

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, FEBRUARY 19, 2019**

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

Also in attendance were Mayor Gammella, Law Director Horvath, Service Director Gardner, Finance Director Cingle, Building Commissioner Hurst and Engineer Piatak.

Councilman Salvatore was properly excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. **RECONSIDERATION OF VERBATIM EXCERPTS** OF THE REGULAR COUNCIL MEETING MINUTES HELD ON JANUARY 8, 2019.

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

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

NAYS: None. The motion carried.

2. CAUCUS PRIOR TO COUNCIL MEETING HELD ON FEBRUARY 5, 2019.

Mr. Mencini stated there is a typo on page 1, last paragraph, the word 'night' should be changed to 'year'.

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

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

NAYS: None. The motion carried.

3. REGULAR COUNCIL MEETING HELD ON FEBRUARY 5, 2019.

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

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

NAYS: None. The motion carried.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter stated the Aviation & Environmental Committee has nothing on the agenda, however, the committee, Mayor Gammella and staff will be meeting on Monday, February 25th, to discuss the well-being of Abrams Creek and some potential projects, possible addition of trails and funding sources.

Reports of Standing Committees: cont.

Finance Committee - Chairman, Scott

Mr. Scott stated the Finance committee has nothing on the agenda. The Board of Control met earlier this evening and approved 14 items; the two largest expenses being Signal Service 2019 maintenance contract for traffic signals in the amount of \$40,000 and Euthenics Engineering in the amount of \$46,000.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee will have one piece of legislation later in the agenda. Mr. Mencini wished Councilman Salvatore a speedy recovery and commented about how outstanding Southwest General Health Center.

Parks & Recreation Committee - Chairman, Salvatore

Due to Mr. Salvatore absence, Recreation Director Elliott will give report.

Planning Committee - Chairman, Burgio

Mr. Burgio stated no report.

Safety Committee - Chairman Stemm

Mr. Stemm stated the Safety committee has nothing on the agenda but announced the Neighborhood Watch meeting will be held on Wednesday, February 20th at 7:00 p.m. at the library with the ICAC (International Crimes Against Children) will have a presentation on several topics.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the Service committee has one item on tonight's agenda and reminded residents' when the snow exceeds two-inches there is no parking on city street. The city's first shred-it day will held on April 20th at the service garage from 10:00 a.m. to 1:00 p.m. Mr. Orcutt commented on Councilman Salvatore's unfortunate injury and is doing extremely well and conducting business as usual.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott stated no report this evening.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Salvatore

Berea Board of Education Committee - McDonnell, Poindexter

Mr. Poindexter reported the construction of the middle school and high school projects are ongoing. The high school project is on schedule and the middle school project is progressing but slightly behind schedule. There will be an Internet Safety for parents at Berea-Midpark Middle School on Tuesday, February 26th from 7:00 p.m. to 9:00 p.m. The next school board meeting is Monday, February 25th from 7:00 p.m. to 9:00 p.m. Mr. Poindexter congratulated Brook Park resident, Amanda Morgana, for being named the new JV Assistant Softball Coach.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella stated four labor contracts have been negotiated with exception of one contract to be discussed at a later date. With the budget the hope is to have before Council next week.

Questions:

Mr. Mencini thanked Mayor Gammella for the productive meeting they recently had.

Mr. Orcutt asked Mayor Gammella have all the employees at NASA received back-pay due to the recent government shutdown? Is the city's revenue issue resolved?

Mayor Gammella responded the city will be fine and those employees were paid.

Mr. Poindexter asked Mayor Gammella for an update on the Ford Motor property?

Mayor Gammella responded yes there will be news forthcoming.

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

Engineer Piatak

Mr. Piatak reported the Holland Road Reconstruction Project bids are due next Tuesday. Brook Park will be hosting a Rain Barrel workshop on April 17th at the Recreation Center from 6:30 p.m. to 8:00 p.m.; the cost is \$60.00 to construct and take home a 60-gallon rain barrel.

Service Director Gardner

Mr. Gardner reported last bulk Monday netted approximately 35-tons.

Law Director Horvath

Mrs. Horvath stated no report.

Recreation Director Elliott

Mr. Elliott reported that baseball and softball registrations are currently taking place. The Red Cross will be having a blood drive tomorrow in the snack bar area of the Recreation Center from 10:00 a.m. to 3:00 p.m. At the senior club meeting of February 26th a speaker from Southwest General will be speaking on stroke prevention and awareness; non-members are welcome. On March 22nd University Hospital and Brook Park police officers will be giving a presentation at the Recreation Center called Safe-Sitter, a babysitting clinic, from 9:00 a.m. to

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

3:00 p.m. The next Recreation Commission meeting is this coming Thursday at 7:00 p.m.

Finance Director Cingle

Mr. Cingle reported the audit for fiscal year ending December 31, 2018 began on Friday, February 15th with auditors onsite this week. The tax department will have extended hours until 7:00 p.m. on Tuesday, March 19th, March 26th, April 2nd and April 9th; Saturday hours will be from 9:00 a.m. to 12:00 p.m. on April 6th and 13th.

Questions:

Mr. Burgio stated to Mr. Gardner the loop on Sylvia and Smith is damaged due to a pothole exposing the wire for changing of the traffic light?

Mr. Gardner responded Signal Service will be called to look at the area.

Mr. Mencini stated to Recreation Director Elliott at the last meeting I asked for recreation center memberships and would like to hold-off until the end of March, for those numbers. To Mr. Gardner, has the street sweeper been out at all?

Mr. Gardner responded no, that is weather permitting.

Mr. Mencini stated to Mr. Piatak on the traffic lights in the Fairlawn area on Brookpark Road and also at Brookview School. The light in front of Brookview is always working as well as the light on Brookpark Road (West 147th).

Mr. Piatak responded those locations should have vehicle detection with loops in the ground but will take a look to see if there is an issue with a broken loop or timer.

Mr. Orcutt commented the traffic light on West 147th was brought up once before and turned out to be working fine, the problem was it was happening rapidly. The issue found was at the RTA location and Ford entrance on Brookpark Road a service call was made and repairs completed. To Mr. Piatak, is the dye-testing being done on Doris, Ashland and Harrison complete? Also, currently there is a region testing being done by the Northeast Ohio Regional Sewer District. Mr. Orcutt thinks that Brook Park is eight (8) in that region and questioned if testing gets done early will that report be available prior to having the whole region done?

Mr. Piatak responded there are a few city people that get emails indicating the contractor is scheduled to be out on such day; the city does not get a daily

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

update of what was found. I have access to their website and GIS database and sometimes can find results and will try to find out what was completed in that area. As far as the city getting results ahead of everybody else, it is my understanding there will be one report that the district provides for our region. Within that report will be a community work plan detailing what is going on and recommendations for the city.

Mr. Poindexter asked Mrs. Horvath if it would be possible to draft a letter to update the residents' involved in the airport litigation lawsuit?

Mrs. Horvath responded the law department is in the process of drafting a letter but has not been finalized to date, waiting on further information.

Mr. Vecchio stated to Mr. Piatak with the Snow Road underpass light and waiting on insurance for replacement. Is there a possibility to correct that issue and take reimbursement?

Mr. Gardner responded the company that provides the quote for that pole in the amount of approximately a little over \$15,000 has the specifications for installation of that project originally. That pole is probably the fifth one taken down since completion of the project and I have never purchased or pursued those poles; the company has a line on those poles so as of right now I would say no.

Mr. Vecchio stated with the traffic light issues mentioned earlier, the light in front of Brook Park Memorial, the new driveway entrance for the new school, seems to be running constantly, all hours. Is that something that can be looked at?

Mr. Gardner responded that will be looked into, not sure if that is part of the school zone for the day-care facility; not sure if the construction company has control to allow for traffic in and out.

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

An Ordinance authorizing the Mayor to advertise for requests for qualifications (RFQ) for guaranteed energy performance contractors for the implementation of a guaranteed energy conservation program and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

Introduction of New Legislation: cont.

An Ordinance authorizing the Mayor to enter into a change order between Brewer-Garrett Company and the City of Brook Park to change plans in the Council Chambers/ Court area and the Tax Department in the John A. Poloyne Community Center and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance amending certain sections of the administrative code to provide adjustments in compensation for employees of the city, other than elected officials or those covered under negotiated labor contract and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to enter into a contract with the Teamsters, Union Local 436, and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to enter into a contract with the Fraternal Order of Police, Lodge No. 15, (Patrol Officers) and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to enter into a contract with the Ohio Patrolmen's Benevolent Association, (City of Brook Park Police Sergeants and Lieutenants') and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to enter into an agreement with the Brook Park Firefighters' Association Local 1141, International Association of Firefighters, AFL-CIO-CLC and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance amending Ordinance No. 10094-2017, authorizing the Mayor to accept additional funds up to \$248,000 in environmental grant funds from the State of Ohio, Department of Development Services Agency, Office of Community Development and/or the State of Ohio Bureau of underground storage tank removal (BUSTR) to perform an environmental impact study and/or to facilitate and administer the environmental remediation of the property known as 6286 Engle Road, PPN 342-09-011 and to take all further necessary action to remediate the property and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance amending Chapters 1803 and 1806 of the Brook Park Codified Ordinances and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

An Ordinance amending Chapter 1333 of the Brook Park Codified Ordinances and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

Louie Modic

14399 Fayette

Mr. Modic gave an update on the community dog park now having a Facebook page with 344 members, 280 living in Brook Park, to take this to the next step initiative will be Tom Dufour. Mr. Modic thanked everyone for their support on the dog park and please give Mr. Dufour the same support.

Ray Peterlin

5811 Wengler Drive

Mr. Peterlin stated the Botanical Garden Club is looking for new members and provided a newsletter from the Westlake-Bay Village Observer's article about LED lighting (available in the Council office for public review). Mr. Peterlin stated there are several problems in his neighborhood such as dogs running at large, resident parties all hours of the day and night and the field behind Wengler Drive. Mr. Peterlin proposed a three-tier penalty for complaints; first being a yellow violation, second a pink violation including a \$500.00 fine; third and final is a red violation with \$1,000 fine.

Motion by Mr. Poindexter, supported by Mr. Orcutt, to address the audience.

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

NAYS: None. The motion carried.

Mr. Poindexter thanked Mr. Modic for coming and supports a potential dog park and appreciates all the work done to this point and believes Mr. Dufour will see this through. Mr. Poindexter thanked Mr. Peterlin for bringing the Westlake-Bay Village newsletter and agrees Brook Park having outstanding people and can solve issues by working together.

Mr. Orcutt stated to Mr. Modic I like your enthusiasm and thinks a dog park will enhance and bring people together and thank you for your hard work. To Mr. Peterlin LED is all around us and is an issue with illuminating onto people's properties and is something that will have to be looked into, possibly updating of the codified ordinances. I hope with the issues on your street of dog attacks and late-night partying the authorities are called when happening; also great suggestion with the three-tier penalty complaints and that should be looked into.

Mr. Burgio thanked Mr. Modic for all his hard work with the advancement of the dog park that I proposed some ten years ago but the economic slowdown put the dog park on the back-burner. Mr. Burgio wished Mr. Dufour good luck with the

Reponses to the audience: cont.

dog park. The annual dog-swim brings the community together and is a very happy event.

Mr. Mencini stated to Mr. Modic that Mr. Burgio has put a lot of time with the dog park and Mr. Dufour will take charge with this. Mr. Mencini agreed with Mr. Peterlin with the street lights and an upcoming project that Council will be looking at in the future. With the dog barking I would like to see a full-time animal warden on the weekends; the parties are sporadic. With the three-tier penalty I think the building department stays on top of things and there is only so much that can be done.

Mr. Scott thanked Mr. Modic and hopes that Councilman Burgio and I were able to get this moving forward; I will keep in contact with you and Mr. Dufour.

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

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

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11063-2019, AUTHORIZING THE CONSULTING ENGINEERS OF BROOK PARK AND MIDDLEBURG HEIGHTS TO PREPARE PLANS AND BID DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE SHELDON ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11063-2019, has had its Second Reading.

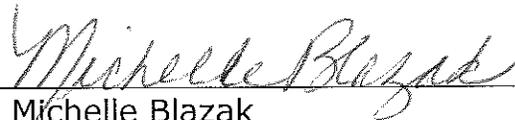
THIRD READING OF ORDINANCES AND RESOLUTIONS:

There being no further business a **motion** by Mr. Poindexter, supported by Mr. Stemm, to adjourn.

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

Mr. Vecchio declared this meeting adjourned at 8:22 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.

2,750 words

