

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
HELD ON TUESDAY, OCTOBER 17, 2017**

The meeting was called to order by Council President Astorino at 7:30 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, Service Director Cayet, Engineer Piatak, Finance Director Cingle and Building Commissioner Hurst.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. SPECIAL COUNCIL MEETING HELD ON SEPTEMBER 26, 2017.

**Motion** by Mr. Mencini, supported by Mrs. McDonnell, to approve as printed.

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

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

2. SPECIAL COUNCIL MEETING HELD ON SEPTEMBER 28, 2017.

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

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

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

3. CAUCUS PRIOR TO THE COUNCIL MEETING HELD ON OCTOBER 3, 2017.

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

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

**NAYS:** None. The motion carried

4. REGULAR COUNCIL MEETING HELD ON OCTOBER 3, 2017.

**Motion** by Mr. Mencini, supported by Mrs. McDonnell, to approve as printed.

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

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

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**REPORTS FROM STANDING COMMITTEES:**

Aviation & Environmental Committee – Chairwoman, Powers

Mrs. Powers stated no report this evening.

Finance Committee –Co-Chairman, McDonnell

Mrs. McDonnell stated no report this evening.

Legislative Committee – Chairman, Troyer

Mr. Troyer reported there are two items on tonight's agenda and if any legislation should be pulled out of the Legislative Committee to notify him or the clerk for the next Caucus.

Parks & Recreation Committee – Chairman, Mencini

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

Planning Committee - Chairman, Troyer

Mr. Troyer reported there is one item on the agenda for a lot consolidation on West 140th Street and he will vote for suspension.

**Reports from Standing Committees: cont.****Safety Committee – Chairman, Salvatore**

Mr. Salvatore stated at the last meeting he spoke about the Safety Fair and left three names off to be recognized for their hard work and drive to put this fair together. Patti Oakar, the Mayor's Administrative Assistant, Police Chief Foster and Fire Chief Maund all three worked tirelessly to put this event on and did a fine job in making this event a huge success.

**Service Committee – Chairman, Burgio**

Mr. Burgio reported the Service Committee has one item on the tonight's agenda.

**Board of Zoning Appeals – Chairman, Scott**

Mr. Scott stated no report this evening.

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**REPORTS OF SPECIAL COMMITTEES:****SOUTHWEST GENERAL HEALTH CENTER – TRUSTEE MR. SALVATORE:**

Mr. Salvatore provided highlights of a meeting he attended earlier this evening at the hospital. The CEO Oversight Committee met and reviewed performances of the Senior Leadership Team, the President's performance and possible extension of contract, the vice-president, chief nursing officer and other hospital staff as well as the three-year goal of the health center. The focus of the continued mission is to become one of the best hospitals around with focus on quality, safety, care, employee engagement, physician engagement, partnerships on the horizon, future plans, health management and market growth.

**BEREA BOARD OF EDUCATION COMMITTEE – MR. BURGIO:**

Mr. Burgio reported Wednesday marks the end of the first quarter grading period. School officials were to have met today and this week to visit neighboring school districts, such as Strongsville, to check their Media Centers. They were also planned to meet with Brook Park and Berea Planning Commissions to discuss the high school and Middleburg Hts. to discuss the connector between Middleburg Jr. High School and Media Center. They have also met with staffs at the elementary and high school levels to discuss specific needs desired prior to construction. The school district was to have posted an Opiate Roundtable along with Channel 5, Southwest General and police departments and counselors. Two presentations were given at the October 9th meeting and the Athletic Director and about 20 students were on hand as they emphasized various words that described their pledge that says in part 'We will display a superior work ethic and excel in athletics, academics and carry ourselves with class. We will reflect a positive, respectful, coachable attitude to orange and blue standard'. Each student expressed a word on what it takes to be a leader; effort, attitude, competition, fitness, service and accountability. Students from Big Creek Elementary have a goal to collect 2,500 pairs of socks for donation to Audrey's Outreach, so far the students have collected 2,359 pairs as of the October 9th meeting. The students are calling this event Socktober and is a great way of teaching service to others less fortunate and commends these students for what they are doing.

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**REPORTS OF BOARDS AND COMMISSIONS:**  
-----**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**  
-----**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Coyne stated no report this evening.

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

Mr. Piatak reported work on Bowfin and Kalvin is complete except for landscaping to come in and trees to get planted as well as tree planting on Fry Road Phase II and Brookdale. With the Middlebrook Reconstruction Project mainline concrete and driveway aprons are just about complete with a few exceptions of catch-basin block-outs, sidewalk ramps and the intersection at Wolf and Middlebrook still needs to be completed; work will continue with landscaping and cleanup. With the Sylvia Drive Reconstruction Project Phase 2 mainline pavement removal operations began yesterday with a subbase put down this afternoon. Paving of Phase 2 is tentative for next Tuesday with local eastbound traffic being maintained. The Snow Road Resurfacing Project, concrete repair will be winding down later this week, or early next week and asphalt work is tentatively scheduled for completion the first week in November. The Ohio Public Works Commission application for the Holland Road Reconstruction Project was submitted on October 5th, along with about 60 other applications, so it a very competitive program and Mr. Piatak is hopeful that some funding will be secured.

Mr. Burgio inquired if the timing of the light at Sylvia and Smith changed? It appears to be longer on Sylvia and shorter on Smith.

Mr. Piatak replied it is possible the loops on Sylvia were cut with the project and will take a look to get someone out there to make adjustments.

Mr. Burgio commented there seems to be a backup on traffic on Smith, not a lot, but primarily during rush hour.

Mr. Mencini stated he was on Sylvia for the Sea of Blue on Sunday and people are happy with the project and will be very happy when the project is done. Mr. Mencini concurred with Mr. Burgio regarding the Sylvia and Smith traffic light delay and mentioned it's good to hear the first week of November for the Snow Road project.

Mr. Piatak concurred.

Mr. Mencini continued when the pour is done on Middlebrook that will seal the tie-ins on Park, Schaaf and short Middlebrook.

**Reports and communications from other departments, commissions and other public officials: cont.**

Mr. Piatak concurred and stated Carol Drive as well.

**Service Director Cayet**

Mr. Cayet reported last Saturday was Shred-It Day at the garage with documents from both residents and the city tax department. Leaf pickup is occurring with an average of 1/4 load per truck which generally is four or five loads during the heavy time of year; leaf pickup will continue until the first snow of winter. Veteran's Day will be observed on Friday, November 10th the service department will be closed but a few crews will be coming in to pick up rubbish on that day.

Mr. Troyer asked Mr. Cayet if the bins for yard waste are still being used?

Mr. Cayet responded that will be for another month.

Mr. Troyer asked what about general waste for the rubbish truck.

Mr. Cayet replied the department is still on summer protocol and when turned over to winter protocol then residents are asked to call because the truck is not left out due to bad weather.

**Law Director Horvath**

Mrs. Horvath provided handouts regarding a response received from Domains by Proxy with the (Council) website issue. Mrs. Horvath reported there are still three pending cases and there is no change in status and will probably do an update near the end of the month. With regards to the subpoenas for the (Council) website so far to date there has been no response from Geek Storage but I did receive a response from Domain, LLC. The copies of our documents and about five pages provided to us concerning the (Council) website. The domain name is brookparkcitycouncil.com and I asked the assistance of the city's IT expert, Zach Ellis to look at the documents to provide her with some insight. Basically, what the documents show is that from December 31, 2015 until September 5, 2017 the customer, the registrant, or the effective owner of the (Council) website was former Councilwoman, Julie McCormick. You will see on what is designated page four (4) of the materials that Domains, LLC sent to us that there was some sort of event that occurred on September 5, 2017. I'm not sure exactly what that is and have an email question in to Domains, LLC. It appears that there was some sort of update and it may be that there was a change with the name taken from the web server or disconnected but I can't determine that with any certainty. I still have some questions with regard to the issues that this raises and will probably be following up on that. I'm also going to follow up and see whether or not I can get any information from Geek Storage but I must say that I'm rather chagrined that this is the outcome of the search that we have. It's extremely unfortunate that no one had disclosed this previously and think it would have been very easy when we were involved in litigation with the former Councilwoman to have resolved this issue, had the law department known. Or had the administration known that she was the owner it probably would have been easier to be worked out so that the name could have been transferred to the Clerk of Council. These

**Reports and Communications from Departments, Commissions and Other Public Officials: (cont.):**

are my thoughts and this is the information I have provided to you and will do a follow-up by memo or directly at a meeting.

Mr. Troyer stated to Law Director Horvath and referred to approved minutes concerning some of the special meetings held. I mentioned this at the last meeting that at the September 26th Special meeting I became aware of an issue that you said was okay. After these minutes were brought forward and after looking at the approved minutes I saw a few things that I wanted to bring to your attention in case of an issue that may need to be fixed. You stated in the September 12th (Special) meeting that the legislation passed at the time that no one has challenged the validity of that legislation and certainly think it is appropriate of Council through majority to determine what it wants to do with the legislation on the agenda. Then further Mr. Salvatore says if legislation gets moved to a second agenda it's because Council took action and moved the legislation through the system. We ruled on that and know that ability to do things, is we just need to vote on to do it. If you look at the end of Saturday's meeting (September 16th) Council did not take action to move this legislation to the third meeting. So Council failed to actually vote on a motion to move these items to a third Special meeting from the second Special meeting; that's a problem because Council did not put it there. There should be a vote of Council to move these items. Calling a meeting does not move the items, Council has to do that and these were Special meetings. Looking at the minutes for Third Reading, that I was in attendance. I did mention this on the last item and it turns out all those items were not moved from the second meeting to the third meeting. And, there was no vote taken even at the third meeting to add those items to the agenda, which may have saved the day. The question is did these six items pass officially and I am asking you to look into that to make sure that Council doesn't have to do something to fix this issue. No response is needed now just for you to take a look to make sure these items were properly done.

Mrs. Horvath replied that if you are asking for an opinion, if that is the case, please detail your concerns in writing. Something short about the issues that you're concerned about i.e. minutes you are concerned about and what specifically the issues are so that I can probably respond in writing.

Finance and Tax Director Mr. Cingle

Mr. Cingle has no report this evening.

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

1. PROVIDING FOR A CONTRACT BETWEEN THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT AND THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Placed in the Finance Committee.**
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**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

Susan Booker

13855 Franklyn Blvd.

Ms. Booker stated she understands the Resolution regarding Breast Cancer Awareness, but it has become a political nightmare and has divided groups. What I ask is that this Resolution be passed on an emergency basis tonight; reason being this could have been brought by anyone else on the dais in June, July or August. With considering that and being halfway through the month the awareness that has been spread with negativity may have touched some lives but let's touch them further and approve. I am still confused on why the investigation findings have not been addressed with the exception of the watermark stationary and the embossed stamp. There are items in that investigative report that have not been addressed to the constituents and feel that I'm owed a response. We're paying you out of our taxes and have paid the investigator. I want the facts, no assumptions, that's all we want in our community are facts. Also, to clear up another matter I spoke to Dave McCall, District Director of one in Ohio that supports the United Steel Workers. I had a conversation with him on October 3rd at 3:15 p.m. regarding, again, asking for the facts. That as of October 3rd at 3:15 p.m. the United Steel Workers are not endorsing any candidate in the City of Brook Park, Ohio and do not plan to this election season. Ms. Booker continued on another point the Neighborhood Watch Group has done tremendous things for the city as far as their existence in the last couple of years. We have supported the Safety Fair, the Halloween activities and supported Safety Town by purchasing a small car for the little ones. As well as using our resources within our community on spreading the word about safety issues. Last evening, Officer Kaz spoke to the group about safety issues with the upcoming holidays and we are not out there to get anyone; just spread safety awareness and to keep a watch; I would expect support from Council and other representatives that work in the city. We had a Sea of Blue campaign last Saturday and I was disappointed of the lack of response from some of my Councilmembers that represent us in the City of Brook Park, by not being out there helping. We have plenty of blue ribbons and need to finish this project up within the next week or so because November 7th is the day of recognition for safety forces. I do expect to have some communication back out to the community on the findings of the investigative report.

Susan Anderson

5700 Grayland

Ms. Anderson stated she stands here tonight as a voice for women who no longer have a voice, they lost their lives to breast cancer. I stand here tonight to be a voice for women of Brook Park that are now fighting this disease, who are now battling to save their lives. I also stand here tonight on behalf of the mothers, fathers, husbands and children, for all relatives and friends of all the women who will never come home again. As many Brook Park residents are aware on Tuesday, October 3, 2017 Councilman, Rick Salvatore, introduced a resolution to City Council in conjunction with Southwest General Hospital recognizing October as National Breast Cancer Awareness Month; begun in October 1985. This is an annual international campaign to promote awareness of breast cancer in order to raise funds for research, prevention, diagnosis, treatment and cures. Councilman Salvatore's resolution was straight forward and he was just asking that all Councilmembers vote yes to show support to honor the many families who have been

**Remarks from the audience on any subject matter: cont.**

afflicted by this terrible life-altering disease. Additionally, because of many national and international organizations that sponsor National Breast Cancer Awareness Month in October of each year thousands upon thousands of women and men who have no health coverage are provided with free mammograms, free treatment and free cures. Ms. Anderson thanked Mr. Salvatore for bringing this resolution. In February, 2003 I received a phone call from my physician saying, Susan, you have breast cancer. In less than a blink of an eye mine and my family's lives changed. I suffered through two painful and disfiguring surgeries in the span of less than three months and due to the sickness from chemotherapy I couldn't leave my home for three months. This was followed by five years of ongoing treatment and exams every six months until that wonderful day in May, 2008 when I heard the news, Susan, there are no signs of cancer, you beat it. To this day I go for annual exams and from year to year there are no assurances that there will never be a reoccurrence. This is the life of a nine-year survivor of breast cancer. The 'No' votes by Mr. Troyer and Mrs. Powers were like spitting in our faces and telling us your lives don't really matter. What matters is form over function and we cannot and must not set aside the Council rules just to please Mr. Salvatore. The treatment of Councilman Salvatore was insulting and appalling and the 'No' votes at the October 3, 2017 by Councilmembers Troyer and Powers were signs of poor behavior and judgement. Ms. Anderson quoted Ward 1 resident, Greg Wellman, Facebook post which I totally agree. "Ward 1 Councilman Troyer and Ward 3 Councilwoman Powers didn't believe that at-large Councilman Salvatore's resolution was important enough to be passed under Suspension of the Council Rules. Troyer loudly complained the Resolution was 'being fast-tracked' for approval and that Councilman Salvatore's resolution was for 'political purposes'. Due to the actions of Troyer and Powers the resolution to recognize October as National Breast Cancer Awareness Month failed". While Ward 1 Councilman Troyer and Ward 3 Councilwoman, Jan Powers, shamelessly played politics in the game of one up-man-ship with Councilman Salvatore's resolution. All I can say today is how grateful I am for the Breast Cancer Awareness Program that provided me with free exams and treatment; how truly grateful I am. That unlike Councilman Ward 1 Troyer and Councilwoman, Jan Powers, the physicians, the surgeons, nurses, x-ray technicians and so many others in the medical field didn't play politics or don't play politics with the lives of breast cancer patients.

Joan Markusic  
13911 Bellbrook

Ms. Markusic expressed concerns with people who are running for office and will provide the clerk her phone number and asked for anyone running for office to call her to meet and talk one on one in a neutral place. Ms. Markusic has quite a few issues that are important to her that are happening in our city and wants to be able to make a confident vote when going to the polls and wants answers.

**Remarks from the audience on any subject matter: cont.**

Rob Slattery  
4396 West 67th Street  
Cleveland, OH

Mr. Slattery stated the reason I'm here is there's been a lot of comments made back and forth by Councilmembers, people in the public and I'd really like to shed some light on this. What I think the Council President is doing is something called 'gas lighting'. It is a tactic used to gain power and make people question the reality of the events going on. Some of the key indicators of that is denying evidence even though it's directly in front of you, wearing people down over a matter of time and trying to confuse people. They align people to run against you, make comments against you and say everyone else is a liar; I believe that is what's happening here. Now, I went through the last two meetings I think it was when Council President came off the dais to the podium and I actually have verbatim minutes and will get through this as fast as possible. These are all directed at you, Mr. Astorino. When you mentioned the (Council) website and the accusation that I accused you of obstructing an investigation. At one of the meetings the law director was directed to be the person to contact (former Councilwoman) Julie McCormick in attempt to find out the password; yet you involved yourself in that process by calling her. You stated in the minutes the amazing thing about this and quote-unquote from the minutes; so if I'm misquoting you it's from the verbatim minutes. The amazing thing about this whole thing with the website, the amazing thing at least to me is it costs \$94.00 for the year. We seem to be spending a whole lot of time and attention on something much to do about nothing. The fact is questions weren't answered, one was answered tonight; (former Councilwoman) Julie McCormick was the owner of that website up until September 5th. Which means she had access to the email systems of all the Councilmembers and knows how it was set up. She's not on this Council, she's an ex-Councilperson and she's also been convicted of crimes, I think that's a big issue. You then went on to state an issue and I quote you 'they're hanging their hats on saying the Mayor didn't sign the contract on July 19th'. I signed the contract on April 21st, I was the last one to sign that contract. Now, I believe it's very possible that the Mayor, being a busy guy, made a typo. Maybe he was signing something else and he just signed it but I can tell you and I will testify to the fact if it ever comes to it. That I was the last one signing that contract on April 21st and you bring that up as a glowing error. You mention your concerns for the four Councilmen who expressed their concerns about Council getting back on track. Have you talked to any of these Councilmen and asked them that question if they made those comments because I know they made them to me? You express your concerns about Councilwoman Powers and Councilman Troyer being compelled to being interviewed. That's per the policies of this city, any employee can be compelled to testify in an investigation. Are you saying that the Council has more powers or more rights than the average employee of the city? I think that needs to be answered. You made several comments about the timeline that I described with the resignation of (former Councilwoman) Julie McCormick. I wasn't tasked with investigating that but I did come across emails from you to her using your private email address which was against Council Rule number 28; that's why I involved it in the report. You can't have it both ways and accuse me of not going far enough in the investigation and then tell me I went too far in other ones; you can't have it both ways.

**Remarks from the audience on any subject matter: cont.**

You also stated all you were doing is to say that I was overstepping my bounds. Then you went on to say all you were doing is citing the section of the Charter giving her information thereby covering any liability in trying to exclude her from being railroaded out of town. Do you truly believe that (former Councilwoman) Julie McCormick was railroaded? Next, you state that you don't think the law department has the authority to put a Councilperson's name on legislation without their permission. You had no problem with (former Councilwoman) Julie McCormick listing the Finance Committee on legislation. Do you really believe? Do you still feel that way that a Councilperson or committee can just put anybody on there? I think that's an issue and think that's something that should change. This is a very good point here, you're referring to the Sherriff's Department investigation and stated I asked the county for public records. I requested a report and talked to the detective that was doing it and he concluded that there was nothing there and they just decided not to do anything. Now, I have an email from Detective Bonnet from the Sheriff's Department dated October 3rd and it states the following: I do recall a call from Astorino requesting a copy of my report, I believe we received a public records request. I couldn't tell you if he asked why he wasn't interviewed but he was surely on the list. I explained to him exactly what my report reflects; we shared our findings on January 5th with the Prosecutor's office. At this time, we were advised by the Assistant County Prosecutor that all though crimes may have technically occurred; no charges would be pursued for the following reasons: Criminal intent was not established, at this time we believe that Michelle Blazak may have changed the documents at instruction of a Councilmember without entire knowledge that she was doing wrong. The issue was discovered before any loss or harm occurred because the altered documents, the document was discovered before it could be acted upon and any harm or loss that could have occurred was prevented. Why I did not discuss with Astorino was the fact that when we presented this to the prosecutor we were requesting a search warrant for the Brook Park City Council office. Our goal was to search and seize any documents, original or otherwise, pertaining to this case and the typewriter we believe was used to alter it. The only reason Astorino was not interviewed at this point is because we were not sure who was involved and aware of the documents being altered. The search warrant option was discussed with Law Director Horvath, our complainant, prior to us meeting with the prosecutor. This investigation was far from over on January 5th, the only reason we ended it was because a decision was made by the Prosecutor's office, at that time, not to bring forth charges regardless of the findings. Again, the only reason the decision was made was because the loss or harm of any kind was prevented when the altered documents were first discovered. To paraphrase what the Assistant County Prosecutor was saying is this is a political pissing-match between City Hall and City Council. The matter is disturbing, however, it is an internal manner which should be handled swiftly but internally in the best interest of serving Brook Park and its citizens. Mr. Slattery will provide a copy of that if wanted. So now you go into why I came up (to the podium) and you claim it was a surprise presentation. I can tell you why I did that. I had concerns about submitting documents to the office because there's been multiple documents either altered, tampered with or showed up missing. I was also concerned that you would try and shut me down as you've tried through emails to shut the investigation down as soon as I start demanding questions. You can sit and

**Remarks from the audience on any subject matter: cont.**

smile I don't think it's funny at all. You also stated my statement to Michelle Blazak that it was a false statement that she wasn't concerned. Have you asked her if she made that comment? She's in a tough position. She's got everyone else hanging over her head, she's got 22 months, I certainly wouldn't want to be in that position. You stated that it's your job to question authority; I looked through Council rules and City Charter and I couldn't find that. If you could point that out that it is your job to question authority, I'd really appreciate that. You then state that on page six (6) of the report about the closing of the fire station that it is clearly outside the scope of his authority because it has nothing to do with Council actions. It had nothing about Council and if you look at his report and this is important because the report... One of the questions that always comes to my mind when I see a report is: Is it credible? Is it factual? You also claim that a mistake was made regarding the PAC (Political Action Committee) being sued. In regard to that both the Initiative Petition Committee and the PAC were sued. Here's two different Powers of Attorney that you and Susan Anderson signed from Diemert and Associates to take over as defense of the lawsuit. So going on with the Power of Attorney you had both Greg Wellman and Susan Anderson and, I believe, Rachel Ott sign them, I have not seen anything from Rachel. You had NOFF (Northern Ohio Fire Fighters) as you were President of NOFF and you promised to pay the legal fees and cost for the lawsuit. Then you claim that you had nothing to do with numerous attempts made to the city to gain these fees back. You were copied on emails from (former Councilwoman) McCormick, your wife and Bess Vrettos attempting to contact different attorneys to sue the city for that. How is it possible that they knew the amounts to go after? Because you were the only one getting the invoices, that's another great question. Now you did make a mention that I made a mistake, well you made mention that I made many mistakes but I would argue that. I listed Northeastern Ohio Fire Fighters and it's actually Northern Ohio Fire Fighters I did make that mistake, I'll own that and stand corrected on that. You made a statement about the law director not having to agree with legislation that is requested. You stated just draft up and make sure it's approved to legal form and correctness. You don't sit there and say you should not do that, that is not the law director's job. Do you actually believe that the law director should not review every business action that deals with the city? Isn't that her elected position to do that? She's the only attorney that's been elected by the people, to represent the people legally; I think you kind of minimize that. You refer to the comment that any conflict of interest regarding the SOS (Secure our Safety) and the city's lawsuit. I'm quoting this from the minutes 'you stated that most of the lawsuit was going on prior to taking seat as City Council President. Did you tell any of the Councilmembers or the Administration you were involved in defense of the lawsuit? I asked Councilmembers and they said they had no knowledge of your involvement. You asked for dates of meetings that you were involved in regarding the lawsuit. I refer to the Council meeting of February 16, 2016 on page one it shows that you were the one that called the meeting to order. Then on page seven it reflects that you were seated and conducting the meeting when discussion of the SOS appeal came up. Page 16 reflects several comments from the public were made regarding the SOS lawsuit. A question was asked about the cost of the lawsuit and you made the following comment. Mr. Cingle does not have that information and rather than guess he will research and get

**Remarks from the audience on any subject matter: cont.:**

you the information. On page one of the Council minutes from April 5, 2016 reflects that you were in attendance for the meeting and you recused yourself to the public area while the discussion of the lawsuit went on. You then took control of the meeting and made the following statements and I'll read them here. It says Mr. Astorino thanked Councilman Mencini for handling the part of the meeting and stated I am glad to hear that this seems to be wrapping up and coming to an end. The potential conflict does give me a chance to stretch my legs but I'd rather sit up here and chair the meeting. I would like to personally express congratulations to Susan Anderson, Greg Wellman, Johnny DiMassa, Russ and Virginia Fadenholz, Ron and Kathy McCutcheon and many others along with Councilmembers Powers and Troyer for this great victory in getting that station. They got involved in a civic action and it's great to see any citizen get involved in anything like that and make a difference in the community. It's good to see community involvement's success and it's good to see things come out where the neighborhood is provided proper protection. So you did sit and you were involved whether you were in the public session and you were privy to information. You were helping on the defense of the lawsuit against the city that you sat to direct City Council; that is a conflict of interest. Now you go on to say you refer to the section of the report where I refer to PHASTAR and list Bess Vrettos as a director as a glowing mistake. I stand corrected here as well. She's actually not listed as a director; she's listed under the leadership team. If anybody wants you can google her bio under the front page under leadership. Leadership, director I think that's a far stretch to say that is a glowing error. You refer to the public records request from the private citizen. You state that anonymous person asked for those records, it was actually submitted twice. On June 21, 2017, you submitted a request that went to the Mayor, Law Director and myself. It says under the Ohio Public Records Act I am making this request for any and all notes and I am also requesting any and all tape recordings that any of the three of you have compiled during the investigation. I am also requesting any and all names of individuals that Mayor Coyne, Law Director Horvath or Rob W. Slattery have been in contact regarding this investigation. This list of names would also include any private citizens that have contacted Mayor Coyne, Law Director Horvath or Rob Slattery. In addition to the list of names I am also requesting any identification of what the involvement of the private citizen specifically contacted you about. Then, again, it was submitted on August 23, 2017 as being from someone that's anonymous. So, now we go down to, my comment that I made about the Hometown News and referring that it was owned by ex-Councilwoman(McCormick) and I believe I said convicted ex-Councilwoman. I want to make sure I quote myself correctly. You stated that I was wrong that she did not own that. She owned it until September 5, 2017, when that section of the report was already written. You referred to a page in my personal file that lists that I should not take debts that I can't pay. In fact, that was for \$148.00, I believe, for police equipment that I ordered from a store that I forgot I ordered. I paid that. Now, it's amazing to me that I came across that from 2014-2015 on the County Fiscal Officer's page that you were delinquent in your property taxes for well over a \$1,000 and were fined for that. So how does that play out? You're going to call me out and say that I'm unethical, my report was glowing in errors, you should reject it and not pay me. That I didn't deserve my pay when all this is out there; that's unbelievably hypocritical. Last week you stated that I was slow and I negligent in responding to you and telling you

**Remarks from the audience on any subject matter: cont.**

that we discovered who tampered with and altered the original documents. The Sherriff's Department sent back the investigation by email, I believe, January 5, 2017 and advised the city that they should act swiftly in dealing with this internal issue; that was the statement from the detective. City Council didn't hire me until April 12th that is nine weeks and six days and had 17 meetings in that timeframe. I went back to the city's website and counted all the meetings, and you sit here and accuse me of dragging my feet and not doing my job. You know what, I point the finger right back at you, all of you City Council. You're the leader and have told us painlessly over and over that you direct this Council; you're supposed to direct these meetings and it was 17 meetings and nothing was done. Lastly, Mr. Troyer made some comments about I shouldn't be paid or he had concerns about the timing and my response and everything like that. Since you've been seated on Council twice you've been charged criminally and convicted with the second one today. They've (Berea Courts) had to hire special prosecutors and had to bring in a visiting judge. There was a hallway full of officers and it is my understanding, most of them, if not all of them, were on overtime today. Do you have the intention of repaying the city for those costs? It was your responsibility; it was your actions that caused that. I appreciate your time.

Roseann Neumann  
6289 Schaff Drive

Ms. Newman stated these meetings get more unbelievable every day, I'm going to address the elephant in the room. Mr. Troyer today you were convicted and found guilty of disorderly conduct, a misdemeanor four in Berea Municipal Court. This is your second conviction the first one being in 2014. The residents of Brook Park deserve better from their elected officials. I'm going to ask you to resign your seat and I'm going to use a reference of quote that I used with convicted former Councilperson McCormick. Ask not what your city can do for you but ask what you can do for your city. These charges are not your misfortune, these are the consequences to your actions and it's ultimately disgusting and I've had it. I also would like to address the, low and behold, discovery of former convicted Councilperson McCormick. Isn't that interesting that on September 5, 2017 she transferred the trade name of the Hometown News on that date. But, also, I believe, Law Director Horvath you mentioned that there was some type of activity on September 5, 2017 with the Domains by Proxy website. I am really finding it hard to believe that you, Mr. Astorino, had no prior knowledge of this. I am just floored and completely disgusted because the Hometown News, Julie McCormick, yourself are all in this together, that's all there is. Lastly, as far as the Breast Cancer Awareness and not passing that Resolution, that needs to be passed tonight regardless of anybody's feelings. If you want to make it next year to introduce it in November to make next year October Breast Cancer Awareness Month, fine, but do it for all those people, do it for all of us and the people that we have buried that have lost their battle to breast cancer. Seriously, Mr. Troyer consider resigning and if you don't resign I hope other Members of Council will take action and not just sit there. If they don't I pray that the residents of Ward 1 educate themselves and don't blindly vote on what is being said and being put in their heads.

**Remarks from the audience on any subject matter: cont.**

Patti Astorino  
6258 Engle Road

Ms. Astorino stated I come here tonight because I've been involved in Brook Park politics for a long time and served on Councilman Salvatore's committee; Rick I don't want to throw you under the bus but you know the allegations and the things that you were charged with that lost your Mayoral race but these same people weren't up here asking you resign. To Carol Horvath those people that you were talking about today Julie McCormick and Bess Vrettos, they wrote your political literature and you used it and act like humble pie. To Tom Coyne both Julie McCormick and Bess Vrettos ran your campaign. She was pregnant and high-risk and ran your campaign, it's just very sad that you want to make this all about politics. Mr. Slattery, I was told by a friend who lives in Brooklyn Acres that Mr. Slattery was a good friend and on a board with a director's mother. That he should not have even been hired that he is so partial. So I brought this up to him and he said to maybe you should be investigated. He can say oh yes I did donate to the fire station campaign. Oh yes, my dear old friend, Susan Anderson, who was approached by Tom Troyer to participate in it. Oh yes, Greg Wellman wrote some nasty letters at that time against Tom Coyne, it's just all politics and needs to stop. There is not a person up there who hasn't had their best interest at heart for Brook Park. Them asking for Tom Troyer to resign is all politics. Mr. Stemm could be a very nice man but so is Troyer; so is everybody up there. You need to put this aside it has to stop and it stops right there with Tom Coyne as he fired Bess Vrettos, and as he fired Julie McCormick it needs to stop.

Steve Thomas  
13517 Middlebrook

Mr. Thomas stated first thing I would be proud of Mr. Troyer, if he was my Councilman, because my Councilman of Ward 4, Richard Scott, voted on this thing with Middlebrook with the Zoning Board. You aren't a resident of Middlebrook Blvd. and we don't want that no way at all. All we keep hearing is, I talked to the Mayor outside earlier, he tells me we have to approve visual things, that still just doesn't help me or my residents there. When we try to go out on West 130th Street it's hard to get out of there now and now we will never get out of there. I'm disgusted with the whole thing and all you people coming up here keep talking about these Council people is all political, that's rubbish. We're up here trying to get something done and you tell people get up here and work together that's the only way anything will get accomplished. Without coming up here and talking about everyone up on Council like a dog because no matter how we feel personally about anyone of them people up there. We had to live with them people; those are the people elected and that's the way it has to be.

Lavaine Cates  
15499 Remora

Ms. Cates asked what rule there is that states you cannot come to the podium a second time?

Mr. Astorino stated Roberts Rules of Order talks about people speaking and you don't get to speak a second time until everyone has had a chance to speak the first time.

**Remarks from the audience on any subject matter: cont.**

Susan Lemmo

13475 Crestway

Ms. Lemmo stated I'm here to talk about the proposal for the lot at West 130th and Middlebrook. I came to last week's Council meeting and I was mad before even walking through the door. I was mad because I was so surprised that this has gotten so far and didn't expect that or I would have been involved earlier. I didn't feel like I should have to come down here and babysit the Mayor and this City Council and I should be able to trust them to do what is right for the constituents. I understand the benefit and the need for new business but it can't always be what's good for the city; it has to be what's good for the residents as well and it is not true that we residents won't be happy with any development of that lot. I lived on Crestway for 14 years and also wondered when is somebody going to do something with that lot and wondered what it was going to be. I never dreamed that it was going to be a high-traffic retail establishment, it is already a high-traffic intersection. For this reason, it cannot be compared with Dunkin Donuts because Dunkin Donuts is on a major road, not a major intersection. There is a traffic light in place for those residents who wish to exit alongside of it. It is a ridiculous comparison and I really shouldn't need to explain that. The statement was also made that the owner has a right to develop his property but the owner was aware of how it was zoned when purchasing it, I'm sure, and I don't think his rights to develop his property are more important than my rights as a resident. Why all the allowances, number one, the changing of the zoning, right turn only, the overflow parking. That should be enough to tell you that this is not the right lot size and location for such type of a business. I will never agree with the property owners right to make money over my right to be inconvenienced with the new level of traffic every single day forever. It's going to be dangerous if not practically impossible to make a left-hand turn out of Middlebrook certainly during breakfast, lunch and dinner hours. I don't feel like it's the need that you have to be convinced of with this or that or you can't understand, you're all smart people. I think it's just because you don't care, I'm not going to come back here and babysit. You can put off the vote, put off the vote and I'm hoping that you'll do what is right and think about the people that live there and spend five-minutes watching the traffic there one day. Simply moving the egress to the center of the lot then people will be competing for the turning lane and will a sign be put up that says don't block Middlebrook Blvd. so motorists can come out. I'm hoping you're not considering in the future when you realize that it is now a very dangerous intersection to make the people coming off of Middlebrook make them turn right only.

George Blitz

13538 Middlebrook

Mr. Blitz stated he has lived on Middlebrook for 29 years and challenges anyone of you to have that on your street where you live; you live in a residential and wouldn't want that on your street.

Susan Booker

13855 Franklyn

Ms. Booker stated out in the world we all have our differences; we all have our political opinions. But as a team you need to put yourselves together and leave those at the

**Remarks from the audience on any subject matter: cont.**

door of the Council Chambers. I know it's difficult to face criticism from us in the community or kudos but we need to see you all working as a team between now and January 1st. Then come January 1st we continue with that motto of working as a team, it shows true leadership.

Vaughn Fultz  
21890 Crestridge Drive

Mr. Fultz - I am sure everyone knows why I am here but I just wanted to apologize to everyone at City Council; I want to apologize to the residents, our neighbors where I live at. I wanted to apologize to Brook Park police, the Mayor, City Council, any and everyone here who may not know the story but something happened last year which I regret and I apologize, I need to do it. It's not about what I was told to do by the attorney/judge, this is what I wanted to do. So, I want to say I am sorry, I truly feel no offense to you, Mr. Troyer. I did tell my attorney as well as the prosecutor that I don't know where they got that, that you called me the 'n' word and I said that you never said that, so I want to get that out in the air. If that's what someone said regardless whoever it was I never said that. I only talked to you one time, but I still say that how I feel about you is nothing that I can't say anything bad because I only talked to you one time. We didn't see eye to eye on some things and still I still feel that you are a good man. Mr. Astorini (Astorino), did I say his name right? I am very sorry about that. I want to apologize I only talked with you one time also. I still feel that you are a good man, regardless of what, and I'm hearing negative things about you too and hearing good things, but I don't follow with that little clique stuff. If I think that you are a good man, you are a good man and that's just how I feel. I feel you both are good men. Ms. Virginia, I don't want to say her last name, but she said shame on me today, in all honesty I think it was shame on both of us because we both made a mistake. I think I made a big mistake into allowing my sons, well my youngest son, to have parties with the magnitude that it was. It wasn't good but it won't happen anymore. Mayor Coyne, I want to say that I apologize to you too, you said something that stuck with me last year about being deep into the pockets. Like I told my sons, there are ramifications on some things that things, it's not going to happen. We are going to have parties. but it's going to be maybe 20 at the most.

Mayor Coyne - what is the limit of the ordinance?

Mr. Fultz - Some of you are invited, of course. Mr. Salvatore, I never got a chance to tell you this, but I want to tell you thank you for years ago letting me help coach with coach Tony, I never got a chance to tell you that but I want to tell you thank you. Because years ago, probably about 10 years ago. Coach Rich, still think you are an awesome coach and I remember you. With that, God bless everybody and I apologize again.

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Jan Powers  
16110 Harrison

Mrs. Powers stated as a private citizen, she has some things to bring up tonight some of them have to do with Council, some of them have to do with what happens in here that

**Remarks from the audience on any subject matter: cont.**

shouldn't happen in here. I will start with things that have already happened and are already done. The house on Smith, that you guys okayed to be built there are no energy efficiency measures with that house and in today's age when we know about the pollution that's caused we need to have some kind of regulations about energy efficiency. Like most windows should face south and windows that are north should be high so to not get a lot of the wind. West facing which this house has most of its windows west-facing; they should be shaded. So Frank Lloyd-Wright knew about this 100 years ago and that's when he built his houses with energy efficiency; we should take a lesson from him. West 130th Street there is no access off of West 130th, there's too much congestion, it's too inconvenient for Crestway and Middlebrook. If you go over there and look at those streets, you know, that when Middlebrook comes down to the curve, from the curve to West 130th that is a lot of houses and Crestway runs off of Middlebrook and curves around and comes into Middlebrook again at West 130th. So there is a lot of traffic already over there and there are flooding issues over there and as I told you before with the school buses and children there's just too much traffic in that area. To put these buildings there if he wants, the builder, to put these buildings in and the blueprint I have only shows three buildings and not four that was talked about. If he wants to put them in then we should have him look at office space only like law, doctor, dentist, insurance offices, any type of office that is going to have a few people working and stream of people coming all day long but only one or two at a time. You put an eatery in there with a drive-thru and people will be there for as long as the place is open and have a traffic problem. So, we need to look at what we're doing to help the neighborhood, yes, I'd like to see all businesses come in here that we can handle but it has to be the right business at the right location and this business is not the right location. Another issue is we have money for new lighting at Kennedy Field at \$157,000 but have no money to address the flooding issues in the city, especially back on Wengler, Shelby and Doris area where there is a lot of flooding. As well as other areas in the city that have flooding issues such as Pemberton and those areas between Hummel and Snow. Where the house is being built on Smith there is flooding behind there so we need to put some money into alleviating the flooding problem. One way to alleviate some of the flooding problem by the railroad tracks at Wengler and Shelby would be to dredge that creek that is overgrown. If you stood by the railroad track and looked either way you would not realize that there is a creek down, there because it so overgrown. They used to dredge that creek and it helped with the flooding and put in a holding tank, that would help. The last thing I want to talk about is the Howard-Johnson Hotel you say you're for economic development, your last piece of literature you, Mayor Coyne, came out with you and Economic Development Commissioner Dolan praising Harley-Davidson. That deal was made under former Mayor Elliott with the building being built you're first year. The only thing that we did for them after the deal was made is give them \$150,000 grant. Two of the other people on your literature out of three we gave \$50,000 grants after they were already here. The fourth person on Commerce Park that took \$50,000 of our tax dollars, has been here for 20 years so we're giving money away. If you give those people grants how can you say no to anybody else that comes asking for a grant. I am suggesting tonight that you give Howard-Johnson a \$250,000 grant because you have fined them more than \$100,000, you have cost him numerous amounts of money by closing them down. He had 24 people working there

**Remarks from the audience on any subject matter: cont.**

and you think it's great that Harley-Davidson has 40 people working here. He had 24 people and some of those people not only did they lose their jobs but some of them are on county assistance now because they were young mothers trying to support families. Because every time you said something was wrong with that building they fixed it, every time the building engineer found a problem that you probably helped him find or asked him to find he has fixed part of it. He has rooms to rent that are already in good condition with new paint, furniture, new everything. If he could open those rooms then he could have money to finish repairing the other part of the hotel by putting in new paint and furniture. Now, after all of this just this week he received a notice that the stucco is wrong on his building that was put on over a year ago and done by a legitimate company. It was not done as in the Brook Park by the Friends and Family Stucco Company. Now, you want him to scrape off all that stucco and put in on new again, stucco is not life-threatening and has nothing to do with the integrity of the building. It's just you wanting to shut him down because you have said to your own Council you have plans for that property; you want to shut him down. The fire marshal says that it's okay to rent out some of his rooms and rehire back some of his staff and create jobs. He has to keep the place open in an attempt to keep down vandalism so he is paying people to be there 24/7 just to keep the vandals away. Why can't we let him use the part of his building that he has totally complied with but now you say the stucco isn't correct so he still can't do anything. When he was renting you had him raise his rates because he was the least expensive of the three hotels there and you said no, he couldn't be the lowest rate and wanted him to raise his rates. The reason he wasn't raising his rates is because he said most of his clientele comes from the airport and don't want to rent a room downtown because of the expense; so they rent here and go downtown for business or pleasure. He only rents for one or two nights at a time and you have said that he has squatters in there. Dope handlers that live there permanently or on a month-to-month lease and he says that has never happened; that's some of the things that I want brought to your attention. Boss Pro-Karts received a \$50,000 grant, Harley-Davidson received a \$150,000 grant, Cuyahoga Machine received a \$50,000 grant and Drabik from Commerce Park received a \$50,000 grant but he didn't endorse you on the last flyer.

**Motion** by Mr. Troyer, supported by Mr. Mencini to address the audience.

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

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

**REMARKS TO THE AUDIENCE BY COUNCIL:**

Mr. Salvatore questioned if Councilwoman Powers was addressing Council as a resident, even though not at the podium and from her elected seat. I just want to make sure that it is noted that statements were made as a resident and not as an elected official. The capacity of her statements should reflect that they were her personal comments as a resident and no way, shape or form should it be construed that her comments were made as an elected official. I think some of the comments made could be very damaging in the future and don't want the city to be at risk because of something that was said. Mr. Salvatore stated to Patty Astorino I appreciate your comments and you were absolutely right you did help me 16 years ago when running for Mayor and did a

**Remarks to the audience by Council: cont.**

heck of a job and one of the hardest workers on the campaign. Unfortunately, we didn't win and don't think you threw me under the bus, a bigger bus would be needed to throw me under. I wasn't charged with anything, you know that, even though it was printed Councilman Salvatore was cleared of all charges, I wasn't charged with anything. I know there were comments that were made and they said my daughter was involved in the accident and I went to her rescue. She was 17 (years old) and hit a car and that I was going to take the blame for it so my daughter wouldn't get in trouble, that wasn't true either. Everybody knows that was there at the time, about 16 years ago, the construction company doing work in the City of Brook Park had an illegally parked vehicle alongside the road and left it there because it wouldn't start. It was a dump truck with a big mound of gravel from doing work on the street and as I went around the gravel I hit the illegally parked vehicle. My daughter wasn't driving I was driving and I wasn't charged with anything, so you didn't throw me under the bus, I appreciate the comments and thank you, again, for all your help 16 years ago.

Mr. Burgio stated concerning the Breast Cancer Awareness Month I am very thankful that Mrs. Anderson is a breast cancer survivor of nine years. As everyone on Council knows this is a personal issue with me since my wife is also a breast cancer survivor for 11 years and October is a very, very important month for breast cancer survivors and those dealing with the illness. It's an important month and a reminder to get a mammogram. This morning my wife and I went to Southwest so she could get her mammogram and it's a constant reminder to get one. It's important and should not to be politicized at all. We should pass this tonight, we really should. Now we wait and see what the results are going to be and hold our breath and pray. October is a very special month for people dealing with this illness and I just wish we can all come together and pass this tonight, it's not that difficult. Let's agree on one thing as a Council and do that and am asking Council as a personal favor.

Mr. Mencini stated one of the reasons he had audience participation at the end (of the meeting) and that was my idea during the Orientation meetings prior to 2016. At that point there could be close to 58 people out there and now it's lower than that but that's fine. We move on and made the changes and the majority of Council wanted that and I'm fine with that. To me that's how that progress should work. I want to see at these Council meetings progression and don't want to see people coming up to the microphone and I see a lot of good things. But, sometimes the way they're addressing Council is not the way it should be. When you come to that microphone it should be the problem that you have and maybe want us to address, but a lot of it, let's be honest, a lot of it was political. Not always a bad way, but let's move ahead; I say that all the time. When out walking and I finished yesterday there were 400-some people I caught at the door and a lot of things I heard tonight, I don't hear at the door. I hear about the speeding, I hear about neighbors, flooding that's in my ward too and those are the things. As we go on and, will know in three weeks, what we'll start working on. I like to think I try to work with everybody and as I tell good friends and say it at the door one on one everybody is great but sometimes there are jams. That's not what I want to see here in Brook Park. I want to see a Brook Park that's viable like the Block Watch, the Sea of Blue and things like that. I just don't want to see just politicians; I believe someone came up there

**Remarks to the audience by Council: cont.**

stating I want to see more and it should be the whole community. At the Sea of Blue event, they had a beautiful setup with coffee for everybody and there was a share of politics but it should be a Sea of Blue and the community should be working on that too, not just the politicians. On the cancer, I counted and wished it was one but I think six people in this room tonight that have been affected by cancer. A good friend of mine and when I found out I said it should be me; I'm older. He has family, children and everything and he is going to work and I will be there for that person. My point is this is so important and one thing that shouldn't be talked about at that microphone. It was a great piece that Councilman Salvatore brought and should be a no-brainer, that's my take on it. We've all been affected by this and it's a terrible disease and I wish no one was ever affected by it.

Mrs. Powers stated last week when we talked about Breast Cancer Awareness my comments were misconstrued. I said that I would like to see all cancer; not just breast cancer and I asked for that for very personal reasons. Besides the fact that nationally this is Breast Cancer Month so it's kind of redundant that we're going to say we're doing it as Breast Cancer Month because we're part of the United States and are already included in Breast Cancer Month. Now, the reasons that I said that I would like to see it all cancer is because in my family you either die of heart problems or you die of cancer. Mr. Troyer told us he didn't get to meet his grandmother because of breast cancer, my grandmother had breast cancer and the worst thing about breast cancer is that it is not predictable. With a lot of cancers doctors can predict where it will show up again if it comes back. With breast cancer there is no telling if it will come back to the brain, lungs or any of the organs. At the time my grandmother died she had cancers throughout her entire body. Most of my family has died with cancer and right now this month of October my brother is battling prostate cancer. I don't think that we should not honor any cancer.

Mr. Troyer stated I will start off by, I was politically attacked tonight so I have to answer some of the issues. First of all, it was mentioned about passing stuff on an emergency basis. This is something that even I had a problem with three and a half years ago when I started. Because an emergency could be done as an emergency if you have the emergency clause. The emergency clause is at the end of most of legislation and what that emergency clause does is originally legislation was supposed to take effect 30 days; there are some instances that is different. The emergency clause what that does is makes the legislation take effect immediately after signed, instead of the 30-day waiting period; there are some pieces of legislation that can't be passed that way. Then you have suspension of the rules or move to suspend when going through the readings. So what we're doing there is suspending readings and this is one of the things that I and Councilwoman Powers always had for years when sitting in the audience, speaking on issues and watching stuff being fast-tracked. It would come up at pre-Caucus and would be passed at that (evening's) Council meeting and we were always against that, I'm still against that and don't like that method of doing things. We should have at least time in between Caucus and a reading or between readings so if there are any issues people can speak. It doesn't matter what piece of legislation it is unless it is a true emergency. So, on this Breast Cancer Awareness the reason number one let me state is

**Remarks to the audience by Council: cont.**

I did not block it, I did not vote against it; in fact, I'm a co-sponsor of the legislation. In sticking to my principles of not liking to suspend things especially in that type of situation, I stuck to my principles and did not vote to suspend, that's it. I also stated at the time that I would vote to suspend at today's meeting, so it's kind of disingenuous for a Councilman to say well, please vote to suspend and please pass this tonight. Because I said two weeks ago that I will be voting to suspend when it comes back and in the proper manner. It's only going to take two weeks to pass this; it was made political and I didn't want that and don't want it to be there. The fact of the matter is Breast Cancer Awareness Month in October for, I think, 38 years and most people would know that. Maybe, some people forget at the moment but if someone asks what month is Breast Cancer it would mostly be remembered as October. So, again, I co-sponsored it and am going to vote to suspend tonight; it was against my principles to vote to suspend two weeks ago. So here we are and just to mention politics again. The woman who came up and the person she mentioned and the people out there should know this. They actually have a Facebook page that is dedicated to attack myself and some others on this Council. That's what the Facebook page is for, so take it for what it is. To Mr. Slattery we are not employees, that wouldn't work if we were employees. If we were employees' we would have to abide by the employee conduct and then the Mayor would be able to control us. We should not be controlled by the Executive staff and Administrator; then we're not doing our job, we are not employees. I have two elephants in the room tonight and am trying to be straight on this. Let me just talk about the person who talked, I don't like using names, relating to the big party. I'm trying to dance around this a little bit because it's not over yet and I want to acknowledge that I appreciate you coming up here. But I can't accept your apology yet because this has cost me a lot of money and has cost me a lot. I do want explain that I went out there to support the people. I was standing there doing nothing when this gentleman decided to have a problem with me. I was asked to leave, I went to leave the gentleman proceeded to follow me and verbally threaten me. I turned around to face him because I didn't want to get jumped and I did yell. I want everyone to understand something, disorderly conduct can be as simple as yelling in a crowd, it could be as simple as standing in line backwards. If the police officer decides that's disorderly conduct it is, that's how vague it is; it could be to extremes too. So on the advice of my attorney today and I'm not trying to drag this out any longer which I never wanted to do in the first place, that's a whole other thing. On the advice of my attorney I plead 'No Contest' to the charge to get it done with but they also dropped the other charge, that's very important. If they thought that was a real charge it wouldn't have been dropped, trust me. So in the end this is fine and the right thing to do, I'm still thinking about it but it's done now. I have yet to have the final conclusion done but there'll be something forthcoming. But, again, my residents' call me I will call them, this won't stop that.

Mayor Coyne stated I wish Councilwoman Powers would have come to the Mayor's Forum to maybe have some of these issues here addressed. This is very unusual tonight to discuss politics so openly. I want to address a few residents who were here this evening that talked about Breast Cancer Awareness in the city; you should be commended for coming up and telling your stories. It's a difficult story for everyone in

**Remarks to the audience by Council: cont.**

the country and quite frankly there is no excuse for moving this forward; it's routine things and this has been going on in this Council for a long time. Ms. Lemmo and the residents of Middlebrook Boulevard clearly have the right to have their concerns heard and they will be heard through the process. I tried to explain to Mr. Biltz that the Conditional Use Permit gives the city a lot more authority than if it was just on a regular development. In the process you get to voice your concerns and the private property person has the right to develop their property. As long as it is not done unfairly, cause an inconvenience or cause damage to residents' property. It is the city's job to try and deal with the issues until the final plat is developed, most of those things talked about were addressed. Let's get into the politics here, I'm an amazing person, I'm not a perfect person, but I'm amazing; I am responsible for everything. When someone gets up to this microphone, Mrs. Astorino with all due respect and this is Tom Coyne's fault. It interests me that you raise the issue about politics, let's get to my lifelong friend, Bess Vrettos. You don't know about our relationship for a long, long time she is one of the most talented women I've ever known with Voter ID and campaigns and yes, Bess ran my campaigns. Julie McCormick you've only heard me bring Julie McCormick up in terms of her expertise. Her contract was terminated by me, she was not fired, she was a contractual employee who was terminated by me. I had this discussion with her once she filed for public office that is the usual policy of my administration. That if you have a contract with the city you vacate that contract and pursue your dreams, which she did. So let's look at behavior in politics, that young lady was put in a position that nobody was in the history of this city. No freshman Councilmember was ever made Chairman of the Finance Committee, ever. As a matter of fact, a long-time tradition, Council will tell you a freshman Councilmember comes on for the first several months to sit and learn and be quiet. That's what Frank Russo said to every young Councilmember that came on this dais and I was one of them. Mrs. Astorino you cheat yourself because you only need to look in the mirror and ask why some of these things are so political. We had countless discussions when I first came in here about social media. You do your husband and you do this city a great disservice by what you do. Because you try and limit discussions and facts to only what you wish to produce. So to get up there and blame me even in this recent investigation it is clear, I believe, that the Council President knew who retained this site and there was nothing wrong with that. If you want to go back to the minutes I said that several times; let's just identify who it is. We have wasted all this time and who cares. But, it was political for a small city like us to have two websites to begin with. From the very beginning of the committees that were improper this behavior on this Council, I have never seen anything like it. I sat next to a guy that ran against me I think twice and we got business done in this city. So for you to come up and continue to blame me look in the mirror when you go home. Look in the mirror and see who's responsible for these things and let me make one final comment. I did not hire, I did not recommend, I did not screen, I had nothing to do with the retention of Mr. Slattery. There are deep issues that should be addressed as soon as possible and the involved conduct. Part of which, ma'am, you are involved in one of the greatest hoaxes ever perpetrated in this city. When it comes to the end I hope that is revealed so something like that never happens again. Finally, it was interesting to see Mr. Troyer reject the apology of Mr. Fultz because it took a man to do that and he's yet to apologize. Him trying to blame our police department, I think, is a disgrace, an

**Remarks to the audience by Council: cont.**

absolute disgrace. I had nothing to do with Mr. Troyer being arrested, being charged or anything else in his behavior. My own behavior I had to answer for and I answer for it every day. I have nothing to do with that behavior so to sit up here, again, tonight and act like there was some misdeed or some miscalculation of these charges make no mistake about it. I talked to Mr. Troyer that night and asked him to leave, in fact I told him to leave, it would be in his best interest and the protection of the people in that neighborhood. So to act like this was just a simple thing, a walk in the park. Mr. Fultz knows better and this Councilman should know better. There are several people on that street that know what the facts really are; he's not a policeman. He's a Councilman who is supposed to enact laws. I've watched this whole thing unfold and quite frankly it's made the business of running this city near impossible for the last two years. The one woman that came up here said it best I hope the voters decide on what kind of city they want to live in. I don't believe they want to live in the kind of city that we've seen here tonight and we've seen over the last two years. I don't believe that they do because it's been a charade. This city is moving forward, we are growing, I'm having a Councilwoman sitting over here. You want to talk about Brookpark Road, do you remember what it was like? These same forces were against that, they were against the airport deal, they were against everything that I've ever proposed, in my whole career. All of them have worked out for the positive of this city without question; cannot deny. Let's address the hotel up here we had a Member of this City Council, the Fire Marshall ordered the building to be closed. Over the last four years I have witnessed an individual try to patchwork the support system of that hotel. People fell through the floors and if you don't believe that the one we closed down on Brookpark Road moved up there, have a talk with our police department. Nobody in this administration, be it the fire marshal, the fire or police departments have done anything to impair the progress of that individual including his operation. He got business from the airport, Mrs. Powers, illegally and in violation of ordinances of this city; just like the one on Brookpark Road. So if the people of this city, you are in that ward, do you think the people of your ward want that hotel to operate like its been? I don't know where you've been you couldn't even name the names of the streets tonight in your own ward. Finally, every time I hear about this flooding issue two years ago I proposed a resolution on how to solve our problems. Including you and anybody that comes to your door telling you that they're going to solve all these problems without more revenue is either a liar, a fool or both. Because that's the only way you're going to get it done. Retention basins in the neighborhoods, improvements in sewers in the neighborhoods cost millions of dollars and I've told you this Councilwoman. In your tributary alone your drainage ditch has \$5 million dollars of work that has to be done, \$5 million dollars. You don't have it in this budget and I can tell you here and I sat with you for four years. I've seen you make no amendments to address any money for anything worthwhile, at all. Quite frankly, you don't even understand the budget process. So, again, we have another meeting with the same thing and I'm glad that I was able to speak and you got to speak here and just wish you could have been at the Mayor's Forum because that's what should be done. I'm not going to sit here anymore and allow people to come up here or get on Facebook. You don't see me on it except if I'm talking to a friend because it is a poison to good government in any city, any place. One of the first things I was told when I came back here was to don't read it and don't participate in it. To see good

**Remarks to the audience by Council: cont.**

citizens being disparaged because they come up and honestly say something. There a lot of people that Patti helped with campaigns over the years. I don't remember you helping me but if you did I would thank you for it. That's the nature of the beast in the town and is never going to change. The good thing about it is people get to come up here, whether they like me or don't like me or other people, they get to come up here and say what they have to say and we get to respond.

Mr. Astorino thanked Mr. Slattery for coming forward and giving us a wonderful night of comical entertainment, it's just as bad this time as it was the last time. I will say one thing at the last meeting I was asking Councilmembers what they're going to do with the report and they stuck it into a committee; then he comes here tonight to give us another report. This is the most unprofessional demonstration of how it should have been presented. He was hired by the City of Brook Park and if you read his contract the client is City Council. He doesn't ask the client, he does not ask the client, how we want the information provided. He just does it on his own, he's a loose cannon. He's going to say I'm in charge and I'm going to do it the way I want. He was hired to find facts and last week I said what are we going to do and presented to you that he made 12 mistakes in his report, he's made six other errors in his report. There's gross mistakes that are made in this report and asked Council and then what happens? Motion to put it into the Finance Committee. Yes, the majority can do that, we're not going to address it. What does he come here tonight and say? He comes here tonight and says Council is not acting quickly enough, well, guess why Council is not acting quickly enough. Because the intention of this thing is simply to generate campaign materials because as the Mayor has shown. Not only does he have this thing for me he has this thing for my wife; probably more for my wife then he does for me, I think it may be a tie. The Mayor talks about the report, he went through a bunch of stuff tonight and will listen to his comments because to be honest with you. There were so many things that he said that were inaccurate my had is tired writing it all down. So, I'll go through it again and present it to Council so you can see it. I've shown you before the mistakes he made and you guys all sit there saying it's okay, let's spend \$10,000 to do this. Okay, that's what the majority can do, you're allowed to do that. So we'll move on to the next issue dealing with the Mayor making an accusation, the first time he's ever seen a freshman committee person assigned as Chairman of the Finance Committee. As Council President when it was my turn to make those committee assignments I asked the Council people, I asked what they wanted. I said provide me what your choices are and nobody else wanted to do it, they didn't want to be Chairman of the Finance Committee. So I had to find somebody to do it I couldn't leave it empty. Right now, the Mayor has a problem because Julie McCormick was named Finance (Chairperson). That never happened before, guess who the Finance Chairwoman is, she jumped into it and is the freshman Councilmember. She came in midstream and I'm not blaming her for it but he'll sit there and tell you there is something wrong with it, but only tells part of the facts. He doesn't tell you that nobody else wanted it. I asked them, I said, give me a list of the committees you want to serve on; finance chair was blank. He talks about unusual to have two websites, what is also unusual if you remember when I first came into office. He spent a lot of time on his Mayor's Forum on the city's website talking about how bad things are, how it's impossible to work with Jim Astorino, how it's

**Remarks to the audience by Council: cont.**

impossible to work with Julie McCormick. He talked about that on the Mayor's Forum right from the beginning, he didn't even give a chance to work with us. Guess what, have you seen the report I gave, 87 pieces of legislation with 67 of them passing without dissent. Our budget for 2016 and 2017 passed within three weeks of when he presented it to Council. It took him two and a half months to present it to Council, he waited until the middle of March to give us a budget; it took us three weeks to pass it. That doesn't sound like a dysfunctional Council to me, it sounds like a Council that is getting business done. He likes to say words because you all believe what he is saying but if you look at it it's not true. The Recreation Center deal took three weeks to pass from when he introduced it and the first two readings we didn't have a contract to look at. We weren't even given the contract, in fact, the one meeting had to be cancelled because it was pointed out that this ordinance says we're going to be approving a contract. Don't you think we should look at it the contract before approval; oh we'll get that to you. What's dysfunctional is his administration and trying to work with that administration. We're getting stuff done, there's only been five pieces of legislation that have not been passed in almost the last two years. None of them are his legislation so every piece of legislation that he's introduced that we've acted on have been approved. What's he complaining about, he's complaining about that nothing is getting done. Probably because he's not getting anything done.

Audience member - Can the audience make a point of order?

Mr. Astorino - I'll listen to you, what's your point of order?

Audience member - my point of order is it says Remarks from the audience on any subject matter. The Mayor as part of the audience and make any comments on the subject matter.

Mr. Astorino - neither did I and he commented about me, sir, so your point of order is not taken.

Audience member - he commented on what the audience said you're commenting on what he said.

Mr. Astorino - he's commented about me, sir.

Audience member - in reaction to what the audience said.

Mr. Astorino - you may think so.

Audience member - I dealt with Mr. Slattery and his comical presentation, unprofessionalism comical presentation.

Mr. Mencini - come on, come on.

**Remarks to the audience by Council: cont.**

Mr. Astorino - come on, you hear this because they're names not in it so they don't find it offensive.

Audience member - that's what I'm trying to say. I think you're out of order and be quiet.

Mr. Astorino - I have the microphone what happened tonight at the end of the day with that out of control party on the west end last August. Out of control where there were hundreds of kids there, hundreds, not 10, 20, 40 people. Think about your neighborhood and think about having 300 kids walking around, some of them high-school age and watching cases of beer being carried in. When your high-school age kid is going to this party with hundreds of kids and it's out of control. A resident calls and a Ward Councilman goes back there and at the end of the day, today, what happened. The host of the party gets cited for yelling at the Councilman, the Councilman got cited for yelling back; at the end of the day that's what happened. All of the other stuff it happens, charges are made, everything is done.

Grumblings from audience members.

Mr. Astorino - one man pleads guilty and the other man pleads no contest to two charges; yelling at each other. Thank you for your professionalism out there and for your courtesy. When the Mayor was speaking nobody had trouble keeping their mouths shut and listening to him.

Audience member - because you're lying I was there.

Mr. Astorino - at the end of the day one person was found guilty of shouting at somebody, the other person plead no contest and the judge found him guilty of shouting back. Remember, the party was in August and took two months before they got charged with shouting at each other.

Mayor Coyne - Wow.

Mr. Astorino - We don't like to hear it and don't sit there and say wow.

Mayor Coyne - I'll say wow.

Mr. Astorino - yes, I know you'll say wow but at the end of the day.

Mayor Coyne - you know what I think you should handle the safety committee to hear the testimony of those police officers, sir, that's what you ought to hear.

Mr. Astorino - the case went through the court.

Mayor Coyne - I think the police officers should come in here to testify before Council.

**Remarks to the audience by Council: cont.**

Mr. Astorino - thank you for allowing me. I kept quiet while you were bad-mouthing my wife.

Mayor Coyne - sir, your wife got up and pitted herself, I treated her like a lady.

Mr. Astorino - you treated her like you treat ladies, I'll go along with that.

Ms. McDonnell - I'm calling a Point of Order on that one.

Mr. Astorino - What is your Point of Order?

Ms. McDonnell - Number 9 (Council Rule) you should not use offensive language to all elected and appointed officials in a public meeting. We do not start badmouthing each other's wife and family members. I'm appalled and would like to call the roll to move forward because this is pointless, we could do this for six more hours and I would like to get to the business that we need to get to.

Mr. Mencini - I'll support that

Mr. Astorino - what are you supporting there's no motion on the floor.

Ms. McDonnell - to call the roll to move forward.

Mr. Astorino - I'm going to rule on your point of order, first.

**Motion** by Mr. Salvatore that we move to item M.

Mr. Astorino - there's a point of order called, Councilman, I must rule on that point of order before doing anything else, as you well know.

Mr. Salvatore - I don't think you're going to rule on it, you didn't even recognize it, so I'm still making a motion that we move to M.

Mr. Astorino - I'm not going to entertain your motion because a point of order was raised and I'm going to address it, Mr. Salvatore. Can you explain your point of order again?

Ms. McDonnell - offensive language and read an excerpt of Council Rule No. 9 - 'Offensive language to fellow elected or appointed officials or to the attending public they shall not personally attack either physically or verbally the elected or appointed official'. When we start attacking how we treat women that is offensive, that has nothing to do with why we are here. This is appalling and I would like to move forward to get things finished today.

Mr. Astorino - I don't know what the offensive language is can you identify that?

**Remarks to the audience by Council: cont.**

Ms. McDonnell - would you like to recap what you were talking about how the Mayor treats women and vice-versa between the two of you right now?

Mr. Astorino - when he was speaking out of order.

Ms. McDonnell - that's not the point, I was talking about.

Mr. Astorino - you're okay with all his interruptions?

Ms. McDonnell - I am not.

Mr. Astorino - okay, I'm going to do one thing here. I'm going to overrule your point of order but I've concluded my remarks so we have completed the response from Council on the audience participation.

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**INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):**

- 1. ORDINANCE NO. 11004-2017, AUTHORIZING FABRIZI TRUCKING AND PAVING COMPANY TO COMPLETE STORM SEWER REPAIRS NEAR 14527 FAYETTE BOULEVARD AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

**Motion** by Mr. Burgio, supported by Mr. Scott, to suspend.

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

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

**ROLL CALL: AYES:** Scott, Troyer, Powers, McDonnell, Mencini, Burgio, Salvatore  
**NAYS:** None. Ordinance No. 11004-2017 has been passed by suspension of the rules. Adopted.

- 2. ORDINANCE NO. 11005-2017, APPROVING THE LOT CONSOLIDATION OF PERMANENT PARCEL NOS. 344-06-016 AND 344-06-017 LOCATED AT 5420 WEST 140<sup>TH</sup> STREET IN A U5-C ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole. (**Note: Exhibit A mentioned in Section 1 of the legislation is on file in the Council office for review**).

**Motion** by Mr. Scott, supported by Mr. Troyer, to suspend.

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

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

**ROLL CALL: AYES:** Troyer, Mencini, McDonnell, Powers, Salvatore, Burgio, Scott  
**NAYS:** None. Ord. No. 11005-2017, has passed under Suspension of the rules. Adopted.

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**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

- 1. ORDINANCE NO. 11002-2017, AMENDING SECTION 1348 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FRONT PORCHES' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

Mr. Astorino stated Ordinance No. 11002-1017, has had its Second Reading.

- 2. RESOLUTION NO. 26-2017, DESIGNATING THE MONTH OF OCTOBER, 2017 AS BREAST CANCER AWARENESS IN THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Councilmembers Salvatore, Burgio, Scott, Troyer, McDonnell, Mencini, Council President Astorino and Mayor Coyne.

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

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

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

**ROLL CALL: AYES:** Mencini, Troyer, Powers, McDonnell, Scott, Burgio, Salvatore  
**NAYS:** None. Res. No. 26-2017, has passed under suspension of the rules. Adopted.

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

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

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

Council President Astorino declared the meeting adjourned at 9:50 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak  
Michelle Blazak  
Clerk of Council

APPROVED November 14, 2017

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