

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, APRIL 25, 2017**

The meeting was called to order by Council President Astorino at 6:30 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

Also in attendance were Mayor Coyne, Law Director Horvath, Service Director Cayet, Finance Director Cingle and Recreation Director Fields.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Caucus Meeting held on September 27, 2016.

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

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

NAYS: None. The motion carried.

2. Regular Caucus Meeting held on March 14, 2017.

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. The motion carried.

RECREATION COMMITTEE – CHAIRMAN, MENCINI:

1. AN ORDINANCE AUTHORIZING AND APPROVING THE MAYOR TO ENTER INTO A CONTRACT WITH ENDLESS POOLS AND RADIANT HEAT SYSTEMS FOR THE PURCHASE AND INSTALLATION OF TWO (2) DUAL PROPULSION ENDLESS POOLS AND SYSTEMS, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Mayor Coyne stated that the other improvements at the Recreation Center are covered under the Synergy Program. The old pool was inefficient to operate; this pool will give our residents a much better experience at a much better cost. Mr. John Satir, representing Endless Pools gave a brief presentation on why its product is unique. All Councilmembers received a business card and brochure about Endless Pools, that is on file in the Council office for public review.

Recreation Committee – Chairman, Mencini: (cont.)

Mr. Satir stated that their pools were modular polls and assembled at site, there is no need to take down walls or construction for installation. The pools have a hydraulically powered swim system and two currents for each pool with each current having 52 settings.

Mr. Salvatore asked if the pools will be handicapped accessible and how many people can you get into a pool?

Mr. Satir replied yes they can be with a lift installed to lower people into the water. In a 15 x 15 size pool six people could in in a pool with one instructor doing the same movement. If there is a station-based class then eight people can be in the pool, the walk station is not included in the price quote.

Mayor Coyne stated there is enough in the budget to purchase two endless pools.

Mr. Satir stated that the other advantage to having two currents in each pool is having two different water temperatures.

Mr. Burgio asked how is the speed of the water adjusted?

Mr. Satir replied there is a wireless remote control for each unit.

Mr. Burgio asked what kind of warranty is there?

Mr. Satir replied two year parts on parts, ten-year structure. Every five years the hydraulic motors will have to be replaced and there are some hoses and UV lights that have to be changed once a year; it is much less expensive than your current pool.

Mr. Troyer asked what makes this pool system unique.

Mr. Satir responded we are the only ones that you will be able to get two different currents in the same pool.

Mr. Troyer asked if it was correct that along with the stated warranty costs, the city will still have to pay for the labor and travel of the repair person.

Mr. Satir responded correct, some facilities departments can replace these parts. If any parts are needed they will be sent overnight.

Ms. Powers asked if these modular pieces can be put where the pool is currently?

Recreation Committee – Chairman, Mencini: (cont.)

Mayor Coyne responded the pools will be installed in the four-foot end of the current pool.

Mr. Satir stated that some competitors install a BADU which is basically a big fan that generates a lot of water current in air, it's very turbulent, our product is very smooth and gentle.

Mr. Salvatore asked about the filtration system.

Mr. Satir replied they have a 75' cartridge filter with UV sanitation and electric heater. There is a chlorine-based system (2 parts per million) for sanitation, salt is not used.

Mr. Mencini asked where do most of their installations go; to private homes, to recreation centers, to fitness centers?

Mr. Satir responded they are commercial pools and are installed at swim studios, and at veterinarian clinics for non-weight bearing exercise for dogs. One was sold to a marine laboratory in Florida because manatees needed to lose weight and exercise.

Mr. Mencini asked if there were amenities for the children?

Mr. Satir responded by one turn the current can be adjusted and by grabbing a boogie board so that children can body surf.

Ms. Fields stated that this would allow the recreation center to have the programs needed to teach learn to swim classes, water walking and therapy for seniors.

Mayor Coyne stated that we are trying to reinvigorate our Recreation Center into a family fitness center; these two pools will provide for that.

Mr. Troyer asked what the turnover is from being ordered until the city receives?

Mr. Satir stated five weeks from when the order is placed, two weeks to install.

Mr. Troyer asked Mayor Coyne if the bond issue provides for the roof over this.

Mayor Coyne replied no, that will be built in combination with the wall, the cost should be no more than \$180,000. Preparing the site for this would be about \$60,000 coming out of the Special Recreation Fund. Mayor Coyne would like to begin doing the pools and the upgrade of the steam and locker rooms which are part of the contract; estimates will be given to Council.

Recreation Committee – Chairman, Mencini: (cont.)

Ms. Powers asked if there is a recommended temperature that the water should stay?

Mr. Satir replied that it depends on how the pool is being used; seniors tend to like the water at about 88°; other people might like it cooler at 82°.

Motion by Mr. Salvatore, supported by Mr. Scott, to place on the next Council agenda.

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

NAYS: None. The motion carried.

2. AN ORDINANCE AUTHORIZING AND APPROVING THE MAYOR TO ENTER INTO A CONTRACT WITH MUSCO LIGHTING, LLC., FOR THE PURCHASE OF CERTAIN ITEMS AND INSTALLATION OF AN OUTDOOR LIGHTING SYSTEM, WITHOUT PUBLIC BIDDING, TO BE INSTALLED AT HUFSEY AND FORBES FIELD AND DECLARING AN EMERGENCY.
Introduced by Mayor Coyne.

Mr. Joe Fox,
Musco Lighting
100 First Avenue, Oskaloosa, Iowa.

Mr. Fox gave a brief history of the Musco Lighting Company and all the city's athletic lighting has been installed by this company. They are the premier lighting facility in the United States and the city is in the process of moving most of the baseball and softball games to the Kennedy Park Complex. The city has a command for a dog park in the city and coupled with the Marines wanting their land back for their own use at Wedo Park. That lighting at the baseball facilities is antiquated and should be able to move the lighting from Wedo to Forbes field. There are metal poles on concrete basis and the City of Strongsville had a similar problem and Musco Lighting was able to assist. Mayor Coyne continued this can be funded by rearranging some other expenses that appear to be coming in under budget in the Capital Improvement Fund.

Mr. Fox stated the lighting installed in Wedo Park was done in 1995 with the intention that they would last 40 years; they are structurally sound. Relocating those lights is just a matter of taking the poles off of the concrete foundation, supply a new concrete foundation and reinstall the poles. One thing to update is the new building code requirements for wind speed to the newer standards.

Mr. Scott asked when will this work take place, after the ball season.

Recreation Committee – Chairman, Mencini: (cont.)

Mayor Coyne replied there was no interruption when this work was done in Strongsville and want to do it to have the least amount of damage to the cranes; will need to know when the ground will be driest and will make move forward.

Mr. Fox said there were draining issues at Wedo Park and dry ground conditions are ideal. In Strongsville it took about two weeks for the pole relocation and underground wiring took another week and a half to two weeks.

Mr. Troyer asked how high the poles are.

Mr. Fox replied they are 90 and 70 footers and will have to break the poles to relocate them. There is a precast concrete foundation system in order to speed up the installation time and our company is the contractor on this job but will use a local subcontracting company to complete the job, the subcontractor will answer to Musco Lighting.

Mr. Troyer asked about getting information on the two bids?

Mr. Satir responded that information was sent to the Mayor and will be sent out.

Mr. Astorino asked if there are any company fees, for rock or unstable soil that may be encountered when digging.

Mr. Fox stated a soils report would have to be provided by a geotechnical service. That was not provided to us so we are assuming standard soil.

Motion by Mr. Salvatore, supported by Mr. Troyer, to make the corrections on the name of Hufsey field, throughout the legislation.

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

NAYS: None. The motion carried.

Motion by Mr. Salvatore to place on the next Council agenda, supported by Mr. Scott. (5/2/17)

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

NAYS: None. The motion carried.

CANDIDACY AT – LARGE INTERVIEWS:

All at-large candidates gave an opening statement, answered the three questions and provided a closing statement.

Candidacy at – Large Interviews: (cont.):

Candidates in attendance:

David Morris

Tony D'Amico

Jeff Duke

Nedal Ashriem

Dale Papes

Michael Vecchio

Mr. Astorino asked for a discussion on the selection process for the candidate.

Mr. Mencini suggested that Council move to Executive Session for the final selection; Councilmen Salvatore, Scott and Burgio concurred. Mr. Troyer suggested that Council finish the selection in public; Mrs. Powers concurred.

Ms. Horvath stated that Ohio Revised Code contains an exception section 121.22 (g) (1). It is proper to bring this into Executive Session and commented no one asked her to do this research; she did it on her own.

Mr. Troyer reiterated that Council should finish the selection in public so that there is no perception of a backdoor deal and felt the law department was trying to influence the legislative branch.

Mr. Salvatore replied that Council spoke before the law director gave her opinion and also noted that no vote can take place in Executive Session. In Executive Session Council would narrow down to several candidates, then bring it to the public for a final vote.

Motion by Mr. Mencini, supported by Mr. Salvatore, to move to Executive Session for discussion at the Special Meeting on Thursday, April 27th.

Ms. Powers suggested that when Council comes to the Special Meeting on Thursday we each narrow our selection to our top five choices.

Mr. Mencini preferred to discuss all the candidates at the Special Meeting.

The clerk called the roll on the motion by Mr. Mencini, supported by Mr. Salvatore, to move to Executive Session at the Special meeting of Thursday, April 27th.

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

NAYS: Troyer The motion carried.

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

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

DISCUSSION:

1. DEPARTMENT OF LIQUOR CONTROL – SANDRA K II ENT LLC FRONT ROW BAR AND GRILL, 15119 SNOW RD. & PATIO, BROOK PARK, OHIO **N D5.**
Deadline date: no later than 05/08/2017 - per Council President Astorino.

Mr. Astorino stated that Council has already approved other licenses for this establishment and the Mayor and Administration have no problems with granting this license.

Motion by Mr. Salvatore, supported by Mr. Scott, that item number one was discussed.

Mr. Troyer asked if there were any other bars with the N D5 designation in the city?

Ms. Horvath replied there are currently five establishments in the city that have a D-5 license.

Ms. Powers asked how many of them are bars?

Ms. Horvath replied one is a bowling alley, one is a bar and the other three places are establishments where you may go to enjoy burgers and pizza.

Mayor Coyne stated that most of the bars comply with the state laws, where 2:30 a.m. is closing time. Various carryout and package stores have their own rules and regulations; there is no lawful reason to object to them having a D-5 license.

The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Scott, that item number one was discussed.

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

FINANCE COMMITTEE – CO-CHAIRMAN, TROYER:

1. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A JOB CREATION, BUSINESS CREATION AND COMMUNITY IMPROVEMENT GRANT TO SUN PLUM MARKET, 13425 SNOW RD., BROOK PARK, OHIO. Introduced by Mayor Coyne.

Mr. Troyer stated that Mr. Dolan would like this legislation tabled.

Mayor Coyne commented that the applicant would like to build a new building on a different piece of property, so this legislation can basically be read in committee.

Motion by Mr. Mencini, supported by Mr. Scott, to have Read in Committee.

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

NAYS: None. The motion carried.

LEGISLATIVE COMMITTEE – CHAIRMAN, TROYER

1. RESOLUTION NO. 10-2017, TO EXTEND THE BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE BROOK PARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE SUCH USE AND DECLARING AN EMERGENCY. Introduced by Councilmembers Salvatore, Burgio, Scott, Mencini, Powers, Troyer and Council President Astorino.

Mr. Coyne stated that the law director provided substitution legislation that takes out the cultivation processing and gives the distribution people the opportunity to apply; maintaining the moratorium on retail sales.

Motion by Ms. Powers, supported by Mr. Mencini, to put on the next Caucus agenda for further discussion.

Mr. Salvatore stated this legislation has already had its First Reading and requested it be put on the next Council agenda for second reading.

Ms. Horvath stated the changes were made to the title with the words cultivation and processing being removed and will provide a 'strikethrough' copy where other amendments were made.

Ms. Powers and Mr. Mencini rescinded their motion.

Legislative Committee - Chairman, Troyer: cont.

Motion by Mr. Salvatore, supported by Mr. Scott, to put this legislation on the next Council agenda.

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

NAYS: None. The motion carried.

2. A RESOLUTION IN OPPOSITION TO THE PROPOSED CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Mr. Cingle stated that in the governor's budget for this year there is a proposal to centralize collection of net profit tax returns.; the administration is in opposition to this proposal. The city collects about \$1.7 million a year in net profit income and the tax department processes about 2,000 tax returns. Businesses have the opportunity to pay their taxes directly to the City of Brook Park or pay them through the state; currently the city has less than 20 that pay through the state. This is another step in the governor's quest to centralize all tax collection and if this goes through the state will take 1% to process the payment. The state will not review and audit the returns the tax department would still do that.

Motion by Mr. Salvatore, supported by Mr. Burgio, to place on the next Council agenda.

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

NAYS: None. The motion carried.

3. A RESOLUTION URGING ALL RESIDENTS TO SHOP IN THE CITY OF BROOK PARK DURING 'SHOP IN BROOK PARK MONTH', DURING THE MONTH OF JULY AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

Motion by Mr. Salvatore, supported by Mr. Burgio, to place on the next Council agenda.

Mr. Mencini stated that city businesses have to be taken care of and possibly banners and websites could be used to publicize this effort.

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

NAYS: None. The motion carried.

Legislative Committee - Chairman, Troyer: cont.

- 4. A RESOLUTION AUTHORIZING AND DIRECTING THE PLACEMENT OF A 'VETERAN PARKING SPACE' IN ALL MUNICIPAL PARKING LOTS. Introduced by Councilman Mencini.

Mr. Mencini spoke strongly in favor of this resolution.

Mr. Coyne asked what designation will be needed to prove that they are a veteran? Detailed verbiage should be added to the resolution.

Mr. Salvatore noted that it should also be decided what the penalty will be if the designated parking place is misused.

Ms. Horvath stated that she would work with Mr. Mencini to set the proper criteria.

Mayor Coyne proposed a one-year evaluation.

Motion by Ms. Powers. Supported by Mr. Burgio, to place on the next Council agenda.

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

SERVICE COMMITTEE – CHAIRMAN, BURGIO:

- 1. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF ONE 2018 WESTERN STAR 4700SB TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Mr. Burgio stated that there would be a savings of up to \$9,000 if this legislation is passed prior to April 30th.

Mr. Cayet stated that the price change on this vehicle is May 1st and the last day of business is April 28th; this will include the snowplow assembly.

Motion by Mr. Troyer, supported by Mr. Mencini, to call a Special Council meeting immediately following the scheduled Thursday April 27th meeting.

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

Mr. Astorino asked Ms. Horvath if she agrees that Council has until Thursday, April 27th to fill the vacant at-large position?

Ms. Horvath replies yes, and will issue an opinion to Council tomorrow.

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

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

NAYS: None. The motion carried.

Council President Astorino declared this meeting adjourned at 10:18 PM.

RESPECTYULLY SUBMITTED


Michelle Blazak
Clerk of Council

APPROVED


June 13, 2017

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

3,194 words

