

**NOTES:**

1. Due to the COVID-19 pandemic all upcoming Regular or Special meetings; Governor DeWine's directive for meetings and social distancing will strictly be enforced.
2. The public is encouraged to email comments related to agenda items or general communications to the Clerk of Council, Michelle Blazak, email address by 4:30 p.m. the day of said meeting. All emails received will be shared with all elected officials and either read at said meeting or attached to the minutes' journal.

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, MAY 19, 2020**

The meeting was called to order by Council President Vecchio at 10:10 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. Emergency Special Council meeting held on April 14, 2020

Mr. Salvatore asked the clerk if the amendments were made, didn't receive them.

The clerk responded the amendments were made and emailed. The amendments made were changing Mr. to Mrs. Schmuck and the conversation between Mr. Salvatore and Mayor Gammella regarding union negotiations.

Mr. Orcutt questioned if that was the same set of minutes that some people couldn't open?

The clerk responded that could be, some people have told me they're having opening email from home office.

**Motion** by Mr. Mencini, supported by Mr. Orcutt, to move the April 14<sup>th</sup> emergency meeting minutes to June 2<sup>nd</sup> agenda for approval.

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

**Approval of minutes of preceding meetings: cont.**

- 2. Caucus Prior to Council meeting held on April 21, 2020
- 3. Regular Council meeting held on April 21, 2020

**Motion** by Mr. Salvatore, supported by Mr. Orcutt, to move items two and three to the June 2<sup>nd</sup> Council meeting.

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

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

**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Chairwoman, Schmuck

Mrs. Schmuck reported no legislation on the agenda and no report.

Finance Committee - Chairman, Scott

Mr. Scott reported no legislation on the agenda; the Board of Control (BOC) met twice since last report. The June 13<sup>th</sup> BOC had one item for the Fallsway Equipment Company for repairs to the Fire/Rescue Pumper S2 increase of \$14,000 for the total equipment repair of \$57,331.38. The BOC met earlier today and approved five items with the three largest being; CSX Transportation contract for railroad crossing equipment at Holland Road in the amount of \$9,559.16, Sherman & Sons Lawn Care 2020 Senior Grass cutting program in the amount of \$24,649.03 and Euthenics engineering services through April 24, 2020 in the amount of \$7,900.00

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Mr. Troyer clarified the statement of Fallsway amount of \$57,331.38?

Mr. Scott responded that is the total contract.

Mr. Troyer continued that means there was additional, that was with the \$5,000.00. Council was told if there were extras Council would be notified. The amount should have been \$52,351.38 plus the \$1,344.00, with last week's approval, and now it comes out that the entire \$5,000.00 was used.

Mr. Scott commented that was approved on May 13<sup>th</sup> right after our (special Council) meeting.

Mr. Troyer commented think I know what's going on, carry on.

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Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee had two items on the Caucus Prior to agenda and have one item on tonight's Council agenda.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the Parks & Recreation committee has nothing on tonight's agenda, but have a report from Recreation Director Elliott. When the recreation center reopens members will find the touch-pad and finger-pad have been replaced

**Reports from standing committees:****Parks & Recreation Committee - Chairman, Poindexter: cont.**

by a new system that includes a key fob and scanner. This user-friendly software provides members and employees a safer and healthier environment due to COVID-19 with the member being the only person touching the key fob. A final decision about baseball and softball by the end of the week and have been teleconferencing with other cities; one more meeting will be held this week. The next recreation committee meeting is Thursday, May 21<sup>st</sup> at 7:00 p.m., with social distancing and face masks.

**Planning Committee - Chairman, Orcutt**

Mr. Orcutt reported the Planning commission has not met since last report and has nothing on tonight's agenda.

**Safety Committee - Chairman Troyer**

Mr. Troyer reported the Safety committee has not had any legislation placed in committee to date and has nothing on tonight's agenda, but do have a summary of police operations due to COVID-19 from the police chief. The police department currently has 35 officers calls for service that require reports are down due to COVID-19. Traffic crashes are down due to less traffic on the roadways. The chief expects a rise as more people get back to work and more businesses open. The new COVID-19 protocol is each officer at beginning of each shift sanitizes the patrol car and is done again if anyone other than the officer is in the vehicle during shift. Officers have been provided masks and gloves as personal protective equipment and were them when in contact with the public. Officers sanitize any work space on station prior to and after use; high contact services are sanitized regularly throughout the day. The health screening and temperature checks are performed at the beginning of each employee shift. The officers are handling more calls via the phone to minimize contact with the public which has been well received by the public.

**Service Committee - Chairman, Salvatore**

Mr. Salvatore reported the Service committee has no legislation on tonight's agenda but as Chairman would like to thank the hard-work coming out of the department, the last few days and before. The department was short-staffed before the layoffs and extremely short-staffed now and crews still get the jobs done.

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

Mr. Mencini concurred with Mr. Salvatore about the tremendous job service crews are doing. Mr. Mencini reported the next Board of Zoning meeting will be June 1<sup>st</sup>.

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

Mr. Orcutt reported the hospital met on May 6<sup>th</sup> with the volume across the hospital increasing as outpatient care has reopened for surgeries and procedures.

Southwest hospital has expanded its ability of COVID-19 testing with the setup of a drive-thru COVID-19 testing center located at entrance to Building B; patients with

**Reports of Special Committees:****Southwest General Health Center - Trustee, Orcutt: cont.**

a physician's order is given a scheduled time to receive drive-thru test. The month of May is National Nurses' Week and National Hospitals' Week. This year with the COVID-19 pandemic has redirected hospital's attention and employees focused on the care for the health of the people in the community. National Hospital Week will be celebrated from June 1<sup>st</sup> through June 6<sup>th</sup> and National Nurses' Week from June 22<sup>nd</sup> through June 26<sup>th</sup>.

**Berea Board of Education Representative, Mencini**

Mr. Mencini reported there will be a Farewell walk-through at the Berea-Midpark High School on June 7<sup>th</sup> from 12:00 p.m. to 4:00 p.m. A food drive will be held on May 24<sup>th</sup> from 1:00 p.m. to 3:00 p.m. in the recreation center parking lot. Due to the economic slowdown related to COVID-19, Governor DeWine announced two weeks ago a 3.7% reduction which equivalents to \$3.4 million dollars to the Ohio Public School K-12 through the end of the fiscal year ending June 30<sup>th</sup>. Many questions are being asked about the 2020-2021 academic year and what's important to remember is the district has not theoretically gone over the fiscal numbers, the year isn't over yet. When those projections the Berea City School District a report will be provided of those financial numbers. The graduation and/or commencements have begun during the last few weeks with students and families walking the stage to receive diplomas.

**Technology and Innovation Council Representative - Poindexter**

Mr. Poindexter reported the next meeting is scheduled for June 3<sup>rd</sup> at the Mayor's pleasure. On behalf of the Technology Committee would like to wish everyone a happy Memorial Day weekend, stay safe.

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

Mayor Gammella reported the southwest suburbs had an enormous amount of rain in a short period. Will say in all the years living in Brook Park have never seen so much water on the roads, especially by the IX-Center and that area. The retention basin at Hopkins International Airport was at capacity so with that said. The service director and I have setup a schedule to allow residents to put items on the tree lawns. To the service crews thank all of you for a terrific job and have been in discussions for some time about a retention basin on Brookpark Road and will continue looking at that. With the recreation center opening and speaking with recreation staff for sports programs each child will need their own batting helmet, bat and not sure about the ball, but will keep apprised. The pool roof needs to be taken care of and will be bringing some estimates for that as well as issues with the outside water park. Mayor Gammella thanked all veterans for their sacrifice and it's unfortunate the Veteran's Day parade can't be held this year but many veterans gave their lives to be safe and

**Reports and communications from the Mayor: cont.**

we have to do the same.

**Questions to the Mayor**

Mr. Salvatore stated to Mayor Gammella at the last meeting there was a discussion of the Commissioner of Human Resources emailing Councilmembers on March 18, 2020 about the Mayor and administrations decision to temporarily suspend contract negotiations based on the current health and economic crisis faced by the city, still haven't received the email.

Mayor Gammella made note of Mr. Salvatore's request for email.

Mr. Orcutt stated to Mayor Gammella a question was received by resident, Bob Conroy of Pike Blvd., with all the flooding that occurred in Brook Park on Friday, May 15<sup>th</sup>. Will the city be out to check and clean out the sewers in the affected areas? Speaking with Mr. Conroy earlier today he was talking about the high volume of water and thinks that debris may be in the catch-basins. Will city crews aggressively be get all catch-basins and drains?

Mayor Gammella responded service crews have been doing that all along, the city has a street-sweeping program, cleaned out catch-basins, jetting out lines on a regular schedule. The answer to your question is yes, the problem areas will be re-examined and redo. I don't think there is a problem and the problem is an overabundance of water that the system just couldn't handle.

Mr. Orcutt continued that Mr. Conroy was coming from is all that water did drag new debris into the storm system. Since then and you've probably had discussions with the city engineer. Is there a cost analysis currently for the retention basin projects that were brought up in the past or current?

Mayor Gammella responded the only one I'm aware of is for Wedo Park and that area. Also, estimates were being looked over at with the Kolleda property and there are items from previous years back.

Mr. Orcutt asked if those (estimates) were in the millions or hundred-thousand...

Mayor Gammella interjected those estimates were in the millions.

Mr. Orcutt commented thank you to the service crews for the outstanding work on cleanup.

Mayor Gammella concurred.

Mr. Mencini concurred with the Mayor's statement of thanking the veterans for giving

**Questions to the Mayor: cont.**

so much and not being able to have the days to remember, Memorial Day will be a tough day. On the question Mr. Orcutt asked with Wedo Park will that be for a retention basin or holding tank?

Mayor Gammella responded we looked at both a retention and a detention basin and the nice thing about a retention basin is it keeps the water there and looks nice. The problem is when a storm of this magnitude occurs even that would overflow. Think a detention basin would have to be looked at there; which 90% of the time would be dry.

Mr. Mencini concurred it would be dry and stated hope it's the size of the recreation center gym but good with it being dry as long as it holds the water when it rains. Also, anxious to get back into the Council Chambers. At the last meeting I stated to the Council President possibly getting some of the directors at (virtual) meetings to answer questions as well as the Police and Fire Chiefs.

Mayor Gammella responded that can be arranged.

Mr. Troyer asked Mayor Gammella last week Council passed Ordinance No. 11150-2020 for the 2002 fire truck. At that time, \$3,600 for possible extras and just informed that the Board of Control spent all of that money. You promised that you would send information to Council what the extras were for, please do that now, so we know what kind of condition the city's fire truck is in.

Mayor Gammella responded I think the legislation said anything over \$57,000 but have no problem sending you something tomorrow.

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

Mr. Cingle reported to provide some clarification to Mr. Troyer's question regarding the Fallsway purchase requisition. The Board of Control approved the amount that was in section 1 of the legislation Council approved last week; total sum of not more than \$57,351.38. Currently, the payment to Fallsway will be in the amount of \$53,695.38 so not all the \$57,000 will be spent unless there is some issue prior to the truck being received back from Fallsway. Wanted to clarify that all the Board of Control did was approve the amount in section one of the legislation and not all the money is planned currently to be spent. In the event that the amount comes in a penny (\$.01) higher will let Council know of any potential increase. Secondly, the audit continues and hope to wrap up in the future and report the finalization of the audit Council. Every day, the department is working on reviewing and analyzing figures, with respect to the current pandemic, and as new information is received will be provided to Council. Wishing a happy and safe Memorial Day.

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

Mr. Salvatore asked if the 2002 fire truck is back in service?

Mayor Gammella responded no, it's not back in service. Once it comes back to the city will be in service approximately seven (7) to 14 days.

Law Director Horvath

Mrs. Horvath reported no report this evening but have one comment. Yesterday, a very distressed Ward 3 resident contacted the law department with a problem the law department couldn't help with. Did contact Mr. Orcutt who stepped in and solved the resident's issues and thank you, Mr. Orcutt, for your prompt attention and help. Wish everyone a happy and safe Memorial Day and thank all veterans.

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

New Legislation:

A Resolution strongly urging our federal senators to pass the CARES 2 stimulus package being proposed and declaring an emergency. Introduced by Councilman Mencini. Placed in Legislative committee.

A Resolution urging the Mayor to direct the police department to partner with RING through their law enforcement portal and encourage residents to use the RING neighbors app. Introduced by Councilman Mencini. Placed in Safety committee.

Mr. Troyer mentioned that there has not been Board of Control notifications sent out for some time.

Mr. Vecchio will follow up with BOC notices.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

1. BOARD OF ZONING APPOINTMENT (Mayor Gammella) – CAROL HENNINGER.

Mayor Gammella stated Mrs. Henninger's reputation speaks for itself and would be an excellent (candidate) to fulfill the unexpired term of the vacancy.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to approve the appointment.

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

**NAYS:** Troyer. The appointment carried with a vote of 6-1.

Mr. Vecchio welcomed Mrs. Henninger to the Board of Zoning Appeals.

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

Nothing came forward.

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

1. ORDINANCE NO. 11151-2020, 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 and Councilmembers Troyer, Mencini, Orcutt, Scott, Schmuck, Poindexter and Council President Vecchio.

Mayor Gammella asked Council for suspension of this legislation.

Mr. Troyer commented correspondence is still being received and there is no legislation amending (code section) 505.30, that this legislation contradicts. Until that amended legislation is received so these two ordinances work together will not vote for legislation, due to competing legislation.

Mrs. Horvath responded thought an email went to Mr. Troyer with regards to that issue indicating that there was no conflict. Will check into this but as far as I know there is no conflict between the two provisions; will email Council with the opinion.

Mr. Troyer continued (code section) 505.30 states 'No person shall provide food for dogs, cats or other animals or wildlife by setting such food out in the exterior portion of person's home, residence or enclosed proximity thereof'. This (legislation) to catch, spay and neuter is using food to an animal, how does that not contradict? Also, did not get that email.

Mrs. Horvath continued doesn't think there is a conflict but will issue an opinion for all of Council and will check where the email went.

Mr. Vecchio stated Ordinance No. 11151-2020, has had its First Reading.

2. ORDINANCE NO. 11152-2020, AMENDING SECTION 1313.03 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED COMMERCIAL BUILDING PERMIT FEES AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11152-2020, has had its First Reading.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**


**THIRD READING OF ORDINANCES AND RESOLUTIONS:**



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 10:52 p.m.

RESPECTFULLY SUBMITTED   
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.

3,101 words

