

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, NOVEMBER 19, 2019**

The meeting was called to order by Council President Vecchio at 8:00 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 Mayor Gammella, Law Director Horvath, Finance Director Cingle, Recreation Director Elliott and Engineer Piatak.

EXECUTIVE SESSION - PER MAYOR GAMMELLA.

1. NEGOTIATIONS OF BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING COMPENSATION.

Motion by Mr. Burgio, supported by Mr. Orcutt, to go into Executive Session

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

NAYS: None. The motion carried at 8:04 p.m.

In attendance: Councilmembers, Mayor Gammella, Law Director Horvath, Finance Director Cingle and Attorney, David Lambros.

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 8:40 p.m.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO MEETING HELD ON NOVEMBER 6, 2019.

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

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

NAYS: None.

ABSTENTION: Orcutt. The motion carried with a vote of six (6) with one (1) abstention.

2. REGULAR COUNCIL MEETING HELD ON NOVEMBER 6, 2019.

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

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

NAYS: None.

ABSTENTION: Orcutt. The motion carried with a vote of six (6) with one (1) abstention.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter reported Aviation & Environmental committee has nothing on tonight's agenda. Been trying to reach out to City of Cleveland Councilman,

Reports from Standing Committees: cont.

Keane, and was informed that Mr. Keane has resigned from Cleveland Council. Will be reaching out to the new appointment, Charles Slife, for a future meeting.

Finance Committee - Chairman, Scott

Mr. Scott reported Finance committee has one item on tonight's agenda. The Board of Control met earlier and approved 16 items; three largest were \$30,000 to Bartlett Tree experts for a tree inventory contract and arborist planning. \$20,500 to Concrete Pete's construction for 2019-2020 senior snow plowing and \$17,500 to Sherman and Sons lawn care for 2019-2020 senior snow plowing.

Legislative Committee - Chairman, Mencini

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

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore reported upcoming Christmas events will be held on December 8th starting with the Pancake Breakfast from 9:00 a.m. to 12:00 p.m., ages three and under are free and \$2.00 per person and \$3.00 per adult, \$10.00 per family includes a free photo with Santa. The Christmas Parade will begin at 4:30 p.m. from Brookgate Shopping Center and end at the Brook Park library. At 5:15 p.m. the Berea-Midpark High School Center Stage Show Choir will put on a performance at the recreation center ending with the city tree-lighting and refreshments served by the Brook Park Boosters. The annual children's sleepover will be held on Saturday, December 14th at the recreation center for a cost of \$20.00 per child, pre-registration required. The next recreation commission meeting will be held on Thursday, November 21st at 7:00 p.m. Wished everyone a Happy Thanksgiving from the Recreation Commission.

Planning Committee - Chairman, Burgio

Mr. Burgio reported the Planning meeting was cancelled due to no applications received.

Safety Committee - Chairman Stemm

Mr. Stemm reported the Safety Committee has one item on tonight's agenda.

Service Committee - Chairman, Orcutt

Mr. Orcutt reported residents can help assure that the leaf collection process runs smoothly by following these guidelines; only leaves are to be placed in the piles, no rocks, trees, branches, flower, weeds, garden plants and grass clippings damage the city equipment. Piles should be placed at the curb, not in the street, and not placed behind parked cars or near storm drains. Leaves must be piled within five-feet of the curb or machines will not be able to reach the leaves; do not place leaves by mailboxes, under trees, telephone poles or sign posts. Do not pile leaves in the ditches or over catch-basins due to possible flooding. Service crews will cover every street in the city within seven (7) to ten (10) days, phone calls are not necessary.

Board of Zoning Appeals - Chairman, Scott

Mr. Scott reported the December meeting has been cancelled due to no applications.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Salvatore

Mr. Salvatore reported the first-year employee turnover rate remains at 15.6%, better than target; overall employee turnover rate decreased to 10.3% and employee retention rate is more than 95%. The Path to Excellence survey is required to have at least 65% nurses participate and achieve at least 75% favorable on ¾'s of the survey. Southwest has improved in seven of the overall areas from last year. There is still \$1 million-dollars left in capital budget for any last minute expenditures until the end of the year. The next meeting will be held on November 26th with the Oversight committee. Happy Thanksgiving from Southwest staff, doctors, nurses, etc. Mr. Salvatore thanked McDonalds, Reddi's Pizza, Donte's and Goody's for providing free meals to police officers on November 7th for Police Appreciation Day in Brook Park. Also, thank you to the Neighborhood Watch and Uncle Joe's for the luncheon prepared for the two shifts.

Berea Board of Education Representative, Poindexter

Mr. Poindexter reported the evening coffee and conversation with Berea Superintendent is Tuesday, December 3rd from 6:00 p.m. to 7:00 p.m. at Grace Church located at 7393 Pearl Road, Middleburg Hts. The next regular coffee and conversation meeting with the Berea Superintendent will be on December 5th at Café Aroma from 8:00 a.m. to 9:00 a.m. The next school board meeting will be November 25th at Berea-Midpark Middle School at 7:00 p.m. Happy Thanksgiving from the Berea-Midpark school district staff and students.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella reported there will be no Ford Motor strike, 56% approved the agreement nationwide. There will be \$150 million-dollars invested into Brook Park Engine Plant One, the future investment of the plant will be here for at least another decade. Also, \$900 million-dollar investment was given to the Avon plant that will create jobs throughout the region. The FAA will be taking over office space at 2000 Aerospace Parkway bringing more jobs to the city. From the City of Brook Park Happy Thanksgiving.

Questions:

Mr. Mencini commented that he would prefer Executive Sessions at the end of the meetings prior to adjournment. Thanked for the new service crewmember and two injured employees are back on the job.

Reports and Communications from the Mayor: Questions: cont.

Mr. Orcutt asked how many jobs will the FAA be bringing to the city?

Mayor Gammella responded currently between 20 or 30 jobs and expect that to grow.

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

Engineer Piatak

Mr. Piatak reported regarding the ongoing sewer system evaluation study conducted by the Northeast Ohio Regional Sewer District (NEORSD). Contractors will be out performing residential dye-testing 12 houses on Crestway, eight (8) houses on Defiance and 16 houses on Hardin. There will be a non-toxic dye water into the gutters, downspouts, driveway drains and other areas or potential inflow sources of storm water into the sanitary sewer system. The Public Works Integrating Committee released preliminary rankings for program year 2020, the State Capital Improvement Program, the application submitted for Delores Blvd. did not score in the recommended funding bracket.

Law Director Horvath

Mrs. Horvath reported with the City of Brook Park v City of Cleveland is still status quo and waiting for ruling on two motions for summary judgement. Franklyn DeScenzo v. City of Brook Park there is an upcoming deposition this Friday. Earlier, today, there were two depositions taken for the Lamar Advertising case. Happy Thanksgiving.

Recreation Director Elliott

Mr. Elliott reported Sunday, November 24th the churches community Thanksgiving service will be held in the community room. The recreation center is a drop-off area for Toys for Tots, families in need can register, in person, at the recreation center or by phone deadline date is December 2nd.

Finance Director Cingle

Mr. Cingle reported the temporary budget and amended appropriation legislation for the next Caucus meeting. Happy Thanksgiving.

Questions:

Mr. Orcutt asked Engineer Piatak with the NEORSD dye-testing how is it determined which homes get tested?

Mr. Piatak responded preliminary smoke-testing and received positive results on some of those residences. So broader testing is done to narrow it down to specific testing.

Mr. Orcutt continued is this part of the Southwestern Receptor Project.

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

Mr. Piatak concurred and commented this is part of the Southwestern Receptor LSSE (Local Sewer System evaluation) study, approximately a \$10 million-dollar study the NEORS is conducting.

Mr. Orcutt stated to Mr. Piatak with the Delores Blvd. grant application, how much did the city submit for the monies?

Mr. Piatak responded I think in the \$800,000 range, between grant and loan monies.

Mr. Orcutt asked why didn't the city fair-well on the Delores Blvd. application?

Mr. Piatak responded there are a number of categories that projects are scored on, haven't had a chance to break down the numbers. There are some things the city has no control over one being a social-economic component of the community, economic health of the community if the city owes a lot of money or financially stable. Also, a number of users by traffic counts on Delores Blvd.

Mr. Mencini thanked Mrs. Horvath for the civil litigation update. Mr. Mencini stated to Mr. Piatak the Delores Blvd. is a dead issue.

Mr. Piatak concurred.

Mr. Mencini stated to Mr. Elliott with basketball games starting December 7th my teams practice on Wednesdays and Fridays at Brookview School. With the thanksgiving holiday the schools are closed Wednesday, Thursday and Friday. there is a problem for Thanksgiving week with the schools being closed. Possibly, there could be practice time on the weekend? Also, some of the mothers expressed that their girls haven't been contacted to date.

Mr. Elliott responded the cheerleaders met yesterday so the girls that registered have probably been contacted. The other issue with gym time is when discussions take place with the schools. One of the nights selected was also Thursday at the sports centers and during the month of December there are a lot of concerts going on at the schools and the school has a rule whenever the auditorium is being used, no one is in the gymnasium. The recreation staff will work with the coaches as much as possible to get as much time as can be.

Mr. Scott asked Mr. Piatak for an update status of the West 130th Street project.

Mr. Piatak responded the last report is the contractors hope to be finished by the end of the month.

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

Verbal Approval:

- 1. PAYMENT FOR REVISED CHARTER BOOKLETS - \$1,010.00.

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

Mr. Salvatore asked how many booklets will that cost cover?

Ms. Blazak responded 600, 100 per year of six years.

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

NAYS: None. The motion carried.

- 2. PUBLIC RECORDS TRAINING PER HB 9 - APPOINTED DESIGNEES TO ATTEND FOR THE COUNCIL OFFICE WOULD BE THE COUNCIL PRESIDENT AND CLERK OF COUNCIL.

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

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

NAYS: None. The motion carried.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

- 1. ORDINANCE NO. 11133-2019, AMENDING SECTION 1121.29 (c) (1) (A) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'RETAIL SALES IN BUILDING' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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. Ordinance No. 11133-2019, has passed under

Suspension of the Rules. Adopted.

Introduction of Ordinances and Resolutions: First Reading: cont.

2. RESOLUTION NO. 35-2019, TO EXTEND THE MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING OR RETAIL SALE OF? MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED TWELVE MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE BROOK PARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE TO SUCH USE AND DECLARING AN EMERGENCY.

Introduced by Council as a Whole and Mayor Gammella.

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

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

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

ROLL CALL: AYES: Scott, Orcutt, Burgio, Stemm, Mencini, Poindexter, Salvatore
NAYS: None. Resolution No. 35-2019, has passed under Suspension of the Rules. Adopted.

3. RESOLUTION NO. 36-2019, AUTHORIZING ALL ACTIONS NECESSARY TO APPLY FOR A 2019 CUYAHOGA COUNTY MUNICIPAL GRANT FOR ONE FIRE SAFETY PARAMEDIC VEHICLE AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella and Council as a Whole.

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

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

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

ROLL CALL: AYES: Mencini, Salvatore, Poindexter, Stemm, Orcutt, Burgio, Scott
NAYS: None. Resolution No. 36-2019, has passed under Suspension of the Rules. Adopted.

4. RESOLUTION NO. 37-2019, 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.

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

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

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

ROLL CALL: AYES: Salvatore, Orcutt, Burgio, Scott, Poindexter, Mencini, Stemm
NAYS: None. Resolution No. 37-2019, has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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

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

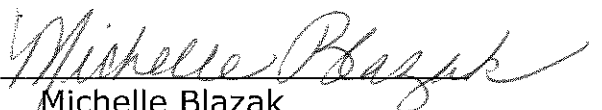
ROLL CALL: AYES: Poindexter, Mencini, Stemm, Salvatore, Scott, Burgio, Orcutt
NAYS: None. Ordinance No. 11129-2019, has passed under Third Reading.


Mr. Poindexter thanked Mayor and Council for support on this Ordinance the city just took a giant step forward and into the future. Mr. Poindexter thanked Holly Klinger and Craig Cooper for speaking in front of Council, Jeff Duke and Cindy Shick for their insight and support and Tom Dufour for his vision, passion, assistance, innovation and ideas, this wouldn't have happened without Mr. Dufour. Thank you to the citizens of Brook Park for allowing this committee to be formed and expect great things from it.

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 9:12 p.m. Happy Thanksgiving everyone.

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.