

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, DECEMBER 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 Mayor Gammella, Law Director Horvath, Finance Director Cingle, Recreation Director Elliott, Service Director Garner and Engineer Piatak.

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**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. CAUCUS PRIOR TO MEETING HELD ON DECEMBER 3, 2019.

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

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

**NAYS:** None. The motion carried.

2. REGULAR COUNCIL MEETING HELD ON DECEMBER 3, 2019.

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

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

**NAYS:** None. The motion carried.

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**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter stated Aviation & Environmental Committee has nothing on the agenda and no report. Merry Christmas to all the residents

Finance Committee - Chairman, Scott

Mr. Scott stated Finance Committee two pieces of legislation on tonight's agenda, the Board of Control met earlier and approved 18 items; three largest being for Karvo Inc. for the Sheldon Road Resurfacing Project \$52,320, American Pavements, Inc. for 2019 Crack & Joint Seal in the amount of \$134,926 and MAS financial advisory services for the 2018-2019 municipal advisory agreement in the amount of \$24,000. Merry Christmas and prosperous Happy New Year.

Legislative Committee - Chairman, Mencini

Mr. Mencini stated Happy Holidays and reported the Legislative committee has four pieces of legislation on tonight's agenda.

Parks & Recreation Committee - Chairman, Salvatore

Mr. Salvatore stated on behalf of the Recreation Commission Merry Christmas and Happy New Year. The recreation department had a very successful year, compliments to director and staff.

Planning Committee - Chairman, Burgio

Mr. Burgio stated no report this evening. Mr. Burgio thanked the residents and colleagues for this year as my last official Council meeting. The last 20 years it's

**Reports from Standing Committees: cont.**

been my privilege and honor to serve the residents. Brook Park is a tremendous place to raise a family and retire. Merry Christmas.

**Safety Committee - Chairman Stemm**

Mr. Stemm reported the next Neighborhood Watch is Thursday, December 19<sup>th</sup> at 7:00 p.m. at the Brook Park Library. Merry Christmas and Happy New Year.

**Service Committee - Chairman, Orcutt**

Mr. Orcutt reported the Service committee has nothing on tonight's agenda. Merry Christmas and Happy New Year. To my colleagues and Mayor, it's been a pleasure serving. To Councilmembers Burgio and Stemm you will be missed and enjoyable working with you, we accomplished a lot.

**Board of Zoning Appeals - Chairman, Scott**

Mr. Scott stated no report this evening.

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**REPORTS OF SPECIAL COMMITTEES:****Southwest General Health Center - Trustee, Salvatore**

Mr. Salvatore stated at the last meeting the 2020 budget was approved and looks like another great year at Southwest General; beginning in January, 2020 Southwest will be part of the community for 100 years. Nurses receiving the Pathway to Excellence makes Southwest number seven for this program. At the last meeting I was nominated and accepted to serve as an elected trustee and accepted and am officially stepping down as Council's representative, can't serve in both positions. Thank past and present Council's for the appointment of representing Brook Park as trustee to Southwest for the last 20 years. During that time, I served on the committee to find a way to partner with University hospital that was successful and this year was extended agreement for ten years. Thanks for the vote of confidence and it is time to pass the gavel as Council's representative. I nominate Ed Orcutt to fill the vacancy for two weeks between now and January 1, 2020.

Mr. Poindexter asked Mr. Salvatore if there are any meetings between now and January 1, 2020?

Mr. Salvatore responded there could be one meeting coming up.

Mr. Mencini commented Mr. Salvatore on the choice and stated would have been nice to have some conversation on this matter. Thank you for a great job on the hospital board.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to nominate Councilman Orcutt as Council's Representative to the hospital board from now until January 1, 2020.

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

**Reports from Special Committees: cont.**

Mr. Orcutt thanked Council for the honor of serving.

Mr. Salvatore commented I did not have a conversation with anyone, not even Mr. Orcutt, a surprise. To Mr. Burgio, it's been a pleasure, we have a long history from sports, coaching, debates, Council and non-Council. Hope you stay around because you have a lot to bring to the table.

**Berea Board of Education Representative, Poindexter**

Mr. Poindexter reflected on things that happened over the last year with the school district with the construction of two new schools. New superintendent bringing a lot of changes leading the district into a bright 2020. School board takes occupancy of new elementary school in August and with that opening the city will gain ownership of the municipal campus. It's been a pleasure serving as Council's representative, learned a lot, appreciates Council's confidence in serving and hope I did the job justice. From the school district wishing a very Merry Christmas and Happy New Year.

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**REPORTS OF BOARDS AND COMMISSIONS:**

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**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

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**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella this past Tuesday I was in Detroit speaking with Ford Motor executives about Engine Plant One that looks solid for the next eight to ten years. One of the reasons I went up there is to talk about electronic vehicles in the future being built in that plant. Spoke with Ford Land officials and the environmental and all hurdles have been brought over, waiting for financing for the project. The dog park is on tonight's agenda and something that Councilmembers Burgio and Scott have been working on for a long time along with residents Dufour and Modic and the joint venture City of Middleburg Heights is now becoming a reality, looking forward to that partnership. To Mr. Stemm, did a great job as Ward One Councilman, will be missed and don't be a stranger. Mr. Burgio the longest consecutive serving Councilmember in the history of the City of Brook Park. You're a class and wonderful person and wish you the very, very best. The dog park was your idea and is now coming to fruition and always have been an advocate not just for the residents but for the animals and pets. Wish you good luck and blessings. To the residents of Brook Park, Merry Christmas and Happy New Year.

Mr. Stemm thanked Mayor Gammella for his comments.

**Questions to the Mayor:**

Mr. Burgio thanked Mayor Gammella for the kind words.

Mr. Salvatore asked Mayor Gammella how is the lateral transfers?

Mayor Gammella responded lateral transfers with the police department are being discussed.

Mr. Mencini asked Mayor Gammella if the senior snow plowing is ready to go?

Mayor Gammella responded absolutely.

Mr. Mencini asked Mayor Gammella if the Leopardo Group will be coming to Council?

Mayor Gammella responded yes.

Mr. Orcutt stated to Mayor Gammella good news with another decade for Ford Engine Plant One. Were any specifics talked about with the monies being put into Plant One?

Mayor Gammella responded the \$150 million-dollars will be for updating the machinery, computers and robotics. Even though the City of Lorain received \$950 million-dollars that's good news for Brook Park because a good part of Ford's costs is moving things from place to place. More money was spent last year in transportation then labor and overhead combined. With Avon Lake getting work more than likely Brook Park Ford Motor will be building engines for that facility.

Mr. Orcutt asked Mayor Gammella if there were any conversations about the 195 acres at Ford Motor?

Mayor Gammella responded I did speak with Ford Land about that last Friday and all the hurdles for that project are good to go, just waiting for financing.

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

Finance Director Cingle

Mr. Cingle reported the administration appreciates Council's approval of Ordinance No.'s 11134 & 11135-2019 that are time sensitive and needs to be adopted by the end of the year. To Councilmembers Stemm and Burgio it's been a pleasure serving with both of you and wish you the best in your future endeavors. Don't be a stranger, thank you for your service and to all the residents Merry Christmas and Happy, healthy and prosperous 2020.

**Reports and Communications from departments, commissions and other public officials: cont.****Recreation Director Elliott**

Mr. Elliott reported there will be a dance performance on Thursday, December 19<sup>th</sup> in the gymnasium at 6:45 p.m. Space is available for Movie Night, the Grinch who stole Christmas, on Friday, December 20<sup>th</sup> at 7:00 p.m. in the gymnasium. Saturday, December 28<sup>th</sup> the center will be having an inside tailgate party for Ohio State and Clemson game, doors opening at 6:00 p.m. and game starts at 8:00 p.m. Thank you to all the Recreation Commission members who were very active throughout the year and helpful. To the community Merry Christmas and Happy New Year.

**Law Director Horvath**

Mrs. Horvath stated the law department has no report. Thanked Councilmembers Stemm and Burgio it's been an honor and pleasure to work with both of you. To Mr. Burgio, thank you for your years of long service, you are the best of Brook Park. To the city, administration, employees and citizens Merry Christmas and Happy New Year.

**Service Director Garner**

Mr. Garner reported November's bulk Monday netted \$38.5 tons of rubbish, the next bulk Monday is January 13<sup>th</sup>. Leaf crews have been around the routes for several weeks and will be completed this week, if there are leaves left call the service department at 216-433-7192 for address pickups. Live Christmas trees will be picked up on regular scheduled rubbish days, place next to the rubbish cans. Good luck to Councilmembers Stemm and Burgio it's been a pleasure working with both. Merry Christmas and Happy New Year from the service department.

**Engineer Piatak**

Mr. Piatak reported Northeast Regional Sewer District is continuing field work on Hardin Drive related to the sewer study currently underway; private property dye-testing will be done starting tomorrow and the next few days. To Councilmembers Stemm and Burgio it's been a pleasure working with both of you. Merry Christmas and Happy New Year.

**Questions:**

Mr. Orcutt asked Mr. Piatak for an explanation of the hydrant work done on several areas of the newly paved area of Smith Road, north of Snow Road.

Mr. Piatak responded during the final walkthrough, we noticed a few water valve castings that looked good but possibly too high for snow plows causing damage to plows and pavement; the contractor came out to adjust those castings.

Mr. Mencini thanked Mrs. Horvath for the update on legal matters, to Mr. Elliott the tree lighting ceremony and senior party were great. To Mr. Cingle for help on the budget and hopefully will come earlier to get things rolling. To Mr. Garner and

**Questions to the Directors: cont.**

the service staff thank you for responding to memos and thank you to Mr. Piatak for everything.

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

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**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

Liz Sayers

23065 Cedar Point Road

Ms. Sayers stated to Mr. Burgio when first meeting you were very quiet and introduced ourselves and since then happy to know you and enjoyed past conversations. Wishing you the best of luck and you are appreciated and Merry Christmas and Happy New Year to everyone. The tree put up in the gazebo will be dedicated to the Burgio family for being a Councilperson for everyone.

Mr. Burgio thanked Ms. Sayers for the nice words and commented didn't know my family was going to be here, nice surprise.

Delourde Sheppard

15832 Ashland Drive

Ms. Sheppard stated the dog park is a great idea for Brook Park but has some reservations of being in Middleburg Heights (Hts.). When people look at a city they look at the assets and the dog park located in Middleburg Hts. will never be a Brook Park dog park. Initially, this was going to be free and the last discussion heard several thousand dollars plus insurance and maintenance. My belief for \$35,000 Brook Park can find a plot of land, put in pea gravel with a fence and call Carl Burgio's dog park. The city will be responsible for its own dog park. Years ago Brook Park paid money for the Tri-City center located in Middleburg Hts. and when going to that center felt snubbed and didn't go back. Another comment is in May, 2019 met with the Mayor about issues in Ward 3 that directly affects property value of her home that have not been resolved, since that time. Number 1 the old Assumption school graffiti on the wall is against the city ordinances. We, as residents, have rights that this city needs to approve or not approve regarding graffiti put on a wall. It's freedom of expression but previously someone in the city wanted to put up a pool, fence, painting or something different. Had to follow the precedence of a variance and residents could attend that meeting and voice their opinion; that never happened with this graffiti. This has been there long enough and this city needs to move forward and do something about it.

**Remarks from the audience on any subject: cont.**

Secondly, is the Howard Johnson's hotel in the city and the property not being fixed over many years. The owner needs to be given a timeframe by someone in the city to fix, tear down, sell it or do something with it. The hotel is not to code and the clientele coming out of there is less than good. Last week I sent Councilman Orcutt a notice received that another sexual predator is living in Howard Johnson's, better known as the HOJO, this is the third predator that has lived there and used a permanent residence. Someone in the city needs to clamp down that this is not a permanent home. Thirdly, Bob Evans on Snow Road, last week we took our granddaughter for a 'piggy pancake' and going into the restroom looking at three prostitutes in the bathroom; we left immediately and will never go back there again. Speaking with manager was informed that there is a terrible problem with that particular clientele and it's affecting business. Lastly, the former BP station on Snow and Smith Roads it was said last summer. That property was going to be remediated and the tanks would be removed; to date nothing has happened. My husband promised me that if this stuff by the end of the year was not remediated we could move, after 48 years of living here. I don't want to do that this has been the longest home I've ever had and put a ton of money into the home. I feel that these issues are greater than I can fix and am asking for all of you to fix it. Not sure what has to be done to fix this but would like an update as to what's been done. Tonight there was a little glimmer of what is going into the Ford Motor plant that is located in Ward 3 and will affect property values more than anyone else in the city. Ward 3 residents have put up with Ford Motor fumes and soot for many years and hoping whoever the new neighbors are good neighbors. Once again, the residents were told in September who the owners of the property would be and it is now December and nothing is known. So I'm asking as the end of the year comes that make a firm effort the first of the year, I will give my husband a three-month reprieve I'm moving. If not, the for sale sign will go up.

Tom Troyer

18352 Calvin Drive

Mr. Troyer thanked the Ward 1 residents for election of a third-term as Ward 1 Councilman. A city-wide Merry Christmas and Happy New Year.

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

1. ORDINANCE NO. 11138-2019, AMENDING CHAPTERS 1124.08 AND 1124.09 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PERMIT; FEES AND NONCONFORMING BILLBOARDS' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11138-2019, has had its First Reading.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11134-2019, AMENDING ORDINANCE NO. 11074-2019, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella \*\* as substituted\*\*

**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. Burgio, to adopt.

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

**NAYS:** None. Ordinance No. 11134-2019, has passed under Suspension of the Rules. Adopted.

2. ORDINANCE NO. 11135-2019, 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.

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

**ROLL CALL: AYES:** Burgio, Mencini, Stemm, Poindexter, Salvatore, 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. 11135-2019, has passed under Suspension of the Rules. Adopted.

3. ORDINANCE NO. 11136-2019, AMENDING SECTION 933.99 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PENALTY' AND DECLARING AN EMERGENCY. Introduced by Councilman Scott.

Mr. Poindexter proposed an amendment to Section 1 - Penalty to insert 'whoever violates Section 933.04 of this Chapter shall receive a warning letter from the building department on the first offense and on the second offense and each offense thereafter, shall be guilty of a minor misdemeanor; punishable under 501 of the codified ordinances. Whoever violates any provision other than 933.04 shall be guilty of a misdemeanor of the first degree punishable under Chapter 501 of the codified ordinances.

Mr. Vecchio reiterated the proposed amendment.

Mr. Poindexter concurred and provided the classification of offenses as follows: 501.02(a) offenses include misdemeanors of the first, second, third and fourth degree, minor misdemeanors and offenses not specifically classified. 501.02(d) any offense not specifically classified is a minor misdemeanor if the only penalty that may be imposed is one of the following. 1) for an offense committed prior to

**Second Reading of Ordinances and Resolutions: cont.**

January 1, 2004 a fine not to exceed \$100.00. 2) for an offense committed on or after January 1, 2004 a fine not exceeding \$150.00. Community service under Ohio Revised Code (ORC) 2929.27 (d) for a financial sanction under than a fine under ORC 2929.28.

Mr. Mencini asked Mr. Scott's thoughts on introducing this legislation?

Mr. Scott responded thoughts the same as before introduction of original ordinance of August, 1991, for 37 years this has not been an issue. The only way to make it so that first offense wouldn't be a citation, just a warning letter. The fine and penalty, of course, is up to the discretion of the judge. Do not believe anyone has been fined \$1,000 or given six-months penalty. The original intent was to have the first offense be a warning letter and there was no direction as to who cites, gives the citations or warning letter.

Mr. Salvatore understands Mr. Scott's intent by softening the ordinance up so that people aren't being penalized or punished for a first offense; only getting warning letter rather than being cited. Suggested the legislation have second reading so that everyone can digest the proposed amendment.

Mr. Stemm agrees with Mr. Salvatore for second reading and thinks research has to be done by the law department to see if the building department is eligible to issue minor misdemeanor citations, there is a gray area with the elements and fines.

Mr. Vecchio stated Ordinance No. 11136-2019 has had its Second Reading.  
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**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11037-2019, PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO ARTICLE IV, SECTION 4.01 AND SECTION 4.02; OF THE CHARTER OF THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY. Introduced by Councilmembers Salvatore, Orcutt, Scott and Stemm.

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

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

**NAYS:** Poindexter, Mencini. The motion carried with a vote of 5-2.

**Third Reading of Ordinances and Resolutions: cont.**

2. RESOLUTION NO. 38-2019, 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. Mencini stated that prior to adoption he thought the matters with the insurance and other issues were to be looked at.

Mr. Orcutt reiterated not in support, supports Councilman Burgio's idea, believes the dog park should be in Brook Park (BP). Does have questions with the finances and if the insurance specifications are available.

Mr. Stemm stated the Memorandum of Understanding (MOU) is not needed to pass this Resolution; both should mirror each other.

**Motion** by Mr. Stemm, supported by Mr. Poindexter, to place back in committee.

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Mayor Gammella clarified the motion to place the dog park back in committee?

Mr. Mencini commented when Middleburg Heights (MH) Councilmembers Sage and Ali were at a meeting questions came up about the insurance. Mr. Sage responded the insurance would be covered by Middleburg Heights. A MOU had that along with other expenses that we wanted to be 100% sure about; doesn't believe all the T's are crossed and I's are dotted.

Mayor Gammella stated Council, you can't vote no and get things done. We have to move this city forward; this has been kicked around for so long. I met with MH Mayor Castelli at length today about the MOU there will be an escape clause inserted for Brook Park to get out; the amount will be up to \$35,000 and the City of Middleburg Hts. will cover the insurance. I made it very clear to Mayor Castelli that Brook Park city workers at the dog park since it is located in MH and Mayor Castelli concurred with that, except in case of an emergency i.e. Mutual Aid. Reiterating the insurance will be covered by MH, the board will be comprised of three members of BP and three members of MH and BP volunteers can work the dog park that's not an issue. The really keen thing about this dog park is I would like to make is an adoption center where people from MH and BP can come and adopt animals, giving the animals twice the chance to get adopted. The BP animal shelter, in my opinion, is not a desirable location to house animals. The cost up to \$35,000 will be paid for out of the general fund and the same for MH. The dog park will be open from dawn to dusk and if continued after one year the expenses will be shared 50-50% with the City of MH and MH and BP residents are the only

**Third Reading of Ordinances and Resolutions: cont.**

ones having access to this dog park, using a card swipe for entering and exiting. Thinks this is the most expedient way to share services that is done with police, fire and the school system, let's do it here. We need to get away from the point of always BP or MH and start thinking more of a region because, quite frankly, cities can't afford to have all this stuff on their own anymore. We need help, partnership and commitment from other communities and thinks this is the best opportunity the city has had. Great location on Sheldon Road that will not affect residents and implore pass this Resolution and let's move on and bring back the MOU to Council.

Mr. Mencini agrees with Mayor's comments especially with doing things regionally, that's what communities are doing and that's the way of the future. Sometimes, things get dropped in front of Council last second i.e. appointments with no phone calls, that's the problem I have. As long as I know ahead of time I'm fine with a lot of things and we are all for moving this city ahead, I like clarification and like to know ahead of time.

Mayor Gammella responded two representatives from MH were hear for questions along with Councilmembers Burgio and Scott who worked very hard on this project, all that is needed is a phone call.

Mr. Burgio asked his colleagues to reconsider placing back in committee. First, this has been the most transparent thing done in a long time that I can think of. Everyone has been given an opportunity to ask questions and texted all of you when this joint venture came up with MH. The history going back is when BP was starting the idea of dog park MH wanted to help us with it, when the atmosphere wasn't good in MH due to not having full support. That almost happened in BP and two of my colleagues are in attendance when I first brought up the idea of dog park in April, 2007; former Ward 4 Councilman, Brian Higgins, and former Councilman at large Danny Colonna. I've been working on this for a long time and wanted to have it in BP and this does not preclude from having in BP. However, this has been a long haul and almost had it two years ago with the problem of having a clearance of 200' for the dog park and neighborhoods. The neighbors in that area along with Mr. Orcutt opposed it at that time due to being too close to neighbors. Those neighbors said they weren't opposed to the dog park but didn't want it in their backyard; I've heard that a lot and tried very hard to get the dog park in BP; the city doesn't have parcels large enough with the exception of a few. Would like to thank Laura Pauley for assistance with the bylaws along with other people who have helped make this happen. When BP was invited by MH Councilmember Ali to do a joint partnership the city could have one. First thing I did was talk to each and every Councilmembers who said it sounds like a good idea and makes sense including the Mayor so we kept moving forward, that was about ten months ago. The dog park will belong to all of us and it's not going to be somewhere to put pea gravel down and fence around, I would not be proud of

**Third Reading of Ordinances and Resolutions: cont.**

That and don't think anyone in BP would be proud of that. Visiting one or two other dog parks that are just a mud hole. We want something for our community and as the Mayor stated we do things jointly all the time and always have been. I was on the Tri-City Senior Center board located in MH but BP residents' valued that center and through taxes monies were paid for that center. Southwest General is paid approximately \$100,000 a year renewing the levy. Why? Because a lot of BP residents want that and for some their doctors' are there, once again, not in our city. Mutual Aid BP lends MH the city's ladder truck and do things with other cities, we work together. BP has had a history of doing that and this is an amenity and would not bring this forward if not good for BP and there are a lot of dog lovers that would agree with that. This is going to be something to be proud of and we can quibble over a lot of things and let it drag on and on. Regardless, MH will still have a dog park and with doing it jointly BP will have a voice on that dog park with having an advisory committee from each city providing input. I think there are more dogs in BP than MH so more BP residents will use the dog park. Things like this have been done and this is nothing new and have texted each of you twice and appeared on two Caucus agendas for discussion. At one point, when MH Councilmembers Ali and Sage attended one of our meetings Mr. Salvatore stated all his questions were answered, as well as other questions that were answered. At the last Council meeting, some Councilmembers wanted to meet with the Mayor and I texted each of you reminding to email all your questions to the Mayor so they could be answered. With that, I don't know how much more this can be talked about unless you don't want the dog park then vote no but don't hide it under a rug and put it back in committee. Vote your conscience, what you think is right but I still think this is good for BP. I have never proposed anything bad for BP and have done things in my 20-year tenure that I'm proud of and when doing have carefully thought about it. My vote was the deciding vote to close down the bars on the north side of Brookpark Road when the city inherited them, I'm proud of that vote and it's a good thing. I've always tried to do good things for BP and if I didn't think this was a good thing I wouldn't do it. I think you'll see this will be a good thing for BP and BP residents will take advantage of. Once again, I am asking my colleagues to reconsider and vote yes or no and not put back in committee; you're still my friend. Because, that's an easy way out to kick the can down the road and if we continue to think small we're not going to get anywhere in the city; we need to think outside the box. This is outside the box and not sure of any other communities doing this jointly but if this turns out the way I know it will positively I bet down the road other cities will get together. BP may be on the cutting edge of doing something different and something that may be talked about for years.

Mr. Poindexter stated I like the idea of the dog park and had one suggestion of inserting words 'not to exceed \$35,000' which is now included in the legislation along with the escape clause. I want to rescind my support on the motion and

**Third Reading of Ordinances and Resolutions: cont.**

vote on this tonight.

Mr. Orcutt stated I believe most people heard what I had to say when speaking about this at the last discussion. I do want to clarify there was discussion ten months ago about this and at that time I made sure that I reiterated that there was no cost to the city of BP and agreed to that. Again, Councilman Burgio as stated on my first day on the job if I don't vote with you it's not personal it's just what I think is important business for the residents of BP. Again, reiterating I don't think this is the right investment, at this time, for the city; I think there are other things that are higher priority. The \$35,000 plus insurance costs and possible fees could be put into the new cards, the first I'm hearing of as well. I do believe this is something that needs to be in BP because I don't believe it's a good marketing tool for people moving to BP because there's a dog park in an adjacent city that we are allowed to use. I think we can make that investment in BP and haven't the time to discuss ideas with the new administration, this just came up last month and following through within 30 days. I think the idea of putting the dog park on land around the west end fire station would be a great idea. Don't think it would be too costly or doing something very basic is the idea. I think doing what you have, Councilman Burgio, in your plans is a fantastic plan. I think this is nothing but looking at an area of land with the city's arborist and Mayor. Then place a fence and pea gravel up there along with the good ideas of fundraising and also to tell people move to BP, this is a good investment. All the joint ventures go outside the city i.e. hospital that taxpayers pay property tax and MH gets all the income taxes. I want to reiterate and make sure that everyone understands why I'm a non-supporter of this and the idea of a dog park doesn't enhance a community and want people to understand. In the discussion ten months ago there was no money involved on Brook Park's end.

Mr. Scott stated I was in the initial discussions back in April, 2018 when Mr. Modic approached Council about a dog park in BP and provided a quick little cost-analysis. As it stands right now the way the land is at Sheldon Road it's going to cost about \$110,000 to get the park up and running, that's with existing fencing, water, electricity and 290' x 90' feet parking lot. If this Council thinks they're going to get anything cheaper than \$35,000 initial investment, joint services, joint venture meaning two parties. Doesn't mean one party putting their name on it and the other city (venture) goes in having no responsibility. \$110,000 is the initial cost of what it's going to take to get this dog park open that will be a nice state-of-the-art dog park, not like some other dog parks. In April when this was proposed this was a work in progress, there were no numbers in April. We continually went out to get prices and working to get that price lowered. Come April maybe it was wrong saying no cost but that was not known, we were still in the process of getting prices. If this city or Council thinks we can go to the west end to clear a couple of trees, put in some pea gravel with no electricity or running

**Third Reading of Ordinances and Resolutions: cont.**

water pay for a fence for less than \$35,000, I would be on that band wagon and will support that. \$35,000 joint venture with each city having three members (advisory board) having equal discussions and responsibilities with the majority of the funds will be through fundraising, it's a win-win for both cities. I don't understand and will ask the members making the motion to place back in committee to pull that motion and vote, either up or down.

Mr. Vecchio interjected Mr. Poindexter rescinded his second (support) of the motion.

Mr. Scott continued we can't be a stepchild to MH anymore; this is a joint venture that can be done jointly to improve the quality of the residents. In 2007, Mr. Burgio, in 2002 Mr. Ali this is not something that has just developed it's 17 years for MH Councilmember Ali. 12 years for BP Councilman Burgio trying to get this into the City of BP. We don't have the ability to do it for the cost they have that was proposed to this Council.

Mr. Mencini stated this is a dog park resolution and my name is on here and the Mayor provided some of the answers I was looking for about insurance and costs. There are a lot of amenities that the city wants along with a lot of needs. The work Councilman Burgio did on this, the answers from the Mayor, my name is supporting the legislation.

Mr. Salvatore commented when this all started this was discussed at length and at that time there was no cost to the City of BP, whether anyone knew that was a reality was irrelevant. How can you say no to a dog park with no cost to the City of BP after having tried on many occasions to get a dog park? The MOU was presented, amended and the City of MH didn't have a copy of the MOU. At that time, I said I couldn't support a MOU until both parties were in agreement as to what would happen. I spoke with the Mayors of BP and MH asking to take some time to iron out the MOU and thank both Mayors to take the time to do that. I had the conversation that the insurance cost is going to be off the table with BP not being liable for any of that and hoping that holds true. What is in front of Council tonight is a non-binding resolution saying BP is interested in putting together a joint venture with the City of MH for a dog park with the total investment not exceeding \$35,000 you will see a joint venture dog park. If the involvement monetarily exceeds how much more will it be i.e. \$100,000, \$120,000 for five years; those things will be known when negotiations are finished.

Mr. Stemm rescinded his motion to place back in committee.

**Motion** by Mr. Scott, supported by Mr. Burgio, to adopt.

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**Third Reading of Ordinances and Resolutions: cont.** Mr. Salvatore reiterated his request to consider having the legislation sponsored by Councilman Burgio only.

Mr. Mencini asked Councilman Burgio's thoughts?

Mr. Burgio responded as I mentioned at the last Caucus about solo sponsorship. My response was this doesn't belong to me it belongs to my colleagues and the Mayor. This is not my dog park it's all of our dog park and would like to have all of our names on there and thank everyone for co-sponsoring. It's not my dog park it's the City of Brook Park, City of Middleburg Hts. and all residents dog park. The satisfaction I will get when visiting hopefully this summer, I will see a lot of BP people enjoying the dog park.

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

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**Motion** by Mr. Mencini, supported by Mr. Orcutt, to go out of the Regular Order of Business to bring Mr. Danny Colonna to the podium.

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

Danny Colonna  
 17948 Sheldon Road

Mr. Colonna stated to Councilman Burgio, that's why your such an outstanding Councilman for 20 straight years, you understand. You work as a fist not as an open-hand and like how you got the dog park done tonight; Congratulations. Back in 2007 we were working on that and unfortunately things fell through with Councilman Ali otherwise that dog park would be there already. The reason I'm here tonight is going back to 2001 I made the decision to run for City Council and you were the first person that called me saying I want to walk with you. As crazy as it sounds knocking on doors what an awesome time we had; every single term we ran was outstanding, fun, lot of joking and enjoyable. Mr. Salvatore and Mr. Higgins were with us and Brian (Higgins) is in attendance tonight not to see the Council meeting. During that whole process and my father being in politics I was nervous knocking on doors, not an easy thing to do. That was one of the things you taught me is these are the people you will be speaking for when you get on City Council and there was no doubt in your mind I was going to win. You gave me that confidence every time I went to the door and going through the 2001 campaign and 9-1-1 hits and lots of things changed. All of a sudden during the campaign we're thinking how we're going to handle things and Mayor-elect, at the time, Mr. Elliott had to have those discussions, those were challenging times. The discussions you had with me and the nervousness I had sitting up there, which we

**Dedication to Councilman Burgio: cont.**

all have when first getting up there, you're nervous whether you believe it or not. You put me at ease and a lot of the challenges we had with the economy and the way things were going we were able to get a lot done; working as a fist not an open hand. Always communicated by picking up a phone and you taught me that pick up the phone, call the director if you have a question. Don't wait until Tuesday night and those were a lot of things I performed as a Councilman, those things I inherited from you as a Councilmember and human being. I believe I turned into a pretty good Councilmember because of you and appreciate that. I'll never that when Council President Gammella said this is the best Council I've ever worked with and believe it was the best Council he ever worked with and believe you are the spark plug that created that, I truly believe that. Never once did you come to a meeting and were surprised with what's going on. We knew where you stood because you would call us before meetings, during the week, on the weekends and tell us your feelings. There were times and I can respect what you said tonight you're still my friend. No matter how you look at me, how you vote on something that I believe is good for the residents of the community of Brook Park I'm still going to be your friend and you would tell me that on some things that I brought forward and had strong beliefs would do great things for this community. You would tell me I'm with you or if you do it this way I can be with you and pretty happy to say almost every single time we were able to negotiate and make sure that piece of legislation went from being good to great, because of making changes. Mr. Poindexter said tonight he needs more information, a few changes and went from being good to great and that's some of the things I learned from you. You don't just go out there and ram it you have to work with your colleagues and you taught me that and I appreciate that. One thing I will say about you not only being an outstanding Councilman 20 straight years. I thought 12 years was a long time being up there but 20 straight years, that is unbelievable. Again, every step you walked with me in every campaign I've been in I just want to say I greatly appreciate it and am honored to have had you walking with me and honored to have you as a friend, as many of these guys up here are. Your friendship is treasured by all of us and you are an honest, upstanding human being. When the day's over that's what you have is your beliefs being an honorable human being and always there for the residents of Brook Park. I'll never forget when you told me you just drive around town making sure street lights are working, this and that, communicating with the residents. People don't understand and all of you do now this here on a Tuesday night is a fraction of your job, everyone thinks this is what you're getting paid for. I wish that we could do a reality show for people to follow you all around to understand exactly what your job is and the time and effort that goes into it. No one has put more time into being a Councilman than you Carl and I just want to say thank you not only for serving my family as a Councilman in the City of Brook Park but for your friendship. Former Councilmember Kirksey couldn't be here tonight but said Carl is a great guy, just so easy to get things done to move the

**Dedication to Councilman Burgio: cont.**

city forward, meetings were 30 minutes long or whatever may be but things got done because of people like you. We greatly appreciate what you've done for this city. That being said Mr. Colonna invited Mr. Burgio to come down for a gift presentation on behalf of City Council. The words printed on the crystal cube are words City Council shares that reads "In honor of Brook Park Councilman, Carl Burgio, for your loyal commitment and dedication serving the residents of Brook Park for 20 consecutive years on Brook Park City Council. Your passion and love for the community for Brook Park will never be forgotten. The very best wishes to you and your family". Thank you and congratulations.

Mr. Burgio stated I'm not giving a speech, just want to say thank you.

Mayor Gammella presented Mr. Burgio with a Proclamation honoring Carl as the longest term Councilman consecutively in the history of the City of Brook Park. The proclamation is quite lengthy, Mayor Gammella read an excerpt "I, Michael D. Gammella, Mayor of the City of Brook Park hereby claim Wednesday, December 18, 2019 as Carl Burgio Day in the City of Brook Park".

Mr. Elliott stated first of all Councilman, I've known you for a very long time, 1998, and it was very fitting how everything went tonight. If an idea was good for the city you supported those things, if something bad you didn't support. You've worked hard and it's a great honor, this being your last Council meeting, all that hard work (on the dog park) will be a great thing for the city and I know you'll be over there every day making sure of that. A couple words I want to share with you the community has been very lucky to have you serve. You have served our city with the highest integrity, honesty, character and fairness and the best way for me to describe you is a 'true statesman'. Thank you for all the years I was able to serve with you and know the community has been very lucky and fortunate to have you as their Council representative. I hope along the line and for many years to come others will follow your lead. Carl, it's been a pleasure. One other thing anybody who serves in public office your as good as your family; they have done as great a job so congratulations to your family, as well, for all those years of support, allowing you to do what you've done. On behalf of myself and the recreation department staff a small token of appreciation of a sweatshirt was presented to Mr. Burgio that says 'Brook Park Recreation with Carl's name', thank you for all the support and years.

Mr. Vecchio stated to Mr. Stemm it's been a pleasure these last two years serving with you; you've done a marvelous job. With the commitment to the residents of your ward as well as the city. You've handled your position with the utmost professionalism and integrity and it's been my pleasure to get to know you and call you a friend and want to thank you. Mr. Burgio, where to begin, will start by saying the city and our upstanding residents have been blessed by your impartial

**Dedication to Councilman Burgio: cont.**

service these past 20 consecutive years. It's a feat that is and may very well unparalleled on this Council. You've served our community not just with integrity, compassion but also with your heart and soul. The only agenda you've ever had was for the betterment of Brook Park you never wanted to be in the limelight and always led by example. Never by your words but always by your actions. I have been able to not only know you professionally by sitting up here but personally throughout my time walking with you in the city and must say you're an amazing individual and ultimately a great friend. To the both of you I want to thank you for allowing me to serve beside you; it's been my pleasure.

Mr. Burgio stated honestly, I didn't expect this and did not know that I was the longest serving Councilman, consecutively, knew it was a long time but never thought I'd be here for 20 years; I thank the residents for placing the confidence and trust in me. I enjoy and enjoyed serving the residents and count it as a privilege and there the customers and that's how I see them, as customers. We have to do with what we think is right for them whether we agree or disagree and that's first and foremost. I think that's how every elected official should be and think a lot of them are. The residents come first and Brook Park is in good hands and I'm just at a loss for words because this is such a special night for me and seeing my friends and neighbors here that I worked with on different committees, it's an unexpected surprise and really gratified by it. I just figured I did my job and that is what was required of me. I learned a lot about people during my journey and a lot of good things have happened working with three Mayors' and believe each Mayor passed the baton to each other and made the city a little bit better, I really believe that. I always say that the glass is half-full not half-empty in Brook Park. If we tend to be negative, think negatively then things will be negative. I think we need to think positive and think that Brook Park is in good hands and also want to wish the newly elected Councilmembers the best. Once again, I think the city is in good hands and think that's the case. During my service I enjoyed going door-to-door, some people dread that, I enjoyed that because of the chance to hear what's on people's minds, some people don't want to bother you with a phone call. When going door-to-door residents will open your heart to you and say what is really needed from their perspective in the city. I enjoyed going door-to-door and learned a lot and with Mr. Colonna he was a natural. It didn't take too long when first starting to walk with him, he stood by and watched what I did and didn't take long for him to catch on, it's in his blood from his father (Rocco Colonna). We walked a lot and when Mr. Colonna was running for Mayor we walked and told him according to my pedometer we walked equivalent from here to Niagara Falls and almost all the way home to Erie, PA. that's the way it is done going door-to-door, finding out what people want and do your best to make it happen, never make promises. Working with all of you here made my job easier because you did your jobs and when someone had a need I never would say you're going to get it by making promises. I would check with

**Dedication to Councilman Burgio: cont.**

the director asking if it could be done and if possible let the resident know it can be done. The people we have working for our city are top-notch and do their jobs and can't say that enough. We live in a great city and it has been my privilege to represent the people in Brook Park. I am so gratified and as far as the dog park thank you to my colleagues for that because I consider it, in my mind, as a gift to Brook Park. Something that I tried to make sure happen for a long time, over 12 years, and is something I think is going to be an amenity that they will enjoy and looking forward to that. Thank you, colleagues, for voting in favor of the dog park just puts another cherry on the cake for this evening for me. Working hard when you believe in something is the way to do it. Again, if you voted no you're still my friend, as mentioned, and will continue to be my friend. Thank everybody for coming tonight; my wife Kathy, daughter Joann and son Joe for all their support. It does take the support of a family when you're an elected official because there are a lot of sacrifices. Thank you to everybody for coming out and all the kinds words expressed and really appreciate it very much for this special night.

Mr. Salvatore stated to Mr. Burgio that he really enjoyed working with him and would be remiss if I didn't say to Mr. Stemm. Unfortunately, you were here for a short time but you did a great job and it was a pleasure working with you; it's hard to follow an act of a man that just did 20 straight years. Hopefully you'll stay active in the community and we'll see you again soon.

Mr. Vecchio stated there is cake and coffee in the snack bar area in honor of Councilman Burgio.

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

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

**NAYS:** None. The motion carried.

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

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

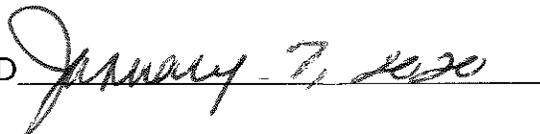
Council President Vecchio declared this meeting adjourned at 9:12 p.m., wishing everyone a Merry Christmas.

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.