

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, JULY 2, 2019**

The meeting was called to order by Council President Vecchio at 8:16 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, BURGIO, ORCUTT, MENCINI, POINDEXTER, SALVATORE

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

Councilman Stemm was properly excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus prior to meeting held on June 18, 2019.

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

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

2. Regular Council meeting held on June 18, 2019.

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

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter reported the Aviation & Environmental committee has nothing on tonight's agenda. The Cuyahoga Solid Waste District released the annual recycling report. In 2018, Brook Park disposed of 8,928 tons of solid waste, 1,364 tons of recyclables and 424 ½ tons of organics, totaling 16.7% recycling rate about ½% over 2017.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has one item on tonight's agenda. The Board of Control met earlier and approved 24 items with the three (3) largest being Buckeye Pumps, Inc. for new pump assemblies at the Fry & Richard pump station. This was an increase in the amount of \$12,000 totaling \$34,000, with a possible insurance claim. The second is to Fallsway Equipment company for a pump and water tank replacement for fire pumper S-2 in the amount of \$43,351.00 and some change. The third expenditure was to Euthenics for \$14,932 for inspection and engineering services through 21, 2019 for the Holland Road Reconstruction Project.

Reports of Standing Committees: cont.**Legislative Committee - Chairman, Mencini**

Mr. Mencini reported the Legislative committee has two items on tonight's agenda.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported the recreation center will be closed during Home Days weekend July 12th - 14th. The Ohio Flags of Honor opening ceremonies will be on Friday, July 12th at 6:00 p.m.; the closing ceremony will be Sunday, July 14th at 3:00 p.m. Summer concerts will be held on August 1st, 9th, 15th, 22nd and 29th. The Pitch, Hit and Run contest will be held on Saturday 13th at 10:00 a.m. with check-in and registration at 9:30 a.m. at Forbes and Hufsey fields for boys and girls ages 7-14.

Planning Committee - Chairman, Burgio

Mr. Burgio stated the Planning commission approved five items on the agenda. First one being aesthetic approval for a roof on Leslie Drive; aesthetic approval for installation of a walk-in cooler at Brook Park Community Church; approval for the consolidation of two parcels at 16400 Brookpark Road for Company Wrench; approval was granted for a conditional use permit at 17510 Brookpark Road to operate an airport parking facility with other conditions being added, will come before Council for final approval. Approval for a lot consolidation was granted for three parcels at the Ford Motor Company property.

Safety Committee - Co-Chairman Scott

Mr. Vecchio reported the Safety committee has one item on tonight's agenda.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the Service committee has one item on tonight's agenda.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott reported Board of Zoning met yesterday and approved three items on the agenda. First one being a request for a 6' variance for installation of a patio at 15883 Harrison Drive; request for a 3' rear-lot line variance at 6181 Sylvia Drive and request a 103' square foot variance addition to an existing garage at 14893 Greystone Drive.

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

Mr. Salvatore announced Southwest has, once again, been named one of the top work places in the Plain Dealer and moved from fifth to fourth, for the tenth consecutive year.

Berea Board of Education Committee - McDonnell, Poindexter

Mrs. McDonnell reported major changes coming in the school district for the 2019-2020 school year. The board approved Tracy Wheeler as the new superintendent; Assistant Superintendent Grosse took a job at another school district; Michael Slivochka became Director of Business Services; Vincent Ruggiero former principal of Berea-Midpark High School will now be the director of personnel and employee relations. New high school principals are currently being interviewed

Reports from Special committees:

Berea Board of Education - McDonnell: cont.

for the high school. It is up to the superintendent's determination if there will be an assistant superintendent. Emails have been sent regarding important information and dates coming up. the elementary school and middle school students will be August 22nd along with the high school freshman; all other grades 10-12 will start August 23rd. On August 15th there will be a schedule pickup from 10:00 a.m. to 2:00 p.m. allowing for walk through of the schedule. On August 20th is the 5th grade open house, on August 27th is 6th grade open house, August 28th is 7th grade and 8th grade open house is September 5th, hours for each open house is 7:00 p.m. to 8:00 p.m. On August 22th Brookview Elementary will be having an all-day meet and greet for grades K-4 drop-off supply day with kindergarten orientation on August 28th. Big Creek second graders open house is August 21st, parents and students are invited, from 6:30 p.m. to 8:30 p.m. Big Creek first and fourth graders parent only open house on August 28th from 6:30 p.m. to 8:30 p.m. Pre-school students at Grindstone open house is August 19th from 6:30 p.m. to 7:30 p.m. and kindergarten orientation is August 21st from 9:30 a.m. to 11:00 a.m.

Mr. Salvatore asked if there will be an interview process or committee formed for the selection of a new principal?

Mrs. McDonnell responded each building has their own interview process and usually consists of one person from the Board of Education and different people representation for each building to create a committee for the hiring process.

Mr. Salvatore commented in the past, members from each community were chosen to serve on the committee, is that going to occur?

Mrs. McDonnell responded she will investigate because she has not heard anything like that.

Mr. Mencini commented the (district) website is great and suggested that possibly the information provided by Ms. McDonnell should appear on the home page.

Ms. McDonnell interjected that information will be listed on the front page closer to school beginning. The district is using a more digital program for information and can report that September 4th is open house for Brook Park Memorial from 6:30 p.m. to 8:00 p.m.; kindergarten orientation is 10:00 a.m. to 11:30 a.m. and Grindstone K-4 Meet and Greet is August 19th as well as Little Titans; supply lists and lunch menu links are listed.

Mr. Poindexter reported the next school board meeting is July 16th.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella reported residents should have received the city’s newsletter and mentioned there is a survey card to be filled out and returned as far as the pool area of the recreation center; a committee will be reviewing those surveys when received. Home Days will be from July 12th-14th and the parade will be traveling Sylvia Drive, not Holland Road due to construction. With Council going into summer session, besides special meetings that may be called, wishing Council and everyone a great summer. Sad to hear that Jeff Grosse is leaving the school district he has done an outstanding job and a big part with helping Brook Park put together the recent land deal (Kennedy Park and two school buildings) and wished Mr. Grosse well on his future endeavors.

Questions:

Mr. Mencini mentioned with the city’s senior lawn care program John Legend of Legend Lawn Care went above and beyond his duties for cutting grass. There are concerns of speeding and saw an unmarked police car on a residential street, that is great. Glad to see the survey and commented that there has to be emphasis with explaining what residents would like and how it’s going to be paid for.

Mayor Gammella interjected survey results to date are over 300 responses that the committee is reviewing when received.

Mr. Orcutt stated the Sheldon Road bids came in at \$142,000 less than what was appropriated and Smith Road came in at \$108,000 less, totaling \$251.000; possibly rolling those monies into the 2020 Roads Program.

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

Mr. Cingle reported the 2018 city audit concluded last week and the city received a clean audit report and thanked the Finance staff, Mayor Gammella, City Council and department heads for their assistance during the audit. June month-end reports will be distributed in the next few days.

Recreation Director Elliott

Mr. Elliott thanked the recreation staff, coaches and families for getting through the baseball season with the trying recent weather. Mr. Elliott reported Thursday, July 4th the recreation center will be closed but the waterpark will be open from 12:00 p.m. to 5:00 p.m. Home Days will be next weekend encouraged everyone to get involved. Opening Ceremonies for the Ohio Flags of Honor will be Friday, July 12th at 6:00 p.m. and many activities during the Home Days celebration.

Law Director Horvath

Mrs. Horvath reported a short explanation of the pending civil matters involving the city with the most prominent case is the City of Brook Park Vs City of Cleveland. Both parties have finished briefing all the issues and each party had a motion for summary judgement pending with briefs finished in January, 2019. Both parties are still waiting a decision from the judge based on what was submitted and to date no changes on this case. There is also a case being handled by labor counsel with briefs submitted in September, 2018 and waiting for the judge's decision. There is also Worker's Compensation appeal that is moving through the litigation steps with the county court with mediation scheduled for September. There is also a case involving an employee that is moving the various steps the judge has determined would be appropriate and currently still in the discovery stage. The last one being a Board of Revision case that for some reason there constantly seems the city has a service problem with and once remedied that case will be moving forward and the city will be successful in obtaining property.

Service Director Gardner

Mr. Gardner reported Monday, July 8th is bulk pickup day please call 216-433-7189 for scheduling of bulk pickup. Service crews are getting ready for Home Days by putting up fences and also daily duties of ballfield preparation, grass cutting, patching and have a couple sewer calls on the schedule. Mr. Gardner also gave Engineer Piatak's report by stating that the Sheldon Road Resurfacing project the pre-construction meeting is scheduled for July 10th and the pre-construction meeting for the Smith Road Resurfacing project is scheduled for July 9th. With the Holland Road Reconstruction project, section one pavement between Fry and I-71 bridge was opened to two-way traffic yesterday. Asphalt milling operations are set to begin on the eastbound lanes between I-71 bridge and Engle Road tomorrow; miscellaneous asphalt paving under the bridge at Holland-east and Fry-north pavement tie-ins are scheduled for Friday and Saturday. Concrete base-removals will begin next week with two-way traffic being maintained, if

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

possible avoid that area. The north side of Sylvia Drive was looked at between Smith and Hardin with some site observations and it looks like a few sink-holes are forming just off the curb. The NEORSD (Northeast Ohio Regional Sewer District) is involved with testing results and assistance to the city to see if there are possible storm-drainage issues. The NEORSD is performing dye-testing on the following streets; Brookdale, Bellbrook, Middlebrook, Brookhaven, Fayette and Westbrook.

Questions

Mr. Scott asked Mr. Elliott where to sign-up for the Flags of Honor patrols?

Mr. Elliott responded the Boy Scouts will be handling the overnight hours but there are some other evening hours and have a list of people that inquired and will be calling them.

Mr. Scott commented for people that haven't done a patrol before walking through those flags really grabs you. Secondly, what is the (Kennedy Park) baseball field update?

Mr. Elliott responded the transition of Mr. Grosse's position will be Mike Slivochka and this past Saturday the electricians were on the project for the scoreboard and such. Due to the recent weather the contractor left this site and went to another site that will be finishing up and the contractor should be back on Monday, July 15th. Service crews did cut some of the tall grassy areas behind the school due to concerns with shooting off of Home Days fireworks and also school concerns with topsoil being stored over there will eventually be coming to the field.

Mr. Scott asked Mr. Elliott about the upcoming football schedule and not being able to play on (Kennedy) field.

Mr. Elliott responded the alternative would be to use the junior high-school field at Midpark that Mr. Grosse promised the city that field as an alternative.

Mr. Poindexter stated thanked Mrs. Horvath for legislation presented.

Mr. Mencini stated to Mr. Gardner that service crews did a tremendous job at Kennedy field, with Home Days coming up. There are concerns with a habitual resident, not in my ward, on Sylvia throwing out trash on the weekends. Residents in my ward are complaining because they look at the trash from their kitchen window; what is the city's process with how many pickups a resident is entitled to.

Mr. Gardner responded I was made aware today that it is reoccurring and those

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

residents do not call in and I am under the impression, from service crews, that these residents' may be scrappers, but am not sure. The building commissioner and I are working on this and hope to try and resolve this issue, somehow, where the residents call the department. Residents' get two special pickups a year on top of the 12 bulk-pickups and also there is access to a rubbish truck at the service garage on a daily basis.

Mr. Mencini thanked Mrs. Horvath for the oral report of civil cases given and would like to have in written form. Mr. Mencini stated to Mr. Cingle to please thank Mr. Healy for having a very informative meeting with him and Mr. Scott this past Friday. Mr. Mencini thanked Mr. Elliott and staff for the great job with baseball games with the recent weather. The background checks are very important to have in today's society.

Mr. Orcutt asked Mr. Cingle if the Brewer-Garrett company completed the energy audit and submitted to the Finance Department?

Mr. Cingle responded no and commented that audit won't be completed until possibly September; the first year began in September. Brewer-Garrett has been reporting to me on a quarterly basis.

Mr. Orcutt asked Mr. Cingle with those quarterly reports those numbers have been hit as part of the contract?

Mr. Cingle responded yes, nothing has been submitted in writing, this has all been verbal communication and are pleased with the savings to-date. About a week or so paperwork was submitted to Brewer-Garrett to apply for rebates that the city is authorized to receive; those savings should be seen in the very near future.

Mr. Orcutt commented come September if the numbers are showing positive cash-flow for the city alternative projects should be looked into i.e. street lighting and so forth.

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

New Legislation:

An Ordinance authorizing the Mayor to dispose of obsolete office furniture, file cabinets and other miscellaneous office equipment and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

An Ordinance enacting Chapter 163 of the Brook Park Codified Ordinances entitled 'Technology Commission' and declaring an emergency. Introduced by Councilman Poindexter. Placed in Legislative committee.

Request for approval to consolidate permanent parcel number (PPN) 344-30-08 and permanent parcel number 344-30-009 located at 16400 Brookpark Road 'Company Wrench' for a construction of a new 8,300 sq. ft. building in a U7-AE zone and declaring an emergency. Placed in Planning committee.

Request approval for the Ford Motor lot consolidation of PPN No's 342-19-004, 342-19-003, 343-01-001, 342-15-005, 343-07-001, 343-02-001 and 342-18-002 located in the U-7-B/U5-A zones and the lot split into parcel 'A' at 17601 Brookpark Road and the U-7B zone and parcel 'B' at 18300 Snow Road located in the U-5A zone. Placed in Planning committee.

Request approval for a conditional use permit at 17510 Brookpark Road located in the U7-A district to operate an airport parking facility. Placed in Planning committee.

Mayor Gammella asked Council's indulgences for the two lot consolidations for legislation to be drafted and placed on the July 9th Special Caucus agenda for possible movement to the Special Council agenda.

Mr. Burgio concurred.

An Ordinance authorizing the consulting engineer to prepare plans and bid documents and the Mayor to advertise for bids and enter into a contract for the 2019 Crack & Joint Sealing Project and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

Mayor Gammella asked Service Chairman, Orcutt, to place the crack-sealing legislation on the July 9th Special Caucus agenda to possibly be moved to the Special Council agenda.

Mr. Orcutt concurred.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Liz Sayers

23065 Cedar Point Road

Ms. Sayers asked if there is any proof that the mold and asbestos in the Recreation Center building has been resolved.

Mayor Gammella left the dais to speak with Ms. Sayers.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

- 1. ORDINANCE NO. 11099-2019, 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.

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. Ordinance No. 11099-2019, has passed under Suspension of the Rules. Adopted.

- 2. ORDINANCE NO. 11100-2019, AMENDING SECTON 153.01 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'VACATIONS' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. Ordinance No. 11100-2019, has passed under Suspension of the Rules. Adopted.

- 3. ORDINANCE NO. 11101-2019, AMENDING SECTION 141.02 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COMPOSITION: EXECUTIVE HEAD' AND DECLARING AN EMERGENCY.

Introduced by Mayor Gammella.

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

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

NAYS: None. The motion carried.

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

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

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

NAYS: None. Ordinance No. 11101-2019 has passed under Suspension of the Rules. Adopted.

- 4. ORDINANCE NO. 11102-2019, AUTHORIZING A CHANGE ORDER BETWEEN BEST EQUIPMENT CO, INC., AND THE CITY OF BROOK PARK AND TO ENTER INTO A LETTER OF INTENT 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. The motion carried.

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

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

NAYS: None. Ordinance No. 11102-2019 has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

- 1. ORDINANCE NO. 10069-2017, AMENDING CERTAIN SECTIONS OF CHAPTER 153 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'EMPLOYEES GENERALLY' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne.

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

ROLL CALL: AYES: None.

NAYS: Mencini, Poindexter, Salvatore, Scott, Burgio, Orcutt. Ordinance No. 10069-2017 was defeated.

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

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

Council President Vecchio declared this meeting adjourned at 9:15 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *August 20, 2019*

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

