

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, SEPTEMBER 3, 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, STEMME, MENCINI, POINDEXTER, SALVATORE

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO MEETING HELD ON AUGUST 20, 2019.

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

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

NAYS: None. The motion carried.

2. REGULAR COUNCIL MEETING HELD ON AUGUST 20, 2019.

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

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

NAYS: None. The motion carried.

Motion by Mr. Salvatore, supported by Mr. Mencini, to go out of the Regular Order of Business to letter G and then K.

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

NAYS: None. The motion carried.

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A PROCLAMATION HONORING THE 2019 BOYS 11-12 YEAR-OLD 'AA' LEAGUE BASEBALL TOURNAMENT CHAMPIONS 'COUNCILMAN SCOTT'.

2. A PROCLAMATION HONORING THE 2019 BOYS 13-14 YEAR-OLD 'AAA' LEAGUE BASEBALL TOURNAMENT CHAMPIONS 'BROOKGATE BARBER SHOP'.

3. A PROCLAMATION HONORING THE 2019 BOYS 13-14 YEAR-OLD 'AAA' BASEBALL LEAGUE CHAMPIONS 'COUNCILMAN ORCUTT'.

The clerk read the proclamations as Mayor Gammella Councilmembers Scott and Orcutt distributed the proclamations and congratulated the teams on a wonderful season.

Mr. Vecchio thanked the teams and coaches for a great season and it's good to see the children out there playing.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

1. STATE SENATOR DISTRICT 23, NICKI ANTONIO.

Ms. Antonio thanked Mayor Gammella and Council President Vecchio for meeting with her before the meeting. Been on the job since January, 2019 and senate district 23 covers north to Lakewood and south to Brook Park, Parma and everywhere in between. Very important to have communication back and forth and am here for residents. The committee assignments serving on is Transportation, Commerce and Workforce and am the highest ranking minority number on that committee. Also serve on Health, Human Services and Medicaid also the highest ranking member on that committee. I serve on the Finance Committee, Finance Committee on Health and Human Services and also serve on Ways & Means committee and the highest ranking member on the Joint Medicaid Oversight committee. There are 33 members with nine making up the democratic caucus. A transportation budget was passed earlier this year and looked at the governor's proposal and what the House sent over and went to work finding a compromise bill out of the senate and passed in the legislature. The Senate fought to bring additional dollars to fix roads and bridges, being one of the most important items that comes out of the transportation budget. The governor proposed a gas tax increase of eighteen cents and diesel at twenty cents. The house increased to ten point seven cents and the senate proposed six cents; the compromise ended up being a ten point five increase and nineteen cents for diesel. One of the things those dollars do is increase the funds available for repair and maintenance on roads and bridges, which are not only a comfort issue they are also a safety issue and know that something different has to be done in the long-run. Gas tax monies cannot continue to be used as a way to support fixing the roads and bridges and over time some other strategy, whether it miles driven. A committee was formed as result of this process to take the next nine months to come out with recommendations. On Ohio goes forward with raising funds that are needed to maintain and have new roads and bridges, as well. Out of that budget public transportation was increased to \$70 million-dollars, up from \$40 million-dollars and Ohio is one of the states that pays and supports the least amount of money for public transportation. This was an improvement and not what some of the advocates asked for in over \$100 billion-dollars but definitely an improvement. We're hoping to see some good changes come back to Northeast Ohio with those additional public transit dollars. The Ohio Earned Income Tax Credit (EITC) was increased for low to moderate Ohioans, that are in all districts. The increase went from 10% to 30% to come back to those Ohioans. When people get those EITC's monies back at the end of the year they are spent in the communities, we were not able to accomplish getting a refundable EITC but will keep working on that. Some provisions that were added were in an earlier senate version were removed due to undermining local labor standards with some construction projects in communities. So there may be only nine members out of 33 but are a strong and strategic caucus. I want people to know that because sometimes, I think, we are underestimated in the ability of what we can do by being such a small number.

Miscellaneous business, appointments, confirmations: cont.

The operating budget is \$69 billion-dollars budget over two years, HB 166. The budget received from Governor, DeWine started out as one of the better budgets that I've seen since serving in the legislature, eight years in the House, nine months in the Senate and will say that we have never seen the budget from the governor having investments right up front for education for communities. Returning the local government fund was huge and know how important that is to all of our communities who have been cut for the past eight years. There was increased funds for children's services especially those services where different things have impacted communities from the opioid crisis. One of them being children's services because families that have been impacted with losing a parent due to drug overdose or to incarceration. What happens to the children? Often they end up in the child care services system. There has been over a 300% increase in the amount of children that have gone into the childcare services system. This budget invested in Child Protective Services to take care of those children and get them into foster care and locate family members for placement. This request has been asked for years and this is the first time it actually appeared in the budget. We worked on increasing wrap-around services for schools and know how important the soft-skills are for the children. Keeping the children communicating with teachers and leadership in schools along with counselors, healthcare providers and mental health providers to be able to provide services in schools. This budget funds some of those programs to make sure those wrap-around services the children and families need are funded; first time for that type of initiative and we actually increased. There is an increase for the libraries, something we have been fighting for years, with a battle between the House and Senate on who could fund the best and most. There is also an H2O Water Quality Initiative for the next two years so that constituents and communities have safe and clean water. Health Care transparency is being worked on but this is the first step in surprise billing for health care services. To find out later that what you thought was in your category and in-network someone stepped in, at some point, that were out of network; these are surprises that are coming after the fact and not the way the system was set up to be. We're working hard to correct that and took those first steps in this budget and anticipate additional legislation in the future to take care of that, so people aren't surprised. We know that puts people close to the edge of losing their homes is excessive medical bills and we want to make sure, especially for people on a fixed income or seniors in our communities; that they are not blindsided by some kind of bill they never anticipated. This budget also provides tax relief for small businesses that restores the zero income taxes on the first \$250,000 earned by small businesses. With the hope that additional investments are made in the local communities, business and sustain them. The budget removed the bottom income tax brackets eight-percent (8%) across the board in income tax reduction. Meaning there is less revenue coming in, that's the bad news. The good news is people at the bottom of the income tax brackets will see additional monies, hopefully to spend in local communities. There were

Miscellaneous business, appointments, confirmations: cont.

positive things coming from the Governor there was opportunity to add things to the budget in positive ways, to increase some of the spending for schools. Making sure that there were more dollars put into the budget for treatment, getting back to the opioid crisis. What there wasn't in the budget, being my very first yes, is that there were no poison pills that have been seen in past budgets. The next phase, now that the budget is over, is to look at some proactive policies. Next year the Senate anticipates a capital budget that is done every off-year from the General Fund budget. I will suggest, while there are no guarantees, the city looks at capital projects for the capital budget and encourage Brook Park to apply for a project, that needs capital funds. There are projects that will be funded all across the state and why shouldn't Brook Park be one of them. Any project the city wants to submit my office is ready to help with that and also do a very large constituency program. So, if it's a state issue we help people get through the gates and if it's a federal issue we work very closely with the congressional delegates and senators, to make sure people get to the right place.

Questions:

Mr. Burgio thanked Senator Antonio for the update. The city gives a lot of money to Columbus and would like to see a return coming back to the city. With the \$69 billion-dollar budget, how does that compare with past budgets?

Mrs. Antonio responded it's one of the larger budgets that the state has seen but also has probably the most investment in communities across the state, that we've seen. I share your desire to bring as many of those dollars back to the local communities. We believe it was a good faith effort on the part of the administration to include the return of some local government dollars and to see more to come back in the future. There is opportunity through different projects, capital funds, capital budget have many projects and/or programs where state funds can be utilized. It also means when a policy is suggested that would not benefit our communities I will stand up and say no that's a bad idea. Most recently the attorney general suggested that lawsuits are received from the opioid crisis with some of these pharmaceutical companies that are starting to be settled. The attorney general suggested, this past week, that local and county governments should not be filing suit and should be centralized out of the state attorney's office. With ten-percent (10%) staying in his office and 90% be decided by the legislature where those funds would go, think that's a bad idea and have let the attorney general and administration know this, interestingly enough, the governor agrees with me that should not be done. We should be able to have those funds come to the county to directly use as how the county has been impacted.

Mr. Burgio asked is the governor easy to work with?

Mrs. Antonio responded in the first four months of office we had three meetings

Miscellaneous business, appointments, confirmations: Questions: cont.

with one meeting at my office to talk about his proposal for the transportation budget; met with every member of that transportation committee. Those three meetings with the new governor were more meetings I had with the former governor during the eight years in office. The governor has communicated with us that he is more than willing to work with us and think when going back in full session that will be seen.

Mr. Burgio commented the city engineer has done a good job in getting monies for public streets but we need more street reconstruction all over Northeast Ohio. I think we are doing an adequate job with the loss of Ford (Motor) over the years but so much more is needed with the help from Columbus for more monies.

Mr. Salvatore thanked Senator Antonio for coming your enthusiasm and report is excellent. With the talk of different project that may be funded from the state. Is there any project that is more favorable than others?

Mrs. Antonio responded it's an unpredictable system and what I've seen in the years of being in the legislature is a desire to spread capital dollars across the state. I've had projects that received \$40,000 towards HVAC (Heating Ventilation and Air Conditioning) improvements and projects that received \$1 million-dollars to finish capital for an arts district. The focus of the capital dollars usually is parks and something in the arts.

Mr. Salvatore asked if education is part of that grant?

Mrs. Antonio responded not so much unless it's under the umbrella of the arts or park program, something like that. Straight-out funding specifically for education because that's in the general fund budget.

Mr. Salvatore asked if there is a limit with not being able to go that high; or is it based on the project?

Mrs. Antonio responded the smaller projects seem to do better than the \$1 million-dollar projects that are few and far between; more projects are funded at a smaller level. Sometimes projects get funded where there haven't been capital dollars and not sure the last time there were capital dollars in Brook Park; if it's been a long time that can be in the city's favor.

Mr. Salvatore asked if economic development part of the program?

Mrs. Antonio responded that's separate. The one thing the city may want to do is have one project for submission, rather than having competing projects for the community.

Miscellaneous business, appointments, confirmations: Questions: cont.

Mr. Mencini stated with the \$69 billion-dollar is it just a give back because there are a lot of needs with infrastructure, schools and medical.

Mrs. Antonio commented it wasn't a we took away and am now returning the only thing we can do now is to look forward. Part of it, I think, you cannot find a community large or small, urban or rural in this state that haven't been affected by the cuts in local government funds. That's why there is this effort, going forward, to return some of those dollars by contract with the local governments and state governments to return those funds.

Mr. Mencini interjected the schools also.

Mrs. Antonio concurred and continued that the trend has changed and there was an increase and we are still working on a fair funding formula, don't have it yet. There is a bill the Cupp Patterson bill that helps and would right the ship for many of the districts in our state, not all. It's tough to find that formula because there are no one size fits all. The Cupp Patterson bill is a huge investments of millions of additional dollars that would come in, those are the discussions that will be had when returning to session. There are some communities that would be left out and that's when they have to figure out when that happens how do you adjust for that. Children should have access to a quality education no matter where they live and there are still children in communities in the State of Ohio that can't access the internet, due to low broadband access. The first is being aware there is a problem and then work on how to solve it.

Mr. Orcutt thanked Mrs. Antonio for being here and informative presentation. Brook Park is the gateway to the Greater Cleveland area. When people get off a plane they are in Brook Park and some of the things as I travel around the state for my job. When driving on the highway to Columbus it seems a lot of the capital dollars have been spent there, beautiful on-ramps, bridges and so forth. In Brook Park there is a bridge on Snow Road that is decaying and the very first thing people see. Just wanted to mention that's what is being seen is the decaying of the city with the losses from the state. I think Brook Park started with \$1.6 million-dollars of funding and are currently in the \$100,000's.

Mr. Poindexter thanked Mrs. Antonio for coming and stated recently went to State Representative Sweeney's town hall and had an opportunity to glance at the budget. There was a slide of the local cities in her jurisdiction that showed an increase of shared revenue of approximately \$10,000 for this year. While this is an increase, it is quite modest, seeing Brook Park once received \$1.6 million-dollars. Is there a plan to step that up over the next couple of years?

Mrs. Antonio responded with being in the minority in both the house and senate

Miscellaneous business, appointments, confirmations: Questions: cont.

that puts us back in terms of trying to move the needle forward, something we are all committed to do. I see this as a beginning and hope that all of us will continue to fight and push for more funds to come back.

Mr. Poindexter commented I find it hard that is the best that can be done when the rainy day fund is billions of dollars. One itemized on Representative Sweeney's presentation is a \$70 million-dollars movie tax incentive. Meaning \$70 million-dollars is being given to the movie industry and a blue collar town like Brook Park can't afford a swimming pool.

Mrs. Antonio commented with that credit is the hope that it attracts more. There are people living in Northeast Ohio that make their living in the production and movie industry. Cleveland State did a study and showed that the majority of people are working when those productions move to Northeast Ohio, do live in the communities as well.

Mr. Poindexter continued did the budget touch on any type of funding for technology improvements with cities?

Mrs. Antonio responded this budget did not but has to be on the table moving forward. There are discussions and some legislation touching on the subject and think within the next two to five years there will be more of those types of conversations. In order to maintain businesses and entertainment that infrastructure is needed.

Mr. Poindexter stated Brook Park is looking into forming a technology committee or commission and will probably be seeking those funds when they become available.

Mrs. Antonio commented what you're talking about fits in retooling of Jobs Ohio and is the future place will have those types of technological advances and support.

Mr. Scott thanked Mrs. Antonio for coming and asked on the gas tax revenue increase have there been any discussions as to how and who it's going to be dispersed to or percentages?

Mrs. Antonio responded some of it is going to come through the infrastructure projects on the local level. It's the current system just an increase in the funds so some monies are available whether they are matching funds for specific projects. ODOT (Ohio Department of Transportation) and some funds go to the county level that are dispersed to what the projects are. The dispersal formula or procedure was not changed on a county level they just increased the funding available.

Miscellaneous business, appointments, confirmations: Questions: cont.

Mr. Scott continued is there a percentage overall increase?

Mrs. Antonio responded the percentage was increased as well and think it's up to 45%.

Mr. Stemm thanked Mrs. Antonio for coming and stated I believe that the future and our economy would be through math, science, alternate fuels. Can you discuss alternate fueling and technology of the state?

Mrs. Antonio responded on the renewables there was a debate during the transportation budget on how much to assess. Because there wasn't enough for electric vehicles and some people did not want any tax at all, because they thought that would discourage people from buying them. It ended up in the middle where there is a one-time fee for new electric vehicles which we don't think is burdensome. The state house is a historic building and not up to date with new technology and locked in the past. Many people during discussions of the transportation budget commented being the first time in a long time. Legislators coming in to speak on renewable energy and electric vehicles and embrace it. In the debate of keeping the nuclear power plants open with House Bill 6. There was discussion on whether or not if to support the energy efficiencies and chose not to include them in. They also chose not to expand any additional strategies for both wind and solar, we have a way to go but am hopeful that we will get there.

Mr. Vecchio thanked Mrs. Antonio for coming and asked what business sectors are you seeing while traveling throughout the state that seem to be growing the most?

Mrs. Antonio responded the Amazons of the world because on one hand new investments coming in. The biggest concern I have is how the workers are treated, paid, what kind of conditions are they working in. We're also seeing the continuation, especially in Northeast Ohio, in the medical technologies. Our highest employers still continue to be in the medical field whether providing health care, training or other kinds of things. Manufacturing is expanding especially it requires welding and things like that and has a lot of technology attached. I've been encouraged by Polaris and other programs around the state where young people are being trained for new manufacturing jobs. What has to be done is convince the parents' that is a good job to go into and not all children will go to college. There are a lot of companies looking at us because the reputation of Ohio is workers in Ohio are dependable and not afraid of hard work. The other area being seen is pharmaceuticals companies are also basing in Ohio.

Mayor Gammella thanked Senator Antonio for coming and for doing a fabulous job and convey to the governor we appreciate the job being done as well.

Miscellaneous business, appointments, confirmations: cont.

2. BROOK PARK LIBRARY BRANCH MANAGER, SHAYNA MUCKERHEIDE.

Ms. Muckerheide stated this is the full time that Brook Park has had a full-time manager and excited to learn about the community. There are lot of programs at the library such as Homework Help for Students, GED/HSC (General Education Diploma and High School Classes) for adults. As Senator Antonio mentioned there are lot of manufacturing jobs with a shortage of trades people and a need for more. Worked with Global Cleveland recently and looking for any suggestions for programs and/or materials.

Questions:

Mr. Mencini thanked Ms. Muckerheide for coming and stated the library staff does a great job, the system as a whole and especially in Brook Park. The resources are fantastic and one of the best public services. In favor of the alternative career path because not everyone goes to college; there is a diversity of jobs it's just not manufacturing.

Ms. Muckerheide commented on WVIZ this month there is going to be a program called American Graduate that is all about convincing parents to let their children go to technical school(s) instead of a four-year college degree.

Mr. Vecchio asked out of the library are there any thoughts of looking to get the junior high level engaged in the technical field?

Ms. Muckerheide responded there is STEM Programming and we work with Ohio Means Jobs for older persons. We work with Tri-C college and the Aspire Programs are throughout the state that help bridge the gap into their careers. I would be interested in looking into that for Brook Park and make some connections at the school to work together what can be done. To get students interested into that and the paths needed.

Mr. Vecchio thanked Ms. Muckerheide for coming and looking forward to working with you.

3. REVISED AGREEMENT FOR 11113-2019 FOR A COST-SHARE AGREEMENT BY NORTHEAST OHIO SEWER DISTRICT AND THE CITY OF BROOK PARK.

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

Mr. Poindexter clarified the exhibit referenced in the body of the legislation refers to the entire agreement that begins with the community cost-share agreement;

Miscellaneous business, appointments, confirmations: cont.

within that agreement there is also exhibit A, B and C. Prior there was discussions of updating exhibit A referenced in the legislation as the entire agreement. The exhibit that is referenced is the agreement with some signature blocks and certifications. In exhibit A the city's legislation is to be inserted as exhibit b as well as exhibit c; which is all referenced as exhibit a in the legislation.

Mr. Poindexter and Mr. Mencini rescinded their motions.

Mr. Salvatore asked Mr. Piatak if three complete sections being substituted?

Mr. Piatak responded I think there was confusion as to what exhibit A, even though the intent of the legislation was that exhibit A referenced in the legislation be all of it, as opposed to just exhibit A within the agreement. The exhibit A in the agreement is legislation passed for the Regional Sewer District on May 16, 2013. So if we just substitute exhibit A from this piece of legislation what was previously passed there is no change; it's just the NEORS D's legislation authorizing this program.

Motion by Mr. Salvatore, supported by Mr. Mencini, to place on the September 11th Caucus agenda under discussion.

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

Motion by Mr. Salvatore, supported by Mr. Mencini, for the Council President to call a Special Council meeting for September 11th following the Regular Caucus meeting.

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

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

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter reported the Aviation & Environmental committee has nothing on the agenda and no report.

Reports of standing committees: cont.Finance Committee - Chairman, Scott

Mr. Scott reported Finance committee has nothing on the agenda, the Board of Control met earlier and approved 11 items. The three largest were the Ohio Peace officers' evidence and technician training in the amount of \$4,800; Ambulance Medical Billing for April through July in the amount of \$8,500 and the award of a contract for the 2019 Crack & Joint Sealing project to American Pavements, Inc. in the amount of \$157,604.80. The engineer's estimate was submitted at \$240,000 with this bid coming in at \$82,395.20 less than estimate.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee has nothing on tonight's agenda, any legislation to come out of committee please contact. Mr. Mencini thanked everyone who came to the picnic on Sunday, it was a great time.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported the co-ed volleyball signups have been extended with grades first through third grade being considered a clinic, fourth through sixth grades a travel team as well as seventh - tenth grades travel teams. Titan football began this weekend and are playing next week at Groza field; dates and times available at the recreation center 216-433-1545. Congratulations to all the baseball teams and thanked Councilmembers for coaching. On September 7th will be the first anniversary (September 8th) of a very tragic event and the loss of Khloe and asking everyone to wear teal including football teams, her favorite color.

Planning Committee - Chairman, Burgio

Mr. Burgio reported the Planning committee has legislation on tonight's agenda.

Safety Committee - Chairman Stemm

Mr. Stemm reported the next Neighborhood Watch meeting is September 18th at 7:00 p.m. at the library.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the city's last shred-it day for 2019 is Saturday, October 12th from 10:00 a.m. to 1:00 p.m. at the service garage at 19065 Holland Road. The next bulk pickup is September 9th, please call the automated rubbish line at 216-433-7189 before on Friday, September 6th for placement on the list.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott reported the next Board of Zoning meeting is Monday, September 9th.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Salvatore

Mr. Salvatore reported the health center is aggressively designation from the American Nurses Center to help identify Southwest as the best place to work for nurses. The health center has improved in eight out of the 14 patient experience feedback and will continue by going forward in that area. LifeWorks received the sixth highest net-promoter score out of 648 health clubs across the country. Two new physicians have joined the health center, both in internal medicine working out of the North Royalton and Middleburg Hts. locations. The center committed \$20 million-dollars for capital expenditures for the year with \$10.5 million-dollars utilized.

Mr. Vecchio congratulated his future daughter-in-law is a Registered Nurse working at Southwest.

Berea Board of Education Committee - McDonnell, Poindexter

Mr. Poindexter submitted a written report that is attached to these minutes.

Mr. Salvatore asked what is the appropriate disciplinary action to be taken?

Mr. Poindexter responded this is the letter sent out by the Berea Schools superintendent to the community, students, staff and parents regarding a recent issue that occurred.

Mr. Salvatore continued besides Brook Park Citizen of the Year, Becky Conroy, being recognized, were there any other Brook Park residents recognized?

Mr. Poindexter responded I can only assume that the Brook Park Memorial and Brookview are from Brook Park.

Mr. Mencini stated with the football season beginning last Friday what was the outcome of the disciplinary action, were players allowed to play?

Mr. Poindexter responded it is my understanding the individuals involved with criminal action were not allowed to play. Since this letter went out to the community thought I would share with the community and don't know the ins and outs of the incident.

Mr. Mencini commented there was an incident but doesn't reflect all the children attending the school system.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

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

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella reported Audrey's Outreach food pantry of Brook Park need new freezers at a cost of \$35,000 and have received \$10,000 from the Greater Cleveland Food Bank. Additionally, a patron has pledged \$10,000 with a one-to-one matching contribution until September 15th, any contributions as a city will be matched up to \$10,000. Audrey's is a 501C3 non-profit organization and run by volunteers. This Sunday the city will be doing a 9-1-1 ceremony at the Veterans' Monument on Sylvia Drive at 11:00 a.m. Later this week I will be traveling with Economic Development Commissioner Adams to Austintown, Ohio to speak to the Glimcher Group, owners of Brookgate shopping center, to discuss future development. Several city officials went on a 'Behind the Scenes Tour of Hopkins Airport which was a very amazing and impressive tour. After the tour two airport officials complimented the city on the beautiful flower pots located on Snow Road by I-71; thank you to the Botanical Garden group great job.

Questions:

Mr. Mencini thanked Mayor Gammella for the good educational tour and how the airport operates. In last week's Sunday Plain Dealer out of 31 communities in Cuyahoga County Brook Park ranked #6 from 2014-2019, along with the percentage change in home values.

Mr. Stemm asked if the results from the pool area survey are known?

Mayor Gammella responded yes, over 95% for the pool and Recreation Director Elliott will be meeting with that committee.

Mr. Elliott stated the committee will meet within the next week to talk about the survey information as well as other information gathered to be forwarded to Council.

Mr. Orcutt stated when Bob Evans (Restaurant) was built a variance was given allowing residents to walk through the opening of the wall, what is called the Doris J. Currently, that opening in the wall is being used by people residing at the Howard-Johnson's hotel to walk to RTA (Regional Transit Authority) and entering some backyards in the Wengler-Robert area. Where are the talks with Bob Evans and closing of that wall?

Mayor Gammella responded talks are going forward to have that wall closed up with a gate, for no entry or exit.

Mr. Orcutt commented would like a meeting to discuss Audrey's Outreach, may be

Reports and Communications from the Mayor: Questions: cont.

able to help with that issue.

Mr. Poindexter stated a call was received from a west-end resident regarding water trickling out of a fire hydrant for some time on Cleveland property that was reported; possible undermining of road being close proximity to valley.

Mayor Gammella responded that issue has been resolved. When Cleveland Water was called city personnel was told it wasn't a big enough break to be addressed, but again, the matter is repaired.

Mr. Poindexter continued with the resident's second concern of undermining of the street, is that possible?

Mayor Gammella responded I don't believe that can happen because it's surface water; my biggest concern was colder temperatures causing the road to become icy. The engineer will take a look at the area but think it will be okay.

Mr. Vecchio asked about a past request of possibly leaving a restroom at the former City Hall and Council Chambers area?

Mayor Gammella responded there has been discussion and can't be done, but will have something there.

Mr. Vecchio asked for a start date for the buildings' demolition?

Mayor Gammella responded first or second week of October, weather permitting. Will also be meeting with library personnel with exact dates so they are aware of what is going on.

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

Mr. Cingle reported August month-end reports will be distributed in the next few days. The Auditor of State approved the 2018 audit report with the CAFR (Comprehensive Annual Financial Report) is currently at the printer and will be distributed upon return.

Recreation Director Elliott

Mr. Elliott thanked the players, coaches and parents for their support of a great season and recently had the dog swim with over 218 dogs, great event.

Law Director Horvath

Mrs. Horvath reported Council was provided a list of Active Civil litigation with nine cases listed. The last two were recently received within the last ten days; one

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

being a tax-lien case and the other is an appeal of a worker's compensation case. A memo was also provided regarding the case of Lamar Advertising vs the City of Brook Park, any questions please contact Mrs. Horvath. Mrs. Horvath continued regarding the gas station located at the intersection of Snow and Smith Roads. Working with Economic Development Commissioner Adams and Building Commissioner Hurst and the strategy is to see whether or not the city can get the tanks removed. The city has been working with the State of Ohio and are approximately 30-days away from the State of Ohio filing suit against the owner of the property. There are issues with the property that the city is tempting to remedy and thanked Mr. Adams for contacting the State of Ohio for any remedies.

Service Director Gardner

Mr. Gardner reported the nighttime street-striping program has been completed with a few arrows and miscellaneous hand-sprayed items to take care of.

Engineer Piatak

Mr. Piatak reported the crack-sealing program contracts will be getting signed and executed to get the project underway. The low bidder was significantly less than my estimate and I checked their references and received good reviews and have no reason to doubt they won't perform the project according to specifications. Smith Road Resurfacing project traffic will be flipped tomorrow morning to begin work on the northbound lanes. Sheldon Road contractor put down the intermediate course and is currently working on the casting adjustments in the eastbound lane. The Holland Road Reconstruction project pavement removal operations were completed today in the westbound lanes along with installing of underdrains today and tomorrow; with the next mainline pave is scheduled for next Wednesday. Lastly, with the Northeast Ohio Regional Sewer District's ongoing sewer study. Contractors will be performing smoke-testing on Birchcroft, Edgehurst, Southway, Sandfield, Lockhaven, Ledgebrook and Stonecrest; notifications should have gone out to affected residents.

Questions:

Mr. Salvatore asked Mr. Cingle relative to Audrey's Outreach didn't the city have monies left over in a fund and given to Audrey's Outreach.

Mr. Cingle responded the city donated monies to Audrey's but the extent of purchases on their end is unknown.

Mr. Salvatore asked if there are any monies still available in that fund or any other fund?

Mr. Cingle responded that fund has been closed.

Mr. Salvatore stated to Mr. Piatak with the crack-sealing program coming in

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

considerable less by how much?

Mr. Piatak responded it was \$82,000 with my estimate being \$240,000 and the low bid came in at \$157,000; with the next bid being \$210,000.

Mr. Salvatore asked what are the chances of doing crack-sealing of a few more streets, with those additional funds?

Mr. Piatak responded this particular program is for county roads that the city applied under the county's maintenance program. If there were additional locations that would have to be looked at for a possible, change order or implications of the project.

Mr. Salvatore continued with the gas tanks on Smith and Snow Roads are there any laws that would prohibit those tanks for remaining empty for a long period of time. Is there something that can be done, in the future, so the city doesn't have to deal with this again?

Mrs. Horvath responded there are a few things that were done that were helpful. The ordinance could be reviewed regarding the tanks. Currently, having a conditional permit that expires after six-months is helpful. My opinion is on that corner there can only be two gas stations and since that station has not been in operation has lost its conditional permit. So the owner will have to do something with that property and that cannot be a gas station. Asking for assistance from the State of Ohio aids the city because those are funds that don't have to be expend for litigation.

Mr. Burgio commented with the rainy spring and summer there have been no complaints of flooding; such as Brooklyn, Parma and Parma Hts. So the sanitary sewer projects in phases i.e. Brookpark Road, Sheldon Road, Hummel Road has made an impact and paying dividends. Is there anything further the city can do to continue moving forward to assist the flow of water during possible heavy rains?

Mr. Piatak responded there is something that can always been done and we are always looking and trying to secure funding for those projects.

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

A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer and declaring an emergency. Introduced by Mayor Gammella. Placed in finance committee.

A Resolution supporting the Ohio Municipal League (OML) on H.B. 49 and H.B. 5 (centralized tax collection) and asking the OML to include Brook Park as a municipality supporting the OML amicus brief before the Ohio Supreme Court and declaring an emergency. Introduced by Mayor Gammella. Placed in finance committee.

An Ordinance repealing Section 509.13 of the Brook Park codified ordinances entitled 'Sale of cigarettes, cigars, tobacco to minors prohibitions' and declaring an emergency. Introduced by Councilman Scott. Placed in Legislative committee.

An Ordinance enacting Chapter 554 of the general offenses code of the City of Brook Park entitled 'Cigarettes and tobacco vendors: sales to persons under twenty-one'. In order to locally prohibit the sale to or possession by persons under twenty-one of cigarettes, tobacco products, electronic cigarettes and vaping devices and declaring an emergency. Introduced by Councilman Scott. Placed in Legislative committee.

An Ordinance amending section 933.04 of the Brook Park codified ordinances entitled 'Container placement for collection; removal and declaring an emergency. Introduced by Councilman Scott. Placed in Legislative committee.

An Ordinance amending sections 933.99 of the Brook Park codified ordinances entitled 'Penalty' and declaring an emergency. Introduced by Councilman Scott. Placed in legislative committee.

An Ordinance authorizing the Consulting Engineer to prepare an application to participate in the year 2020 Ohio Public Works Commission State Capital improvement and/or local transportation improvement program(s) for financial assistance on the Delores Blvd. reconstruction project - phase 1 and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee. mayor

Introduction of New Legislation: cont.

A Resolution authorizing the Mayor to prepare and submit an application to participate in the Year 2020 Public Works Commission State Capital improvement and/or local transportation improvement program(s) and to execute contracts as required and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

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

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns with black mold and asbestos in the recreation center, when the former City Hall and Council office buildings coming down and the reopening of the pool area.

Tom DuFour

15800 Richard Drive

Mr. Dufour expressed concerns with the upcoming medical marijuana moratorium and how Council should push through the forming of a technology advisory committee and/or commission.

Ray Peterlin

5811 Wengler

Mr. Peterlin thanked Mr. Poindexter for his recent flyer about overgrown shrubs and trees. Mr. Peterlin expressed concerns with the overgrowth from bottom of trees into the streets and covering of sidewalks on two vacant lots that service personnel cut every week, but did nothing with the overgrowth.

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

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

NAYS: None. The motion carried.

Mr. Poindexter stated to Mr. Peterlin that is the job Councilmembers do and thank you for acknowledging. To Mr. Dufour agree wholeheartedly with the technology committee, long past due for discussion. Several tech-minded residents have reached out that would like to form or serve on the committee and/or commission.

Mr. Salvatore stated to Mr. Peterlin, I find it hard to believe that Councilman Orcutt ignored any requests to get anything done in the Robert, Wengler and Doris area. I also find it hard to believe that service workers would drive by something inappropriate and ignore it; this city has come of the finest people working at the

Remarks from the audience on any subject matter: cont.

service garage. I, also, find it hard to believe that a request would be made through the Mayor's office and be ignored. I hope this is not political in nature and very disappointed that you would come and address our city and employees that way and highly insult a very good Councilman. To Mr. DuFour whether Brook Park continued with the moratorium or not it won't stop people from being able to obtain what he is receiving.

Mr. DuFour commented this was brought up because this could help people in the city and outside of the city to be the first people to move ahead with this.

Mr. Peterlin commented that nobody in this city recognized that there was a safety hazard all summer that kept getting worse. I didn't say I went to the Mayor or Mr. Orcutt as Mr. Salvatore accused me of saying.

Mr. Orcutt addressed Mr. Peterlin by saying when it comes to doing my job for the city I take it very seriously. When you talk about getting things done in Ward 3 since I've been on duty for 20 months. I led the way to secure monies \$1.7 million dollars for Ward 3 roads. Natural gas pressure reducing station was leaking natural gas for years now fixed. The north side of Fairlawn area is cleaned up; parks renovated. What you spoke of is two trees on your street that have branches growing from the base, a work order is in for that and think the city's arborist is out for surgery. A lot of work has been done and my phone number has not changed and have not heard from you since putting your name in a paper that writes falsehoods about politicians and me, my business card will be right here call me anytime.

Mr. Mencini stated to Mr. DuFour the technology committee and/or commission will be worked on and get it done right. With the medical marijuana anything to take pain away from the people I have no problem with, as long as its legal. Brook Park has to start somewhere and it seems to be working with statistics, people and communities. Mr. Mencini to Ms. Sayers there are good things on social media but sometimes people see things at the surface and not down below. With the city's service department and Councilmembers getting things done, there is a lot to do. People that don't like it here according to the statistics now is a good time to sell your house.

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

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

NAYS: None. The motion carried.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. RESOLUTION NO. 25-2019, RECOGNIZING THE WEEK OF SEPTEMBER 13-22, 2019 AS WELCOMING WEEK IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio, Council as a Whole and 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. Resolution No. 25-2019, has passed under Suspension of the Rules. Adopted.

2. RESOLUTION NO. 26-2019, GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN AIRPORT PARKING FACILITY AT 17510 BROOKPARK ROAD AND DECLARING AN EMERGENCY. Introduced by Councilmembers Orcutt, Burgio, Scott, Stemm, Poindexter, Mencini, Council President Vecchio and Mayor Gammella.

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

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

ABSTENTION: Salvatore. The motion carried with a vote of six with one abstention.

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

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

ABSTENTION: Salvatore. Resolution No. 25-2019, has passed under Suspension of the Rules with a vote of six with one abstention. Adopted.

3. RESOLUTION NO 27-2019, GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN AIRPORT PARKING FACILITY AT 5775 ENGLE ROAD IN THE U-3A ZONE AND DECLARING AN EMERGENCY. Introduced by Councilmembers Orcutt, Burgio, Scott, Stemm, Poindexter, Mencini, Council President Vecchio and Mayor Gammella.

Mr. Vecchio stated Resolution No. 27-2019 has had its First Reading.

Motion by Mr. Poindexter, supported by Mr. Orcutt, to reconsider final vote for Resolution No. 26-2019.

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

ABSTENTION: Salvatore. The motion for reconsideration of vote adopted with a vote of six with one abstention.

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

Motion by Mr. Scott, supported by Mr. Mencini, to adopt Resolution No. 26-2019.

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

NAYS: None.

ABSTENTION: Salvatore. Resolution No. 26-2019 passed under adoption with a vote of six with one abstention. Adopted under reconsideration.

- 4. ORDINANCE NO. 11114-2019, APPROVING A LOT SPLIT OF PARCEL B-1 LOCATED AT 14801 HOLLAND ROAD AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

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

ROLL CALL: AYES: Mencini, Poindexter, Salvatore, 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. 11114-2019, has passed under Suspension of the Rules. Adopted.

- 5. ORDINANCE NO. 11115-2019, APPROVING A REQUEST TO VACATE THE PROPERTY KNOWN AS 'OLD CEDAR POINT ROAD' EASTERLY FROM AEROSPACE PARKWAY IN THE U1-A2 ZONE AND THE PROPERTY DEDICATED RIGHT-OF-WAY EASTERLY OF GRAYLAND DRIVE IN THE U-6 ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. Ordinance No. 11115-2019, has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

Mr. Vecchio stated to Councilmembers if this is to be placed on the ballot the legislation must be adopted this evening to make the ballot deadline of September 6, 2019.

- 1. ORDINANCE NO. 11109-2019, PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE IX, SECTION 9.04 OF THE CHARTER OF THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

Mr. Poindexter stated listening to Mr. Salvatore's reasoning this will not change anything whether passes or fails I am not going to support the Ordinance but will vote for suspension if that's Council's desire.

Second Reading of Ordinances and Resolutions: cont.

Mr. Scott stated in support of the legislation because putting this in writing there are no questions and there has been too many issues with the Charter.

Mr. Orcutt concurred with Mr. Scott by updating the Charter and the Charter Review Commission did a great job.

Mr. Mencini concurs with colleagues and the Charter Review Commission did a great job.

Mr. Salvatore stated not in support from the beginning but the people have a right to vote on it and will vote for suspension.

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

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

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

ROLL CALL: AYES: Mencini, Scott, Burgio, Orcutt, Stemm, Poindexter
NAYS: Poindexter, Salvatore. Ordinance No. 11109-2019, has passed under Suspension of the Rules with a vote of five to two. Adopted.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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

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

Council President Vecchio declared this meeting adjourned at 10:11 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.

8,603 words

Hazing Update-August 30, 2019

From: BERE A CITY SD (email@blackboard.com)

To: buc97@yahoo.com

Date: Friday, August 30, 2019, 09:36 AM EDT

A message from BERE A CITY SD



August 30, 2019

To the Students, Parents and Community Members of the Berea City School District:
While we understand that there have been concerns around our football program and specifically the disciplining of our students and our coaches with regards to the hazing incident that occurred in June, please be assured that our main concern and responsibility from the very beginning of this incident has been the well-being of the victims.

We had an additional responsibility to investigate whether or not any employees and/or students should be disciplined as a result of the incident. As we have stated in previous communications, we cannot detail the discipline that has and is happening to the students who were involved in perpetrating the hazing of underclassmen. Please know that students who break our code of conduct will be disciplined appropriately for their actions. The administration takes students' privacy rights seriously and both federal and state privacy laws prohibit the Board or any of its employees from revealing personally-identifiable-students information, which includes any information about student discipline.

Now that we are aware that the investigation by law enforcement is complete, we want to ensure the public understands that our own investigation has found that the Berea-Midpark football coaches had no knowledge of the hazing incident until the high school administration learned of the incident through an anonymous call made to the SaferSchools Ohio Tip Line on June 18, seven days after the hazing incident.

During the time when the hazing event happened in a player's dorm room, many of our coaches were on the first floor of the dorm conducting numerous football-related activities with the players. The coaches were monitoring the student-athletes, including going over plays, formations, and sets, meeting with position groups, and going over film. Due to being warned by the Case Western Reserve University coaching staff that the area around the campus was not safe, our coaches watched and monitored students leaving the entry floor exits to go outside to pick up food deliveries to ensure they returned to the dorm safely. Coaches also purposely chose to meet with students on the first floor in the open area because they had been advised by the CWRU head coach NOT to be in any student rooms. Coaches did bed checks between 10:30-11:00 p.m. and made sure all students were in their rooms. Our Titan football coaches have never, and will never, condone or tolerate hazing. During the course of our investigation, we found no evidence that during the camp coaches had any knowledge of the hazing incident or any reason they should have been aware of the hazing.

School Board Report for 9/3/2019 Council Meeting

At the August 26th meeting, the school board recognized the transportation department for the "stuff the bus" campaign. They were able to acquire over \$2,000 worth of school supplies that were distributed to students throughout our school district. So, kudos to the folks at the transportation department for their commitment to our students.

The board also recognized the 6 PTA's in our district for their designation as National PTA's Schools of Excellence for 2019-2021. Our very own "citizen of the year" Mrs. Becky Conroy was one of the honorees, showing that her tradition of community service continues. She is the BMHS PTSA President.

Also Recognized was:

Debbi Folliett & Kathy Ponyicky, Big Creek PTA Co-Presidents

Nicole Lesnick, Brookview PTA President RESIDENTS?

Stephanie Valek, Brook Park Memorial PTA President RESIDENTS?

Lauren Lloyd, Grindstone PTA President

Heather Zirke, BMMS PTA President

The Board Authorized the Director of Business to hire Architects/Engineers for any or all renovations, additions, and paving work throughout the District for the school year 2019-2020. No projects were listed at this time...

Also, on August 30th, the Superintendent, Ms. Tracy Wheeler sent out a letter to all students, parents and community members of the Berea City school District, to address the Hazing incident concerning the Football Program. (Read Letter)

Next meeting is September 9th

You can discuss THIS ^{ISSUE} ~~LETTER~~ AND ANY OTHER CONCERNS OR QUESTIONS YOU MAY HAVE AT ONE OF THESE "MEET AND GREET'S" w/ MRS. WHEELER.

- 1) TUESDAY, SEPT. 10TH 6-7:30pm @ BPM LIBRARY
- 2) WEDNESDAY, SEPT. 11TH 6-7:30pm @ BMHS CAFETERIA
- 3) THURSDAY, SEPT. 12TH 6-7:30pm @ BMMS AUDITORIUM