

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, SEPTEMBER 17, 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, STEM, MENCINI, POINDEXTER, SALVATORE**

Also in attendance were Law Director Horvath, Recreation Director Elliott, Finance Director Cingle, Service Director Gardner, Engineer Piatak and Economic Development Commissioner Adams.

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**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter stated no report this evening.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has one item on tonight's agenda and the Board of Control met earlier and approved 10 items with the three largest being: Westview Concrete Inc. in the amount of \$15,000, McKay Engineering and Surveying Company for Sheldon Road for \$3,703 and third being Hill International Professional Services for Smith Road for \$10,080.

Legislative Committee - Chairman, Mencini

Mr. Mencini stated the Legislative committee has four items on tonight's agenda.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore commented my report falls under letter G with the teams receiving their proclamations.

Planning Committee - Chairman, Burgio

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

Safety Committee - Chairman Stemm

Mr. Stemm reported the next Neighborhood Watch meets Wednesday, September 18<sup>th</sup> at the library and members can pick up the 'Please Slow Down' signs at the meeting.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the Service committee has two pieces of legislation on tonight's agenda. A few reminders, On Saturday, October 12<sup>th</sup> a free Shred-it day for residents who have sensitive documents will be at the service garage from 10:00 a.m. to 1:00 p.m. Lastly, a joyful celebration for former service worker and resident Dan Apathy's life will be held on Saturday, September 21<sup>st</sup> from 2:00 p.m. to 6:00 p.m. at Fatheads Restaurant and Brewery in Middleburg Hts.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott reported the Board of Zoning met on September 9<sup>th</sup> and approved two items.

**REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center - Trustee, Salvatore

Mr. Salvatore stated the Nominating committee meeting will be held on Thursday, September 20<sup>th</sup> to look at potential candidates being placed on different boards and the next Systems Board meeting will be held on October 2<sup>nd</sup>.

Berea Board of Education Committee - McDonnell, Poindexter

Mrs. McDonnell reported tonight at Brook Park Memorial at 6:30 p.m. was the first of two updates for the construction of the two new schools. Wednesday, September 18<sup>th</sup> the second meeting will be at Berea-Midpark High School cafeteria at 6:30 p.m. All schools in the Berea City Schools district received the National Excellence PTA (Parent Teacher Association) award. There is an early-childhood parenting series open to all Berea City School District families and grandparents; five-week program held from September 24<sup>th</sup> - October 22<sup>nd</sup>, information on website if interested. Peach-jar flyers are on the website which is the new way the Berea City Schools communicate.

Mr. Mencini stated at the Meet and Greet with Superintendent Wheeler she spoke of a new policy during the games with the bathrooms. What is the new policy at games?

Mrs. McDonnell responded there is a whole new policy being implemented for the football games. There are sections that will be sectioned off for each level of students. Some age levels will need parents to be at the games, high school students are allowed. What is being talked about is there is no more of being able to stand around; especially around the bathrooms. The concession stand will be open during half-time and all this new information is on the district's website.

Mr. Poindexter reported the school district is planning a tour with the school board on the two construction projects progress and student fees are due by November 1<sup>st</sup>.

Mr. Orcutt asked Mr. Poindexter if there is a date for the tour of the new school on Holland Road?

Mr. Poindexter responded the district is trying to coordinate schedules and when dates are given I will share them. There can be 20 people at a time to include the school board and Council.

**REPORTS OF BOARDS AND COMMISSIONS:**

1. Mr. Vecchio read an invitation from the Brook Park Senior Club stating that 'Seniors are welcoming all Councilpersons running in the November, 2019 election to do a two-minute speech on October 1<sup>st</sup> at 10:00 a.m., at the senior club meeting.

**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

1. A PROCLAMATION HONORING NATHAN VRZIC 9/11 MEMORIAL EAGLE SCOUT SERVICE PROJECT.
2. A PROCLAMATION HONORING THE 2019 BOYS 7-8 YEAR-OLD 'COACH PITCH' BASEBALL LEAGUE CHAMPIONS LAW DIRECTOR HORVATH.
3. A PROCLAMATION HONORING THYE BOYS 9-10 YEAR-OLD 'A' LEAGUE BROOK PARK POLICE.
4. A PROCLAMATION HONORING THE BOYS 11-12 YEAR-OLD 'AA' LEAGUE COUNCIL PRESIDENT VECCHIO.
5. A PROCLAMATION HONORING THE GIRLS 7-9 YEAR-OLD COACH PITCH BROOK PARK BEAUTIFICATION AND PRIDE.

The clerk read the proclamations as several Councilmembers presented the proclamations to the teams and coaches and expressed accolades to all the teams.

Mr. Vecchio asked the team players, coaches and parents to take a look at the 9-1-1 memorials that Mr. Vrzic put together. Also, thanked Mr. William Brown for helping to preserve this season for all baseball and softballs teams by gathering additional people to help umpire, without Mr. Brown many seasons wouldn't occur.

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**Motion** by Mr. Mencini, supported by Mr. Salvatore, for a five-minute recess.

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

**NAYS:** None. The motion carried at 8:05 p.m.

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

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

**NAYS:** None. The motion carried at 8:10 p.m.

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**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

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

Engineer Piatak

Mr. Piatak reported with the Holland Road Reconstruction Project the last mainline concrete took place today; still some small tie-in areas to pour sidewalks, aprons and miscellaneous things, project is winding down. With the Sheldon Road Resurfacing Project all casting adjustments are complete and there are still some miscellaneous concrete items, guardrail work by Abrams Creek and berm-grading that is scheduled for this week, looks to be wrapped up by first week of October. With the Smith Road Resurfacing Project traffic has been flipped onto the

**Reports and communications from other departments, commissions and other public officials:**

southbound lanes and contractor is working on concrete base-repairs. Lastly, the 2019 crack-seal project contracts have been executed and hoping to schedule a pre-construction meeting next week.

Service Director Gardner

Mr. Gardner reported the Eastland Road-Route 237 Norfolk-Southern railroad crossing will close Wednesday, September 18<sup>th</sup> tomorrow for two weeks for repairs; with a reopening date of October 2<sup>nd</sup>.

Law Director Horvath

Mrs. Horvath stated the law department has no report, updates will be sent to the Council Clerk pertaining of the civil active litigation cases.

Recreation Director Elliott

Mr. Elliott reported the pool committee met earlier discussing a few different topics. Registrations are being accepted for children co-ed volleyball and co-ed dodgeball. The work on the baseball field with the Berea City School District is winding down with grass and sod planted and fencing is completed, few little items before wrap-up. Mr. Elliott thanked the team players, coaches and family members who appeared tonight and supported the teams all summer long. Special thanks to Nathan Vrzic for his Eagle Scout project, special young man and great pleasure to work with him.

Finance Director Cingle

Mr. Cingle thanked Council for their consideration of Resolution No. 29-2019. The 2018 CAFR (Comprehensive Annual Financial Report) have been received from the printer and will be distributed.

**Questions:**

Mr. Mencini asked Engineer Piatak if there was any finding on the lights on the Snow and Engle Road areas?

Mr. Piatak responded nothing has been heard back and will check into that.

Mr. Mencini stated to Mr. Gardner how is it going with the lights on Route 237?

Mr. Gardner responded those outages are being addressed and some lights are on. There is a single photocell that operates four circuits that is on top of a pole for easier identifying of the lights in need of repair.

Mr. Mencini thanked Mr. Elliott for the pool meeting, covered a lot and started at the base.

Mr. Mencini stated to Mr. Cingle would like to meet to start looking at the budget.

Mr. Orcutt stated to Mr. Gardner the lights on Henry Ford Blvd. from Hummel to

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

the railroad tracks are also part of the outage the city's been dealing with for some time. Is there any status report when that will be repaired?

Mr. Gardner responded those are First Energy lights and am not aware where First Energy is on that, will find out.

Mr. Orcutt continued the telephone pole that was hit a few months ago on Brookpark Road, north of Fairlawn, there are a couple of poles that need to be removed. Is there a status of when those will be removed?

Mr. Gardner responded no, those poles are in the hands of the utilities, First Energy will change the poles and the cable companies lease the poles and will have to address the equipment off the poles. The last company removing their equipment has to remove the pole and will find out where they are at on those.

Mr. Orcutt asked Mr. Piatak for a walk through of the steps for road projects, i.e. underlay of asphalt and then what is done, for example Smith Road?

Mr. Piatak responded most of the city streets have a concrete base and then install an intermediate asphalt layer; when work is done the contractor comes back with a final surface course of 1 ½ or 1 ¾ inches finer-grade mix and followed by striping of the streets. A street with a concrete base has two lifts of asphalt an intermediate and surface course.

Mr. Orcutt asked if the Smith Road project is on schedule.

Mr. Piatak responded yes.

Mr. Stemm stated to Mr. Gardner several request have been put in for a telephone pole removal on Stonecrest that Mr. D'Amico has been working hard with the cable companies. The resident informed me this is the third administration she has reached out to and the pole is still there; would like to expedite this as quickly as possible for removal. In the resident's backyard there are two poles; the functioning one and the existing one, that is an eyesore.

Mr. Gardner responded the city is at the mercy of the utilities and will contact them, there are 15 poles in that condition around the city that I'm aware of.

Mr. Stemm asked Mrs. Horvath if there is anything that can be done to expedite these matters i.e. certified letter to cable providers to speed this up. A resident waiting for three terms (12 years) I think it's time for that pole to come down.

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

Mrs. Horvath will meet with Mr. Gardner and yourself to see if this can be jump-started.

Mr. Stemm commented he can draft something up.

Mr. Salvatore to Mrs. Horvath a letter was received regarding a city department that warrants some dialogue.

Mrs. Horvath stated I'm aware of the letter being referred and does merit discussion.

Mr. Poindexter stated to Mr. Elliott is there any update on the football field?

Mr. Elliott responded the football field has been seeded along with the outfield and new field are being watered; the schools stepped up with repairs to the faucets and spickets.

Mr. Poindexter continued are the bleachers going to be moved this year or next year?

Mr. Elliott responded the bleachers won't be moved this year due to the project's late start and doesn't make sense to hurry that. The ironworkers that are going to help the city, through the apprentice program, will coordinate that with the city next spring.

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

New Legislation:

An Ordinance amending certain sections of Chapter 132 of the Brook Park Codified Ordinances entitled 'Board of Control' and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee

An Ordinance amending section 331.38 of the Brook Park Codified Ordinances entitled 'Stopping for school bus; discharging children' and declaring an emergency. Introduced by Council President Vecchio. Placed in Legislative committee

An Ordinance amending certain sections of Chapter 1414 of the Brook Park Codified Ordinances entitled 'Residential rental housing registration' and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee

An Ordinance amending Ordinance No. 11066-2019, authorizing the Mayor to accept additional funds up to \$500,000.00 in environmental grant funds from the State of Ohio Department of Development Services Agency, office of Community Development and/or the State of Ohio Bureau of underground storage tank removal (BUSTR) to perform an environmental impact study and/or to facilitate and administer the environmental remediation of the property known as 6286 Engle Road, PPN 342-09-011, and to take all further necessary action to remediate the property and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee

Ordinance no. 11113-2019, authorizing the Mayor to enter into a community cost-share agreement by and between the Northeast Ohio Regional Sewer District (NEORS) and the City of Brook Park and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

An Ordinance repealing Ordinance no. 11113-2019 and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.  
**(NEORS agreement)**

An Ordinance authorizing the Mayor to enter into a Community cost-share agreement by and between the Northeast Ohio Regional Sewer District (NEORS) and the City of Brook Park and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

An Ordinance authorizing the Director of Public Service to prepare specifications and to advertise for bids and further authorizing the Mayor to enter into a contract with the lowest and/or best bidder for the disposal of solid waste in an EPA approved composting facility and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

An Ordinance authorizing the Director of Public Service to prepare specifications and to advertise for bids for the collection of solid waste, yard waste, recyclable materials and bulk materials and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee

An Ordinance authorizing the Mayor to enter into a contract with Liberty Ford for the purchase of a new 2020 Ford F-250 4x4 regular cab truck and declaring an emergency. Introduced by Mayor Gammella. Placed in Service committee.

Communication:

1. THANK YOU CARD FOR SPONSORS OF THE SUMMER CONCERTS.  
The clerk read the thank you card received from Joan Corrigan of the Seniors Club.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns of being told not to speak by residents about the issues that have been brought up before. Ms. Sayers thanked the city for cleaning up and other things in her neighborhood, on the west end; will not apologize for the last time speaking at the podium. Also thanked Mr. Elliott for speaking with her recently on concerns.

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

1. ORDINANCE NO. 11116-2019, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DIGITAL MARKETING CLINIC AT BALDWIN WALLACE UNIVERSITY TO CREATE A MEDIA AND SOCIAL MARKETING PROGRAM FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY.

Introduced by Mayor Gammella and Council as a Whole.

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

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

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

**ROLL CALL: AYES:** Stemm, Mencini, Poindexter, Salvatore, Scott, Burgio, Orcutt  
**NAYS:** None. Ordinance No. 11116-2019, has passed under

Suspension of the rules. Adopted.

2. ORDINANCE NO. 11117-2019, AUTHORIZING THE MAYOR TO DISPOSE OF OBSOLETE OFFICE FURNITURE, FILE CABINETS AND OTHER MISCELLANEOUS FITNESS EQUIPMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

**ROLL CALL: AYES:** Mencini, Stemm, Poindexter, Salvatore, Scott, Burgio, Orcutt  
**NAYS:** None. Ordinance No. 11117-2019, has passed under

Suspension of the rules. Adopted.

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

3. ORDINANCE NO. 11118-2019, 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.

**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. Poindexter, supported by Mr. Burgio, to adopt.

**ROLL CALL: AYES:** Poindexter, Burgio, Scott, Orcutt, Stemm, Mencini, Salvatore  
**NAYS:** None. Ordinance No. 11118-2019, has passed under Suspension of the rules. Adopted.

4. RESOLUTION NO. 28-2019, AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE YEAR 2020 OHIO 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.

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

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

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

**ROLL CALL: AYES:** Mencini, Poindexter, Salvatore, Stemm, Orcutt, Burgio, Scott  
**NAYS:** None. Resolution No. 28-2019, has passed under Suspension of the Rules. Adopted.

5. RESOLUTION NO. 29-2019, 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.

Read in its entirety.

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

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

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

**ROLL CALL: AYES:** Mencini, Stemm, Poindexter, Salvatore, Scott, Burgio, Orcutt  
**NAYS:** None. Resolution No. 29-2019, has passed under

**Introduction of Ordinances and Resolutions: (First Reading): cont.**  
Suspension of the Rules. Adopted.  
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**SECOND READING OF ORDINANCES AND RESOLUTIONS:**  
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**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

1. 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.

**Motion** by Mr. Orcutt, supported by Mr. Poindexter, to amend Section 1, line item A, second line, to insert 'approximately 149' to read approximately 149 spaces and numbered.

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

**NAYS:** None.

**ABSTENTION:** Salvatore. The amendment carried with a vote of five and one abstention.

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

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

**NAYS:** None.

**ABSTENTION:** Salvatore.

**Note:** Due to legislation being amended under Third Reading per Council Rule #12(i) this legislation must be laid over until next meeting for final action, therefore legislation is **not adopted** to date.

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, Orcutt, Burgio, Scott  
**NAYS:** None. The motion carried.

Council President Vecchio declared this meeting adjourned at 8:43 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*  
Michelle Blazak  
Clerk of Council

APPROVED *October 1, 2019*

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

3,323 words

