

NOTES:

1. 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.
2. 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, SEPTEMBER 1, 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, Finance Director Cingle and Engineer Piatak.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

Note: The following sets of minutes were moved by motion from the August 25, 2020 Council meeting:

1. CAUCUS PRIOR TO HELD ON MAY 19, 2020.
2. CAUCUS PRIOR TO HELD ON JUNE 2, 2020.
3. REGULAR COUNCIL MEETING HELD ON JUNE 2, 2020.
4. CAUCUS PRIOR TO HELD ON JUNE 16, 2020.
5. REGULAR COUNCIL MEETING HELD ON JUNE 16, 2020.

Mr. Poindexter commented the May 29th Special Caucus minutes have not appeared on an agenda.

Ms. Blazak responded that is an oversight on my part.

Mr. Scott stated there is a typo on page two of the Regular Council meeting held on June 16, 2020. Towards end of page below mass motion delete the word Mrs. and insert the word Mr. to read Mr. Scott.

Ms. Blazak will correct the typo.

Approval of minutes of preceding meetings: cont.

Mass Motion by Mr. Mencini, supported by Mr. Poindexter, to approve five sets of meeting minutes as printed.

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

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

Mrs. Schmuck reported the Aviation & Environmental committee has no legislation on tonight's agenda. Mrs. Schmuck welcomed the students back to school whether brick & mortar or online classroom learning i.e. Zoom. Also, wanted to share that NASA has set up a site for students to visit a hands-on site for science and activities for age groups K-12.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has three pieces of legislation on tonight's agenda. There was a Board of Control meeting held on August 18th with six items approved; three largest were Sherwin-Williams Company for street paint for \$7,145.00, BFI Lorain County landfill for dumping fees of street sweeper for \$9,000.00 and Cooper-Kurtz Disposal fees for roll-off containers yard waste for \$9,000.00. There was another Board of Control meeting for August 27th with 14 items approved; three largest being Myers Equipment Corp. for the Ford Eldorado bus for the senior center in the amount of \$79,153.000 with the city getting grant money, next is Verizon Connect Fleet for vehicle tracking subscription (GPS) in the amount of \$26,151.00 and third largest being System4 of Northern Ohio for Microshield 360 antimicrobial for all city buildings and vehicles in the amount of \$42,835.00.

Mr. Vecchio asked Mr. Scott with the Verizon Connect Fleet what vehicles will those systems be in?

Mayor Gammella responded those will be in all city vehicles with the exception of construction vehicles. Other communities have done this with great success and the city wants to know where the vehicles are.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee has two pieces of legislation on tonight's agenda, if there is any legislation to be pulled out of committee please contact.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported speaking with Recreation Director Elliott who informed me there is more testing to be done at the outdoor waterpark. The testing should be completed this week with legislation and the full scope of work coming forth to Council at next week's Caucus meeting.

Reports of standing committees: cont.Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning committee has no legislation in committee and have not met since last report.

Safety Committee - Chairman Troyer

Mr. Troyer reported the Safety committee has no legislation in committee and has one item on tonight's agenda for the contract with Signal Service Company.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported there was one piece of legislation on the Caucus Prior meeting held earlier for a community cost-share agreement with the Northeast Ohio Regional Sewer District and the City of Brook Park, this legislation was moved to the September 15th Council meeting. Mr. Salvatore encouraged all residents to view the September 15th Council meeting to go through the process with the Council and administration for the next step of the flooding issues.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the next Board of Zoning meeting is scheduled for September 14th.

REPORTS OF SPECIAL COMMITTEES:Southwest General Health Center - Trustee, Orcutt

Mr. Orcutt reported the hospital board has not met since my last report but am in contact with hospital staff and there are many great things happening even during this pandemic. Mr. Orcutt thanked all hospital employees from top to bottom for the great job being done during the pandemic.

Berea Board of Education Representative, Mencini

Mr. Mencini reported the Berea City Schools begin September 9th, there has been a lot of activity and tough decisions made, with more coming. One of the decisions made is the district will furlough non-teaching employees through an emergency furlough program which took effect August 31st. This furlough program was approved by the Berea Board of Education to authorize the superintendent to execute a Moratorium of Understanding for the district's two Ohio Associations' Public Employee Unions; this affects over 150 people but one key point is these employees will be able to have health-care.

Technology and Innovation Council Representative - Poindexter

Mr. Poindexter reported committee person Dufour had a preliminary conversation with representatives from DriveOhio regarding ongoing efforts for roadway electrification and also existing infrastructure and opportunity for renovation and partnerships in the area. The committee is excited to announce that two representatives from DriveOhio will be attending the technology committee meeting of September 16th. DriveOhio is an organization that was created by executive order during the (former Governor) Kasich administration and continues today through Governor DeWine's administration. DriveOhio works to ensure Ohio's regulatory environment and public policies are conducive to the

Reports of Special Committees:**Technology & Innovation Council Representative - Poindexter: cont.**

development of the infrastructure and technology needed for smart mobility and are committed to advancing smart mobility in Ohio and being a one-stop shop for those looking to develop tests and deploy advanced mobility solutions in Ohio. The committee is excited to explore opportunities that a relationship with DriveOhio might open for the City of Brook Park.

REPORTS OF BOARDS AND COMMISSIONS:**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:****REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella thanked the Brook Park residents' for their overwhelming generosity for the city's school supply distribution. A huge success and helped many students kick off the school year as well as the working parents. To those who donated and Grace Church who helped participate thank you very much for your donation. The city's fire department received an award from the American Heart Association 'The Gold Plus Award' for superior EMS (Emergency Medical Services) with these services being extremely critical to a community. The fact that Brook Park Firefighters received the Gold Plus Award is outstanding and commend the firefighters. There was a report on News Channel 5 over the weekend and one of our Councilmembers stated that we had ten (10) people in the service department and I want the residents' to understand there are 37 people currently (working) in the service department. They were talking about flooding and the engineer will be visiting the gentleman whose basement received water. Nothing was stated (in that interview) about the detention basin legislation that appeared on this evening's Caucus Prior to agenda; nor the upcoming meeting with the sewer district. I must say even when there was 100 people in the service department the city still had flooding in that area; that area is a problem and will remain a problem. Upstream the city has received more water over the years but together, as a group, we will do everything possible to make certain the problem is fixed. So it's not so much, in this case, manpower it's a matter of fixing pipes or having someplace for the water to go; so it doesn't go in residents' basements. Also, the Councilman stated 728 homes received water in May, 2020 and relooking at the call list there were 35 calls. So whether or not where the water came from i.e. foundation problems or whatever problems were the city received 35 calls, not 728. In this last rain there were seven (7) calls received; one (1) on Saylor due to roots, one (1) on Crestway foundation issues, one (1) on Cynthia water coming through the walls, one (1) on Agnes commode problems, one (1) on Westbrook possible root problem and one (1) on Hocking and one (1) on Harrison which is the resident on the news report. I want to assure the residents' we have 37 people in the service department taking care of business. Being in this pandemic situation everyone is doing the best they can and will continue to do the best we can and

Reports and Communications from the Mayor: cont.

the city will get to the bottom of the flooding issue. On another note, that same Councilman talked about crime at the hotel located at 16644 Snow Road; as safety director I asked the police chief to look into this and had a meeting with the Councilman and Police Chief in my office. Mayor Gammella read the letter from the police chief regarding the hotel located at 16644 Snow Road. To Mayor Gammella at your request I checked the dispatch records for 16644 Snow Road for calls for service. The timeframe starts June 1, 2020 until August 26, 2020 and during this time there were 37 calls for service on the dispatch log. The number of calls do not indicate a crime spree as much as the type of calls. When I reviewed the type of calls officers responded to the breakdown was for medical calls, crimes against persons, property crimes and others. There were 11 medical calls with one (1) listed as an overdose and there were 12 crimes against persons. Breaking the calls into smaller groups there were two (2) assaults, four (4) general disturbances, two (2) disturbances involving a customer, one (1) menacing, one (1) robbery and one (1) weapons offense. There were five (5) property crimes, two (2) recovered stolen vehicles, three (3) vehicles stolen and nine (9) other types of calls. The number and types of calls are normal for a business of this type. I also checked the log for streets in the area, near the hotel, and found nothing that looked like an increase in criminal activity that may be related to the hotel. I looked specifically for complaints (mentioned) at last week's Council meeting and it appears that no one called the police on incidents cited while it was going on or any time after. I have placed the hotel and surrounding area on special attention. Respectively Chief Dickel. So I want the residents to know that everything is being done at that location but it's not the crime spree it was portrayed to be (in the news report) and the facts prove that out and the chief proves that out. Happy Labor Day remember the reason for the holiday is the people who worked hard to make this country great and it's the working people who did it.

Questions/comments to the Mayor:

Mr. Orcutt stated Mayor and residents of Brook Park I'd like to add some clarity to the comments that the Mayor made about a Channel 5 news interview where they called upon me to have a response from the city. Mayor, June 16th approved minutes if you were to read these you would see where I had dialogue with our service director and that evening I had asked Mr. Gardner. With the recent voluntary layoffs what has the manpower been reduced to? The response from Mr. Gardner was that there were ten (10) laborers in the service department. I get you want to paint the picture that there's 30-some members in the service department to the residents' but we have people that are on cleaning crews inside the building. We have mechanics that are out there and, in reality, I based everything in that interview off the facts that the administration had given me. Furthermore, on August 1st wrote a work request, standard work request that is sent to your office, and in that work request. From me to you dated August 1, 2020 to help mitigate flooding issues in Ward 3 neighborhoods. I'm requesting

Questions/comments to the Mayor: cont.

catch-basin cleaning, storm-main preventative maintenance and street sweeper maintenance throughout Ward 3. Could you forward this request to our service department thank you, Councilman, Ed Orcutt. Now, as I scroll down and read this administrative response Brook Park, so you know and to add clarity to the Mayor's comments. Administrative response number one (1) we completed catch-basin cleaning in Ward 3 in 2018. If there is a specific catch-basin that needs attention please call with the location. Number two (2) at our current staffing levels it will take approximately four (4) years to clean all the catch-basins in the city. Number three (3) we average street-sweeping three (3) times a year and we have completed the city once this year and are starting second time through the city now. So, Mayor, the statements that I made to the news were given to me by the administration. You and your team have reported that we had ten (10) laborers and you also responded back to my request for preventative maintenance so that we could help mitigate flooding, that there wasn't enough people. So for you to be able to say that I was giving out improper information that is not correct because that information was given to me by this administration. I wanted to clarify that for the residents' who are watching. Furthermore, 37 calls from June 1st to the time of last week's meeting you think that's not a lot of calls in less than 90 days for fire and police and it's not a public nuisance; I disagree with you publicly on that. I would welcome you to come to Ward 3, I would welcome you to walk with me and talk to the residents', obviously practicing social distancing and masks are worn while doing that and I also will reiterate what I asked at our last meeting. I'm asking for a public hearing utilize the laws that we have in this community, clean that hotel up and let's start welcoming people up Interstate 71 so that we can actually have people go into the business that we have on Snow Road and on Smith Road in Brookgate, that's where I'm coming from.

Mayor Gammella, Councilman you didn't say ten (10) laborers you specifically said we had ten (10) people in the service department, that's what you said.

Mr. Orcutt interjected that's now what I meant.

Mayor Gammella, Councilman I don't care what you meant that's what you said. I just want to make that point you don't want to go out citing people saying we have ten (10) people in the service department, when, in fact, we have 37 and just want to make that clear. I guess you have said something like my colleagues and the Mayor have legislation to build a detention basin here. We have a meeting with the sewer district on the 15th to help alleviate these problems but you didn't say that. I just want to make it clear we have 37 people and move on from there, Councilman, that's your statement.

Mr. Orcutt rebutted by saying Mayor, the news agency, Channel 5, said that I said that there was only ten (10) people there, I was very careful with my words. I

Questions/comments to the Mayor: cont.

specifically said ten (10) laborers and to your point that you just made the interview took probably 15 or 20 minutes and in there I talked about detention Basins, I talked about preventative maintenance, I talked about the things that we were doing, I talked about us having a meeting on September 15th; all those things were mentioned. Maybe, if you would have answered their call and met me on Harrison Drive, where there were problems, you would have heard me say those things.

Mayor Gammella commented I called the individual back and did speak with them and he was quite surprised that we had 37 because, again, he clearly heard you say ten (10) as well. I'm not going to debate with Council if anyone wants to watch go to News Channel 5 look at the video tape. Let's move on and let's just take care of the flooding issue.

Mr. Orcutt stated exactly, that's the point Mayor.

Mayor Gammella interjected thank you.

Mr. Orcutt continued you're trying to say that I'm giving false information that there is nothing going on in hotels. You're trying to say that I didn't get information that is here in the minutes. I hope people call for the public record and you even sent me a message back that says our staffing levels are too low. So if you want to just move on let's move on and take care of the flooding issue. You just stated why you were sitting here with your report and I wrote it down. That we can't fix the flooding we have to Mayor. I'm not working against you let's just get it done, get a shovel in the ground. A lot of cities around Brook Park are actually moving.

Due to Mayor Gammella and Councilman Orcutt talking over one another hard to transcribe what was said.

Mr. Vecchio stated Mayor, let Councilman Orcutt finish and then you can rebut and then we can move on from this.

Mr. Orcutt continued Mayor, I don't want to come up here publicly saying this. I've put in public records requests for the police, never received them. What I'm going to try and tell you is this I see a lot of work getting done. In my line of work, I travel the state and see backhoes digging out ditches and putting in the back of a dump truck. It's not a real hard concept and think we should get moving on a lot of stuff. I'm not here to argue with you and if you were offended by Channel 5 saying ten (10) workers all I said was ten (10) laborers, that's what I said ten (10) laborers. As a matter of fact, you don't have mechanics out there doing catch-basins because you even told me you don't, you wrote it in your response to my

Questions/comments to the Mayor: cont.

work request. The work is just not getting done.

Mayor Gammella commented let me say this Councilman, that's the thing about video you can go back to it, you said ten (10) people in service. I'll leave it there and let's move on. I have to correct you; I can't let people think that we only have ten (10) people in service when we don't but that's precisely what you said. As the gentleman from News Channel 5 said when you're a public official you need to know what you're talking about.

Mr. Orcutt commented I certainly did, it's right here in the minutes, sir, you're wrong let's get this flooding.

Mr. Vecchio interjected gentlemen, you've both made your points. Let's move forward anyone else have any questions?

Mr. Salvatore stated to Mayor Gammella, with the report from Councilman Scott about the \$42,835.00 for a cleaning contract. Can you elaborate when that will start and what will be done?

Mayor Gammella responded the city received the COVID monies and the fact is if the monies are not used the money needs to be returned. The best way for use would be to sterilize and clean with the best available system that is on the market; Microshield System4. This company has done the Cities of Strongsville, Berea, Parma Hts., Rocky River and many others, city personnel checked with the communities and very happy with the services. The company is rated five (5) stars and that is the company the city is going with. The city can't be too careful in this and have kept things cleaned and sterilized, used the Moonbeam but the city has the money that must be returned if not spent. To be on the ultra-safe side this system last for one (1) year and there were a few other companies looked at but this one was the best and speaking with other cities who were very satisfied with the company, it's all about keeping people safe during the pandemic.

Mr. Salvatore continued I am very excited about this and thought the city should have been doing this a while ago. The covenant the city is going to use, whatever process the company is going to do will last up to one year. Out of curiosity, is there any guarantee that comes with that?

Mayor Gammella responded yes, the company guarantees it and will be doing the city vehicles, recreation center machines and will be a very comprehensive project.

Mr. Salvatore continued this is over and above what the city has been doing prior to this?

Questions/comments to the Mayor: cont.

Mayor Gammella responded yes, and the city will continue what it's been doing because you can never be too safe and think you'll agree. Going into that recreation center it's better than it's ever looked, we scrubbed from the top to bottom and will continue public safety is huge and that's what the city is doing here.

Mr. Salvatore continued there was a company that was doing cleaning of the rafter area, correct?

Mayor Gammella responded that is called high cleaning that is done by a special company to go up high i.e. basketball hoops and backboards that were cleaned and sterilized.

Mr. Salvatore asked when will this take place?

Mayor Gammella responded very shortly, probably within the next few days.

Mr. Troyer asked Mayor Gammella on that subject and don't want to push but want to get back in the Council Chambers. Technically, if this is done in the Council Chambers possibly the (sewer district) presentation could take place in there. Think that would help with a better rendering or example of what the NEORS is speaking about.

Mr. Vecchio stated looking up the Microshield system with the solution it says allow the team to get rid of odors, prevent mold growth and reduce bacteria through a preventative coating system; that goes hand in hand with current cleaning regime. This company will be going through all city buildings and vehicles, is that the entire recreation center including the machines.

Mayor Gammella responded yes.

Mr. Vecchio continued with the fire department receiving the 'Gold Plus Award' is this the first time the department received this award?

Mayor Gammella responded the department has received the award before. These gentlemen are highly trained, skilled and professional and have received it before. I can't emphasize enough this city must have top rate paramedics and this city does.

Mr. Mencini stated being in the recreation center earlier today, people are coming back to the recreation center. Has anyone reported being sick from the recreation center?

Questions/comments to the Mayor:

Mayor Gammella responded no and concurred more and more people are coming back every day.

Mr. Mencini continued to Mayor Gammella's statement together as a group. I personally don't feel this past week that, not just you, that we have all been working together as a group. Have seen a lot of good things in my time of living in the city, working in the city and being on Council but know that is the one thing that can definitely hurt a community, when you're not working together. This city has flooding issues, street issues, low (number of) employees, older buildings, park that needs to be taken care of and schools the city will be receiving as well as the three (3) pools. Working together is the only way, on that this flooding is a priority and one thing I think is what other alternatives does the city have? Do we put submersible sump-pumps in residents' basements? There are other alternatives also because we need to get to that. There are people that have been in this city for a long time but we still have the same issues. Has anyone been hired at the service garage?

Mayor Gammella responded no, and as everyone knows this is a pandemic situation and maybe down as much as \$3 million-dollars this year and the residents' of this city told us they want the city run on 2% tax and that's precisely what we have to do. Would I like to hire more people at service? Absolutely but can I do that, at this time, no.

Mr. Mencini continued as you and Mr. Orcutt touched on this, that department definitely needs people and it's been stated before. On the flooding did you think about sending a survey out to residents of Brook Park, homeowners? Whether they received flooding and if so how much flooding and get their address so we know where most of the problem is. Obviously, Council knows where a lot of the flooding is but has that been thought of?

Mayor Gammella responded we may do that but let's see where the sewer study goes because these storms are intensifying, even down south. When it rains it literally pours with getting one-inch (1") of rain within a 20 to 30 timeframe. I think global warming is starting to have an effect because what used to be a 100-year storm is now every three (3) or four (4) years. The city must build our system through retention basins or whatever to make certain the problem is alleviated, will be very interested to see what the sewer district brings on the 15th.

Mr. Mencini continued a few residents' have asked if there will be any more layoffs or the possibility of employees going to four days?

Mayor Gammella responded my staff is currently taking furlough days and currently the answer is no. Again, I don't know what is going to happen. For example, this

Questions/comments to the Mayor: cont.

COVID gets out of hand and the plant is shuttered for three months, hope that doesn't happen and probably won't, but currently no layoffs are eminent anywhere.

Mr. Mencini stated to Mayor Gammella, I asked you at the beginning of this pandemic if you were going to get a citizens' board to advise the city. For example, as this went along you mentioned relying on the professionals and respected that. With all the departments the city has and some are short or overstaffed here did you ever think about hiring a professional group to look at all the departments and look at the city. With all the things that have happened the past few years, losing Ford Motor and things with the pandemic that could assess some of the departments and the way they are run.

Mayor Gammella responded those assessments aren't free and we make those assessments every single day. If we're overstaffed somewhere I'd like to know about it because I don't see it. I see a lot of people working as hard as they can and are very dedicated from City Hall, Finance, Building, Service, Police, Fire, Recreation meaning everyone.

Mr. Mencini interjected that's not the basis of my question, my question was to have professionals look, just to see. Nobody saying that nobody is not working, nobody suggested that it was just something brought forward to me and thought about and possibly something to look at. Some people may not be happy to hear this but we are a city on a tight budget and have a lot of things to do and maybe sometimes it's good to get someone from the outside and you're correct it's not inexpensive.

**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:****Engineer Piatak**

Mr. Piatak reported on Saturday, September 12th the Cuyahoga County of Public Works will be closing the Sheldon-Eastland intersection at 6:00 a.m. until 4:00 p.m. The closure is to inspect the railroad bridge detour signs will be posted in advance. Council will be receiving legislation for the resurfacing of Sheldon Road project between Engle and Smith Roads and in conjunction with funding the city was able to secure NOACA (Northeast Ohio Areawide Coordinating Agency) and partner with Cuyahoga County and City of Middleburg Hts. This project is scheduled for 2023 and just getting preliminary legislation moving forward. The initial cost for the City of Brook Park is estimated at \$63,000.00. The Wedo-Wengler feasibility study discussed at the Caucus Prior to meeting earlier, that is a very important piece of legislation to move forward. There has been a lot of talk about a basin at Wedo Park and talked a little about a basin behind Wengler (Drive) between the houses and I-71. I want to take this to the next step to see how effective the land available there in providing relief to the residents of Brook Park.

Reports and communications from other departments, commissions and other public officials: cont.Finance Director Cingle

Mr. Cingle reported August monthly reports will be distributed within the next few days and if any questions please contact.

Law Director Horvath

Mrs. Horvath reported the active civil litigation list has been provided and, at this point in time, the city has seven (7) cases listed as pending; case #4 has been resolved and will be removed from the list. Also added for Council's knowledge item #8 & 9 pertain to proof of claims the city receives from U.S. Bankruptcy Court. Anytime a possible creditor wants company files of bankruptcy a proof of claim is sent and the city has two (2) entities that have filed bankruptcy with the city receiving the possibility a proof of claim. With item #8 the city checked and is unable to file a claim in that particular case; item #9 the city has filed a claim. These are added on due to the city being in a difficult financial period and while the city doesn't get these very often, more and more will be coming as time goes on.

Questions to public officials:

Mr. Troyer thanked Mrs. Horvath for the report, is there anything new with the airport lawsuit?

Mrs. Horvath responded no, and suspect, it will be until later this year due to COVID-19 and the struggle the courts are having with coming back and getting cases into the courtroom. Currently, cases are being held via WebEx and Zoom meetings but it is a slow start and hope that case will get moving as soon as possible.

Mr. Troyer stated to Mr. Piatak, has there ever been studies done on the Wedo-Wengler catch-basins? Being on Council before seem to remember some reports and/or studies being done, are there any old ones that can be looked at?

Mr. Piatak responded an analysis was done of the Kolleda Ditch back in 2007 and did some alternatives and identified some areas in the city where possible basins would be a good fit, due to the availability of land but it was more in concept. I want to drill into what these basins might look like, how much storage can the city get out of them. Want to do some field surveys and get some field photography in order to come back to Council and say this is a good idea. On the surface basins are good ideas and locations but until taken to that next step it's just concept. To answer your question has there been a feasibility study done on the Wedo basin to the extent what I want to do. The answer is no I don't believe there were any studies that were done that would detail the effects of what a basin might look like.

Mr. Troyer continued at one time wasn't there some preliminary numbers, cost, or

Questions to public officials: cont.

just a general.

Mr. Piatak responded some budget numbers were learned on estimating a dirt number, haul-off number in 2007 or 2008 or more recent than that. It didn't drill down and I want to come back to Council with a concept plan saying this is what this is going to look like, can be dressed up with a trail, or educational features around it. What are the objects that have to stay, at Wedo Park there is a cell-tower that is basically immovable at this point? So the designer will have to work around that feature. Is the city going to be okay with the elimination of the pavilion and baseball field? Back in the day, there was some kickbacks that a basin wasn't wanted there because where would children play baseball. I see the Wedo location as a piece of land that the city has control over and is in an ideal location to do something based on the proximity of some of the problem areas. I can't say if it's going to provide alternate relief until it is taken to the next step and ultimately whatever would come out of this feasibility study would be implemented and used in the final design. If the city were to move forward so it wouldn't be a wasted effort.

Mr. Troyer stated the cost-share for the storm water management through the NEORSD would reimburse the city for the cost for the study but it's still the residents' money so it's not free money; the reimbursement would be the 25% that residents' have paid in. Will the storm water district offer any money to do the Wedo-Wengler (feasibility study)? Will the city be able to use the 25% or use the 75%; where the (district) likes the project and funds the project have there been any conversations?

Mr. Piatak responded you are correct that twenty-five cents (\$0.25) out of every dollar collects are put into a cost-share account. The money for this feasibility study would come out of that account. An application was filled out and submitted to the district for approval. The district responded back yes and thinks this this is a good application for funding out of that account. The district also indicated that if the city were to move forward with the design and construction of these basins the city could use funds out of the community cost-share account; 25% out of every \$1.00. Depending on what this basin would look like there is a possibility that the sewer district could kick-in some of the seventy-five cents (\$0.75) collected but at this point I don't have that answer if the district would kick-in any money of their own, or all city dollars.

Mr. Troyer asked Mr. Cingle is there any update on the city's revenues; 2020 versus 2019. Is there any information on where the city stands at this point would be appreciated?

Mr. Cingle responded actually looking at that right now so in the very near future I

Questions to public officials: cont.

will have a report for Council.

Mr. Salvatore followed on a question from Mr. Troyer to Mr. Piatak, on that cost-sharing availability of the funds. Would whatever project chosen have to be approved by the sewer district in order to capture those funds?

Mr. Piatak responded yes, any dollars spent out of that community cost-share account has to be approved by the district. There would be an application, similar to what the service department does for cleaning of catch-basins. Similar to the application submitted for the feasibility study, those applications get submitted to the district and get approved. That would come back to Council, ultimately, for your approval and if Council were to say they didn't want to do it the application would fail.

Mr. Salvatore stated if the city decided to do a project that the district didn't think would solve the problem they would turn the application down and the city would be on their own?

Mr. Piatak responded if the district turns the application down the city would not be eligible to use those monies out of that account.

Mr. Salvatore asked Mr. Piatak would the district pay for the engineering moving forward to determine if a project is something the district would be willing to pay for? If the district opts not to pay for the project is the city stuck with the engineering fees?

Mr. Piatak responded before any dollars are expended the city would have to get the district's approval as well as Council's approval.

Mr. Salvatore stated if the city did a project such as discussed at the Caucus Prior to meeting and the district paid that and then decided that wasn't a good project. Would the district pay the engineering fees incurred putting a plan together for the Wedo (basin)? If the project is turned down is the city stuck for the engineering fees?

Mr. Piatak responded again, before any dollars would be expended the city would get the district's approval. As of right now the district agreed that the Wedo-Wengler study is a good project and application for the community cost-share monies. Let's say the city moves forward with the study and comes back to the district saying this and this are the components of the feasibility study. The city wants to move to the next stage which would be the final design and ultimate construction the city comes back to the district with another application that the city wants to move forward with the plan and seek the district's approval. At that

Questions to public officials: cont.

point, the district could say no this isn't a good application of the funds but if the district is on board with the feasibility study I'm fairly confident the district will be on board with an actual implementation of projects that fall under the feasibility study. If the city comes back to the district saying that only ten (10) gallons of water can be stored at the Wengler basin, then I'm not coming back to Council saying Wengler basin is a good project. I will bring forward a project that I think the city will get some value out of the dollars being spent.

Mr. Salvatore stated to Mr. Piatak with your knowledge the Wedo-Wengler project looks good.

Mr. Piatak responded I like the Wedo because it's a larger area.

Mayor Gammella interjected to Mr. Piatak, be careful until the sewer meeting.

Mr. Piatak responded I think it's a fair question, I like both of them.

Mayor Gammella stated the reason I say that there may be a much bigger project in line.

Mr. Mencini stated to Mr. Piatak you've been the city's engineer for a while and have dealt with this flooding through a few administrations. Do you think there is one-end off or do you think what other communities are doing trying other alternatives, other methods? Do you think there is a few things the city must do to ever reign this in.?

Mr. Piatak responded no, there's no one solution because if there was one solution it most likely would have been done. I think this is a multi-prong approach and again looking at a newer community that's currently being developed, or newer subdivisions, all you see is water features i.e. lakes, basins; why is that? Because we have learned over the years that part of the infrastructure is vitally important. That's not saying new communities don't have flooding issues but we're kind of working back(wards). I think there's a lot of different avenues to address with what is going on and all of them are going to need to be pursued in order to be successful.

Mr. Mencini continued an engineer, in my ward, told me that the houses the city has that are so close together as well as cities like Parma Hts. would never be built today, is there any truth to that statement?

Mr. Piatak responded I guess they would be built, look at Engle Court has smaller lots but are slabs. What is seen on the north side of Engle Road is a retention basin. The regulations, the knowledge gained over the years, unfortunately, the

Questions to public officials: cont.

newer subdivisions learned by mistakes from older one. To answer your question, smaller lots can be built and are built today but with other provisions to accommodate the storm water issue.

Mr. Mencini thanked Mrs. Horvath for the (civil) litigation list and stated on the one that involves the city's zoning board (refusal) that is still in the process; it looks like the city is trying to reach some sort of agreement with the gentleman.

Mrs. Horvath responded the plaintiff approached the city indicating that they wanted to offer some plans that might be a resolution of the matter. Engineer Piatak and co-counsel looked at those plans and responded to the plaintiff with further questions. There is quite a way to go with this matter and am unable to tell you if this can be resolved. There will be a meeting sometime next week with Mr. Piatak, co-counsel and Building Commissioner Hurst to review the second set of plans. If it's feasible to work this out the city will do so but, if not, then litigation will proceed but most importantly the city must make sure things are done correctly and preserve what is needed to work properly.

Mr. Mencini continued to Mr. Cingle, do you have any thoughts on my comment to the Mayor about hiring someone to do a city-wide assessment of all departments?

Mr. Cingle responded an assessment of each department i.e. performance audit?

Mr. Mencini responded pretty much and this isn't how people are working this is (strictly) to look at the numbers. In 2013, this was brought up many times and, obviously, many things have changed since then.

Mr. Cingle responded the state auditor's office administers performance audits and if Council wishes to contract for one that would be way to do it. I think the City of Twinsburg just went through an audit so may want to call the City of Twinsburg to see if the city is pleased with the audit and how it helped, if it did.

Mr. Orcutt asked Mr. Piatak to explain the scope of work for the feasibility study.

Mr. Piatak responded first of all the city needs to delineate the drainage areas to each of those areas. If a drop of water falls at Point A where does that drop of water end up? Will it end up in the basin or somewhere else. What can the city get basically divert into a basin, how much storage can the city get into a basin? There is hydraulic analysis, field survey from critical topographic elevations, where is the water at, what is the invert of the pipe underneath the railroad tracks by the Kolleda Ditch where Diana Drive comes out. Certain key elevations that the city needs to know to input into the model to decide how much water can be taken into the basin and how effective it's going to be. Will the city need drain the basin

Questions to public officials: cont.

mechanically or pump it out letting the water flow via gravity and pump it out. If that's the case there is a whole other set of parameters so there is a lot of hydraulic calculations, field work and some thinking out of the box, as well. Will need to research where some of the existing sewers are, existing utilities' and existing infrastructure that can be relocated if needs to be. I know there is a large culvert pipe that runs along I-71 behind the houses on Wengler Drive and the city may find that storm sewer runs down the middle of the property, I don't think it does just using as an example or we may find something there that would be cost-ineffective to relocate. We will prepare a report and I want to come forward with some concept drawings saying this is what it could look like, it doesn't have to look like a sterile open field. Water features can be added and plant life to make an attractive asset to the community. Not just Wedo it could be any of the basins if the city decides to move forward with one.

Mr. Orcutt thanked Mr. Piatak for the explanation of the scope of work on the feasibility study. My next question what would be the timeline for the feasibility study?

Mr. Piatak responded I would like to think there could be have something before Thanksgiving, if not sooner, maybe end of October. Depending on if and when we would be authorized let's say next meeting is mid-September; that would give us six weeks to eight weeks to do the study.

Mr. Orcutt continued in the last three years how many feasibility studies were done relating to flooding?

Mr. Piatak responded we do hydraulic calculations for large-scale projects quite frequently. I guess in the last three years, if we were to ask when one was done just like this I guess it's probably been a few years. I have no question as to the capability of our office and the gentleman I have in mind to work on this is Rich Wasosky who serves as a witness expert in hydraulic cases and I consider him one of the hydraulic experts in Northeast Ohio and am confident in our firm's ability to perform a study of this nature.

OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**New Legislation:**

A Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county fiscal officer and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

New Legislation: cont.

Making a written return to the fiscal officer of Cuyahoga County, Ohio, for charges for the services of the City of Brook Park, Ohio for cutting weeds on certain parcels of land described herein and authorizing said charges to be placed upon the tax duplicate and collected as other taxes pursuant to section 731.54 of the Ohio Revised Code. Introduced by Mayor Gammella. Placed in finance committee.

Authorizing the Mayor to enter into an agreement with GovDeals.com for the purpose of auctioning various file cabinets, exercise equipment and miscellaneous equipment and declaring an emergency. Introduced by Mayor Gammella. Placed in recreation committee.

Authorizing the Mayor to enter into an agreement of cooperation with the County of Cuyahoga for the resurfacing of Sheldon Road (County ID#1285) and declaring an emergency. Introduced by Mayor Gammella. Placed in service committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

No correspondence was received.

Mr. Troyer speaking as a resident expressed concerns with the Sheldon Road project. I wanted to make everyone aware that there has been a bad waterline from I-71 to Engle Road that is the city's responsibility and needs to be considered in that project. Also, the waterline was replaced from I-71 to Smith Road so the Brook Park side of the road is actually in pretty good shape.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRSTREADING:

1. ORDINANCE NO. 11161-2020, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY, WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE MAINTENANCE OF TRAFFIC CONTROL DEVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Motion by Mr. Troyer, supported by Mr. Poindexter, to suspend.

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

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

ROLL CALL: AYES: Troyer, Poindexter, Mencini, Salvatore, Scott, Schmuck, Orcutt
NAYS: None. Ordinance No. 11161-2018 has been approved under suspension of the rules. Adopted.

Introduction of Ordinances and Resolutions: (First Reading): cont.

2. ORDINANCE NO 11162-2020, RETAINING AND EMPLOYING THE LAW FIRM OF ZASHIN & RICH, TO ACT AS CO-COUNSEL WITH THE LAW DIRECTOR IN LABOR RELATIONS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Motion by Mr. Scott, supported by Mr. Poindexter, to suspend.

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

NAYS: None. The motion carried.

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

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

NAYS: Orcutt, Troyer, Salvatore. Ordinance No. 11162-2020 has been approved under suspension of the rules with a vote of 4-3. Adopted.

3. ORDINANCE NO. 11163-2020, AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PUBLISHING THE ENACTMENT OF SUCH NEW MATTER; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio.

Motion by Mr. Poindexter, supported by Mr. Mencini, to suspend.

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

NAYS: None. The motion carried.

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

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

NAYS: None. Ordinance No. 11163-2020, has passed under suspension of the rules. Adopted.

4. RESOLUTION NO. 15-2020, RECOGNIZING THE MONTH OF SEPTEMBER AS PROSTATE CANCER AWARENESS MONTH IN THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio, C/W and Mayor Gammella.

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. Resolution No. 15-2020 has passed under suspension of the rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11148-2020, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF PROPERTY LOCATED AT 21388 SHELDON ROAD, PERMANENT PARCEL NO. 341-23-007 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Scott stated Economic Development Commissioner Adams asked that items number one and two be pulled out due to the gentleman walking away from the deal.

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

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

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

ROLL CALL: AYES: None.

NAYS: Mencini Poindexter, Salvatore, Troyer, Orcutt, Schmuck, Scott.

The motion failed with a vote of 7-0. Defeated.

2. ORDINANCE NO. 11149-2020, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF PROPERTY AT 6538 BURTON DRIVE, PERMANENT PARCEL NO. 341-24-011, AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

ROLL CALL: AYES: None.

NAYS: Scott, Poindexter, Salvatore, Mencini, Troyer, Orcutt, Schmuck

The motion failed with a vote of 7-0. Defeated.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

Mr. Poindexter commented will be out of town from Thursday through Monday and will be available by cell phone.

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 9:03 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.

8,715 words

