

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, APRIL 21, 2020**

The meeting was called to order by Council President Vecchio at 7:31 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 Mayor Gammella, Law Director Horvath and Finance Director Cingle.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to the Council meeting held on March 17, 2020.

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

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

NAYS: None. The motion carried.

2. Regular Council meeting held on March 17, 2020.

Motion by Mr. Mencini, supported by Mrs. Schmuck, to approve as printed.

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

NAYS: None. The motion carried.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairwoman, Schmuck

Mrs. Schmuck reported the committee has no legislation on tonight's agenda. Would like speak on the topic of COVID-19 and express my gratitude from everyone and want to thank the health care front-liners, my colleagues. For those that don't know I'm a front-liner in the ICU (Intensive Care Unit) at a major, progressive hospital. Want to thank everyone for their hard work and sacrifice in these trying times. From the city to the people that are helping at the grocery stores and gas stations for staying open and to people who deliver mail; thank everyone for their efforts. Also, thank the Mayor and Councilmembers for inquiring about my family as a health-care provider. I am also concerned about everyone's safety. Out of this I see people do creative things as well as my neighbor delivering meals to my door. Want to thank family and friends for stepping up in helping make masks delivered to the hospital. This meeting being held tonight is amazing and innovative of what we're doing. My professional trainer has brought classes together by Zoom to help people stay fit, thank you Andy. Also, would like to thank the residents who play a big role in this with one of the biggest sacrifices of staying home and follow the governor's orders, as well as using masks outside and social distancing. This virus has affected everyone's lives and on May 1st there are plans to slowly reopen the state and am sure everyone is excited to leave their homes and start socializing. Please remember that this COVID-19 is still active, so please play it safe, use good judgement and there doesn't have to be a pandemic

Reports from Standing Committees: cont.

to be kind to each other.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance Committee has nothing on tonight's agenda, the Board of Control met on April 6th and approved nine items, with the three largest being \$39,000.00 for the cost-share agreement with the Northeast Ohio Regional Sewer district, second largest being was for \$19,397.00 to Daylight Medical for the UVC light device and the third was for Cooper-Kurtz disposal of a roll-off container. For the April 21st Board of Control meeting the board approved nine items with the three largest being Great Lakes Construction in the amount of \$40,000.00 to construct a concrete barricade for the ditch located at 15375 Brookpark Road; \$5,700.00 to Akron Tractor & Equipment for a hydraulic motor and miscellaneous repair parts and 44,723.00 to Akron Sales company for the sewer brick for catch-basin repairs.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee has one item on tonight's agenda under third reading. I would like to thank all hospital workers, volunteers, safety forced, service workers, grocery store workers and all people working for doing such a great job during this pandemic.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the last meeting for the Recreation commission was held on February 20th and the commission were planning for an opening day ceremony for the high school baseball team at Kennedy field. All recreation commission meetings have been cancelled until the emergency is lifted and can be held safely. With the schools being closed for the rest of the year this is no hope for an opening day ceremony this year. Recreation Director Elliott provided a report to be read 'By now we are all aware that we are living in unprecedented times and it is our health and well-being that matter the most. COVID-19, the Coronavirus disease brings out attention to each and every day how much we treasure our loved ones. We are reminded daily to stay home, frequent hand-washing and social distance from other people. Thus far friends and neighbors have done a good job of following the governor's orders which is a big step in returning to normal. Medical professionals, first-responders and all essential workers deserve applause for their heroic efforts; the message is clear everyone needs to step-up and do their part'. Therefore, once it was determined the recreation center would close on March 13th the staff developed a comprehensive plan to clean and sanitize the recreation center. The main level was divided into eight areas that needed to be completed. Beginning on March 16th, five full-time and six part-time employees started and quickly realized it is a very facility with many parts and pieces. The staff did an excellent job going from one area to another checking off all items. The part-time employees worked four weeks, 20-hours per week with the last day being April 10th. The full-time employees continued to work each day with cleaning and sanitizing duties with more responsibilities added to the work day i.e. reorganizing storage closets, machine and carpet scrubbing, fresh paint on walls and the city's landmark wall

Reports of Standing committees: cont.**Recreation Committee - Chairman, Poindexter, cont.**

Mural, updating the showcase with photos and past history of the city and a new informational brochure for residents and guests. The staff has also rearranged the layout of the two fitness rooms to provide more space along with the addition of three new 50-inch and 40-inch flat-screen televisions; the televisions were possible by a \$2,000.00 grant from Sam's Club. The staff is not done, there is more to be done downstairs and one last thing. Following each Council, board and/or commission meeting the community room dais countertop, chairs, microphones and the directors' table and chairs will be cleaned. The recreation staff value all members and guests and look forward to welcoming them back soon. It is important during this challenging time we all do our part and why I am so proud of my full-time and part-time staff for stepping up and doing a great job; be safe and stay well. In addition to Mr. Elliott's report an itemized list is available. Mr. Poindexter also thanked the recreation staff during this challenging time with the big building and working hard to keep it maintained and properly cleaned and usable.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning commission met on April 6th via teleconference with three items on the agenda. The first item was a request for construction of a non-masonry 4,600 sq. ft. commercial building at 5340 West 161st Street, E. L. Mustee & Sons, Inc. The second item was a request for construction of an 8'x17' new front porch with roof at 14114 Kathleen Drive. The third item on the agenda was a request for construction of a single family dwelling on PPN# 343-30-013 at 16000 Southway Drive, the commission approved all three requests. Mr. Orcutt thanked all city forces, we appreciate everything you are doing and understand the risks being taken. To my colleague, Mrs. Schmuck, we realize everyday your fight in the frontlines and thank you for that. To all residents' hang in there we will get through this, been here 100 years ago and technology is a little better.

Safety Committee - Chairman Troyer

Mr. Troyer reported the safety committee has nothing on tonight's agenda nor in committee.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported the service department has setup two different shifts to keep all employees safe during these troublesome times; masks have been ordered for all service department employees. I appreciate all their hard work coming out of the service department, recreation department and police and fire departments with doing a tremendous job keeping all service, recreation, safety vehicles sanitized. Hoping that the city will continue on those same means by bringing in someone to sanitize all vehicles including police, fire, service, recreation and someone to sanitize all city buildings being occupied by city employees. Rubbish pickup is still on schedule, tree lawn repairs are underway, hot-patch will begin shortly and catch-basin repairs are being scheduled. Yard waste and bulk pickup is still provided for drop-off at the service garage between the hours of 7:30 a.m. to

Reports of Standing committees:**Service committee - Chairman, Salvatore: cont.**

7:00 p.m. with possible changes coming very shortly. Mr. Salvatore thanked all city employees i.e. police, fire, service recreation and city hall employees for stepping up by making themselves available to handle all residents' concerns through these trying times. Agrees with Councilman Orcutt we will get through this by standing together tough and will beat this. A special thank you to all frontline workers in the hospitals and to Mrs. Schmuck thank you for your hard work and going above the call of duty by putting yourselves at risk trying to save people's lives.

Mayor Gammella commented in answer to Mr. Salvatore's concerns everything here is sanitized on a daily basis. The moonbeam light is at the safety department has been used in all departments of the city; sanitation occurs on a daily basis during this crisis and wanted to let everyone know everything is fine.

Mr. Salvatore thanked Mayor Gammella for the comments and wanted to make sure that everything is being done as possible. If there is anything out there available to make it better and safer that's what I'm looking for.

Mayor Gammella commented I know that and appreciate your concerns.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the Board of Zoning Appeals met on April 6th with four items on the agenda. The first one was a request for a variance for an extension of a fence along the rear lot of the main structure at 5070 & 5062 west 148th Street. Second request was for an 836 sq. ft. from a minimum lot requirement of 8,400 feet for a new single-family dwelling at PPN# 344-26-111 located at 14205 Park Drive. Third request was for a 4' variance for a front setback requirement to construct an 8'x17' porch with roof at 14114 Kathleen Drive; the board approved the above three items. The fourth request was for construction of a new non-masonry 4,600 sq. ft. construction building located at 5340 West 161st Street. A tabled request came back from the first meeting in January to shorten-up the garage on West 148th Street and the people worked with the city and have complied with all the necessary requirements and the board granted the request.

Mr. Salvatore asked Mr. Mencini what style house will be built on Park Drive.

Mr. Mencini responded viewing the specifications, thinks it is going to be some type of colonial.

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

Mr. Orcutt reported the next board meeting is scheduled for Wednesday, May 6th via conference call, due to COVID19. Southwest General is working hard to continue providing the quality, compassionate care that has defined the health system for the last 100-years. Southwest General has been carefully following the most current guidelines from the Center of Disease Control and Prevention and the Ohio Department of Health. In taking the necessary steps to insure the safety and health of patients, staff and community. Southwest General offers a 24/7 COVID19 hotline phone number 440-816-8962 for help in answering questions, determine risk and provide direction for follow-up care. Southwest is also offering tele-health services including video and phone visits. These options are helpful for patients who do not need an in-person visit and prefers to speak with a provider from the safety of their home, call your provider for more information. To stay informed and learn more about the Coronavirus and what can be done to help protect yourself and loved ones from the spread of infection visit the CDC (Centers for Disease and Prevention), the Department of Health or call Southwest General COVID19 24/7 hotline at 440-816-8962.

Berea Board of Education Representative, Mencini

Mr. Mencini reported in the State of the State update yesterday schools have been cancelled for the remainder of the year; students have been out of class since March 16th. This is a tough blow and didn't think it would come to this but the administration and teachers have done a fantastic job. Since April 6th all students are required to participate in a learning activity and assignments through remote learning on Google classroom; teachers are doing things differently with each family situation. Parents are in contact with the teachers via email, WI-FI and doing a great job. There will be no final exams, testing, spring programs and we feel bad for all the students but most the senior graduating class and 4th grade classes for not being able to have the last class parties at Brook Park Memorial (BPM) and Brookview Elementary schools. Tentatively, there may be a graduation on May 28th or hopefully sometime this summer for the senior graduating class. The construction at both the elementary school and high school at my last report was 8% but is moving along with fewer workers working. Hopefully will be done for the new school year with the hope students will be going back to school in the fall and appreciate everything everyone is doing through this terrible virus pandemic.

Technology and Innovation Council Representative – Poindexter

Mr. Poindexter reported the Technology and Innovation committee had its first meeting on March 4th, with three new members being sworn in. The committee appointments for the first year are Chairman, Tom Dufour, Co-Chairman, James Presley and minute recorder, Holly Klinger; each year appointments will change per Charter. The committee brought forward 17 items for recommendation, some of the items were to make the city technological efficient while others presented to offer more technology amenities to residents'. The list as it stands is kind of a

Reports from Special Committees:**Technology & Innovation Committee - Chairman, Poindexter: cont.**

wish-list of the current recommendations of the tech-committee. After working through the items the committee agreed with of the Mayor's suggestions with the city moving forward. List item number one will be to perform a technology audit for the city that will provide the committee with a list of all equipment, operating systems, licenses, implementation dates and other pertinent information; to assist the committee in making recommendations moving forward. The committee was slated to discuss how the technology audit would be conducted at the April 1st meeting which was cancelled due to the Coronavirus; hopefully the next meeting currently scheduled for May 6th will take place so that process will be discussed with the hope of conducting that audit shortly thereafter.

REPORTS OF BOARDS AND COMMISSIONS:**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:****REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella reported the finance director and I have been meeting and the news isn't good, as everyone can imagine. It looks that the city is going to fall approximately \$3 million-dollars less than what we thought would be brought in; that is just a projection. But, are projecting for the rest of 2020 only a \$3 million-dollar fallback and will have to make some decisions. There is an emergency plan and will implement that plan wanting to let the residents know the city will keep them safe and keep the city going; but there will be some tough times ahead for the rest of the year. The sad part is we're not sure when the end of this is and I happen to be an optimist with sooner than later. However, this year, 2020 is going to be extremely difficult and I know that Council will work with me to get through this for the betterment of our residents. The most important and most critical is to keep the city and residents safe and we will do that. Senior transportation will continue for essential doctor visits and grocery shopping. Police and fire will remain fully staffed and just want to say how proud I am of our residents and all city employees. This pandemic will pass, in the meantime, keep yourself and family healthy.

Questions:

Mr. Salvatore asked Mayor Gammella to share the plan in place.

Mayor Gammella responded call me tomorrow, will share over the phone. Want to contact some of the other unions and think it will be fair to discuss with them. I've had some discussions with them, however, nothing that the best way to say it is this is exactly what we're going to do. Up to now, they've been generic and to their credit they will work with the city and understand the situation. Not just in Brook Park but with the entire State of Ohio and United States. There will be a

Questions to the Mayor: cont.

letter going out tomorrow to this effect.

Mr. Poindexter stated with approximately \$3 million-dollars less revenue stream where can potential cuts be made? Are you thinking about reducing staff or doing away with capital items that were being looked into? Can you provide an insight where you are looking?

Mayor Gammella responded I would look very closely at everything and the most critical function of this city is to keep residents' safe and we're going to do that. Right now, I can't because I think it would be unfair to some people by doing that here and now.

Mr. Scott asked Mayor Gammella the UV light you mentioned was used on the safety vehicles, police and fire, and inside the City hall and Recreation Center. Have all vehicles been used with the UV light?

Mayor Gammella responded the last few days it's been down at the service garage and the fire department had to retrieve it from there today. To sanitized one of their vehicles. The light makes it rounds, but again, the city is sanitizing on a daily basis, which is extremely critical and important.

Mr. Scott continued to Mayor Gammella have you received any prices to do a city-wide sanitation with an outside professional firm?

Mayor Gammella responded when you say city-wide?

Mr. Scott commented city buildings.

Mayor Gammella responded what I've run into is a lot of these cleaning places because of the COVID is so new, we don't know what works on it, so we have to be careful. I've been told that anyone who says it definitely kills the COVID virus is not an accurate statement and some of this does work extremely effectively. We just have to narrow down where the city will get the most money for this type of service. Everything in this city is being sanitized, as other cities, and am looking at a few different places currently. If the city is going to spend the money, we want to make sure it is the most efficient way to spend taxpayers' dollars.

Mr. Scott commented anything that will help with the safety of employees and residents'; I'm 100% with buying it.

Mr. Orcutt stated to Mayor Gammella, we knew something was going to happen financially with losses of income tax and with people out of work. At our last meeting we had discussions of the capital budget and talked about a Mission-

Questions to the Mayor: cont.

critical list needed for six months. I thought we would talk about that this evening but don't see it here. Is that something that may be possible for next meeting?

Mayor Gammella responded I hope so but with all that is going on with the sanitizing and everything and keeping everyone in the city safe. All my department heads are aware of that request; I spoke with them the day after last meeting and they are putting something together. First, I wanted to see where all of this would fallout and thank you to Finance Director Cingle and his staff for meeting consistently; it's going to be tough the rest of the year.

Mr. Orcutt continued the contractual items may be something needed right away and I'm available for any assistance to you and your team.

Mr. Mencini stated to Mayor Gammella with your statement of enacting emergency measures. I thought some would already be enacted. If we do and you can't tell us; could you tell us the ones that have been enacted since dealing with the COVID19 emergency measures, that are partaking in Brook Park.

Mayor Gammella responded where do you want me to start? We were probably one of the first communities to close the recreation center, put out a newsletter thoroughly explaining the virus and threat to the community. Part-time employees were laid-off at the recreation center after closing it. The recreation center has been sanitized completely, cleaned and painted. I'm glad, by the way, this this didn't have to be done but thought the recreation center may have to be used as an emergency shelter, if the virus got as bad as everyone said it would get. I think this was supposed to be the critical week and that's why everyone was cleaning, sanitizing and fortunately we were prepared but didn't have to use it, very happy about that. Again, talking with Mr. Cingle and looking at the numbers and with automotive and aerospace going to be way down as well; as the government being way down and just businesses in general. We have a plan and are implementing that plan slowly and surely and may have to get more aggressive after looking at today's numbers. By the way, Brook Park is not a Regional Income Tax Authority (RITA), however, RITA is saying the same thing to their participants that there is a big hit already here.

Mr. Mencini continued all communities and States are going through the same thing and my next question is. Have you thought about putting together a COVID19 committee with members of the community; because I'm getting a lot of people that want to volunteer. A committee to combat this and give ideas of things to do that maybe all of us are not aware of.

Mayor Gammella responded a virus committee should be left to the professionals and a thank you to Southwest General hospital and Chief Executive Officer (CEO)

Questions to the Mayor: cont.

Young they have been great with meeting via phone at least weekly. There a lot of calls received of people wanting to help and that is why I'm proud of this community's response but we still have to practice social distancing, it's extremely important. So I don't think a committee is necessary, at this point, because we don't know what we're dealing with or how lone we will be dealing with this in the future.

Mr. Troyer asked Mayor Gammella if there is any idea on opening the recreation center?

Mayor Gammella responded I can't tell you that, I would like to open it tomorrow but can't; the governor is saying slowly but surely. Being on so many teleconferences it's been said early May. To the public's credit they understand the situation and the severity and want to wade into it slowly, as well.

Mr. Troyer continued with not being able to bring the seniors into the center and that's something I don't think people understand when the center reopens. There are still many compromised people that still aren't going to be able to go outside of their house; people need to remember that as businesses open up. My concern is needing to cut some costs and the recreation center is closed and sanitized and nobody is using it, except for the Council Chambers and offices. By the way Council needs keys to get into the office for use as supposed to. My question is where will there be more layoffs and furloughs at the recreation center, there is only so much busy work at a recreation center that nobody is using.

Mayor Gammella responded it's not busy work, it was work that had to be done and were looking at using the center as an emergency shelter, so it was sterilized and ready to go. However, the center didn't have to be used and am glad we didn't have to use it. Your point is well taken and will not discuss anything further about layoffs or furloughs but will be speaking with some people tomorrow and getting a letter out.

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

Mr. Cingle reported the 2019 financial audit is continuing although the auditors are not onsite at City Hall; they are working remotely and via email pdf attachments. As Mayor Gammella stated we've been meeting almost every day with the Mayor's Executive Assistant, Tony D'Amico, Assistant Finance Director Healy and have been asked to run many different scenarios, with everything on the table; if somebody has an idea we would like to hear it. Many thanks to tax department employee, Mary Maykut, for going through the income tax projections that RITA is using to forecast what we believe will be the shortfall in income tax revenue; that number

Reports and communications from other departments, commissions and public officials:**Finance Director Cingle: cont.**

was about \$1.8 million-dollars. The parking fee number is approximately a \$4,000.00 to \$5,000.00 loss and that could be a timing issue as well; so that might be a delay in receiving parking fees. I'm also hearing that there is projections or thoughts that real property tax collections may be down 20%, as people don't have income to pay their property tax due in July. Added all together its roughly \$3 million-dollars as stated and again everything is on the table. We're going to need some help from the unions, obviously, we won't be able to claw it all back. Looking through many different scenarios and as the Mayor stated information will be provided to employees shortly and, am sure, will keep Council updated on those decisions. This virus is mainly financially driven and we're trying our best to minimize the shortfall, as much as possible.

Questions to the Mr. Cingle:

Mr. Mencini stated very informative conversation we had a few days ago, is there things that will have to be done possibly tapping into the reserves or anything of that sort, being looked at?

Mr. Cingle responded we won't be able to claw that \$3 million-dollars so some reserves definitely will be used, the extent is unknown currently. Had a conference earlier today with the Mayor's and Managers' Association with Senator Dolan and representatives from RITA and the hope is there will be some stimulus monies coming our way but right now it sounds very restrictive on how it can be spent, very restrictive on how it can be spent. The Mayors' are working with the state legislature on trying to lift some of those restrictions. Currently, stimulus monies would be coming in the form of anything related to COVID19 i.e. hand sanitizer, police overtime masks and things of that nature. The message today was loud and clear they are looking for those restrictions to be lifted so those dollars could be used to offset the significant downfall in income tax revenues. One other item looked at as part of the \$3 million-dollars was fines and court costs from tickets written by the police department, I failed to mention that earlier. It is my understanding the STOP Program is not being run; so there is an issue as you are all aware of a few hundred-thousand-dollar loss, as well, reserves will be used. The other issue, as you are all aware, the tax filing and payments have been moved from April 15th to July 15th; so there will be a timing difference from when income taxes are due and paid. Reserves will be used to get through the next few months to pay operating costs, again, everything is on the table and will need the unions' help and may have to shift some capital dollars around. Also, may have to come back to Council asking that any tax dollars not spent this year to allocate those dollars back to the General Fund to protect the city's reserves. Now more than ever be thankful the city has strong reserves and are able to utilize them during this time. There are many cities that don't have those reserves and are in a

Questions to Mr. Cingle: cont.

much different predicament, at this time. Be thankful that we have them to give the city flexibility but as I told the Mayor, many times, I think there is going to be many phases to this and think for Brook park we either kind of lag recovery. Meaning that, as you are all aware, income taxes are one month in the arrears. So as companies are downsizing, laying-off employees, or furloughing individuals and reducing payroll the city doesn't see that impact until roughly 30-days later. So as the companies ramp-up the city won't see those numbers for roughly 30-days. So as we lag this recovery and I think it's going to be a slow recovery and some decisions may occur in 2021. We will do everything to claw-back as much as possible and protect the city's reserves because right now they are needed.

Mr. Mencini continued as I stated last week the government has only so much money and until they print more, the city must fend for itself.

Mr. Poindexter stated to Mr. Cingle with the \$3 million-dollar projection loss is that assuming the income tax monies continue the way they are going now? Or is that what the city currently lost?

Mr. Cingle responded on the income tax side the way we looked at this, again, following the RITA agency model. We tried to utilize our knowledge with respect to let's say NASA and Ford Motor make up over 40% of the total collection. What we did was since we know our current collections through April 21st. For the next two months of May and June we are forecasting a 20% reduction in income tax collections. Then for the months of July through September we are forecasting a 10% and for the months of October through December we are forecasting a 5% reduction; that roughly came up to \$1.8 million-dollars. On the tax side for the second half collection the city will roughly get about \$1 million-dollars or a little over. So I reduced by 20% and believe it will be a timing difference, when people are able to pay they will. From a cash-flow perspective the city will see about a \$200,000.00 tentative reduction in property tax received. That is normally received in the months of July and August and will come in later in 2020 or sometime in 2021. We looked again at the court costs and fines and speaking with the Mayor believe it's probably a 50% reduction, few hundred-thousand dollars more. If driving on Snow Road there is only a few cars in the parking lots and hearing from the parking lot operators that are cash-flow wise they are struggling and asking for allowance from the city not to charge penalties and interests. The Mayor was going to put a plan in place but the city may have to forego some of those dollars as well. Everyone is optimistic that on the May 1st but, again, this is going to be a slow recovery. As the Mayor and I have talked what is the 'new normal' going to look like; don't think it's going to be the same as January, 2020. On a call last week with an insurance consultant and one of their large clients they laid-off 1,800 employees and the consultant's comments were that probably 25% of those laid-off employees probably won't come back. That's a

Questions to Mr. Cingle: cont.

concern of the city with what staffing will look like with some of our larger employers. Senator Dolan mentioned, on a call today, that the month of July employment number is going to be 16.4%, that's one out of six individuals unemployed. This is going to be a long recovery and must move cautiously through this getting to later in the year.

Mr. Poindexter expressed concern with staying at 20% or more throughout the entire year. That \$3 million-dollars will look like chump-change and I want to see our economy, state government and state businesses thriving. But, at the same time, people are safe and if that safety costs money, it is what it is. Seems that \$3 million-dollars might be low in the worst case scenario.

Mr. Cingle responded to Mr. Poindexter, you are right and we will be revising these numbers and having these conversations throughout the rest of this year. When the May numbers come in we will rerun the figures, report to Council and keep a close eye on this. Nobody knows and on the call today the state is losing billions of dollars; so we don't know if looking to the state or grant monies or additional subsidies they are having their own issues. The city is hoping from assistance from the federal government to try and close this gap as much as possible can and may try to close it in 2021 and 2022. Help from the unions will be needed and there will be some tough decisions moving forward.

Mr. Orcutt thanked Mr. Cingle and his team for working hard this week. When we spoke last week there were no projections due to being so new. I agree that there is a lot of hard work coming forward and think it will be continuous because at \$3 million-dollars that wipes out the capital budget. In preparation, I almost think it sounds we're going to have to take steps to amend the 80/20% legislation almost for immediately. I think projected this year for capital (budget) was a little over \$2.8 million dollars and know you're asking for help with the unions but, obviously, there are contractual items i.e. bulletproof vests for the police officers and things of that sort that are needed; as well as equipment for the fire department. The comment I wanted to make is I'm available for any special meetings called and am sorry to hear about the recreation center part-time employees and understand with these tough times sacrifices need to be made. Also, want to stress the service department employees are extremely essential for the city; in Ward 3 service crews responded to flooding calls, jetting (lines) and picking up rubbish and that department always seems to take the hit.

Mr. Salvatore thanked Mr. Cingle for answering some of my questions over the phone. From your report tonight with the approximate \$2.9 million-dollars shortfall and also addressed my questions about the lack of payment for the property tax being approximately \$200,000.00; that actually is not going to be a total loss because that will come back to the city at a later date. That would have shorted

Question to Finance Director Cingle: cont.

the shortfall of \$2.9 million dollars considerably. Are there any other areas that's in that \$2.9 million-dollars that will be coming back to the city at a later date?

Mr. Cingle responded the property tax, we believe, is a timing issue from the cash-flow perspective. The other piece potentially is the parking fee that could be another timing cash-flow issue right now.

Mr. Salvatore asked is the parking licenses fee paid on an annual basis or quarterly from the parking operators?

Mr. Cingle responded it's paid semi-annually from the City of Cleveland, so the IX Center payments are received in January and July; the parking lots pay monthly. So the city's protection on that is approximately \$482,000.00 with some of it being a potential loss or timing matter.

Mr. Salvatore mentioned a few years back the parking industry was experiencing some difficulties and the city lost some revenue as a result. Going forward, if there are any stimulus monies coming as a result of some of the items related to COVID19. Is your department coding expenditures so, in the event, that there are any monies available the city will be able to package those expenditures i.e. cleaning, buying masks and the purchase of the UV-light for approximately \$19,000.00.

Mr. Cingle responded yes the department is; payroll and any expenditure related to this crisis is being coded under a special project code. So when the time comes, for example, FEMA (Federal Emergency Management Agency) monies become available the department can run a report for submission of actual expenses paid, due to the pandemic.

Mr. Troyer stated to Mr. Cingle I'm not looking at this year being doom and gloom, if the \$3 million-dollars is for this year the city can look into \$2.2 million-dollars going into economic development (fund) take \$2 million-dollars of that back and \$800,000.00 in the capital (fund) all came out of the general fund. We would barely have to touch the city's rainy-day (reserves) fund; that is approximately \$4 million-dollars plus. If it's not that big of a deal per say, I mean things could happen based on the \$3 million-dollars. The problem the city doesn't know is what is going to come back and can you elaborate a little on that? My concern is mostly what is going to come back and when,

Mr. Cingle responded I agree with your comments, as far as, nobody knows what this is going to look like when things get back to what I call the 'new normal'. One of my concerns and I think I shared with you is using NASA as an example. The majority of NASA employees are currently working remotely so when this

Questions to Mr. Cingle: cont.

emergency order is lifted there will be employees going to work every day in Brook Park. But, there may be employees that will continue to work from home and if they are working from Strongsville, or Middleburg Heights after 20 days of working in their home residence city; that (income) goes to the home residence city. My concern is if more individuals, using NASA as an example, if more individuals continue working from home that will have a significant impact on the city's income tax collections. For example, an email was received from a NASA employee who stated he is currently working from home and paying Brook Park income tax. How can he apply for a refund? Currently, it's called the 'Occasional Entrant Rule' if any Member of Council isn't aware. That rule basically states that if working remotely you can continue to pay Brook Park (income) tax. On the 21st day that employee pays income tax to the community where working. That 'Occasional Entrant Rule' has been stayed currently through the emergency crisis but as soon as the emergency crisis is lifted or removed that could have a crippling effect on the city's income tax revenue. That concerns me and 2021 is definitely concerns me, as far as, what the 'new normal' is going to look like and don't think anybody knows currently. As I stated there is going to be many, many phases to this, this is a fluid-situation and we're going to continue to run the figures for both Mayor and Council and advise how to best work through this. As far as the monies going into Economic Development and such Council and the Mayor still want to move the city forward and still want to be doing things this is going to be a shared sacrifice with all employees. Moving forward there is still a community to run and things the city wants to get done but some of that might have to be put on hold. To put the city in a good financial position to be able to take advantage of opportunities as they exist in the future.

Mr. Troyer commented correct, that's why it's so important that whatever agreements that are entered into we're not assuming that next year's the city's revenue will be up there.

Mr. Cingle commented agree 110% and commented if there are any further questions or if anyone hears any grumblings and/or rumors. All of you have known me for a long time and I will tell you the truth, whether good, bad or ugly. Call me with any questions and or concerns you may have many further questions or concerns you may have.

Mr. Orcutt mentioned that he recently read an article that 2018 Workers' Compensation monies the city can get those monies back.

Mr. Cingle responded I'm aware of that article and have reached out to the city's Workers' Compensation consultant to quantify that figure because some of those monies came back in the form of a rebate. I know what the city paid but want to get the projected figures; that will be part of the monies used to offset the shortfall.

Questions to Mr. Cingle: cont.

Mr. Vecchio thanked Mr. Cingle and team and commented you are to commended with the city's reserves. I see that some local cities don't have reserves and are struggling their way through this. Additionally, is there a way to possibly break this down and put an 18 or 24-month recovery plan, working with the Mayor, something that everyone can look at?

Mr. Cingle responded this situation, again is so fluid, as we start to see the income tax dollars coming in we will be able to better assess and revise the shortfall. I talked with the Mayor about many different phases and some that may go into 2121 but a lot of things talked about today i.e. transfer to the Economic Development Fund and asking Council to adjust the tax split. Many different scenarios have been talked about and will all be part of the plan. Going out 18 to 24 months may be a little too soon to do because no one knows currently the true impact. We're starting with the plan explained a bit ago and will continue to revise the income tax, real property taxes and other revenue collections come into the community. We are going to be very cautious and I know the Mayor is as conservative as I am, moving forward.

Mr. Vecchio continued the city will also be taking a hit with the gasoline tax.

Mr. Cingle thanked Mr. Vecchio for mentioning the gasoline tax and stated that was brought up on a teleconference call earlier today. That money goes into the Street Construction Maintenance and Repair Fund (SCMR). Number one we all know the current gas prices and people are not driving as much. With the usage being down there will be a reduction there but that is not impactful to the General Fund. If the city doesn't do some of the roads program this year and it's most likely a lot of them won't get done, unfortunately. The appropriations will be adjusted and don't think we will have to go into the reserves too deep, if at all. Again, thank you for mentioning that and it was mentioned today there will be a significant loss there as well.

Law Director Horvath:

Mrs. Horvath reported around the first of April the pending civil cases were given to Council; one more has been added to the list with a brief synopsis coming to Council. I am aware of the case but the city has not been served with paperwork to date. Just briefly it seems to be a Civil Rights Matter and the City of Brook Park is one of 22 other defendants and the filing is from three (3) individuals who I believe are prison inmates, more details forthcoming call with any questions. The law department has been very busy in March and April, each week brings new challenges, rules and changes that have to be dealt with. A short synopsis of what has been going on currently since approximately March 20th the staff has been working remotely, seems to be very successful. Once a week the staff meets via Zoom and keeps in contact via email. On the civil side with regard to what is going on in the

courts virtually nothing is moving. Any hearings are conducted telephonically unless it's a criminal trial perhaps in Common Pleas Court. All of the court dates the city have been postponed to a future date and would expect mid-May or early-June that would change; and start to see dates rescheduled and open up for meditation trials. On the criminal side Prosecutor Sackett, for two weeks, has been conduct telephonic pre-trials in Berea Municipal Court with attorneys. Making efforts to discuss pro-say litigants' cases to bring to a conclusion, to date Berea Municipal Court is not hearing these matters either. The goal is to be prepared once the courts begin to open up and cases rescheduled and I anticipate a very busy May and June. Please call or email with any questions Council may have. This has been a very interesting experience to see how these things have progressed from the beginning of March until present, law department will be ready to handle whatever happens once the courts reopen.

Questions to the law director:

Mr. Troyer asked Mrs. Horvath about the pending west-end lawsuit with Cleveland Hopkins Airport, are there any updates?

Mrs. Horvath responded as a civil matter, previously before the pandemic the case didn't have any court dates scheduled and still doesn't have a court date scheduled. The particular judge on that matter has been working remotely, the city just has to be patient and wait for a ruling. The fact that you brought this up lead me to believe you may be fielding questions, therefore, the department will circulate letters to the residents involved, to update them. Thank you for your comments and the law department will follow through to make residents aware of the status of this particular case.

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

Verbal Approval:

1. Proposed amendment to Council Rule #2.

Mr. Salvatore stated the rule change should be read.

Mr. Vecchio disagreed saying it's just updating the verbiage to coincide with the Sunshine Laws.

Mr. Salvatore continued it's still a rule change and should be read.

Mr. Troyer commented the rule change was already introduced at a Council meeting months ago and this is the amendment Council came up with.

Verbal Approval:

Proposed amendment to Council Rule #2

Mr. Vecchio read the changes to Council Rule #2 – Public Meetings – Executive Session to read as follows: Certain personnel matters (specific); Purchase and Sale of Property; Pending or imminent court action; Collective bargaining matters; Security Matters; Matters to be kept confidential; Hospital Trade Secrets; Confidential business information of an applicant for economic development assistance; Veterans’ Service Commission applications.

Mr. Mencini mentioned that Mrs. Horvath started hospital trade secrets and Veterans’ Service applications wouldn’t pertain to city business.

Mr. Salvatore commented the proposed verbiage is as written in the Sunshine laws and as far as the hospital concern. Because of the city’s vested in Southwest General there are confidential matters and there may possible be a time where hospital matters may be important for a possible executive session as listed in the Council rules.

Motion by Mr. Troyer, supported by Mr. Mencini, to verbally approve.

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

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

Mr. Mencini commented looking at the Council rules the proposed rule change didn’t have to be read.

Mr. Salvatore disagreed and stated all rule changes must be read.

Introduction of New Legislation:

An Ordinance authorizing the Mayor to enter into a contract for the sale of property located at 21388 Sheldon Road, PPN# 341-23-007 and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance retaining and employing the law firm of McDonald Hopkins, LLC to act as co-counsel with the law director in real estate matters and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to enter into a contract for the sale of property at 6538 Burton Drive, Permanent Parcel #341-24-011 and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance repealing section 1313.08 of the Brook Park codified ordinances entitled ‘Commercial Building Permit Fees’ and declaring an emergency. Introduced by Mayor Gammella. Placed in legislative committee.

Introduction of New Legislation: cont.

An Ordinance repealing section 1313.03 of the Brook Park codified ordinances 'Home Improvement Months; Waiver of Building Fees' and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

An Ordinance enacting 509.16 of the General Offenses Code of the City of Brook Park regarding 'Pedestrian or Vehicle Interference on ATM Privacy and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

A resolution recognizing the month of September as Prostate Cancer Awareness and declaring an emergency. Introduced by Council President Vecchio. Placed in legislative committee.

A resolution honoring Southwest General Health Center in celebration of 100 years and declaring an emergency. Introduced by Councilman Salvatore, C/W and Mayor Gammella. Placed in legislative committee.

An Ordinance enacting section 505.23 of the General Offenses Code of the City of Brook Park entitled 'Management of Cat Population; Permitted Acts' and declaring an emergency. Introduced by Mayor Gammella. Placed in Legislative committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS AND CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Mayor Gammella stated no one is present in the chambers for audience participation.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11143-2020, AMENDING ORDINANCE NO. 11080-2019, AUTHORIZING THE IMPLEMENTATION OF THE BROOK PARK HOME MAINTENANCE ASSISTANCE GRANT PROGRAM (HMAP) AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Motion by Mr. Scott to place back in committee. Died for a lack of a second.

Mr. Vecchio stated Ordinance No. 11143-2020 has had its first reading.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

Note: The following piece of legislation was moved by **motion** from the March 17, 2020 Caucus Prior to agenda.

1. ORDINANCE NO. 11140-2020, 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 this legislation was placed on third reading to have reviewed by the law firm and to date I don't think any documentation has been received.

Mrs. Horvath stated after the March 17th meeting the legislation was sent to bond counsel and have not heard back, due to the COVID19 effects; this will take a little bit for that review. Informing Mayor Gammella of this Mayor Gammella felt that this is something that could be pushed out for further discussion.

Mayor Gammella commented under the current circumstances this could be put back in committee.

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

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

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

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

Council President Vecchio declared this meeting adjourned at 9:05 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak
Michelle Blazak
Clerk of Council

APPROVED August 25, 2020

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

