

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, AUGUST 15, 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, Economic Development Commissioner Dolan.

Motion by Mr. Mencini, supported by Mr. Troyer, to go out of the Regular Order of Business to M-1.

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

1. RESOLUTION NO. 20-2017, HONORING DOROTHY MAKUCH FOR CELEBRATING HER 100TH BIRTHDAY ON AUGUST 15, 2017 AND DECLARING AN EMERGENCY.
Introduced by Councilwoman Powers and Council as a Whole.

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

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

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

ROLL CALL: AYES: Troyer, Scott, Burgio, Salvatore, Powers, McDonnell, Mencini
NAYS: None. Resolution No. 20-2017, has passed under Suspension of the Rules. Adopted.

Mrs. Makuch stated that yesterday she was 99, today is better, she is 100 and was married for 63 years and had four children, 15 grandchildren and three great-grandchildren. Mrs. Makuch has lived in Brook Park for 68 years when the only library was in Berea; with a summer Bookmobile that traveled the city; Mrs. Makuch proudly stated that her husband was on the committee to get the Brook Park library started. Mr. & Mrs. Makuch started a Square Dance club and Mrs. Makuch helped start the local Girl Scouts and Brownies. Mrs. Makuch worked for 25 years for J.C. Penney's in the boys department and has been a member United Methodist Church in Brook Park since it was started in 1964 and was very active in the church by making clothes for cancer patients while receiving treatments. Mrs. Makuch also honored the Best of Brook Park award for all of her efforts and once saw Charles Lindberg going down the street from the airport. Mrs. Makuch thanked everyone for this honor.

Mrs. Powers presented the Resolution as well as a potted plant to Mrs. Makuch on behalf of City Council, the Administration and residents of Brook Park.

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

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. REGULAR COUNCIL MEETING HELD ON JULY 18, 2017.

Motion by Mr. Mencini, supported by Ms. Powers, to approve as printed.

Mr. Scott questioned item number two under Introduction of Ordinances and Resolutions under First Reading on page 7. The minutes read 'After a lengthy discussion between Troyer, Powers and Salvatore regarding the suspension', Mr. Scott would like to see more dialogue on that conversation.

Mr. Mencini withdrew his motion along with Mrs. Powers support.

Motion by Mr. Mencini, supported by Burgio, to place the July 18th minutes on the next Caucus agenda for further discussion.

Mr. Salvatore stated the original discussion was lengthy, the only thing that has to happen is ask the clerk to insert the discussion that took place; it does not have to be discussed again, amend the minutes to reflect what was said then put back on the Council agenda in the new form.

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

NAYS: Troyer, Powers.

ABSTAIN: McDonnell. The motion carried with a vote of 4-2 with one abstention to place on the next Caucus agenda for further discussion.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairwoman, Powers

Ms. Powers stated no report this evening.

Finance Committee –Co-Chairman, McDonnell

Ms. McDonnell stated no report this evening.

Legislative Committee – Chairman, Troyer

Mr. Troyer reported there is one item on tonight’s Council agenda. Mr. Troyer mentioned that some items in the Legislative committee have been in committee long enough that any Councilmember can have legislation taken out of committee by letting the clerk know.

Parks & Recreation Committee – Chairman, Mencini

Mr. Mencini’s report is attached to these minutes.

Planning Committee - Chairman, Troyer

Mr. Troyer reported the Planning Committee meeting was cancelled this month due to no requests for approval.

Safety Committee – Chairman, Salvatore

Mr. Salvatore stated no report this evening.

Service Committee – Chairman, Burgio

Mr. Burgio stated no report this evening.

Board of Zoning Appeals – Chairman, Scott

Mr. Scott stated no report this evening.

REPORTS OF SPECIAL COMMITTEES:

SOUTHWEST GENERAL HEALTH CENTER – TRUSTEE MR. SALVATORE:

Mr. Salvatore reported that work continues with the Population Health Strategy and the key to success is putting patients in the center of the strategy. The first year employee turnover continues to improve and the overall retention in 2017 is 94%; patient experience progress continues in seven of nine categories. The new Room Service program was implemented by Nutrition Services that allows patients to order food when and what they would like to eat. The health center is on target or better than on target in quality and safety issues and was awarded the Mission Lifeline Achievement Award from the American Heart Association. The Northeast Ohio Areawide Coordinating Agency notified Southwest of receiving a grant in the amount of \$38,868 to replace one of the community vans and the Walter F. Born Foundation awarded Southwest a \$25,000 grant to support the renovation of the maternity unit, the annual Southwest golf outing is a sold-out event.

BEREA BOARD OF EDUCATION COMMITTEE – MR. BURGIO:

Mr. Burgio reported there was a school board meeting on August 7th and the superintendent mentioned that the summer maintenance of the buildings was underway. The annual Administrative Retreat was held yesterday in Brunswick and the back to orientation will begin with a meet and greet. School schedules were to be available as of yesterday and the school logo is in its final stages of design. Superintendent Sheppard gave an update on bond issue and meetings are being held and site work is continuing. Small projects are continuing, including removing of a retaining wall at Big Creek, at Middleburg Junior High School crews are working on the air-conditioning and replacement of windows. Design work is underway for the new high school in Berea and elementary school in Brook Park and there is a link on the school's website where updated information can be found. There are three seats for the election of school board members this coming November, only two have been filed. The deadline for filing has passed, however, write in candidates have until August 28th; if there is no write-in candidate the board will have to appoint someone to fill the third vacancy.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Coyne stated that according to our Charter, Section 408, the city received a grant from the State of Ohio for the property located on the corner of Engle and Holland Roads and hopes Council will consider passing this evening in order to get the funds to the property owner. Mayor Coyne continued that on September 7th there will be a neighborhood meeting in the Harrison-Shelby area relating to the proposed dog park at Wedo Park; with a city-wide meeting on the same subject on September 14th at the Recreation Center at 7:00 p.m. On September 10th the city will have the 16th anniversary of 'Never Forget 911' with a memorial and parade. On September 21st there

Reports and Communications from the Mayor: cont.

will be a public hearing at the recreation center regarding the pools and 20 years ago it was mentioned that the recreation center should have been demolished and a new center built; at that time the cost was around \$8 million dollars and this city had the money. At the upcoming meeting everyone can look at the new proposal and discuss what can be done and how it will be paid for; the most recent report shows it is not safe to operate the pool in that building, this is a very serious discussion that must be had going forward. On September 23rd from 11:00 a.m. to 2:00 p.m. at the Recreation Center a Safety Fair will be held to be able to see the wonderful things that the city's safety forces do and will be able to see how all safety forces work together from around the area. On September 12th Mayor Coyne would like to call a special meeting of Council to discuss the improvements that should be made at the recreation center and in the meantime hopes Council sees how Lakewood City Council to see how the city's chambers are operated. Mayor Coyne recognized Councilman Salvatore for all the work done coaching teams and this year had a very special person on his team and demonstrated how much difference a good coach makes to a special young man.

Mr. Mencini noted that the young man worked for the recreation center this year. As far as the pool and funding, what is going on with the Ford Plant, is there any progress.

Mayor Coyne responded for three and one-half years the city has been talking to them asking them to reuse it themselves or allow it for another use; so far Ford has not moved and has not complied with city code. There are two groups seriously interested in that land and with Plasma Igniter, Brook Park is their selection to go onto the foundry site on that land. There is more of an interest in using this for mixed use, housing, educational, manufacturing so that income tax money can fund Brook Park, the city is currently in discussions with them. The city does not have pick or control of the property and two of the entities that the city has brought forth to Ford has done this reclamation work before.

Mr. Mencini stated speeding is a problem on our streets.

Mayor Coyne concurred and most of those responsible is city residents; the safety forces are trying to increase the visibility of speed enforcement.

Mr. Salvatore thanked Mr. Coyne for the kind words and stated the young man was an inspiration to all the teams.

Mr. Troyer asked about Plasma Igniter, how many employees will the company have?

Mayor Coyne responded a couple of hundred to start, potentially around 1,000 jobs. There are also two alternate sites in the city; time is of the essence.

Mr. Troyer stated repairing the streets and replacing the streets are two different things. This year the city has done a lot of replacing of streets; when will the repairing of streets start?

Reports and Communications from the Mayor: cont.

Mayor Coyne replied there are more streets that need to be replaced than repaired. If there was a continuous source of revenue, this would be a different story. Once the city has dedicated revenue that is at least semi-permanent then the city will be able to take more long-range repair as to replacement; Holland Road must be replaced. There might have to be a pick between the pool and road repair; how to choose?

Mr. Troyer stated at the July 18th Council meeting, you mentioned that reports were reviewed and most of the water problems residents have is water coming through the walls. In Mr. Troyer's experience, most of the basement flooding seen is from water coming up through the drain pipes. Can those reports referenced be provided to Council and what is the outcome of the cross-connections, is there a report on that?

Mayor Coyne replied that at the last Council meeting he stated most of the complaints he has seen is water coming through the walls; there may not be detailed reports, just the general log. There was some thorough analysis on cross-connections with a 50/50 plan offered but no response was received. Possibly in next year's budget there can be something constructed like the HMAP (Home Maintenance Assistance Program) where the city can provide assistance to residents for resealing of their basement walls.

Mr. Troyer asked about the Blue-line project because nothing has come forward to the Planning Commission; has city personnel checked on this?

Mayor Coyne responded that city personnel will check on that tomorrow.

Mr. Troyer stated there is no turn-signal heading west for Route 237 and Sheldon Roads.

Mayor Coyne replied the City of Berea is putting out for a contract to improve the pavement there that Brook Park will be participating for the pavement to be improved; the signal is under discussion.

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

Engineer Mr. Piatak

Mr. Piatak stated with the Michael Drive project the contractor will do additional landscaping during the fall; the Fry Road project is complete and asked the residents for assistance in continuing to mow the new tree lawns. The Brookdale project is complete with some landscaping needs to be addressed. gave an update on Michael Drive. The contractor will do additional landscaping during the fall. With the Snow Road Resurfacing project section one, just west of Dolores to West 130th , final surface was installed and pavement markings are going down; when this work is done landscaping will be needed. The concrete work near Route 237 is winding down. The 2017 Sidewalk Repair Program, from Engle Road heading west; the money was due by the end of July and the city extended the deadline until next week. The Bowfin Reconstruction project between Doris and Fry will have activity starting next month and the Calvin Drive project began last week with catch-basin repairs, sewer pairs, etc., done today on the north side. The

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

Engineer Mr. Piatak

contractor is tentatively scheduled to make the first main line pour on Monday; east bound traffic is being maintained. The Middlebrook Reconstruction project between Wolf and Holland started yesterday and notices sent out indicated the city would be maintaining north bound traffic; it was determined that a better flow of traffic could be maintained by using a south-bound flow. The Sylvia Drive Reconstruction contracts have been executed and materials are being procured for the catch-basins with work being anticipated to begin next week. The Public Works Commission (OPWC) had a meeting to discuss changes with their state capital infrastructure program, the city will submit another application for the Holland Road project; legislation will be coming forward and hopefully passed before October 4th. Regarding the Route 237 intersection there have been discussions with the Berea City Engineer and they would like to partner with Brook Park in the bidding process; there signal work is in progress but there are no definitive answers yet.

Mr. Burgio asked if all these projects will be finished this year?

Mr. Piatak responded yes, except for the landscaping.

Mr. Burgio commented some of the completed projects like Fry and Brookdale came out good and asked if there is a problem with the striping on Snow Road?

Mr. Piatak replied that the epoxy paint used requires prepped asphalt and the sub-contractor that was striping prepped the white lane line, but grounded and sprayed in the wrong spot. Striping has to be in the right spot or it could jeopardize funding if the lanes do not conform to ODOT (Ohio Department of Transportation) specifications. The contractor prepped and striped the proper location and water blasted the wrong locations off with the cost of the correction borne on the contractor. This was very disappointing to see this result and hopefully within six-months the remaining incorrect lines should fade or be worn away. As a follow-up on the striping if it looks like there is a lot of over-spraying, that is glass beads in the paint that gets disbursed to impregnate the paint.

Mr. Mencini asked with Snow Road traffic lights how much say does the city have regarding the signal timing or storage of equipment?

Mr. Piatak replied that residents can him and if he doesn't have the answer will put the resident in touch with ODOT.

Mr. Mencini concurred with changing the direction of Middlebrook and asked will there be more fertilizing on the Fry Road tree lawns?

Mr. Piatak replied yes, the grass seed was a premium mix and the weeds may have been in the topsoil or straw that was used.

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

Engineer Mr. Piatak: cont.

Mr. Troyer complimented Fabrizio construction for taking almost all of the north side of Calvin in one day.

Safety Director Byrnes:

Mr. Byrnes stated there have been a lot of requests for the signs reading 'Drive Like Your Kids Live Here', there are still signs available by contacting the police department. If there is a street that needs traffic or speed enforcement, please either call the police or the Council people because the police officers do react to calls.

Mr. Mencini and Mr. Burgio acknowledged the good job that the police do in the community.

Mr. Troyer requested five of the signs.

Mr. Byrnes said will provide the signs.

Law Director Mrs. Horvath

Mrs. Horvath stated that the Council should have received the pending litigation list that includes three matters, one a foreclosure, one involves safety issues with a hotel in the city that includes an injunctive relief that was not granted. The third one involves malicious prosecution that is in federal court in the beginning stages. Mrs. Horvath described new procedures that the Law Department will use with legislation requests to include a new embossing stamp that will go on each page that is sent to Council as well as watermarked paper; the old stamp will likely be retired; it is technologically obsolete. Past Practice for the Law Department has been to receive requests from Councilmembers for legislation to be prepared and certify the legislation by stamping it and sending to the Council office. In November 2016, it was discovered that two pieces of legislation were altered by correction tape and the Law Department decided that legislation brought to the Council office and have each page stamped; the Law Department has a log of the legislative items. On about November 30th, Law Director Horvath asked the police to investigate how the alterations occurred and the police found that one piece was missing from the Council office and the other piece had the first page missing; the originals having been altered disappeared. Mrs. Horvath said she is simply, factually reporting this because it is important to have integrity in both the Council office and in the Law Department; the new embossed seal almost acts like a notary seal. The sheriff's office investigated this and recommended an internal investigation and City Council voted for this in investigation in April 2017 that is currently ongoing. At a June Caucus meeting, there were four pieces of legislation that appeared on the agenda with none of these pieces of legislation presented or stamped by the law department and given to the Council office. This was a breach of the process, therefore, the department is going to watermark paper and each piece of legislation will have the embossing seal; the law department is taking this very seriously.

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

Law Director Horvath: cont.

Ms. McDonnell asked what will happen to the old stamp? Will it be destroyed and does the new stamp match the old stamp?

Mrs. Horvath replied the old stamp will be retired in one of her assistant's drawers since it has been used on legislation, so it is best to keep it for now. The new stamp is slightly bigger with darker ink and slightly different font.

Mr. Coyne noted the old stamp has some historical significance, it may belong in the city archives.

Finance/Tax Director Cingle

Mr. Cingle reported the department is still waiting for the Auditor of State to release the 2016 audit; that will be sent to print as soon as it is received and also online.

Mr. Troyer asked with the senior concerts at the gazebo the city through the Recreation Department pays for that event, correct?

Mr. Cingle replied the city pays for the entertainment.

Mr. Astorino asked if Mr. Cingle has had any contact with the Auditor of State as to what is causing the delay?

Mr. Cingle replied they have spoken to the auditors' numerous times and are told they are backlogged and it may not be out until September.

Mr. Astorino asked if some capital improvement amendments have been reviewed and can an updated report be provided?

Mr. Cingle replied the legislation is being worked on for the amendments and when that is done an updated capital improvements report will be provided.

Mayor Coyne mentioned that the city had to adapt for the Berea situation as well as a couple of sewer issues that the city should provide for.

Mr. Astorino stated with the July monthly reports regarding the city's revenue on page four (4) the year-to-date receipts are over \$11.8 million dollars; that is a little higher than originally anticipated.

Mr. Cingle replied the city's original projected income was \$19.1 million and are on pace to collect that amount and perhaps a little bit higher; income tax collections do slowdown in the fourth quarter.

Reports and Communications from Departments, Commissions and Other Public Officials:

Finance/Tax Director Cingle

Mr. Astorino asked about the appropriations on page 34 regarding the funds for the income tax. There is still a little over \$1 million dollars shown as unencumbered balance. Can an estimate be provided as to how much is expected to be spent in the next five months?

Mr. Cingle replied there are economic development incentives requested by authorized companies; most of the funds would be funneled back to them.

Mr. Coyne noted that it is taxpayer's money payable upon demand.

Mr. Cingle stated an analysis cannot be provided because it contains confidential taxpayer information.

Mr. Astorino asked if there were any changes anticipated for the General Fund appropriations

Mr. Cingle replied yes, first in capital improvement then in general funds.

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

Verbal Approval:

- 1. AMENDMENT TO COUNCIL RULE NO. 21.

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

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

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

- 2. AMENDMENT TO COUNCIL RULE NO. 28.

Motion by Mr. Salvatore, supported by Ms. McDonnell to amend.

Mr. Troyer stated by deleting this we are making Council less independent and less informative to the residents.

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

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

Introduction of New Legislation:

- 1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF 3.3 ACRES OF LAND ON BROOK PARK ROAD. Introduced by Mayor Coyne. Placed in the **Finance Committee**.

Other Communications and Petitions, And Verbal Approval: (Introduction of New Legislation): (cont.):

- 2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AKRON TRACTOR & EQUIPMENT, INC., FOR THE ACQUISITION OF ONE KUBOTA EXCAVATOR WITH TRADE-IN OF ONE 2014 NEW HOLLAND TS6.110 TRACTOR WITH CAB AND DECLARING AN EMERGENCY Introduced by Mayor Coyne Placed in the **Service Committee**.

- 3. AUTHORIZING THE MAYOR TO ACCEPT UP TO \$99,943.42 IN ENVIRONMENTAL GRANT FUNDS FROM THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT AND/OR THE STATE OF OHIO BUREAU OF UNDERGROND STORAGE TANK REMOVAL (BUSTR) TO PERFORM AN ENVIRONMENTAL IMPACT STUDY AND/OR FACILITATE AND ADMINISTER THE ENVIRONMENTAL REMEDIATION OF THE PROPERTY KNOWN AS 6286 ENGLE ROAD, PPN 342-09-011 AND TO TAKE ALL FURTHER NECESSARY ACTIO TO REMEDIATE THE PROEPRTY AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne Placed in the **Legislative Committee** and will appear on tonight's agenda under Council Rule 12 under M-2 as Ordinance No. 10094-2017.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

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

Mike Dolan

Economic Development Commissioner, City of Brook Park

6161 Engle Road

Mr. Dolan addressed Ordinance No. 10094-2017 by saying the state has granted the city \$99,943.42 to remediate the property on the northwest corner of Holland and Engle Roads; no contracts are being issues the city will pay the invoices as presented.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

- 1. RESOLUTION NO. 20-2017 **moved by motion** to earlier in the meeting.

- 2. ORDINANCE NO. 10094-2017 AUTHORIZING THE MAYOR TO ACCEPT UP TO \$99,943.42 IN ENVORONMENTAL GRANT FUNDS FROM THE STATE OF OHIO, DEPARTMENT OF SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT AND/OR THE STATE OF OHIO, BUREAU OF UNDERGROUND STORAGE TANK REMOVAL (BUSTR). TO PERFORM AN ENVIRONMENTAL IMPACT STUDY AND/OR TO FACILITATE AND ADMINISTER THE ENVIRONMANTAL REMEDIATION OF THE PROPERTY KNOWN AS 6286 ENGLE ROAD, PERMANENT PARCEL NO. 342.09.011 AND TO TAKE ALL FURTHER NECESSARY ACTION TO REMEDIATE THE PROPERTY AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

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

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

Ms. Powers commented the address does not state what is currently on the property or why it needs remediation.

Mr. Astorino responded this is the former Kuts N Such.

Ms. Powers why is it necessary to remove a tank.

Mr. Astorino replied many years ago there was a gas station on that property.

Mayor Coyne replied the owners want to sell the property to put in a coffee shop and bakery.

Mr. Troyer asked if the building would be torn down?

Mayor Coyne responded don't think so.

Mr. Troyer is voting for this because legislation was passed previously and the city is just following through with a decision already made.

Mr. Mencini noted this is a win/win for the ward and city.

The clerk called the roll on the motion by Mr. Troyer, supported by Mr. Mencini, to suspend the rules.

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

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

ROLL CALL: AYES: Scott, Burgio, Salvatore, Troyer, Powers, McDonnell, Mencini
NAYS: None. The motion carried. Ord. No. 10094-2017 has passed under Suspension of the rules.

Mr. Troyer asked to be heard and stated a resident came to the lectern a few weeks ago and suggested that Mr. Troyer should not be voting on any police issue because of charges against him. The Law Director was asked to make a ruling on that and the ruling came back that it is a conflict because Mr. Troyer may try to influence testimony from the police officers, in his favor, by buying items for the police department. Mr. Troyer spoke to the Ohio Ethics and until a ruling is received from the Ethics Commission Mr. Troyer will be erring on the side of caution and recuse himself.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

- 1. ORDINANCE NO. 10092-2017, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BOB GILLINGHAM FORD FOR THE PURCHASE OF FOUR (4) NEW 2017 FORD UTILITY INTERCEPTOR SUVs, AND DECLARING AN EMERGENCY.

Introduced by Mayor Coyne.

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

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

NAYS: Powers. The suspension failed by a vote of 5 to 1.

Mr. Astorino stated Ordinance No. 10092-2017, has had its Second Reading.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Joan Markusic

13911 Bellbrook Drive

Ms. Markusic expressed concerns with following of rules that seems to be an important matter, sniping at Councilmembers while explaining to be working for the residents, constantly criticizing instead of sharing ideas to create a great city. Councilmembers not knowing about issues during the meeting is that a lack of communication or not reading information. When requesting for information and no response has been received in a few days why isn't a phone call or emailing to make sure the person received the request, that shows a lack of responsibility for doing your job for the residents'. Ms. Markusic expressed major concerns with Facebook and questioned when the Council meetings moved to Facebook and why residents have to be a member of social media to find out what people think. Or hear the degrading of people in the city, or hear the degrading of people in the city, or hear about how people disagree to the most intent ability of the people that should be working together to move the city forward. That is cowardly to the greatest extreme by sitting behind a computer screen; get out and talk to the people and if it can't be said in person it shouldn't be said at all, Brook Park deserves better. In my opinion a lot of things that have been said and a lot of things that have been heard to be written are absolutely appalling and cannot believe that you think that is a constructive, respectable way to treat one another.

Thomas Dufour

15300 Richard Drive

Mr. Dufour spoke about a draft (resolution) proposal regarding the recent events that occurred over the weekend in Charlottesville, VA. This resolution would condemn the hate groups and hopes that Brook Park will lead in that. This is not an issue about politics or party affiliation, it is about human decency. The occurrence over the weekend were elements of a larger group called the Alt-Right who resurrect the elements of Nazi, Germany and the American Federacy which are two ideologies responsible for the two bloodiest wars in our country's history. This would be one of most 'American' thing that can be done due to the recent occurrences.

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER: cont.

Susan Anderson

5700 Grayland Drive

Ms. Anderson requested Councilman Salvatore at the next Southwest General Health to ask a question about not covering the cost of a private room when admitted a few years ago. Is there something that can be done for seniors that are on Medicare from being in a private room instead of a double room. Ms. Anderson continued at the January 17, 2017 Council meeting Mr. Vecchio asked questions about the Council website i.e. who the webmaster is, who the administrator is, the cost breakdown along with who the taxpayers of Brook Park are paying for this website. On January 17th Council President Astorino responded the website is through GeekStorage at a cost of \$93.53 for 2017 and that Council President Astorino works with the clerk for the content of the page. At the July 25, 2017 Caucus meeting Councilwoman McDonnell asked Council President Astorino twice who is the owner of the brookparkcitycouncil.com website. Council President Astorino eventually stated he is the website administrator but did not know who owns the website and would get back to the Councilwoman with the answer. Since the residents of Brook Park seem unable to get a straight answer on this issue I did some research about the brookparkcitycouncil.com website and discovered the following: Number one, according to ICANWHOIS the website's registration is marked as private, in other words the public can't see who owns the website. Number two, the website registrant contact, admin contact and tech contact is Domains by Proxy LLC located in Scottsdale, AZ. Number three the registrar is godaddy.com, LLC at the same address as Domains by Proxy LLC. Number four, the website server is GeekStorage.com. In addition to the above ICANWHOIS lists the important dates as follows: One, the website was created on Monday, November 9, 2015, six days after the November 3rd General Election. Two, the website was updated on Tuesday, November 15, 2016, one day after former Councilwoman McCormick was arrested at the North Olmsted Target. Three, the website registration expiration date is November 9, 2017. Because former Councilwoman McCormick and Council President Astorino were both separately reimbursed for the website expenses of the city, the city technically owns the website and what the city owns is subject to public records requests; subject to the Ohio Sunshine Laws exceptions. Given the above information I am formally and publicly asking that Law Director, Carol Horvath, immediately issue a civil subpoena to Domains by Proxy, LLC requesting the following information: Number one, the name of the address of the individual who created the brookparkcitycouncil.com website on November 9, 2015. Number two, the name and address of the individual who updated the brookparkcitycouncil.com website on November 15, 2016. Number three, the name and address of the current owner(s) of the brookparkcitycouncil.com website. Number four, the names and addresses of any and all administrators assigned to the brookparkcitycouncil.com website. Number five, any and all payments for the website and the names and addresses of any and all individuals responsible for these payments. Number six, any and all information deemed appropriate by Law Director Horvath and to assist the law director with these inquiries I have a copy of the ICANWHOIS that will be provided to Law Director Horvath.

Remarks from the audience on any subject matter: cont.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers thanked Mayor Coyne and the city for allowing the planting of flowers around the gazebo and have been asked to do Kennedy Park and the Recreation Center, without any confrontations. Ms. Sayers stated since nobody can tell correct stories or say anything nice about anybody; there has been a lot of things that have happened through the bullying, criticism and threats received but to attack her is pretty sad for the city; people should be able to talk to anyone they want. As far as the gazebo issue, the Mayor and I agreed on that and all summer I watered and weeded every day for a short time and recently pulled out the annuals. At a recent beautification meeting people attacked me during and after I left the meeting because I was told I'm no longer with the beautification meeting and resigned, after attending the last three or four months. After what was done to me by the police department that I was threatened with criminal charges for pulling out flowers and that is the reason that I am speaking here tonight because I want everyone to know the truth and do not appreciate having somebody afraid of me because I have a CCW (Concealed Carry Weapon) license and a gun.

Teresa Ott

15736 Pike Blvd.

Mrs. Ott stated she wanted to come and start learning about what Council and the residents do when there is a problem, who can residents talk too?

Mr. Astorino explained the way this works is the audience speaks and after they are done if Council wishes a motion will be made to address the audience's questions.

Louie Modic

14399 Fayette

Mr. Modic stated there was a recent problem with a street sign and he contacted his Councilwoman and received a letter that a memo was sent to the Mayor's office. Mr. Modic was pleased that the sign was replaced within 13 days and thanked Councilwoman Powers for her assistance and also found out that he lives in Ward Four. Mr. Modic is also in favor of the proposed dog park.

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 thanked everyone for speaking at the microphone and stated thanked Ms. Markusic and Ms. Anderson for the kind compliments. Markusic and Ms. Anderson thank you for the compliments. Mr. Mencini stated to Ms. Markusic with the Facebook issue there are some good things on there but some of the derogatory comments made, especially from people from other cities that doesn't help the city. To Mr. Dufour the topic will be left up to the Council as a Whole and the Administration on how to deal with

Remarks from the audience on any subject: cont.

that matter. To Ms. Sayers you do a great job and what makes a city strong is community involvement.

Ms. McDonnell stated to Ms. Ott I have my contact information and want to chat with you about all of this stuff to hopefully explain and completely agree it is a very overwhelming experience.

Mr. Troyer stated to Mr. Modic it's great that worked out for you and commented people don't realize the duties or authority of a Councilperson. With all city property, signs and so forth there are employees to do those jobs and a lot of residents are under the impression to call the Councilperson and it gets done automatically. What happens here is Council has to send a memo to the Mayor's office to get the administration and/or the worker to get things done. To Mr. Dufour get the information to Council and eventually it has to go to the law department for finalization. To Ms. Markusic for the last three-and-a-half years I've tried getting everyone to follow the Rules of Council and follow the Charter.

Mr. Burgio mentioned generally there are so many good things happening in this city and to recap what the Mayor stated earlier and embarrass Councilman Salvatore. Back in the 1980's, 1990's I used to coach with Councilman Salvatore and both of us sponsor baseball teams and Mr. Salvatore also coaches. Mr. Salvatore has a good heart with the children and I've seen what the Mayor talked about and that's what Brook Park is about; helping children. Mr. Burgio has an autistic grandchild, who are special children, and likes seeing these children playing on teams and this city needs to accentuate the positive. This city has issues, like a lot of the cities, but there are a lot of good people here and concurred with Mr. Modic with the dog park that's something I wanted to do about ten years ago.

Mr. Scott welcomed Ms. Markusic back and my stand on Facebook is I monitor them, my wife probably does more so than me and gives me the updates. To Mr. Modic I will not respond to you on a social media; either by phone or email. Mr. Scott thanked Ms. Anderson for being a wealth of information and to Ms. Sayers, don't give up on the city just keep doing what you do; people do appreciate what you do. To Mr. Dufour, Council will look at your proposal because of the importance of this matter. To Mrs. Ott if you have questions the Clerk will give you the information to contact us.

Mayor Coyne stated to Ms. Ott call 216-433-1300 to get directed to any department you would like to speak with. To Ms. Sayers and Mr. Ralph Lohn and the Beautification Committee this is an amazing city and in Brook Park there are fights about volunteering of people taking care of the city. To Mr. Dufour per our discussions I would prefer a resolution that unifies the country because there is more than fault with one particular group and when citing the Constitution of the United States it is always said I despise the person that burns the flag of the United States of America, however, we must defend our right to do so. As the President said we've been there for a while and I have problem with people blaming him for something that is a product of our society that has to be eradicated; all sides on any issue can become violent. If the resolution you have

Remarks from the audience on any subject: cont.

talks about our intolerance of bigotry I'm all for that. If you want to blame a particular side for the totality of the problem I won't participate in that and think that's what the President was trying to say his first day. This city's whole being is about people who felt and sacrificed themselves to fight for all of our rights; the ones liked and ones disagreed with.

Motion by Mr. Mencini, supported by Mr. Burgio, to go into Executive Session for the purpose of Purchase and/or Sale of Property.

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

NAYS: None. The motion carried at 10:02 PM.

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

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

NAYS: None. The motion carried at 10:16 PM.

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. The motion carried.

Council President Astorino declared the meeting adjourned at 10:17 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.

Recreation Report

Baseball / Softball has concluded, the Proclamation Ceremony was held this past Saturday at 11am at the recreation center with everyone in attendance receiving free ice cream that was donated by Mayor Coyne. Here are Our 2017 championship teams:

7-9 year old Girl Champions- Team Councilman Salvatore

7-8 year old Boys Champions- The Indians

9-10 year old Boys Champions- The Blue Jays

11-12 year old Boys Champions- Team Councilman Salvatore

13-14 year old Boys Champions- The Brookgate Barber Shop

15-18 year old Boys Champions- The American Legion

Female Softball Player of the Year – Hannah Check (Max & Erma's Team)

Male Baseball Player of the Year- Troy Shick (Councilma Burgio Team)

Girls Volunteer Coach of the Year – Brian Beyer (Team Councilman Slavatore)

Boys Volunteer Coach of the Year- Bob Conroy (The Blue Jays Team)

Congratulations to all of the teams and winners on a wonderful season!

Football and cheerleading have started practicing. Our season starts on Saturday, September 9th /

The Family Luau was last Friday evening at the Water Park with over 150 families in attendance. They all received a lei, enjoyed hula contests, dance contests, limbo contests and plenty of door prizes. Special thanks to Councilman Scott for assisting us and donating some great door prizes!

The Dive in movie (Finding Dory) was this past Saturday evening with over 90 families enjoying the wonderful evening of fun. Participants enjoyed glow sticks, door prizes and swimming under the stars...while searching/ watching for Dory....Special thanks to Maryann and Ron Fields for purchasing some of the door prizes!

✓ This Wednesday, August 16 is the Mayor's back to school supplies give away.... the event will start at 5:30pm at the recreation center. This is to supplement the child's school supply needs... it is a first come first serve basis and will continue to give our supply's while they last. Any questions please call Maryann Fields at the recreation center.

✓ This Friday, August 18... at Kennedy Pavilion we are have a moving in the park... "Moana" starting at 8:30pm... "Gina the Hot Dog lady will be there selling refreshments" door prizes will also be given away... please bring your own chair, or blanket to view the movie...

✓ Saturday, August 19 is our Annual Dog Swim at the Water Park... the event is from 11am-1pm... participants get a free picture of them and their fur baby! We are having some doggy day cares and other pet vendors on site.

Summer Concerts at the Gazebo... every Thursday evening in August (snacks are provided and sponsored by Mayor Coyne, Councilman Scott, Councilman Salvatore, Councilman Burgio, Councilman Mencini, Law Director Horvath, and Mike Vecchio.

