REGULAR CAUCUS MEETING OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO TO BE HELD ON TUESDAY, JUNE 9, 2020

The meeting was called to order by Council President Vecchio at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, SCHMUCK, ORCUTT, TROYER, MENCINI, POINDEXTER, SALVATORE Also in attendance were Mayor Gammella, Law Director Horvath, Finance Director Cingle, Engineer Piatak and Economic Development Commissioner Adams, Police Chief Dickel.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

Note: Moved by **motion** from the March 10, 2020 Caucus meeting.

1. REGULAR CAUCUS MEETING HELD ON FEBRUARY 11, 2020.

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend page 16 with the motion to go into executive sessions delete Negotiations of Bargaining Matters and insert Collective Bargaining Matters.

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

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to approve as amended.

ROLL CALL: AYES: Poindexter, Schmuck, Scott, Orcutt, Troyer, Mencini, Salvatore **NAYS:** None. The meeting minutes are approved as amended.

REGULAR CAUCUS MEETING HELD ON MAY 12, 2020.

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend page four (4) where Mr. Troyer is speaking delete the word isn't and insert word is to read is in my ward.

ROLL CALL: AYES: Troyer, Poindexter, Mencini, Salvatore, Scott, Schmuck, Orcutt **NAYS:** The amendment carried.

Motion by Mrs. Schmuck, supported by Mr. Troyer, to approve as amended.

ROLL CALL: AYES: Schmuck, Troyer, Mencini, Poindexter, Salvatore, Scott, Orcutt **NAYS:** None. The meeting minutes are approved as amended.

Motion by Mr. Troyer, supported by Mr. Poindexter, to go out of the regular order of business to Safety Committee.

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

Safety Committee - Chairman, Troyer: cont.

the storage capabilities currently and don't anticipate having to expand that for a while.

Mr. Salvatore stated reading the legislation and quotes thoroughly this is something the city should be doing, with the city's contribution of approximately \$7,300.00.

Mr. Poindexter asked Mr. Cingle this will be coming out of the federal forfeiture fund or police fund to purchase the cameras. When the city gets reimbursement does that go back into those funds or another fund?

Mr. Cingle responded will go back to the same fund where paid out.

Mr. Poindexter commented to Mr. Dickel the department needs these cameras and it's nice to have more protection.

Mr. Troyer asked Mr. Dickel about the use of the cameras and will be very hard to lose the information picked up and taken in, evidence sort of speak. How will the cameras be implemented i.e. turning on at certain times or always on, how will the cameras used when the department receives them?

Mr. Dickel responded this will mirror how the dash-cameras with specific calls the cameras will be turned on at any time the officer feels the need to turn on the cameras, it would be ridiculous to record every moment of the officers' time on the camera. The body-worn cameras, like the dash-cameras, are designed to record the officers' interaction with the citizens when responding to calls.

Mr. Vecchio asked how long before the cameras are in the department and up and running?

Mr. Adams responded will be 60 days after purchase and 30 days for final installation. A trainer will be sent up to Texas to train the police officers on the usage and integrate into the system and get them operational for street usage.

Mr. Vecchio commented by the fourth-quarter of the year for police officers to be equipped with cameras.

Motion by Mr. Salvatore, supported by Mr. Scott, to place on the next Council agenda.

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

Safety committee - Chairman, Troyer: cont.

officers as many resources as possible.

Mr. Troyer asked Mrs. Horvath if Council could pass this legislation and then work on the procedures, after the fact?

Mrs. Horvath responded it might be a good idea to have some idea what the procedures would be but think there would be some lag-time between passage and implementation. That time could also be used for the development of the procedures.

Mr. Scott stated I am part of the neighborhood Ring app that is very beneficial. Currently, any problems in Parma Heights or Middleburg Heights in a certain small radius. This is very beneficial, does help and the video is very clear with the showing of automobile break-ins or going into backyards. I, personally, wouldn't have a problem with going into the portal to help protect my neighbors with this very good tool.

Mr. Salvatore stated reading the legislation I think what Councilman Mencini is a good idea and all Council is doing is asking the Mayor to direct the police department to take a look at this. This would have to come back to Council for funding purposes of the cost to join. The way I look at this is basically this is an electronic neighborhood watch and something to move the city forward in the world of technology, this is one step forward in that process.

Mr. Troyer commented there is no cost, the only cost would be the time to work out the procedures between Chief Dickel and law department.

Mr. Mencini concurred.

Mr. Orcutt stated there was an incident in Ward 3 where a car chase from the City of Parma ended up in Wedo Park and as the chief said were able to use the cameras from people's residences to find the suspect hiding behind a garage.

Mr. Poindexter stated no problems with the legislation or giving the police department all the tools but seems that this program is only as good as the number of houses that have the Ring system. To Mr. Dickel would that be an accurate assessment with the more houses that participate in the Ring program.

Mr. Dickel responded for sure, I don't have Ring in my own home I have a different system that is able to upload videos, report items and join the network as well. The program I have is a little bit more complicated for any video being shared.

Motion by Mr. Troyer, supported by Mr. Scott, to go back to regular order of business.

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

Motion by Mr. Troyer, supported by Mr. Scott, to take a five-minute recess.

ROLL CALL: AYES: Troyer, Schmuck, Orcutt, Scott. Salvatore, Poindexter, Mencini **NAYS:** None. The motion carried at 8:40 p.m.

Motion by Mr. Troyer, supported by Mrs. Schmuck, to go into Executive Session for EXECUTIVE SESSION - MAYOR GAMMELLA

- PURCHASE AND SALE OF PROPERTY:
- COLLECTIVE BARGAINING MATTERS:

ROLL CALL: AYES: Troyer, Schmuck, Orcutt, Scott, Salvatore, Poindexter, Mencini **NAY:** None. The motion carried at 8:45 p.m.

Motion by Mr. Mencini, supported by Mrs. Schmuck, to go back to the regular order of business.

ROLL CALL: AYES: Mencini, Schmuck, Troyer, Poindexter, Salvatore, Scott, Orcutt **NAYS:** None. The motion carried at 9:15 p.m.

DISCUSSION:

1. ENGINEER PIATAK - (Mayor Gammella)

Mayor Gammella stated the city engineer and I have been meeting for some time and met today and thinks he has a good presentation for you. If Council would like to see the plans you can call me or stop up to the council chambers. The city engineer will be talking about two (2) retention basins one possibly at Wedo Park with an estimated cost of \$2.6 million dollars and also a second retention basin on Wengler Drive with an estimated cost of \$700,000.00. In Mr. Piatak's opinion this (retention basin) on Wengler will alleviate the water problem on Wengler and Robert Drives. The Wedo retention basin will assist with Bowfin, Fry, Remora and streets in that area.

Mr. Piatak stated having a presentation for Council in this format (Zoom meeting) is somewhat difficult. There are basically two separate sewer systems within the city, storm and sanitary. There is over 63 miles of storm sewers, storm water collection conduits in the storm water system. There are 61 miles of sanitary sewers in the sanitary sewer system; in addition, there are 14 sanitary overflow chambers that provide relief to surcharged sanitary sewer and wet weather events. It's important that everyone understand the Brook Park system that is separate sewer system with a storm and sanitary. When talking about flooding or basement backups it's important to understand if the water came from a clean out in the floor which indicates a sanitary backup. Or did the water come around the foundation through the walls or window well indicating a storm water issue going on outside the house. The May 15th event in a 24-hour period the rain gauge at city hall registered 2.8 inches of rain; 2.90" of that 2.8" came within two hours. What that tells is that

Mr. Piatak continued I'm not looking at wards I'm looking at concentrations of flooding complaint calls. If there were flood complaint basements outside of the calls that came into the service department those need to be turned over so we can look at them to see the hardest hit areas are and then turn that information over to the sewer district to be inputted into their hydraulic models for some of the studies going on.

Mr. Mencini stated to Mr. Piatak this isn't to beat you up but you are absolutely correct a lot of people don't call the service department. Councilman Orcutt is also correct that Ward 3 residents were buried with water in Ward 3 but there was also water in Wards 1, 2 and 3. Now there is talk about putting in basins in the far northwest corner but on Sheldon and Smith Roads there was a lake that one or two ski-do 'could go through, it was that bad. A lot of people that don't call in also get water every time it rains and get so frustrated they don't call in because they're used to it and almost prepared for it. This presentation would be easier if we were together (in one room) to show the map and areas because doing this over Zoom (meeting) is very hard. The Mayor made a comment of putting \$2.3 million dollars in basins and absolutely Ward 3 needs it but need to look at other places too. Councilpersons were out in the basements and dealt with everyone's frustrations. This isn't an easy subject and have been dealing with this for a long, long time and have talked about Wedo Park for years of putting a basin in or buying properties over there. This is very frustrating for Ward 2 residents and by no way is this a grandstand. Not in my home on Sylvia but my former home on Remora and Delores did get water as well as some other properties.

Mayor Gammella interjected in September there will be a meeting in the Council Chambers, as discussed with Council before, with sewer district representatives in attendance. The sewer district has completed their master plan and think that plan will address a lot of these issues and any other issues as well. To Mr. Mencini, Smith Road did look like a river by Sheldon Road and that area is being looked at as well. The city needs to start somewhere and will continue but there will be an upcoming meeting with sewer district representatives finish their plans for the area. Council will then be able to see what is what and take a plan of action from there.

Mr. Piatak continued to Mr. Mencini with the mention of Sheldon and Smith Roads that area is being analyzed by the sewer district in one of their watershed studies. I did have a conversation with district representatives earlier and they are aware of that issue and it's in that model. Representatives do have some suggestions and/or recommendations and did ask them to, if they hadn't already, inspect that culvert in the area to assess if there was some debris lodged in one of the culverts; that obstructed the flow. Sewer representatives weren't aware of an inspection but since the May 15th event they would take a look and report back to let me know of what

Mr. Mencini concurred that is where the water runs.

Mr. Orcutt reiterated this is not a ward thing, the water travels back to Lake Erie and comes through Ward 3 to get there. To Mr. Piatak we haven't had a chance to sit down due to being busy walking the flooded 30 streets and did an analysis by talking to certain people and finding out who experienced flooding and tallied it up. On 30 streets the number I came up with was 728 homes just in Ward 3 took water from mostly, 50-50%, through the foundation telling me the drain tiles wasn't operating due to mains being full but, also, through the drain at the slop-sinks in the basement telling me there is a breech in the pipe. My questions are with the five-acres of Wedo Park does that include where the playground and parking lot?

Mr. Piatak responded that is a very significant portion of that parcel. If there is a need to keep the park or part of the parking lot and know there is a communication tower over there that would be need to remain in service. These are just rough numbers and haven't done any detailed analysis but whatever is to remain i.e. parking or park would obviously take away from storage. I want to be clear that if the city puts these basins in just talking about this area I am not going to guarantee that the city will not have flooding again. Storm water can flow over Niagara Falls but it still has to get to the falls and how it gets there is through is pipes that were put in the ground 60 to 70 years ago, that are undersized. In order to get that water over the falls in a conduit that is the sized appropriately we would have to resewer the entire community, these basins will provide some relief but will not put my name on this that Mrs. Jones on Ashland will never flood again.

Mr. Orcutt interjected I completely understand.

Mr. Piatak continued there are so many different reasons why people flood and some people are their own worst enemy. By creating landscape mounds around the property to plant flowers but when it rains the water has nowhere to go besides up against the house and into the foundation. There are houses that if the water could get to the footer drains maybe there are trees around the house or the footer drains are clogged with roots and/or dirt. So the water can't get out through the footer drains so it sits up against the foundation.

Mr. Orcutt stated that is the information that will need to get out to the residents, that would be important to be in a newsletter. What I did see is a vast majority of everything goes into the ditch whether entering from Hummel Road or entering from the cell tower at Wedo Park or entering further down the run off Smith Road. What I did obtain that evening is that the city has too much water in the ditches and needs to be relieved and where Ward 3 was flooded it's basically everywhere from Michael to Pemberton. That area heads south onto Snow Road and think

holding chambers and make sure everything is operating and if anything is needed look at that in the capital budget, as soon as possible.

Mr. Piatak stated to follow-up on that area it has been identified with the sewer district studies. By doing some smoke-testing and residential dye-testing over there and have placed some flow meters and some manholes over there. When the district's study winds down they will be able to say the flow meter at 'Point A' read this much and flow meter at 'Point B' read this much and 'Point C' was almost nothing. So we will be able to narrow down some areas where we can concentrate on ionized detection and illumination. Ionized being inflow and infiltration (I&I) i.e. leaky joints and cross-connections, people tying downspouts into the sanitary sewer and things of that nature. Again, we have to be careful what sewer is being talked about because storm and sanitary even though related the causes could be different. That area was to be focused on with the sewer district in some of their studies and am anxious to hear some of their findings.

Mr. Orcutt stated another question is if there is a whole neighborhood experiencing flooding through the sanitary drain in the basement what would cause that? If there are sixty (60) homes having that issue.

Mr. Piatak responded what would cause that I assume in a rain event. Obviously, during normal dry weather there are some sanitary backups but when getting a whole neighborhood. My opinion, without knowing details, it's an inflow and infiltration problem with cross-connections, leaky joints and don't know if that area, in particular, is what is called a common trench system. When the streets were put in the contractor dug one trench, while a separate sewer, he put the storm and sanitary in the same trench and backfilled the trench with granular material. In a situation like that when the conduits are so close together when the storm sewer gets full because it can't handle the rain event. It's going to flow under pressure and push out any leaking joints and travel through the granular trench and get into the sanitary sewer which is typically lower than the storm.

Mr. Orcutt asked are you talking about a home or the mains?

Mr. Piatak responded actually both, reading some studies on research that's been done. The results of these studies indicate that over 50% of the I & I in a system such as Brook Park's comes from private property, meaning downspouts on houses. There are driveway drains that are by the end of the sanitary sewer, so both public and private.

Mr. Orcutt asked Mr. Cingle or Mayor Gammella with the Wedo Park basin has an estimated price tag of \$2.6 million-dollars and Wengler is \$700,000. Where can the

Orcutt asked when is that assessment going to be complete I've only been on Council for two years and have residents who have experienced flooding for 60 years.

Mayor Gammella responded as I said in September they will sit down with Council review the plan extensively and then we can figure out a plan of attack to help to alleviate the situation.

Mr. Piatak interjected there are three (3) studies being conducted by the sewer district; two watershed studies that would be storm water and those studies are due to be done in August, 2020. The sanitary study is not scheduled for completion until mid-2021. Brook Park is in two different watersheds that are being studied that will be done in August. The sanitary sewer study that encompasses the entire community is scheduled mid-2021.

Mr. Troyer stated looking at the entire map of how everything runs and thanked the engineer for the help given. There are a few streets part of Snow Road, Kurtz Park and areas from Parma Hts. coming into that same watershed going into Kolleda Ditch; the map doesn't show where Middleburg Hts. comes in but did notice at the end of Wolf Road that big detention basin that looks like water flows out of that to Brook Park. Not sure why the water doesn't go in there first and hold but that's one of things that may be looked into. It appears on this map that none of Ward One goes past Wedo Park, not complaining, but please give a little help to Ward One. It's basically from Edgehurst west that goes into Abrams Creek as well as part of Holland, Richard and from Holland everything west of I-71...looking at Sylvia, Langer, Gainer, Slayer and Gilmere it's about five houses up from Sylvia that go into Abrams Creek; the rest goes north. Then Glenway Drive, Engle Road, Siegler, Zehman go into Abrams Creek; all of Ward One goes into Abrams Creek. My biggest problem and have heard the trash-rack is going to get cleaned out but Abrams Creek needs cleaned out and hoping that can be a project for the storm water sewer department. Keep in mind, all residents pay a substantial fee to that program and Brook Park is taking other cities water, so Brook Park should be able to collect on those monies for some of those big project. That 25% that the city can ask for and get a grant for is different, the other 75% the city is supposed to get projects that handle the watershed and these problems. Hoping to get some of those monies for the Kolleda Ditch and for one of these projects talked about earlier and the two more tonight. The Kolleda Ditch and retention (basin) at Wedo does nothing for Ward One will vote for it because it needs to be done, those residents' need some flooding relief for all these years. To Mr. Piatak have you had any contact with the storm water sewer department are there any plans to get it cleaned out?

Mr. Salvatore stated being around a long time and always asked many times over the city spent a lot of money putting in those 14 tanks to hold some of the water; same thing is happening again; the city will have to do the same thing. My question to Mr. Piatak, the Wedo Park plan at \$2.6 million-dollars is that the same plan proposed under the former Mayor Elliott administration?

Mr. Piatak responded yes, this would be scaled back because under the previous administration investigation the city thought the second ball diamond could be acquired. There was a commander that was agreeable of relinquishing some of that property and then that has changed due to security restrictions and whatnot. It's not to say that still wouldn't be prudent to inquire because the bigger the basin the more relief provided. This basin will be scaled back a bit, the initial one was 7.5 acres.

Mr. Salvatore continued by scaling that back is that the reason for the basin in Wengler will that make up the distance from the original?

Mr. Piatak responded I think if the city did the 7.5 acres at Wedo I still think you could do the three-acres (3) at Wengler, to provide additional relief. I encourage Council to lakes Google Earth the lakes that are littered around the new communities where storm water regulations have tightened up. Everyone is realizing storm water is a real problem if something isn't done about it, unfortunately, when Brook Park was built roads were put in and houses built. The accommodations for storm water with the knowledge then is not what it is today, unfortunately, we're reversing engineering but this is where we are and we want to move forward to provide relief for the residents.

Mr. Salvatore continued I commented at the last meeting on this topic I commented over the years the development in other communities there was not enough to accommodate the buildout. I do know what you're talking about with the lakes it's not only in Avon and Medina, it's in other parts of the country, they are looking for ways to hold the water during storms. My question is there is a \$2.6 million-dollar price tag on the five-acre (5) and \$700,000.00 on a three-acre (3) could you explain the difference and why the wide range of dollars?

Mr. Piatak responded tried to do the research because that crossed my mind as well. I'm assuming the Wedo Park amount if used on a pre-acre basis I think that amount is higher. Because, at that time, there was some thought the city would have to spend some money to acquire the extra ball diamond; the Wedo Park amount may be a little high.

Mr. Salvatore continued I thought it was high, is that same amount when the city

up and make sure there is clarification there. When I said a vast majority of the City of Brook Park dumps into that area it's because it's true. Furthermore, I want to talk a little on what Mr. Poindexter touched base on yes it hits over there because it's the most northern point but what's happening to the residents is they are losing the furnace, hot water tank, washer and dryer, that doesn't count everything else they have in the basement. It's only a 9,000 square-foot home residents must have some living quarters down there. When losing the furnace, hot water tank, washer and dryer all at one time, being a blue-collar town, and telling people go get \$10,000.00 they don't have that money in savings. That is why this is a priority and happens in Ward 3, forget wards right now don't care about wards, the city is getting hit all over the place, all the wards got hit with flooding. Let's work together and make this a priority and as soon as the analysis is received from the sewer district let's act.

Mr. Vecchio stated for a point of information for everyone including residents Brook Park became a city in 1960 and the population of the United States has more than doubled; the number of homes in this country have tripled. To narrow down it down Brook Park it's doubled and tripled and had gone up and down, at one point the city had 30,000 residents but the number homes have only reduced by a few. When the sewers were built they were built well undersized and the city continues to grow until maxed-out; there are issues that everyone wants to address and work diligently to do so.

Mr. Piatak asked if any Councilmembers have flooding reports, list of homes that had water, I would like to request a copy of those to be used in the analysis. Obviously, the calls that came into the service department were a fraction of what actually happened. Also, I'd like to offer if any Councilmembers want to meet to look at some of the maps and/or drawings or ask questions to me; will be happy to meet with Council at City Hall in the conference room, to hash-out some of this.

Mr. Troyer stated to Mr. Orcutt the map I have says different than what your map says. The map I have shows all of Ward 1 going into Abrams Creek and west to the Rocky River.

Mr. Mencini stated this is a very touchy subject always has been and always will be and am glad to see my colleagues and myself frustrated about this because the residents are. When you get water in the basement it's not fun and don't care where it's at. Want to thank Mr. Piatak for the great points made tonight and previous Mayors and Councilman Salvatore can tell you this has been going on for a long time and has to be a priority. Will the problem be solved completely; probably not but can work to relieve the problem.

Members of Council stated Aye to having the law director review and possibly draft a resolution to bring back to Council for the June 16th Caucus Prior to agenda.

Motion by Mr. Troyer, supported by Mr. Poindexter, to place Section 1313.08 of the Brook Park codified ordinances under discussion on the June 16th Caucus Prior to agenda.

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

3. 2020 APPROPRIATIONS AND REVENUE BUDGET

Mr. Vecchio asked for a motion to remove item number three (3) due to a miscommunication between the clerk and myself.

Motion by Mr. Salvatore, supported by Mr. Scott, to remove item number three. **ROLL CALL: AYES:** Salvatore, Scott, Schmuck, Orcutt, Poindexter, Mencini **NAYS:** Troyer. The motion carried with a vote of 6-1.

ADDENDUM:

1. 2020 TAX BUDGET

Mr. Cingle stated this is an annual item that Council considers and normally allowing the county to set the tax rates for the city. There will be a piece of legislation coming forward later in the year once the county budget commission reviews this document putting forth the tax rates in legislative form. The city is not requesting any changes in the property tax rates; still levied at 4.45 mils and also continue to collect the dollars for Southwest General Hospital. This is time-sensitive and county budget commission has asked to be filed in their office by July 20, 2020.

Motion by Mr. Salvatore, supported by Mr. Mencini, to place on the June 16th Council agenda.

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

LEGISLATIVE COMMITTEE - CHAIRMAN, MENCINI:

1. A RESOLUTION STRONGLY URGING OUR FEDERAL SENATORS TO PASS THE HEALTH AND ECONOMIC RECOVERY OMNIBUS EMERGENCY SOLUTIONS ACT 'HEROS' AND DECLARING AN EMERGENCY. Introduced as by Councilman Mencini, Council as a Whole and Mayor Gammella.

Mr. Mencini stated reading the Ohio Municipal League (OML) bulletin and will be

Recreation Committee - Chairman, Poindexter: cont.

Kurt did great things for the community and sports programs.

Mr. Orcutt commented Kurt was a special person and recommended packing the (chambers) with the children he mentored.

Mr. Vecchio commented once the release from the governor's office when we can move back to the chambers and have groups of people in the chambers.

Mr. Troyer commented don't need the (governor's approval) Council just needs to have a vote of four (4) to move back to the Council Chambers.

Mr. Vecchio stated sir, you are incorrect because there is still a ten-person mandate.

Mr. Troyer interjected that ever applied to legislative bodies, it never did and had that discussion of not applying to legislative bodies.

Mr. Poindexter thanked Mr. Mencini for bringing this forward and stated didn't know Kurt personally or as well as a lot of members of the community. Kurt and I always had a mutual respect for each other and I respected his coaching style, he was great with the children and have nothing but good to say about the man and wish I would have known him a little better.

Motion by Mr. Salvatore, supported by Mrs. Schmuck, to place on the first available Council meeting upon returning to the Council Chambers with all family members invited.

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

SAFETY COMMITTEE - CHAIRMAN, TROYER:

Note: Moved by **motion** to the beginning of the meeting.

Note: Executive Session moved by **motion** to the beginning of the meeting.