

**SPECIAL CAUCUS MEETING OF COUNCIL  
OF THE CITY OF BROOK PARK, OHIO  
HELD ON THURSDAY, APRIL 20, 2017**

Council President Astorino called the meeting to order at 7:00 p.m., who read the meeting notice, the clerk called the roll and the following Members of Council answered:

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

**DISCUSSION:**

1. PURPOSE OF CONDUCTING INTERVIEWS TO FILL THE VACANCY OF THE AT-LARGE POSITION.

Mr. Astorino stated that various questions have been formatted for candidate questioning, they have been forwarded to the Law Director. At 3:28 p.m., today an email was received from the law director stating that she had reviewed emails from the Human Resources Department and the Council President. Ms. Sinatra's guidelines were appropriate and believe that the following questions are inappropriate per her guidelines; due to being political and specific in nature. Ms. Horvath recommends that interviews be cancelled for tonight and use the time to formulate questions and finalize the interview process. Mr. Astorino continued that shortly after 1:00 p.m., today he sent an email to all Members of Council and blind copied all of the applicants attaching the list of questions that have been generated for the review and explained that each applicant would be allowed an opening statement up to three minutes, the interview to last no more than 30 minutes, and the candidates are not required to use all the three minutes for their opening remarks. A question would be asked to each candidate and if time additional questions may be asked. This process is always subject to change by Council to allow everyone to be treated equally and given a fair chance.

Mr. Scott asked if the nine questions were ever voted upon by the Council?

Mr. Astorino responded Councilman Mencini had already come up with questions, and Mr. Astorino came up with questions shared with Council for any feedback. Mr. Troyer had one question and Mrs. Powers was okay with the questions, there was no responses from Councilman Scott, Councilman Burgio or Councilman Salvatore. Since Council already determined that interviews would be done tonight action had to be taken.

Mr. Salvatore stated he does not have email and in light of the recent decision by the law director doesn't feel that the questions being asked tonight should be

**DISCUSSION: cont.**

used. that are going to be asked tonight should be used and was under the impression tonight would be used to finalize the procedure.

Mr. Astorino understands that Mr. Salvatore has a problem with his personal email, but there is a Council email that is used and that is where the message was directed. The agenda is set a certain way and is willing to entertain a motion from any Councilmember to change the agenda but without a motion interviews will go forward as determined at the April 11th meeting.

Mr. Mencini stated when the draft questions were submitted on Tuesday they were good ones but will stand by the letter received from the law director; the candidates are here and prepared.

Mr. Astorino asked for clarity, Ms. Horvath recommended canceling interviews tonight.

Mr. Mencini didn't agree with the cancellation of the interviews.

Mr. Astorino stated when speaking to Law Director Horvath this afternoon, he asked of the nine questions nine questions to the applicants which ones were and were not appropriate; the only question identified as appropriate was number five.

Mr. Burgio clarified the email says the law director is not in favor of the questions presented and would prefer to have this meeting as a structural meeting.

Mr. Scott asked what the nomination process was the applicants should know how the decision is going to be made. Mr. Scott also stated that if this goes forward this evening he will not participate because he wants this to be a closed Executive Session.

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**Motion** Mr. Salvatore, supported by Mr. Scott, to eliminate the questions under the law director's recommendation not to be used.

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

**NAYS:** Scott, Powers. The motion carried.

Mr. Astorino asked for some direction as to how to proceed with the meeting.

Mr. Salvatore suggested that the candidates be allowed to come forward and make their three-minute introduction, then Council can ask any question other than the nine that were eliminated.

Mr. Astorino replied Council also decided that no questions would be asked unless cleared by the law director.

**DISCUSSION: cont.**

Mr. Salvatore stated Council should at least allow them to come out and speak for the three minutes.

Mr. Astorino said that he had brief conversations with some of the candidates and if they were lower on the list they were not going to show up until later in the evening, knowing that each interview would take at least 30 minutes.

Mr. Astorino noted that Ms. Horvath suggested that they use tonight's meeting to establish guidelines, and also noting Mr. Scott's comments that there was too much gray area. This meeting could be for the same subject - the interview process - and mentioned that it was Council's direction to have interviews ready for tonight. Council can correct that process and just a reminder that Council is under a time restraint. The Charter reads any Special Meeting request shall state the time, place and date of the subject or subjects to be discussed, no other subjects shall be considered. The subject is on here is conducting interviews, same subject, just a matter of what approach Council takes.

Mr. Salvatore stated Council has nothing to discuss other than the selection process and doesn't see how Council can conduct a three-minute session tonight and another interview on Saturday.

Mr. Astorino agreed with Mr. Salvatore and stated if Council wants to follow the direction of the law director, the interviewees can be notified of the cancellation and use the rest of tonight's meeting to formulate questions and finalize the interview process. Mr. Astorino doesn't see the purpose of canceling tonight's meeting and then calling another Special Meeting to do what can be done this evening, that is Council's choice.

Mr. Burgio stated that if Council does the three-minutes then the same has to be done for the first and second group; tonight's meeting should be for formulating the questions and finalizing the interview process.

Mr. Scott, Mr. Mencini, Ms. Powers, Mr. Troyer concurs with Mr. Burgio.

**Motion** by Mr. Scott, supported by Mr. Burgio, to cancel tonight's interviews and finalize criteria for how to proceed.

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

**NAYS:** Troyer, Powers. The motion carried.

**Discussion: cont.**

Mr. Astorino advised the candidates in attendance that there would be no interviews this evening. If they would like to stay and observe the rest of the meeting they are welcome to do so; Council will entertain any questions.

Dave Morris

13805 Holland Road

Mr. Morris stated that he did not receive any email from Council and asked the clerk to contact him tomorrow for confirmation of his email.

Gary Kopchak

Middlebrook Blvd.

Mr. Kopchak stated that he will be out of town this weekend and would like to know when the second interviews will be so that he is hopefully available.

Brian Poindexter

21836 Forestview Circle

Mr. Poindexter urged Council to exercise their authority and would not want to see the power taken out of Council's hands; Council has a chance to pick a co-worker for the betterment of the city and would like to see this Council retain that authority.

Edward Orcutt

15458 Ashland

Mr. Orcutt asked Council President Astorino who made the decision to put an ad in the paper, what is the procedure of the Charter.

Mr. Astorino responded that the Charter is silent on the procedure.

Mr. Orcutt asked if Council voted on the questions that were going to be asked of the applicants, in the past Council worked together on doing this. It seems like the questions are coming directly from Mr. Astorino, who is dictating this.

Mr. Astorino replied that word to be used should be directing and it his responsibility as Council President to communicate with all Members of Council. I worked with the Council Pro-Tem to start the questions then shared that information with Members of Council, and asked for feedback, comments or any questions that Council may want to ask. Councilman Scott did not advise me of any problems with the questions yesterday afternoon or at any time today. Mr. Astorino continued that on April 11th, Council took a vote that interviews were to be conducted on April 20th and 22nd as seen tonight Council didn't like the process. It is Council's position to offer suggestions but there are certain actions that have to occur if Council doesn't give me specific directions.

Mr. Orcutt asked who randomly picked the order of the interviews.

Mr. Astorino replied myself and the two clerks.

Mr. Orcutt asked if that is how Council normally fills a vacancy?

Mr. Astorino replied that he doesn't think that all of the Council has to be together to determine the order of selection; it wasn't a decision-making process; it was how to do the interviews.

Mr. Orcutt responded Council needs to work together and it seems like the process isn't working. There are five people here to interview for a job and the interviews are not going to occur and hopes that Council can work together to put together a good process.

Terrance Sinclair  
13940 Settlement Acres

Mr. Sinclair commented that he is here to be interviewed for the vacant Council seat because of too many things disappearing from the city and not enough things coming.

Jeff Duke  
15914 Remora

Mr. Duke stated his interview is scheduled for Saturday and recommended sitting down with the human resources commissioner for questions to be asked to the applicants.

Mr. Astorino called for a ten-minute recess so that scheduled applicants could be notified that the interviews have been cancelled.

Mr. Astorino asked Council for any ideas on questions to the applicants or how the random selection of applicants was chosen.

**Motion** by Mr. Mencini, supported by Mr. Scott, that interviews occur in the order the applications were received.

**Discussion: cont.**

Mr. Troyer stated the only problem is that applicants have already been scheduled for Saturday meaning they may need to change their schedules.

Mr. Mencini

Mr. Mencini stated applicants will get a notice just as the people that were ready to be interview tonight, people are watching a live stream seeing how the process works in the city.

Mr. Astorino stated as a point of information for Council the third application received was from Mr. Kopchak and as he stated is going to be out of town this weekend so I suggest there be consideration for exceptions.

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The clerk called the roll on the motion by Mr. Mencini, supported by Mr. Scott, that interviews occur in the order the applications were received.

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

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

Mr. Astorino suggested setting up dates for the next meeting because Thursday, April 27th is the 30<sup>th</sup> day when this has to be completed.

Mr. Mencini suggested Saturday since Council has a Caucus meeting on Tuesday; perhaps having a meeting on Monday.

Mr. Burgio has a conflict Monday with the school board meeting at 7:00 PM.

Mr. Salvatore stated a conflict with Monday due to Southwest meetings on both Monday and Wednesday.

Mr. Astorino suggested the Caucus meeting of Tuesday, interviews can be one of the items on the agenda, therefore, eliminating the need for a special meeting. Eight of the 14 candidates are scheduled for Saturday leaving six for Tuesday's Caucus.

Mr. Mencini suggested starting the Caucus meeting at 6:00 p.m. to handle agenda items then start the interviews at 7:00 p.m.

**Motion** by Mr. Mencini, supported by Mr. Scott, to continue the meeting on Saturday, and to hold the other interviews at the Caucus meeting on Tuesday, move the start of the Caucus meeting to 6:30 p.m.

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

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

**Discussion: (cont.):**

Mr. Astorino reminded Council that Mr. Kopchak, is out of town for the weekend and should be moved to Tuesday.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to change Mr. Kopchak' s interview appointment.

**ROLL CALL: AYES:** Salvatore, Mencini, Scott, Burgio, Troyer, Powers  
**NAYS:** None. The motion carried.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to give the same latitude to any of the other candidates.

**ROLL CALL: AYES:** Salvatore, Mencini, Powers, Troyer, Scott, Burgio  
**NAYS:** None. The motion carried.

**Motion** by Mr. Salvatore, supported by Mr. Burgio, to cancel the Special Council meeting scheduled for Tuesday and move it to Thursday.

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Mr. Troyer will not support because it's cutting it to close.

Mr. Mencini suggested perhaps a longer Saturday meeting, with four hours - break and four hours.

Mr. Astorino stated Council has to fill the vacancy within 30 days or it becomes the Mayor's appointment; Thursday, April 27th is the 30th day.

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The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Burgio, to cancel the Special Council meeting for Tuesday and move it to Thursday.

**ROLL CALL: AYES:** Salvatore, Burgio, Scott, Mencini, Powers, Troyer  
**NAYS:** None. The motion carried.

Mr. Troyer asked for concurrence from Council that on the 27th the appointment goes into effect immediately.

Mr. Astorino replied it is verbal approval.

Mr. Scott expressed concerns with what is the nomination process and what is the process of filling the vacancy.

Mr. Astorino suggested after the interviews are finished Council can go through each candidate and decide whether or not that applicant should be supported. If the candidate receives four votes, they move to the next round.

Mr. Burgio stated that is a hard question to answer, because Council has always done this in Executive Session; the format is different, the procedure is different.

**Discussion: cont.**

Mr. Salvatore asked if that means that for each of the 14 candidates Council would have to nominate and support 14 times?

Mr. Astorino stated that was the initial thought but is open for other suggestions.

Mr. Salvatore stated in a past discussion that a consensus was reached during Executive Session after the interviews; this is going to be very difficult to do with 14 candidates.

Mr. Astorino suggested that after the interviews, Council ranks all the candidates 1 – 14 and may be able to pare it down to three or four; if six members agree on that first candidate that applicants score will be six.

Mr. Salvatore noted that all of the candidates will be in the audience when this voting will take place.

Mr. Astorino stated that because all the candidates will be in the audience and if Council doesn't vote the candidate will never know they were up for consideration.

Mr. Salvatore stated this is why the interviews should've taken place in Executive Session, the nomination could've come to the floor for Council's vote.

Mr. Burgio said part of the reason that we have so many candidates is because there was an ad taken out in the paper; that generated a lot more interest so there are more candidates.

Mr. Salvatore asked if the ad stated that in order to be considered for this vacancy, a resume had to be submitted to apply.

Mr. Astorino responded nominees had to submit their resume and sign the document stating they meet the Charter qualifications and provide a photo ID.

The clerk commented this was the same ad that was put in the newspaper in 2009 for the vacant Ward 3 seat, the only wording changed was 'at large'.

Mr. Mencini thinks Council should be able to get the nominations down to perhaps four or five and take a vote to see who wins.

Ms. Powers observed that Council will have six people voting on 14 nominations and potentially each candidate could end up with a 3-3 tie so the applicants should be narrowed down before a Council vote.

Mr. Astorino stated he is not wed to the rating system but it would at least pare down the number of candidates, perhaps Council can determine how to re-interview the top seven. After that you rate them once again etc. All 14 candidates would have to be rated on the 27<sup>th</sup>, and continue until we have our new Council at large on the 27<sup>th</sup>.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to move this to the Special Caucus meeting on Saturday.

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

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

Mr. Scott stated the questions should be general; such as why does the applicant want to fill the vacancy?

Mr. Astorino has a point of information from an earlier discussion with the law director regarding background check. Mrs. Horvath stated there are two ways of doing this, by checking both state and federal backgrounds. The state information takes about two days at a cost of \$60.00 each (\$840.00 total) and would be done through the police department.

Mr. Troyer stated it is Council's job to represent the residents of Brook Park and this matter has come before Council to fill this vacant seat. Council should ask questions that the residents would ask if they could; pertinent items that have happened in the city.

Mr. Mencini said some of the proposed questions were more political in nature, and Council should go through the list.

Mr. Burgio expressed with question number eight; seems to be the most political. Perhaps the questions could be vague like why do you want to serve; to get an idea about candidates' thoughts.

Mr. Salvatore would like to incorporate three items: 1) Why are they the best candidate to fill the vacancy. 2) tell about their background. 3) Talk about their involvement with the City of Brook Park. If Council has any other questions submit them to the Council President for submission to the law department.

Mr. Astorino said just add to asking about their involvement with the City of Brook Park, Council could also ask about their involvement with other clubs and/or organizations.

Mr. Mencini commented perhaps either the law director or human resources could provide some questions that would be viable.

**Discussion: cont.**

Mr. Astorino stated the only concern is that some of the questions provided were from other human resources departments and the law director thought they were inappropriate. Mr. Astorino thinks the three suggestions from Mr. Salvatore should be included in their presentation along with questions giving their opinion on what's important in Brook Park.

Mr. Scott suggested Council use questions 1, 2 and 9, question two would cover those.

Mr. Troyer stated three of the five resumes discusses the candidates' involvement with the city and would like to see different wording in number one (1); for instance, what the candidate believes are the duties of an At-large Councilperson.

Mr. Astorino suggested after the questions Council can ask what the candidates could make a closing statement.

Mr. Salvatore suggested since the questions have been narrowed down to 1, 2, 5 and 9; only one person should be asking the questions to the candidates.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to make an opening statement using the three suggested points and then continue with asking questions 1, 2 and 5 using language acceptable from the law department; then ask each candidate to make closing statements.

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

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

**Motion** by Mr. Salvatore, supported by Mr. Burgio, that at the conclusion of the interviews a thank you letter should be sent to all the applicants signed by all Members of Council.

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

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

Mr. Mencini commented that the city lost Mr. Hufsey today, who put a lot of time into the city and ballfields and also ran for Mayor one time. Mr. Mencini on behalf of Council sent sympathy to the family.

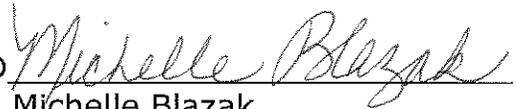
Mr. Astorino commented that Council continue to give some thought on how the applicant selection will be pared down.

There being no further business to come before this meeting a **Motion** by Mr. Salvatore, supported by Mr. Mencini to adjourn.

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

**NAYS:** None. The motion carried. Council President Astorino declared this meeting adjourned at 9:18 p.m.

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.

