

NOTES:

1. Due to the COVID-19 pandemic all upcoming for Regular or Special Council 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 mblazak@cityofbrookpark.com 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.

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON JUNE 16, 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.

DISCUSSION:

1. AN ORDINANCE AMENDING SECTION 1313.08 OF THE BROOK PARK CODIFIED ORDINANCES 'HOME IMPROVEMENT MONTHS; WAIVER OF BUILDING PERMIT FEES' AND DECLARING AN EMERGENCY.
Introduced by Mayor Gammella.

Mr. Scott stated a call was received from Building Commissioner Hurst who stated that on the 'amended to read' item D reads during the months of June until July 15, 2020 the city will waive all building permit fees normally required for additions, garages, remodeling projects, structural-mechanical repair. Mr. Hurst stated the department has never given a free permit for garages and/or additions and spoke with former Building Commissioner Surrella also stated the city never had free permits for garages and additions. This could be an issue since free permits were never given out for garages and additions

Mrs. Horvath stated the law department researched on this issue mainly because the request was could it be done as a resolution or ordinance. The clerk sent the original piece passed as a resolution and attached to that original piece of legislation is an exhibit listing all the items a building permit will be waived in the months of June, July and August. That list does include improvement and maintenance projects such as room additions, garages, remodeling projects, structural and mechanical repair, replacement projects. So that is included in the

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original legislation and Council, of course, can do make any changes but that was included in the legislation that dates back to 2000 which was codified as an ordinance passed May 16, 2000.

Mr. Troyer stated concurred with Law Director Horvath that is included in (Resolution No. 11-2000) dated May 16, 2000. The legislation in front of Council it is not the legislation that Council asked for. It appears that Council keeps getting the version the Mayor wants versus what Council wanted. Moreover, the way the legislation is written is improper because it reads 'hereby amended to read' that lists 1313 home improvement months; waiver of building fees is not the proper wording in the legislation from 2000, the proper wording would have to be there in that form and then 'hereby amended to read this'. The legislation currently has the wording from the Mayor's pieces(s) and this can't work and if passed it's illegal. I want nothing to do with this and guess we won't get this done this year.

Mr. Salvatore suggested this legislation be pulled off the agenda if its going to create more of a misunderstanding, confuse the residents and won't be able to get out in a timely fashion.

Mr. Poindexter stated I think this legislation is exactly what Council wanted with the exception of where it reads Council must review every single year. When reviewing next year Council can then change or amend how Council wants it. It's not exactly what Council but thinks it serves the same purpose.

Mr. Mencini stated as I stated before this is a great piece of legislation when brought forward years ago. Due to the confusion think it's a little late to enact this, could save some money during this critical time; unfortunately, that's not going to happen. This is a good attempt but let's move on and look at this next year.

Mrs. Schmuck stated would like to see this come back next year, this is a great program that residents utilize.

Mr. Orcutt stated this is a tough piece of legislation for myself because I look at the return on investments always. When you have an ordinance like this it's a marketing tool for residents to be able to fix their home. It always seems the law department is being pushed at the last moment to rush things out and really think that has to be changed for that department to make it more efficient. Council can revisit this legislation next year but this is a good tool for residents to fix their homes and bring up the value of all homes.

Mr. Scott concurred with having the legislation read and commented let's have something ready to go for the first of the year to get the word out and make sure the residents understand. Right now we all know that after July 15th residents will

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be calling saying they weren't made aware of the change; this is too questionable and don't know if residents will understand what Council is trying to do here.

Mr. Troyer stated myself, for one, is not confused about any of this, can read this legislation and understand what it says; can read and understand the former piece of legislation, not confused at all, but there are issues. For instance, in the new part A the months of June until July 14, 2020 and every year thereafter until duly changed. What does that mean until duly changed? The fact of the matter is the first part that is supposed to state the current legislation is not proper, does not state the current legislation. It does not state the current legislation and then show the change so there is no way Council can properly pass this legislation.

Motion by Mr. Troyer, supported by Mr. Salvatore, to have read in committee.

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

NAYS: None. The motion carried.

SERVICE COMMITTEE - CHAIRMAN, SALVATORE:

1. A RESOLUTION TO IMPOSE A MORATORIUM ON THE CITY OF BROOK PARK'S RECYCLING PROGRAM FOR A PERIOD NOT TO EXCEED TWO YEARS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella and Council President Vecchio.

Mr. Salvatore stated this legislation was brought out to clean out the committee unless the sponsors have something else in mind, the climate for this legislation has changed.

Mayor Gammella suggested having the legislation read in committee, under the current circumstances this isn't needed and will revisit next year.

Motion by Mr. Mencini, supported by Mr. Scott, read in committee.

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

NAYS: None. The motion carried.

Motion by Mr. Poindexter, supported by Mr. Mencini, to open up the floor for discussion and possible timeline of going back to Col Chambers.

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

NAYS: None. The motion carried.

Mr. Poindexter stated speaking with Mr. Mencini on this would like to discuss this before summer recess as to where everyone is at with opening Council Chambers back up. The recreation center is reopening, committees are meeting and a lot of things are reopening. What is Council's feelings about meeting in the Council Chambers? I, personally, still go to work everyday, practice social distancing, wear

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masks and make it work. The virus is still very active and precautions will be needed but feel Council can slowly return to the Council Chambers.

Mr. Mencini stated my feeling is a lot of things are reopening and Mr. Poindexter is 100% correct the virus is still out there and still have to be careful. With the recreation center I think there have been employees and cleaning crews in there everyday. Every establishment you visit has employees cleaning bathrooms and so forth; also residents want to come back to the meetings. There is both a Planning and Zoning Board on July 6th and other committees have met in the chambers. I personally didn't want to go against Resolution No. 9-2020 but think it's time to take a serious look at starting to go back. We do have to be careful, wear the mask, social distancing and definitely be smart about this. It's a tough issue and there may be some that don't feel the way I do.

Mr. Troyer stated as stated for a month or so when ready to go back I'm ready to go back to bring things back as normally as possible. I also think Council needs to get back in the office to view the sewer system map. To Mrs. Horvath what would be the process can Council vote to go back and open up meetings, does Resolutions 9-2020 and 10-2020 need to be repealed or amend both? A while back you mentioned Council have a motion to go back to regular meetings.

Mrs. Horvath responded the prior resolution could be reviewed to determine what would be the easiest and best way, if Council wanted to return to chambers; how that should be accomplished. Also, a few other issues could be looked including whatever guidelines for meetings. My concerns would be the social distancing and also want to know periodically what cleaning methods the Council chambers would have. Some of those issues were looked at with the opening of the playgrounds and so forth; the upcoming break would be a good time to look at those issues.

Mr. Troyer continued my question is what can be done tonight to get this done?

Mrs. Horvath responded the next meeting is in August and gives plenty of time to look at these issues. Council, of course, can do whatever you wish at this time but think there are enough unknowns. We are fortunate to have a few weeks before next meeting can look at this in a rational, logical manner to come up with the best solution.

Mr. Scott stated with start of summer recess and next meeting being in August, this (virus) is ever-flowing and ever-changing I'm not ready to step back into Council Chambers currently. We should reassess everything, perhaps have a special meeting a week or so before scheduled to go back. Things change every week and not sure what it calls for, what's going to happen in July or beginning of August. They're saying there may be a possibility of a spike, we don't know and

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there is much uncertainty. Right now if there was a motion to make some decisions to go back into Council chambers I would have to vote no, there is too much uncertainty currently. Let's take a look, step back, assess everything and take a look at this the beginning of August, before going back to regular schedule. Take a look at it then to make a decision but there is no way I would make a decision right now.

Mr. Salvatore commented not sure Council passed a summer session schedule officially at a Council meeting. It was discussed at a Caucus but never moved forward to a Council agenda under verbal approval. So if any meetings are going to be required between now and August think we should plan on doing that; whether in the chambers or Zoom. There were a few topics discussed in prior years about doing these things in a timely fashion. If the clerk could research if the Council officially approved summer session. Think there may be a meeting in July and would like to have a few Charter amendments that have been back and forth added to that agenda; to streamline city government and move forward.

Mr. Orcutt stated since this pandemic started I still had to work my day job and it wasn't hard with the social distancing, as Mr. Poindexter stated. Think this is something that can be done safely but at the same token want to respect everyone's opinion on this. If my colleagues don't feel comfortable meeting what Council has been doing on Zoom is adequate.

Mr. Mencini stated I totally respect how my colleagues feel, we're city leaders and remember one of my colleagues saying we have to step up and be the leaders. That doesn't mean we have to risk our health or somebody else's health and could ask where everyone has been i.e. store and residences and will get a lot of answers. About a month ago we talked about baseball and respect my colleagues wishes but think we need to think a little bit deeper on this. Mr. Troyer asked the law director and think this was discussed a little last week, also, and was hoping for some clarification. There is a Planning and Zoning board meeting on July 6th and definitely don't want to delay another meeting and imagine it could be done by phone or Zoom. Mr. Vecchio has offered to assist with that but there will come a time when that decision needs to be made.

Mr. Vecchio commented as Mr. Mencini eluded to I have offered for any of the other committees to stay with social distancing and within the ten-person or less limitation set forth by the state. To operate Zoom meetings for any committees that must meet, that ability is available if need be. In addition, I don't know currently if that ten-person minimum, Mr. Troyer has eluded to this previously, does not mean anything for city leadership. But, it does in the case of having residents coming in, doesn't mean anything for us being in there with the ten-person; but it does when there is additional outside people coming in to speak from

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the podium. So we have to be cognizance all the way around of everyone, not just ourselves. We are doing our jobs now and must say a pretty good if not phenomenal job at doing so. Just some things to think about and Mrs. Horvath has some things to come back to Council with that need answers.

Mr. Poindexter commented just wanted to discuss this topic and received the reaction I thought, mixed reaction. Think there is some time before the next meeting and content with making a decision towards the end of summer recess; depending on how things change. If things get better than obviously get back n the chambers. If it goes like the State of Florida where all the bars and restaurants reopened and had to close down again because of the outbreaks. If that happens in Ohio, then we may have to be on Zoom longer than expected. Willing to take the wait and see approach and have a few weeks before next scheduled meeting.

Mr. Troyer stated I understand that am I'm all for getting things back to normal and doing things the way it used to be, can handle it this way too. It was mentioned that and people have said to me we cannot...I am embarrassed to go into summer recess with the pool roof, walls, legal counsel legislation, and all legislation currently in committee not addressed. I am embarrassed to go into any kind of summer recess with all that being outstanding. Let's schedule some more meetings and get Council work done.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, that this topic was discussed.

ROLL CALL: AYES: Poindexter, Schmuck, Scott, Orcutt, Troyer, Salvatore
NAYS: Mencini. The motion carried with a vote of 6-1.

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

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

Mr. Vecchio declared this meeting adjourned at 7:40 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.