

**SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON AUGUST 12, 2020**

The meeting was called to order by Council President Vecchio at 6:00 p.m., who read the meeting notice. 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.

REMARKS FROM THE AUDIENCE ON SUBJECT MATTER ON THIS AGENDA ONLY:

No correspondence was received.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11160-2020. AMENDING ORDINANCE NO. 11144-2020, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Scott asked with (Fund) 401 – department 342 – Parks & Playgrounds – line item 551 – Land, Building Improvements in the amount of \$195,000.00. Council was told \$150,000.00 for the waterpark, \$7,000.00 for miscellaneous and \$33,000.00 was for the municipal campus, is that correct?

Mr. Cingle responded for that line-item for \$195,000.00, \$150,000.00 is for the waterpark repairs, \$33,000.00 for the municipal campus, \$7,000.00 in the professional services line is for the municipal campus with the balances spent on the Kennedy ballfield improvements and also for weed trimmers needed in the service department.

Mr. Scott asked for clarification of the municipal campus, is that concerning the building or proposed campus presented to Council as to look at. Is that \$33,000.00 for that municipal campus or \$33,000.00 for the recreation center?

Mr. Cingle responded it's \$33,000.00 for the municipal campus based on the rendering that was shown to Council earlier this year.

Mr. Scott commented Council didn't approve anything for that if I'm not mistaken.

Introduction of Ordinances and Resolutions; cont.

Mr. Cingle responded that's true Council hasn't approved anything to date, this would give the Mayor the authority to move forward on some of the concepts.

Mr. Scott reiterated didn't know Council passed anything on that. Second item is \$4,200.00 in General Fund – Department 700 – General Government Lands and Buildings – Overtime. That is for the watering of flowers (on Snow Road).

Mr. Cingle concurred.

Mr. Scott asked that is for how many service personnel?

Mr. Cingle responded my understanding is two persons, two-hours a day, seven days a week. Not all of that is overtime, some of it is.

Mr. Scott commented so overtime is being paid to water flowers on Sundays?

Mr. Cingle commented and holidays.

Mr. Scott expressed surprise with having to water the flowers every day, \$4,200.00.00 could be used for cutting grass or filling potholes.

Mr. Troyer stated going to think out loud for a second, I think a motion is needed for second reading, due to the ways the meetings were called, looking for an opinion.

Mr. Vecchio stated don't believe that Council would have to only to the fact that first reading was given at yesterday's meeting with the same titles, think Council will be okay.

Mr. Cingle clarified per an email from the service director there are two employees working two hours a day, seven days a week watering the flowers and/or plants on Snow Road.

Mr. Troyer commented don't think the flowers would be watered when raining.

Introduction of Ordinances and Resolutions: cont.

Mayor Gammella commented correct, as needed, the flowers took had a rough time with the heat-wave, the city had volunteers watering those flowers. It's the city's responsibility due to being city planters and the city will water them, obviously, if it rains the flowers are not watered.

Mr. Poindexter asked Mr. Cingle there is no obligation to use up the entire \$4,200.00 on that, correct, that amount is to make sure it doesn't go over?

Mr. Cingle responded yes, that is just an estimate.

Mr. Poindexter commented that could come under that amount and assume it will since the flowers will not be watered in the fall, winter months or rainy days.

Mr. Vecchio stated Ordinance No. 11160-2020 has had its second reading.

2. ORDINANCE NO. 11155-2020, AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF A 2020-21 FORD ELDORADO E450 PASSENGER/WHEELCHAIR BUS WITH TRADE-IN OF A 2008 E450, WITH 6.8 GAS ENGINE, FROM MYERS EQUIPMENT CORP. AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Scott stated this was approved by the Board of Control but would like to give a quick breakdown on how this works. The total cost is for the equipment and onsite training was \$76,705.00 with the U.S. Department of Justice reimbursement grant in the amount of \$69,353.03 with the total cost to the city being \$7,352.00; the city is receiving a bus for \$7,300.00.

Mayor Gammella commented due to efforts by Economic Development Commissioner Adams.

Mr. Troyer expressed concerns to Mrs. Horvath, were the full ordinances posted and with this one being amended the correct words wouldn't be there for this meeting.

Mrs. Horvath stated I don't think the word 'with' is that much of a significant change, could be considered a typo. My understanding that all of this legislation was posted accordingly within 24-hours and looking online can see there was an addendum posted for all three (special) meetings, noticed yesterday, think the city is fine.

Mr. Vecchio stated Ordinance No. 11155-2020 has had its second reading.

Second Reading of Ordinances and Resolutions: cont.

3. ORDINANCE NO, 11156-2020, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE SPECIFICATIONS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTRACT WITH THE LOWEST AND/ OR BEST BIDDER FOR REPAIR AND RECONDITION OF THE CITY'S WATER PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Scott suggested an amendment to the title to delete the words 'enter into contract with the lowest and/or best bidder.

Mayor Gammella asked for clarification on how the legislation would read?

Mr. Vecchio responded 'An Ordinance authorizing the Director of Public Service to prepare specifications and further authorizing the Mayor to advertise for repair and recondition of the city's water park and declaring an emergency.

Mayor Gammella asked once the bids come in does Council want to review the bids before moving forward.

Mr. Scott and Mr. Mencini stated yes.

Mayor Gammella commented can't stress how important this is to get this done.

Mr. Scott commented totally understand and trying to get any blockage out of it. Second amendment is in Section 2 delete the words 'enter into a contract with the lowest and/or best bidder.

Mr. Poindexter suggested perhaps Council should wait until third reading so there are no posting issues or anything of that nature.

Mr. Vecchio stated 'Point of Information' if done on third reading the legislation has to go back to second reading.

Motion by Mr. Scott, supported by Mr. Troyer, to amend the title and section 2 by deleting the words 'enter into a contract with the lowest and/or best bidder'.

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

Mr. Troyer suggested an amendment to delete the first 'Whereas' due to not being true from what Council learned last night and people I've talked to.

Motion by Mr. Troyer, to remove first 'Whereas'.

Second Reading of Ordinances: cont.

Mr. Salvatore asked the first 'Whereas' be read for the people watching from home.

Mr. Troyer read the first 'Whereas' as follows: The City of Brook Park's waterpark opened in 1996 and has been well-maintained by the recreation and the service department; and. That is how it reads and cannot vote for something that I don't believe is true and have no proof of that. The 'Whereas' should be true and think it should be removed.

Mr. Mencini stated working for the city for a long time and was there in 1996 I know the waterpark was maintained the best the department could. Annual maintenance was done at the end of the year and properly worked to open up at the beginning of the year; granted for only three or four months. Obviously, (service crews) also had other things to do but did maintain the (water) park. Not saying it's up to par or had experts working on it all the time but it was maintained; the maintenance crew worked on it twice a year.

Mayor Gammella commented it has been well-maintained and take exception to the fact that some people think it hasn't, it has been.

Mr. Troyer stated it's been leaking for a number of years and have been filling it with the fire hydrant for a number of years.

Mr. Poindexter stated the (water) park opened in 1996 and is 24 years-old. After 24 years every construction, building or anything will need maintenance after 24 years. Yes, it has been leaking for a couple of years but it's still been maintained; those leaks were something, obviously, the city needs to get estimates to dig it up and find where the leaks are, didn't feel the need to do that up until now. The maintenance has been there but this is something that has to be done after 24 years of operation.

Mr. Mencini stated Mr. Troyer is correct it has leaked badly for a long time but there is no engineer at the service garage. Most of the time I think it was the recreation center maintenance employee that did the daily maintenance and service crews have done a pretty well job. The part about the leak was talk about shutting it down for a summer to do major work and the high-cost at the time. The (water) park is open for three or four months out of the year and was able to be kept open every year. 'Whereas'; seeing none the **motion** died for a lack of a second.

Mr. Vecchio stated Ordinance No. 11156-2020 as amended has had its second reading.

Second Reading of Ordinances and Resolutions: cont.

4. ORDINANCE NO, 11157-2020, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PFUND SUPERIOR SALES COMPANY, INC., FOR THE PURCHASE OF A FORD E-450 LIFELINE TYPE III AMBULANCE MODEL 'SUPERLINER' AN DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11157-2020, has had its second reading.

5. ORDINANCE NO. 11158-2020, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BEST EQUIPMENT COMPANY, INC. FOR THE PURCHASE OF TWO NEW 2020 MACK/LABRIE 37-YARD AUTOMATED SIDE LOADER TRUCKS AND TRADE-IN OF TWO OF THE CITY'S OLDEST AUTOMATED TRUCKS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11158-2020, has had its second reading.

6. ORDINANCE NO. 11159-2020, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF A VACANT SINGLE-FAMILY LOT, PERMANENT PARCEL NO. 344-18-022 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Motion by Mr. Orcutt supported by Mr. Salvatore, to insert an additional 'Whereas' to read: Whereas, the parties agree the sales agreement shall contain a provision as follows, in the event buyer is unable to obtain the necessary variance from the Board of Zoning Appeals to build a single-family home the transaction shall be rescinded.

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

Mr. Troyer stated I was informed today that the closing costs would be split and would like to have some verbiage in the legislation stating that.

Mayor Gammella commented I believe that is in the original contract.

Mrs. Horvath concurred with Mayor Gammella and stated due to not having any knowledge how they did it and there are certain costs that the buyer covers and the seller covers. I kind of worry about the idea saying they will be split I think that is something that there is an understanding of and should be worked out through the contract process. I don't know what the actual cost would be and may be best to leave that to the party with the understanding that we won't pay more than the purchaser will.

Second Reading of Ordinances and Resolutions: cont.

Mayor Gammella commented per my conversation with Mr. Adams this is in the contract and stated the costs would come to approximately \$368,00 per party.

Mr. Mencini stated to Mr. Orcutt is the potential buyer aware that there will be a zoning meeting for the first meeting of September?

Mr. Orcutt responded absolutely, but can't do the application for the variance until taking ownership.

Mr. Poindexter asked Mr. Orcutt is the family planning on moving forward with this rather quickly? Don't want them to hold onto the property for ten years and file the BZA application.

Mr. Orcutt responded not being the only person speaking with the family, Councilmembers Salvatore, Scott and Mencini also spoke with the family who wants to put the shovel in the ground immediately. This is the last home the buyer is building and is basically surrounding himself by his family, with all three children owning homes in Brook Park.

Mr. Salvatore stated had an opportunity to speak with the gentleman and my opinion is they are very eager to get started.

Mr. Mencini stated he spoke with the gentleman and he is above anxious, like most people wanting to build a home in Brook Park.

Mr. Vecchio stated Ordinance No. 11159-2020, as amended has had its second reading.

7. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE SPECIFICATIONS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A 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.

Motion by Mr. Mencini, supported by Mr. Troyer, to remove item seven (7) from this agenda.

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

Second Reading of Ordinances and Resolutions: cont.

8. ORDINANCE NO. 11154-2020, AUTHORIZING THE CONSULTING ENGINEER TO PREPARE A LOT SPLIT AND CONSOLIDATION PLAT FOR THE BROOK PARK MUNICIPAL CAMPUS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11154-2020, has had its second reading.

Mr. Mencini thanked Ms. Colson for filling as clerk for these meetings.

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

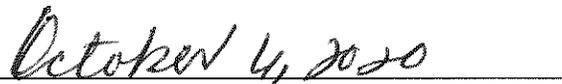
ROLL CALL: AYES: Mencini, Schmuck, Scott, Orcutt, Troyer, Poindexter, Salvatore
NAYS: None. The motion carried.

Council President Vecchio declared this meeting adjourned at 6:40 p.m.

RESPECTFULLY SUBMITTED


Michelle Blazak
Clerk of Council

APPROVED



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

2,414 words