

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

The meeting was called to order by Council President Vecchio at 7:52 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, Building Commissioner Hurst, Economic Development Commissioner Adams, Assistant Finance Director Healy, Finance Director Cingle, Mayor's Executive Assistant D'Amico, Engineer Piatak and Service Director Gardner.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. CAUCUS PRIOR TO MEETING HELD ON MARCH 5, 2019.

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

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

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

2. REGULAR COUNCIL MEETING HELD ON MARCH 5, 2019.

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

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

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

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**Motion** by Mr. Salvatore, supported by Mr. Orcutt, to go out of the Regular Order of Business to:

**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

1. A PROCLAMATION HONORING MISS POPPY 2019 - NICOLE ZAPOTKY

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

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

The clerk read the proclamation in its entirety as Mayor Gammella presented the proclamation and congratulated Nicole as being named Miss Poppy 2019.

Ms. Zapotky introduced her family members in attendance.

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

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

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

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**REPORTS OF STANDING COMMITTEES:**

Mr. Vecchio stated Aviation & Environmental Committee Co-Chairman Burgio has something to say.

Mr. Burgio reported good news for Brook Park with the President asking Congress for \$21,882,000,000 for NASA Glenn for 2020 increasing from \$697 million-dollars to \$850 million dollars this year. NASA is managing the design of a power and propulsion element for the Gateway platform to orbit the moon long term. NASA also started testing a robotic arm for excavation work on the Moon and Mars. In May, the Brook Park wind tunnel will post a second testing of supersonic much quieter plane; very uplifting article and job security for Brook Park.

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter reported the Aviation & Environmental Committee has nothing on the agenda. The meeting scheduled for tomorrow with the Environmental Design Group for discussion of Abrams Creek project was postponed, due to issues with the City of Cleveland that need to be rectified.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance Committee has six items on the agenda. The Board of Control met earlier approving 19 items with the two largest being BJAAM Environmental cleanup at the intersection of Holland and Engle Roads. The second largest expenditure was awarding of a contract for the Holland Road Construction Project in the amount of \$2,277,245.00 to CAT'S Construction.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative Committee has legislation on tonight's agenda. Anyone who wants legislation pulled out of the Legislative Committee please let me know.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported baseball and softball registrations will close next week. Tennis signups will continue through the second week of April, the Midnight Madness Program will be held on March 29<sup>th</sup> from 8:00 p.m. to 12:00 a.m. with many events; ages from 8 to 13 will compete in their own age group. Spring break Youth Olympics will run from next Monday to Thursday from 12:00 p.m. to 3:00 p.m., free to all members and \$10.00 fee for non-members. The Easter Egg Hunt event will be held on April 20<sup>th</sup>.

Planning Committee - Chairman, Burgio

Mr. Burgio stated no report this evening.

Safety Committee - Chairman Stemm

Mr. Stemm reported the John A. Walsh Safety Town program for children starting kindergarten is open for registration is open online. Go to the city website at [www.cityofbrookpark.com](http://www.cityofbrookpark.com), click on department tab, click on recreation tab, scroll down to the map, click on map and choose 2019 Safety Town. There is a \$10.00 non-refundable fee for the sessions of June 17<sup>th</sup>, July 15<sup>th</sup> or August 5<sup>th</sup>. The June and July are morning sessions from 8:30 a.m. to 11:30 a.m. and the August 5<sup>th</sup>

**Reports from Standing Committees:**

Safety Committee - Chairman, Stemm: cont.

session is 12:00 noon to 3:00 p.m.; teaching applications can be picked up at the Police Station or Recreation Center and will be accepted from April 1<sup>st</sup> to June 1<sup>st</sup>.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the Service committee has four items on tonight's agenda. Mr. Orcutt had the opportunity do one of two walk-throughs at the Service department; first being the administrative process for the handling of water breaks. The department is running efficiently and has billed Cleveland Water over \$100,000.00 for repairs in 2017 and 2018.

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, Salvatore

Mr. Salvatore reported the health center's focus on patient experience has expanded and improved over the years and will continue this process by creating action plans. There was an increasing demand across the health care industry, Southwest is committed in performing transparency efforts and will work to provide patients greater access to costs of services prior to receiving care. Efforts will continue to provide high-quality service, and safe patient care by maintaining compliance with quote quality measures. Plans are in place to achieve the budget volumes and operating margins along with capital reinvestment and placement plans have been completed. The center's capital projects for this year include renovation & expansion of the opening facility, replacement of the pharmacy distribution system, infrastructure work and many other projects. Mr. Salvatore thanked both Councilman Mencini and Orcutt for delivering reports at the last meeting and stated he is on the road to recovery. Mr. Salvatore thanked everyone for the flowers, cards and best wishes.

Berea Board of Education Committee - McDonnell, Poindexter

Ms. McDonnell reported kindergarten registration is ongoing, March 21<sup>st</sup> is the end of third-quarter; Monday March 25<sup>nd</sup> through March 29<sup>th</sup> is spring break.

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**REPORTS OF BOARDS AND COMMISSIONS:**

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**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

**Note:** Moved by motion to the beginning of the meeting.

1. A PROCLAMATION HONORING MISS POPPY 2019 - NICOLE ZAPOTKY
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**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella thanked Mr. Burgio for giving the report on NASA and the bright future; the city will capture some of that work in the Aerozone and Opportunity zones. Mayor Gammella stated Mr. Burgio began Buzzard Day many years ago and the buzzards are back meaning an early spring. Wednesday, March 20<sup>th</sup> the tornado sirens will be sounding off at 9:50 a.m. With the subject of Abrams Creek walkway, the problem we run into is most of that property is the City of Cleveland; so we can be a sponsor to it we cannot fund it, that's one of the barriers. The group is still looking at the Lake-to-Lake project and exploring a few locations for the dog park.

**Questions:**

Mr. Salvatore asked Mayor Gammella to elaborate the passage of the union contracts this evening.

Mayor Gammella responded if the union contracts are not passed this evening have been before Council for 30 days and they automatically go into effect. The contracts are only for one year and all contracts are before Council except for one contract outstanding.

Mr. Stemm stated to Mayor Gammella with the police department having their own firing range; has the city ever explored renting the range out to other agencies for police department revenue?

Mayor Gammella responded other departments have used the range but not sure if they were charged. The range is workable but not state of the art and down the road discussions will take place for both safety buildings.

Mr. Orcutt asked Mayor Gammella about the recent 3.3-acre land sale on Brookpark Road with Company Wrench and when they will break ground?

Mayor Gammella responded that is proceeding and will get back to you tomorrow with the groundbreaking date.

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

Mr. Cingle stated the tax department will have extended hours on Tuesday's March 26<sup>th</sup>, April 2<sup>nd</sup> and April 9<sup>th</sup> until 7:00 p.m.; also on Saturday's April 6<sup>th</sup> and 13<sup>th</sup> from 9:00 a.m. to 12:00 p.m.

Law Director Horvath

Mrs. Horvath stated no report this evening.

Service Director Gardner

Mr. Gardner reported last Monday's bulk pickup netted approximately 35 tons, service crews are working on sanitary repair dig jogs and completed five residential sanitary digs in the last two weeks. On April 8<sup>th</sup> the summer yard waste and rubbish drop-off will begin from the hours of 7:30 a.m. to 7:00 p.m., Monday through Friday and on Saturdays from 8:00 a.m. to 12:00 p.m. The next Shred-it Day will be Saturday, April 20<sup>th</sup> at the service garage from the hours of 10:00 a.m. to 1:00 p.m.

Engineer Piatak

Mr. Piatak reported the Holland Road contract was awarded by the Board of Control allowing for the preparation of bid documents. On tonight's agenda is a Resolution for the Smith Road project and once passed that project will be posted on the ODOT website.

Recreation Director Elliott

Mr. Elliott announced on April 5<sup>th</sup> & 6<sup>th</sup> and the weekend of 12<sup>th</sup> and 13<sup>th</sup> the center will be hosting the Golden Gloves Boxing tournament in the gymnasium. The next Recreation Commission meeting is Thursday, March 21<sup>st</sup> at 7:00 p.m. The center will also be hosting the Beautification & Pride luncheon on Saturday, March 22<sup>nd</sup>.

**Questions:**

Mr. Salvatore asked Mr. Cingle with the news with the NASA monies is there a number of how much money will be coming to the city?

Mr. Cingle responded my understanding is the funding possibly may increase the question is whether or not the jobs will increase; we'll work through that and update Council appropriately.

Mr. Salvatore asked if there is any possibility of getting the information regarding jobs?

Mr. Cingle responded tax department personnel contacts NASA at least once a quarter and also contacts Ford for fluctuations in employment. The call has been made and the department is waiting for a response.

Mr. Scott asked Mr. Gardner if the street sweeper will be on the streets soon?

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

Mr. Gardner responded the street sweeper was out all day today and will continue to run weather permitting. The Vactor was out yesterday and should resume a good schedule weather permitting.

Mr. Scott asked Mr. Gardner about stump-grinding?

Mr. Gardner responded crews have probably done 15 since yesterday, the department has a list and intend on catching up on the 28 stumps from last year hopefully completed by the end of the week.

Mr. Scott questioned with snow plow damage residents should call the department with the address.

Mr. Gardner responded yes, some addresses have been documented but if there is any Councilmember or resident with sidewalk or street plow damage contact the service department with name and address.

Mr. Mencini stated the sweeper was seen on Holland Road and good news about April 8<sup>th</sup> yard and trash program opening.

Mr. Mencini clarified with Mr. Piatak that the Smith Road project is a go?

Mr. Piatak responded yes, bid documents will be submitted to ODOT for approval and then sent to Columbus for approval and authorized for bidding of the project, moving forward.

Mr. Orcutt stated to Mr. Gardner trees were removed on the Brookgate tree lawn the stumps are still there. Is that the city's responsibility to grind those stumps?

Mr. Gardner responded yes, those nine stumps are on the list with reseeding.

Mr. Stemm stated to Mr. Elliott with the Midnight Madness what programs and obstacles will be set up and is there a large enrollment?

Mr. Elliott responded there will be a number of different activities i.e. three-point contest, two on two or three on three tournaments; all participants will receive a shirt and will be fed. Many fun activities with the staff playing the registrants and by end of the night everyone is whipped.

Mr. Stemm asked if ex-coaches are needed to help?

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

Mr. Elliott welcomed any coach, Council or anyone wanting to participate and there are a lot of different activities and the participants have a great time.

Mr. Vecchio asked Mr. Gardner if residents can still place chunks of asphalt in the black rubbish cans, like last year?

Mr. Gardner yes, one or two chunks but can't have large amounts of concrete or debris in the rubbish truck, landfills frown on that. Residents can also call the service department for crews to pick up the asphalt.

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

**New Legislation:**

1. AN ORDINANCE TO PROVIDE FOR THE APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2019. Introduced by Mayor Gammella. Placed in Finance committee.
2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ADDENDUM TO A MEMORANDUM OF UNDERSTANDING WITH EXHIBITS, AN AGREEMENT REGARDING A SCHOOL RESOURCE OFFICER, (EXHIBIT C) AND A LEASE AND MAINTENANCE AGREEMENT (EXHIBIT D) WITH THE BERA SCHOOL DISTRICT FOR EXCHANGE OF APPROXIMATELY 18 ACRES OF LAND KNOWN AS BROOK PARK MEMORIAL (P.P.N. 343-17-001) AND 10 ACRES OF LAND KNOWN AS BROOKVIEW ELEMENTARY (P.P.N. 344-15-008, 344-20-086 AND 344-15-178) FOR A LEASEHOLD OF A BASEBALL FIELD LOCATED AT KENNEDY BASEBALL FIELD AND OTHER CONSIDERATION, PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella Placed in Recreation committee.
3. A RESOLUTION HONORING EXPRESS DELI AND BEVERAGE FOR MAKING YELP'S TOP 100 LIST OF BEST PLACES TO EAT IN THE ENTIRE COUNTRY AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore. Placed in Legislative committee
4. A RESOLUTION HONORING MIDPARK HIGH SCHOOL CLASS REUNION COMMITTEE OF 1968 ON THEIR 50<sup>TH</sup> YEAR REUNION AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore. Placed in Legislative committee

**Other communications and petitions and verbal approval:**

**Introduction of New Legislation: cont.**

5. A RESOLUTION URGING THE UNITED STATES CONGRESS TO NEGOTIATE

LOWER DRUG PRICES AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore. Placed in Legislative committee.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

Jennifer Roberts

5368 West 151<sup>st</sup> Street

Ms. Roberts stated the next Neighborhood Watch Group board meeting is Wednesday, March 20<sup>th</sup> at 7:00 p.m. at the Brook Park Library to discuss the topic of Spring Safety checklist.

Joan Markusic

13911 Bellbrook Drive

Ms. Markusic expressed concerns with former comments from a resident at the January 8, 2019 Council meeting about corruption and defrauding voters relating to a former city employee. Also, a March 5, 2019 Council meeting when a resident spoke about an assault in a city park and the placement of cameras in city parks. The Hometown News newspaper having degrading articles and/or comments about city functions and how unsafe the city is and Council doing nothing about it.

Louis Modic

14399 Fayette Blvd.

Mr. Modic clarified that not all residents get the Hometown Newspaper and not getting bulk mailings in his area. A kickoff meeting for the dog park group will be held Thursday, March 21, 2019 at 7:00 p.m. at the Brook Park Library.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers thanked Mayor Gammella for clarifying that she is able to plant flowers at the gazebo.

Susan Barbour

5819 Robert Drive

Ms. Barbour expressed concerns provided information about the Brook Park Botanical Garden Club that will be having a fundraiser on April 6, 2019 at Methodist Church, tickets are \$10.00. Several city groups and churches coming together to celebrate Earth Fest on April 27, 2019 at Kennedy Park from 11:00 a.m. to 3:00 p.m.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to go back to Introduction of New Legislation for three pieces being introduced.

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

Three pieces of legislation titles were read and placed in the Legislative committee.

**Motion** by Mr. Salvatore, supported by Mr. Stemm, to go back to regular order of business.

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

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

1. ORDINANCE NO. 11067-2019, AUTHORIZING THE MAYOR TO CONTRACT FOR THE NECESSARY CONSTRUCTION ADMINISTRATION SERVICES, CONSTRUCTION OBSERVATION SERVICES AND CONSTRUCTION TESTING SERVICES FOR THE HOLLAND ROAD RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

**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, Orcutt, Scott, Salvatore, Poindexter, Stemm  
**NAYS:** None. Ordinance No. 11067-2019, has passed under Suspension of the Rules. Adopted.

2. ORDINANCE NO. 11068-2019, AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE SMITH ROAD RESURFACING PROJECT (PID 108950) AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

**ROLL CALL: AYES:** Burgio, Orcutt, Scott, Salvatore, Poindexter, Mencini, Stemm  
**NAYS:** None. Ordinance No. 11068-2019, has passed under Suspension of the Rules. Adopted.

**Introduction of Ordinances and Resolutions: cont.**

3. RESOLUTION NO. 2-2019, GRANTING A CONDITIONAL USE PERMIT TO GPC MOTORSPORTS LOCATED AT 5726 WEST 130<sup>TH</sup> IN THE U4-A3 ZONE TO OPERATE A PORSCHE AUTOMOTIVE SERVICE/REPAIR SHOP AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

3. RESOLUTION NO. 2-2019, GRANTING A CONDITIONAL USE PERMIT TO GPC MOTORSPORTS LOCATED AT 5726 WEST 130<sup>TH</sup> IN THE U4-A3 ZONE TO OPERATE A PORSCHE AUTOMOTIVE SERVICE/REPAIR SHOP AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

**ROLL CALL: AYES:** Orcutt, Scott, Burgio, Stemm, Mencini, Poindexter, Salvatore  
**NAYS:** None. Resolution No. 2-2019, has passed under Suspension of the Rules. Adopted.

4. RESOLUTION NO. 3-2019. TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

**ROLL CALL: AYES:** Orcutt, Scott, Burgio, Salvatore, Mencini, Poindexter, Stemm  
**NAYS:** None. Resolution No. 3-2019, has passed under Suspension of the Rules. Adopted.

**Introduction of Ordinances and Resolutions: cont.**

5. RESOLUTION NO. 4-2019, AUTHORIZING THE MAYOR TO ADVERTISE A REQUEST FOR QUALIFICATIONS AND PROPOSALS FOR CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE SMITH ROAD RESURFACING PROJECT (PID108950) IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

**ROLL CALL: AYES:** Mencini, Orcutt, Burgio, Scott, Salvatore, Poindexter, Stemm  
**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. Resolution No. 4-2019 has passed under Suspension of the Rules. Adopted.

6. ORDINANCE NO. 11069-2019, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE TEAMSTERS UNION LOCAL 436 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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Mr. Salvatore clarified that the union contracts are for a one-year extension with two changes for raises and medical benefits?

Mayor Gammella responded yes, all the union contracts are for one-year to include raises across the board and medical benefits basically staying the same.

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

**ROLL CALL: AYES:** Poindexter, Scott, Burgio, Orcutt, Mencini, Salvatore  
**NAYS:** None.

**ABSTENTION:** Stemm. The motion carried with a vote of six and one abstention.

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

**ROLL CALL: AYES:** Poindexter, Mencini, Salvatore, Scott, Burgio, Orcutt  
**NAYS:** None.

**ABSTENITON:** Stemm. Ordinance No. 11069-2019, has passed under Suspension of the Rules with a vote of six and one abstention. Adopted.

**Introduction of Ordinances and Resolutions: cont.**

6. ORDINANCE NO. 11070-2019, 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.

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

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

**NAYS:** None.

**ABSTENTION:** Stemm. The motion carried with a vote of six and one abstention.

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

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

**NAYS:** None.

**ABSTENTION:** Stemm. The motion carried with a vote of six and one abstention. Adopted.

7. ORDINANCE NO. 11071-2019, 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.

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

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

**NAYS:** None.

**ABSTENTION:** Stemm. The motion carried with a vote of six and one abstention.

**Motion** by Mr. Poindexter, supported by Mr. Orcutt, to adopt.

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

**NAYS:** None.

**ABSTENTION:** Stemm. Ordinance No. 11071-2019, has passed under Suspension of the Rules with a vote of six and one abstention. Adopted.

**Introduction of Ordinances and Resolutions: cont.**

8. ORDINANCE NO. 11072-2019, 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.

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

**ROLL CALL: AYES:** Mencini, Orcutt, Burgio, Scott, Salvatore, Poindexter  
**NAYS:** None.

**ABSTENTION:** Stemm. The motion carried with a vote of six and one abstention.

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

**ROLL CALL: AYES:** Burgio, Orcutt, Scott, Salvatore, Poindexter, Mencini  
**NAYS:** None.

**ABSTENTION:** Stemm. Ordinance No. 11072-2019, has passed under Suspension of the Rules with a vote of six and one abstention. Adopted.

9. ORDINANCE NO. 11073-2019, 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 CONTRACTS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Scott stated he has been an opponent since 2017 with the current minimum wage starting \$10.00 that encompasses 14-year-olds and up. I'm asking that the part-time entry rate be based on the Ohio minimum hourly wage of \$8.55 an hour. Department heads having ability to pay new or returning employees at his or her discretion within the minimum and maximum salary range. Returning part-time employees will not be cut from in hourly range for 2018 unless deemed by the department head.

Mr. Salvatore asked for First Reading of this legislation for the purpose of finalizing the union contracts, there will most likely be other changes.

A poll of Council was taken and it was unanimous for Ordinance No. 11073-2019 having First Reading.

Mr. Vecchio stated Ordinance No. 11073-2019 has had its First Reading.

10. RESOLUTION NO. 5-2019, ACCEPTING THE RECOMMENDATIONS AND APPROVING THE MINUTES OF THE HOUSING COUNCIL ON THE CITY OF BROOK PARK'S COMMUNITY REINVESTMENT AREA (CRA) AGREEMENTS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Salvatore asked if there any Councilmembers were in attendance for the inspections or were they performed by city inspectors.

Mr. Hurst responded all the CRA inspections are done by the Building Department at the request of the Economic Development Commissioner.

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

**ROLL CALL: AYES:** Mencini, Poindexter, Stemm, Salvatore, Scott, Burgio, Orcutt  
**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. Resolution No. 5-2019, has passed under Suspension of the Rules. Adopted.

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**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11064-2019, 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.

Mr. Orcutt thanked Council for their patience on this legislation because he had questions to both the Finance and Law Directors with this change order cost not being on the 2018 change order.

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

**ROLL CALL: AYES:** Scott, Poindexter, Mencini, Stemm, Burgio  
**NAYS:** Salvatore, Orcutt. The motion failed with a vote of 5-2.

Mr. Salvatore asked Mr. Cingle the change order was for \$23,000 originally?

Mr. Cingle concurred.

Mr. Salvatore commented the work is already done and the contractor is entitled to compensation. There was some money left over from the original \$110,000, correct?

Mr. Cingle concurred with monies going back to the Capital Improvement Fund.

Mr. Salvatore continued now, additional monies are needed for additional work requested; why couldn't that be handled through the Board of Control.

Mr. Cingle stated the original change order was \$110,000 and change and there was approximately \$11,000 leftover from the change order. The cost to remove

the mirrors and other work done was in the range of \$23,470.00. So there wasn't enough money left over on the first change order to pay for the work done as part of this change order in front of Council tonight.

Mr. Salvatore continued I understand that but the only work that I've heard through conversations is the mirrors on the wall in the community room; to remove those mirrors was \$23,000 or was there additional work?

Mr. Cingle deferred to Mr. Hurst everything on the wall was part of this change order with the mirrors and bricks removed, deferred out, electric and all necessary drywall.

Mr. Salvatore reiterated to Mr. Cingle could the additional monies needed after the excess return not used in the original \$110,000. Why is being done with a change order and not normal routine, the work is already completed.

Mr. Cingle responded after consulting with the law director because there was a change order in the amount of \$110,000 and the additional change order would be for approximately \$23,470.00 range, the total amount of the change order exceeds \$50,000 and felt it best to bring before City Council, even the work has been done, to approve the change order; also, in case the auditors would question the expenditure of funds. This is something that slipped through the cracks and should have been added to the change order passed in March, 2018.

Mr. Salvatore commented he's not trying to find fault and the company that did the work deserves to be paid; I'm just questioning the method and thought it could have been done differently, rather than going with a change order.

Mayor Gammella commented also a wall had to be built in the tax department for privacy and to make this dais ADA (American Disability Act) compliant the ramp needed to be built.

Mr. Vecchio stated Ordinance No. 11064-2019, has had its Second Reading.

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**THIRD 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.

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

**ROLL CALL: AYES:** Scott, Orcutt, Burgio, Salvatore, Mencini, Poindexter, Stemm  
**NAYS:** None. Ordinance No. 11063-2019, passed under Third Reading.

Adopted.

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**Motion** by Mr. Stemm, supported by Mr. Mencini, to take a ten-minute recess.

**ROLL CALL: AYES:** Stemm, Mencini, Poindexter, Salvatore, Scott, Burgio, Orcutt  
**NAYS:** None. The motion carried at 9:19 p.m.

**Motion** by Mr. Stemm, supported by Mr. Orcutt, to go back to Regular Order of Business.

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

**EXECUTIVE SESSION - MAYOR GAMMELLA:**

- 1. NEGOTIATIONS OF BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING COMPENSATION.

**Motion** by Mr. Scott, supported by Mr. Orcutt, to go into Executive Session.

**ROLL CALL: AYES:** Scott, Orcutt, Burgio, Salvatore, Poindexter, Mencini, Stemm  
**NAYS:** None. The motion carried at 9:30 p.m.

In attendance: Members of Council, Mayor Gammella, Law Director Horvath and Finance Director Cingle.

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

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

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

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

Council President Vecchio declared this meeting adjourned at 9:36 p.m.

**Motion** by Mr. Poindexter, supported by Mr. Orcutt, to go back to the recessed Caucus Prior to meeting.

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

RESPECTFULLY SUBMITTED

  
Michelle Blazak  
Clerk of Council

APPROVED

  
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THESE MEETING MINUTES A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.

4,955 words

