

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, FEBRUARY 11, 2020**

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, SCHMUCK, ORCUTT, TROYER, MENCINI, POINDEXTER, SALVATORE

Also in attendance were Law Director Horvath, Mayor Gammella, Finance Director Cingle, Cuyahoga County Councilman Miller, Recreation Director Elliott (8:03 p.m.).

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. REGULAR CAUCUS MEETING HELD ON JANUARY 14, 2020.

Motion by Mr. Mencini, supported by Mr. Scott, to approve as previously amended.

ROLL CALL: AYES: Mencini, Scott, Schmuck, Orcutt, Troyer, Poindexter, Salvatore

NAYS: None. The motion carried.

DISCUSSION:

1. A PRESENTATION AND DEMONSTRATION FROM BROOK PARK RESIDENTS RUSSELL AND DEBORAH HORNER FOR THE INVENTION OF A NEW GAME CALLED 'BATTLE TOSS'.

Russell Horner

21858 Forestview Circle

Mr. Horner thanked Council President Vecchio and Council for allowing to present and share the new Battle Toss game that was developed in 2017; with the same idea of Basketball, Plinko and Connect Four; with the first game weighing 150-pounds and using softballs. The patent was approved in December, 2017 and in 2018, the game was re-engineered from 150-pounds to the current version that uses ping-pong balls. The object of the game is two players or teams take turns throwing their color-choice ball into the basket and the winner is determined by getting four balls in a row diagonal, horizontal or vertical. We were contestants and won a few shark tank awards and have a digital contract of a website to start selling the games in 2018. WVIZ Ideastream contacted myself to come and make a video on how the game plays. In 2019, over 300 games were sold in the United States, Canada and one in Germany. A demonstration of the game was given by Mr. Horner taking on Mr. Elliott on how the game played. Mr. Horner dedicated three (3) games to the Recreation Center, City Hall and City Council.

Mr. Poindexter thanked Mr. Horner for the demonstration and asked how many patents are located in Brook Park.

Mr. Horner responded there are 577 patents issued under the City of Brook Park,

Discussion: cont.

both in two words and one word. Most are for companies located in the city but there are interesting individuals that also received patents; one, in particular, was a bowling apparatus that goes on a wrist to keep the wrist straight.

Mr. Poindexter commented the reason for the question and you coming here is to encourage residents of Brook Park to design their ideas and chase their dreams.

Mr. Vecchio asked what is the purchase price?

Mr. Horner responded online is \$109.00, city residents are discounted \$20.00 off the web price. The game was not invented to make money it was invented to have family fun.

Mr. Vecchio continued how much time in building the original 150-pound game to building the smaller replica now?

Mr. Horner responded the first protocol took my wife and I one weekend and can now be built in 40 minutes. All games are hand-made with my wife doing all the laser-cutting and I cutting the boards and assembling; the basement is shipping and receiving.

Mayor Gammella commented great job and wish you the best. Another Brook Park resident, Mr. Malin, had about 50 patents and a city street named after him.

Mr. Horner commented on the family part of this, I donate time to find runaways (children) as a private inspector. There are a lot of problems in families today and think more family time is needed; hopefully, this can help a little bit with that.

2. PRESENTATION FROM RECREATION DIRECTOR ELLIOTT ON THE CITY'S PROPOSED CENTRAL PARK IDEA

Mark Elliott
Recreation Director
17401 Holland Road

Mr. Elliott provided a map of the proposed Brook Park City Center and thanked Council for the opportunity. Per the 2019 agreement between the City of Brook Park and Berea School District the city will soon take ownership of two school buildings. Brookview (Snow Road) and Brook Park Memorial (BPM Holland Road; with obtaining approximately 28 acres of property. The BPM building and 18 acres of land play an important part in this presentation of the Central Park improvement proposal. The demolition of the former city hall and council offices will be occurring very soon to improve the largest gathering place for families, friends and neighbors. The total city campus, termed Central Park, are bordered by Engle & Holland Roads, Sylvia Drive and I-71. Approximately 53 acres make up that entire area with 35 acres owned previously by the city and approximately a little bit more of 17 acres owned by the school. The recreation center staff and myself

Discussion: cont.

included, created a somewhat master plan or a work in progress document, as a starting point. Everyone should think about this property and how best it can be improved and share their likes, dislikes, ideas and thoughts. The goal is to collectively come together unitedly to improve an area of the city where thousands of people come to have fun. In this area there are many events during the course of the year i.e. sports programs, concerts, honoring veterans and the military, car shows as well as the playground area. Terry Johnson, city hall receptionist, handles all the Kennedy Park pavilion rentals during the summer months and in 2019, during the month of May there were three weekend bookings. The month of June every weekend had a booking except for one, month of July all weekends were booked except for home days' weekend. The pavilion isn't booked this weekend but there is a group of people for the last 30 years who arrive early to use the pavilion. The months of August and September the pavilion was booked every weekend, except for one; out of five months the pavilion was booked except for one weekend. Many, many people in the course of the year stop at Kennedy Park. Looking at the provided map of the Brook Park City Center any input, ideas or feedback are welcome from the leaders and residents of the community. Mr. Elliott went through different areas of the provided map explaining some of the ideas for each area. The recreation staff recently visited a few recreation centers and spoke with other people and splash pads are the popular item right now. There have been many discussions about the pool that the Mayor and recreation staff would like to see come back, would be a tremendous feature to return. The outdoor water park needs significant upgrade so when pool discussions take place it is not only about the indoor pool and these issues up were brought up to the pool committee. Renderings will be prepared with some ideas that will include different parts of this diagram i.e. landscaping mounds and potential ideas of the pool area; like the renderings of the new elementary school renderings in the recreation center lobby. One of the questions to come up is how will the city pay for this? The answer is not all of these items need to be done at once but if there is some commitment that can be made to do a little each year. One example when serving on Council with Councilman Salvatore and now Mayor Gammella. A decision needed to be made about Brookpark Road adult entertainment establishments and that was a very difficult decision for a number of reasons. At the end of the day being a Councilman, I told myself I'm going to vote this way because 20-years from now I don't want to travel Brookpark Road and say I wish I would have done that and now 20-years later I can proudly drive down that road with a lot of the items voted on being gone. Doing this plan a little bit at a time by making a commitment to do something every year, in five years that would be an outstanding thing. The commitment from the recreation staff is by recently submitting two grants. Working with State Representative, Bride Sweeney, a grant was submitted for the amphitheater and another grant has been submitted for the pool area, waiting to see how things go. From the standpoint of the recreation staff what we will do and try to do is be as accurate as possible and apply for as many grants possible, to see what kind of dollars can be secured. There have been discussions with the Mayor and Finance Director about a grant-writer and a company, as well as other people, being considered for assistance in grant-writing for all departments. In five or ten years from now the city will be better for

Discussion: cont.

these ideas and think the residents deserve that. My thought is recreation is responsible for providing fun and entertainment, whether it be a program or exercise class.

Questions:

Mr. Salvatore thanked Mr. Elliott for the rendering and asked moving forward will an expense chart be provided for each change to do something in a three-year to five-year plan, going forward.

Mr. Elliott responded costs will be put to each idea.

Mr. Salvatore continued how long is the proposed outdoor track.

Mr. Elliott responded 1¼ miles and with not knowing what will be done with the elementary school, the smaller track is about ½ mile.

Mr. Salvatore commented on seeing another baseball field.

Mr. Elliott responded open to any suggestions and where the football field is looking closely there are two baseball fields.

Mr. Salvatore questioned if the names of the baseball fields would be changed?

Mr. Elliott responded no.

Mr. Orcutt mentioned the itemized bills Mr. Salvatore spoke of will be a big proponent to decide how to move forward. This was a great presentation and like the open idea for having input. Bringing the football field back is a high priority to Brook Park and this is something that will reinvent Brook Park.

Mr. Elliott responded when talking about the all-weather field the schools have provided some turf on their sports complex property. Besides baseball and softball there are other sports coming i.e. soccer or lacrosse. If something is missed please provide input.

Mr. Orcutt stated adding the trees is important and a high priority. How soon would Council be able to see some pricing, legislation or ideas for moving forward with some projects.

Mayor Gammella responded as soon as possible. As Mr. Elliott stated working with State Representative Sweeney applying for a grant for the amphitheater, that idea came from Mr. Vecchio at a senior concert and as stated add something each year. Brook Park does not have a downtown area and the concept of a central park acquiring that 18 acres would be perfect because this city is known for recreation. If you look at how something can transform look at Coe Lake in the City of Berea. Brook Park doesn't have a lake but

Discussion: Questions: cont.

can have nice water feature centrally located in the city.

Mr. Orcutt continued the third item is obviously being the pool area and am bringing up some things that are important i.e. trees and so on. But, the pool is a very large item that everyone hears about. Would that be including the opening of the indoor pool?

Mr. Elliott responded with the proposed renderings there will be a couple different parts for the indoor and outdoor pool together. There are a lot of parts to that area that the architect suggested i.e. cabanas and things of that sort. The recreation staff visited two particular cities because in the last year one city built a new pool and another city is in the process of rebuilding the outdoor water park and building a third pool. As far as numbers those probably could be put together in a week or two.

Mr. Mencini commented there are also other needs i.e. streets and businesses that shouldn't be neglected. My point on this being in ward 2 I want to see this succeed and like the idea of wanting the community's involvement, as to how it will be done. One early Saturday morning last year there was much activity at the library, baseball and softball games being played, the marines were at the Armory and there was also an event at the gazebo, it was great to see all of that.

Mr. Elliott reiterated the idea behind this is what will help to draw more people to the center of Brook Park; a lot can be done to enhance the area and bring people.

Mr. Troyer stated looking at the rendering the one big change is a long-shot and hoping it happens. With the trees canopy is this included or separate; how is that all going to work together?

Mr. Elliott responded the tree border and landscaping is very high on the Mayor's priority list.

Mayor Gammella interjected with the \$25,000 grant received for trees it is very important to define this area and the arborist will be included. When Mr. Elliott was Mayor he had the landscape mounds, the big rocks, the large baseball and softballs as well as the trees that made the area look nice. We are going to pursue that by putting it all the way around. The area going around I-71 there will probably be two or three different levels to block the I-71 vision and muffle the noise; trees will be a very important part of this. With County Councilman Miller in the audience he assisted with the \$25,000 grant and will assist wherever possible.

Mr. Troyer continued in the rendering it looks like trees in the parking lot.

Discussion: Questions: cont.

Mr. Elliott responded correct and it's similar to the walkway from the Berea Library to Coe Lake. I don't think this will hinder Home Days parking in any way and actually will provide some shade and seating.

Mr. Scott stated with the two schools the city is acquiring is any of the play structures handicapped accessible?

Mr. Elliott responded in speaking with one company they can take the equipment out and some equipment can be relocated; Plant Lane is in need of help with play equipment.

Mr. Scott mentioned anyone that wants to take a road trip go to the City of Berea by the library and see what they've done over there, it's remarkable.

Mr. Elliott commented that entire project has been in the making for 10 to 15 years.

Mr. Scott asked for the status of the mechanical system at Brook Park Memorial (BPM)?

Mr. Elliott responded being in the school a few times recently, things are operational and working good. In both schools the kitchens are tremendous and mechanically the district has done a good job in maintenance. Arrangements can be made to get into the schools for a walk-through. Also, recreation staff will be going to a few other facilities and will let Council know when a trip will be made.

Mr. Vecchio stated two points I'd like to point out. The first one is the new basketball courts laid out next to the police station, due to past issues. Additionally, the one item I personally would like to see is an all-inclusive playground to put Brook Park on the map for handicap accessibility. Not only for wheelchairs and so forth but for autistic children and many different children with impairments to utilize these areas; there are games out there that the city could probably get grants for and assistance.

Mr. Elliott commented to Mr. Vecchio the information you provided I have followed-up with a representative from that company. There are things that are all-weather along with equipment that can come inside the building, something we will continue to follow-up on.

Mr. Vecchio commented there is a portable unit to be able to be brought inside for usage.

Mr. Troyer commented if the city wants to do an all-inclusive type of playground, Brook Park resident Jack Thomas, researched that approximately five or six years ago and has all the information. Looking at the rendering it seems there is an area on the backside of the playgrounds, that might be a good place, along with some restrooms for public usage.

Discussion: Questions: cont.

Mr. Elliott stated the city took advantage of that due to past problems with the location at the police department, that is a larger piece of property, there may be some other ideas and/or usages.

Motion by Mr. Mencini, supported by Mrs. Schmuck, that item number two was discussed.

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

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to allow County Councilman Miller speak.

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

Dale Miller, County Councilman
2079 East 9th Street, Cleveland

Mr. Miller stated it was brought to my attention that the City of Brook Park is considering opting out of the single-use plastic bag ban; that the county is in the process of implementing. The county is very concerned about the environment and concerned that all over this planet the resources are being depleted, faster than the earth can sustain. The plastic bags are littering streets, parks and getting into the lake and becoming a very bad environmental situation. There are certainly a lot of problems out there but it's very important that people think globally and act locally; everyone has to do their part and this is a good place to start. In Cuyahoga county, alone, there about 300 million plastic bags per year that fall into the wave stream, that's a phenomenal number. Recycling is becoming more and more difficult as an effect of options. The markets for recycled materials and/or waste material that are carried to China and other countries are being refused for acceptance. I agree with recycling but it's becoming a smaller and smaller part of the solution with the solution being useless. A point has been brought up about the single-use bags being re-used for other means and I, personally, use reusable bags all the time. In spite of that I continue to collect huge numbers of plastic bags from all different places i.e. newspapers and store packaging. We are in a transition phase with the plastic bag ban not going into effect until July 1, 2020, in terms of enforcement. After put into effect the county has no desire to levy any fines and penalties but would rather get people to comply and follow. The county has tried to be a good partner by working with municipalities with \$25,000 grant(s) for tree programs, community development supplemental grant(s) and just passed legislation to increase that program from the current number of 20 \$50,000 grants per year to 30 grants, so more communities can participate. Asking to please work with the county this is not going to work if the county and municipalities go in different directions, we need to work together. Give this a chance and see if it works I think people will adjust. If it doesn't work, then this action can be taken later. The Constitution of the State of Ohio gives municipalities exemption from legislation passed at the county level, just because you can doesn't mean that you should.

Discussion: cont.

The county believes this is good, positive legislation and is asking for support and cooperation from the municipalities.

Mr. Mencini stated to Mr. Miller I couldn't agree more, and like what you said about needing to find other ways instead of always plastic, same with paper. I don't agree with everything the County Council does, but think you do a lot of good things. On this one it's not only working with the county it's working with the environment.

Mr. Troyer stated this is my legislation you're speaking about and asked from whom did you hear about this?

Mr. Miller responded Mr. Poindexter.

Mr. Troyer continued home rule is one of the issues I have with this. Litter and depleted resources the cost would go up, like water bottles. Once they're not cost-effective it would change and don't think that's really a big problem right now; agrees with the littering. The city has a unique program called Audrey's Outreach and for many years I have given all my plastic bags, unless damaged, to Audrey's Outreach for to be reused for pantry items. What the county is doing by having this ban on these bags is not allowing them to be donated to Audrey's Outreach which hurts the pantry financially due to having to buy bags. That one of the reasons I brought this forward because the biggest issue is Audrey's Outreach will have to buy bags. Doing work in people's if a bag is needed for rubbish a plastic bag is pulled out to be reused. Some people say these bags are called single-use bags but I don't think that's true. The main problem here is littering and everyone can't be penalized because of people who litter, those people need to be ticketed must figure out a way to be able to do that. Also, a better county recycling program is needed.

Mr. Miller responded first of all, littering is only a small part of the problem. The problem is that we're generating huge amounts of waste and it's going into the wave-stream. The problem is not the availability of plastic there's plenty of plastic. The problem is the effect of generating all these plastic products that uses huge amounts of energy, huge amounts of resources and takes a lot to produce. For something that is used once or twice and thrown away, that's what I see the problem being. I have to say that there aren't any impact-free solutions to the environmental problems facing the earth. I'm saying that adjustments will have to be made down the line. This is nothing compared to what is coming, the county will take one issue at a time. This is something that we need to do and there is going to be impacts and I'm sure that we will find ways to take care of the food pantry.

Mr. Troyer commended Mr. Miller on changing the legislation with much improvement from the original piece. With home rule the city should be able to promulgate our own rules on this.

Discussion: cont.

Mr. Poindexter thanked Mr. Miller for coming to speak on this legislation on the agenda and with you being a co-sponsor at the county level; I thought it was important to have someone speak on the importance of this issue. I disagree with my colleague, Mr. Troyer, I don't feel the people being punished are the people who are forced not to use bags anymore. The people who would be punished are the people who have to live in an environment dealing with the after effects i.e. plastic bags in the waterways and things of that nature; 300 million bags with possibly one-percent (1%) getting into the waterways is a lot. The city has a right to home rule but also has the responsibility to make sure our environment is sustainable; not just now but generations to come. This legislation won't solve all our problems but is a step in the right direction. My vote is to opt-in to the county's ban on plastic bags and Audrey's Outreach can use boxes, like Aldi's & GFS, that are more recyclable friendly than plastic bags.

Mr. Miller thanked Mr. Poindexter and thanked Council and Mayor for the opportunity to address this issue that is still in the early stages with no final decisions made.

Mr. Orcutt thanked Mr. Miller for coming and speaking with Mr. Troyer on this we do have to accept changes in life and have to see what can be done for the next generations to come. I think that we must be very conscientious of what we are doing to this earth and a little change isn't that hard. What you're doing is remarkable and something we have to do; it's very important to be conscientious of our children, grandchildren, great-grandchildren and what type of earth is being left to them.

Mr. Vecchio stated to Mr. Miller with the switchovers going on currently our local Giant Eagle has gone to paper bags that residents must purchase. Which also entails a sales tax to the county; has the county looked at what that bottom-line may be across the county as far as a revenue stream? If they have or have not is that planned to be shared with the municipalities that opt-in to this ban. Second question, with the 300 million plastic bags annually and now going back to paper bags. For 100 years we had paper and then went to plastic due to destroying the earth by cutting down trees and now going back to that. Has there been any studies of the ramifications with going back to our trees?

Mr. Miller responded with the first question about the sales tax, the county has not considered that issue and doesn't know whether the overall impact is going to be more or less revenue. The county has appropriated \$50,000 for outreach and distribution of free reusable bags at senior centers and low-income areas; actively working with communities to help make this program work. To the second question, the county's belief is that single-use anything is bad for the environment. If all that is accomplished from this program is stop using plastic and switch to paper; the county doesn't think that's going to be significant progress. If the county is able to get people to switch from plastic and paper to reusable bags that will be the benefit. The other problem with plastic to paper is

Discussion: cont.

paper bags cost considerably more than plastic bags, retailers are complaining about this. The only way that retailers come out whole from this is 75%, 80% or 95% people switch using reusable bags. Then retailers don't have to give out very many single-use bags of any kind. If people use the single-use paper bags, then the retailers cost will go up and they won't be happy. It's the county's best interest for the environment and to make this acceptable to the retailers. We need to be successful in working with the public to get a large number of people from single-use to reusable bags.

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

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

3. COUNCIL RULE 12

Mr. Scott stated with rule #12 the last sentence needs to be removed that reads 'All ordinances and resolutions shall be read by title only on the day introduced and shall be referred to committee by the presiding officer' that been in effect since January 4, 2016. The Council rule prior to January 4, 2016 was in effect for over 40 years and the law director stated many times the quickest and easiest fix is to remove that sentence.

Mr. Orcutt asked for an explanation of the law director's opinion.

Mr. Troyer - Point of Order, shouldn't this be introduced by a Councilmember since it's not on tonight's agenda?

Mr. Vecchio responded no, this is an opinion from the law director.

Mr. Troyer asked who requested the opinion?

Mr. Poindexter responded I requested the opinion because Council has been going back and forth on this for several weeks with no conclusion. I asked the law director, last week, to write an opinion to simplify the process. It appears what the law director did except for the one issue Mr. Troyer found with the committee chair, not Council President, being able to pull legislation from committee. Other than that the law director's opinion simplifies what we're looking to do.

Mr. Vecchio stated Mr. Poindexter is the one who requested the opinion and will now go to the law director.

Mr. Troyer stated it's still a Point of Order, it's supposed to be...

Mr. Vecchio stated this is literally a memo from the law director as her opinion that was

Discussion: cont:

asked, so there is no point of order on it. Madam, law director.

Mr. Orcutt interjected this does say the proposed changes in bold.

Mr. Vecchio continued it's per his request so it's not anything legislative. You, as a Council, would have to approve anything you're doing to be put in written form. This currently is literally what was asked by one of your Members of Council to put into memo form coming from the law director, she is giving suggestions. At that point, if you decide you want to put something into form to correctness then you'll do that at that point and reintroduce it.

Mr. Salvatore commented in all fairness to what's happening here tonight. We do have an Addendum that speaks to the very topic being talked about. Until we get that in front of Council.

Mr. Vecchio concurred.

Mr. Salvatore continued what we're discussing currently is not on the agenda, nothing in the packet contains rule #12.

Mr. Vecchio stated rule #12 in on the agenda under discussion as an open-item.

Mr. Salvatore mentioned there is nothing in the packet that shows any amendments or dialogue to rule #12, where are the proposed amendments? We need to move to the addendum to speak about the proposed Council rules received from the law director.

Mr. Poindexter stated there hasn't been an issue since the last line was inserted, all meetings from 2015 haven't been illegal and no issues have been brought up going on four years. Why the issue now?

Mr. Vecchio commented it wasn't done right, with the wrong perception of having four readings (for legislation).

Mr. Poindexter interjected where is the law there can't be four readings?

Mr. Vecchio continued there's no law, legislation must have three readings and if we want clean rules, let's make everything seamless so there's no question.

Mr. Scott stated for some history, in 2016 when this rule change came about I spoke with former Cleveland Councilman Dolan who asked do you understand what just happened? With researching first reading Council has been doing it wrong since 2016 and approached I the law director for an opinion. Council is technically doing it wrong for four years with doing it that way and it's been this way because there has been no movement. For 41+

Discussion: cont.

prior years there was no issue with rule #12; now with that one sentence inserted there are issues.

Mr. Vecchio stated going back a few meetings ago, introduction of amendments to the Council rules was under letter J at a Council meeting. When these changes were made, this one in particular, were made at the Organizational meeting. Which technically would make them not even a correct change; so anything done on January 4, 2016 was not correct. Mr. Salvatore at a preceding meeting brought that argument forward so looking at things from that aspect. In 2018, when taking office, I brought forward some changes that were thrown to the side with nothing being done.

Mr. Troyer stated the reason that line was put in since 1974 there were four meetings per month, two separate Caucus and two separate Council meetings. In October, 2007 that Council, for whatever reason, went to pre-Caucus-Council meetings. Meetings being held only twice a month and almost no legislation being placed in committee, like in prior years. Being the legislative chairman I only ran my committee twice during the 2014-2015 term, that's not how it was done in prior years. That's why this sentence was put in there so when legislation was introduced it followed proper procedure as the Charter states. The problem is what happens if that is taken away? Let's say that sentence is taken out how is legislation processed? There will be arguments every meeting on how it is processed. Speaking with some Councilmembers they all said I'd like to see legislation go into Caucus and come out of Caucus and placed on Council; that's why I provided wording to the rule changes so it's clear the way it's done. That the reason for that sentence so when legislation is introduced and placed in committee. A few weeks ago there was an issue of legislation being read by title having a reading. It's not a reading at a Caucus meeting due to being a committee of the whole meeting. The rule changes to be brought up later this evening spells out how everything will go and if Council doesn't want that then they have to come up with different rules.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to go out of the regular order of business to Finance Committee.

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

FINANCE COMMITTEE - CHAIRMAN, SCOTT:

1. 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

Mr. Scott stated to date there has only been one company that gave a presentation to Council so this legislation allows the Mayor to get qualifications.

Finance Committee - Chairman, Scott: cont.

Mayor Gammella stated requests for qualifications is the bidding process to see who is the best qualified and move forward from there. By no means, does this mean Council will go through with this; the city is only asking for requests. This legislation gives the authority to do that and bring to Council to collectively make a decision.

Mr. Orcutt asked if there is a cost to the city for any quotations or presentations to Council?

Mayor Gammella responded no.

Mr. Orcutt stated to newly-elected Councilmembers Troyer & Schmuck, this is a little bit of my background for what I do for a living. I think this is a win-win situation for the community. When looking at the programs that save money and energy, for example, let's say your 20-year old home furnace and air conditioner have to be replaced. If the cost is \$100.00 to heat and cool your home through electricity and natural gas. When you install a brand new high-efficiency furnace and air conditioner the cost reduces that operation by \$50.00, operating expenses are then reduced by 50%. The cost for the new furnace and air conditioner is initially zero dollars (\$0), that's how it works across the industry. Let's say a loan is taken out for that installation at \$25.00 a month for 15 years. What you're doing is taking that original \$100.00 reduced by \$50.00 for operating cost and then tacking on \$25.00 for the loan. The leftover \$25.00 is positive cash-flow to be spent in other places. This is something Council needs to give the Mayor authority to do to be able to see what programs are available for city buildings. The recreation deal costs the citizens zero-dollars (\$0) and have actually made positive cash-flow off of it and can take that money to reinvest into the community. As I've stated before I think that money should be 'earmarked' for the indoor pool.

Mr. Mencini asked Mayor Gammella if he was the one to bring the RFQ's to Council?

Mayor Gammella responded yes.

Mr. Mencini continued when going out for this will Council see the companies being brought forward?

Mayor Gammella responded being in office two-years', people see I'm very inclusive and transparent in the things I do. I want Council to buy-in and when a collective decision is made. Everybody knows exactly what is being voted for, what is being received and how it's going to work.

Mr. Troyer stated to Mayor Gammella the last Whereas says the purpose for issuing this request is to identify and select a qualified provider. Before voting on this I'd like to know who the people are making that selection.

Finance Committee - Chairman, Scott: cont.

Mayor Gammella responded a group will be put together and will be brought to Council first with suggestions and input to move forward; I want to be very transparent with this.

Mr. Scott stated the last project four RFQ's were received for the recreation center. There was a committee formed by the previous Mayor to view the RFQ's with recommendations given to Council. A suggestion would be to put a committee together to come back with the committee's recommendations for presentation to Council, with the ability to view the RFQ's.

Mayor Gammella concurred and commented that's exactly what will be done.

Motion by Mr. Poindexter, supported by Mr. Mencini, to place on the February 18th Council agenda.

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

LEGISLATIVE COMMITTEE - CHAIRMAN, MENCINI:

1. A RESOLUTION HONORING CRAIG JOHN MILLER OF BOY SCOUT TROOP 228 FOR ACHIEVING THE RANK OF EAGLE SCOUT AND DECLARING AN EMERGENCY. Introduced by Councilmembers Salvatore and Mencini, C/W and Mayor Gammella.

Mr. Salvatore stated that he attended Craig's event for becoming an eagle scout and some of the things needed to be achieved is absolutely amazing.

Mr. Mencini stated Craig started from the ground up and has done everything there is to do to become an eagle scout and is a great person for this community, as his family.

Motion by Mr. Salvatore, supported by Mrs. Schmuck, to place on the February 18th Council agenda.

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

2. AN ORDINANCE EXEMPTING RETAIL ESTABLISHMENTS IN THE CITY OF BROOK PARK FROM CUYAHOGA COUNTY'S DISPOSABLE BAG BAN, CHAPTER 1304 OF THE CUYAHOGA COUNTY CODE, AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

Mr. Troyer stated the reasons for this is Audrey's Outreach, home rule and some other issues; would like to see placed back in committee.

Motion by Mr. Troyer, supported by Mrs. Schmuck, to place back in committee.

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

SERVICE COMMITTEE - CHAIRMAN, SALVATORE:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mayor Gammella stated this legislation is to clean-out the CSX ditch located on Michael and Middlebrook Drive in Ward 4. The city receives monies back every year from the sewer district to be 'earmarked' for projects, like this. If those monies are not used the sewer district takes the monies back, think it's a four-year period. The sewer district and city engineer have approved the Michael Drive ditch project.

Mr. Orcutt stated speaking with Councilman Scott he has been working on this for several years. Are there any other areas the engineer thinks should be looked at for the cleaning of ditches?

Mayor Gammella responded other areas are being looked at and some of them are in Ward 3, one in particular.

Mr. Orcutt continued there is an area on Hummel Road going north from what we can tell that looks fairly clean but can't go on the property without the proper credentials.

Mayor Gammella responded that area is being looked at.

Mr. Poindexter stated the approximate cost is \$220,000 is that a combination of the city and sewer district's share?

Mayor Gammella responded this is the city's money received from the sewer district that has to be used over a certain period of time. I think four years and if not used the sewer district takes the monies back.

Mr. Troyer stated when the sewer district began the storm runoff fee on sewer bills the monies are pulled together and cities can apply to get that money back, it's the residents' money the city needs to get back.

Mr. Vecchio stated speaking with the city engineer today, what is being done on the northwest side of the railroad tracks along Westbrook Drive. The ditch will be cleaned out, mowed and graded to relieve some stress occurring to abutting residential properties. To Mr. Troyer's explanation, twenty-five cents (\$.25) of every dollar from the residents' storm water bills goes into that fund. In this case, the City of Brook Park is stepping up in place of the railroad company to get this ditch cleaned.

Mr. Scott stated to follow-up on Mr. Vecchio comments the railroad in my four+ years of communication with them basically told the city that the railroad will clean the ditch when

Service Committee - Chairman, Salvatore: cont.

they feel like cleaning it. So it's been 4+ years with no effort from them in trying to get this ditch cleaned. The railroad told the city two-years ago they will be there to clean the ditch and never showed.

Mr. Orcutt stated to Mayor Gammella the monies granted was in August, 2016 so the rest of the monies need to be spent by this upcoming August. Is this project going to take the balance to zero dollars (\$0)?

Mayor Gammella responded it will be close with some monies left over but will not exceed.

Mr. Orcutt commented as soon as the work is performed and the amount left over is known perhaps legislation could be brought forward to utilize the leftover dollars.

Mr. Troyer clarified to Mayor Gammella this is a five-year deal and monies are constantly being contributed to the fund. The monies that have been in the fund for five-years must be used.

Mayor Gammella concurred and stated there are more monies but these monies need to be used.

Motion by Mr. Mencini, supported by Mrs. Schmuck, to place on the February 18th Council agenda.

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

Motion by Mr. Troyer, supported by Mr. Mencini, for a ten-minute recess.

ROLL CALL: AYES: Troyer, Mencini, Poindexter, Salvatore, Scott, Schmuck, Orcutt
NAYS: None. The motion carried at 9:00 p.m.

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

ROLL CALL: AYES: Poindexter, Orcutt, Schmuck, Scott, Salvatore, Mencini, Troyer
NAYS: None. The motion carried at 9:10 p.m.

EXECUTIVE SESSION - COLLECTIVE BARGAINING MATTERS:

Motion by Mr. Troyer, supported by Mr. Poindexter, to go into Executive Session for Collective Bargaining Matters.

ROLL CALL: AYES: Troyer, Poindexter, Mencini, Salvatore, Scott, Schmuck, Orcutt
NAYS: None. The motion carried at 9:11 p.m.

Motion by Mr. Troyer, supported by Mrs. Schmuck, to go back to the Regular Order of Business.

ROLL CALL: AYES: Troyer, Schmuck, Orcutt, Scott, Salvatore, Poindexter, Mencini
NAYS: None. The motion carried at 9:40 p.m.

Motion by Mr. Poindexter, supported by Mr. Orcutt, to add the addendum to the Caucus agenda.

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

ADDENDUM

DISCUSSION:

PROPOSED COUNCIL RULE AMENDMENTS - Councilman Troyer.

Motion by Mr. Salvatore, supported by Mr. Troyer, to move Addendum item #1 - proposed Council rule changes as well as Caucus agenda item #3 - Council Rule No. 12 to the March 10th Caucus agenda.

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

RECREATION COMMITTEE - CHAIRMAN, POINDEXTER:

1. A RESOLUTION RECOGNIZING AND HONORING RUSSELL AND DEBORAH HORNER FOR INVENTING A NEW GAME CALLED 'BATTLE TOSS' AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to place on the February 18th Council agenda.

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

There being no further business to come before this meeting a **motion** by Mrs. Schmuck, supported by Mr. Orcutt, to adjourn.

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

Council President Vecchio declared this meeting adjourned at 9:41 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.

