

**SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO,
HELD ON THURSDAY, AUGUST 13, 2020**

The meeting was called to order by Council President Vecchio at 6:04 p.m., due to technical difficulties. Mr. Vecchio read the meeting notice and 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.

THIRD 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 stated needed more clarification on the capital improvements Fund 342 - Parks & Playgrounds. For verification the \$33,000.00 is not for the recreation building, for the recreation building or is that for the municipal campus that Council has done anything with as per approving the (plat).

Mr. Cingle responded the \$33,000.00 is for the municipal campus, the area outside since the city is purchasing the two schools from the school district. This money would be to begin some of the items that were shown in the rendering that Recreation Director brought forward to City Council earlier this year.

Mr. Scott stated that is my issue, City Council never approved anything just looked at a rendering and were supposed to get prices on items and it never happened. That's my confusion on the municipal campus because nothing was approved. It was stated to have more input from the residents and City Council and as far as I know nothing was brought up or asked anything. Didn't know that anything was 'earmarked' for the municipal campus and this will be for outside the recreation building.

Third Reading of Ordinances and Resolutions: cont.

Mr. Cingle concurred and stated outside.

Mr. Orcutt stated that question came up at last night's meeting and after the meeting I went back through my notes and what is noted from the recreation director is \$33,000.00 was for the dugouts, also noted, weed-whackers and some miscellaneous.

Mr. Cingle clarified the \$33,000.00 is for the municipal campus improvements. \$150,000.00 is for the repairs to waterpark and balance would be used for the improvements at Kennedy Park baseball field that includes the dugouts and weed-trimmers and miscellaneous equipment.

Mr. Vecchio reiterated two separate the \$33,000.00 for the municipal campus and \$150,000.00 will be used for repairs to outdoor pool and whatever monies are left over goes for the Kennedy Park ballfields including dugouts and additional weed-trimmers.

Mr. Cingle responded yes, additional equipment, and continued as Mr. Elliott said that \$150,000.00 may not be enough to repair the waterpark. So some of that \$33,000.00 could be used to repair the waterpark.

Mr. Salvatore stated he is stuck on the \$33,000.00 and need clarification. I understand what the \$150,000.00 is for but out of that \$33,000.00 has any of this work already been done, or something new and enlighten Council on exactly what is being improved.

Mr. Cingle responded nothing with respect to the municipal campus has been done other than the professional service to draft the rendering that Council reviewed earlier this year. There is a \$7,000.00 purchase request to pay the architect for that rendering.

Mr. Salvatore asked is that part of the \$33,000.00?

Mr. Cingle responded no, it's not, the \$7,000.00 in the Professional Services line item under Parks & Playgrounds would pay for the professional service for that rendering.

Third Reading of Ordinances and Resolutions: cont.

Mr. Troyer clarified on the first meeting held on Tuesday I asked about the \$33,000.00 and was told that information would be provided for what that was for but have not received. There is \$40,000.00 with \$33,000.00 for the campus, \$7,000.00 for the drawings approved by previous Council and is being paid for this year that Council saw this year. \$150,000.00 for the waterpark the balance of the whole line-item is going to be for the ballfields, dugouts and weed-trimmers. I brought this up on Tuesday and keep in mind Council that once the \$33,000.00 is appropriated it can be used almost anywhere. One other question on the budget with the ditch-cleaning 459 what ditches will be cleaned or try to do them all, is there enough for that?

Mayor Gammella responded Councilman Orcutt raised that issue at an earlier meeting and we're waiting until the regional sewer comes in to give their assessment on where the problems are from there will clean whatever ditches are necessary to stop the impediment of water to flow freely through the city.

Mr. Troyer stated there is no reason to appropriate that money now until that information.

Mayor Gammella interjected I would appropriate the money now so it can get done.

Mr. Troyer stated you just said can't get done until we get that information, that's not until late September.

Mayor Gammella commented will be about mid-September but we'd like the money there to get it done.

Mr. Troyer stated I want to know which ditches are getting cleaned out. I don't want it to be in one area and not spread amongst the wards of the city, I have to look out for my ward as Councilman.

Mayor Gammella commented I understand that, Councilman, however, we have to do what is best for the entire city. That's what we're going to do after the sewer district gives their recommendations, we'll see what they are and proceed. Perhaps, cleaning a ditch in Ward 2 will help in Ward 1. We'll let the experts look

Third Reading of Ordinances and Resolutions: cont.

at that I'm not an expert when it comes to ditches but do think the money should be there.

Mr. Salvatore questioned on recreation have there have been any updates on what the cost would be for the waterpark?

Mr. Vecchio commented I don't believe the city received the pressure test back, I have not received anything and assume Council hasn't.

Mayor Gammella responded the pressure testing has not been done and don't have that amount.

Mr. Mencini asked at Tuesday's meeting I asked about the \$7,000.00 and Mr. Cingle responded it was for the architects who haven't received payment. Mr. Troyer stated the previous Council gave the authorization for that. If someone could provide the date when Council gave the authorization for the architects for that rendering display of the municipal campus. That being said to Mayor Gammella I asked at a previous Council meeting when in chambers when the displays were up for elementary and high schools. When people came in they thought those displays were for the recreation center and told people it was for the new schools being built. I thought we were going to put the (municipal campus) on display and also thought we were going to get some of the residents' ideas like was done on the pool survey. Thought the public would have some input for the main municipal campus possibly to give the architect some idea or whoever is laying out the drawings or some type of direction.

Mayor Gammella commented a survey was sent out to every single resident in the city and received a very good response, over 500 or 600. There were some very good ideas and one was for the indoor jungle-gym which I think is a great idea. It was overwhelming, people wanted a pool and I want to reopen the pool, however, the diving pool needs to go and we need to do something with that area. I think a jungle-gym, senior center or something to that nature and another Councilman came into my office today with an interesting proposal that I will look at. The community has been involved a survey was sent out and to my knowledge no other administration has done that, we want people to use the recreation center to be people-friendly, family-friendly. The one thing I hear from

Third Reading of Ordinances and Resolutions: cont.

people is there is nothing for the little children to do here, so we have to find something for them to do, oldest to the youngest.

Mr. Mencini continued I think you got away from my question a bit, on that survey like I mentioned Tuesday evening there were no numbers when that went out for the pool or what have you. You're right a survey was done and happy with that but there were no cost-figures on that. Again, I think I was the first one to come to you about the jungle-gym because there is not a lot to do for people on Saturdays; haven't seen any action on that and also brought up the game room. Again, my question was I'm sure the public would like to have a say-so on that municipal campus and asked you that and your response was yes. I would like to see the public have some say on our main campus how it's going to be for the next 20, 30, or 40 years. I'm sure our newer families and life-long residents would like to have a say on the municipal campus. I know the architects will do a great job and would like to know the date to get the architects. This is in my ward and it's important to me and to the residents' to have a say in this.

Mayor Gammella continued before we can have numbers I think there needs to be architectural renderings and things of that nature for the people to see what we want to do and make comments, at that point. You are correct you did bring the jungle-gym idea and thought it was a good idea. We have to show people what the city wants to do before they can comment.

Motion by Mr. Poindexter to adopt, **motion** failed for lack of a second.

Mr. Cingle stated to clarify a few items, I pulled the requisition for Mackovich & Pusti who did the rendering and looking at the requisition who prepared a proposal to Recreation Director Elliott on March 25th. Mr. Elliott then wrote a requisition on March 27th for the Brook Park Central Park Development project to include overall master plan, site review, budgetary costs and visualization rendering, so it's little bit more than the rendering Council received. The other item is to Mr. Troyer's comment on the ditch-cleaning I would refer back to Ordinance No. 11141-2020 approved by Council in February 18th. Authorizing the Mayor to enter into a community cost-share agreement by and between the NEORSD and City of Brook Park and within article two (2) of the cost-share agreement district's obligation allocates \$220,000.00 to the city for the project

Third Reading of Ordinances and Resolutions: cont.

from the city's cost-sharing account. The district would reimburse the funds to the city up to \$220,000.00 within 60 days of a complete request for payment from the city; so the city is matching the appropriation ordinance to the cost-share agreement approved by Council in February.

Mr. Vecchio stated for a point of clarification that was also inclusive of the ditch along the railroad tracks behind Middlebrook Blvd. and Michael Drive.

Mr. Cingle commented looking at the nine articles (of the contract) I don't see any specific area listed.

Mr. Poindexter asked Mr. Cingle if the appropriation ordinance is not passed tonight will that affect any of the other legislation on this agenda?

Mr. Cingle responded no, as long as Council is going to appropriate said funds moving forward but the ambulance and rubbish packers will be part of the 2021 budget.

Mr. Poindexter interjected what about if the waterpark goes out for bid before the appropriation is passed, there would be costs incurred with the bidding process, correct?

Mr. Cingle responded yes, if it's bid before August 25th then there would be a cost for advertising for the waterpark. Also, there would be a cost for the pressure-testing but all ordinances stated funds to be appropriated or there to be appropriated. By passing Council would agree to appropriate the funds at a later date if not already appropriated.

Mr. Troyer clarified the amount for the bidding, even though expensive, is not anything that couldn't come out of the funds already appropriated and reimbursed at a later date. Don't see a problem with that because there is no authorization given to enter into a contract. On the ditch-cleaning I'm pretty sure it wasn't the Kolleda Ditch or Abrams Creek and that sort of thing that the city is looking to get done and that report tells what needs to be done.

Third Reading of Ordinances and Resolutions: cont.

Motion by Mr. Troyer, supported by Mr. Scott, to place Ordinance No. 11160-2020 on the August 25th Caucus prior to under discussion and also on the Council agenda.

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

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.

Motion by Mr. Scott, supported by Mr. Troyer, to adopt.

ROLL CALL: AYES: Scott, Troyer, Mencini, Poindexter, Salvatore, Schmuck, Orcutt
NAYS: None. Ordinance No. 11155-2020, is adopted.

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

Mr. Troyer stated to Mrs. Horvath appreciate that the amended legislation was received by Council per email to know exactly what is being voted on. Am concerned with the 24-hour notice to the public and want to make sure Council is okay here.

Mrs. Horvath responded I believe we are and this (meeting) has been on the city's website for a while and it looks like people are reading and looking at the posting, in fact, for Tuesday's meeting there was actually a public comment on one of the items listed. This was amended but feel there was sufficient notice and that should be fine.

Mr. Scott stated a phone call was received today and Council is not allocating, appropriating or giving anybody a blank check, this is just to go out for bids. This has been a 26-year problem and can't blame past administrations for not getting

Third Reading of Ordinances and Resolutions: cont.

this done and it is up to this Council to look at the problem and move this forward and alleviate. If this doesn't get done this year, won't be able to open the waterpark and will have to be done next year. To clarify of the phone call received the city is not spending any money this is just for bidding, correct? Trying to alleviate a problem that has been around for approximately 25-years, it's going to have to be done for the children to have amenity for next year. No monies are being appropriated, no one is getting a blank check this must come back to Council to look at the bids and make a decision.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to adopt.

Mr. Troyer stated as discussed yesterday and (the motion) didn't go through and as I have said forever I'm not going to mislead the residents. I don't think the first 'Whereas' is true and talking to someone yesterday I was told 2001-2002 but don't know for sure this is what I'm was told. I'm not saying the general items were not maintained but I'm saying I can't mislead the residents and say it was well maintained because it's been a problem pushing 20-years. Council didn't want to delete (the first 'Whereas' at last night's meeting) and because of that I am a no (vote) on this. Not against getting the (waterpark) fixed and am also aware that Council doesn't have to pass this for the Mayor to send out to bid. There is a little bit of a cost to advertise but no this isn't the \$150,000.00 or \$200,000.00 to repair until Council knows what it is. I am a no (vote) on this because the Mayor doesn't need Council's authorization to send out to bid to get numbers.

Mr. Mencini stated yes, the waterpark does leak and has leaked for a long time as I stated at last night's meeting service crews tried to do their best to maintain that pool so it would be operable. There are a lot of things in this city i.e. roads, buildings and some of these departments are working as thin as possible. To the residents, Council hasn't forgot about the flooding, streets or haven't forgot about a lot of items. Not saying there aren't a lot of problems, there are a lot of items to attend to, absolutely, and will get to them. Whatever happened before is over and we must look ahead and if there is a problem we're going to have to fix it whether 20-years ago, 10-years ago or yesterday it has to be attended to.

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

NAYS: Troyer. The motion carried with vote of 6-1. Ordinance No. 11156-2020 is adopted.

Third 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.

Motion by Mr. Troyer, supported by Mr. Mencini, to adopt.

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

NAYS: None. Ordinance No. 11157-2020 is adopted.

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.

Motion by Mr. Mencini, supported by Mrs. Schmuck, to adopt.

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

NAYS: None. Ordinance No. 11158-2020 is adopted.

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. Scott, supported by Mr. Orcutt, to adopt.

Mr. Salvatore stated under normal circumstances I would be voting against the sale of property but this gentleman has done everything that was asked by the city and see no reason to hold it up so he can move forward. Will ask Council to develop a plan of how to move forward with disposing of any parcels that the city decides to sell or any other property.

Mr. Troyer stated will be voting for this but have some issues with the legislation i.e. not being advertised and want to state that residential properties - lots should be advertised on the MLS (Multiple Listing Service) or some other way; like when sending items out to bid, as doing on a couple of things tonight, this is the reverse version of that, well, it is sent out to have people bid on the property, kind of the same. Instead of the city spending money the city is taking in money and should

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make sure the city gets the best value for city properties. Will vote for this but next time there is a residential property if it is not advertised most likely to be a no vote.

The clerk called the roll on the motion by Mr. Scott, supported by Mr. Orcutt, to adopt.

ROLL CALL: AYES: Scott, Orcutt, Troyer, Mencini, Poindexter, Salvatore, Schmuck
NAYS: None. Ordinance No. 11159-2020 is adopted.

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. Troyer, supported by Mr. Poindexter, to remove from the agenda.

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

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.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to adopt.

ROLL CALL: AYES: Poindexter, Schmuck, Scott, Orcutt, Troyer, Mencini, Salvatore
NAYS: None. Ordinance No. 11154-2020 is adopted.

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, Orcutt, Troyer, Poindexter, Salvatore, Scott

NAYS: None. The motion carried.

Council President Vecchio declared this meeting adjourned at 6:50 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *October 6, 2020*

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

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