

**NOTES:** 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.

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, JUNE 2, 2020**

The meeting was called to order by Council President Vecchio at 7:34 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.
2. CAUCUS PRIOR TO COUNCIL MEETING HELD ON APRIL 21, 2020.
3. REGULAR COUNCIL MEETING HELD ON APRIL 21, 2020.
4. CAUCUS PRIOR TO COUNCIL MEETING HELD ON APRIL 28, 2020.
5. REGULAR COUNCIL MEETING HELD ON APRIL 29, 2020.
6. REGULAR COUNCIL MEETING HELD ON MAY 5, 2020.

**Mass Motion** by Mr. Salvatore, supported by Mr. Mencini, to move six sets of meeting minutes to the June 16, 2020 Council agenda.

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

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

**REPORTS OF STANDING COMMITTEES:**Aviation & Environmental Committee - Chairwoman, Schmuck

Mrs. Schmuck reported there is no legislation on tonight's agenda.

Finance Committee - Chairman, Scott

Mr. Scott reported no legislation on tonight's agenda. The Board of Control met earlier today and approved seven (7) items; three largest being Stavole & Sons Senior Grass Cutting Program increase \$362.00 totaling \$22,394.88; Cooper Kurtz Disposal LLC for pickup and disposal fees for roll-off containers \$9,000.00 and Otis Elevator Company maintenance contract for recreation center elevator 6/1/2020 to May 31, 2021 for \$6,282.36.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the legislative committee has one item on the agenda, if any legislation should be pulled out please contact me.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the recreation commission met on May 21<sup>st</sup> unable to attend due to quarantine for Coronavirus and tested negative when being tested. A few notes from that meeting is there are currently three recreation staff members currently working. Two staff members took the voluntary layoff and the part-time staff was laid-off after cleaning and sanitizing of all recreation equipment. The recreation center is looking to reopen June 15<sup>th</sup> in accordance with responsible Ohio guidelines. With the waterpark a filtration company will be advising on repairs and the waterpark will remain closed this year. Parks & Playgrounds are still closed currently as well as the cancelling of special events. On another note unable to make the May 29<sup>th</sup> Special meeting but would like to publicly thank the police unions for bargaining in good faith and helping the city during this uncertain financial time; appreciate the unions helping the city with this matter.

Mr. Gammella clarified the recreation center will be reopening on June 22, 2020.

Mr. Mencini clarified with Mayor Gammella if the announcement of the recreation center reopening will be on the Code-Red alert.

Mayor Gammella concurred.

Mr. Troyer asked Mr. Poindexter where was the recreation commission meeting held?

Mr. Poindexter responded in the recreation center.

Mr. Vecchio asked Mr. Poindexter how many people attend the recreation commission meetings?

Mr. Poindexter responded five members were in attendance at that meeting.

**Reports of Standing Committees: cont.**

**Planning Committee - Chairman, Orcutt**

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

**Safety Committee - Chairman Troyer**

Mr. Troyer reported the Safety committee has one item in committee brought forward by Councilman Mencini about allowing police to view RING doorbells, plan on putting on the June 9<sup>th</sup> Caucus agenda. Mr. Troyer thanked all safety forces with all that is occurring, especially to police, who have to do extra. There was staging in the recreation center parking lot, nothing bad going on, just extra police from other cities staging where to go during the current situations. Mr. Troyer reiterated as soon as possible get back in the Council office and chambers, complaints from resident this current way not working would like to speak at the lectern; obviously special rules put in place.

**Service Committee - Chairman, Salvatore**

Mr. Salvatore reported the bulk pickup will begin on June 8<sup>th</sup> on resident s' regular rubbish day collection, place bulk items three to five feet away from rubbish cans. Any questions on items for bulk pickup call the rubbish hotline at 216-433-7189. Mr. Salvatore commended the service crews on the great job(s) being done being short-handed.

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

Mr. Mencini thanked everyone for watching and the website was recently down but is up and running. Would like to thank all the employees for doing a great job with COVID-19 pandemic with police doing extra work this tough weekend. One point is I cancelled last night's Board of Zoning Appeals meeting, only one piece, visited the resident who was very understanding. Council approved Resolution 9-2020 that reads that no boards and commissions can meet and don't want to go against legislation I voted for. Would like to ask colleagues that possibly the next Caucus meeting that legislation could be revisited due to some boards and commissions having to meet. It's been a while with the COVID-19 virus and as Councilman Troyer mentioned may be time to move ahead a little bit.

Mr. Salvatore thanked Mr. Mencini for his hard work on the zoning board and in agreement to reconsider and rescind that resolution so boards and commission can start to meet again; provided all safety precautions are taken for everyone attending as a member or resident.

Mr. Poindexter asked Mrs. Horvath with Resolution No.9-2020 I believe the wording was 'until further notice'. Where would that notice come from? Would that be the committee itself, Council or the Mayor? Until further notice is quite vague in my opinion.

Mrs. Horvath responded would have to view the legislation and believe it was vague to give the maximum flexibility in deciding when these meetings should

## **Reports of Standing Committees: cont.**

### **Board of Zoning Appeals - Chairman, Mencini: cont.**

begin. I think the State of Ohio would allow deferment of meetings probably to December 31, 2020 based on material viewed. I think that you probably have to look at this on a case by case basis and probably have to give a great deal of discretion to the chairman of the various commissions, as to whether or not the meetings should take place. For example, Councilman Mencini looked at the Board of Zoning agenda and with only having one item felt it would be a good thing to defer until another date. Think it would be good for Council to discuss perhaps at the next Caucus meeting and I will review the legislation along with other materials and will provide to Council.

Mr. Mencini thanked Mrs. Horvath for comments and didn't want someone saying six months from now the meeting was illegal and did not want to do that to the resident. Everyone has been good with this decision not only the resident but the members and administration.

## **REPORTS OF SPECIAL COMMITTEES:**

### **Southwest General Health Center - Trustee, Orcutt**

Mr. Orcutt reported the safe reopening of Southwest General continues with the volume of patients increasing for the month of May, as medical providers reopen their offices and patients feeling more comfortable coming back to the center. An important note is

Southwest fitness facility, Lifeworks, reopened June 1<sup>st</sup> with the implementation of all operational guidelines from the Ohio Department of Health to insure safety for employees and members. Southwest General is working through the Ohio Association to encourage the governor to move to step three, final phase of opening of hospitals across the State of Ohio. Doing this will allow the hospital to restart in-patient services and procedures and resume Southwest to provide full service to the community.

### **Berea Board of Education Representative, Mencini**

Mr. Mencini reported the schools will be coming out with a financial report soon and my understanding it's not going to be very good for the next few years; the State of Ohio has trimmed \$3 million-dollars off the local funding for 2020. Have received a few emails from parents with questions and apprehension about how next year will go. With finishing the school year today and drive-by graduation parties taking place. Some questions are students attending school two days, wearing of masks as well as special needs questions. The parent-teacher-student went well for some, not so well for others with children falling behind that parents don't want due to having on their plate. Parents don't want to be the teacher to their children but are willing to help. For parents with questions the Ohio Department of Education can be reached by phone at 877-644-6338 or email address [centereducation.oh.gov](mailto:centereducation.oh.gov). click on center or superintendent to leave comments. There was an Ohio PTA (Parent-Teacher Association) online survey with 14,500 parents responding about the reopening of schools. In that survey 60% of the parents said they would send their children back to school, 11% said no and 29% unsure; 32% agreed with mandatory

## **Reports of Special Committees:**

### **Berea Board of Education Representative - Chairman, Mencini: cont.**

masks for the students and 40% not in favor of masks. Once the financial report comes out will share with everyone. Would like to thank the Schwind's for the special needs student who wanted a 2020 graduation sign that the Schwind's provided along with a nice letter.

### **Technology and Innovation Council Representative - Poindexter**

Mr. Poindexter reported the Technology & Innovation committee plans on having a meeting tomorrow evening, with only five in attendance, in the Council Chambers at 6:00 p.m. Members will practice social distancing and wearing of masks. There are some items the committee needs to meet to help with things in the city and to get the technology audit moving forward. It was mentioned earlier that the website was down over the weekend and some members of the technology committee offered some advice to the administration; not sure if it helped or not but it showed a lot of integrity and compassion the members of the committee have for this city and moving the city forward. Want to commend the committee for their selflessness and willingness to help the city in this time of need.

## **REPORTS OF BOARDS AND COMMISSIONS:**

## **INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

## **REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

open on June 22<sup>nd</sup> and a full recreation report will be forthcoming to Council. Both City Hall and the Building Department have been operating but on June 22<sup>nd</sup>, the doors will be unlocked for public entry. Legislation is being introduced on the pool roof and encourage Councilmembers to take a walk-through of the pool area and have some videos I took during the last rainstorm and the roof needs to be addressed quickly. I contacted American Legion Post #610 and for Memorial Day the legion did very quiet memorial to the veteran with a 21-gun salute and TAPS; the post asked that I not invite anyone, they just wanted to this in that manner and I understood. Since last year I've been talking with the Cuyahoga County Sewer Department about a detention basin in the City of Brook Park this basin would hold water and would drain out after a 48-hour period of time. I met with them again today on this detention basin and think it looks like this is something that could be done in the future. Will be quite costly probably in the \$4 to \$5 million-dollar area and think the city can get help from the Northeast Ohio Sewer District and other places; think this needs to be done and also think Council will concur with that. The sewer district is doing a study currently for all Northeast Ohio and there are two watersheds; the Rocky River and the North Cuyahoga and the city falls within both those watersheds. In mid-September, after the study is concluded, I have asked sewer district representatives to appear before Council to review the study and figure out a plan to alleviate flooding. The sewer representative I spoke with indicated that the flooding problem was having an inch and a half of rain in a five

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

to seven minutes, which is unbelievable, and overran the system. Again, a detention is on the radar and will probably be calling an executive session in weeks to come to discuss this.

### **Questions:**

Mr. Orcutt stated great report glad to hear talks of a detention basin came up. I completed my analysis of what happened in Ward 3 on May 15<sup>th</sup> still informal, haven't been able to put it together for emailing. The analysis did include 30 streets in Ward 3 and also included 728 homes that actually took water in Ward 3. My question is on the detention basin did the sewer district have an idea for a project in the \$4 to \$5 million-dollars and where?

Mayor Gammella responded yes, but I'd rather not discuss it right now but there are a few ideas and Council will be a big part of that decision making process.

Mr. Mencini stated to Mayor Gammella in Ward 2 there were roughly 23 streets and 214 to 225 homes that took water. This is very important for the detention basin(s) and hoping there is more than one, possibly two or three. Looking forward to that and am sure the residents are looking forward to hearing about that; the key is where they will be put.

Mayor Gammella interjected correct for the placement and there is a possibility there may be more than one.

Mr. Mencini continued there are more calls coming in about speeding in the residential areas as well as running stop signs. The officers are doing a great job, have done a great job through this and always do a great job. It's not the amount of calls, they're a bit more animated, and not the same residents that usually call.

Mayor Gammella asked Mr. Mencini for a list of streets that are a larger problem.

Mr. Mencini responded have some streets and will call tomorrow to go *over* them. With the senior grass cutting program some of the contractors have added a \$25.00 (charge) if the grass is a little higher, was the city aware of that?

Mayor Gammella responded I was not aware of that at all and the point of contention with me is the contractors have the contract to cut the grass, if the grass is higher than the contractors aren't cutting it enough, that can be another topic for discussion tomorrow.

Mr. Mencini commented I could see an additional charge for a huge yard and know the contractors fell behind with the rain and heat; told many seniors to be patient. Another thing is on the Civil Service minutes there was a foremen's test, was that

**Questions to the Mayor: cont.**

for the service department?

Mayor Gammella responded to be very frank I don't know but will look into it tomorrow.

Mr. Mencini continued he also has a resident questioning abatements if doing a big addition on their house, once again, good to hear about the detention basins.

Mr. Troyer expressed concern with Resolution No. 9-2020, there is much in that and my concern is if Council repeals instead of amending the legislation; there may be some benefits lost. Want to make sure the legislation isn't repealed and there is a problem getting any kind of compensation. Also, great news on the detention basin and sure it won't help Ward 1 because Ward 1 needs Abrams Creek cleaned out. I have also been told the trash rack may be reconfigured; most of if not all of Ward 1 goes into the Rocky River (Watershed).

Mayor Gammella responded as I mentioned the city is part of two watersheds and Abrams Creek does go into the Rocky River (Watershed) so the city will be eligible for some help there. Also, there will be one million dollars into a new trash-rack.

Mr. Salvatore stated glad to hear you're meeting about the flooding issues. During your talks did anything ever come up about running a dual system?

Mayor Gammella clarified with Mr. Salvatore with the dual system your talking about is having a sanitary and storm in two different trenches?

Mr. Salvatore concurred.

Mayor Gammella continued that did come up, unfortunately, there are areas in the city that both of those are in the same trench.

Mr. Poindexter stated to Mayor Gammella I understand the city's website was down over the weekend, any insight as to what happened and were the technology committee members' insights helpful to the city's IT person?

Mayor Gammella responded yes, the technology committee was helpful and I appreciate it. The website was down and is now back up and I can't tell you precisely what happened.

Mr. Poindexter continued next question is being about halfway through the first round of voluntary layoffs, at this point, do you expect that to be extended into a second round?

**Questions to the Mayor: cont.**

Mayor Gammella responded still too early to tell.

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

Mr. Cingle reported May monthly reports will be distributed in the next few days. The 2019 audit is continuing and will hopefully be wrapped up in the next few weeks, not aware of any issues, will get to Council when finalized. The tax department is getting ready for the July 15, 2020 filing deadline for 2019 taxes that was extended due to the pandemic. We anticipate the tax window to be opened within the next few weeks and are taking all COVID-19 precautions to keep both staff and taxpayers safe; meaning not being able to accommodate two taxpayers at the window at the same time. Due to the six-foot social distancing only one taxpayer will be taken care at any given time. The department is asking that once the window opens if taxpayers could come in sooner than July 15<sup>th</sup> that may alleviate the flow of traffic getting closer to July 15<sup>th</sup>. Taxpayers can always use the green tax depository box outside City Hall, drop information and phone number in the box so the tax department can review the tax forms and call with any questions.

**Questions to Finance Director Cingle:**

Mr. Mencini stated to Mr. Cingle, has anything been looked at for reduction of expenses, for example, not having Home Days things of that sort.

Mr. Cingle responded it's been taken into account the fact there will be no Home Days this year and as of right now all non-essential purchasing has stopped; only necessary purchases are being processed currently. Anything related to the pandemic is being coded to a COVID-19 project code and hopefully in the near future the State (of Ohio) will start to release funding to municipalities; through the Cares Act for reimbursement for those expenditures. Both the revenue and expenditure sides are being looked at and the Mayor and I were on a conference call with Mr. Chavez, who owns two of the parking lots in the city. Mr. Chavez stated they lost 96% of their business and we asked them to put a plan together for the city to review on how they plan to proceed moving forward. There may be some lost revenue due to the parking lots not being fully functional. We informed Mr. Chavez that once we see the plan will bring forward to City Council for review before any decisions are made. Council's patience is greatly appreciated while working through these issues and will know more once the city gets through the initial tax filing; to see how significant the impact is regarding loss revenue.

Mr. Mencini commented to Mr. Cingle glad you brought up the Cares Act very big and know the governor said today the school districts decide on how to reopen. The governor cut \$2.5 billion-dollars from the State (of Ohio).



**Questions to Finance Director Cingle:**

Mr. Cingle commented I had a conference call last week with State of Ohio Auditor Faber who stated the State of Ohio revenues are down \$6 billion-dollars, so there are significant challenges on their end. This is affecting schools, cities, and hopeful that the state legislature will approve legislation to allow this Cares funding to flow through to public entities. For reimbursement of costs incurred related to the pandemic and also curious to see if the city can utilize some of funding for safety forces salaries related to the pandemic. My understanding this is really going to be thoroughly audited next year so the city has to make sure what the monies are utilized for is approved for those guidelines and hope it's soon that they start allowing the funding to pass through to local entities.

Mr. Salvatore asked Mr. Cingle if there is anything available to the parking industry to possibly get some relief so the city doesn't lose all that licensing revenue, it is a licensing fee not a tax.

Mr. Cingle responded Mr. Chavez did not inform us if there were any federal funding regarding parking lot businesses; once the plan comes forward that is something that can be talked about. What complicates the city a little bit and as I said to Mr. Chavez this isn't a tax, it's a fee. Would be much easier to administer or forgive a tax if no parking revenues are being generate ed. Think Mr. Chavez understood that and will work with them and wait for the plan so City Council can review.

**Law Director Horvath:**

Mrs. Horvath stated the list of pending civil lawsuits have been forwarded to Council.

**Questions to Law Director Horvath:**

Mr. Troyer asked Mrs. Horvath when can the outside legal counsel information be expected?

Mrs. Horvath responded that information is partially put together, due to a number of occurrences during the past week, the department had to defer completion. My intention is to put the items together and provide to all City Council by week's end.

Mr. Troyer asked if there is anything new on the west-end lawsuit?

Mrs. Horvath responded no, so you can understand the court systems predicament with COVID-19 and current social unrest. The courts were supposed to reopen Monday and that opening date has been deferred to the following Monday, June 8<sup>th</sup>. Right now, it is my understanding, that no court personnel are Downtown from Monday onward and not

**Questions to the Law Director: cont.**

sure when they are expected to return. It is currently slow going for the courts to get up and running and as soon as there is any news on that lawsuit all of Council will be made aware.

Mr. Troyer commented seems to be one thing after another.

Mrs. Horvath commented these are interesting times.

Mr. Poindexter stated to Mrs. Horvath you answered my question with the west-end lawsuit, unless you would like to elaborate.

Mrs. Horvath elaborated it is my understanding the only thing going on in the justice center are arraignments. Just imagine the predicament of trying to give a jury trial for a criminal case with 12 jurors and how it can be done safely. Or maybe not a jury trial but a case with many exhibits and doing a Zoom hearing everyone has access to those exhibits or determine if someone needs to talk to their client on Zoom in separate locations. It is challenging and the court is trying to work through this and it is very difficult for court personnel.

Mr. Poindexter commented hopefully the judges have had time during this quarantine to work through caseload material, especially the ones the city has been waiting on for quite some time.

Mrs. Horvath commented on the civil active list there was a labor case that was submitted in September with a resolution. The west-end case was submitted in December so hopefully the cases the city is waiting for won't be far behind.

**OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: {INTRODUCTION OF NEW LEGISLATION}:**

1. CORRESPONDENCE RECEIVED FROM RESIDENT

The clerk read the correspondence as requested that is attached to these minutes.

**New Legislation:**

An Ordinance authorizing the Director of Public Service to prepare specifications and further authorizing the Mayor to advertise for bids and enter into contract with the lowest and/or best bidder to restore the roof and walls in the Natatorium and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

A Resolution urging strongly urging our federal senators to pass the health and economic recovery omnibus emergency solutions act 'Heroes' and declaring an emergency. Introduced by Councilman Mencini. Placed in Legislative committee.

**New Legislation: cont.**

A Resolution honoring Kurt Nennstiel, Jr. for the countless years in volunteering in coaching Brook Park sports programs in the City of Brook Park and declaring an emergency. Introduced by Councilman Mencini. Placed in Recreation committee.

An Ordinance authorizing the Mayor to enter into an agreement with Watchguard for the purchase of police body worn cameras and declaring an emergency. Introduced by Mayor Gammella. Placed in Safety committee.

Mr. Salvatore questioned why the introduced legislation authorizing the service director to prepare bids go into Finance committee?

Mr. Vecchio responded due to going out to bid per Council rules.

**M ISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

No communications were received.

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

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

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.

Mr. Troyer stated to Mrs. Horvath has the legislation that contradicts this legislation been drafted?

Mrs. Horvath responded that email was received from the clerk on May 13<sup>th</sup> and that question was answered by my administrative assistant who indicated there was no conflict, whatsoever, between Ordinance 505.30 - Feeding of stray animals and this current legislation. I, also concur with her opinion, and that particular legislation speaks about individuals who are prohibited from setting food out on the exterior portion of that person's home or residence. This legislation speaks about adding food to traps which is very different.

Mr. Troyer clarified there won't be a issue where someone gets cited for feeding animals and find out the people were putting out food to trap the animals.

Mrs. Horvath responded can't imagine there would be because the purpose of putting the food in the trap is to allow the spay and neuter program to move forward.

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

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

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

Mr. Mencini asked a few times if some of the directors could be in attendance at the Zoom meetings for questions Council may have.

Mr. Orcutt commented would like to have the engineer at a meeting to discuss the recent flooding issues, possibly the June 9<sup>th</sup> Caucus agenda.

Mayor Gammella commented an Executive session be added to the June 9<sup>th</sup> Caucus agenda for possible Purchase of Property.

Mr. Vecchio concurred with Mr. Orcutt to have the engineer, service director and finance director at that meeting.

Mr. Orcutt concurred to speak about appropriations, not the final appropriations, but some costs.

Mr. Troyer reiterated the meetings need to get back to an open forum to be able to have directors in attendance. Need to wake the city up and start getting things done and can do things better on the dais and having the Council office open. Mr. Troyer thanked Council President Vecchio for setting up these Zoom (virtual) meetings.

Mr. Mencini agreed with a few statements Mr. Troyer made and agree Council needs to get back to business. But, we are I'm out there ten hours a day hearing from everybody and there are a lot of other communities, boards and commissions meeting by Zoom also. We have a lot on our plate, absolutely, but this Council is willing to work.

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, Poindexter, Salvatore

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

Council President Vecchio declared this meeting adjourned at 9:00 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak  
Michelle Blazak  
Clerk of Council

APPROVED September 1, 2020

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

4,838 words



Michelle Blazak

*Read 6/16/20 Council*

②

**From:** Thomas Dufour [REDACTED]  
**Sent:** Tuesday, June 16, 2020 4:31 PM  
**To:** Michelle Blazak  
**Subject:** For the Meeting

Over the past several weeks, we've witnessed protests and civil unrest as tragically, more unarmed people of color lost their lives in interaction with vigilantes and law enforcement. The deaths of Ahmaud Arbery, and George Floyd yet again thrust into the national spotlight preventable tragedy that underscores an undercurrent of pain long felt by individuals who historically were left out and left behind in American life. It should never take a tragedy to remind ourselves of the important work that is incumbent upon us to ensure that justice and liberty is not lost for a single human life.

Injustice anywhere is a threat to justice everywhere.

In September 2017, this body passed Resolution number 21-2017, which proclaimed the City of Brook Park "A Tolerant and Diverse Community." This resolution was passed in response to the attack on Charlottesville, Virginia's residents by members of the alt-right and other white supremacist and neo-Nazi organizations. That resolution, while narrow in scope, was meant to highlight that our city is better than those who seek to divide us.

Now more than ever do we need to draw a line in the sand and proclaim that we're above division. I urge the city council to revisit this resolution, update the language, and pass this resolution in perpetuity in order to further underscore our city's commitment to tolerance and justice for all.

**Thomas Dufour**

Director of Accounts & Business Development | [@tdufour](#)

Summit Collective Member

[REDACTED]

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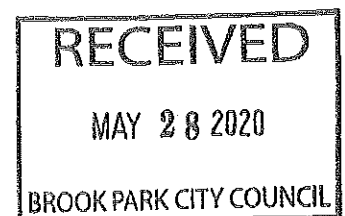


MISU

27 May 2020 Senior citizens meet for coffee, talk, ask questions, visit each other and call each other and ask questions that need honest answers.

Where shall I begin:

Magnifying glass or blind fold--to understand where I am going, we must look back to see how it unfolded. Mayor Coyne's administration, we need a new rec center, \$40 million dollars. He did not want to spend any money on maintenance. He would say "it is shot beyond repair." How many years did he tell us "I have lawn sprinklers on the roof of the rec center. He refused to get competitive bids to replace about 14 individual air handlers HVAC units. How can a mayor not get competitive bids to spend millions and yet our city council never complained. More about this later. Next, Coyne told us state energy program could pay for



repairs to the rec center, cost \$5.2 million for a bond for 20+ years. The problem is \$5.2 million is because competitive bidding was not implemented. Experts say that the list of work to be done says that only \$2.5 million work was done, not \$5.2 million. In addition to this, about \$2.5 million interest on the bonds. We could have done the work with cash and competitive bidding, saving about \$5.5 million dollars. (2.5 million in bonds and 3 million in work which equals about a ball park price of 5.5 million.)

Going forward Mayor Coyne told our city, city council chambers and city hall would be mothballed. People asked to see documents for repairs of the rec center and what would happen to city hall and council chambers. They requested this many times, but it never materialized.

Estimated value of city hall and council

chambers including a Koehler natural gas emergency generator unit with transfer switch and outdoor transformers, with an hour meter showing low run hours. The life expectancy of such a generator is 100+ years. It was a Cadillac of equipment, estimated value of emergency generator 1 million dollars plus. What happened to the equipment of estimated value of 1 million dollars? What did the city receive for this generator?

The city hall and council chambers including the concrete plaza between them, estimated value \$2 million plus, plus emergency generator total \$3 million plus estimated.

After all a new house average cost is \$250,000 with a smaller footprint.

Now Brook Park again has a major flood. There have been over 40 floods in this town and counting. 15 May 2020 Friday about 4:30 p.m. a

major flood hit Brook Park. What expense have our residents endured thru the years? On February 28, 2011 and July 19, 2011 our city along with many of our neighbor cities were flooded. A law firm from Detroit, Michigan, came here and sued Brook Park and neighboring cities in court and won for damages because the cities did not maintain sewers as they were instructed to do. This settlement was based on affidavits filed by residents to the court. The cities were forced to spend money for sewer improvements. Unfortunately, quite likely we will be successfully sued again.

What damage was done on 15 May 2020 at about 4:30 p.m. Estimated Ward 3, 500 plus homes x \$3,500 each just to dry out the homes, no repairs were made. That is what our residents paid contractors to dry them out. Total \$1,750,000. Then carpet, furniture, appliances, drywall, paneling, personal items,

estimated \$3 million dollars. Total estimated damage ward 3, plus or minus \$5 million dollars. How many tons of damage were picked up at our curbside?

Four wards x \$5 million dollars, estimated damage to Brook Park \$10 to 20 million dollars.

People want to see documents that city hall and council chambers were required to be torn down. Now one of our wise senior councilmen wanted to save the city hall vestibule and restrooms for use at city events, that would include the concrete plaza, valued at about \$100,000, natural gas services, electric services, water and sewer services. Councilmen went several times to the Mayor, "we will see, good idea" and finally told we would not save the lobby and restrooms, nor would we save the concrete plaza valued at \$100,000 plus. We must remember that after all the school across

the street saved the auditorium from demolition.

While all this is going on council is approving money left and right for our ball diamonds and football field, new fences, the old ones are a little raggedy, new lighting, new concession stands, new roofs because old roofs do not match, special expensive dirt to keep the ball fields dry, dug outs to keep out the sun and much more! Oh and the Mayor needs an emergency order to capture stray cats, to neuter and give shots and cut tips of ears off. This costs money to somebody. This is good having it under the microscope but what about the big items. We also had a dispute about the value of a piece of property somebody wanted to build a home on, which again was under the microscope, which was great, but again what about the big items in the city.

There is not one nickel in capital budget for flooding but \$2 million for roads. At a time like this doesn't it sound like the numbers are backwards??

The city has told us that much of the city should never have been built on. It seems that Middleburg and Strongsville growth are causing our problems. The resident wants to know what you can do!! We do not want to be told what cannot be done. There is much that can be changed.

NOWA, National Weather Service, reports all weather everywhere, homes, private pilots, boats are alerted to weather and flooding. Such as the Vermilion River and Black River. It is updated hourly. For example, Vermilion River rising to 20 feet, 2 feet below flood stage, if it continues flooding will begin in 90 minutes. We can copy this type of reporting, we have

pumping stations to alert us that a flood is coming, number of pumps running, etc. Also, creeks could have poles with depth marks on them. Our police auxiliary could monitor those poles and radio in that vital information. This could be used to reverse 911 to our residents and turn on our sirens. This would buy residents time to move things out of harms way!!

Sump pumps if installed could lessen damage to the homes. The city could tell us the do's and dont's of sump pumps and who is qualified to help and at what price. Is this too much to ask for?

Last council meeting, 19 May 2020 Zoom and streaming had technical problems during caucus meeting. This was before the executive session, everything froze, someone in the midst of talking, video and audio frozen. I tried texting council members to no avail. This went on for



up to 45 minutes. A note on the screen said we are having technical difficulties. It would be nice to have a phone number when this happens.

In council meeting remarks from the residents on any subject, we need a phone number to call. Michelle says she gets nothing, no e-mails, so what we are doing is not working. It could be real simple to call the council president and put it on speaker. We are picked up by his microphone, same as he uses. We can remedy this and must do so.

Police chief came for annual report to the city and first thing he reported was the roof is leaking again, that has been repaired numerous times to no avail and causing disruption to what he needs to run the police station. Why is maintaining our buildings so difficult, why?

Ed Orcutt had a lot of ideas to help our flooding.

He said the city could build their own retention basin for thousands and save tons of money for the city.

So far this is where we are at:

No competitive bids for the rec center, a loss of \$2.7 million dollars

Bond instead of cash \$2.5 million

Loss of city hall, council chambers, loss of concrete plaza, loss of emergency generator \$3.5 million

Flood this year 15 May 2020 not including 40 prior floods in Brook Park, \$10 to 20 million.

Repair to the rec center \$5.2 million

2011 law suit for flooding, \$\$\$, ??

Grand total: \$33.9 million

Why are banks, restaurants, stores closing in Brook Park? Parrason's, Bally's, Ponderosa,

Dan's Dogs, Place to Be, Nickels Bakery, post office, Amy Joy Doughnuts, Dairy Queen, 6 plex theater and more? Could some of this be because of how we are running our city?

Looking back at the past may help us understand what works and what bites us in the back, because the wrong decisions were made.

One more thing before I close, ask what we can do that we have not tried before. Roll up our sleeves, get to work, stop making excuses, saying "I was busy but really trying things, they said, etc." If it is too hot in the kitchen we will understand, move over and out of the way of those who are making it happen.

Ray Peterlin

P.S. I am trying to get copies of this letter to all of council and the mayor as I do not know how to get this letter read and put in council minutes, since we do not have live meetings.

