

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, JANUARY 3, 2017**

The meeting was called to order by Council President Astorino at 10:00 p.m., the clerk called the roll and the following Members of Council answered:

**SCOTT, BURGIO, SALVATORE, TROYER, POWERS, McCORMICK, MENCINI**

Also in attendance were Law Director Horvath, Economic Development Commissioner Dolan, Finance Director Cingle, Mayor Coyne, Service Director Cayet and Safety Director Byrnes.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. SPECIAL COUNCIL MEETING & EXECUTIVE SESSION HELD ON JUNE 14, 2016.

**Motion** by Mr. Mencini, supported by Mr. Troyer, to approve as printed.

**ROLL CALL: AYES:** Mencini, Troyer, Powers, McCormick, Scott, Burgio, Salvatore

**NAYS:** None. The motion carried.

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**Motion** by Mr. Scott, supported by Mr. Mencini, to deny Councilwoman McCormick's withdrawal resignation again.

Mr. Astorino - my action hasn't changed that's in violation of the Charter, we can't take an action like that.

Mrs. Horvath - the Charter is the Charter.

Mr. Scott - may I have the law director

Mr. Astorino - Sure, you can have the law director speak for you.

Mrs. Horvath - I think what's being referred to here in Council Rule 8 is the fourth paragraph, second sentence which is referring to the Council President. Since he shall not address himself to Council to express his opinion on any issue, ordinance or resolution for the Council. So I think that indicates it's up to Council after receiving information from the legal department to determine whether or not something is against the Charter. It's not in province of the Council President to give his opinion and use his opinion as the sole determining factor as to whether or not this particular motion would be heard. It is improper to give your opinion in place of that of legal counsel or to have your opinion overrule the ability of Council to make motions and determine by majority what is they want to do.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS: CONT.**

Mr. Scott - I concur with the law director on that.

Mr. Astorino - okay, but I'm still going to rule your motion out of order. I'm not expressing my opinion on any issue, ordinance or resolution. I'm presiding over the meeting and your motion is out of order because it would be in violation of section 15.02 b of the Charter; that would have the effect of removing her from Council and we can't do that. So we're going to proceed with the meeting.

Mr. Scott - May I have the law director please speak on this...

Mr. Astorino - no, we're going to proceed with item 2 the Regular Council meeting held on June 21, 2016.

Mr. Astorino - Council, what's your pleasure on this?

Mr. Scott - Point of Order

Mr. Astorino - I ruled your motion out of order, there's no motion.

2. REGULAR COUNCIL MEETING HELD ON JUNE 21, 2016.

**Motion** by Mrs. McCormick, supported by Mrs. Powers, to approve as printed.

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Mr. Scott - question.

Mr. Astorino - question on the motion.

Mr. Scott - yes.

Mr. Scott - to the law director, is this legal for the ex-Councilwoman to be sitting up here voting on any of these items.

Mrs. Horvath - that's exactly the problem that I was afraid the city would run into. At last meeting she indicated she was going to abstain.

Mr. Scott - she hasn't abstained on any of these votes.

Mrs. Horvath - apparently that may not be her position at this meeting. If Council can't make its motion and have its motion heard and voted on I don't know how Council is going to conduct any business. These are issues that need resolution it may be that the only resolution available is a legal one. These are problems that need to be worked through and I don't think it is to the city's advantage to not allow Council people to make their motion and vote on their motion. The fact that the Council President feels that it's against the Charter is not his job and is not within the

**APPROVAL OF MINUTES OF PRECEDING MEETINGS: CONT.**

boundaries of his office. He doesn't get to make opinions on any issues, ordinances or resolutions. So if he has some other reason why your motion is out of order he should state it, otherwise, I see no reason why you can't make the motion and have it be acted on.

Mr. Mencini - call the question.

Mrs. Horvath - Again, I can make opinions with regard to the Charter because I'm elected to do so, however, his boundaries of his job is to run this meeting, set the agenda and vote in the case of a tie; as the office administrator. His own rules indicate that he should not express his opinion in regard to issues, ordinances or resolutions. I think this is an issue before the Council and don't feel that he has the right within the boundaries of his office to foreclose discussion on the motion.

Mr. Scott- Jim, didn't you call the question.

Mr. Mencini - I called the question.

Mr. Scott - support.

Mr. Astorino - we're going to call the question on the minutes, so call the roll.

Mr. Mencini - I didn't call the question on the minutes I called the question on my colleague.

Mrs. McCormick - the motion on the floor is to adopt the minutes.

Mr. Astorino - the motion on the floor...

Mr. Mencini - because he was ignored and gave you the affirm to approve the meeting of June 21st.

Mr. Astorino - Clerk, please call the roll.

**ROLL CALL: AYES:** McCormick, Powers, Troyer, Mencini

**NAYS:** None.

**ABSTAIN:** Scott, Burgio, Salvatore. The motion carried with a vote of 4-0 with three abstentions.

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Mr. Astorino - we'll move to Standing Committees

Mr. Salvatore - Mr. Chairman, I have a question please.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS: CONT.**

Mr. Astorino - go ahead, Councilman

Mr. Salvatore - my question is I would assume that it would probably go to the clerk but if you can answer it I will accept an answer from you. When can we expect to have these minutes up to date, we voted on minutes from back in June and here we are in January, it's just not acceptable, not to me anyway. I would like to get that cleared up even if it means bringing someone else into the office to help out to get this resolved and minutes up to speed.

Mr. Astorino - we have brought somebody in to help us catch up.

Mr. Salvatore - when can we expect to be caught up.

Mr. Astorino - this was recent start so the clerk has been in contact with the person doing and we're going to work hard to get caught up and give a clearer idea by the end of the week?

Mr. Salvatore - who did we bring in?

Mr. Astorino - Aimee..

Mr. Mencini - are we supposed to approve that?

Mr. Salvatore - Council should be aware of everyone that goes into that office.

Mayor Coyne - could you reveal the roll call vote on approval of the last minutes.

Mr. Astorino - there were four votes, three abstained.

Mayor Coyne - asked who the four were?

Mr. Astorino - yes, I can. Councilman Troyer, Councilwoman Powers, Councilwoman McCormick and Councilman Mencini.

Mayor Coyne - with all due respect to you sir, this administration until you get serious about conducting business of the city and she get serious about any application she may feel can relate. The administration is not going to participate in your meetings in my view this is an illegal meeting. We are leaving, the following people left the meeting; Mayor Coyne, Service Director Cayet and Safety Director Byrnes.

Mr. Astorino - keep in mind if she would have abstained it would have been a three to three vote and I would have casted a vote to adopt.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS: CONT.**

Mayor Coyne - it doesn't matter you allowed her to vote.

Mr. Astorino - I understand what you're doing with it.

Mayor Coyne - you cite this Charter and when the law director tells you that you have no authority you keep going on and Council has a right to challenge your ruling by their own roles. So what I'm saying to you is your ignoring the advice of the law director and we cannot participate in this meeting if you allow her to cast a vote. I would suggest that everybody else do the same.

Mr. Astorino - we'll move to Reports of Standing<sup>1</sup> Committees  
Aviation & Environmental Committee - Councilwoman Powers

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Mr. Scott - sir

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Mrs. Powers - no report this evening.  
Finance Committee - Co-Chairman, Troyer

Mr. Troyer stated Finance Committee has one item on tonight's agenda

Legislative Committee - Chairman, Troyer

Mr. Troyer stated Legislative Committee has three items on tonight's agenda.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported 45 children participated in the recreation center programs during winter break and thank you for all the donations of food and other items to the center during winter break. The senior and youth dances were a success with 80 seniors and 50 seniors participating in the dances. Basketball season begins this coming Saturday, the recreation center will be closed Monday, January 16th. Baseball, softball, tee ball and adult softball registrations starts February 1st to the end of the month.

Planning Committee - Chairman, Troyer

Mr. Troyer stated the Planning Committee has no report this evening.

Safety Committee - Chairman, Salvatore

Mr. Salvatore stated Safety committee has no legislation on tonight's agenda.

Service Committee - Chairman, Burgio

Mr. Burgio stated no report this evening.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott has nothing on the agenda this evening.

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**REPORTS FROM SPECIAL COMMITTEES:**

Southwest General Health Center - Trustee, Salvatore

Mr. Salvatore stated no report this evening.

Berea Board of Education - Representative, Burgio

Mr. Burgio stated no report this evening, the next meeting will be the organizational meeting will be January 10, 2017.

Mr. Mencini asked Mr. Burgio if there have been any discussions tentatively about the bond issue?

Mr. Burgio responded the issue was discussed at the last school board meeting and beginning in January statements will be coming forward to as to what direction will be taken.

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**REPORTS OF BOARDS AND COMMISSIONS:**  
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**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**  
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**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**  
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**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS:**

Law Director Horvath

Mrs. Horvath stated first off I reiterate my concerns, concerning the operation of Council under these circumstances that we have. I, at this point, am looking into determining what action the law department should take and will notify Council as soon as I make that determination. Other than that we're looking at tallying some statistics for the end of year to figure out what the department has done and also give some idea what cases have been put to bed this year. As I indicated the city has one remaining pending case and anticipate that will be dismissed shortly; other than to make those comments I have no further report.

Mr. Troyer stated to Law Director Horvath I look forward to seeing the report from your department. One thing that is concerning is the Charter requires a monthly report from the law department that is promised and it's been five or six months.

Mrs. Horvath responded that report will be forthcoming as soon as possible and would suggest stopping by the office to be informed about the one case that exists. Last year my predecessor did about 86 pieces of legislation, combination of resolutions and ordinances, this year the department is over 170 pieces. I

**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS: CONT.**

would not the conflict here also keeps me quite busy but certainly will endeavor to do that as soon as possible. I would further note that we just discussed that we're almost six months behind with Council minutes and not placing fault but am indicating that I think there's been a lot of work and everybody is behind.

Mrs. McCormick asked Law Director Horvath for an update on the lawsuit with the City of Cleveland's airport deal.

Mrs. Horvath responded that would be best done in Executive Session and is not pending litigation, at this point but would be happy to provide in Executive Session.

Mrs. McCormick commented if it's not pending then it can be discussed publicly.

Mrs. Horvath responded I would be hesitant to discuss it publicly.

Outburst from the audience gavel banging. Mr. Astorino - please audience.

Mr. Mencini stated to law director if something substantial the law department would let Council know.

Mrs. Horvath responded certainly.

Mr. Astorino stated to Law Director Horvath at the December 20th a verbal question was asked followed up with an email about the potential conflict of interest on Ordinance No. 10064-2016.

Mrs. Horvath responded I can't recall the exact date that I had a discussion with the Ohio Attorney General's office and received some opinions and after speaking with the attorney general's office I feel that Mr. Scott doesn't have a conflict. Also, with Mr. Mencini there is a possibility and further research would be needed and it wouldn't be the criminal statute you referenced it would be another provision in ORC 949.02. The person with the greatest conflict would be you, Mr. Astorino, because if this passes you will be entitled to receive that particular benefit as a retiree much sooner than Mr. Mencini would. I would also question as to what extent there would be participation in regards to that and with the holidays I have not had a response but anticipate my department will be contacted.

Mr. Astorino stated that answered part of my question and the section pointed out is alarming because as it reads 'no public official shall knowingly do any of the following and the example given is authorize or employ the authority or the

**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS:**

influence of the public official's office. To secure authorization of any public contract in which a member of the public official's family or any of the public officials' business associate has an interest. When reading through some of the opinions generated by that a public contract is also a payment. So I agree there's something of a conflict for me but Mr. Mencini is a retiree and am concerned because the section states whoever violates this section is guilty of having an unlawful interest in a public contract. Violation of A-1 or A-2 is a felony of the fourth degree so the question is. There is an item on the agenda that besides Mr. Mencini and I possibly being eligible for payment Mr. Scott's son would be eligible of it once he reaches ten years of service. Also, this legislation was introduced by the Mayor who would also be eligible for payment. This question was asked on the 21st and understand things being busy but when there's the potential of exposing us to a situation where there might be a felony charge.

Mrs. Horvath responded I don't believe there is a public contract I think what you're looking at is a public benefit. All I can say is yes correspondence was sent over on the 21st and am doing the best I can to resolve that issue. To be safe you, Mr. Mencini and Mr. Scott not participate but that brings back the problem that this meeting started out with. What do we do with Councilwoman McCormick's vote in the event she is the deciding vote?

Mrs. McCormick stated my intention on all the legislation is to vote abstention.

Mrs. Horvath continued if there are three abstentions and four Councilmembers determine to make the amendment we're prepared to go forward with the amendment.

Mr. Mencini stated to Law Director Horvath let's do whatever needs to be done to have some determination on this by the end of the week.

Mrs. Horvath concurred.

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Finance Director Cingle

Mr. Cingle stated no report this evening.

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**OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL:  
(INTRODUCTION OF NEW LEGISLATION):**

Other Communications:

1. Correspondence from resident attached to these minutes.

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New Legislation:

1. A Resolution in support of the Aerozone Alliance Consortium and declaring an emergency. Introduced by Mayor Coyne **Placed in Aviation committee**
2. An Ordinance repealing Chapter 937 of the Brook Park Codified Ordinances entitled 'Senior Citizens and Physically Disabled Services' Introduced by Council President Astorino **Placed in Legislative committee**
3. An Ordinance enacting Chapter 937 of the Brook Park Codified Ordinances entitled 'Snow Removal for Senior Citizens' Introduced by Council President Astorino **Placed in Legislative committee**
4. An Ordinance enacting Chapter 938 of the Brook Park Codified Ordinances for lawn maintenance service program Introduced by Council President Astorino **Placed in Legislative committee**

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**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

**REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR  
RESOLUTIONS THAT PERTAIN TO ITEMS ON THE AGENDA:**

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**INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):**

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 10062-2016, ENACTING SECTION 509.15 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PROHIBITING NUISANCE PARTIES' AND DECLARING AN EMERGENCY. Introduced by Council President Astorino, Council Members Troyer, Powers, McCormick, Mencini, Scott, Burgio, Salvatore and Mayor Coyne

Mr. Astorino stated Ordinance No. 10062-2016, has had its Second Reading.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

- 2. ORDINANCE NO. 10063-2016, ENACTING SECTION 529.022 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'UNAUTHORIZED CONSUMPTION BY UNDERAGE PERSON ON PRIVATE PROPERTY AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne, Council Members Troyer, Mencini, Powers, Scott, Burgio, Salvatore and Council President Astorino

Mr. Astorino stated Ordinance No. 10063-2016 has had its Second Reading.

- 3. ORDINANCE NO. 10064-2016, AMENDING CHAPTER 153.06 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

Mr. Astorino recused himself from this portion of the meeting and turned it over to Council President Pro-Tem, Mencini.

**Motion** by Mr. Salvatore, supported by Mr. Burgio, to amend on the last page under letter f to remove items two and three and move item four to become the new number two.

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Mr. Troyer asked what is the purpose for the amendment?

Mr. Salvatore commented these changes were made at the finance and law director.

Mr. Scott asked Law Director Horvath if he should abstain?

Mrs. Horvath advised Mr. Scott to do so.

Mr. Troyer asked Finance Director Cingle the reason for the amendment?

Mr. Cingle responded two and three aren't necessary so referring back to letter of the retiree having had at least ten years of service being in OPERS (Ohio Public Employees Retirement System) retirement or under recent fire pension fund and supplemented by Medicare part B and must be 65 years or older and show proof of being in the plan.

Mr. Troyer stated these weren't the amendments discussed at Caucus of some wording the amount of the supplement shall be \$1,200 annually, has there been any conversation on those amendments.

Mr. Cingle responded the Mayor's position is that the payment will be \$1,200 annually, nothing more, nothing less.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

Mr. Troyer clarified if the cost is \$800.00 the would be taxed on \$400.00.

Mr. Cingle concurred.

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**ROLL CALL: AYES:** Salvatore, Burgio, Troyer

**NAYS:** None.

**ABSTENTION:** Scott, Mencini, McCormick, Powers

The amendment failed by a vote of 3-0 with four abstentions.

Mr. Mencini stated Ordinance No. 10064-2016 has had its Second Reading.

**Motion** by Mr. Salvatore, supported by Mr. Burgio, to reconsider.

**ROLL CALL: AYES:** Salvatore, Burgio, Powers, Troyer

**NAYS:**

**ABSTENTION:** Scott, Mencini, McCormick

**Motion** by Mr. Salvatore, supported by Mr. Burgio, to adopt.

**ROLL CALL: AYES:** Salvatore, Burgio

**NAYS:** Powers, Troyer

**ABSTENTIONS:** Scott, Mencini, McCormick.

Mr. Mencini stated Ordinance No. 10064-2016 has had its Second Reading.

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**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

1. RESOLUTION NO. 40-2016, HONORING THE CLEVELAND INDIANS 2016 AMERICAN LEAGUE CHAMPIONS AND DECLARING AN EMERGENCY.  
Introduced by Councilman Salvatore, Council Members Troyer, Mencini, Powers, Scott, Burgio, McCormick and Council President Astorino

Mr. Salvatore commented I'd like to move this to the January 17th Council meeting, Cleveland Indians personnel arrived at 7:00 p.m. and due to the lateness of the special meeting had to leave.

**Motion** by Mr. Mencini, supported by Mr. Scott, to place Resolution No. 40-2016 on the January 17, 2017 Council agenda.

**ROLL CALL: AYES:** Mencini, Scott, Burgio, Salvatore, Troyer, Powers

**NAYS:** None.

**ABSTENTION:** McCormick. The motion carried with a vote of 6-0 with one abstention.

**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

Mike Vecchio

14417 Park Drive

Mr. Vecchio stated through the chair and actually directed through the chair. Mr. Council President tonight has been pretty much a debacle, four hours for a first meeting; obviously, we are approaching the 11 o'clock hour. What we've seen tonight is really a dereliction of duty by yourself to even be malfeasance. Your duties are to direct the meetings as you serve at the pleasure of this Council and really the pleasure of us residents. You have to be able to preserve order and decorum and prevent the personalities from happening which have taken place all over throughout this evening; residents have spoken up including myself from sitting out here in the audience. We've had two news channels here when in history have we had this much news coverage for the City of Brook Park and it's not good news coverage; this is under your direction. We the residents are tired of it whether you want to realize this, acknowledge this or anything else but your actions speak louder than your words. You sit up here we sit in the audience we watch everything go on our law director doesn't get acknowledged, we watch motions that are ignored. What are you saying to the residents are you telling us that we don't matter; that nothing we do is a concern to you. Nothing that goes on in this city should matter to us because your actions impede the progress of what we deserve. This city deserves better your actions have spoken for it and I, myself, are appalled by your actions as many other residents and actually I would see it as being self-serving for yourself and the residents and best served if you would step down along with taking Councilwoman, Julie McCormick and her resignation and then her rescindence along with you. She's not serving myself or any of the other 19,000 taxpaying residents and families in this city. We do not accept her resignation and I don't think Council has accepted her resignation. As a matter of fact, I've seen a bunch who spoke out against it and I think the actions that you keep overlooking have shown that you've overstepped your bounds. Your rescindence, her rescindence should be ignored as it was she sent it in there's nothing there. Tom Troyer has his issues we've got issues all over the place when are you going to get control or is this the way you like to deal with things, having utter chaos, not the way our city should be represented.

Melissa Henderson

5956 Engle Road

Ms. Henderson stated I came because actually seen it on the news, I don't really watch the news but when I did see it, it kind of hurt me and might cry because this hurts me when I was younger I paid for my mistakes. I was stupid I went to K-Mart stole a bunch of crap and returned it and guess what I paid for my mistakes. I had to go to jail, I had to be on probation, my kids got to see and witness everything I do. I teach my kids what's right and what's wrong what I did was wrong and I've lived my mistake from 2008. I can't get a good enough job I sat there and applied to do a stupid job of cooking in a nursing home which isn't

**Remarks from the audience on any subject matter: cont.**

the best job but it's not the worst job. It was paying awesome but I denied because of my petty theft. I only work at a stupid rinky-dink bar making minimum wage. Raising three kids in Brook Park thinking that this is going to be the best life for my kids because it's not Cleveland and they don't have to see troubles outside but they got to watch our staff here doing things that I'm treating my kids what's wrong. Something that I've already done and I've already learned and I've already paid for. She should pay for it get her off the damn stand please. I'm never here I never show up for these meetings but because me seeing her and this on the news it touched me, it hurt me. My kids had to see this afternoon and this evening why does my kids that go do junior high and middle school that you're trying to teach right from wrong what you should do and you're letting her get away with it; it's not fair to my kids. How are we teaching all the kids in Brook Park that that is wrong and you're not supposed to go into the store. Do you know what my son told me today that there was a kid in our neighborhood that he went to the store with today and I'm not going to say his name here because you guys don't care. You are obviously letting this lady sit on your stand but a little boy went into Circle K with my son today and stole something. What do you take from that? So it's okay to steal right? We're okay we're allowed to do this we're allowed to show examples that it's okay to steal and you get away with it. It's not fair get her off the stand she doesn't deserve to be up there. I don't deserve to have a stupid rinky-dink job in some nursing home she shouldn't be sitting up there at all. At all, resign, go, goodbye.

Jennifer Roberts

5368 West 151st Street

Ms. Roberts stated I do want to address the Julie McCormick situation as well, I'm going to call her Julie McCormick and not Councilwoman McCormick because I, as a resident of the city, a taxpayer I do not accept her rescinding of her resignation. I think this resonates with the vast majority of the people that live in this city. I do want to bring up that yes, you, Council President Astorino you are the coach of this team the manager and you've done an awful job to let these meetings turn to circuses. We've had not one but two news channels here tonight and I agree with Mr. Vecchio that you are truly a large part if not the biggest part of this problem. Now, as far as Julie McCormick goes I do since you've decided to come back here and sit up here I went ahead and looked at some of your online court records because I really wanted to get an update on what we're dealing with here. I would like to bring up the fact that on the news they broadcast that the original arrest in North Olmsted and there was a second situation that they caught on video tape of a store down in Strongsville that was on November 13th. The original arrest happened on November 14th but when I looked at the indictment I find it very curious that the dates of offense are on or about August 4th, 2016 to 11-14-2016. So maybe you can answer this question does that mean there's even more evidence on video that you're allegedly responsible for stealing on multiple

**Remarks from the audience on any subject matter: cont.**

occasions not just the two that we know about. Again, this is just what I found online with the Cuyahoga Court of Common Pleas so you can let us know if this is an error or not. But, I am vastly concerned because yes, we are raising children here and this is not the example I want set for my children and it's an embarrassment to have us on the news constantly and the only reason that Julie's here is because she decided to come back and decided not to do what is right for the city.

Jeffrey Duke  
15914 Remora Blvd.

Mr. Duke stated the few things I've noticed tonight and I'd like to point some things out here is that I think the Council President and Council as a Whole need to review their rules; needs to review and understand the rules; needs to review the English dictionary, needs to understand what being a lawyer is. Going to one Council person's class doesn't make them justified to rule against our esteem law director. There are a few things that I'd like to point out that could have been done earlier tonight. Suspension of Rules read Rule 23 - Suspension of Rules read it very carefully; I challenge each and every one of you to read it very carefully. You could have suspended the rules and moved for a resignation. There's a difference between a resignation and a removal of office as dictated in the Charter section 15.02; that's removal of office. As we've heard time and time and time again Ms. Julie McCormick resigned she wasn't removed she resigned. Council President recognized that resignation and what the administration was trying to do was clarify the bad process that she took in her resignation which also broke rule 28. No personal emails shall be used to conduct city business and yet as we've heard the city business that she conducted went from her personal email to the Council President's personal email and if I'm not mistaken they copied a lot of your personal emails as well on that. Rules were made to be followed if they're not going to be followed throw them out the window and that's what happened tonight. Decorum yeah I was part of it there's a lot of us here so were most of you up there calling residents the Goon Squad wow that was decorum. I'm really proud to have the person as my Council Ward Representative. Not, I'm not that was sarcasm for those that don't understand that. Brook Park is bigger than each and every one of you as a whole. 19,000 residents hundreds of businesses and you know what Jimmy you say you're up there you hear what people are talking about at the recreation center and everything else. People are disgusted they're lining up behind me saying rah, rah, cis cum bah Tom thanks for getting out there on that nuisance party this summer and really helping out the police you know. I really felt safer with our ward one representative out there they are not saying that. If you took a good step back and looked at yourselves as a whole, I can't believe anybody would say damn we're going a good job. I know you're trying and I know it's a tough job up there it's a damn tough job here as well. Seeing the city whether we were born here, raised here, our grandparents are here,

**Remarks from the audience on any subject matter: cont.**

moved here, married here or whatever it is the city that we love is coming to this. Change is coming, change has gotta come soon and I hope the leaders that you are supposed to be start leading that change.

Rosanne Neumann  
6289 Schaaf Drive

Ms. Neumann stated I have several things that I want to bring up. First thing is it's very discerning to me for the lack of respect that's been shown to our Law Director Horvath, to our bond counsel that was here tonight with Brewer-Garrett and to Mr. Dolan, our Economic Developer. Also, I would like to bring up the fact that there was a resignation, there was a rescinding of that resignation, there's also the issue of no insurance and liability coverage where does that leave us? There's also tonight the behaviors on Council it was very embarrassing as well as just embarrassing for the city, for those up on the dais and the four boy scouts that were here trying to earn a badge had to witness this. Also, you know there's consequences to people's actions and out in the real world, the corporate world in just the real world people's actions have consequences even though they will have their day in court. Often times their day in court they have experienced their consequences before that and that could be people losing their jobs because of their behavior outside of their life in their personal life; we've seen it time and time again in the news media. One of the things I'd like to say is I have walked down and seen this picture of John F. Kennedy on the wall and it says 'ask not what your country can do for you but what you can do for your country'. I'm asking you Ms. McCormick to ask now what this city can do for you but you can do for this city and please step down. One more thing that I just wanted to say that this is just very sad; integrity the quality of being honest and having strong moral principles, moral uprightness that's the definition for integrity. Some of the synonyms that go along with it are honesty, ethics, morals, righteousness, virtues, decency, sincerity, truthfulness and trustworthiness. I think that in the events that have taken place over the last few months many people in the community have lost that for you. I originally was not a supporter of yours but I did want you to succeed and am very sorry that this is where we're at today. So please do what you can to make this right for yourself, for this city and for your family and walk away.

Deborah Frenchik  
6359 Schaaf Drive

I'm really not prepared to make any long speech up here this evening but I do want to say that I have been attending these meetings since February. There are many things that I could be doing during the course of the Tuesday evening besides sitting here and witnessing this atrocity or whatever you want to call it. You all have to be here I do not I choose to be here because I want to show my support for my elected officials. However, I cannot continue to sit here and watch

**Remarks from the audience on any subject matter: cont.**

this atrocity goes on every single week; I feel that we're all sitting here held hostage in this audience watching this go on constantly. The behavior here tonight was absolutely embarrassing I felt terrible for the gentlemen that were here from the Indians. They showed up at 6:30 and if you're going to tell them to come back next week you should tell them to come back at 9:00 because they might have a chance of not having to wait for three hours in order to be heard and the fact that we display all of this anger and resentment and just meanness on television and in front of invited guests it's just deplorable to me. I expect a lot more out of my elected officials and think that we all hold you to a higher standard and sometimes we do forget that you're just people like everyone else but the dais is not the place to take out your personal aggressions on others. Calling the audience, the Goon Squad certainly is not the way to attract votes nor support from your constituents. Attacking another Councilperson's family member that was a low blow for just about anybody and I certainly would expect more out of a Councilmember than that. Ms. Horvath has done an outstanding job up here she's held her patience; she must stick her heel in her toe just to keep herself from flipping out but for her to sit up here for nearly five minutes with arms raised in the air only to be ignored by the Council President I though was extremely disrespectful. She went to school for a lot of years and spent a lot of time and money perfecting her craft and for her to be asked an opinion and then shut down like she doesn't even matter is like slamming a door in someone's face and if that's the way you treat your significant others at home, or your partner or your children or whoever I can imagine what your home life must be like because it must not be very pleasant there. I hope that you will learn from this meeting and perhaps think about the things that you say before you say them and maybe treat each other with a little more respect and, you know, listen to the voices of the people that are out here. We're coming to these meetings because you all up there are telling us that you're our voice. Well, if you're going to be our voice then you have to take what we say into some consideration and not just do whatever whim you have up there. We're all here taking time out of our evenings to come up here and be supportive and be involved in our community and when you treat people rudely or you ignore others and the comments that people make and their concerns it makes us feel like we're unimportant. No one wants to feel unimportant and I'm sure that none of you do so I just hope that you're going to take that into consideration and maybe when you go home this evening think about that for a little bit and maybe think what you can do yourselves to make this a better meeting environment for everybody. I agree that some of the antics in the audience are unpleasant and probably not deserved but when you do take a Council position you have to expect that you're going to get some backlash and you're going to get some people that aren't happy with you all the time. That's part of the job and if you're not thick-skinned enough to handle that then maybe this isn't the job for you.

**Remarks from the audience on any subject matter: cont.**

Liz Sayers

23065 Cedar Point Road

Ms. Sayers stated you should show a little more respect the City Council President if you don't like what anybody says and bow your head down because you don't want to listen, you know, then you shouldn't be up there. I think you're a very rude and inconsiderate person to handle this but anyway this whole thing is a joke and for Councilman McCormick come on, you know. You're going to court again at Mayor's Court and you're going to court in Cleveland, I mean come on, I'm not allowed to be up there if I did all the things that you have done. You sit there and you and Mr. Astorino act like your God and nobody can touch you. Mr. Astorino being so rude today with everything and everybody and he's still being rude he doesn't look at me like everybody else does, you know, and (words not understandable) thoughts about me. I just can't comprehend guys I really can't why do is there so much fighting and why can't we just learn to talk to each other and find out what this is all about. You know, you're fighting over things that laws and when we ask questions and everything it's not that we're stupid we just want to know what the answers are. You, Mr. Astorino, you need to be replaced in my opinion because, you know what, you're rude and inconsiderate; you're very rude and inconsiderate. You can't even look at me because you act like you're, you know, can't use that word because I'm afraid that you might make a police report on me and have the police on me again, but, you know what, you're very inconsiderate. You wouldn't want me to treat you like that if you were standing behind this podium, you know. You're supposed to be a leader up there and you just I don't know what to say because, you know what, that's the problem with all of us residents here. We're afraid to say what's on our mind, we're afraid to do anything because the first thing you guys do police, make a police report, get the police there but when you have someone break the law like that one does you're all for her being here. It looks a little funny for you because you get this little grin and you know (not understandable) but to have her sit here after you said that she resigned and everything and the insurance. You mentioned insurance even that be like me coming up there if I'm going in as a City Council person and go beat the crap out of someone and come in here and go oh I didn't do anything wrong I belong here; it doesn't make any sense to me. You sit there, you sit there like you're God and you were rude to the law directors, you're rude to other people but you're not rude to the people that you favor. It what affects me most is that you act like you have this gigantic head and you can do no wrong or say no wrong or do not wrong and you can't even look at me. As for you Ms. McCormick after attacking my family and everything and letting me get it out with you the last time about attacking my family when you didn't even know me and you don't know who my family is. It's pretty darn sad that everyone has told you and you think that you're just this little God-person that's why you get along with Mr. Astorino

because you think you're God and can be here. You're another self-absorbed little person that I feel sorry for your kids but I don't feel sorry for you because we all

**Remarks from the audience on any subject matter: cont.**

seen you choose to do whatever and act like nothing's happened and nobody is going to touch you; just like Mr. Astorino nobody's going to touch you. Well, you know what I hope they touch you really good, now I got your attention. You have a nice evening Mr. Astorino because I think that's the only way to get you to look at people is when you hear something that you don't like it turns you on.

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**Motion** by Mr. Mencini, supported by Mr. Scott, to address audience remarks.

**ROLL CALL: AYES:** Mencini, Scott, Burgio, Salvatore

**NAYS:** Troyer, Powers

**ABSTENTION:** McCormick. The motion carried with a vote of 4-2 with one abstention.

Mr. Scott stated first of all I want to apologize for my outburst that is not my makeup, it takes an awful lot for me to go over the top. I have continually in the past year have continually defended my family, my son. Everything has been by the contract, collective agreement has been followed, I will tell you exactly how it is. My son was hired as part-time by former Mayor Elliott and hire full-time by former Mayor Elliott and laid-off by Mayor Coyne and out of the service department for four and one-half years. Went through collective bargaining and everything was up and up. Now if that is the only skeletons that you have on me I feel for you. If you want to dig- dig but do not attack my family. I am not going to talk about this again. Like I said Roseann, I'm sorry, Deb I'm sorry that is not my nature I do not do that. I have had my limit with what is going on, this is not done I guarantee you this is not done. Melissa I'm sorry you left, I feel for you and know exactly what you're going through. I've hit the limit and hate to say all hell's going to break loose, that's all I have.

Mr. Mencini thanked everyone who came to the podium and want to say to Roseann and Melissa it's nice to see different faces. Trust me if things don't change here in the next few weeks you will see a lot of new faces. Mr. Duke is right I'm out and about think I do a very good job as a Ward Council leader. Deb, I know you don't like coming to the microphone but you take things in with a level head and you're right why everyone is here tonight but let's not fool ourselves. We have a lot to do coming up and as a Council how are those things going to get done if not somewhat united. To Mr. Duke's comments with change coming and this summer I'm going to work very hard for that and am looking forward to that. The part about how crazy Council is and all this stuff I've seen crazy with the airport issue and fire station issue and asked Mr. Burgio is this the craziest ever seen and he said nope, the IX Center. Those were tough days and this is a tough one and those people on that wall worked hard and made tough decisions.

**Remarks from the audience on any subject matter: cont.**

Mr. Troyer stated I have to base all my decisions on the law, Charter, Council Rules and will continue to do that even if there is something I would really like to vote for and/or have. If I believe it's not lawful I will vote not on it.

Mrs. Powers stated we keep hearing enough is enough and has to stop now and yet every week it gets worse and in the past I've said everyone in this room, up here, in this country should be required to read 1984 at least once a year. 1984 tell you that you are on camera all the time and also don't judge another person until you walked a mile in their shoes, and you sit here and judge. To Ms. Roberts you have been most vocal about me up here, you say you're the block watch captain and you're the pillar of the community with pictures of neighbors on your rubbish cans.

Outburst from the audience liar, liar.

Mr. Astorino - audience please.

Audience - personal attacks

Mrs. Powers - all we've had tonight is personal attacks.

Mr. Astorino - Councilwoman.

Mrs. Powers - I was quiet when you were talking.

Mr. Mencini - Point of order, that's a personal attack.

Mr. Astorino - Audience you need to be quiet.

Mrs. Powers - you teach your son to shout obscenities to his neighbors and break ornaments in the neighbor's yards.

Outbursts from the audience.

Mr. Mencini - Point of order.

Mr. Astorino - what is your point of order.

Mr. Mencini - she's verbally attacking you know that for a fact. I just heard four different things she's been accused of and said her son does things in the backyard.

**Remarks from the audience on any subject matter: cont.**

Mrs. Powers - it's on camera and on recording.

Mr. Mencini - listen to the tone of her voice.

Mr. Astorino - Council, Mrs. Powers, please. Councilman, to your point of order if you're complaining that she's lying about it

Mr. Mencini - I didn't say she's lying she's attacking...I'm asking is she sitting in the backyard?

Mr. Astorino - no and she's not lying about it I have seen some of these things too.

Outbursts from the audience.

Mr. Astorino - they're okay to sit there and say she's a liar, when they hear the truth they don't know the truth. I've seen some of those things.

Outbursts from the audience.

Audience member banging on the podium.

Mr. Astorino - look at this is this what you want.

Audience member Liz, right there you've created this.

Mr. Astorino - I haven't created this.

Outbursts from the audience, you took an oath to uphold the Charter.

Mrs. Powers - when there are rubbish cans with pictures on them, derogatory remarks about neighbors, when the son shouts obscenities at the neighbors and runs through the yards and breaks ornaments and cuts tire stems. Steve Roberts when you have four cases of beer on your front porch with a picture and your house number so there is no mistaking it and indulge to the point where you decide you're going to loudly announce. That you're going to urinate on 80-year old woman's house and think because you whip out your equipment and use it for a primary purpose that you have the audacity to say you're giving this woman a thrill. Mr. Vecchio how many houses have you lost and jobs like Dave Morris, we all know about Dave Morris. Are you all getting to get the message how many more doors, windows and walls do you want broken in your glass houses because I can do it. Bible verses were quoted to the audience and Mrs. Powers stated

**Remarks from the audience on any subject matter: cont.**

should be read before going against me and Troyer. (Councilmembers Powers and Troyer).

**Motion** by Mr. Scott, supported by Mr. Burgio, to adjourn.

Mr. Astorino - audience please it's not your turn to talk now,

Outbursts from the audience you're allowing attacking of people.

Outbursts continuing from the audience there's a motion on the floor.

Mr. Mencini - there is.

Mr. Astorino - no, there wasn't.

Outbursts from the audience, yes there was.

Mr. Burgio, there's a motion to adjourn by Mr. Scott, supported by me.

Mr. Astorino - and as you all know a motion to adjourn cannot interrupt the speaker. Jan Powers was speaking, she had the floor, she was not done. You all know that or you should know that, let's put it this way.

Outbursts from the audience.

Mr. Astorino - it's my job to know that and I know you can't make a motion to adjourn while someone is speaking, you can't interrupt the speaker.

Outbursts from the audience, well you did.

Mr. Astorino - you're the ones that make the motion to have

Mr. Burgio - she's not speaking now so she must be

Mr. Astorino - I'm telling you, I'm giving you a point of information, Councilman, on why there is no motion on the floor because Councilwoman Powers had the floor and speaking. She hasn't told me she's done yet, if she's done.

Mr. Burgio - I heard a motion and I heard support, that's all I'm saying.

Mr. Astorino - I know what you're saying but you're not listening to what I'm saying.

Mr. Burgio - I heard you, I heard what you're saying.

Mr. Astorino - do you agree with me that a motion to adjourn cannot interrupt the speaker.

Mr. Burgio - I heard what you were saying.

Mr. Astorino - I know but do you agree with that?

Mr. Burgio - I heard what you're saying.

Mr. Astorino - do you agree with that?

Mr. Burgio - it's getting kind of late.

Outbursts from the audience

Mr. Astorino - Councilwoman Powers, you still have the floor and then I would ask Council to afford me the opportunity to make a couple of comments to the audience, I normally don't but please don't cut me short on this. Councilwoman Powers.

Mrs. Powers - yes, I want everybody who is still in the audience to think about it this week and decide how you're going to come in next week and who you're going to attack or are you going to behave like normal concerned citizens and let us do our job that we work hard to do. You represent the Mayor, you represent chaos, you represent everything that is wrong with this city and it's time

Outbursts from the audience.

Mr. Astorino - audience please

Mrs. Powers - it's time that we represent the people.

Outbursts from the audience

Mrs. Powers - its my turn to talk, Jeffrey

Outbursts from the audience - I'm done with you, Jan Powers, I'm done with you Jim Astorino. You guys do not show the courage that you needed to point her order out and stop this. This is ridiculous. If you leave you will make him smile. He can smile while looking at my butt. That's right.

Mrs. Powers - it's enough of a butt to look at, too.

Mr. Mencini - motion to adjourn, point of order.

Mrs. Powers - Sorry

Mr. Astorino - are you done?

Mrs. Powers - yes

Outbursts from the audience you're not allowed to say that.

Mr. Astorino - there's been a motion to adjourn is there support?

Mr. Scott - support

Mr. Salvatore - Mr. Chairman, I never got my question answered about this legislation, I had a question for Mr. Cingle.

Mr. Astorino - there's been a motion to adjourn, properly supported.

Mr. Salvatore - I thought you couldn't adjourn, take a motion, when someone's speaking.

Laughing from the audience.

Mr. Astorino - she was done speaking he made the motion to adjourn.

Mr. Salvatore - I don't care if he's available, I'm talking.

Mr. Astorino - call the roll on adjournment, please.

Mr. Salvatore - I had a question to ask and you said I could ask it at the end of the meeting.

Mr. Astorino - Councilman, you're out of order and you know it.

Mr. Salvatore - I'm not out of order, you're out of order.

Outbursts from the audience - you're out of order Astorino, can't handle the truth.

Mr. Astorino - call the roll on adjournment.

Clerk - I've been asked to call the roll on adjournment.

**ROLL CALL: AYES:** Mencini, Scott, Burgio, Troyer, Powers  
**NAYS:** Salvatore,  
**ABSTENTION:** McCormick

Mr. Astorino - this meeting is now adjourned at 11:32 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*  
Michelle Blazak  
Clerk of Council

APPROVED *March 14, 2017*

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