

**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 15, 2020**

The meeting was called to order by Council President Vecchio at 7:33 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, Service Director Gardner (8:04 p.m.).

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. SPECIAL COUNCIL MEETING HELD ON MAY 29, 2020.

**Motion** by Mr. Scott, supported by Mrs. Schmuck, to amend page 10, sixth paragraph, to insert the word not before the word changed to read 'not changed'.

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

**NAYS:** None.

The amendment carried with a vote of six (6) with one (1) abstention.

**Motion** by Mr. Scott, supported by Mr. Mencini, to approve as amended.

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

**NAYS:** None.

**ABSTENTION:** Poindexter. The motion carried with a vote of six (6)

with one (1) abstention. Approved as amended.

2. SPECIAL CAUCUS HELD ON AUGUST 11, 2020.

**Motion** by Mr. Scott, supported by Mr. Mencini, to approve as printed.

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

**NAYS:** None. The motion carried.

3. SPECIAL COUNCIL MEETING HELD ON AUGUST 11, 2020.

**Motion** by Mr. Troyer, supported by Mr. Poindexter, to move to the October 6<sup>th</sup> Council agenda for proper amendments to be made in writing.

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

**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.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has two items on tonight's agenda and earlier today four members of the Board of Control met and approved ten (10) items. The three largest being for grinders and rotors upgrade for sewers and drains in the amount of \$29,376.00, American Legal Publishing Corporation for 2020 codified ordinances in the amount of \$7,804.90 and Baby Resources Group, Inc. water resources alienation dealing with wetlands on 7,215.00.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee has two (2) pieces of legislation on tonight's agenda and five (5) pieces of legislation in committee.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the Recreation committee has two pieces of legislation on tonight's agenda, first one being with GovDeals to dispose of equipment and other items. The next recreation committee meeting is scheduled for Thursday, September 17<sup>th</sup> at 7:00 p.m.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning commission met on Monday, September 14<sup>th</sup> with one item on the agenda for a request for a conditional use permit at 16701 Brookpark Road for All Engineering Corporation light truck/maintenance located in a U7-B District. The Planning commission added four conditions to the conditional use permit with the black-iron fencing installed in frontage of property; no subleasing to other businesses; one parking space for every automobile plus one parking space for every employee. Parking lot will be repaired and lined with excess vehicles around the business as well as a condition of no long-term parking in the front lot; passed unanimously by the Planning commission.

Safety Committee - Chairman Troyer

Mr. Troyer reported the Safety committee has no legislation on tonight's agenda or in committee.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported the Service committee has one piece of legislation on tonight's agenda to enter into an agreement with Cuyahoga County for resurfacing of Sheldon Road. Mr. Salvatore congratulated the service department workers for all their hard work especially being short-staffed during the Coronavirus pandemic.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the Zoning Appeals board met Monday, September 14<sup>th</sup> in the Council chambers with four items on the agenda. One being the conditional use permit Mr. Orcutt mentioned that the zoning board sent to planning. The board approved a request for a 1,200 sq. foot variance and a 10' lot variance for 6016 Stark Drive, resident was very happy and thanked Council and everyone involved

**Reports from Standing committees: cont.**

with this. The board also approved variances for 6363 Lockhaven Drive for an 18 sq. foot variance, 10 sq. foot lot variance and a 4' rear yard variance with the resident bringing in 1' 4" in the backyard. The board tabled two variances for 5710 West 130<sup>th</sup> Street, corner of Hummel and West 130<sup>th</sup>, with the first variance request being for a non-paved surface and the second for a partial relief of the storm water management requirement.

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

Mr. Orcutt reported the next board meeting is Wednesday, September 30, 2020; via computer. The COVID-19 pandemic has presented many challenges for the caregivers and staff at the hospital; adjustments have been made in how patients are cared for and the processes followed to make sure the hospital is safe. Despite the stressful challenges that Southwest General has faced there are many positives takeaways including the fact that the quality and safety of the patient care continued to be good. Southwest General Hospital is providing many outpatient services, surgeries and procedures that were paused or postponed due to COVID-19 pandemic. Southwest General is giving patients ease during the COVID-19 pandemic by offering tele-health services including both video and phone visits. These options are helpful for all patients who do not need an in-person visit and prefer to speak with their provider.

**Berea Board of Education Representative, Mencini**

Mr. Mencini reported the district is on the second week of remote learning, beginning Monday, September 14<sup>th</sup>, all students will follow Monday through Thursday regular schedule with remote learning. Fridays are designated for Titan Team Time where students get support and structure from teachers, teen activities and any work that needs to be caught up. On September 19<sup>th</sup> Berea-Midpark High School will be having a virtual ribbon-cutting ceremony at 1:00 p.m. on YouTube with a second ribbon-cutting at 2:00 p.m. same day. On September 19<sup>th</sup> the new elementary school will have a ribbon-cutting ceremony on YouTube along with a community open house beginning, with the ribbon-cutting ceremony, from 2:00 p.m. to 4:00 p.m., masks required as well as social distancing. There will be a community open-house for the high school once the Performing Arts Center and Gymnasium are complete.

**Technology and Innovation Council Representative - Poindexter**

Mr. Poindexter reported the Technology committee has not met since last meeting and will be meeting Wednesday, September 16<sup>th</sup> at 6:00 p.m. in the Council Chambers. With special guests from DriveOhio doing a presentation on advanced technology with roads, transportation and things like that. The committee will see what types of projects DriveOhio is working on and try to collaborate to see what kind of projects can potentially be brought to the City of Brook Park. There will be six (6) people at the meeting so Councilmembers and residents are invited to view

**Reports from Special Committees: cont.**

the presentation; masks are required as well as social distancing will be required.

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

Mayor Gammella stated no report this evening.

**Questions to the Mayor:**

Mr. Mencini stated to Mayor Gammella a thank-you for the emptying of paper bins and also seeing police officers out over the weekend with maybe radar being taken at some of the stop signs. Received a few calls about people calling City Hall, with the receptionist there, the residents are getting the impression that City Hall is closed. Is there something Council is missing here?

Mayor Gammella responded no, the receptionist may be on another phone call and the system will kick over but, no, the receptionist is here as well as the backup, will check into that tomorrow.

Mr. Mencini commented on Tuesday I heard it three times and just wanted to bring to your attention. Thank you to the service department for the great job with rubbish and bulk pickup this week, crews are working hard and it's definitely appreciated.

Mr. Orcutt stated to Mayor Gammella would like to address the bulk pickup that was addressed once with some confusion with it. Received a few phone calls of bulk items that were on the tree lawns a little early, possibly do another robo-call to address that. Another issue is the difference of opinion with some of the things occurring in the neighborhood behind a certain hotel. What I ended up doing is and I know you wanted the people to be able to call the police department and what I did was kind of jumpstarted that by holding a little rally last week. To see if I could get the support of the people before things happen by people calling the police department for this to be a public nuisance. Mayor, at your earliest convenience I would like to show you how much community support there is for a public hearing. At that rally there were as many as 20 signatures and in front of me right here there is 221 signatures that support you with having a public hearing. At your convenience if you and I could do a drive-thru of Ward 3 is something that I think needs to be done to help those residents.

Mayor Gammella responded thank you Councilman Orcutt, will call you tomorrow to set up a date and time.

**Questions to the Mayor: cont.**

Mr. Scott stated this (subject) was breached earlier with an update on (sewer) presentation moved from tonight's meeting to next week.

Mr. Vecchio stated the presentation by the Northeastern Ohio Sewer District is scheduled for Tuesday, September 22<sup>nd</sup>, at 6:00 p.m. via Zoom; presentation will also be livestreamed. This is not a Caucus or Council meeting this is a presentation by the sewer district as to what the district has done so far with studies and where the district is heading. The anticipated time is roughly one-hour with a question-answer period from Councilmembers the presentation may run longer. The district will give a power-point presentation with myself facilitating and using the livestream for residents.

Mr. Scott clarified the residents are invited to watch the presentation, correct?

Mr. Vecchio responded yes, the stream will run through BoxCast like Caucus-Council meetings.

Mr. Scott continued can information be given out to the residents as to how to proceed?

Mr. Vecchio responded that would be per the administration and other media avenues could be utilized needed to do so.

Mr. Salvatore commented I thought this was going to be a regularly scheduled Council meeting for this purpose for official business. Under what format is this being called i.e. public hearing? I think a Council meeting should be called or special meeting with every bit of information provided in the presentation should become public record, that's my recommendation.

Mayor Gammella stated there will be discussion and the reason having at the regular time is so people would tune-in and will be public record, absolutely, with anyone being able to watch (live) or watch after the fact. This is a meeting with the sewer district to find out where we're at to take care of the flooding problem that will be addressed and put together a game plan to address in the most expedient way possible.

Mr. Salvatore thanked Mayor Gammella for his comments but would feel more comfortable if under the auspice of Caucus and/or Council meeting. With all Councilmembers be in attendance to hear what the district has to say and ask any questions. With a mediator who will control the questions, when where there be questions, will there be answers. The format is already in place with the Chairman of Council being the spokesperson and think should be done in the Council

**Questions to the Mayor: cont.**

Chambers and have the Council rules to call a special meeting.

Mayor Gammella stated this is not a Council meeting it is an informational meeting with the sewer district. No Council action will be allowed there or taken there and certainly everyone will have the opportunity to speak, ask questions to get through the presentation.

Mr. Salvatore asked will this be called a public hearing?

Mayor Gammella responded wouldn't even call it a public hearing, just a meeting with the sewer district of where we're going. No Council action will be necessary and no Council action will be taken there. Everyone will be afforded to ask whatever questions they want to move forward with this issue.

Mr. Salvatore commented everyone wants the meeting it just a matter of how we're going to have the meeting.

Mr. Troyer stated to Mayor Gammella the service director isn't at this Zoom meeting.

Mayor Gammella interjected the service director just texted me he's having technical difficulties and is attempting to join by telephone.

Mr. Troyer thanked both Mayor Gammella, Service Director Gardner and service department crews for fixed the issue on Christene. There were two heavy rains and the front yards and street is no longer flooding.

**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,  
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:****Service Director Gardner**

Mr. Troyer asked Mr. Gardner when will Independence Court get patched because it's in really bad shape.

Mr. Gardner responded Independence Court is on the schedule service crews are trying to get through everything with patching all streets in all wards. Crews have been through several once and are going back through, don't have a day but is on schedule.

Mr. Troyer thanked Mr. Gardner for getting the Christene problem resolved.

**Finance Director Cingle**

Mr. Cingle reported the administration appreciates Council's consideration of

**Reports and communications from departments, commissions and other public officials:**

Finance Director Cingle: cont.

Ordinance No. 11165-2020 and Resolution 16-2020, both item are time-sensitive.

Law Director Horvath

Mrs. Horvath reported information was forwarded to Council regarding House Bill 606, recently passed, to keep Council informed with things going on with COVID-19 and the State of Ohio. Currently, the law department is working through the court system with the cases previously discussed and listed.

**Questions:**

Mr. Orcutt asked Mr. Gardner there is a specific part of Delores Blvd. that is in bad shape and know the department is working with limited personnel. Back in April, the Mayor and I visited a section of Delores between Paulding & Hocking. On the east side of the road, not sure what happened years ago, but it looked like there's been some heavy damage to the road. Is the city capable of doing larger repairs with taking out 60' sections on half the road and pave that area?

Mr. Gardner responded to Mr. Orcutt no, the city wouldn't be able to do that in-house at this time. That would be something to discuss with the city engineer and try to do some larger scale patch projects and to out to bid for those items. We have paid attention to those areas and patched accordingly but anything large-scale like that the road would have to be dug up and base, putting asphalt over a poor base is a bad idea.

Mr. Orcutt continued I'm sure crews are aware of that area and it one where a lot of phone calls are received due to the heavily traveled road; seems like crews hit the area every year and six-months later that repair is ripped out by the snowplows. Wondering what could be done as a better temporary repair until the street can be replaced.

Mr. Mencini thanked Mrs. Horvath for the meeting last week and looking to another meeting very soon. To Mr. Gardner as Mr. Orcutt stated there are a lot street in need in the city, Ward 2 also. That part of Delores from Holland to Hummel has been brought to my attention by residents that when the crews get time to get some hot-patch before winter. Last week when dumping items off for residents I wanted to converse with some of the guys and only had a couple of minutes because they were on the go, they are doing a great job. To Mr. Cingle we met a couple of times to talk about next year's forthcoming budget and would like to do that again. All of Council wants to see what the pandemic is going to do to the city's budget and hopefully won't be as bad as it might be. Also, talk to you about where to look at for a lot of the city's needs and amenities.

**Questions to department heads:**

Mr. Troyer stated I didn't receive the information Mrs. Horvath spoke of during her report.

**Service Director Gardner:**

Mr. Gardner reported I need help from the Councilmembers and residents for a voluntary program and if you choose to participate it must be done correctly, environmentally this is the right thing to do. This program allows five (5) items to be placed in the blue cart that was sent out in the calendar sent out last year, nothing has changed since 2012. Cans, plastic bottles, cartons, glass and paper boxes go into the blue cart. Today, several cans were left due to having blinds, tent poles and all kinds of stuff that can't go to the dump anymore. These (cans) must be cleaned out and will be picked up when the next recycling effort is made. Corrugated cardboard is a recycled item but not in the city's program and if placed in the rubbish black cart it costs the city approximately \$50.00 a ton to dispose of. If you put in the blue cart it costs the city approximately \$90.00 a ton to dispose of and Mr. Mencini eluded to the green and yellow bins around the city located at schools, churches and city properties. That costs the city zero monies (\$0) to dispose of cardboard so if everyone could take the effort to take to those containers and keep it out of the landfills, dumps and rubbish cans it would greatly be appreciated. Bulk pickup has been an item since COVID-19 began and was stopped for several months and when the department started it back up a few changes were made. Bulk pickup is the second (2<sup>nd</sup>) full week, the second Monday, and on the calendar sent out every year that Monday is circled and is still the bulk pickup week, used to be one day a month on Monday city-wide. That gets to be too big a chore for service crews to do the whole city in one day. Now it's the same week but bulk is picked up on residents regularly scheduled rubbish days from Monday through Friday; the only changes is when there is a holiday during the week. Bulk pickup doesn't have to be scheduled any longer and if there are any questions please call the rubbish hotline. With shredding the first Shred-It day was cancelled in April but will try to do a Shred-It day October 10<sup>th</sup> that will be a drive-thru event from 10:00 a.m. to 1:00 p.m. at the service department. There will be an area in the department's employee parking lot for residents to drive up and place shredding items in a black cart and drive up, watching the shredding this year is a near impossibility, items will get shredded. No plastic bags are allowed shredding can be brought in a plastic bag but must be dumped out of the bag.

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

1. A Resolution recognizing the month of October as Breast Cancer Awareness Month in the City of Brook Park and declaring an emergency. Introduced by Councilman Salvatore. Placed in Legislative committee.



**Other communications and petitions and verbal approval: cont.**

**VERBAL APPROVAL:**

1. FOLIO SUPPLEMENT UPDATE OF THE CODIFIED ORDINANCES TO THE CITY WEBSITE (**622.05**).

**Motion** by Mr. Poindexter, supported by Mr. Scott, to verbally approve.

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

**NAYS:** None. The motion carried.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

1. CORRESPONDENCE RECEIVED AND REQUESTED TO BE READ FROM BROOK PARK RESIDENT.

The clerk read the correspondence received by email on Monday, September 7, 2020 from Mrs. Delourde Shepard of 15832 Ashland Drive, attached to minutes.

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:**

1. ORDINANCE NO. 11165-2020, 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 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

**Motion** by Mr. Poindexter, supported by Mrs. Schmuck, to suspend.

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

**NAYS:** None. The motion carried.

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

Mr. Salvatore commented will support this legislation this evening because it is important that the city get reimbursed for some work that has been done. Moving forward I think there is a better way to approach this matter and not sold on the way this is being handled, don't like some of the things that occurred during the course of this process. By next year when being done again there will be a better way of doing this.

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

**NAYS:** None. Ordinance No. 11165-2020 has passed under

Suspension of the Rules. Adopted.

2. ORDINANCE NO. 11166-2020, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GOVDEALS.COM FOR THE PURCHASE OF AUCTIONING VARIOUS FILE CABINETS, EXERCISE EQUIPMENT AND MISCELLANEOUS EQUIPMENT AND DECLARING AN EMERGENCY.

Introduced by Mayor Gammella.

**Motion** by Mr. Poindexter, supported by Mrs. Schmuck, to suspend.

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

**NAYS:** None. The motion carried.

**Motion** by Mrs. Schmuck, supported by Mr. Orcutt, to adopt.

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

**NAYS:** None. Ordinance No. 11166-2020, has passed under Suspension of the Rules. Adopted.

3. ORDINANCE NO. 11167-2020, AUTHORIZING THE MAYOR TO TAKE BIDS TO HIRE A CONSULTING COMPANY TO GIVE THE CITY AN ESTIMATE TO REPAIR THE NATATORIUM WALLS AND ROOF AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Scott stated with this legislation there are amendments that I would like to make on this and hope the Mayor supports them. The first amendment would be in Section 1 to read 'authorization is given to the Mayor to advertise for bids to hire a roofing consulting firm to perform a comprehensive (roof study), prepare plans and specifications for work to be performed on the natatorium roof and walls.

Mr. Salvatore commented the proper procedure would be to pass suspension and them amend.

Mr. Vecchio responded correct, and think Mr. Scott is just stating this for questions to see where Council is at.

Mr. Troyer commented how can Council suspend without knowing the amendment(s).

Mr. Vecchio responded that is why I am going with the discussion of what the amendment(s) is.

Mr. Poindexter asked is that the only amendment being proposed.

Mr. Scott stated no there are two (2) more.

Mr. Poindexter commented would like to have an email before the meeting so that the amendments could be read.

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

Mr. Scott commented this is for discussion.

Mr. Poindexter continued I'm sure you didn't just come up with them just now, you could have emailed Council before the meeting with the proposed amendments to look them over.

Mr. Scott commented Council is not passing or suspending anything, just putting my suggestions out there, don't have to move on them at all.

Mr. Orcutt stated to add some clarity to this I would like to say there was some discussion, in August, about this between the Mayor and Councilman Scott about this would be dealt with. The legislation Council has in front of them wasn't with the firms Council talked about and the Mayor said legislation would be drawn up to hire a firm. In that first section the legislation gives the Mayor authorization to go ahead and prepare, like the amendment.

Mr. Troyer stated I don't want to do anything that holds this up, needs to get done and passed. Would suggest and understand where some Councilmembers and Mr. Scott is coming from and came aware of this around 4:00 p.m. today briefly. Just want to get through this and figure out a way to get this done tonight, that's my biggest concern.

Mayor Gammella stated to Mr. Orcutt's statement that it's not quite what we said we were going to do. Why did you vote to put on the Council agenda tonight? Why didn't you bring it up at the Caucus? I think it was unanimous and don't think there was one person that dissented putting this legislation on as is. I think it's what we all agreed to and everyone agreed to put on tonight's Council agenda, there was no objection at the Caucus.

Mr. Mencini stated there are a lot of statements that were true, I will say this. I would like to hear Mr. Scott's amendments to this piece, how long have we been talking about this, for a very, very long time. I heard twice we have go get this done tonight yes we want to get moving on this but want to get this right.

Mr. Salvatore stated there is a mechanism in place and the procedure is vote for suspension to get under adoption, make amendment(s) and if the votes are there passed as amended.

Mr. Orcutt stated to Mayor Gammella this is something supported since day one, if you recall, approximately two years ago when this came out. I have been for the repairs since day one of the natatorium but want to make sure it's done correctly.

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

Mr. Poindexter stated looking through the legislation there is nothing that gives the Mayor authorization to enter into an agreement with any contractor to do any of the natatorium. All this is doing is giving the Mayor authorization to get bids to fix the natatorium. Don't know where the concern is, there is nothing in here that allows the Mayor to make any agreement without coming back to Council first. This is for the Mayor to get bids to bring back to Council. I don't understand why we have to muddy the waters all the time? Why don't we just pass as is to allow the Mayor to get a consulting firm to bring back bids. Then analyze the bids and allow the Mayor to enter into an agreement, this is step one and we can't even get off step one.

**Motion** by Mr. Salvatore, supported by Mr. Orcutt, to suspend.

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

**NAYS:** None. The motion carried.

**Motion** by Mr. Salvatore, supported by Mr. Poindexter, to adopt.

Mr. Salvatore afforded Mr. Scott the opportunity to make amendments prior to passage.

Mr. Troyer - Point of Order.

Mr. Vecchio recognized.

Mr. Troyer - Motion to adopt was already made and seconded, can't be amended now.

Mr. Salvatore - yes you can.

Mr. Vecchio - this is time to be amended because discussion is on adoption, so there are additional amendments meaning discussion is allowing for additional points to take place.

Mr. Salvatore - the proper motion would be...

Mr. Troyer - on the motion you can't, if I may Mr. Chairman.

Mr. Salvatore - it is the right to make an amendment.

Mr. Troyer - call the question, you can't amend after the motion to adopt was made and seconded.

Mr. Salvatore - yes, you can.

**Introduction of Ordinances and Resolution: First Reading: cont.**

Mr. Troyer - I don't like it but will give into the senior member of Council.

Mr. Salvatore - ask the law director for her opinion, if you like. Don't have to give it to the senior member of Council just because I'm right. Can also get a legal opinion.

Mr. Vecchio - We're going to move forward, stop sparring and listen to Mr. Scott's amendments.

Mr. Scott - this is basically just to be more specific and don't believe it's muddying any water and you don't have to approve. It's just something I after looking at the legislation and pulled up legislation from other cities and compared ours with what they had. This is what they had with little tweaks, go along with it fine if not there's no hurt feelings.

Mr. Scott continued with the first a (proposed) amendment 'authorization is given to the Mayor to advertise for bids to hire a roofing consulting firm. To perform a comprehensive (roof study), prepare plans and specifications for work to be performed on the natatorium roof and walls. Being specific and not taking anything away. The second (proposed) amendment 'such comprehensive roof study would be for a vapor barrier and without a vapor barrier'. The third (proposed) amendment is 'such comprehensive roof study will include possibly lowering the current roof'.

Mr. Poindexter asked Mr. Scott would we want to limit the Mayor to only a roofing consultant because if doing walls and lowering roof might need more of a general contractor, possibly just say consultant. This is the first hearing of this but in my limited experience a general contractor may be more...A roofing specialist specializes in roofing but not maybe specializing in walls and lowering ceilings and things of that nature.

Mr. Scott stated the names I provided to the Mayor do complete roof structure and anything associated with the roof.

Mr. Orcutt stated finding out about this late had time to research and watching the meeting it was to hire a firm to examine the roof and walls situation. So it was kind of a general and agree with Mr. Poindexter.

Mr. Vecchio suggested removing the word roofing and make it a consulting firm. Reiterating the proposed amendments: Section 1 would read 'authorization is given to the Mayor to advertise for bids to hire a consulting firm. To perform a comprehensive study, prepare plans and specifications for work to be performed on

**Introduction of Ordinances and Resolutions: First Reading: cont.**

the natatorium roof and walls.

**Motion** by Mr. Scott, supported by Mrs. Schmuck, to amend Section 1 `authorization is given to the Mayor to advertise for bids to hire a consulting firm. To perform a comprehensive study, prepare plans and specifications for work to be performed on the natatorium roof and walls.

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

**NAYS:** None. The amendment carried.

Mr. Vecchio reiterated Section 2 (proposed amendment to read `such comprehensive study will be for a vapor barrier and without a vapor barrier`.

**Motion** by Mr. Mencini, supported by Mr. Poindexter, to amend Section 2 to read `such comprehensive study will be for a vapor barrier and without a vapor barrier`.

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

**NAYS:** None. The amendment carried.

Mr. Vecchio reiterated Section 3 amendment to read `such comprehensive study will include possibly lowering the current roof`.

**Motion** by Mr. Poindexter, supported by Mrs. Schmuck, to amend Section 3 to read `include possibly lowering the current roof`.

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

**NAYS:** None. The amendment carried.

Mr. Troyer stated going back to earlier basically a motion to amend trumps a motion to adopt, can't remember the correct term. That's where I wasn't quite right but not sure the motion needs to be made again since the motion basically was trumped, I think the adoption motion was set aside.

Mr. Vecchio stated you are correct.

Mr. Troyer continued to discuss the motion, Council as you know the last term when I took a forced vacation from Council, under many lies. I came up to lecture a few times and during my last term that it's not about the pool it's about getting the walls and roof needed to be fixed. I believe my exact words were we have to address the roof, it has to be addressed, you have no choice. It covers more than just the natatorium and said this on my last term because in 2016 is when the new equipment was received that roof covers in the workout area. Then we found out the walls were bad and a year or so ago I was saying the roof and the walls. I've been saying this that the roof and walls need to be addressed and hopefully we're starting to address that and happy that this is getting passed tonight. This is a way

**Introduction of Ordinances and Resolutions: First Reading: cont.**

of doing this that's going to work and puts Council in control somewhat.

The clerk called the roll on the motion by Mr. Salvatore, supported by Mr. Poindexter, to adopt as amended.

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

**NAYS:** None. Ordinance No. 11167-2020, has passed under Suspension of the Rules. Adopted.

4. ORDINANCE NO. 11168-2020, 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.

**Motion** by Mr. Salvatore, supported by Mr. Orcutt, to suspend.

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

**NAYS:** Troyer. The motion carried with a vote of 6-1.

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

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

**NAYS:** None. Ordinance No. 11168-2020, has passed under Suspension of the Rules. Adopted.

5. RESOLUTION NO. 16-2020, 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.

**Motion** by Mr. Poindexter, supported by Mrs. Schmuck, to suspend.

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

**NAYS:** None. The motion carried.

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

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

**NAYS:** None. Resolution No. 16-2020, has passed under Suspension of the Rules. Adopted.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:****THIRD READING OF ORDINANCES AND RESOLUTIONS:**

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

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

**NAYS:** None. The motion carried.

Council President Vecchio declared this meeting adjourned at 9:00 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*  
Michelle Blazak  
Clerk of Council

APPROVED *October 20, 2020*

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

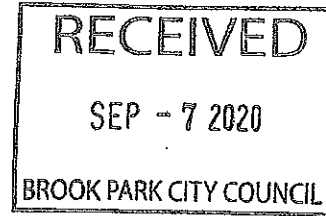
5,890 words



Mrs. Delourde Shepard  
15832 Ashland Drive

Michelle Blazak

**From:** William Shepard [REDACTED]  
**Sent:** Monday, September 7, 2020 7:29 PM  
**To:** Michelle Blazak  
**Subject:** Letter for city council next meeting



Dear Ms. Blazek,  
Can you submit this for reading at next council meeting since we cannot attend due to covid restrictions.

Dear City council and Mr Gammella  
I would like to thank the police department for the escort of retired police chiefs wife Frances Mae Deace to her final resting place at Holy Cross cemetery. It was a nice thing for all the years she and her husband gave to our city.

I spoke last December to your council requesting and challenged you to complete some much needed items. My husband was given a one year reprieve from me to not move yet. But I have seen very little progress in some items. So he may not win on this one.

1. You did no action on the graffiti at the school formally known as Assumption of Mary Church. This was against city ordinance as they receive no permits to do this and you still allowed it to happen with no repercussions. Your inaction will now allow every resident in the city to do whatever they want to their properties without any repercussions because you have set this precedence. We can paint our house is red white and blue and put 10 foot fences. All we have to say it's a personal expression and you can't do a thing to us or to anybody in the city this is that a very bad precedence. We will no longer have to pay for a permit or request a variance. You have set the bar! Our law director and I had conversations regarding this and still nothing done.

2. I asked you do something about the Howard Johnson hotel now known as Super 8 on Snow Road to get the property fixed, signage repaired, property maintenance and close it down as a nuisance. According to the mayors address to council last week to councilman Orcutt that the police only got 37 complaints calls in a short period of time to the police department and this mayor feels that this is not an issue. Who ever thinks 37 complaints is ok is someone who should not be employed by our city. There are people released on parole using this for their permanent residence. This is a hotel not an apartment. We dealt with the same thing on Brookpark rd for years And the police got that taken care of. That was not even a residential area. This is. The same thing needs to happened here. Mayor Coyne promised us that if ever these hotels became an issue they would shut them down just like Brookpark road hotels. Our Mayor needs to come and live in ward three. We do not call the police for many things like prostitution in Bob Evans. Nothing is done with the prostitutes walking up and down Snow Road. We were in Bob Evans with my granddaughter and they use their bathrooms as their prep space to meet their John's forcing us to leave the restaurant. And now we do not take them there because I am not taking children to where prostitutes are. Why we can't have a hearing and you can't hear from our residents in this ward I have no idea. The sign was flapping in the breeze it is now completely blown away and is now just a hunk of rusting metal and some type of metal insert. The siding is half the hotel and the other side some brown sand color. It's been this way a long time. But more importantly We deserve to live in a safe community.

3. I asked you to look at the railroad tracks and have the railroad come out here and attend to them which you did on Hummel Road only. The north bound tracks on Henry Ford Boulevard are so low you could lose your springs or the undercarriage of your car trying to get over the tracks. They have been this way for a long period of time. Their recourse when you call is that there's a lot of truck traffic they're. They should be repaired. The railroad tracks on Holland Road and

Michael are very damaged. We had 350.00 destruction of our car rim from a rail tie last week popping up unsecured and now we have to fight with CSX to get payment. We were not the only car that was damaged going over these tracks. It's been a week and still they're not repaired. The kind policeman was nice enough to try and put the piece of

wood back in the hole before it flips up and hits another cars undercarriage. But the minute they hit it just right they will have the same damage or worse.

I know you're all up for election next year and I will keep this in mind but do we have to wait another year for you to finally do your jobs and get this stuff done. Those of us in ward three are tired of :

1. flooding
2. the prostitutes, drug deals overdoses and a hotel in total disrepair
3. Brookgate shopping Center looking like an empty ghost town
4. BP station finally tanks removed but structures remain a terrible eye sore. I have been in communication with the parent company in England for over a year who said they would get back to me regarding this property
4. Our banks are leaving and no one from administration even attempted to get them to stay.
5. The graffiti that has been allowed at the end of our streets on the side of a wall facing the resting place of many of our family members in total disregard for the ordinances of our city
6. And last the resolution of this hotel on snow rd. Get it fixed or torn down!

Again I am asking for you to address these thing before the end of the year. You have no excuse as you have had 10 months? You choose not to meet all summer so now your work begins!

Sincerely,  
Mrs Delourde Shepard  
15832 ashland dr  
Brookpark oh 44141