

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON TUESDAY, NOVEMBER 19, 2019**

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

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

Also in attendance were Mayor Gammella, Finance Director Cingle, Law Director Horvath and Engineer Piatak (7:30 p.m.).

DISCUSSION:

1. JOINT VENTURE FOR A PROPOSED DOG PARK WITH THE CITY OF MIDDLEBURG HEIGHTS. **In attendance:** Middleburg Heights Councilmember, Tim Ali.

Mr. Burgio stated at last week's meeting Council had questions regarding this joint venture with Middleburg Hts. Thank you to all Brook Park Councilmembers and Mayor Gammella for supporting a joint off-leash dog park with the City of Middleburg Hts. In 2002, Mr. Ali proposed the idea of a dog park but didn't have support at that time. Going to the Lakewood Dog Park and seeing Brook Park neighbors the thought was how nice it would be to have a dog park preferably in Brook Park. At an April, 2007 meeting I proposed an off-leash dog park to Council and Mayor Elliott for a dog park and animal shelter with a unanimous vote. Due to the recession the dog park was put on the shelf until 2014 when former Mayor Coyne came into office and was very supportive of the idea. Discussions with took place with Mr. Ali and others of having a dog park in Brook Park. In March, 2017 former Mayor Coyne proposed \$30,000 in the budget for the dog park and some of the discussions included meeting with private individuals with equipment needs being approximately \$30,000 to facilitate the park; this is being demanded by citizens and other communities are undertaking, Mr. Mencini has always been supportive a dog park. Platting of this dog park would be exactly where the baseball field is about 200' from the houses with the existing playground, pavilion and basketball park stay. This will not be a place to just run dogs it will be an added amenity to the community, the \$30,000 is to purchase the equipment and put in place at the park. In the year of 2017, neighborhood meetings were held with the location at Wedo Park picked out which seemed to be ideal, at that time, since it would no longer be needed for little leagues and utilities were available i.e. water, electricity, restrooms and refreshment stand. Neighbors by in large stated they're not opposed to a dog park just not in their backyards, that's the closest it came to having a dog park in Brook Park. There are no parcels large enough to accommodate a dog park and being at least 200' away from residences. In 2019, Mr. Ali has hopes of renewed support of a dog park in Middleburg Hts. and asked Brook Park if interested in doing a joint venture. Approaching Mayor Gammella and Council colleagues were in favor and agreed that Middleburg Hts. makes the most sense. Mr. Burgio thanked the Brook Park Barkers Club

Discussion: cont.

started by Lou Modic and also Tom Dufour and Laura Pauley for the bylaws for the joint dog park.

Councilmember, Tim Ali
15700 Bagley Road
Middleburg, Hts. OH

Councilmember, Dan Sage
15700 Bagley Road

Mr. Ali stated Mr. Dumakis since 2002 and now have an administration that is 100% behind this project. Having a joint venture between the Cities of Middleburg Hts. and Brook Park is not new, both cities share Southwest hospital; sports programs, schools and the repaving of Sheldon Road, a split street between both municipalities. In viewing other dog parks couldn't believe the popularity and all the people that visited the dog parks with or without having dogs. Looking at different locations in Middleburg Hts. a dog park has to be away from a residential area. Sheldon Road where this is being proposed is the perfect location. The mission statement is 'to establish a fenced-in, off-leash dog park where well-behaved canine citizens can exercise in a clean, safe environment without endangering or annoying people, property or wildlife. To develop a beautiful well-maintained space, open to all dog lovers and friends who are willing to uphold the park's rules and restrictions. To view this park as a community project and partnership with the Cities of Middleburg Hts. and Brook Park designed to satisfy the needs of dog owners and also non-dog owners'. All parks must have rules and the rules will be the park will be open from dawn to dusk, dogs must be leashed entering and exiting. The park will have a double gate so when a dog comes in it is secured from running in the parking lot and then also secured in the dog park. Another rule is there must be an adult owner or dog handler bringing in only two dogs at a time. All minors must be with an adult, the dogs must be up to date on all vaccinations and to prevent any kind of aggressive behavior no treats or food will be allowed in the dog park. There will be two dog parks, one for dogs that are 25# and below and one for the larger dogs. No firearms or weapons and no dogs that are pregnant or in heat will be allowed. The dog handlers and/or owners must be with the dog at all times, or if not with the dogs' people must be able to control them by voice. Another rule is dogs must be cleaned up after and will make sure that is strictly enforced. The dog owners are responsible for any damage caused to the property inside the park; at any time, rules can be changed or added to and any violation will result in prosecution, removal or park banning. The biggest benefit to a dog park is for the community because the dogs will get exercised and socialized and those are the ones that make the best pets. Middleburg Hts. architect, Bob Zarycki, donated time and talent by drawing up the dog park site plan. Both the large and small dog areas have double gates for separation, drinking fountain for both humans and dogs, dog bag stations, picnic benches and tables and possible sunshade for hot days. The former 40,000 waste-water treatment plant exists but abandoned and about 30% or 40% the city uses for storage. The personal goal is to take about half of that building to be used for an animal rescue, in the future. With the bylaws received from Brook Park resident(s) with minor tweaking will be useful for the

Discussion: cont.

outlining of duties and the advisory committee consisting of Brook Park and Middleburg Hts. residents. The most expensive cost on this site is the excavating and pea-gravel and speaking with people at the Lakewood dog park the maintenance is very minimal. There would be no grass due to rainy weather and dogs causing a mud pit. The location on Sheldon Road will have less maintenance after the dog park is in then currently, with the maintenance and fertilization of the grass currently there. The fence needs to be secured and another good point is this location is already half-fenced and the \$20,000 cost is to take care of the other fencing, also there is \$4,000 for miscellaneous costs. A drinking fountain for both humans and dogs' is \$3,000 for the plumbing and fountains, an estimation of ten park benches is approximately \$4,000, four picnic tables is approximately \$3,000 and the six stations of trash bag holders for both the small and large dog areas and one outside the park is approximately \$2,400. It is my understanding that non-working fire hydrants can be donated from the City of Cleveland. That's about \$84,000 with a commitment of \$30,000 in the 2020 budget for Middleburg Hts. and Mayor Gammella is also 100% behind this project. Matching funds of \$30,000 is being asked for and the other monies will be raised by fundraising efforts. Due to the interest of people there may be three or four fundraising groups for the fundraising efforts. The number one fundraiser will be the car donation program that was started years ago by myself and several other people for ARF (Animal Rescue Friends) in the City of Berea and have raised over \$350,000 for this organization and have 100% interest for doing the same for the dog park. A few other fundraising ideas are comedy night-out, bowl-a-thon's, softball and snowball tournaments, pet calendars, partnering with grocery stores, raffles and paw pavers and boots for Home Days for both cities. The second phase is to do a Dick Goddard pavilion and speaking with Joe Ruggiero of Ruggiero Custom Homes the pavilion would be done at cost. This would be a great asset to the dog park to hold events and not worry about weather. There will be trees planted, start the animal rescue, additional parking and an agility course for the dogs.

Mr. Mencini thanked Mr. Ali and Mr. Sage for coming and questioned who will cover the insurance?

Mr. Sage is an owner of an insurance business and stated there will be an endorsement added onto the City of Middleburg Hts. current insurance program. It is my understanding that since the dog park will be on City of Middleburg Hts. owned property the dog park is owned by the City of Middleburg Hts., with insurance being on the property owner.

Mr. Mencini continued where would the cities stand with civil suits?

Mr. Sage stated this would be no different if someone came up to City Hall grounds and bitten by a dog, the insurance covers it. Everyone will be protected by the insurance company for dog bites at any park.

Discussion: cont.

Mr. Mencini asked if the dog park is for anyone and will the rules be enforced?

Mr. Ali responded this is going to be an open dog park for anyone but am sure residents from both cities will be using it the majority of the time. Anyone who is in the dog park and doesn't follow the rules will be asked to leave, possible prosecution or banning from the park. Speaking with the people from the Lakewood dog park there are very minimal problems. People that go to dog park understand it's a privilege and to enjoy the dog park they need to respect and take care of it.

Mr. Orcutt thanked both Middleburg Hts. Councilmembers for coming. Who will be responsible for locking the gate in the evening.

Mr. Ali responded Middleburg Hts. service crews, recreation department employees or senior citizens have volunteered to both open and close the dog park, whatever is needed they are happy to help with. There will be numerous park monitors inside the park to keep an eye on everything. If something is not made right, it will be made right.

Mr. Salvatore thanked Mr. Ali and Mr. Sage for coming and commented there is a lot of work put into this from Middleburg Hts. Council and Mayor. With the proposed budget of \$84,000 is there any chance that will elevate to a higher number?

Mr. Ali responded talking to the owner Fabrizi the biggest expense is the excavating so if there are no issues with that it should be close. Both cities will put in \$35,000 and once the okay is given from both cities the fundraising efforts begin.

Mr. Salvatore continued the state-of-the-art dog park in Beachwood is a huge success and are looking at adding public restrooms, is that something that should be looked at?

Mr. Ali responded one or two things could be done, if it's an immediate issue there could be elegant port-a-potty(s). The building has restrooms and could work out something with the city for those restrooms to be used. When the animal rescue is up and running that building will be open for utilization of the restrooms.

Mr. Salvatore continued another item they found successful is camera monitoring of the dog park and the next step is to have computer access to view the dog park.

Mr. Ali responded that is something that has been talked about and a resident of Middleburg Hts. informed me that it gets to the point of getting cameras the resident wants to get involved, 100% for cameras for safety and socializing.

Mr. Salvatore commented the Beachwood dog park has had only one incident so far, there are also two separate dog parks for small and large dogs. So it goes back to the cameras for viewing purposes and thinks cameras would be a good move.

Discussion: cont.

Mayor Gammella thanked Mr. Ali and Mr. Sage for coming and am in 100% support of the dog park. One thing he would like to see expanded is a shared animal rescue between both cities.

Mr. Ali commented whatever is done will be done together by both cities.

Mr. Poindexter thanked Mr. Ali and Mr. Sage for coming? Ashland, Ohio has a dog park that was paid 100% by local pet stores, maybe that is something that could be looked into for funding. I think residents would feel more comfortable with fundraising efforts first and the city being responsible for the cost left over. Residents have expressed concern with paying for a dog park in another city and have tried to explain the joint venture. Are the \$35,000 upfront monies a one-time deal or an annual budget item?

Mr. Ali responded this is a one-time contribution and feel very confident that the ongoing costs will be raised by the fundraisers group. Also, feel confident that the monies will be raised for the agility course that is a large expense.

Mr. Salvatore asked if there was discussion of limiting this to only Brook Park and Middleburg Hts. for using the dog park?

Mr. Ali commented if both cities are on board doing that it can be limited to the two cities. There would have to be a key-card that is an additional expense but it can be done. Since 2002, nothing has ever been brought up of limiting the dog park to the two cities. Currently, this is for use by the public and believe the more people using the dog park there would be more help with fundraising.

Mr. Vecchio thanked Mr. Ali and Mr. Sage for coming.

Mr. Scott asked Mr. Ali for list of the six or seven committees that have been formed and filled.

Mr. Ali responded I can get that information and know the majority was for fundraising, the most important one.

Mr. Burgio commented this will be a good thing for both cities and will benefit by this, also, a fun thing and will be very popular. The annual dog swim that Mayor Elliott created is open to everyone and breaks attendance records every year.

Mr. Mencini commented to Mr. Burgio that he has put a lot of good work and time with this his and there is a lot of support and also opposition.

Mr. Scott thanked Mr. Ali and Mr. Sage for coming and asked Mrs. Horvath if a Memorandum of Understanding is needed?

Discussion: cont.

Mrs. Horvath responded a Memorandum of Understanding would be appropriate and can work with the City of Middleburg Hts. law director on that.

Motion by Mr. Salvatore, supported by Mr. Scott, that item number one was discussed.

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

NAYS: The motion carried.

Motion by Mr. Scott, supported by Mr. Burgio, to have legislation drafted and placed on the December 3rd Caucus Prior to agenda.

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

NAYS: None. The motion carried.

FINANCE COMMITTEE - CHAIRMAN, SCOTT:

1. ORDINANCE NO. 8863-2002, AUTHORIZING THE MAYOR TO WORK WITH THE CUYAHOGA COUNTY TREASURER TO ISSUE TAX CREDITS TO HOMEOWNERS AND DECLARING AN EMERGENCY. Introduced by Councilmen Patten & Mooney. Placed in committee 1/2/02; Caucus 1/8/02; 1ST R 1/15/02; 2nd R 2/6/02, Back to committee 2/6/02 and reviewed on a yearly basis since 2002. **Note: This legislation is per the 2001 Airport Settlement Agreement and in accordance with Section 2 must be reviewed by Council on an annual basis.** Caucus 10/9/18; Back to committee 10/9/18.

Mr. Scott stated this is reviewed on an annual basis for monies to be given to residents if the city can afford.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to place back in committee.

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

NAYS: None. The motion carried.

2. A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF THE TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Cingle stated for the City of Brook Park to receive tax advances for 2020, a resolution must be sent to the Budget Commission by the end of 2019.

Motion by Mr. Salvatore, supported by Mr. Stemm, to place on the Council agenda immediately following.

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

NAYS: None. The motion carried.

Council President Vecchio stated this will appear under M-4 as Resolution No. 37-2019.

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 7:56 p.m.

RESPECTFULLY SUBMITTED



Michelle Blazak
Clerk of Council

APPROVED



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

