

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 16, 2018**

The meeting was called to order by Council President Vecchio at 8:05 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, Service Director Gardner, Finance Director Cingle, Economic Development Commissioner Adams and Engineer Piatak.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Council meeting held on October 2, 2018.

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

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

NAYS: None. The motion carried.

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 24 items.

Legislative Committee - Chairman, Mencini

Mr. Mencini stated the Legislative Committee has nothing on the agenda.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reminded residents on Sunday, October 28th from 4:00 p.m. to 6:00 p.m. will be Boo Park, with contests for ages 1- 12. The winter sports registrations for basketball and cheerleading are taking place through the month of October. Mr. Salvatore continued that many compliments have been received regarding the great job service crews did with the football field to support Breast Cancer Awareness month; also, thanked the coaches and players for wearing pink. The next Recreation commission meeting will be on October 18th.

Planning Committee - Chairman, Burgio

Mr. Burgio stated no report this evening.

Safety Committee - Chairman Stemm

Mr. Stemm wished everyone a safe and happy Halloween.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the Service Committee has no legislation on tonight's agenda and November 17th is the last day for bringing yard waste to the service garage.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott stated nothing on tonight's agenda.

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

Mr. Salvatore reported the first year employee turnover rate for the year continues to be at 18.6%; the retention of new employees hired for 2018 remains at 95%. The state-tested nursing assistance program began its second group of employees interested in participating. Mr. Salvatore continued with the important hospital levy on the November 6th ballot and is very important that Brook Park stays involved and passes the levy. The levy will not raise taxes it is a renewal levy and keeps Brook Park participation in a not-for-profit hospital. The hospital is a community hospital that each and every one of us has an investment in and in order to maintain that the levy must be passed. The hospital consists of the communities of Brook Park, Middleburg Hts., Berea and Strongsville that all involved communities have a very huge investment in. The next health center meeting is November 28th and will a full report after that meeting.

Berea Board of Education Committee - McDonnell, Poindexter

Mrs. McDonnell reported on Wednesday, October 17th there will be an update on the Progress as Promised construction held at Berea-Midpark Middle School at 7:00 p.m., in the auditorium. There will be a new campus app for both parents and students use for updates on grades. The pool at the Berea Middle School is being renovated with some improvements including a new ventilation system, new filtration and new seating and sound system. The board approved a Family Engagement Committee that met last night to start getting all family communities to work with the schools; the committee is made up of parents, teachers, staff and board members. All the elementary schools' conferences are underway and parents should have received notifications; high School conferences were held last week. The second round of middle school conferences will be held on October 23rd. Mrs. McDonnell stated to Mr. Salvatore that research on the principal at the new middle school is not a graduate of Berea City Schools but is happy to be here. As for the auditorium (former Ford Middle School) what the contractors took away and what is left up is exactly as it should have been when first proposed. To Mr. Mencini I am on the Family Engagement Committee and the first field trip is to find out the enrollment numbers for the district.

Mr. Salvatore thanked Mrs. McDonnell for her response to his questions.

Mr. Mencini thanked Mrs. McDonnell on her response and stated good report. How are the construction projects going to date?

Mrs. McDonnell responded as far as I know things are going as originally intended. There are some changes with the high school but everything is being looked at to make sure all decisions are made fiscally responsible. Mrs. McDonnell encouraged everyone to attend the meetings and mentioned at the last Safety Committee meeting topics such as Active Shooter and others were brought up, there were

Reports of Special Committees:

Berea Board of Education Committee - McDonnell: cont.

only 20 people in attendance; the district is trying to provide information, hopefully people will take advantage of that.

Mr. Poindexter commented on the question Mr. Salvatore had at the last meeting regarding the roof and the mention of a change from the sloped roof being changed to a flat roof that wasn't entirely accurate. The sloped roof is being removed basically for aesthetic value as all the roofs were originally designed as flat roofs. To save \$2.5 million dollars the sloped roofs were eliminated for aesthetic purposes only and the buildings have a block design roof.

Mr. Salvatore with the changing of the roof is there any square footage being lost or any storage involved?

Mr. Poindexter responded speaking with the superintendent the change is pretty much for looks, there is no storage area up there.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella stated that few Councilmembers and administrative staff will be visiting the NASA facility and as everyone knows is the city's largest tax base. With the former tech-park on the west end the city now has the Aerozone Board that I've been appointed to as a member; the board meets once a month to discuss future development; Mayor Gammella thanked Mr. Adams for creating the opportunity zone on the west-end that will lead to good things. There will be 195 acres of Ford Motor property that will be available and is being marketed worldwide. The administration parking lot will be completed by the end of the week. There have been some issues with the new roof at the recreation center and administration personnel have been meeting with the contractors who have been very responsive and will correct the roof problems.

Questions:

Mr. Salvatore thanked the City Hall staff for supporting Breast Cancer Awareness with the wearing of the pink shirts and Mr. Elliott for hanging the pink shirt of people who have passed away from breast cancer. With the 195 acres at Ford Motor will the city have any involvement on the local level or is this strictly out of Detroit, MI.

Reports and communications from the Mayor:**Questions: cont.**

Mayor Gammella thanked Mr. Salvatore and Council for the hard work done for breast cancer. The city will have input with the Ford Motor property and a brochure will be coming out from Ford. Hopefully, something high-tech or a manufacturing operation will go on that property.

Mr. Orcutt stated there is some activity with the former BP gas station at Snow and Smith Roads; is there any information as to what is taking place?

Mayor Gammella responded Mr. Adams is working with them and there are plans for that site, but to date there is no information. The property is privately owned and the law department and Mr. Adams researched paperwork to find out the owner.

Mr. Stemm thanked Mayor Gammella and Mr. D'Amico for assistance with all the issues in Ward 1.

Mr. Mencini concurred with Mr. Stemm about Mr. D'Amico and mentioned the corner of Holland and Engle Roads is a cornerstone of the city and needs something there. Mr. Mencini asked Mayor Gammella about the status of the new trucking company on Brookpark Road.

Mayor Gammella responded that we worked diligently to bring that trucking company in and per Council's authority for me to negotiate an agreement. Quite frankly, I'm not comfortable with the agreement the company wants so the deal is on very thin ice. Once again, the city is not going to capitulate the agreement. We are going to do what's right for this city and I'm not going to give it away. Is there still a chance, yes, but it's not a slam-dunk.

Mr. Mencini commented if it falls through that's unfortunate but go for more gusto and money; things don't always work like they seem in the business world.

Mayor Gammella commented the city is okay with the money but not okay with some of the add-ins the company has thrown on.

Mr. Mencini thanked the service crews for the repair of the recreation department parking lot area.

Mr. Vecchio stated to Mayor Gammella regarding the decommissioning of the old Council Chambers and City Hall. There is talk about possibly condensing records from Council Chambers to City Hall. When that occurs I would like to have the

Reports and communications from the Mayor:**Questions: cont.**

clerk, myself and/or some Councilmembers present because those are historical documents of the city and shouldn't be touched by anyone else.

Mayor Gammella agreed and stated we spoke to Brewer-Garrett, the contractor, and as everyone knows part of the recreation center agreement was the demolition of those two buildings. It bothers me having to demolish those buildings they're probably worth \$1 million-dollars between the two. I'm working on the possibility of having someone else coming in for use of the buildings at their expense and the city derive some tax revenues. The law director is looking into this and as of right now it stands the buildings have to be demolished. Unfortunately, there are a lot of documents that are needed to be kept for the future and the city can't keep all the paper; so those documents will have to be electronically stored. This came up in a staff meeting and someone had an idea of demolishing the Council Chambers, the worst of the two buildings, move everything to the former City Hall in one location; that decision has not been made and that's why the Council office was not contacted.

Mr. Vecchio asked if there is a timeframe?

Mayor Gammella responded probably in the spring, there is some time.

Mr. Poindexter asked for a timeline of completion for the west end fire station, so that the ladder truck can be moved over there.

Mayor Gammella responded there is no timeline but that will happen shortly. Also, credited Fire Chief Maund for the great deal that came in far less than the city initially thought.

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

Mr. Cingle stated no report this evening.

Recreation Director Elliott

Mr. Elliott announced the Recreation Commission will be meeting on Thursday, October 18th at 7:00 p.m. Half-price memberships are being offered for the month of October. Boo Park will be held on Sunday, October 28th from 4:00 p.m. to 6:00 p.m., everyone attending please bring a non-perishable food item to benefit Audrey's Outreach Food Pantry and Trick or Treat hours on October 31st will be 6:00 p.m. to 8:00 p.m. Looking ahead to the month of November, on Saturday, November 10th the Ohio State Boxing Association will have an event at the center. Mr. Elliott thanked service crews for the excellent job done at the field.

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

Mrs. Horvath provided an update on the status of the City of Brook Park vs. City of Cleveland; a pre-trial was held on Monday in Judge Corrigan's chambers. The discovery portion has been completed and the court provided a briefing schedule and has indicated that the City of Cleveland will need to file their briefs first; mainly because of documents that the city was unable to provide in discovery. Their summary judgement deadline to file motion will be October 26th, the City of Brook Park will follow with filing briefs on November 30th and the City of Cleveland's response will be on January 18, 2019. This information will be forwarded to the affected residents to keep them aware of the briefing schedule. Mrs. Horvath will have an updated Civil Action report for the next meeting that will include some new tax-foreclosure cases that the City of Brook Park has been owed monies on the vacant lots located on Robert Drive, Hardin Drive and Burton Drive, all means will be asserted to gain title.

Service Director Gardner

Mr. Gardner stated the last Shred-It Day netted five-tons and the last bulk day, October 8th, netted 65-tons of rubbish. There 30 tree backlog as stated at the last meeting and crews will be finishing up with five or six left on the list and then backtrack to do the stumping, top-coating and seeding.

Engineer Piatak

Mr. Piatak stated the Smith Road Resurfacing Project is scheduled for construction next year and the city has applied to the county for supplemental funding of up to \$250,000 of construction costs; those awards will be announced by the county in November. With the administration parking lot asphalt was laid yesterday and paving markings are scheduled for tomorrow and on Thursday the walk removals will begin. The 2018 Crack & Joint Seal contracts have been forwarded to the contractor for execution. The city sent an application in September for the Sheldon Road Resurfacing Project, there were a total of 58 applications were submitted by 38 communities or agencies. Grant requests of those applications were over \$40 million-dollars and loan requests were almost \$39 million dollars and allocations to District One is \$22 million-dollars and the loan is \$7.5 million-dollars. So there are more requests than money available and hopefully the city scores well in the preliminary rankings due out November 16th.

Questions:

Mr. Salvatore stated to Mr. Piatak is there a chance that the Smith Road Resurfacing Project will not take place?

Mr. Piatak responded monies have been received from the State of Ohio for that project and have also requested additional funding up to \$250,000 to help with the local share. Smith Road is a county road and the county has a program to help fund projects; the project will go forward with or without the additional monies.

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

Mr. Orcutt stated with the Smith Road Resurfacing Project is there a start date?

Mr. Piatak responded we are still working through some of the programming through NOACA because of the federal funds involved, so there is no start date; my anticipation would be in Spring, 2019.

Mr. Orcutt asked with the crack sealing is the reason for the wait weather related, warmer temperatures or availability of the contractor?

Mr. Piatak responded there are some scheduling conflicts with the contractor and issues with getting the contracts signed, I have no concerns with the weather.

Mr. Burgio stated to Mr. Piatak with the Smith Road Project is that a complete project with catch-basins and curbs, not just a resurface?

Mr. Piatak responded Smith Road, from Snow to Elm, is a curb to curb resurface; if there are failing catch-basins the intent would be to repair. It is not a full-depth remove and replace but the Holland Road Public Works Project will be a full-depth remove and replace.

Mr. Burgio asked if driveway aprons are included in the Smith Road project?

Mr. Piatak responded no.

Mr. Poindexter stated to Mr. Piatak with the Sheldon Road project you applied for funding. Is the funding secure for that or is that additional funding that city is hoping to get?

Mr. Piatak responded the Sheldon Road Project has monies secured from the county for that project and partnering with the City of Middleburg Hts. the public works application was to help offset the local costs.

Mr. Mencini stated to Mr. Piatak with the crack-sealing project that can be done in inclement weather and the contractor moves quickly?

Mr. Piatak concurred.

Mr. Mencini continued to Mr. Gardner have the snowplowing letters been sent out?

Mayor Gammella responded those letters will go out tomorrow.

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

New Legislation:

- 1. AN ORDINANCE ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION' AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio, Council as a Whole and Mayor Gammella. Placed in Safety Committee.

Motion by Mr. Salvatore, supported by Mr. Mencini, to place on tonight's Council agenda per Council Rule No. 12.

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

Mr. Vecchio stated this will appear under M-3 as Ordinance No. 11045-2018.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Ralph Lohn
15960 Meigs Blvd.
Mr. Lohn stated he is glad that Council made changes to the sexual predator legislation.

Albert Wolf
5880 Wengler Drive
Mr. Wolf thanked Council for bringing up the sexual offender legislation.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

- 1. ORDINANCE NO. 11044-2018, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A DEMOLITION OF INTERIOR STRUCTURE GRANT AT REGENCY CONSTRUCTION SERVICES, LOCATED AT 5475 ENGLE ROAD AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

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

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

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

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

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

2. RESOLUTION NO. 35-2018, DECLARING NOVEMBER AS NATIONAL DIABETES MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, Council as a Whole and Mayor Gammella.

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

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

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

Motion by Mr. Mr. Mencini, supported by M. Scott, to adopt.

ROLL CALL: AYES: Mencini, Scott, Burgio, Orcutt, Stemm, Poindexter, Salvatore
NAYS: None. Resolution No. 35-2018, has passed under Suspension of the Rules. Adopted.

3. ORDINANCE NO. 11045-2018, ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION' AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio, Council as a Whole and Mayor Gammella.

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. Burgio, supported by Mr. Orcutt, to adopt.

Council President Vecchio read the legislation in its entirety due to not being properly posted.

ROLL CALL: AYES: Burgio, Orcutt, Scott, Salvatore, Poindexter, Mencini, Stemm
NAYS: None. Ordinance No. 11045-2018, has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

Miscellaneous:

Mr. Orcutt asked Mr. Vecchio if there is any feedback about the deleted emails from his city email account.

Miscellaneous: cont.

Mr. Vecchio responded an email was forwarded.

Mr. Orcutt mentioned that he is signed and locked out of his city email account, within the last few days.

Mr. Vecchio stated the city’s IT person, Zach, is the administrator and can look at emails didn’t see any activity recently, he is the only person who has access.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to have the city’s IT representative appear at the next Caucus meeting of November 13th.

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

NAYS: None. The motion carried.


Mr. Mencini expressed condolences for the loss of Coach Saboda, Susan Barbour’s husband and Mrs. Bachie who recently passed.

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

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

NAYS: None. The motion carried.

Mr. Vecchio declared this meeting adjourned at 9:06 p.m.

RESPECTFULLY SUBMITTED 
Michelle Blazak
Clerk of Council

APPROVED 

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

3,456 words