

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, SEPTEMBER 4, 2018**

The meeting was called to order by Council President Vecchio at 7:30 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, Finance Director Cingle, Service Director Gardner and Engineer Piatak.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter reported that former Aerozone Alliance Chairman, Howard Thompson has taken a new position in a different department and will be apprised of the new chairman when selected.

Finance Committee - Chairman, Scott

Mr. Scott stated no report this evening, the Board of Control met earlier and approved six items including the awarding of the contract to the lowest and/or best bidder for the administration parking lot to Carron Asphalt Inc. in the amount of \$99,877.50, only two bids were received.

Legislative Committee - Chairman, Mencini

Mr. Mencini stated no report this evening, any legislation in committee over 60 days will be pulled out and placed on an upcoming Caucus agenda.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported that Youth Football will be starting Thursday, September 6th, at Kennedy Field at 7:00 p.m., Saturday, September 8th Strongsville will be playing the JV (Junior Varsity) Brook Park team at 6:00 p.m. and at 7:30 p.m. Cloverleaf will be playing Brook Park Varsity.

Planning Committee - Chairman, Burgio

Mr. Burgio stated the next Planning Commission meeting will be held on Monday, September 10th, with two items on the agenda.

Safety Committee - Chairman Stemm

Mr. Stemm reported the Neighborhood Watch will be having their meeting on September 19th at 7:00 p.m. at the Brook Park Library and on September 22nd the Safety Fair will be held from 11:00 a.m. to 2:00 p.m. at the Recreation Center.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported Monday, September 10th will be Bulk Pickup day and residents need to call the rubbish hotline to schedule a pickup at 216-433-7189; no later than 12:00 noon on Friday, September 7th to be placed on the list.

Reports of Standing Committees: cont.**Board of Zoning Appeals - Chairman, Scott**

Mr. Scott stated the next Board of Zoning meeting will be on Monday, September 10th at 7:00 p.m., with four items on the agenda.

REPORTS OF SPECIAL COMMITTEES:**Southwest General Health Center - Trustee, Salvatore**

Mr. Salvatore reported the first year employee turnover rate continues to be better than the goal of 94% for all new hires. Representatives from the Human Resource Department and Leadership Team held a number of very successful recruitment fairs. Southwest General LifeWorks was named by the Club Industry list of the top 100 health clubs for 2018, for the second straight year. U.S. News and Report also recognized Southwest General as an elite facility for 2018-2019. The annual golf outing sponsored by Southwest General Foundation was a huge success and raised over \$144,000; that will be used for behavioral health services and the maternity unit renovation project.

Berea Board of Education Committee - McDonnell, Poindexter

Mrs. McDonnell reported Berea-Midpark High School, Brook Park Memorial and Brookview do not have school tomorrow due to the hot weather. Big Creek and Berea-Midpark Middle School do have school tomorrow, not sure about Polaris. In regards to some questions last meeting, the district's enrollment as of current is 6,032 students for 2018-2019 school year. I'm still waiting for additional information regarding the former Ford Middle School auditorium with things taken down. Berea-Midpark Middle School will be having a ribbon-cutting and community tour on Tuesday, September 11th at 6:00 p.m. Updates and minutes for all the construction updates can be viewed on the district's website under the Planning Committee tab. The district's new Treasurer, Jill Rowe, was awarded a three-year contract.

Mr. Poindexter reported the Berea-Midpark High School has a new bell schedule of 7:20 a.m. to 2:20 p.m. to alleviate bus tardiness in the afternoon. The 2018 State of the Schools event will be held this Thursday, September 6th from 11:00 a.m. to 1:00 p.m. at the UAW Hall on Hummel Road, reservations are necessary by calling Sharon Zimmer of the Brook Park Chamber of Commerce at 216-898-9755.

Mrs. McDonnell commented that the Berea-Midpark High School bell schedule the a.m. bus route times have not changed, the only times changed were for the afternoon.

Mr. Vecchio stated he has three students in each level of elementary, middle and high school and it seems the buses are fluctuating times, somedays quite early; there's a ten-minute window but I've seen 20 minutes either way.

Reports of Special Committees:

Berea Board of Education Committee - McDonnell: cont.

Mrs. McDonnell responded part of the reason the high-school bus schedule was changed is to try and alleviate some of those issues. Some of the elementary school students were getting home way after; I would assume that within the next few weeks' things are going to be more consistent. The recommendation is for students to be five or ten minutes before the bus pickup time, if there is a 20-minute window contact transportation to make them aware.

Mr. Mencini stated to Mrs. McDonnell you mentioned there was an increase in the enrollment this year. Can those figures be shared within the next few weeks?

Mrs. McDonnell responded (from the audience) I can tell you that we were down 200 students at the end of the school year.

Mr. Mencini continued that's within the entire school system.

Mrs. McDonnell concurred and commented that school numbers can be provided.

Mr. Mencini interjected not so much individual buildings but possibly elementary to intermediate to high school.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella stated no report this evening.

Questions:

Mr. Orcutt thanked Mayor Gammella and the police department for the hard work over the last two weeks regarding notices going out about Howard Johnson hotel and sexual predators moving in.

Mayor Gammella responded I'm not at liberty to discuss this but will tell you that the city's police department is right on top of that.

Mr. Orcutt stated that phone calls have been received that residents' in the Robert-Wengler area don't want to let their children outside.

Reports and Communications from the Mayor:

Questions: cont.

Mayor Gammella complimented Mr. Orcutt for being on top of this and that situation will be taken care of.

Mr. Mencini stated on that subject, a call was received from a resident on Fry Road that is willing to do everything, as a resident, to help the city with this situation.

Mayor Gammella stated I can assure that the police department is well aware and are on top of this matter.

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

Finance Director Cingle

Mr. Cingle stated August monthly reports will be distributed in the next few days. Also, the department is working on preparing amendments to the 2018 budget in legislative form to be brought forward to Council soon.

Mr. Vecchio stated that Mr. Elliott is excused this evening per Mayor Gammella.

Law Director Horvath

Mrs. Horvath stated no report.

Service Director Gardner

Mr. Gardner reported in regards to Bulk Monday anything that doesn't fit in the black rubbish can is considered bulk items. The biggest problem is with mattresses and box springs they need to be plastic wrapped or in mattress bags, for the protection of service crews.

Engineer Piatak

Mr. Piatak reported as Mr. Scott indicated earlier that the administration parking lot contract was awarded earlier. Bids were opened on August 30th with only two proposals submitted and both proposals were under my estimate so that is good news. There has been discussion with the crack and joint sealing project with the locations that the city wants to hit this year; those bids are due this coming Thursday for that project. The list is tentative and each ward is going to be allocated an equal amount of sealant and when that runs out the crews will continue to the next ward. With Ward 1 the intent is to start on Cambridge, move to Haviland & Wedgewood then finish up on Fry between Sheldon and Birchcroft. I don't think there will be enough material left to hit the entire section of Fry but will do the best we can. Ward 2 will start on Eavenson and finish up on Holland between Fry and Smith Roads. Ward 3 will start on Hocking and then jumping to Richwood and Somerdale, short streets, and hopefully have material left for sealing on Ashland. Ward 4 will start on Middlebrook between Dale and Crestway and then jump over to Schaaf and

Reports and communications from departments, commissions and other public officials:

Engineer Piatak: cont.

probably finish up the material there. These are just estimates and don't have a definitive list as how far we will get in each ward but those are the streets and order to start.

Questions:

Mr. Orcutt to Engineer Piatak with the administration parking lot will that project start in 2018?

Mr. Piatak responded hopefully, that project will start in the next few weeks, start and finish this year.

Mr. Salvatore asked Mr. Cingle to elaborate on the amendments to the budget?

Mr. Cingle responded the department is looking at the General Fund and all funds so anyplace monies are running short the department will be adjusting; that is done each year and hope to have that in the next few weeks for Council review. There are a few places in Capital Improvement Fund that needs to be moved so any place that's running negative monies will be moved to cover the shortfalls.

Mr. Salvatore asked Mrs. Horvath for an update on any active city lawsuits?

Mrs. Horvath responded there were two foreclosure cases which have ended and both properties set to be sold at auction. I haven't checked to see whether or not the proceeds were paid in or not and am waiting until the redemption ended. Both properties will be sold in August and will be checking on that. The other two lawsuits with Brook Park vs. the City of Cleveland and a matter with the Bank of America; both of those lawsuits are in the discovery stage. Both sides are in the process of sending and answering interrogatories and valuating that information.

Mr. Mencini stated to Mr. Gardner the (city) complex parking lots and park look fantastic and it's good to see crews working on the cracked-up curb on Sylvia near Gaynor. With the short staff at the service department is everything getting done that needs to be done?

Mr. Gardner responded everything is being addressed and if any issues come to light those are coordinated in a manner of safety or importance; everything is being addressed.

Mr. Mencini stated to Mr. Piatak on the crack-sealing list how long will it take if they start October 1st providing weather, month, five weeks, three days?

Reports and Communications from departments, commissions and other public officials: Questions: cont.

Mr. Piatak responded probably two to three weeks of work weather depending. If there are 15 working days, I don't see an issue with the completion. It depends on how many crack-sealing crews the contractor allocates to do the work.

Mr. Mencini stated hypothetically, the city has been doing this for 10 or 20 years and did three or four streets, would this have saved some of the city streets. For example, Sylvia between Eavenson and Holland.

Mr. Piatak responded the section on Sylvia that you're referring to I don't believe would be an applicable location to crack-seal with this type of program. I believe those joints were sealed but don't know if they were sealed on a regular basis. I believe that street and a few other streets around the city there is something else going on and have been looking into some forensic testing being done. To figure out if there are some issues with some aggregates or add-mixtures in the concrete. Crack-fill will prolong the life of any street.

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

New Legislation

Mr. Salvatore requested that Council Rule #12 be exercised this evening for A RESOLUTION DECLARING SEPTEMBER BLOOD CANCER AWARENESS MONTH IN BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilmember Salvatore, Council as a Whole and Mayor Gammella.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to place on tonight's Council agenda under First Reading.

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

Mr. Vecchio stated this will appear as M-7 as Resolution No. 31-2018.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

1. THE AMERICAN HEART ASSOCIATION HONORING BROOK PARK FIREFIGHTERS WITH THE 2018 MISSION LIFELINE EMS RECOGNITION AWARD.

Mr. Vecchio stated the above item needs to be removed from the agenda due to firefighters having training commitments.

Motion by Mr. Salvatore, supported by Mr. Mencini, to place on the October 2nd Caucus Prior to agenda.

Miscellaneous Business, Appointments, Confirmations: cont.

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

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Albert Wolf

5880 Wengler Drive

Mr. Wolf thanked service department crews on a great job with grass cutting behind the wall at Howard Johnsons and also with bulk pickups. Mr. Wolf continued the only negative is with Howard Johnsons hotel and the sexual offenders living there, and expressed concerns with his 13-year old granddaughter and friend not being able to go for a walk around the block.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

- 1. ORDINANCE NO. 11038-2018, AMENDING SECTION 101.08 (d) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'CHARGES FOR SERVICE REQUESTS; COPIES OF CITY RECORDS' AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio.

Mr. Vecchio stated item number one should have appeared been under Second Reading.

Motion by Mr. Salvatore, supported by Mr. Stemm, to move item number one to N-1.

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

Ordinance No. 11038-2018, was moved to N-1.

- 1. RESOLUTION NO. 27-2018, DESIGNATING THE MONTH OF OCTOBER, 2018 AS BREAST CANCER AWARENESS IN THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Councilmembers as a Whole and Mayor Gammella

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

Mr. Scott asked if Mr. Salvatore wants it passed tonight since there will be speakers coming forth.

Mr. Salvatore commented doesn't matter that's Council's pleasure.

Mr. Vecchio suggested giving the legislation First Reading tonight.

Mr. Stemm and Mr. Mencini retracted their motions and support.

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

Mr. Vecchio stated Resolution No. 27-2018, has had its First Reading.

2. RESOLUTION NO. 28-2018, URGING SUPPORT FOR NATIONAL POW/MIA RECOGNITION DAY ON SEPTEMBER 21, 2018 IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, Council as a Whole and Mayor Gammella.

Motion by Mr. Scott, supported by Mr. Orcutt, to suspend.

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

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

 The clerk read the Resolution in its entirety, as requested.

ROLL CALL: AYES: Burgio, Stemm, Mencini, Poindexter, Salvatore, Scott, Orcutt
NAYS: None. Resolution No. 28-2018, has passed under Suspension of the Rules. Adopted.

3. RESOLUTION NO. 29-2018, ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

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

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

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

ROLL CALL: AYES: Burgio, Stemm, Mencini, Poindexter, Salvatore, Scott, Orcutt
NAYS: None. Resolution No. 29-2018, has passed under Suspension of the Rules. Adopted.

4. RESOLUTION NO. 30-2018, AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT A JOINT APPLICATION WITH THE CITY OF MIDDLEBURG HEIGHTS TO PARTICIPATE IN THE YEAR 2019 OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

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

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

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

ROLL CALL: AYES: Burgio, Stemm, Mencini, Poindexter, Salvatore, Scott, Orcutt
NAYS: None. Resolution No. 30-2018 has passed under Suspension of the rules. Adopted.

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

- 5. ORDINANCE NO. 11039-2018, AUTHORIZING THE CONSULTING ENGINEER TO PREPARE A JOINT APPLICATION WITH THE CITY OF MIDDLEBURG HEIGHTS TO PARTICIPATE IN THE YEAR 2019 OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR FINANCIAL ASSISTANCE ON THE SHELDON ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella and C/W.

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

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

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

ROLL CALL: AYES: Mencini, Stemm, Poindexter, Salvatore, Scott, Burgio, Orcutt
NAYS: None. Ordinance No. 11039-2018 has passed under

Suspension of the Rules. Adopted.

- 6. RESOLUTION NO. 31-2018, DECLARING SEPTEMBER BLOOD CANCER AWARENESS MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilmembers Salvatore, Scott, Burgio, Poindexter, Stemm, Orcutt, Mencini, Council President Vecchio and Mayor Gammella

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

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

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

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

Mr. Salvatore thanked Councilmembers and Mayor for supporting this legislation and giving support for people affected by this disease.

ROLL CALL: AYES: Mencini, Stemm, Poindexter, Salvatore, Scott, Burgio, Orcutt
NAYS: None. Resolution No. 31-2018, has passed under

Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

- 1. ORDINANCE NO. 11038-2018, AMENDING SECTION 101.08 (d) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'CHARGES FOR SERVICE REQUESTS; COPIES OF CITY RECORDS' AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio.

Mr. Poindexter clarified at the last meeting the amendment for letter 'i' - email transmission of \$.02 did not pass and would like to see email transmission cost as zero.

Mr. Salvatore stated all these costs have been certified?

Mr. Vecchio responded yes, that was at last Tuesday's meeting and referred to Mrs. Horvath.

Mrs. Horvath stated at the last meeting it was discussed that after looking at various cities these rates fall sort of in the middle. After discussion with the Ohio Attorney General's office this appears to be appropriate.

Motion by Mr. Poindexter, supported by Mr. Salvatore, to amend letter 'i' - email transmission by eliminating the charge.

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

Mr. Vecchio stated Ordinance No. 11038-2018 has had its Second Reading, as amended.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

Mr. Poindexter commented that Polaris Vocational school will be open tomorrow but there is no bus transportation.

Motion by Mr. Mencini, supported by Mr. Orcutt, to adjourn.

Mr. Salvatore asked that the gentleman from Ward 3 be addressed with the issues going on with Howard-Johnson hotel.

Motion by Mr. Salvatore, supported by Mr. Stemm, to address the audience.

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

Council/Administration addresses audience:

Mayor Gammella stated I left the dais earlier to speak with the gentleman and he understands that the city will be alleviating that situation.

Mr. Stemm stated to Mr. Wolf I never thought it would come in this city where we would be in fear for our children walking down streets. Being a parent I understand and recommend your concern. I do have the upmost faith in our police department and support them, as well as offering my support to Councilman Orcutt, Mayor and everyone.

Mr. Orcutt thanked Mr. Wolf for standing up for all the residents' and speaking at this meeting. Public speaking is extremely hard to do especially when it comes to loved ones, children and grandchildren. I thank you for contacting me when new notices are received along with the many other residents' that have been reaching out to me. This is something that has popped up over the last few weeks and believe it has something to do with the low rates being charged. The police department has been on this issue every single day, in fact, the city's detective bureau is working on this. Today, two phone calls were received from Police Chief Foster making me aware that the issue is being taken care of by himself and the Mayor and is being worked on every day, after morning roll call the officers are back out there.

Mr. Poindexter stated to Mr. Wolf, I have two daughters and understand your concerns but am reminded of the old saying 'it takes a village to raise a child'. The city's police department does a great job but I'm going to call on our residents' to watch out for our children when they're walking or driving through the neighborhoods, keep an eye out for them. When I drive through the neighborhood I look to see if everything is on the up and up and think everyone should do that, maybe worries would be fewer and far between. I understand your plight and will be behind you in whatever I can do to help alleviate that situation, in the meantime, we must stick together as a community.

Mr. Mencini stated to Mr. Wolf I coached your granddaughter and what I will say about the police department and with present and past Councils'. When there is a big issue, this one is growing, they've been able to conquer them, it's not easy to do all the time. Even though we don't like to hear that the people and the owner(s) have rights we know this is being worked on. Look at Brookpark Road and what's been done and we're not finished. The important thing to remember is everybody looks out for everyone in Brook Park and that's a good thing and people do care. There are many things that former Councils' and Administration have done such as the short-term leases and the property rental registry.

Mr. Vecchio thanked Mr. Wolf and commented I know you and your family very well and have coached your daughter and granddaughter. I know what it takes to come forward with concerns with that nature and want you to know you're not the only

Council/Administration addresses audience: cont.

One. I too, have received phone calls and emails expressing a lot of concern for yourself and the rest of the residents of Brook Park. Also want you to know full well that our police department is top-notch and will handle this matter. As well as this City Council and Administration doing whatever can be done in our power to curtail these problems. As Mr. Poindexter stated 'it takes a village to raise a child' and all of us must be vigilant in raising those children and make sure, at all times, they are safe.

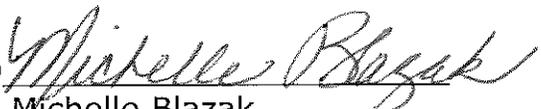
Motion by Mr. Stemm, supported by Mr. Mencini, to go back to the Regular Order of Business.

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

There being no further business to come before this meeting the clerk called the roll on the **motion** by Mr. Mencini, supported by Orcutt, to adjourn.

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

Council President Vecchio declared this meeting adjourned at 8:31 p.m.

RESPECTFULLY SUBMITTED 
Michelle Blazak
Clerk of Council

APPROVED  _____

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