

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 15, 2019**

The meeting was called to order by Council President Vecchio at 7:50 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, BURGIO, ORCUTT, STEMM, MENCINI, POINDEXTER, SALVATORE

Also in attendance were Mayor Gammella, Law Director Horvath, Finance Director Cingle Recreation Director Elliott, Service Director Gardner, Engineer Piatak, Fire Chief Maund, Police Chief Dickel and members of the safety forces.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting held on October 1, 2019.

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

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

NAYS: None. The motion carried.

2. Regular Council meeting held on October 1, 2019.

Motion by Mr. Scott, supported by Mr. Mencini, to remove the minutes from the agenda for proper corrections to page seven (7) and ten (10).

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

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

NAYS: None. The motion carried.

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A PROCLAMATION HONORING GOOD SAMARITAN, ANDRES SERAFIN

The clerk read the proclamation honoring Andres Serafin, for his heroic efforts in providing assistance to a motorcyclist involved in a traffic accident.

The Mayor presented the proclamation to Mr. Serafin and thanked him for his quick-thinking during a stressful time.

Mr. Vecchio thanked Mr. Serafin on behalf of the Mayor, City Council and the entire city for his kind act and heroism.

Mayor Gammella thanked the safety forces in attendance to support Mr. Serafin.

Motion by Mr. Burgio, supported by Mr. Salvatore, to back to the Regular Order of business.

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

NAYS: None. The motion carried.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter stated no report.

Finance Committee - Chairman, Scott

Mr. Scott reported the Board of Control met earlier and approved 27 items; three largest being \$40,000 to Ports Petroleum, Inc. for gas and diesel fuel, \$139,656.40 to Karvo Companies for the Sheldon Road Resurfacing Project and \$16,973.04 to Hill International for general labor services for the Smith Road Resurfacing Project.

Legislative Committee - Chairman, Mencini

Mr. Mencini stated the Legislative committee has several pieces of legislation on tonight's agenda. Mr. Mencini thanked the community from his family for the outpouring of support for his father's recent passing.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported basketball signups have started with the season beginning in December. Football playoffs will begin this weekend with championships the following week, please call 216-433-1545 for start times and locations. Boo Park will be held on Sunday, October 27th from 1:00 p.m. to 3:00 p.m. with many activities being held; admission is one non-perishable food item per family to benefit Audrey's Outreach food pantry.

Planning Committee - Chairman, Burgio

Mr. Burgio stated no report.

Safety Committee - Chairman Stemm

Mr. Stemm announced the next Neighborhood Watch meeting is tomorrow at 7:00 p.m. at the recreation center, not the library.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported the service committee has six pieces of legislation on tonight's agenda and no report.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott stated no report.

Mr. Vecchio commented on Sunday, October 20th the Kiwanis Club is having 'Trunk or Treat' from 3:00 p.m. to 5:00 p.m. in the waterpark parking lot.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Salvatore

Mr. Salvatore reported the first-year employee turnover rate at 16.6% and employee retention rate at 95% is better than target. Three nurses were winners of the Daisy Award, which is an award given for diseases attacking the immune system; nurses are nominated by patients they cared for. Patients experience will continue to be kept at the center of all the efforts for improvement. Southwest is at target with six of the 14 categories, improvement of prior year with nine of the 14 categories. Efforts continue with Quality Patient Safety to provide high quality of patient care. Overall outpatient services for the current year has increased by more than five-percent (5%) from prior year. There are two different boards at the hospital with the first one being the System Board that I serve on and also the Health Center. At the last meeting Brook Park's own Andres Gonzalez was approved a new member on the System Board, congratulations to Andres. Several years I was chosen to serve on the Ad-Hoc committee to review different possibilities of which direction Southwest would go. After a year of meetings and lot of research our committee recommended the partnering with University Hospital, that has turned out be a very successful relationship for the last ten years; Southwest General's future is solid, strong and very bright.

Berea Board of Education Committee - McDonnell, Poindexter

Mr. Poindexter reported at the October 7th board meeting, appointment and approval was given to some of the winter sports coaches. The board also approved the entering into a Memorandum of Understanding with the Berea Federation of Teachers to replace the elementary student council supplemental to safety patrol advisors. The board also approved entering into an agreement with Cuyahoga County Board of Development mental disabilities technical support team for 2020. The next school board meeting will be held on October 21st.

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 stated no report.

Questions:

Where is the city with the drain issue on Smith Road and Bowfin Blvd.?

Mayor Gammella the city is working on that, I along with the Council President visited the site earlier, the ward Councilman is involved as well as Service Director Gardner and yourself. The city is aware of the issue and will get it resolved.

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

Mr. Piatak reported the Sheldon Road Resurfacing project is progressing with contractors mobilizing topsoil, seeding and mulch operations and punch-list items. With the Smith Road Resurfacing project, surface course is scheduled for Friday and Saturday, weather permitting. With the Holland Road project, landscaping and cleaning up will continue this week and next week with pavement, joint-sealing and striping to follow. With the crack-sealing project, the streets listed initially in the contract have been sealed and contractors are working on Smith Road with the indication of being close to complete that segment of roadway, between Sheldon and Smith Roads.

Service Director Gardner

Mr. Gardner reported yesterday's bulk pickup netted \$64 ½ tons, shredding event held last Saturday netted 4.2 tons of residents' shredded documents. Yard waste drop-off at the service garage will end November 16th.

Law Director Horvath

Mrs. Horvath reported the law department has been busy working on discovery of one of the city's civil cases and hope to have a pending civil case report at the next meeting.

Recreation Director Elliott

Mr. Elliot reported the month of October has half-price memberships and the next Recreation Commission meeting will be held on Thursday, October 17th at 7:00 p.m. On November 2nd cheerleading squads will have a competition at the center beginning at 12:00 p.m. The fire alarm and security system project began today that was discussed during budget talks. There have been some front door issues and after consulting with the service director the doors from the former City Hall will be retrofitted to the front entrance.

Finance Director Cingle

Mr. Cingle reported within the next week or so the engineer and I will be discussing the roads project in order to finalize the supplemental appropriation legislation that will be brought forward to Council.

Questions:

Mr. Mencini asked Mr. Piatak or Mr. Gardner for an estimated date of the water break repair on Sheldon Road.

Mr. Gardner responded stopped earlier this evening and crews ran into additional problems with the 12-inch waterline that had to be opened up with excavated. The area was supposed to be back-filled today and will be in the area first thing in the morning.

Mr. Mencini asked Mr. Gardner if hot-patch or cold-patch repairs will be done before the upcoming winter?

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

Mr. Gardner responded crews are scheduled a few times a week, usually early in the week when there are more personnel. Three water breaks were addressed on the west end and the recent one on Sheldon, crews are still working.

Mr. Mencini stated to Mr. Cingle, looking forward to seeing the upcoming budget.

Mr. Orcutt stated to Mr. Piatak two phone calls were received regarding the crack-sealing project on Smith Road being bumpy?

Mr. Piatak responded I have heard that about some other streets and think once traffic runs over the sealing it will settle down. It may be rough now because it's different and motorists are not used to it, over a period of time the material should settle down and flatten out.

Mr. Orcutt asked Mr. Gardner if there is an update about the lighting out on Henry Ford Blvd. and Route 237?

Mr. Gardner responded Henry Ford Blvd. is First Energy and have a meeting with the representative on Thursday.

Mr. Orcutt asked would that representative be the same person in charge of removing broken telephone poles?

Mr. Gardner responded that would probably start with the representative, First Energy sets the new pole and the rest relies on the telephone and cable; the last one on the pole must have the pole removed.

Mr. Orcutt asked who manages the calling of different entities or companies using that pole?

Mr. Gardner responded that is instituted in the beginning through First Energy and Mr. D'Amico has contacted several people trying to get the broken and disabled poles out of there.

Mr. Orcutt continued with expressing concerns of a pole damaged in May and tied up with rope that may fall and cause damage.

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

An Ordinance amending section 1121.29 (c) (1) (a) of the Brook Park Codified Ordinances entitled 'Retail Sales in Buildings' and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

A Resolution supporting the passage of Ohio Senate Bill 205 which would increase penalties under Goddard's law and declaring an emergency. Introduced by Councilman Burgio. Placed in Legislative committee.

A Resolution supporting the striking General Motors United Auto Workers and declaring an emergency. Introduced by Councilman Poindexter. Placed in Legislative committee.

An Ordinance authorizing the Mayor to enter into a contract with Bartlett Tree Experts to provide a tree inventory/survey and arborist planning services and declaring an emergency. Introduced by Mayor Gammella. Placed in Recreation committee.

Mr. Burgio asked Legislative Chairman, Mencini, to pull out Resolution for Ohio Senate Bill 205, per Council Rule #12.

Motion by Mr. Mencini, supported by Mr. Stemm, to place the Resolution for Ohio Senate bill 205 on tonight's agenda under First Reading.

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

Mr. Burgio stated this is time-sensitive legislation and I testified two years ago at the state house in support of Goddard's Law; making it a fifth-degree felony for purposely abusing a companion animal and Ohio is one of four states where this is a misdemeanor. The reason for Senate Bill 205 is due to a release from PAWS (Public Animal Welfare Society) that any person convicted of a felony five (5) are spending little to no prison time. This legislation would increase the penalty for the current Goddard's Law to a third or fourth degree felony.

Mr. Vecchio stated that will appear under M-12 as Resolution No. 33-2019.

Mr. Orcutt thanked Councilman Burgio for bringing this legislation forward and clarified this legislation also includes that their offense is not expungable.

Mr. Burgio concurred.

Mr. Salvatore thanked Councilman Burgio for bringing forward and asked when

Other Communications and Petitions and Verbal Approval: Introduction of New Legislation: cont.

the bill will be voted on?

Mr. Burgio responded it's a fairly new bill within the last two weeks and trying to gain support. Mr. Burgio commented it was an honor to stand next to Mr. Goddard and PAWS representatives to testify on this issue.

Verbal Approval:

- 1. Payment for Charter Amendment booklet to electorate - **\$5,951.29** per Charter section 16.02.

Motion by Mr. Poindexter, supported by Mr. Mencini, to verbally approve.

Mr. Salvatore asked if the booklets are sent to each voter or household?

Clerk responded each voter per Charter.

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

- 2. Legal ad to appear in the Plain Dealer on October 26, 2019 for proposed Charter amendments - **\$1,630.86** - per section two of proposed Charter legislation.

Motion by Mr. Scott, supported by Mr. Poindexter, to verbally approve.

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

Mr. Poindexter asked Legislative Chairman, Mencini, to pull out Resolution for striking General Motors workers, per Council Rule #12.

Motion by Mr. Poindexter, supported by Mr. Orcutt, to place the legislation supporting the striking General Motors United Auto Workers on tonight's agenda under First Reading, per Council Rule #12.

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

Mr. Vecchio stated that will appear under M-13 as Resolution No. 34-2019.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Joan Markusic

13911 Bellbrook Drive

Ms. Markusic expressed concerns with the 'Hometown News' articles that are printed that are not factual.

Dan Eberhardt

16024 Richard Drive

Mr. Eberhardt concurs with Ms. Markusic's comments with the 'Hometown News' articles and stated this is a political statement.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns with the 'Hometown News' articles.

Anthony Sessin

6449 Parkland Drive

Mr. Sessin expressed concerns with having no update regarding the lawsuit between the City of Brook Park and City of Cleveland relating to Hopkins International airport, due to housing values decreasing on the west end.

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

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

NAYS: None. The motion carried.

Mr. Vecchio commented to Mr. Sessin to possibly meet with the law director after the meeting or set up an appointment to address the lawsuit issue.

Mr. Salvatore responded to Mr. Sessin's comments by stating that the City of Cleveland was not going to expand any runways or airport related activities, in that area so to prohibit the sale of a home should not be an issue.

Mrs. Horvath concurred with the City of Cleveland not expanding any runways and are looking at re-evaluating that property. Also, at this point in time the City of Cleveland is not looking at putting any structures on the property.

Mr. Salvatore commented I don't think they're allowed to because the opportunity they had is over; the homes are now protected against any expansion. All in favor of compensating the affected residents who have been held hostage for a long time.

Mr. Stemm commented he would like to be included in that meeting with Mr. Sessin and the law director and possibly another meeting should be scheduled with the affected residents.

Remarks from the audience on any subject: cont.

Mrs. Horvath responded letters are scheduled to go out to residents in that area; a meeting can be accomplished but would like to wait until after the letters are mailed out.

Mr. Scott stated to Ms. Markusic the legislation for rubbish can placement was introduced in 1995 and all Council is amending to read 'timely'; the penalty phase was passed August 18, 1981. Also, Mr. Vecchio did not introduce this legislation, I introduced the legislation. After many, many phone calls from residents.

Mr. Mencini thanked Ms. Sayers for the thoughts on the passing of his father. To Mr. Sessin hopefully the lawsuit issue will be concluded very soon. Mr. Mencini stated to Ms. Markusic and Mr. Eberhardt, my take is Facebook also. Brook Park is a good community and people should be working together for Brook Park. To twist people publicly or social-media wise will not work and if people feel something is wrong with articles people can always do a personal lawsuit but that shouldn't even be talked about.

Mr. Vecchio commented the fact of my name was being brought up and placing items on the Council agenda. It is the duty of the Council President to put forth items on the agenda under Council Rule #14. Members of Council request items be placed on the agenda no later than 4:30 on Thursday, for Friday printing at 11:00 a.m. The Council President has the duty to insure that the items the Members of Council are asking for are placed on the agenda per committee chairmen. As far as it being under the direction or guidance of the Council President that's nothing more than a fallacy.

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

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

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11120-2019, 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, C/W and Mayor Gammella.

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

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

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

 Mr. Poindexter stated after speaking with the law director, I change my stance from the law director regarding the punishment; the magistrate or judge would still

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

have the discretion.

Mr. Salvatore commented that he would like to see this legislation brought back at a later date for discussion of the possibility of grants for cameras on the school buses.

Mr. Mencini commented possibly have someone from law enforcement to hear their thoughts.

Mr. Burgio stated this is good legislation and agrees with Mr. Salvatore that this is increasingly happening incidents, one happened last week. If the city can get grant monies for cameras that needs to be done. There are too many distractions with devices and other things that are putting children in jeopardy.

Mr. Stemm stated in support of passage and possible amendments later for additional safety features.

ROLL CALL: AYES: Scott, Stemm, Mencini, Poindexter, Salvatore, Burgio, Orcutt
NAYS: None. Ordinance No. 11120-2019, has passed under Suspension of the Rules. Adopted.

2. ORDINANCE NO. 11121-2019, AMENDING SECTION 933.04 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'CONTAINER PLACEMENT FOR COLLECTION; REMOVAL' AND DECLARING AN EMERGENCY. Introduced by Councilman Scott, Council as a Whole and Mayor Gammella.

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

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

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

Mr. Salvatore stated to the sponsor and Service Director Gardner there are issues with returning rubbish cans from the curb. In the City of Brook Park rules and regulations, rule #6 reads that rubbish containers must be removed from the tree lawn the same day collection is made. Mr. Salvatore suggested having rule #6 be mirrored into Section 933.04 and removing not later than 24-hours.

Mr. Scott stated the legislation reads 'shall be promptly removed'.

Mr. Salvatore commented there can't be two rules.

Mr. Vecchio asked if this is the same terminology from the original legislation and read rule #6. 'Empty containers must be removed from the tree lawn the same

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

day the collection is made; failure to do so can result in a citation and fine per Ordinance No. 933.04.

Mr. Salvatore asked Mrs. Horvath the city has a right to enforce this based on policy, correct?

Mrs. Horvath responded the published policy listed in documents the city puts forth should be consistent with what Council adopt, if a change is made it should reflect in the city's literature.

Mr. Orcutt asked Service Director Gardner when will a new schedule be published?

Mr. Gardner responded the information has to be to the printer sometime early November.

Mr. Orcutt asked Mrs. Horvath who enforces the rubbish can law?

Mrs. Horvath responded the building department.

Mr. Poindexter stated in favor of the 24-hours due to work schedules and getting home late.

Mr. Mencini stated in favor of the 24-hours for the elderly, there are a lot of things that can fall into play with this.

Mr. Stemm stated ordinances should reflect the city's communication and verbiage in place.

Mr. Salvatore asked Mr. Gardner's for his input?

Mr. Gardner commented in my opinion, the time doesn't matter it falls on rubbish days with a midnight start time to midnight the following day; the biggest thing with this is the enforcement part.

The clerk called the roll on the **motion** by Mr. Salvatore, supported by Mr. Mencini, to adopt.

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

NAYS: None. Ordinance No. 11121-2019 has passed under Suspension of the Rules. Adopted.

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

3. ORDINANCE NO. 11122-2019, 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, Council as a Whole and Mayor Gammella.

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

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

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

Mr. Scott stated there is a typo in the third 'Whereas' addition should read addiction.

ROLL CALL: AYES: Mencini, Burgio, Orcutt, Scott, Salvatore, Poindexter, Stemm
NAYS: None. Ordinance No. 11122-2019 has passed under Suspension of the Rules. Adopted.

4. ORDINANCE NO. 11123-2019, AMENDING CERTAIN SECTIONS OF CHAPTER 132 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'BOARD OF CONTROL' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

ROLL CALL: AYES: Mencini, Scott, Burgio, Orcutt, Stemm, Poindexter, Salvatore
NAYS: None. Ordinance No. 11123-2019, has passed under Suspension of the Rules. Adopted.

5. ORDINANCE NO. 11124-2019, REPEALING ORDINANCE NO. 11113-2019 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

ROLL CALL: AYES: Mencini, Burgio, Scott, Orcutt, Stemm, Poindexter, Salvatore
NAYS: None. Ordinance No. 11124-2019 has passed under Suspension of the Rules. Adopted.

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

6. ORDINANCE NO. 11125-2019, 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.

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. Orcutt, to adopt.

ROLL CALL: AYES: Mencini, Orcutt, Burgio, Scott, Salvatore, Poindexter, Stemm
NAYS: None. Ordinance No. 11125-2019, has passed under Suspension of the Rules. Adopted.

7. ORDINANCE NO. 11126-2019, 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.

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. Stemm, to adopt.

ROLL CALL: AYES: Mencini, Stemm, Orcutt, Burgio, Scott, Salvatore, Poindexter
NAYS: None. Ordinance No. 11126-2019, has passed under Suspension of the Rules. Adopted.

8. ORDINANCE NO. 11127-2019, 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.

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

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

ROLL CALL: AYES: Mencini, Orcutt, Burgio, Scott, Salvatore, Poindexter, Stemm
NAYS: None. Ordinance No. 11127-2019, has passed under Suspension of the Rules. Adopted.

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

9. ORDINANCE NO. 11128-2019, AUTHORIZING THE SERVICE DIRECTOR TO PURCHASE TIRES FOR POLICE, FIRE AND SERVICE VEHICLES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.
Introduced by Mayor Gammella.

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

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

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

ROLL CALL: AYES: Mencini, Orcutt, Burgio, Scott, Salvatore, Poindexter, Stemm
NAYS: None. Ordinance No. 11129-2019 has passed under Suspension of the Rules. Adopted.

10. ORDINANCE NO. 11129-2019, ENACTING CHAPTER 163 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'TECHNOLOGY COMMISSION' AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter.

Mrs. Horvath commented Mr. Cingle and I had a brief discussion about this legislation and in Section 5.01 it speaks to Council having the power by ordinance determine the organization duties of certain organizations; absent in that list is 'committee'. Council would want to make sure that there is authorization for payment to a committee, rather than a commission. Code section - Development Area Design Review Committee that receives compensation under 1107.05. Due to the timing there is no time to research the legislative history or look at prior law department opinions. This is excellent for the city and in favor but with the amended changes the question is will the city be able, under the authorizing language in the Charter to pay those members of this committee.

Mr. Vecchio stated Ordinance No. 11129-2019 has had its First Reading.

11. ORDINANCE NO. 11130-2019, 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.

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

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

Motion by Mr. Stemm, supported by Mr. Orcutt, to adopt.

ROLL CALL: AYES: Stemm, Orcutt, Burgio, Scott, Salvatore, Poindexter, Mencini
NAYS: None. Ordinance No. 11130-2019, has passed under Suspension of the Rules. Adopted.

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

- 12. RESOLUTION NO. 33-2019, SUPPORTING THE PASSAGE OF OHIO SENATE BILL 205 WHICH WOULD INCREASE PENALTIES UNDER GODDARD’S LAW AND DECLARING AN EMERGENCY. Introduced by Councilman Burgio, C/W and Mayor Gammella.

The clerk read in its entirety.

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. Stemm, supported by Mr. Burgio, to adopt.

ROLL CALL: AYES: Stemm, Burgio, Orcutt, Scott, Mencini, Poindexter, Salvatore
NAYS: None. Resolution No. 33-2019, has passed under Suspension of the Rules. Adopted.

- 13. RESOLUTION NO. 34-2019, SUPPORTING THE STRIKING GENERAL MOTORS UNITED AUTO WORKERS AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter, C/W and Mayor Gammella.

The clerk read in its entirety.

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

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

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

ROLL CALL: AYES: Poindexter, Orcutt, Burgio, Scott, Salvatore, Mencini, Stemm
NAYS: None. Resolution No. 34-2019, has passed under the Rules.

Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

- 1. 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.

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

ROLL CALL: AYES: Mencini, Scott, Burgio.

NAYS: Stemm, Poindexter, Salvatore, Orcutt. Ordinance No. 11113-2019 was defeated by a vote of 4-3. Defeated.

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

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

Council President Vecchio declared this meeting adjourned at 9:40 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.

4,892 words