Bloam did a great job explaining facts of Issue 58, so she asks residents to consider supporting it, it's very important. –To Dir. Butler, asked if we had amended Ord. 2017-76 (was told yes, but it's not reflected in minutes), so is making sure before we go on. –Thanked everyone who spoke. Wishes we have this many people at all mtgs. We need to hear from you.

Councilwoman Paulitzky wanted to add to the Safety Comm. report that she heard a message on a friend's phone that threatened them if they didn't call back and send money they would come to her house. She wanted people to keep it in my mind; they might be targeting older people.

Councilwoman Pucci remembered from Councilwoman Paulitzky talking about compromise, that she changed her vote and compromised when Mr. Celcherts was appointed. So on most issues there is a willingness to compromise, and it's important, and she thinks we do a good job on issues for the betterment of the city.

Councilwoman Tomusko commented about being appointed to Council as Councilwoman Paulitzky said, that she had run for Council quite awhile ago, and for personal reasons had to suspend her campaign. After votes came in, she did not win, but came in next with 850-some votes; Mr. Celcherts (opponent) had about 400 votes, yet at time to appoint someone to Council, Mr. Celcherts was appointed. She thought so much for will of people; would think the person with next highest votes would be appointed (her), but it didn't happen.

Ron Van Kirk: A benefit of election season is a chance to walk streets of Brooklyn and talk to residents. Everyone's busy. They love Brooklyn and want to keep it great, and thrilled with positive things going on. Shared several conversations residents shared of safety forces keeping an eye on homes, and liking new businesses and positive changes, the liking of new sound wall, questions on coping with loss of AG revenue (explained how Council and this and previous administration prepared for shortfall with building up large reserves in General Fund), the new senior living facility, our safety forces and public services. Also heard a lot of false things, like building houses in Marquardt Park (passing comment taken out of context- no plans for it), street construction inconveniences... Most has been positive. There has been truthful, open dialogue; also disagreements and compromises. There's more than unites than divides us. Many things going for the town: wonderful people, major corporation readying to start renovations at AG property and moving in, assisted living facility going up, solar panels going on old dump and bringing revenue, major road repairs... Each have own thoughts, opinions, and candidates we feel better serve Brooklyn; but we're all residents with best interests of our town at heart. Campaigning will continue for those opinions and candidates, then decide who is best to lead the city in the future. Quoted from Thomas Jefferson about dreams of the future being better than the history of the past. Whatever you decide, remember to vote Nov. 7 and make Brooklyn a better place.

MAYOR'S REPORT:

Mayor Gallagher: The Mayor's and Managers Assn. met with Destination Cleveland CEO Dave Gilbert Oct. 11th to hear projects and initiatives in the region. He elaborated how Cleveland didn't see an uptake in tourism until locals talked positively about Cleveland and local communities, beating the national average on tourism numbers. Activities and volunteer opportunities for their events are available at Destination Cleveland website. –Reiterated that positivity creates people coming to your city. We go onto Facebook and different sites; people want to come when we talk positive, and buy houses, and visit, and it will make property values go up and increase revenue. –Thanked Karen Fratto, Kathy Messeri and Senior Center volunteers for helping make Oktoberfest at the Center a success. –Thanked Council and residents who attended last week's budget mtg., there was productive conversations, and she appreciates the feedback. –Thanked Girl Scout Troops who visited her last Wed. night; they toured City Hall, the Mayor's Office, and asked questions about government. It's a good organization for girls growing up in the community. –The employee wellness committee had another great wellness fair last week at City Hall, for all employees to get free flu shots, receive multiple tests, get health numbers. Thanked local participating businesses: Parma UH Hospitals, Therapeutic Touch, Hudec Dental, Medical Mutual, Lifestyle EAP, Gold's Gym, GNC, Soza Fitness and Wellness, US Shuai Chiao Kung Fu Academy, Brooklyn Recreation Center, Cleveland Lunch Fix. Over the last two years as Mayor, embraced different health challenges, which is helping to keep claim rates down, and keeps expenses down in City Hall. Thanked the employees for participating. –Last Thurs. took part in First Suburbs Consortium mtg., they were given most recent property tax delinquencies (passed out to Council); Brooklyn has approx. \$227,000 in residential tax delinquencies so far for 2016. Total for both commercial and residential is approx. \$1,018,000. The schools receive the bulk percentage of that tax, and where they pay their expenses from; when people don't pay their property taxes it has an adverse financial impact for them. The city's portion is 6.1%. The County is going to be helping cities be more aggressive on some of these owners. –Responded to Mr. Ardito that the street repair program is the result of the City Engineer ranking the streets, and then based upon how much money we have. This year Torrance, Orchard and the rest of Delora is on the list. So, Amber and Pelham are high, and a couple others; they will be tackled as we go. We usually put \$1M towards streets; this year Roadan's project (with alley) was \$3.1M (significantly more, and all we could accomplish). Will continue working on it. –The hotel question, it's in a Limited Industrial Area; explained as past Planning Commissions passed other conditional uses (Key Bank, Hampton Inn...) it opened the door for different things to go in. Key owns that property; unless codes allow us to deviate from the conditional use, we have limited discretion on it. Zoning is a difficult thing to explain most times. Asked him to see her for any more questions. –Thanked Mr. Prochko for his comments. She (and Councilwoman Paulitzky) frequently uses the pool, and agrees there's a lot to be done at the Rec Center; she's working on needs concepts going forward, and waiting till after the election to address some ideas. Won't politicize ideas, but it's a high priority in the city that needs addressed soon. Reminded we are deficit spending, and it's about where we get the money, and how we prioritize it. –She did not invite any Councilmembers to the neighborhood meetings. (She had one last year at the Acres, and contacted them for another early next year.) It's not because she doesn't want Council's voices heard, it's for residents to talk to the Mayor. The Councilmember that showed up, she didn't kick them out, but she did not allow them to speak. It was no slight; but for residents to candidly ask her questions, with her directors, who do the day to day work and get to know them. It was also community outreach for police officers who stopped while on patrol, so residents can put faces and names together. She held two community mtgs. this year, one was on Woodhaven for the St. Thomas More area. There was nothing intended there, hope no one is offended. –Holding off on other things until after the election. Hopes everyone does their homework on all the races, and listen to what is said. If there are questions on past decisions or votes, contact them. Issue 3 is a hot topic for people to use in the campaign. It's a dead issue, the issue is done. She doesn't think all of the facts and truths are out there. –Vote for whoever you will vote for on Nov. 7th, and good luck to all candidates.

DIRECTORS REPORTS:

Finance Dir Schaeffer: Thanked Council for continued involvement in 2018 permanent appropriations with feedback and four budget work sessions. Passing it by end of 2017 streamlines the budgeting process, carrying into 2018 and beyond. It also condenses the 2018 Capital list for departments to move forward with planned purchases (instead of single pieces of legislation for each purchase). It allows for paving work to

start earlier than previous years, by bidding in winter months. Gave his timeline for the 2018 appropriations, with 3rd reading/adoption on Dec. 11th. He will be absent Nov. 13, Ms. Haig will be covering for him. Council will get transfers and advances legislation at that mtg. –Res. 2017-13 is routine legislation to advance taxes in two payments instead of waiting for one sum. –Changes to Sect. 182.02 of Income Tax Ord. needs updated to comply with Ohio Revised Code, with a lottery threshold change that is no longer valid. –Hopes to present Council change #2 to 2017 permanent appropriations by emergency at Dec. 11th mtg., hoping it's final for 2017. Reserves the right to request change #3 to be approved by emergency at a Dec. 26th mtg. –Finance Dept. had a large number of residents coming to City Hall to resolve local income tax issues with RITA. If you got a letter you have until Oct. 30 to respond, or an administrative subpoena will be issued and you're scheduled to appear at City Hall with RITA during week of Nov. 27th to resolve any issues. Best way to resolve is electronically file past returns in RITA's e-file system at www.ritaohio.com; or fax to 440-922-3510, or call 1-800-860-7482. –Recently updated 2017 RITA projects are \$14.4M gross income tax collections. Compared to 2016 gross collections, RITA assumes the city will lost another \$450,000/month in November and December; the average per month Jan.-Oct. 2017 they lost average of \$368,00/month. Initial projection for 2018 tax collections in a 1.5% increase would be \$14.6M; a 2% increase would be \$14.7M.

Fire Chief Zemek: The Fire Dept. had an open house last week, with about 80-85 residents that came. –The Fire Dept. will be out on Halloween to support the Police Dept. around the neighborhoods. –Reminded veterans there will be the 2nd annual Veterans breakfast Sat., Nov. 11 from 9a-noon (for all veterans and their spouses or significant other).

Police Chief Mielke: Reminded that Oct. 31st is Halloween from 6-8 p.m., they will be out handing out candy and have extra patrols. Leave your light on to give out candy, or be a grump and don't.

Law Dir Butler: Three items to address. Res. 2016-5 to be removed from abeyance and put on docket – to vacate a portion of Montgomery Place. Gave some background on this area and what it's used as. The Res. was updated with a legal description of the roadway to be vacated. Who the private would be will come with later legislation; though have been in active discussions and preliminary agreement with the person who owns the end property which is affected by this (reflected in this legislation). Two votes are needed: one to remove from abeyance and return to docket; the second to amend as on 2nd reading to include updated Ex. A. –Addressed question from Councilwoman Balbier on the Charter amendment on the ballot concerning zoning. It clarifies the language that exists on what a zoning/rezoning measure means – regarding existing land to serve as some other type of use. This does not change any interpretation of the existing Charter under this; the same exact types go before voters for automatic referendum vote. It clarifies that the public votes for when the public gets to weigh in. It also says the newspaper publication announcing the vote need not occur in two newspapers of general circulation in the city, but one. –Councilwoman Pucci asked to clarify that Ord. 2017-76 (HMI job retention/creation grant) has been amended. The Econ. Dev. Comm. on Oct. 10 approved a revised version of the contract; but he's not sure that version made it to the docket on Oct. 10 for first reading. He won't ask for an amendment tonight, not sure if you have the version adopted by Econ. Dev. Comm. Councilwoman Pucci asked if the changes were per their conference call; Dir. Butler said yes. He told Council to proceed as usual on 2nd reading, and it can be addressed any amendments at 3rd reading. Councilwoman Pucci wanted to clarify about the Charter change; it's not just changing zoning, but also include that adding a new chapter to the zoning code would still go on the ballot. Dir. Butler said if Council and the Planning Comm. do a new district, that would be zoning/rezoning land and would go to the voters for an automatic referendum. Councilman Van Kirk said it was amended because he had the corrections that he read (changed \$33,000 to \$37,500). Dir. Butler said he didn't remember those changes, the minutes will be updated if it's not reflected.

REQUESTS:

Request from Service Dir. Verba for the advertisement of the 2018 street repair program, through CW Courtney Co., for Torrance Ave., Orchard Ave. and Delora Ave. Engineer's estimate of project costs for completion is \$1,372,300. **MOTION** by Pucci, second by Tanski to advertise for bids. **VOTE RESULTED:** *To advertise for bids:* Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci. No: None. **(APPROVED)**

LEGISLATION:

RESOLUTION 2016-5, Declaring City Council's intent to vacate a portion of Montgomery Place south of Manoa Ave. and requiring notice to published, and declaring an emergency. **MOTION** by Pucci, second by Tanski to remove from abeyance. **VOTE RESULTED: To remove from abeyance:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci. No: None. **(REMOVED FROM ABEYANCE)** Amendment needs to be made by the attachment of Ex. A – the legal description of property. **MOTION** by Pucci, second by Tanski to amend. **VOTE RESULTED: To amend:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci. No: None. **(AMENDED, SECOND READING)**

Councilwoman Pucci thanked Dir. Butler for his work, and Mr. Dudar, in the audience, for his patience as we worked through this process.

ORDINANCE #2017-74, Amending Ord. 2017-22, Authorizing the Mayor to enter into an agreement with Cost Recovery Corporation LLC for billing and related services attributed to Fire Dept. incidents. **MOTION** by Pucci, second by Tanski to adopt. **VOTE RESULTED: To adopt:** Yes: Balbier, Tanski, Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci. No: None. **(ADOPTED)**

RESOLUTION 2017-11, Authorizing the Mayor to enter into a contract with the District Bd. of Health of Cuyahoga County for Health Services for the year 2018. **(SECOND READING)**

ORDINANCE 2017-75, Amended annual appropriations. **(SECOND READING)**

ORDINANCE 2017-76, Authorizing the Mayor to enter into a Job Retention and Creation Grant Agreement with HMI Industries, Inc. **(SECOND READING)**

RESOLUTION 2017-13, Requesting the County Fiscal Officer to advance taxes from the proceeds of the 2017 tax levies pursuant to the Ohio Revised Code Section 321.34. **(FIRST READING)**

ORDINANCE 2017-77, To amend Section 182.02 of Chapter 182 Income Tax-Effective Jan. 1, 2016 of the Codified Ordinances of the City of Brooklyn, Ohio. **(FIRST READING)**

Councilman Tanski congratulated Bob Hennings on a happy retirement, and a job well done, also on the fireworks at the football game.

Councilwoman Tomusko said as people are looking at voting on Ohio issues, Issue 2 has been controversial and confusing, for facts, Jon Husted, or Secretary of State of Ohio has a website that has it all explained clearly. He also published in the Plain Dealer this past Sunday looking at Issue 1 and 2, with pro and con, and a copy of actual legislation.

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

Clerk of Council

President of Council

Minutes approved: 11.13.17