

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, MAY 2, 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, MCDONNELL, MENCINI

Also in attendance were Mayor Coyne, Law Director Horvath, Safety Director Byrnes, Service Director Cayet, Engineer Piatak, Finance Director Cingle, Building Commissioner Hurst.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. REVISED SPECIAL COUNCIL MEETING HELD ON AUGUST 9, 2016.

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

2. REVISED SPECIAL COUNCIL MEETING HELD ON AUGUST 15, 2016.

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

3. Revised special Council meeting held on August 16, 2016

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

4. REVISED SPECIAL COUNCIL MEETING HELD ON AUGUST 17, 2016.

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

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

NAYS: None

ABSTAIN: McDonnell, Powers The motion carried with a vote of six with one abstention.

Approval of Minutes of Preceding Meetings: (cont.):

5. SPECIAL COUNCIL MEETING HELD ON DECEMBER 13, 2016.

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

6. SPECIAL COUNCIL MEETING HELD ON MARCH 14, 2017.

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

7. REGULAR COUNCIL MEETING HELD ON MARCH 21, 2017.

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

8. SPECIAL COUNCIL MEETING HELD ON MARCH 21, 2017.

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

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

NAYS: None

ABSTAIN: McDonnell The motion carried with a vote of six with one abstention.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairwoman, Powers

Mrs. Powers stated no report this evening.

Finance Committee –Co-Chairman, Troyer

Mr. Troyer stated that the Finance Committee has two items on tonight's agenda; the Board of Control met earlier and approved 24 items.

Legislative Committee – Chairman, Troyer

Mr. Troyer stated that the Legislative Committee has eight items on tonight's agenda; please let me or the clerk know if any legislation should come out of committee.

Parks & Recreation Committee – Chairman, Mencini

Mr. Mencini gave a report that is attached to these minutes.

Reports of Standing Committees: (Cont.):

Planning Committee - Chairman, Troyer

Mr. Troyer stated the meeting scheduled for last night was cancelled; there will be a Special meeting of the Planning Committee on Monday, May 15th at 7:00 p.m.

Safety Committee – Chairman, Salvatore

Mr. Salvatore stated that the Safety Committee has one item on tonight’s agenda.

Mr. Astorino asked Mr. Salvatore to please put the legislation in the Safety Committee regarding Section 141 on the next Caucus meeting.

Mr. Salvatore concurred.

Service Committee – Chairman, Burgio

Mr. Burgio thanked Council for their indulgence for the special meeting called for the purchase of a 2018 truck through the ODOT (Ohio Department of Transportation) Purchasing Program.

Board of Zoning Appeals – Chairman, Scott

Mr. Scott stated that the Board of Zoning met yesterday and reappointed six members. A request was received for a variance to construct a 31,000 square foot addition at 5420 W. 140th St. in the U5-C zone. The variance was granted with the condition that approval is given from both the Planning and Engineering department.

REPORTS OF SPECIAL COMMITTEES:

SOUTHWEST GENERAL HEALTH CENTER – TRUSTEE MR. SALVATORE:

The delegates met last week and delegates were put together for the Systems Board approval for the coming term of four years for different sections of our community; there is one more opening for Berea. Southwest has continued to support our community and recently gave a \$10,000 grant to the recreation center to be used at their discretion.

BEREA BOARD OF EDUCATION COMMITTEE – MR. BURGIO:

At the April 24 Board Meeting, a new agreement for the new high school was approved. A presentation was given on a program called AVID (Advancement Via Individual Determination). It helps students to prepare for college. The students are usually from an academic middle.

At yesterday’s Board Meeting, the Board congratulated athletes of the week. There were some change orders regarding the softball field. One deleted item was the bleachers, that can be transported from another field and reused.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Coyne welcomed the newest Council member and stated there was a rain storm that hit some city neighborhoods hard; there was about 2.8 inches of rain, all the outlet creeks were full. We are assessing that with the engineer and asked residents to report issues to the service department. The pump stations are never turned off, even in a power failure and the city may be able to purchase some homes where flooding problems are insurmountable, the city does not take flooding issues lightly. In reference to Southwest hospital merging with University Hospitals was one of the best decisions the board ever made; Mr. Salvatore helped with that merger and the assets of the hospital are owned by the taxing district. Last week Mayor Coyne traveled to Dearborn, MI to see the industrial graveyard that has a plasma igniter; a form of a spark plug that reduces the consumption of fuel and the generation of emissions that would almost meet if not exceed federal standards. The city has been trying for three years to get Ford to reinvest in the property and there are people interested in the site; for the first time Ford seemed to be excited about redevelopment, this is very encouraging.

There will be a ceremony on Memorial Day and the Mayor issued a challenge to all our citizens to come here and spend a bit of time honoring our veterans; the only reason it is a holiday is to remember their service to our country.

Mr. Mencini stated at the seniors' meeting there was mention that the seniors want the senior bus back to take trips, any thoughts on that?

Mr. Coyne stated trips are still planned but a big bus has not been purchase because of the cost involved. Mayor Coyne mentioned that with Ford changes in the environmental issues was always the impediment to reinvestment at the site, the Ford site is in demand.

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

City Engineer:

Mr. Piatak stated that in 2016 the east end Sidewalk Repair program continues and it was brought to his attention that the 50/50 monies are going to exceed the program; there will be an Ordinance to include the anticipated work. The Fry Road Reconstruction Phase Two, the pavement was removed and the first pour for the season should be made by Friday. Brookdale was delayed because of the weather and the second pour should be tomorrow, weather permitting. The Snow Road resurfacing is moving along with work on the inside lanes is winding down. The flip in the work zone to the outer lanes will be late this week or early next week; the contractor began Phase Two work on Snow Road by Rt. 237.

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

Mr. Piatak continued the 2017 Sidewalk bids are open and some irregularities were noted in one of the bids so a second contractor is being vetted. Regarding the flooding on April 19th, many calls were received and are being mapped out and there was a high density of calls from the Fayette, Pickway, Michael and Shelby areas.

Mr. Scott was on Brookdale on Sunday and asked where people can park their cars?

Mr. Piatak replied they can either park at their neighbor's house or on Middlebrook overnight, no tickets will be issued, they can also park on the section of Brookdale that is completed.

Mr. Salvatore walked Brookdale and the residents told them they were very impressed with the conduct of the workers on the street.

Mr. Mencini asked about the 2016 Sidewalk Program if letters were sent to residents', if so, was there a pretty good turnout from that? Did anyone reject it?

Mr. Piatak said it was a very good turnout and there is probably a percentage of people that did not want to participate.

Mayor Coyne commented to residents' if your sidewalks are in bad shape and you pass through the program two times, the city can site you for your sidewalk being in disrepair.

Service Department Director:

Mr. Cayet stated that they are very active in trying to resolve the flooding issues and there were four days of special pickups after April 19th to help with the cleanup. This Monday is Bulk Day please contact the service department by Friday, at noon if you require a pickup.

Mr. Burgio stated he also visited the affected areas on April 19th and heard nothing but compliments for the employees of the service department.

Mr. Cayet responded we received the brunt of the storm with 2.81 inches of rain.

Mr. Mencini concurred with Mr. Burgio and asked for a brief explanation as to how the Hummel Road Pump Station works.

Mr. Cayet explained that there is a sanitary pump station and a storm sanitary overflow that holds the water until the water subsides, then it is slowly pumped back into the sanitary system; there is no shut-off.

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

Mr. Troyer asked if there was any way for the residents to know that the pump station was working; residents said that they could tell by the red or green lights that are on.

Mr. Cayet said that whether the lights are on or off, the pump station is working and many of the homes along Shelby should not have basements.

Ms. Powers stated the creek that runs behind is clogged with debris and needs to be cleaned out, that would help keep the water flowing, the flooding problem needs to be a priority.

Mayor Coyne asked how much money the city should spend to fix the problem? Is it more economical to buy the affected homes? There are a lot of unique problems and we are seriously trying to remedy the situation; a source of revenue is needed to continue maintaining services.

Ms. Powers stated that over a year ago legislation was given to the law director requiring anytime a house is taken down by the city in a known flood area, the legislation state a house with a basement cannot be built in a known flood area; that would alleviate some of the problems.

Mr. Troyer asked for a list of the houses that flooded and what was discovered.

Mr. Cayet stated a list of calls will be provided.

Safety Director Byrnes:

Mr. Byrnes stated that a call was received a call from the Neighborhood Watch Group that this coming Thursday is National Firefighters Recognition Day; lunch will be provided to the on-duty firefighters by the Neighborhood Watch Group. The Building Commissioner informed me that a new stop sign was installed on Holland Road near the railroad track by the railroad without notification to the city. The sign was taken down today and reappeared so if anyone is cited for running that stop sign, please contact the city, our position is that stop sign was not erected by the city and should not be there.

Mr. Salvatore stated that Council is in the process of recognizing the firefighters on that day also.

Law Director Horvath:

Ms. Horvath stated that on April 24th there was a civil matter where the city was named as a party; it is a foreclosure case and the city was named because of the tax lien hold on the property, aside from that case there is no pending litigation.

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

Mrs. Horvath responded to Mrs. Powers stating that the city does not have a separate building code the National Building Code is incorporated into the city ordinances. Mrs. Horvath continued that she is unaware of a traditional flood plain in the area and perhaps Mrs. Powers should talk with Building Commissioner Hurst.

Mr. Astorino noted that there were several pieces of legislation being introduced tonight and is there an update on the drafting of legislation requested?

Ms. Horvath replied there is still one issue that she is still looking at and suggested a meeting to finalize.

Finance Director Cingle:

Mr. Cingle stated the monthly reports for April will be distributed soon.

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

1. AN ORDINANCE No. 10080-2017 AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE STATE OF OHIO PURCHASING PROGRAM FOR THE PURCHASE OF 2017 FORD E450 LIFELINE TYPE 3 AMBULANCE. Introduced by Mayor Coyne. Council Rule 12. This will become item M6 on tonight's agenda. **Assigned to the Safety Committee.**
2. A RESOLUTION NO. 15-2017 AUTHORIZING THE MAYOR TO PARTICIPATE IN THE DEPARTMENT OF TRANSPORTATION WINTER CONTRACT FOR ROAD SALT. Council Rule 12. This will become item M7 on tonight's agenda. **Assigned to the Service Committee.**
3. A RESOLUTION NO. 16-2017 THAT DESIGNATES MAY 4, 2017 AS THE ANNUAL APPRECIATION DAY FOR THE FIREFIGHTERS. Introduced by Councilmen Salvatore and Scott. Council Rule 12. This will become item M8 on tonight's agenda. **Assigned to the Legislative Committee.**
4. A RESOLUTION DESIGNATING JUNE 1, 2017 AS THE ANNUAL APPRECIATION DAY FOR THE BROOK PARK SERVICE WORKERS. Introduced by Councilman Salvatore. **Assigned to the Legislative Committee.**
5. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARKS PARTICIPATION IN THE STATE OF OHIO PURCHASING PROGRAM FOR THE PURCHASE OF A SEWER VAC TRUCK. Introduced by Mayor Coyne. **Assigned to the Service Committee.**

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

- 6. AN ORDINANCE AUTHORIZING A CHANGE ORDER FOR THE 2016 SIDEWALK REPAIR PROGRAM. Introduced by Mayor Coyne. **Assigned to the Service Committee.**

- 7. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HENDERSON PRODUCTS, FOR THE PURCHASE OF ONE 2018 DUMP BODY AND PLOW PACKAGE FOR WESTERN START TRUCK AND DECLARING AN EMERGENCY Introduced by Mayor Coyne **Assigned to the Service Committee.**

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

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

Jack Thomas
15913 Remora

Mr. Thomas asked why Musco Lighting is a no bit contract and expressed concerns with Endless Pools being the worst idea for the Recreation Center; agrees with the rest of the restoration of the center. Mr. Thomas is in favor of opposing the centralized collection of taxes by the State of Ohio.

Dan Eberhard
16802 Richard

Mr. Eberhard stated that no houses flooded on Richard Drive. Mr. Eberhard asked how Resolution No. 14-2017, Veteran's parking, will be enforced and is favor of leaving it up to the integrity of the person parking there; a fine must be assessed.

Lavaine Cates
15499 Remora

Ms. Cates hopes the city goes forward with the Endless Pools and stated when she had to have physical therapy, she had to go to the Strongsville Recreation Center to use their endless pools; the flow of the water can be controlled and water therapy is the best therapy.

Mr. Astorino asked Council's indulgence to go back to letter J - for introduction of one piece of legislation.

Introduction of New Legislation: (additional introduction): cont.

Motion by Mr. Salvatore, supported by Mr. Burgio, to return to letter J.

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

NAYS: None. The motion carried.

- 8. AN ORDINANCE THAT AUTHORIZES THE CITY OF BROOK PARK TO PARTICIPATE IN THE STATE COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF A PLOW ASSEMBLY FOR THE WESTERN STAR TRUCK. Introduced by Mayor Coyne. **Placed in the Service Committee.**

Motion by Mr. Salvatore, supported by Mr. Burgio, to go back to regular order of business.

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

NAYS: None. The motion carried

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

- 1. ORDINANCE NO. 10078-2017, AUTHORIZING AND APPROVING THE MAYOR TO ENTER INTO A CONTRACT WITH THE 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.

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

Mr. Troyer is not in support of suspension because information requested on bids that were provided by sub-contractors has not been received.

Ms. Powers concurs with Mr. Troyer.

Mr. Coyne stated that Musco is unique in their expertise in doing this. I have the bids. One is \$122,000 and the other is \$96,000, the city is bringing everything from the other fields to use on this project, similar to what Musco did in Strongsville.

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

NAYS: Powers, Troyer. The motion failed with a vote of 5-2.

Mr. Astorino stated Ordinance No. 10078-2017 has had its First Reading.

Introduction of Ordinances and Resolutions: (First Reading): (cont.):

2. ORDINANCE NO. 10079-2017, 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 AND WAS POOLS AND SYSTEMS, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
Introduced by Mayor Coyne.

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

Ms. Powers is opposed of these two pools because they will only accommodate two people at one time and are put into as physical therapy units.

Mr. Salvatore made a Point of Order, none of this discussion has anything to do with suspension.

Ms. Powers is against suspension because we have not discussed this thoroughly enough.

Mr. Troyer is against the suspension because it is an \$180,000 no bid contract and wants to know what the enclosure is, how much it will cost and if ADA (American Disabilities Act) compliant.

Mr. Salvatore withdrew his motion to suspend followed by Mr. Burgio' s support.

Motion by Mr. Troyer, supported by Mrs. Powers to place on the May 9th Caucus agenda for more discussion.

Mr. Salvatore is in support of placing it on the May 9th Caucus as long as it stays on the next Council agenda under Second Reading.

Mayor Coyne stated Mr. Troyer is correct, there is no cost to the building shown yet; the cost of the pools and the cost of the building are two different things. He concurred with Mr. Salvatore.

Introduction of Ordinances and Resolutions: (First Reading): (cont.):

Mr. Mencini concurred with Mr. Salvatore.

Mr. Troyer stated the intent is to have it under discussion at the next Caucus agenda and to continue with second reading for the next Council agenda.

The clerk called the roll on the motion by Mr. Troyer, supported by Mrs. Powers, to place under Discussion for the May 9th Caucus agenda.

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

2. RESOLUTION NO. 12-2017, IN OPPOSITION TO THE PROPOSED CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne and all Council members.

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

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

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

ROLL CALL: AYES: Troyer, Salvatore, Burgio, Scott, Mencini, McDonnell, Powers
NAYS: None The motion carried. Res. No. 12-2017 has passed under suspension of the rules. Adopted.

3. RESOLUTION NO. 13 - 2017, URGING OUR 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, and Councilmembers Troyer, Powers, Scott, Burgio, Salvatore, Council President Astorino and Mayor Coyne.

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

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

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

Mr. Salvatore asked if Ms. McDonnell would like to co-sponsor?

Ms. McDonnell concurred.

ROLL CALL: AYES: Troyer, Mencini, McDonnell, Powers, Salvatore, Burgio, Scott
NAYS: None The motion carried. Res. No. 13-2017 has passed under suspension of the rules. Adopted.

Introduction of Ordinances and Resolutions: (First Reading): cont.

5. RESOLUTION NO. 14-2017, AUTHORIZING AND DIRECTING THE PLACEMENT OF A 'VETERAN PARKING SPACE' IN ALL MUNICIPAL PARKING LOTS. Introduced by Councilman Mencini and Councilmembers Troyer, Powers, Scott, Burgio, Salvatore, Council President Astorino and Mayor Coyne. **Motion** by Mr. Salvatore, supported by Mr. Burgio, to suspend.

Mr. Mencini asked Ms. McDonnell to co-sponsor.

Ms. McDonnell concurred.

Mr. Mencini asked if information has been received from the state as to how to proceed?

Ms. Powers concurred with Mr. Eberhard's statement on this.

Mr. Salvatore suggested that Council vote tonight on this legislation or hold off for two weeks until the law director can come up with suitable language.

Mr. Mencini would like to continue with this.

Mr. Astorino reminded Council this is a Resolution, not an Ordinance.

The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Burgio, to suspend.

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

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

Mr. Troyer asked Mr. Mencini to work with the law department for proper language to support this.

ROLL CALL: AYES: Salvatore, Mencini, McDonnell, Powers, Troyer, Burgio, Scott
NAYS: None The motion carried. Res. No. passed 14-2017 has passed under Suspension of the Rules. Adopted.

6. ORDINANCE NO. 10080-2017 AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE STATE OF OHIO PURCHASING PROGRAM FOR THE PURCHASE OF ONE NEW 2017 FORD E-450 LIFELINE TYPE 3 AMBULANCE WITH A TRADE IN OF A 2003 FORD E-450 TYPE III AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

The clerk read the Ordinance in its entirety, since it was not properly posted.

Introduction of Ordinances and Resolutions: (First Reading): cont.

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

Mr. Troyer stated that he will be voting no on suspension because this was passed in the 2016 budget and has been in service for several weeks. It is outrageous that the Administration would not come to Council for funds prior to purchasing this ambulance. Mr. Troyer asked Law Director Horvath if this is legal?

Ms. Horvath replied this became apparent when the lease was being prepared that the city was going through a different program. Usually the city goes through a program that has a guaranteed lowest bid and in this case the city received bids but this was not necessarily the lowest bid. After consultation with Finance Director Cingle it was determined that legislation was needed.

Mr. Cingle stated whenever an asset is traded in, Council approval is needed and there is a trade-in of a 2003 ambulance.

Mayor Coyne stated that Councilman Troyer is correct, the city has the new ambulance that was passed by Council in last year's budget. There are two different programs; one requires legislative action and one does not. A mistake was made the city has the ambulance and there was confusion over what program to use and accepts blame for anything that went wrong.

Mr. Troyer asked where is it mentioned that trading in an asset needs Council approval.

Mayor Coyne responded in the title, there should have been an attachment that deals with the trade in.

Mr. Astorino commented in Section 6, the emergency clause, there is an exhibit A and copies will be provided. The total cost was \$227,331, credit for the Ford chassis of \$6,200 brings it down to \$221,331; the value of the 2003 ambulance is \$6,500 which brings the total down to \$214,631.

Mr. Troyer asked Mr. Cingle if there is any reason why this can't wait a few weeks for passage until all information is received.

Mr. Cingle responded the manufacturer of the ambulance is requesting payment.

Mr. Mencini asked what happens if this is not passed tonight?

Mr. Cingle replied if the invoice is not paid the manufacturer will take the ambulance back.

Introduction of Ordinances and Resolutions: (First Reading): (cont.):

Mr. Troyer asked when is the invoice due?

Mr. Cingle replied the invoice was submitted on Friday and is due as soon as possible.

Mr. Coyne stated what would a couple of weeks do; the city has the ambulance, a mistake was made and the funds were appropriated.

Mr. Salvatore commented basically Council is cleaning up a mistake, no law was broken.

Mrs. Horvath concurred.

The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Burgio, to suspend.

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

NAYS: Powers The motion carried with a vote of 6-1.

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

Mr. Astorino commented that the administration made a mistake in this process that Council is correcting it and would appreciate it if sometimes there is a return favor. Council has hired an investigator for some mistakes we made and in this situation there is a \$200,000 mistake that Council will fix.

Mr. Coyne stated Point of Order and asked what the Administration had to do with Council investigating itself; please investigate the process used to buy this ambulance.

Mr. Astorino stated there is no point of order.

The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Burgio, to adopt.

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

NAYS: Powers The motion carried with a vote of 6-1. Ord. No. 10080-2017 has passed under Suspension of the Rules.

4. RESOLUTION NO. 15-2017 AUTHORIZING THE MAYOR TO PARTICIPATE IN THE ODOT WINTER CONTRACT 0218-17 FOR ROAD SALT AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

The clerk read the resolution in its entirety, since it was not properly posted.

Introduction of Ordinances and Resolutions: (First Reading): (cont.):

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

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

NAYS: Powers The motion carried.

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

Mr. Troyer asked Service Director Cayet that last year that the city bought salt from the City of Berea and how did that come about?

Mr. Cayet responded the city sent the legislation to the state that was received but there was a new procedure that the city wasn't aware of. So a secondary email confirming the amount of salt the city wanted to purchase. There was salt left over from the prior year and the city bought salt at the contract price from the City of Berea.

Mr. Coyne stated that ODOT (Ohio Department of Transportation) has no concern for cities legislative agendas and there are problems with this kind of program; this is a housekeeping matter from year to year.

The clerk called the roll by Mr. Salvatore, supported by Mr. Burgio, to suspend.

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

NAYS: None The motion carried.

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

Mr. Astorino asked for a point of information from the Finance Director and questioned Section 2. Should an amendment be made to change Fund 401 to Fund 432?

Mr. Cingle concurred.

Motion by Mr. Troyer, supported by Mr. Mencini, to amend Section 2, by removing Fund 401 and inserting Fund 432.

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

NAYS: None The motion carried.

Ms. Powers stated this is the same thing every year, Council is told the city has excess salt and questioned why so much money is being spent for salt?

Mayor Coyne responded the city must store excess salt and spends millions of dollars on the flood relief program and snow and ice is a part of the city's liability; the city doesn't have much leeway from that state.

Introduction of Ordinances and Resolutions: (First Reading): (Cont.):

The clerk called the roll on the motion by Mr. Scott, supported by Mr. Burgio, to adopt.

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

NAYS: Powers The motion carried. Res. No. 15-2017, has passed under Suspension of the Rules. Adopted.

- 5. RESOLUTION NO. 16-2017 THAT DESIGNATES MAY 4, 2017 AS THE ANNUAL APPRECIATION DAY FOR THE FIREFIGHTERS IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilmen Salvatore and Scott.

The clerk read the Resolution in its entirety, since it was not properly posted.

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

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

NAYS: None The motion carried.

Mr. Troyer wants to amend. He wants to amend out the part where it says the Brook Park Neighbor Hood watch is an integral part of the city and wishes to show its support.

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

Mr. Troyer stated the amendment would be to remove the language 'the Brook Park Neighborhood Watch is an integral part of the city and wishes to show support'.

Mr. Salvatore commented the Brook Park Neighborhood Watch started this and that credit should be given where credit is due.

Councilmembers Scott and Mencini concurred.

Mr. Troyer stated he has with the words 'integral part of the city' and doesn't think they are conforming to their mission statement.

Mr. Burgio believes they are an integral part of the city.

Ms. Powers commented the Neighborhood Watch is in integral part of the community.

Introduction of Ordinances and Resolutions: (First Reading): (Cont.):

The clerk called the roll on the amendment by Mr. Troyer, supported by Mrs. Powers.

ROLL CALL: AYES: Troyer, Powers.

NAYS: McDonnell, Mencini, Scott, Burgio, Salvatore. The amendment failed with a vote of 2-5.

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

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

NAYS: Powers. The motion carried with a vote of 6-1. Res. No. 16-2017 has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 10073-2017, AMENDING ORDINANCE NUMBER 9993 – 2015, ENTITLED AUTHORIZING THE IMPLEMENTATION OF THE BROOK PARK HOME MAINTENANCE ASSISTANCE GRANT PROGRAM (HMAP) AND DECLARING AN EMERGENCY. Introduced by Council President Astorino.

Mr. Astorino stated that Ordinance No. 10073-2017, has had its Second Reading.

2. ORDINANCE NO. 10074-2017, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY, WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE MAINTENANCE OF TRAFFIC CONTROL DEVICES AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, and Council as a whole.

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

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

NAYS: None The motion passed

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

Mr. Troyer stated that Signal Service is not such a highly specialized company; so the wording in Section 2 is not needed and is inaccurate.

Mr. Burgio stated that this is very specialized work.

Mr. Mencini concurred.

Ms. Powers stated that last year names of four other companies were given to the Mayor that can do this type of work.

Mayor Coyne disputed Mrs. Powers statement.

Mr. Burgio stated that Signal Services has equipment to quickly and efficiently respond in an emergency.

Second Reading of Ordinances and Resolutions: (Cont.):

The clerk called the roll on the amendment by Mr. Troyer, supported by Mrs. Powers.

ROLL CALL: AYES: Troyer, Powers, McDonnell

NAYS: Mencini, Salvatore, Burgio, Scott. The motion failed.

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

Mr. Troyer stated on page 1, number 3, City Council should be added.

Mr. Salvatore noted that the contract was already signed by the company and asked Finance Director Cingle to provide a copy for Council.

Mr. Cingle responded the invoice will be forwarded to Council clerk.

Mr. Troyer withdrew his motion and Mrs. Powers withdrew support.

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

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

NAYS: None The motion carried. Ordinance 10074-2017, has passed under Suspension of the Rules. Adopted.

3. ORDINANCE NO. 10075-2017, AMENDING CHAPTER 131.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY' AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

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

Motion by Mr. Troyer, supported by Mrs. Powers, to change \$93,660 to the current rate of \$110,905.

Mayor Coyne stated the amendment is not needed, defeat the legislation and the current salary will remain at \$110,905 as of January.

ROLL CALL: AYES: Troyer, Powers, Salvatore

NAYS: McDonnell, Mencini, Scott, Burgio The amendment failed.

The clerk called the roll on the motion by Mr. Troyer, supported by Mrs. Powers, to suspend.

ROLL CALL: AYES: Troyer, Powers

NAYS: McDonnell, Mencini, Scott, Burgio, Salvatore. The motion failed with a vote of 2-5.

Mr. Astorino stated that Ordinance 10075-2017 has had its Second Reading.

Second Reading of Ordinances and Resolutions: (Cont.):

- 4. ORDINANCE NO. 10076-2017, AMENDING CHAPTER 137.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SALARY OF THE FINANCE/TAXATION DIRECTOR' AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

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

Motion by Mr. Troyer, supported by Mrs. Powers, to change \$73,500 to the current rate of \$97,089.

Mayor Coyne stated the amendment is not necessary, by doing nothing the position is frozen at the current amount.

The clerk called the roll on the motion by Mr. Troyer, supported by Mrs. Powers.

ROLL CALL: AYES: Troyer, Powers, McDonnell, Salvatore
NAYS: Mencini, Scott, Burgio The amendment carried.

The clerk called the roll on the motion by Mr. Troyer, supported by Mrs. Powers, to suspend.

ROLL CALL: AYES: Troyer, Powers, McDonnell.
NAYS: Mencini, Scott, Burgio, Salvatore. The motion failed.

Mr. Astorino stated Ordinance 10076-2017 has had its Second Reading.

- 5. RESOLUTION NO. 10 – 2017, TO EXTEND THE MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WILL ENABLE RETAIL SALES OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED 6 MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE BROOKPARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE TO SUCH USE AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne, Councilmembers Salvatore, Burgio, Scott, Mencini, Troyer, Powers and Council President Astorino.

Motion by Mr. Mencini to amend by deleting the words 'cultivating and processing' throughout the Resolution.

The amendment failed due to a lack of a second.

Mr. Astorino stated Resolution 10-2017 has had its Second Reading.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

- 1. ORDINANCE NO. 10026-2016, AMENDING SECTION 121.01 (a) AND (b) OF THE BROOK PARK CODIFIED ORDINANCES, RELATED TO THE PRESIDENT OF COUNCIL AND MEMBERS OF COUNCIL AND DECLARING AN EMERGENCY.

Introduced by Councilman Troyer.

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

Mr. Salvatore stated he proposed a deeper cut was proposed and hoped the reduction would be 'earmarked' towards snow removal for the seniors. This is Phase One hopefully the downsizing of City Council and Council salaries have not been cut enough.

Councilmembers Scott and Mr. Burgio concurred.

Mayor Coyne stated no one took a pay cut, employees received pay raises and provided to Council a roster of the earnings of the employees of the city. Mayor Coyne stated they are doing substantially well and does not think any salary should be cut, it should be frozen.

The clerk called the roll on the motion by Mr. Troyer, supported by Mrs. Powers, to adopt.

ROLL CALL: AYES: Troyer, Powers, Mencini

NAYS: McDonnell, Salvatore, Scott, Burgio. The motion failed, Ordinance No. 10026-2016 is **Defeated**.

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Brandy Reynolds

6060 Middlebrook Blvd.

Ms. Reynolds expressed concerns with speeders in her neighborhood and there is a white truck that has speakers on the outside that is too loud, the speed monitor machine being used does not work. Also, because of all the speeders, children's bus routes have been changed so that children don't have to cross the street. Ms. Reynolds continued as far as the military plates, if the car is not registered in their name, they cannot get the plates. Ms. Reynolds thanked the Neighborhood Watch group and stated people can't blame the lack of growth on the members, there have to be people that want to get involved.

Terry Sinclair

13940 Settlement Acres

Mr. Sinclair congratulated Ms. McDonnell on her appointment and stated when he lived on Remora, he experienced flooding. The ditch was cleaned out that runs through Cleveland to a basin on Puritas; does our water go north towards the lake?

Remarks from the audience on any subject: cont.

Mr. Burgio commented that this coming Thursday is the Best of Brook Park event and tickets are still available.

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

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

NAYS: None. The motion carried.

Mr. Mencini addressed Mr. Sinclair's flooding issue, referring to that ditch, the city crews do a good job on our sewers and possibly the north side of Brookpark Road should be checked. To Ms. Reynolds he has heard the loud music from the autos and the police are out there. Referring to the pools I was in the pool and a lot of people don't swim laps; some go for therapy, some go just for fun.

Mr. Scott addressed Ms. Reynolds and asked her to call him when the white truck is spotted, he has also seen it in the neighborhood.

Ms. Powers addressed Mr. Thomas and agrees that the pool can be better used and the new Endless Pool does not accommodate children, it can accommodate only four people at a time.

Mr. Troyer stated that the Neighborhood Watch Facebook page does serve a purpose. How many block watch captains are there? How is the main core of that organization growing? As far as the pool he is trying to find out how much this is going to cost. There is a bad roof that must be repaired and that is the reason it is closed right now; there are other things that can be done in that pool.

Mayor Coyne stated there were more people supervising the swimmers than swimmers themselves. The roof has to come off and that pool will probably never be opened again because it is inefficient. A revenue source was proposed that was overwhelmingly denied by the people of this community. A recommendation was made to the Berea schools that they use our facility, we would be partners with them; they chose to go with Baldwin Wallace. We have both old and young at the recreation center and the in-betweens are going to other places where there is more of a social gathering place. We are transforming our recreation center into more of a community spa because that is where the demands are. We need more athletic equipment and more gathering places for family events. We had a public hearing with about 500 people and the thing most impressive to everyone were the Endless Pools.

There being no further business a motion by Mr. Salvatore, supported by Mr. Scott, to adjourn.

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

Council President Astorino declared the meeting adjourned at 11:03 PM.

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *June 20, 2017*

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

Brook Park Council Meeting
Tuesday, May 2, 2017

- Father / Daughter Dance was on Friday, April 21 from 7:00-9:00pm we had 120 participants. A huge thank you to the Brook Park for providing a wonderful meal. A wonderful time was had by everyone in attendance.
- Mother/ Son Dance was on Friday, April 28 from 7:00-9:00pm there were 80 participants for this dance. Again thankyou to the Brook Park Boosters for sponsoring the meal. It was truly a night that the Mothers and Sons will never forget.
- The Basketball Proclamation Ceremony was on Saturday, April 29. Thank you to Mayor Coyne and Lumpy's Ice Cream for providing a great treat for all of the participants.
 - Special Awards of Recognition were presented to:
 - Youth Coach of The Year- Dominic Dalessandro
 - Teenage Coach of The Year- Larry Hansen
 - Female Basketball Player of the Year- Emily Orcutt
 - Male Basketball Player of the Year – Michael Rispoli
- You can now Register for Miss Brook Park, Junior Miss Brook Park and the Lil Princesses At the recreation center.
- Our Tennis Program starts this Saturday- we have 24 participants registered for this new exciting activity.
- Our Senior Bocce Ball League starts on Tuesday, May 9th, 2017.
- Our Junior Golf Program starts Wednesday, May 10th, 2017.
- Memorial Day Parade- Monday, May 29th, 2017 will start at 10:00am at the Brookgate Shopping Center and ending at the John F. Kennedy Park Memorial.
 - In collaboration with Humenik Funeral Home the Recreation Center will be having a Essay Contest “ What is the True Meaning of memorial Day?”
 - Please see attached flyers and official contest rules

'Seniors' Tus

Maryann Fields, Recreation Director

