

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON TUESDAY, DECEMBER 3, 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, STEM, MENCINI, POINDEXTER, SALVATORE

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

DISCUSSION:

1. 2020 TENTATIVE CAUCUS-COUNCIL MEETING SCHEDULE

Mr. Vecchio stated the dates are rolled over according to current meeting schedule.

Mr. Salvatore suggested approving the month of January only due to newly elected Councilmembers.

Mr. Mencini concurred.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to place January, 2020 meeting dates under verbal approval on the Council agenda immediately following.

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

NAYS: None. The motion carried.

2. A RESOLUTION SUPPORTING A COMMUNITY DOG PARK PROJECT
IN PARTNERSHIP WITH THE CITIES OF BROOK PARK AND
MIDDLEBURG HEIGHTS AND DECLARING AN EMERGENCY.

Introduced by Councilman Burgio, Scott, Stemm, Mencini, Poindexter,
Council President Vecchio and Mayor Gammella.

Mr. Salvatore asked Mrs. Horvath if a rough draft of the memorandum of understanding (MOU) is available for review.

Mrs. Horvath responded the MOU is a work in progress and should be available within a week.

Mr. Poindexter suggested an amendment to the 6th Whereas, last line, to insert 'not to exceed' \$35,000.

Discussion: cont.

Mr. Salvatore concurred with the amendment and commented the fundraising efforts may provide good exposure, total \$35,000 may not be needed.

Mr. Scott stated the cost to each city is \$35,000 with no monies going back to both cities. Any additional needs required for the park will be raised by fundraising efforts.

Mr. Stemm suggested to Mrs. Horvath of an amendment to read a one-time startup cost that will not exceed \$35,000.

Mrs. Horvath commented that is Council's pleasure, it's important not to deviate the \$35,000 that Middleburg Heights already passed by legislation.

Motion by Mr. Poindexter, supported by Mr. Mencini, to amend sixth Whereas to by inserting after the word will insert 'not exceed the sum of \$35,000.00'.

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

NAYS: None. The amendment carried.

Mr. Burgio commented Middleburg Heights passed their legislation unanimously.

Mr. Mencini asked Mr. Burgio as sponsor what would you like to see with this legislation?

Mr. Burgio responded would like to see the city take the same steps as Middleburg Heights with the MOU forthcoming.

Motion by Mr. Poindexter, supported by Mr. Scott, to place under first reading on the Council agenda immediately following.

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

NAYS: None. The motion carried.

3. AN ORDINANCE AMENDING ORDINANCE NO. 11074-2019, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

Mayor Gammella stated this legislation is moving monies around i.e. part-time Council Clerk monies were not utilized and moved where to fund(s) where needed.

Mr. Cingle scrolled down the first page Fund 111 - Clerk of Council part-time salaries appropriations were reduced to zero (\$0). Fund 341 - Recreation Center

part-time salaries were increased by \$10,000. Fund 413 - Fire Department - communications shows an increase due to there being a copper line used emergencies between the fire stations on Holland Road and Ruple Parkway. In January and February, 2019 the cost for the copper line was \$7,302.20 and then increased in the month of March. AT&T is trying to eliminate copper lines therefore the cost for the copper line could keep increasing. The city is working with a telecommunications expert to try and eliminate these costs. The Fire Department repair and maintenance increase is for repairs to vehicles. The increase to Fund 423 - Sanitation shows an increase of \$20,000 for vehicle repairs. Fund 434 - Traffic signals shows an increase of \$10,000 and Fund 700 - Utilities shows a decrease in utilities of \$2,500. Fund 700 - General Government Lands & Buildings utilities is being reduced by \$7,955.44 and Communications is being reduced by \$2,500.00.

Questions:

Mr. Orcutt asked Mr. Cingle if the copper line is a rental fee for communications between the two fire stations.

Mr. Cingle responded that is the fee for the line that was installed over 30-years ago and my understanding that AT&T is trying to eliminate all copper lines. Speaking with the telecommunication professional this afternoon, he told me AT&T can raise this fee however much and wouldn't be surprised if it was over \$10,000 a month for 2020. The city is actively looking at solution(s) to not have to utilize the copper line and reduce the city's cost substantially.

Mr. Stemm stated to Mayor Gammella the copper line with the fire departments the city may qualify with the County's Emergency Management Plan; there may be federal grants that could assist.

Mayor Gammella stated the city is looking at all options and thanked him for the suggestion.

Mr. Mencini asked Mr. Cingle with the traffic lights why is there an adjusted amount of \$10,000?

Mr. Cingle responded the city uses Signal Service for repairs and there were some encumbrances rolled over from 2018 and there more repairs to traffic signals in 2019.

Mr. Mencini asked why the increase of \$1,650 adjusted amount for Mayor's Court?

Mr. Cingle responded the Mayor's Court Regular Salaries line item the proposal

increased regular salaries by \$1,650.00 due to another employee working in Mayor's Court for a short period of time in 2019. A part-time employee was hired to work in Mayor's Court so the amount matches expenses to the appropriation.

Mr. Cingle continued with page 2, with Fund 840 - Insurance and Bonding is being reduced by \$13,761.00; due to insurances renewed for the city and expenditure already made. Fund 874 - Miscellaneous Executive - Professional Services line item is proposed to be reduced by nearly \$41,000.00. Fund 879 - Contingency shows an adjusted amount of \$25,000.00 for any emergencies that may occur to the end of the year. Fund 880 - Transfers & Refunds the proposed increase to the transfer line is \$790,501.60.00 with \$800,000.00 being proposed to be transferred over to Fund 545 - 2018-2019 Street Improvements Fund. The city had \$6 million-dollars in roads projects for 2019 and some of the dollars to be expended were coming from Cuyahoga County grants and reimbursement from Middleburg Hts. Working with the engineer the Cuyahoga County grants equal approximately \$623,000 and will not be received until 2020 as well as the reimbursement from Middleburg Heights. So those monies have been advanced to cover the negative amount in the fund and once the dollars are received will be transferred back to the General Fund; \$800,000 is being proposed to be transferred to the 2018-2019 Street Improvements Fund and then proposing to reduce the transfer to the Waterpark Fund. The initial budget was \$40,000 that is being proposed to be reduced to \$30,000 and \$501.60 is getting moved to Fund 717 - Unclaimed Monies. These are checks that have not been cashed and if not claimed in five-years those monies can be moved out of that fund; that's the reason for the approximate \$791,000 transfer line item adjustment in the General Fund.

Mr. Mencini clarified when those monies are reimbursed from the county and Middleburg Hts. what fund will those monies go to?

Mr. Cingle responded the monies received from the county and Middleburg Hts. will go back to the General Fund and speaking with the engineer the projects will be completed and submitted for grant funds and reimbursement in 2020. Fund 210 - City Income Tax fund the proposal is to increase transfers by \$632,765.00 which is the amount being projected for the income tax forecast, depending on the Ford Motor contracts. The reason is the net profit forecast is being increased by approximately \$321,000.00 due to new companies having net profit estimates. Also, there is a withholding on the automotive side of approximately \$150,000 and some other withholdings and construction line items. Fund 243 - Economic Development Fund proposed an increase to the contract line item by \$171,371.29 for the legislation passed earlier for BJAAM; for the cleanup of the property on Engle and Holland Roads, that will be reimbursed to the city. Fund 250 - Special Recreation Fund shows a proposed increase to Land & Building improvements in the amount of \$12,526.00 for the grading to the football field. Fund 254 -

Waterpark Fund was cleaned up to match the activity for 2019, with a total increase projected at \$6,182.63. Fund 270 - Law Enforcement is moving \$2,000.00 from the equipment line to the travel & education line. Fund 401 - Capital Improvement Fund shows a proposed increase of \$30,000.00 due to large repairs to fire truck S-1 in the amount of \$41,119.48 with an increase of approximately \$6,000.00 and repairs to fire truck S-2 in the amount of \$43,351.38. Line item 429 - Sewers & Drains shows an increase for pump station improvements done earlier this year. The total Capital Improvement fund is increased by \$30,000. Fund 543 - 2017 Street Improvements projects are complete and the fund will be closed out increasing the appropriation fund total to \$122,742.48 of which \$515,473.56 will be transferred out of Fund 543 with almost \$451,000.00 is going back to General Fund and approximately \$64,500.00 is going back to the capital improvement fund. Fund 545 - 2018-2019 Street Improvement the contracts have been awarded and came in less the projected. The proposal is to reduce the construction contract line item by \$600,000.00 and increase line item 545 Professional Services by \$30,000.00. Fund 713 - Southwest General Hospital Fund are monies collected by the levy approved by the community and remit to the health center; matching projected revenues to expenses. Same thing with Fund 714 - Cash Bonds Held Fund, the building department collects bonds for repairs and holds the money until repairs are done and given back to the individual; matching projected revenues to expenses. Fund 716 - Building Standards Boards Fund is also matching projected revenues to expenses. Fund 920 - Special Assessment is the fee the county charges to collect and pass on the assessment dollars that is proposed to increase by \$19.04 to match the expense from the county.

Mr. Salvatore stated to Mr. Cingle with the \$12,526.00 for the football field grading and topsoil does that have anything to do with the relocation of the baseball field.

Mr. Cingle responded yes, when the baseball field was relocated the football field had to be and regraded.

Mr. Salvatore continued to Mr. Cingle is that part of the deal with the transfer from the school district?

Mr. Cingle responded in addition to.

Motion by Mr. Mencini, supported by Mr. Scott, to place on the Council agenda immediately following.

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

Discussion: cont.

Mr. Vecchio stated this will appear under M-2 as Ordinance No. 11134-2019 and assigned to the Finance Committee.

- 4. AN ORDINANCE TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR THE THREE MONTHS ENDING ON MARCH 31, 2020. Introduced by Mayor Gammella

Mayor Gammella stated this is for the city to operate the first three months in 2020.

Mr. Mencini asked Mr. Cingle if there is anything Council should be made aware of?

Mr. Cingle responded looking at the first three month expenses and try to match where 2020 is going to be; this gives the city spending authority through the first three months. I have started working with my staff and Mayor’s staff to start the budget process, hopefully something comes forward in January.

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

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

Mr. Vecchio stated this will appear under M-3 as Ordinance No. 11135-2019 and assigned to Finance committee.

FINANCE COMMITTEE - CHAIRMAN, SCOTT:

- 1. AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS (RFQ) FOR AN ENERGY EFFICIENCY PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in committee 11/20/18; Caucus 12/11/18; Back to committee 12/11/18.

Mr. Orcutt stated to Mayor Gammella will support any legislation for any programs in the city that save monies on energy; positive cash-flow back to the city for other projects. Mayor, have you been working with any other companies for street lights and other programs?

Mayor Gammella responded first the legislation to allow for bids from different companies. It’s hard to ask companies what they’re going to do with no backup. Legislation first to allow for bid to get the RFQ’s. Everyone knows something has

Finance Committee - Chairman, Scott: cont.

to be done with the pool area with getting the walls and roof repaired. As one person would like to see the pool reopened and also there is an issue with the waterpark. At the same time, the city needs to be encompassed to make it more energy efficient throughout the community and LED lighting for the entire community. It would probably be better to wait until January and go from there.

Motion by Mr. Mencini, supported by Mr. Poindexter, to have Read in Committee.

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

NAYS: Orcutt. The motion carried with a vote of 6-1.

- 2. AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS (RFQ) FOR GUARANTEED ENERGY PERFORMANCE CONTRACTORS FOR THE IMPLEMENTATION OF A GUARANTEED ENERGY CONSERVATION PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in committee 2/19/19.

Mayor Gammella requested this legislation be placed back in committee.

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

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

NAYS: Orcutt. The motion carried with a vote of 6-1.

LEGISLATIVE COMMITTEE - CHAIRMAN, MENCINI:

- 1. AN ORDINANCE AMENDING SECTION 933.99 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PENALTY' AND DECLARING AN EMERGENCY. Introduced by Councilman Scott.

Mr. Scott stated the original legislation was passed in August, 1981 and the existing first offense for rubbish cans left out is a first-degree misdemeanor and the proposal is for a warning letter issued the building department. The second offense would fall into the first-degree misdemeanor etc., etc.

Mr. Poindexter stated my stance on this is the same as before, first-degree misdemeanor on any offense for leaving rubbish cans out is excessive. Would be in support of a minor misdemeanor as being the maximum offense. Can't support legislation that penalizes people of a first-degree misdemeanor for leaving rubbish cans out.

Mr. Scott stated fines would be the discretion of the judge for the \$1,000 and six-months. Would be shocked that a judge would give a fine of \$1,000 and/or six-

Legislative Committee - Chairman, Mencini: cont.
months in jail.

Mr. Stemm stated to Mrs. Horvath not sure if this would qualify for a minor misdemeanor citation. Wouldn't the paperwork have to be filed through the courts for minor misdemeanors, due to certain restrictions on citations for minor misdemeanor.

Mrs. Horvath responded as far as I'm aware that would be allowable. Most building citations are first-degree misdemeanors and think the change from it being a higher level misdemeanor, more educational.

Mr. Mencini commented that a warning letter tends to serve the purpose, most times. How often has the city dealt with this?

Mrs. Horvath responded unaware of any citations issued for this particular type of issue with rubbish cans; something that is probably not cited heavily.

Motion by Mr. Scott, supported by Mr. Burgio, to place on the Council agenda immediately following.

ROLL CALL: AYES: Scott, Burgio, Orcutt, Stemm, Mencini, Salvatore
NAYS: Poindexter. The motion carried with a vote of 6-1.

Mr. Vecchio stated this will appear under M-4 as Ordinance No. 11136-2019.

2. 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.

Mayor Gammella stated the city has a rental registration and have come into a small problem with residents with family members living in the home. By passing this legislation would limit family members to father, mother, daughter, son or spouse of owner would not have to pay the residential rental fee.

Mr. Orcutt stated when this fee comes out annually is when the phone calls are received; will support the amendment.

Mr. Salvatore stated this will cleanup several issues with rentals or properties that have been handed down from family members. As long as there is no compensation received it wouldn't fall under a rental property.

Mr. Mencini commented no problem with the legislation as long as it is enforced.

Legislative Committee - Chairman, Mencini: cont.

Motion by Mr. Orcutt, supported by Mr. Burgio, to place on the Council agenda immediately following.

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

Mr. Vecchio stated that will appear under M-5 as Ordinance No. 11137-2019.

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, Orcutt, Burgio, Scott, Salvatore, Poindexter
NAYS: None. The motion carried.

Council President Vecchio declared this meeting adjourned at 7:55 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.

