

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, MARCH 7, 2017**

The meeting was called to order by Council President Astorino at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, BURGIO, SALVATORE, TROYER, POWERS, MENCINI

Also in attendance were Mayor Coyne, Law Director Horvath, Engineer Piatak, Service Director Cayet, Engineer Piatak, Finance Director Cingle.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. SPECIAL CAUCUS MEETING HELD ON SEPTEMBER 6, 2016

Motion by Mr. Mencini, supported by Mr. Scott, to approve.

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

NAYS: None. The motion was approved.

2. REGULAR COUNCIL MEETING HELD ON SEPTEMBER 6, 2016.

Motion by Mr. Burgio, supported by Mr. Mencini, to approve.

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

NAYS: None. The motion was approved.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairwoman, Powers

Mrs. Powers stated no report this evening.

Finance Committee – Co-Chairman, Troyer

Mr. Troyer stated the Finance committee has two items on tonight's agenda and the Board of Control met earlier and approved 14 items.

Legislative Committee – Chairman, Troyer

Mr. Troyer stated the Legislative committee has two items on tonight's agenda.

The Beautification and Pride Committee is having their 9th annual Spring Luncheon on Saturday, March 25th from 1:00 p.m. to 4:00 p.m. at the recreation center.

Parks & Recreation Committee – Chairman, Mencini

Mr. Mencini gave an oral report (attached to these minutes).

Planning Committee - Chairman, Troyer

Mr. Troyer stated the Planning committee met last night and approved a request for aesthetic approval for a 2700 square foot addition at Atlas Automotive, 5281 Engle Rd. Located in the U5 – C zone to build a showroom for high end motorcycles.

Reports of Standing Committees: (cont.):

Safety Committee – Chairman, Salvatore

Mr. Salvatore stated the Safety committee has one item on tonight’s agenda and the sponsor no longer feels it is needed and anticipates the legislation will be defeated.

Board of Zoning Appeals – Chairman, Scott

Mr. Scott stated the Board of Zoning Appeals met last night and approved a variance for an above swimming pool at 6064 Harden Drive. A variance was granted for a 4’2” side lot variance to install a 2700 ft. addition to at 5281 Engle Rd. for Atlas Automotive.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Salvatore:

Mr. Salvatore stated the expansion of the Steam Plant was approved with the budgeted amount of \$1.8 million. Phase One was completed in 2016 and Phase Two is scheduled to start around June 15th with a completion date of September. Moody’s reaffirmed Southwest’s A2 rating and the center was recognized as a center for excellence and quality outcomes and cost efficiency in two categories. From a community partnership with high school students they are working with Southwest General to produce a video to be used on our website and social media.

Berea Board of Education - Representative, Burgio:

Mr. Burgio stated the board held a meeting on February 27th and several athletic students were recognized for their achievements; the youngest member to be recognized for her humanitarian efforts was a second grader and Brook Park resident Sophia Neuman. Superintendent Sheppard reported that the renovation plans are proceeding and more meetings will be held every other week. The kickoff meetings for the architects and project management have been held. The treasurer discussed the state budget and will be traveling to Columbus to lobby for an increase of \$5.2 million in revenue since there was a cut in local funding. Two board members were present at an Opiate and Drug Awareness presentation held at the Brook Park Recreation Center and Brook Park board member, Fred Szabo, stated surprise that there was one only one DARE officer for the entire district. Mr. Burgio congratulated the Brook Park Lady Titans for winning the district title and stated the Berea-Midpark marching band will be participating in the Brook Park’s Memorial Day parade.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Coyne thanked Councilmembers for spending Saturday morning going over the budget and legislation was presented to the clerk and will be distributed to Council providing for meetings for the next three weeks. If residents don't have the money needed to pay for baseball registration at this time sign-up will be accepted and monies can be paid before the season begins. Mayor Coyne stated that long-time resident, Liz Varga, passed away.

Mr. Mencini asked if the City of Brook Park is going to be creating a newsletter this year?

Mayor Coyne responded yes.

Mr. Troyer stated to Mayor Coyne that no information has been received about Ordinance No. 10042-2016, the cost of privatizing or subcontracting out rubbish collection.

Mayor Coyne replied it was delivered to the clerk last week.

Mr. Astorino commented that a note from the clerk those documents were delivered to the Council office and the assistant clerk made one copy unaware that Councilman Troyer requested the documents; all Councilmembers will receive copies of those documents.

Mr. Troyer stated with the \$50,000 Blue Line grant not all of the requirements have been met.

Mr. Cingle commented that the grant monies have been issued.

Mayor Coyne replied that the grant was for the purpose of demolition of the building, the improvements in the fencing, in extending the lease of Blue Line. Those improvements are made and the company has a landscaping plan along with the fencing that will be completed in the spring.

Mr. Troyer asked if Council were being misled as to what the city is going to receive for the \$50,000; it's an empty building with fencing that appears to be a dumping ground in the back.

Mr. Coyne replied Council was not misled, reading the legislation the primary mover to that grant was to demolish a building that sat in front of the current building. The fencing complies with all the other fencing along Brookpark Road and several hundred thousand dollars were also put into that site; the \$50,000 grant didn't cover the demolition of the building and if the city can improve the

Reports and communications from the Mayor: cont.

streetscape of the Brookpark Road corridor for \$50,000 and enhance the value of those properties, that's well worth it.

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

Mr. Piatak reported that the Fry Road reconstruction phases two and three will begin shortly, the Brookdale Avenue project is moving forward with about 1,700 linear feet of sewer and five fire hydrants installed. Spot repairs are being made on some of the sewers and some sporadic water outages are anticipated. There will be a Snow Road resurfacing project preconstruction meeting on March 16th. As to the crack-seal based on the streets done in 2016, there was about 6.5 miles that were crack-sealed.

Mr. Mencini asked if there were reports of standing water on the new road surfaces after all the heavy rain.

Mr. Piatak replied, not to my knowledge.

Mr. Mencini asked if there has been any word on when the Snow Road project will begin.

Mr. Piatak replied that he would have a better idea after the preconstruction meeting on March 16th.

Mr. Astorino said that last year we appropriated funds for three streets to be done and had about 5,000 feet of street that was supposed to be done with only about 1,800 feet done. Council was presented with the Capital Improvement budget for 2017 and are looking at about 6,000 feet. Are you confident that if the monies are appropriated that 6,000 feet will get done this year? When going out to bid for these projects is there a clause that can be put into the contract guaranteeing that it will get done this year?

Mr. Piatak replied that it's hard to respond until we have a Roads Program approved. If the budget doesn't get approved or the roads don't get approved, then we don't get paid. A Fry Road project cannot be started in August and expected to get done in the same year, it's too large. Mr. Piatak is making every effort to get the projects out to bid as soon as possible and his intention is to get these projects completed.

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

Engineer Piatak cont.

Mr. Astorino continued he's just trying to get a feel for how 6,000 feet is anticipated to get done this year when last year only 1,800 feet was done. For instance, if the lowest bidder gets four contracts, how does the city know that the bidder will have enough workers to get all four projects done.

Mr. Piatak replied that a reasonable completion period can be stated and last year there were other circumstances that delayed some of the projects, it may not be a good yardstick of how things will go this year.

Mayor Coyne stated that Council has legislation tonight for getting this started and it all depends on when those contracts are let and how much work there is in the region.

Mr. Mencini asked if the city is starting late for getting bids out?

Mr. Piatak replied that in a perfect world the roads and design should be ready to go out to bid in January, then work could start as soon as the weather breaks. The plans and the bidding process take time so the roads program should be known in November for the following year.

Mr. Troyer asked what roads were surveyed and what would be the latest that legislation should be passed.

Mr. Piatak replied Bowfin and Sylvia and as soon as possible.

Mr. Troyer asked does the Engineering Department keep any statistics or data on repairing the roads for when the joints are bad and topcoats been put on?

Mr. Piatak replied the database does have some of that information and if there is a particular location of interest that can be looked into.

Ms. Powers asked how the order is determined to do the streets, Hummel Road from West 130th St. to the Ford plant is one of the worst streets in the city. Mrs. Powers would like to see it get done as a major thoroughfare and given a higher priority. Are there any plans for when that street can be done?

Mr. Piatak replied that parts of the road were resurfaced and reconstructed and is on the crack-sealing list for this year, to date there are no particular plans for getting that street done.

REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS: cont.Service Director Cayet: cont.

Mr. Cayet reported that the calcium cutter was on Morrow Drive and cleared out the 18- inch sewer and crews will continue working on streets throughout Brook Park. Mr. Cayet will be bringing services crews back on dayshift soon and is also working on getting things lined up for the Home Days celebration.

Mr. Burgio thanked the service employees that have been helping above and beyond with the recent windstorm. Mr. Burgio asked if any calls have been received regarding the driveway snow program.

Mr. Cayet stated that residents should use the proper trash cans for recycling and said there were no calls received about the driveway snow removal.

Mr. Mencini asked if any calls were received about standing water or flood problems.

Mr. Cayet replied no, just the typical three or four calls. Service crews went to the homes that called and dye-tested the lines and found that the problem was not with the line that connected them to the main sewer. There were a few houses that had water coming in through the walls and the footer tiles but no flooding like in past years.

Mr. Troyer asked if the Service Department has any records of grinding and patching of joints.

Mr. Cayet replied that grinding and patching of the joints won't fix anything, the problem is what's below it.

Law Director Horvath

The Law Director Ms. Horvath reported that the city has one pending lawsuit and is not at liberty to discuss that suit.

Mr. Astorino said that several requests have been put in for drafting of legislation when will they be available.

Ms. Horvath replied that with the homeowner legislation she is looking to see if they can be added to the sidewalk legislation, or if they need to be separate and with she is looking for an outside opinion.

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

Finance Director Cingle

Mr. Cingle reported that the Fitch ratings for the city is a stable rating and reported that the best rating that the city had during his tenure was a AA rating and the lowest was an A3. If any resident needs assistance with their city of Brook Park taxes the tax department will have extended hours on 3/21, 3/28, 4/4, and 4/11 and Saturday hours on 4/1 and 4/8.

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

1. An Ordinance authorizing the Mayor to enter into a contract with Signal Service Co. without public bidding for the maintenance of traffic control devices. introduced by Councilman Salvatore **Placed in Service Committee.**
 2. An Ordinance authorizing the Consulting Engineer to prepare plans and specifications and to advertise for bids and contracts for the 2017 Roads Program. introduced by Mayor Coyne **Placed in Service Committee.**
 3. An Ordinance authorizing the Mayor to hire inspectors for the 2017 Roads Program. introduced by Mayor Coyne **Placed in Service 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:**

Tom Greenlee

15841 Paulding Blvd.

Re Ordinance 10069-2016, Second Reading

Mr. Greenlee spoke of his concern for the way the City of Brook Park deals with vacation days and sick days and wants the city to follow the provisions that are set by the state. Mr. Greenlee also spoke about the Ohio Revised Code (ORC) rules starting with item 9.44, that caps the amount of accumulated vacation and sick days that are allowed. If Brook Park would follow the state rules the city would save a tremendous amount of money and hopes that Council seriously considers looking at this ordinance and amending it as needed to follow the state allowances.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

SECOND READING OF ORDINANCES AND RESOLUTIONS:

- 1. ORDINANCE NO 9903-2014, AMENDING SECTION 143.02 (a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COMPOSITION: EXECUTIVE HEAD', AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Motion by Mr. Salvatore, supported by Mr. Troyer, to suspend.

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

NAYS: None. The motion carried.

Motion by Mr. Troyer, supported by Mr. Mencini, to adopt.

ROLL CALL: AYES: None.

NAYS: Troyer, Mencini, Powers, Burgio, Scott, Salvatore. The motion failed. Defeated

- 2. ORDINANCE NO. 10068-2017, AMENDING SECTION 1809.01 (i) (2) OF THE BROOK PARK CODIFIED ORDINANCES RETURN AND PAYMENT OF TAX AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Motion by Mr. Salvatore, supported by Mr. Burgio, to suspend.

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

NAYS: None. The motion carried

Motion by Mr. Salvatore, supported by Mr. Scott, to adopt.

Motion by Mr. Troyer, supported by Mr. Salvatore, to amend.

Mr. Salvatore stated in Section 1 the amendment would be to add section H (1) and (2).

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

NAYS: None. The motion carried.

Motion by Mr. Troyer, supported by Mrs. Powers, to amend.

Mr. Troyer stated the amendment would be in the heading in section 1809.01 (i) (2) to 1809.01 (h) (i).

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

NAYS: None. The motion carried

Motion by Mr. Salvatore, supported by Mr. Scott, to adopt.

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

NAYS: None. The motion carried. Adopted

SECOND READING OF ORDINANCES AND RESOLUTIONS: cont.

3. ORDINANCE NO. 10069-2017, AMENDING CERTAIN SECTIONS OF CHAPTER 153 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'EMPLOYEES GENERALLY' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Motion by Mr. Troyer, supported by Mrs. Powers, to place on the next Caucus agenda.

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

NAYS: None. The motion carried.

4. RESOLUTION NO.4-2017, URGING FIRST ENERGY TO CONTINUE HEALTH CARE COVERAGE FOR RETIREES OF THE UTILITY WORKERS UNION OF AMERICA OF CLEVELAND AND ASHTABULA DIVISION AND DECLARING AN EMERGENCY. Introduced by Council President Astorino

Motion by Ms. Powers, supported by Mr. Troyer, to suspend.

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

NAYS: None. The motion carried.

Motion by Mr. Mencini, supported by Mr. Scott, to adopt.

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

NAYS: None. The motion carried. Adopted.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 10067 - 2017, AMENDING SECTION 1805.01 (2) (a) AND (b) OF THE BROOK PARK CODIFIED ORDINANCES 'COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Motion by Mr. Troyer, supported by Mrs. Powers to adopt.

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

NAYS: None. The motion carried. Adopted

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Joan Markusic

13911 Bellbrook

Ms. Markusic stated that she understands why the nuisance party legislation is necessary and can't imagine having 300 people on any property in the city.

Liz Sayers

265 Cedar Point Road

Ms. Sayers said that if the audience has to follow the rules then the Council has to follow the rules also and to not blame the Mayor for the actions of the audience.

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER: (cont.)

Lavaine Cates
15499 Remora

Ms. Cates stated that everybody should come to the Council meetings prepared and arriving at a meeting without proper preparation shows a lack of morals and responsibility for the residents of the city that you represent. Ms. Cates expressed concerns with Councilmembers constantly asking for the same information that has been provided

Callahan Ruebensaal
14240 Middlebrook Blvd.
Middleburg Heights

Mr. Ruebensaal stated that he is trying to put a proposal through that would regulate campaign-finance spending and the proposal would not allow the government to ignore the teachings of how money corrupts individuals.

Susan Booker
13855 Franklyn Blvd.

Ms. Booker thanked Council for breaking the silence last week and attending the recent heroin program. Ms. Booker stated she is still waiting for an apology from a Councilmember who made disparaging remarks in January to her.

Ralph Lohn
15960 Meigs Blvd.

Mr. Lohn stated that Councilmembers should put out a newsletter informing residents of the senior assistance and home programs

Motion by Mr. Mencini, supported by Mr. Scott, to address the audience.

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

NAYS: None. The motion carried.

Mr. Mencini wished Mr. Ruebensaal on his endeavor. To Mr. Lohn thinks the newsletter is a great idea and thanked Ms. Booker for her comments.

Mr. Burgio thanked Ms. Booker for her perseverance and for the attendance of Councilmembers at the recent heroin program.

Motion by Mr. Burgio, supported by Mr. Troyer, to go into Executive Session for the purpose of Attorney Conferences and Personnel Matters.

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

NAYS: None. The motion carried at 8:53 p.m.

- 1. Pending and/or imminent court action.
- 2. Hiring of personnel by Council.

Mayor Coyne left the meeting at 9:25 p.m.

Motion by Mr. Mencini, supported by Mr. Troyer, to adjourn Executive Session.

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

NAYS: None. The motion carried at 10:33 p.m.

Motion by Mr. Mencini, supported by Mr. Scott, to back to the Regular Order of Business.

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

NAYS: None. The motion carried.

Motion by Mr. Salvatore, supported by Mr. Burgio, to adjourn.

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

NAYS: None. The motion carried.

There being no further business to come before this meeting Council President Astorino declared the meeting adjourned at 10:35 PM.

RESPECTFULLY SUBMITTED



Michelle Blazak
Clerk of Council

APPROVED



THESE MEETING MINUTES APPROVED BY BROOK PARK CITY COUNCIL ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.

Recreation Committee

Brook Park Recreation Commission Meeting
Tuesday, March 7, 2017

- Basketball Championships are this weekend, March 11th & 12th. Come on up and cheer on your favorite team!

- We extended our registration for baseball, softball, tennis, football and cheerleading programs.
 - We are giving discounts for multiple family members and if a participant registers for two programs at one time...they will receive a \$10 discount.

- The Seniors met this morning and made beautiful Dutch Gardens filled with tulips and hyacinths!
A Special Thanks to J&J Greenhouse for coming up and providing the flowers.

- Midnight Madness is Friday, March 24th for youth ages 8-13 from 8:00pm-12:00 midnight.
Please register at the recreation center. Deadline is Saturday, March 18th.

