

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, JUNE 5, 2018**

The meeting was called to order by Council President Vecchio at 7:50 p.m., the clerk called the roll and the following Members of Council answered:

**SCOTT, BURGIO, ORCUTT, STEMM, MENCINI, POINDEXTER, SALVATORE**

Also in attendance were Mayor Gammella, Law Director Horvath, Recreation Director Elliott, Finance Director Cingle, Engineer Piatak and Service Director Gardner.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. CAUCUS PRIOR TO MEETING HELD ON APRIL 17, 2018.
2. REGULAR COUNCIL MEETING HELD ON APRIL 17, 2018.
3. SPECIAL COUNCIL MEETING HELD ON APRIL 24, 2018.
4. CAUCUS PRIOR TO MEETING HELD ON MAY 1, 2018.
5. REGULAR COUNCIL MEETING HELD ON MAY 1, 2018.
6. CAUCUS PRIOR TO MEETING HELD ON MAY 15, 2018.
7. REGULAR COUNCIL MEETING HELD ON MAY 15, 2018.

Mr. Vecchio stated this minutes can be approved as a whole or if there are questions one by one.

Mr. Salvatore commented since these minutes are not verbatim but there are a few areas that are missing an 'and or the, and don't think amendments need to be made.

Mr. Vecchio read the meeting minutes into the record.

**Mass motion** by Mr. Mencini, supported by Mr. Poindexter, for a mass motion for approval of seven sets of meeting minutes.

**ROLL CALL: AYES:** Mencini, Poindexter, Salvatore, Stemm, Orcutt, Burgio, Scott  
**NAYS:** None. Seven sets of meeting minutes are approved.

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**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter stated no report this evening.

Finance Committee – Chairman, Scott

Mr. Scott stated Finance Committee has nothing on the agenda. The Board of Control met earlier and approved 22 items.

Legislative Committee – Chairman, Mencini

Mr. Mencini stated Legislative Committee has two pieces of legislation on tonight's agenda.

**Reports from Standing Committees: cont.**

Parks & Recreation Committee – Chairman, Salvatore

Mr. Salvatore stated the Recreation Commission meeting was cancelled. Mr. Salvatore commented that he viewed the new Council Chambers that are coming along. Also, parade applications have been received and should be given back to Recreation Director Elliott for proper planning.

Planning Committee – Chairman, Burgio

Mr. Burgio stated the Planning Commission met on June 4<sup>th</sup> and approved unanimously aesthetic approval for renovations for Metro Lexus at 13600 Brookpark Road for updating of the facade, exterior and converting the car wash to be public.

Safety Committee – Chairman, Stemm

Mr. Stemm stated no report this evening.

Service Committee – Chairman, Orcutt

Mr. Orcutt stated bulk pickup occurs the second Monday of each month and it's very important that residents' call the service department the Friday before by 12:00 noon to get on the schedule. Yard waste can be placed in the regular rubbish can but must be placed in a separate plastic bag and the lid can still close.

Board of Zoning Appeals – Chairman, Scott

Mr. Scott stated the Board of Zoning Appeals had nothing on the agenda this month.

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**REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center – Trustee, Salvatore

Mr. Salvatore stated the Nominating Committee gave the recommendations to the Systems Board that were passed unanimously. Two vacancies for both Berea and Middleburg Hts. were filled. Mr. Salvatore commented that he was approached by an employee of the city questioning attendance of some of the board members. I am only reporting my attendance numbers and won't get into others. In 2015 – 100%, 2016 – 90%, 2017 – 100%, 2018 – 100% and all committee assignments to date is 100%. Mr. Salvatore appreciates the person bringing this up and thinks that Council should look at the attendance records of the Boards and Commission members especially since they are compensated and contributions being made into a retirement fund.

Berea Board of Education Committee – McDonnell, Poindexter

Mr. Poindexter stated school let out last week and wished all the teachers, students and faculty a safe and enjoyable summer. It seems to be a busy construction period for Berea City Schools and looks forward to reporting on the progress.

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**REPORTS OF BOARDS AND COMMISSIONS:**

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**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

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**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella reported this week we met with Berea Superintendent Sheppard and as everyone knows Brookpark Memorial will be closed, Ford Intermediate is closing and getting redone and eventually Brookview Memorial will be closing. Discussions with Mr. Sheppard were about possibly the city acquiring some of that property and those conversations will continue. At no expense to the taxpayers or the City of Brook Park 24 trees were planted on Engle Court with private funds and thanked former Treasurer, Jim Rokakis and Chief of Staff, Tony D'Amico for volunteering to plant the trees. We met with the Recreation Center contractor and that part of the project is coming to a close, the whirlpools are being tested and should be up and running shortly. There are still issues with the pool area that will have to be addressed and will make sure the project is excellent for the community. A proposal and good offer has been put in for Swaglock for their world headquarters and development center for a location on the west end of the city. Swaglock personnel were very impressed and extremely surprised with what the city had to offer with the closeness to NASA, the Airport and the interstate systems. Swaglock would bring 300 jobs that pay \$70,000+ that could possibly add \$1 million-dollars to the city's tax base. The city is being extremely assertive on this and thanked Economic Development Commissioner Adams for his hard work diligence on this and Council's support.

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**Questions to the Mayor:**

Mr. Stemm asked Mayor Gammella if it's possible for a meeting to be set up with Superintendent Sheppard, Chiefs Maund and Foster, you and I to discuss school safety with the new elementary school.

Mayor Gammella responded we will definitely do that.

Mr. Mencini stated the residents on Engle Court are very happy with the tree planting and asked if the city will be getting any other extra trees?

Mayor Gammella responded that's a possibility and is being looked into and I want to stress those trees were privately donated, no tax dollars used, so the trees can be put on private property. Mayor Gammella stated to Mr. Mencini you were also instrumental in that program and appreciate everything you did.

Mr. Mencini stated with the grass will some of the areas i.e. Brookpark Road and others be attended to soon?

Mayor Gammella responded absolutely.

Mr. Mencini continued a long-time merchant at Brookgate informed me he will not be renewing his lease come February because the rent is too high. The tenant next to this one told me this is not the best management he has dealt with being at the location for 50 years. I know Mr. Adams is working hard and maybe the Administration and Council

**Questions to the Mayor: cont.**

need to work on also that's one of the city's main areas. A few merchants are doing well but the regulars are ready to pull out and that is not a good sign that long-time merchants are leaving.

Mayor Gammella commented that there have been discussions with Brookgate owners, Economic Development Commissioner Adams and Councilman Orcutt, this is a privately held strip and the owners will comply with the city's laws and regulations and will stay on them about that.

Mr. Poindexter asked Mayor Gammella if there are any updates with the National Truck/Equipment Company, has that been looked into any further, any counter-offers?

Mayor Gammella responded I don't see there offer changing but wouldn't quite call it a dead-issue yet, Mr. Adams and I spoke about that today. This went from a 100% deal now to maybe a 10% deal, the individual is looking elsewhere, but would still like to get that company here and will be brought up at a later date.

Mr. Poindexter asked where can an answer be expected from Swaglock then the deal will be accepted or not?

Mayor Gammella responded the company had literally 30 to 40 offers and were very impressed with Brook Park's presentation and what the city had to offer; so probably won't hear anything for a few months.

Mr. Salvatore asked about the lateral transfers?

Mayor Gammella responded there has been no meetings and my commitment still stands we have a meeting on lateral transfers, you'll be there.

Mr. Orcutt stated at the last meeting you spoke of having a phone conference with Ford land, how did that going? Is there any land Ford Motor will be giving up?

Mayor Gammella responded we had a conversation and think we're making progress and at the proper time, if things come to fruition, Council will be the first to know in an Executive Session and won't read about it in the newspaper. The good news is that Ford has made a commitment they will break that away from Ford Manufacturing to Ford land; so things are being talked about.

Mr. Vecchio commented there's been some grumbling throughout the city of roof material falling inside of the pool at the Recreation Center and leaks within the new roof. Is there any truths to these statements that you can put to rest?

Mayor Gammella responded I can put it to rest, yes, there are leaks in the new roof and addressed that today with the contractor. Those leaks have been fixed, however, there

**Questions to the Mayor: cont.**

are some issues as a result of those leaks. Some of the leaks in the new roof just installed were pretty bad and have been corrected. As far as things falling into the pool that are has been vacant for four years without being looked at. I believe a piece of wood fell off the ceiling and it's not as safety hazard to this point. As I've stated to Council before and anyone else that will listen the Recreation Center roof has to be addressed. There are people looking at the walls due to the lack of a vapor barrier when built in the 1970's some of the walls are crumbling. So to protect that \$5.2 million-dollars put in we may have to put more money and why I'm hesitant on the roads. When I get a full report it will be given to Council for discussion and also let the residents' know what is going on.

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**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:****Finance Director Cingle**

Mr. Cingle stated May monthly reports will be distributed in the next few days.

**Recreation Director Elliott**

Mr. Elliott stated there was a meeting with the contractor of closing up the project with a few punch-list items. Where there were leaks those tiles and the ceiling will be replaced, some have been and will be, the piece of wood mentioned is about 1' long and 4" wide. The Waterpark is ready to open weather permitting, the first outdoor movie at the waterpark will on Friday, June 22<sup>nd</sup>. With the whirlpool, steam rooms and saunas the final piece for the whirlpool in the men's room should be completed by the end of the week and locker rooms will become available next week. Little league is in full swing and letters were provided for the Home Days parade.

**Law Director Horvath**

Mrs. Horvath stated no report this evening, at the next meeting a list of pending civil cases will be provided along with information on the opioid crisis and some pending case in federal court and what issues that may present for the city.

**Service Director Gardner**

Mr. Gardner stated service crews have been doing some projects at the recreation center and almost done with the kitchen. Crews have been working on the front entrance of City Hall and completed the work at the waterpark. Crews have put 41-tons of hot-mix in May, the sweeper ran for eight days and probably made one trip through the city, five camera jobs, five sanitary/storm repair jobs and responded to 87 sewer calls for the month of May. The snow plow damage list is complete and if anyone was missed please call the department. Crews removed 47 trees and are currently catching up with the stumping and seeding this week, there are 17 trees still on the list to be taken down. Crews are mowing grass, sometimes the same grass, portions that aren't cut is probably due to wetness and will continue to cut weather permitting. The next Bulk Monday is June 11<sup>th</sup> and reiterated it's very important to call the service department for scheduling purposes for approximately 90-tons of rubbish in one day.

**Reports and Communications from departments, commissions and other public officials: cont.****Engineer Piatak**

Mr. Piatak stated the contractor was in the city last week to address issues with the 2017 Sidewalk Program for landscaping problems. Consultants for the NEORSD (Northeast Ohio Regional Sewer District) were in the city last week installing flow monitors and doing manhole investigations in various locations throughout the city and will continue for the next few months. We're hoping they get some scope-testing done on some of the sanitary sewers as well to be brought forward in the near future. Lastly, I will make myself available anytime this week to talk about road recommendations to come to a decision with the Roads Program.

**Questions to Public Officials:**

Mr. Orcutt stated to Mr. Piatak with the testing being done on the storm and sanitary sewers are they reporting to you or have to complete the whole testing process before any areas that may have major issues?

Mr. Piatak responded the consultant will upload the data to a GIS System and think if they find something major they'll notify myself or the service director, to date I haven't heard of any major issues requiring immediate attention.

Mr. Orcutt asked if there was any testing in the Pickway area?

Mr. Piatak responded I don't know for certain and knows that area was brought to their attention to pay particular attention to as one of the city's troubled areas. There are some flow monitors that were to be installed in that area. The flow monitoring process is going to be spread out with some being done this year and some next year; this is a three-year study. If there's something specific I can inquire but if it hasn't been done it has been brought to their attention it needs to be looked at.

Mr. Salvatore asked if an answer has been received on Fund 250?

Mr. Cingle responded as soon as the audit is complete I will meet with the lead auditor to discuss Fund 250 and report to Council after that meeting.

Mr. Salvatore asked Mr. Cingle if he's looked at what the impact will be with the closing of the schools as far as revenue?

Mr. Cingle responded I haven't initially looked at it and am currently working on the 2019 Tax Budget. The projection in the tax budget will show the what we believe to be the impact from the closing of two schools.

Mr. Mencini stated to Mr. Piatak with the recent hard downpours of rain has there been any flooding?

**Questions to Public Officials:**

Mr. Gardner commented over the weekend there were no calls of any sort.

Mr. Mencini asked Mr. Gardner if the Vactor has been going out?

Mr. Gardner responded crews ran the Vactor two days last week with trouble mains and catch-basins.

Mr. Mencini stated to Mr. Elliott the baseball season seems to be going good?

Mr. Elliott concurred.

Mr. Salvatore thanked Mr. Gardner for a recent job crews did on a street.

Mr. Vecchio stated to Mr. Elliott and recreation staff, great job with the baseball and softball season with the many games; the scorekeepers are doing a great job. To Mr. Gardner the fields are being well taken care of.

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

**Verbal Approval:**

1. REPLACEMENT OF DESKTOP COMPUTER FOR COUNCIL CLERK CONNECTION SALES QUOTE **\$909.74.**

**Motion** by Mr. Poindexter, supported by Mr. Mencini, to verbally approve.

**ROLL CALL: AYES:** Poindexter, Mencini, Stemm, Salvatore, Scott, Burgio, Orcutt

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

2. PROPOSED CHANGES TO THE 2018 CAUCUS/COUNCIL MEETINGS & SUMMER SESSION SCHEDULE.

Mr. Mencini requested this topic be moved to the June 19<sup>th</sup> Council meeting until the Roads Program is worked through.

Mr. Stemm concurred and stated the workload is too heavy and have benchmarks and deadlines to meet.

Mr. Salvatore commented as one Councilman, I wasn't going to support tonight or on another date.

**Motion** by Mr. Mencini, supported by Mr. Stemm, to move the proposed changes to the Caucus/Council and Summer Session schedule to the June 19<sup>th</sup> Council agenda under Verbal Approval.

**ROLL CALL: AYES:** Mencini, Stemm, Poindexter, Salvatore, Scott, Burgio, Orcutt

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

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

Joan Markusic

13911 Bellbrook

Ms. Markusic expressed concerns with the I-71 and Snow Road improvements and how much service department employees were paid as well as the amount for the planters that were purchased and the vague information given. Not having funds for the roads, recreation center pool area falling apart and not allowing a trucking company come into the city.

Ray Peterlin

5811 Wengler Drive

Mr. Peterlin gave an oral report of the manifest provided to all elected and appointed officials on file in the Council office for public review.

Angelo Ballachino

6328 Saylor Drive

Mr. Ballachino has been a resident for 60 years and stated Saylor Drive was last repaved in 1972 and needing to be repaved due to being in terrible condition; not having roads for the city.

Laura Mertel

16236 Remora Blvd.

Ms. Mertel stated concerns with the condition of the streets, neighborhood decline, care not being taken with trees, no pool and front bumper car damage from the low sewer and high asphalt at 16201 Remora; the city needs to be maintained.

Susan Barbour

5819 Robert

Ms. Barbour expressed to Council they are obstructionists with not allowing the trucking business to the city and accepted the offer given to the city. Ms. Barbour showed pictures of trash along the streets or Ward 3. Ms. Barbour has started a 501c3 for the Brook Park Help Thy Neighbor legitimate group that includes a website and email address.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns with the Charter petitions going around the city, Ward 1 neighborhood issues with property maintenance, city permits not being pulled for a recent driveway installation, automobiles without current tags and broken glass at the gazebo being a safety issue.

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

- 1. ORDINANCE NO. 11025-2018, ENACTING CHAPTER 1122 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SHORT TERM LEASES' Introduced by Councilman Mencini

Mr. Vecchio stated Ordinance No. 11025-2018 has had its First Reading.

- 2. RESOLUTION NO. 19-2018 TO EXTEND THE BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE BROOK PARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE TO SUCH USE AND DECLARING AN EMERGENCY. Introduced by Councilman Scott

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

**ROLL CALL: AYES:** Salvatore, Scott, Burgio, Orcutt, Stemm, Mencini, Poindexter  
**NAYS:** None. The motion carried.

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

**ROLL CALL: AYES:** Scott, Salvatore, Poindexter, Mencini, Stemm, Orcutt, Burgio  
**NAYS:** None. Res. No. 19-2018, has passed under Suspension of the Rules. Adopted.

- 3. ORDINANCE NO. 11026-2018, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH NORTH SHORE PUMP & EQUIPMENT COMPANY, WITHOUT PUBLIC BIDDING, TO PURCHASE THREE DRY PIT SUBMERSIBLE PUMPS, INSTALLATION AND REMOVAL OF EXISTING PUMPS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

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

**ROLL CALL: AYES:** Mencini, Scott, Burgio, Orcutt, Stemm, Poindexter, Salvatore  
**NAYS:** None. The motion carried.

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

**ROLL CALL: AYES:** Scott, Burgio, Orcutt, Stemm, Mencini, Poindexter, Salvatore  
**NAYS:** None. Ordinance No. 11026-2018, has passed under Suspension of the Rules. Adopted.

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**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. RESOLUTION NO. 17-2018, AUTHORIZING AND DIRECTING THE PLACEMENT OF A 'VETERAN' PARKING SPACE IN ALL MUNICIPAL PARKING LOTS AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini & Council as a Whole.

**Motion** by Mr. Salvatore, supported by Mr. Poindexter, to suspend

**ROLL CALL: AYES:** Salvatore, Poindexter, Mencini, Stemm, Orcutt, Burgio, Scott  
**NAYS:** None. The motion carried.

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

**ROLL CALL: AYES:** Mencini, Burgio, Scott, Orcutt, Stemm, Poindexter, Salvatore  
**NAYS:** None. Res. No. 17-2018, has passed under Suspension of the Rules. Adopted.

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

Mr. Mencini and Council applauded Mr. Burgio on his 47<sup>th</sup> anniversary and birthday.

**Motion** by Mr. Salvatore, supported by Mr. Orcutt, to address the audience remarks.

**ROLL CALL: AYES:** Salvatore, Orcutt, Burgio, Scott, Stemm, Mencini, Poindexter  
**NAYS:** None. The motion carried.

**Address of audience remarks:**

Mr. Salvatore thanked Mr. Peterlin for including his name in the written report and for volunteering time, money and hard work. To Ms. Barbour I take exception to the comment of Council being obstructionists and stated when it comes to selling property that belongs to the people of this community by just giving it way; there must be negotiations. It is our obligation as elected officials to negotiate on every resident living in this city.

Mr. Orcutt stated to Mr. Peterlin a lot of items in your report are what Mr. Piatak and I have discussed about Wengler Drive. Mr. Orcutt asked to speak to Ms. Mertel privately after the meeting regarding Remora. Mr. Orcutt also would like to speak to Ms. Barbour one on one and look at the pictures. Mr. Orcutt agreed with Mr. Salvatore by saying there is no obstruction and Council is working extremely hard with the administration to do what is right for the people.

Mr. Mencini commented to the people who speak at the microphone to remain after the meeting and not leave; to Ms. Barbour to come up and make a strong comment and leave. I want everyone to know this is still a good community look in the paper at the home sales they are high. Things will get worked out, it's not easy, it's a hard decision, but it's coming and will need the community.

**Address of Audience Remarks: cont.**

Mr. Stemm thanked Ms. Sayers for coming to the microphone and would like to speak with her after the meeting.

Mr. Poindexter stated to Ms. Mertel some of the issues you raised is why I ran for Council with having no pool, bad roads and other issues. Bear with us we're trying and have a long way. Mr. Poindexter stated to Ms. Barbour when the trucking personnel made their presentation I made a motion to move the legislation to the next Council agenda. The price for that property was low and hoped to place it under First Reading and negotiate the price through the process.

Mr. Scott stated to Mr. Ballachino I get phone calls about Saylor Drive every day. There are probably a few Ward 4 residents perturbed with me with citations given on lawns. I drive my ward two or three times every week and note lawns that are not being taken care and in the past two weeks turned in 46 homes of the 1,600 homes in Ward 4.

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

**ROLL CALL: AYES:** Mencini, Salvatore, Poindexter, Stemm, Orcutt, Burgio, Scott  
**NAYS:** None. The motion carried.

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

**ROLL CALL: AYES:** Salvatore, Scott, Burgio, Orcutt, Stemm, Mencini, Poindexter  
**NAYS:** None. The motion carried.

Council President Vecchio declared this meeting adjourned at 9:17 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak  
Michelle Blazak  
Clerk of Council

APPROVED June 20, 2018

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

