

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, JUNE 4, 2019**

The meeting was called to order by Council President Vecchio at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, BURGIO, ORCUTT, STEMME, MENCINI, SALVATORE

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

Councilmen Poindexter was excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Special Council meeting one held on May 14, 2019.
Motion by Mr. Mencini, supported by Mr. Salvatore, to approve as printed.
ROLL CALL: AYES: Mencini, Salvatore, Stemm, Orcutt, Burgio, Scott
NAYS: None. The motion carried.
 2. Special Council meeting two held on May 14, 2019.
Motion by Mr. Burgio, supported by Mr. Mencini, to approve as printed.
ROLL CALL: AYES: Burgio, Mencini, Stemm, Salvatore, Scott, Orcutt
NAYS: None. The motion carried.
 3. Caucus Prior to meeting held on May 21, 2019.
Motion by Mr. Mencini, supported by Mr. Scott, to approve as printed.
ROLL CALL: AYES: Mencini, Scott, Burgio, Orcutt, Stemm, Salvatore
NAYS: None. The motion carried.
 4. Regular Council meeting held on May 21, 2019.
Motion by Mr. Mencini, supported by Mr. Scott, to approve as printed.
ROLL CALL: AYES: Mencini, Scott, Burgio, Orcutt, Stemm, Salvatore
NAYS: None. The motion carried.
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REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has nothing on the agenda but the Board of Control met earlier and approved 25 items; three largest being Legend Lawn Care for 2019 senior grass-cutting program increased \$408.00 for a total of \$24,072.00. Port petroleum gas and diesel fuel in the amount of \$40,000 and W.W. Williams company for the installation of a new engine with state verification for fire truck engine in the amount of \$49,119.00.

Reports of standing committees: cont.Legislative Committee - Chairman, Mencini

Mr. Mencini reported Legislative committee having nothing on the agenda and mention that the Khloe Klub fundraiser held this past Saturday was a huge success. Last chance to sign up for Audrey's Outreach lunch-sack program.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported that registrations have started for Miss & Jr. Miss Brook Park; Miss Brook Park are for ages 15 - 18 and the Junior Miss is ages 11-14. Movie night will be held on June 14th at the waterpark, doors open at 7:30 p.m. and movie starts at dusk. Home days will be held the weekend of July 12th through 14th. There have been a lot of rainouts and makeups for baseball, tennis program has 38 contestants that have signed up. Football and cheerleading have started with more information forthcoming.

Planning Committee - Chairman, Burgio

Mr. Burgio reported the Planning commission met on June 3rd with three items on the agenda. First was a request for approval for Company Wrench located at 16400 Brookpark Road that the commission approved and will be coming to Council. The second item was for a conditional use permit at 5775 Engle Road for operation of an airport parking facility was tabled for more information and a site plan. The third request was for a conditional use permit at 17510 Brookpark Road for operation of an airport facility that was tabled for more information and a site plan; if approved by the commission those two items will be coming to Council for consideration.

Safety Committee - Chairman Stemm

Mr. Stemm reported the next Neighborhood Watch meeting will be held on June 19th at 7:00 p.m. at the Brook Park Library with Police Chief Dickel in attendance.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the Service committee has one item on tonight's Council agenda and mentioned that bulk pickup will be this coming Monday. To schedule a pickup please call the service department by 12:00 noon on Friday before at 216-433-7189. Phone calls have been received regarding tall grass at city-owned properties. The service department has been operating with less people for several years and are working very hard to get everything done. Mr. Orcutt thanked the service department crews for their hard work and mentioned this is a joint effort between the residents and service department. Mr. Orcutt thanked the safety forces for taking care of the recent fire last month at Travelodge, with joint ventures of surrounding communities. Mr. Orcutt invited everyone to the Ward 3 picnic on Saturday, June 8th from 11:00 a.m. to 3:00 p.m. at Wedo Park and includes a one-mile walk for cancer around the Harrison-Ashland loop kicking off at 11:00 a.m.

Reports from standing committees: cont.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott reported the Board of Zoning Appeals met on June 3rd with three items on the agenda. First item the commission approved was for a 164 sq. ft. variance for construction of an 864 sq. ft. garage at 22889 Cedar Point Road. Second request was approved for a variance for operation of an electronic message center at 18664 Sheldon Road. Third request was for approval of several variances at 16400 Brookpark Road, Company Wrench, that the commission approved; first variance was for construction of a non-masonry structure, secondly request a variance to install a fence beyond the rear line of main structure and third was a variance request to allow for a non-paved surface and variance request to not provide concrete curbs.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Salvatore

Mr. Salvatore stated no report this evening.

Berea Board of Education Committee - McDonnell, Poindexter

Ms. McDonnell and Mr. Poindexter were not in attendance. Mr. Vecchio stated he was part of the focus group has been narrowed down to two people with another meeting that I will be attending tomorrow night. The meeting will be the interview process with a question-answer period. After the interview process the candidates will be taken on a tour of the district with a possible choice made for new superintendent.

Mr. Salvatore asked if the candidates are local or out of town?

Mr. Vecchio responded an email was received and the one candidate is the assistant superintendent from Brunswick and the second candidate from Southwestern Ohio Miami district.

Mr. Salvatore asked for an update of the cost overrun that Ms. McDonnell was going to look into?

Mr. Vecchio responded I haven't been able to sit with anyone with the superintendent search, hopefully someone will be in attendance at tomorrow night's meeting to provide an answer. My understanding, is that it deals with the fire hydrant and not sure how that was overlooked.

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. Mencini asked for an update on possible upcoming residential street repairs?

Mayor Gammella responded the city has a \$6 million-dollar roads program for 2019 and patching will be done on streets as needed and maintain the streets as the city can do. All monies will be utilized the best this city can do.

Mr. Mencini commented the crews are out for both the streets and for grass-cutting. Is there any update on the speeding on the side streets? The police have the STOP Program and are doing a great job.

Mayor Gammella responded special attention is being given out there and Mayors' Courts' have been packed, so tickets are being written. People need to slow down and hopefully this will slow them down.

Mr. Orcutt thanked Mayor Gammella for meeting with himself and Fairlawn residents, very productive meeting. Also, thank you and your staff about reaching out with the problem areas of speeding. South of Snow Road to Rademaker, north of Snow Road, Bowfin and Remora from Fry to Smith Road, is a raceway. Mr. Orcutt received phone calls about the planters on Snow Road, I-71 and Snow and Smith Road intersections; there is improvement. Phone calls received state that it looks like people are campaigning with signs on the city. What is your opinion since this is a campaign year?

Mayor Gammella responded people, including myself, sponsor pots and but it doesn't say vote or elect and is very similar to the Christmas trees and flags at the intersection of Holland and Engle Roads. I don't have an issue and other communities do the same, the pots look great.

Mr. Orcutt commented the pots look great and makes the city look better with flowers and donated towards the pots but disagrees with the fact of endorsements during this summer.

Mr. Scott asked Mayor Gammella have you been able to speak with Police Chief Dickel about possibly working traffic control when the West 130th

Reports and Communications from the Mayor: Questions: cont.

project starts in July?

Mayor Gammella responded yes and you are correct motorists will be going down Middlebrook and Holland that is being worked on.

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

Finance Director Cingle

Mr. Cingle reported May monthly reports will be distributed soon and the 2018 audit continues and the 2020 Tax Budget will be forthcoming to Council this week.

Law Director Horvath

Mrs. Horvath stated no report but was compelled to make a few brief comments with regard to a cleveland.com article regarding the Charter Review Commission. Case law says if there is a conflict between the City Charter and Ohio Sunshine Laws in regard to open meetings; the Charter takes precedence. The comments I made in that article indicated that was the law in effect and was limited only to the idea the question being asked about open meetings. I was not commenting on public records, certainly there is nothing in the Charter relating to public records and that is different topic altogether. I have received emails and wanted to indicate that the discussion was the way the Charter indicates the decision-making process should take place with regards to Charter Review and not with regards to public records requests.

Service Director Gardner

Mr. Gardner reported with bulk Monday coming up the two infractions are one with yard-waste that can be taken to the service garage, crews do not curbside yard-waste pickup. The second is with mattresses and box springs must be in plastic bags or will not be picked up or can be brought to the service garage for disposal by the resident. The hot-patch plant on West 150th has opened up so time will be better used. The railroad crossing at Eastland-Route 237 will be closed from June 12th through 26th. To date, there are probably two small fields that have not been cut due to rain.

Engineer Piatak

Mr. Piatak reported the Holland Road Reconstruction project is scheduled for two small concrete pours tomorrow on the north side of the road near Fry. The first mainline pavement of 500' is scheduled for Friday, weather permitting. Sheldon Resurfacing project bids were opened this morning and received very competitive bids that are currently being reviewed and hopefully have a recommendation for the next Board of Control. The Smith Road Resurfacing project currently has six plan-holders for that contract with bids opening on June 11th; there will be one more piece of legislation for

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

construction administration services.

Questions:

Mr. Orcutt stated to Mr. Gardner hot-patch is needed on Fry Road between Muskingum and Pike, there is a large area that Cleveland Water made a repair a few months ago.

Mr. Gardner responded that was an overlay done last winter and will look into that.

Mr. Orcutt continued Sylvia Drive between Smith Road and Morrow the north side of the road is in bad condition, seems like it is caving in. There were hydrant repairs done on Sylvia near Smith and my question has there been any issues with the hydrants, over the years, that could be a problem for the decaying on the north side of Sylvia?

Mr. Gardner responded not to my knowledge just the age of that road. Grinding repairs were done on Sylvia near Hardin and just east of there on the other side by a fire hydrant two existing water breaks that broke up were repaired.

Mr. Salvatore stated to Mr. Cingle with all the companies wanting to go into the parking operations have you looked at what kind of revenue would be generated for the city; relative to the licensing fee?

Mr. Cingle responded not to date.

Mr. Stemm stated to Mr. Gardner that complaints were received about tall grass Plant Lane, with games at least three or four evenings a week.

Mr. Gardner responded that was probably mowed this evening.

Mr. Burgio thanked Mr. Gardner for the patching the crews did on Sylvia Drive at the low spot that gathers water. Mr. Burgio stated to Mr. Piatak with the reconstruction work is done on Sheldon Road being only one lane each way. Will traffic be flowing from Fry to Sheldon Roads?

Mr. Piatak responded traffic will be maintained two-way traffic and there probably will be delays throughout the project; just a point of information the project limits go from Engle to approximately 700 or 800 east of Eastland.

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

Mr. Burgio asked for a finishing date for the Smith Road project?

Mr. Piatak responded this year and there are a number of things that need to be done prior to the beginning of the construction project, will be done this year.

Mr. Mencini stated to Mr. Piatak with the Holland Road project will there be a point that everything is cut-off from Fry to Engle Road?

Mr. Piatak responded no, the intent of the project is to maintain eastbound traffic through section one that the contractor is working on now. When section one is complete the road will be opened up to two-way traffic and contractors will move to section two and traffic will be maintained. The section the contractors are working in now is the most difficult time of the project as far as traffic flow.

Mr. Mencini continued to Mr. Piatak the street Councilman Orcutt mentioned with the undermining on Sylvia; throughout the city there are other areas like that. The tree lawns have a good base but on a lot of the streets by the curb and maybe two to four feet off the street is undermining; why is that?

Mr. Piatak responded he is not sure but knows the section of Sylvia, east of Smith Road, is in some rough shape, not familiar with the north side but will be taking a look at. To say this or that is the cause I can't say because I don't know but can look and give my opinion.

Mr. Mencini stated service crews do much more than grass such as hot-patch, sewers, trash, ballfields and maintenance of city buildings.

Mr. Vecchio stated due to all the recent rains is there plans for the health department to spray for mosquitoes throughout the city?

Mr. Gardner responded the Board of Health has treated the catch-basins and to the best of my knowledge no spraying in in order currently.

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

New Legislation:

An Ordinance authorizing the Mayor to enter into a change order between Motorola Solutions, Inc. and the City of Brook Park to change radio features and accessories and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to have emergency repairs made to our 2002 fire truck, without public bidding, and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance Committee.

An Ordinance amending section 153.01 of the Brook Park Codified Ordinances entitled 'Vacations' and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative Committee.

An Ordinance authorizing the Mayor to enter into an agreement with Greater Cleveland Auto Auction, Public Auctioneers, for the purpose of disposing of obsolete city vehicles and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

An Ordinance authorizing the Mayor to enter into agreements for professional construction management services in connection with the Smith Road Resurfacing Project (PID 108950) and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

An Ordinance authorizing the Mayor to dispose of obsolete city vehicles that are unsafe and no longer road worthy and declaring an emergency. Introduced by Mayor Gammella. Placed in service committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Lou Modic
14399 Fayette

Mr. Modic thanked and complimented everyone involved in putting together the Memorial Day Parade together, great parade and very well organized. Also, thanked Mayor Gammella, Councilmembers and everyone who came down for the ceremony honoring all veterans', great event for the city. Mr. Modic continued he is a member of the Botanical Garden group and helped with the planters on Snow Road and has suggestions for next year. Mr. Modic expressed concerns with the empty BP sign at the corner of Smith and Snow, possibly put some advertising or flag, the empty sign is an eyesore. Mr. Modic stated at a past meeting there was discussion of possibly saving the restrooms at the former City Hall building for use when there are events at the gazebo and if there was a conclusion to that.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11093-2019, AUTHORIZING THE MAYOR TO ENTIER INTO AN AGREEMENT OF COOPERATION WITH THE COUNTY OF CUYAHOGA FOR THE RESURFACING OF SMITH ROAD (COUNTY PID#1265) 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. Scott, to adopt.

ROLL CALL: AYES: Mencini, Scott, Burgio, Orcutt, Stemm, Poindexter, Salvatore
NAYS: None. Ordinance No. 11093-2019, has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

There being no further business to come before this meeting a motion by Mr. Mencini, supported by Mr. Stemm, to adjourn.

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

Council President Vecchio declared this meeting adjourned at 8:15 p.m.

RESPECTFULLY SUBMITTED 
Michelle Blazak
Clerk of Council

APPROVED June 18, 2019

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