

**NOTES:**

1. Due to the COVID-19 pandemic all upcoming for Regular or Special Council meetings; Governor DeWine's directive for meetings and social distancing will strictly be enforced.
2. The public is encouraged to email comments related to agenda items or general communications to the Clerk of Council, Michelle Blazak, email address [mblazak@cityofbrookpark.com](mailto:mblazak@cityofbrookpark.com) by 4:30 p.m. the day of said meeting. All emails received will be shared with all elected officials and either read at said meeting or attached to the minutes' journal.

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
TO BE HELD ON OCTOBER 20, 2020**

The meeting was called to order by Council President Vecchio at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

**SCOTT, SCHMUCK, ORCUTT, TROYER, MENCINI, POINDEXTER, SALVATORE**

Also in attendance were mayor Gammella, Law Director Horvath, Finance Director Cingle, Recreation Director Elliott and Engineer Piatak.

**DISCUSSION:**

1. TECHNOLOGY COMMITTEE PRESENTATION.  
**In attendance: Mr. James Pressley.**

Mr. Vecchio requested if Council has any major questions we can have the committee come back to Council at another meeting in depth, to put those questions together.

Mr. Pressley stated due to being the first time appearing before Council wanted to give a brief introduction The committee consists of three members along with Mayor Gammella and Councilman Poindexter. The committee members are Holly Klingler is an emergency technology specialist, Tom Dufour is a web developer and myself a change control manager with doing software upgrades and firmware, etc. for different customers. To date the committee has had six meetings with the first being March, 2020 and missed a few due to COVID-19 and recreation center being closed. The main purpose that Mr. Poindexter asked for the committee to be on here is a good example. The first project for the committee is to find a way for the recreation center to stream the winter sports games. The committee was able to facilitate information to the recreation staff about the expanding the existing BoxCast subscription that is used for Council meetings; to include access for the recreation department for purposes of streaming winter sports. The committee provided some equipment examples leaving the decision up to the staff for streaming capabilities, due to attendance being limited in the recreation center.

**Discussion: cont.**

Another item the committee is working on is the practicality of electric vehicles being used in place of city vehicles; weighing cost-savings, performance and good impact to the city. The committee had DriveOhio which is a portion of Ohio Department of Transportation (ODOT) at a committee meeting making a presentation regarding smart mobility. DriveOhio was created in 2018 during executive order and reauthorized by Governor DeWine in 2019 to focus on and improve the safety of the roadways and use of enabling technology that assists with safe transportation; currently there is a Memorandum of Understanding (MOU) in the law department. This is a great thing if the city can get something in place with DriveOhio for support of the Regional Transit Authority (RTA) and NASA, good corridor to get projects going. Examples are first and last mile service options if someone had to go into a different direction a car could be used to take that person to their destination, instead of the bus as well as vehicle electronic services, which is a big item, possibly have one in the recreation center parking lot. The committee is currently doing research on initial Broadband/WIFI to possibly get some options for residents. The committee is also looking at how the city can get renewable energy going and the cost-savings and the environmental impact of that.

Mr. Poindexter stated the committee wanted to do a presentation because the recreation center streaming capabilities was the first recommendation to the last with research and the items the recreation staff desired. An email was forwarded to Councilmembers the entire list of items the committee compiled, for the recreation center benefit, showing the full culmination of that project. In addition, to streaming sports games that equipment will be able to be used for many other items such as remote capabilities for a Yoga or Zumba instructor to reach out to students that couldn't make a class. Recreation Center staff could stream outside events as long as there is internet access, could also be used for Code-Red alerts and things of that nature. The idea is due to COVID-19 to watch youth sports activities the equipment could be used on a much broader spectrum. The committee is not sure on this and something the finance department and Mayor would have to look into. Due to all of this coming about due to COVID-19 some COVID dollars could be used to help pay for some equipment and stuff.

Mr. Pressley commented looks forward to the committee coming before Council to make a presentation having more time.

Mr. Poindexter requested Holly Klingler to appear at the next Caucus meeting in November to provide research and findings on electric vehicles.

Mr. Salvatore thanked Mr. Pressley for the very informative presentation and all for this, great idea and wanted to purchase a projector a few years ago. For the sports teams to have the opportunity to review the game after played and due to

**Discussion: cont.**

what is occurring in today's world it's more important to get this moving forward. My question is how long would it take for this to be up and running before basketball season starts?

Mr. Pressley responded the hope is that the recreation staff will be able to and have already facilitated the option to expand the subscription for BoxCast, not sure if the funding was approved. Do know in talking dollars it was only a small increase as to what Council is paying currently paying. To add the ability of the recreation staff to use by giving a dedicated stream so as not to affect Council does. The only other thing holding up the project would be the installation of equipment but options were provided for short-term if unable to get hard-wired cameras that the Council chambers have. The goal is to have hard-wired cameras in the gyms either wide-angle or full court but I gave an option of an I-pad being manned until, the cameras are installed and in place in time.

Mr. Salvatore stated that sounds good and the timing is perfect and have had talks with several Councilmembers as well as the Council President for upgrading of things done for Council; would be nice to do this under one package.

Mr. Troyer thanked Mr. Pressley for coming and likes a lot of the stuff mentioned. Did talk with Mr. Poindexter about a few concerns and would like to have the livestream available for families to watch the sports programs. All for this, great idea and it's sad that most of the current equipment Council has was brand new two years ago and needs to be replaced.

Mayor Gammella thanked the technology committee for doing an excellent job and a start of a lot of good things to come.

Mr. Mencini thanked the committee and reviewing agendas and minutes the committee has creative ideas, a lot of them should have been implemented a long time ago. Like the WIFI and electric vehicles and think county and state are all looking at that. Would also like to thank Mr. Poindexter for bringing this forward to Council and formed this committee. Looking forward to the committee coming before Council to give their presentation with these great ideas.

Mr. Poindexter thanked Mr. Mencini and commented just want to see the city move ahead, don't care about the accolades. If anything can be done to help the city, community that's what I'm about.

Mr. Vecchio thanked Mr. Pressley for his presentation, great job and look forward to seeing the committee at another meeting.

**Discussion: cont.**

**Motion** by Mr. Poindexter, supported by Mr. Scott, that item number one was discussed.

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

**WATER PARK BID OPENING. In attendance: Recreation Director Elliott.**

Mr. Elliott stated to recap on August 13, 2020 Council approved legislation for the Mayor to prepare specifications and go out to bid for water park repairs, the service director and city engineer were included. There were a number of companies and people that visited the site including a leak detection company. The city went out to bid on October 2<sup>nd</sup>, advertised in Plain Dealer on October 2<sup>nd</sup> and 9<sup>th</sup>. There was a pre-bid conference on October 12<sup>th</sup> giving the opportunity for any interested bidders to visit the site and ask any questions. The bid opening was held on October 16<sup>th</sup> with one bidder. Five companies that picked up the bid specifications that included a small fee and a few companies chose not to bid. The one bid received was by a company named SlidePro and the engineer's estimate was set at \$190,000.00 and the bid came in at \$181,413.00. When Council passed the legislation it was stipulated that the administration would come back to Council with the bid information. What the administration is looking next is for legislation to authorize SlidePro to do the work on the waterpark.

Mr. Poindexter asked Mr. Elliott the price of \$181,413.00 is that a guarantee not to exceed cost?

Mr. Elliott responded yes, the company has to hold to that bid. There was a lot of information asked for in the specifications and the company has to do the job for that price.

Mr. Poindexter continued is that all-inclusive with the leaks, waterslide and all apparatus?

Mr. Elliott responded there is an item that the service department will repair and found out after the bid went out; that's the only item not included in the bid specifications. There was also a \$10,000.00 contingency for something that might be found in the project; something unforeseen that was built into the specification and cost.

Mr. Poindexter stated when first discussing this issue the cost was approximately \$200,000.00 and it seems that is coming a little under that.

Mr. Mencini asked Mr. Elliott with the \$181,413.00 does that pertain to the presentation given of what was needed at the waterpark criteria?

**Discussion: cont.**

Mr. Elliott responded yes.

Mr. Orcutt asked for a copy of the bid specifications.

Mr. Elliott concurred.

Mr. Troyer asked Mr. Elliott what repair will the service department be doing?

Mr. Elliott responded with the bucket feature there is a crack in the line probably ten feet from where the structure stands that has been marked.

Mr. Troyer continued in the copy of the bid and/or legislation will everything be itemized (list) as to what the city is getting and what will be done?

Mr. Elliott concurred and stated what we did is to break this up into eight (8) areas and provided a quick rundown of the areas: Pool preparation and painting; water features preparation and painting this list will include what features are; the waterslide restoration which is the large one; the waterslide tower restoration; the sand filter media and replacement located in the filtration room that is specific. There were some miscellaneous repairs and on the island there are three (3) foam- slide restorations that will be repaired as well as the foam-slide on the log. On top of the island is some safety surfacing which is around usually the perimeter and also on top of that. All of that was specifically broken down and those are all the items to be completed as part of that project.

Mr. Troyer stated it can be expected that after all this is completed there will be no leaks?

Mr. Elliott responded sure hope so, we identified the three major areas and American Leak Detection is the leak detection company that came in. This company works out of 33 of the 88 counties in the State of Ohio and are doing approximately 40% of the work in the State of Ohio and are very good at what they do. The number one most problematic area is the pool floor itself with caulking and cracks being the largest volume of water that was being lost. The other area was under the slide-tower water was leaking out of a flange from an eight-inch line. Doesn't necessarily mean it was the flange that was the problem but think inside the flange is a pipe that is either cracked or slid. The third area is what was described earlier with the water line approximately 10 or 12 feet from the bucket feature. Those three areas were the biggest problems and when all three of them get corrected the city will have a very good result.

Mr. Troyer expressed concerns about erosion, was there any study done to see if the water is leaking below the pool? If there was any erosion don't know if that

**Discussion: cont.**

can be x-rayed.

Mr. Elliott responded no, nothing was done.

Mr. Troyer continued asked what kind of warranty will the city get on this?

Mr. Elliott responded a warranty was put in the bid specifications and with the items and will include that with the other information provided to Council.

Mr. Mencini asked Mr. Elliott with the five bids and only one bidder responding were there any reasons given as to why those other companies didn't pursue bids with the city?

Mr. Elliott responded there were a number of companies that helped with information needed when preparing the specifications. Ultimately, once the city was ready to go out to bid there were five (5) companies that paid the \$50.00 fee for the specifications book. The whole purpose of that is so the city wasn't getting companies coming into get information that are not real bidders. If the companies are going to pay for the specifications book those companies are serious about the project. Five companies came in and paid that fee, took the specifications book with one company submitting a bid. Since the bid opening last Friday, I spoke with a few of the companies because I was interested to see why they didn't submit bids. Found some information out and have an understanding that makes business sense, will not share some of that but understand why. References have been checked for SlidePro and the references have been outstanding.

Mr. Poindexter asked if this goes through when will work begin, this year or next spring?

Mr. Elliott responded the project completion date is mid-May and SlidePro may take some of the features to their shop for painting over the winter. There might be some sandblasting preparation i.e. the tower. Until this gets passed the city must wait five (5) days and as part of the bid the company must provide a schedule and have scheduled this to be completed in about a three-week timeframe next spring. There are some things the company is considering starting i.e. sandblasting type work and some inside work, not certain of that.

Mr. Poindexter continued that Council approved a bulk of the money for this project for 2020 and add the additional \$31,000.00, whatever it turns out to be, in next year's budget.

Mr. Elliott stated the hope was this would have moved faster to take advantage of the fall weather but didn't work out that way but the city will still be in good shape

**Discussion: cont.**

next spring, you are correct Council may have to move some dollars.

Mr. Troyer asked Mrs. Horvath the city is okay legally with only one bidder; that satisfied the legal procedures?

Mrs. Horvath responded yes, the city is fine.

**Motion** by Mr. Poindexter, supported by Mrs. Schmuck, to have the proper legislation drafted to enter into agreement with SlidePro company for the purposes of reconditioning the city's waterpark.

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

3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AMBULANCE MEDICAL BILLING (AMB) AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

Mr. Poindexter stated the motion was made to put on tonight's agenda due to receiving information late in the day last week and giving enough time to review.

**Motion** by Mr. Mencini, supported by Mr. Scott, to place on the Council agenda immediately following.

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

Mr. Vecchio stated that will appear under M-3 as Ordinance No. 11170-2020.

4. AN ORDINANCE AUTHORIZING THE MAYOR TO PROVIDE COVID-19 GRANT ASSISTANCE TO BROOK PARK SMALL BUSINESS OWNERS AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio

Mr. Vecchio stated amendments were sent to Councilmembers on Friday.

Mr. Scott stated there was a question brought up about having a committee to review applications. My thinking is a committee is not necessary to review the applications due to the checklist the economic development commissioner will go through. Am looking for feedback on a possible committee needed for once the application has been reviewed and for some reason not approved; that committee would contact the applicant to find out why the application was disqualified, seek solutions and possibly assist the person to get the application approved. Would like a committee formed not to review the incoming applications, due to having a checklist, but have a committee to assist with helping as many businesses as possible. Fallback committee to guide the applicant on getting approved.

**Discussion: cont.**

Mr. Mencini stated to Mr. Vecchio brought forward a good piece with Mr. Scott putting some parameters on this. Speaking of committees back in April, when COVID began, I asked the administration on getting a citizens' committee to cover everything, before the Cares act came about; this is a very complicated and tough issue. Not sure when it's going to end and trying to move ahead and at that time wanted a citizens' committee to assist or get an opinion from different municipalities, businesses, companies and hospitals as a committee to assist the administration, Council and the City of Brook Park.

Mr. Poindexter stated likes the work Mr. Scott provided detailing out what this grant program will do and who will be eligible. Do have a couple of items that may be a problem. In the amendment written here the city will exclude sole proprietors, a sole proprietor is one person who owns a business, could have 20 employees but only one sole proprietor who has the name on the business. Not sure if they should be excluded and think owner-operator and/or self-employed is the third item on Mr. Scott's list. If someone has a business and works for themselves i.e. landscaper or carpenter. If we say corporate owned or exempt and sole proprietor doesn't leave many people left except dual partnerships and things of that sort. I think we should include sole proprietor except for people who are business by themselves. My second concern is if this is going to be done on a \$500.00 per employee not to exceed ten (10) employees. Could this be potentially opened up to businesses who maybe have 20 employees and get up to the maximum of \$5,000.00? Those businesses may be hurting too and to often either the very big companies get relief or small companies get relief and the businesses in the middle sometimes get caught in the gray area. If this could be expanded to include those businesses that have 50 employees and need a little relief and possibly that \$5,000.00 could go a long way for those businesses; those are the only two considerations I would ask Council to entertain.

Mr. Vecchio stated to Mr. Poindexter, I agree with you wholeheartedly and think at least in round one the city starts where we are at currently. With the number of 96 businesses in the city with ten (10) employees or less but is a little down by what the criteria is. I'd like to see how many businesses the city gets out of this over this short span and then whatever is left the city can expand that out or use the monies elsewhere.

Mr. Poindexter interjected on board with that suggestion.

Mr. Vecchio continued we all know help is needed and it looks like this fourth quarter and first quarter of 2021 are going to continue on the slide for people.

Mr. Scott stated the City of Berea just did round one and if not mistaken are starting round two, believe it can be feasibly done that way. Go through round one



**Discussion: cont.**

and whatever is left over in that allocated appropriate monies this can be opened up.

Mr. Troyer stated still recusing myself from this discussion, due to legislation not being amended yet. As a resident my comment is I don't think Council should be discussing something that wasn't in the packet and hasn't been introduced as an amendment, Council should discuss what is in front of them. Until if and when this is amended I cannot speak to this legislation.

Mr. Salvatore stated my main concern is who will administer this project and be in charge of making selections and with time being of the essence. Will the city be able to complete this task? It's one thing to offer a program like this but it's another thing to get the program implemented. I don't want to send out any false hopes that this will get done and find out we ran out of time. Want to hear from the Mayor and finance director to ease my concerns that this is doable and can be accomplished in a timely fashion.

Mayor Gammella stated the basic concept I like but the problem is the city will be getting approximately \$1.3 million-dollars total, in the three checks. After going through all the departments and administrators throughout the city and working with the finance department. The city will hit that \$1.3 million-dollars and more and don't think there is going to be any monies left over. The first priority is to take care of the City of Brook Park and that's what the money is for and will be able to use, I believe, every single penny of those monies. Seems to me there won't be any monies left to do this program.

Mr. Vecchio asked Mayor Gammella \$1.349 million-dollars is what the city has, just under \$1.35 million-dollars with \$30.00 short. Are the Cares act monies appropriated or an idea of where these Cares act monies are being appropriated?

Mr. Cingle stated the city filed the first report with the Office of Budget & Management (OBM) this week and spoke with a representative from the office earlier today. They looked at the report and all the monies have been utilized and are utilizing the monies that were awarded to offset wages within the city. As the Mayor stated the city will use all of the \$1,349,960.64. It was the administration's intent to wait as long as possible in the hopes that the city would be able to use the monies to offset wages and benefits, will be able to do that. I want to reiterate to City Council, when looking at the City of Brook Park's finances and how the pandemic has affected the city; it has had a tremendous negative effect against the city's finances. Driving by the (airport) parking lots on Snow Road and see how empty they are and are feeling that effect now and still working with them to come to an agreement. As to how much the (airport) parking lots are going to pay and still don't know when travel will come back to the normal capacity that these

**Discussion: cont.**

parking lots have operated under for many, many years. The city also knows that the International Exposition Center (IX) is closing at the end of the year, which is a very large negative impact to the city. The city also knows that two (2) retail banks close this year and lost Lakefront Bus Line and Speedway gas station, due to closures. When starting to look at 2021 from a budget perspective as of today the city is looking just on the income tax side i.e. withholding, business and residents' side. That the city will, looking at today, will be budgeting \$1.4 million-dollars less than what the city is projected to end as of December 31, 2020. This city has some significant challenges within the city and have heard me say many, many times about the occasional entrant rule or what I call employees working from home rule. The city's aerospace industry roughly generates \$6 million-dollars a year in income tax and as of last week most individuals were still working from home with that case being due to be heard in April, 2021. A positive verdict for the plaintiffs is going to have a significantly negative impact on the City of Brook Park's finances. While this is a really nice piece I think the city has their own challenges internally, in addition to a timing issue with trying to get this program off the ground as stated last week. All monies received via the Cares Act have to be encumbered by November 20, 2020 and have to be spent by December 30, 2020. No pre-payments are allowed for services unless there is some supply change disruption that can be documented; the city has roughly one month to get this program up and running. Speaking with a representative at OBM earlier about this program and suggested that the city have a targeted application created and be very detailed in the losses that these companies have incurred. Looking at the revised legislation number seven it states businesses must have been ordered closed or reduced operations. If Council deems to move forward with this legislation then I think there should be a more detailed approach, for example, delinquent on utility bills. Again, the city has their own challenges internally and any dollars spent will have a negative impact on the general fund. In addition, employees have been asked not to take raises and not sure what kind of message this sends moving forward. The dollars will be used that were afforded to the city and won't be turning any money back to the state. Think there needs to be more stringent rules and regulations because this is going to be diligently audited and these are U.S. Treasury dollars so if there are any questions the U.S. Treasury can come in and audit the community. I commend you for putting this piece together but think that, again, the city has some significant challenges moving forward as a city.

Mayor Gammella stated the government came out with a program to help small business that city is examining, that may make this discussion academic.

Mr. Vecchio stated to Mayor Gammella, I understand the government is coming out with items on daily basis and also understand recently, June and July, there were two separate grant programs that took place and the City of Brook Park are not on

**Discussion: cont.**

the list. Surrounding cities Parma Heights, Strongsville and Middleburg Heights received funding and our city isn't on the list.

Mayor Gammella commented that was the reason for wanting a grant writer, so the city could take advantage of that.

Mr. Vecchio continued my rebuttal is are there grant writers in our sister cities that Brook Park works in conjunction with? Do they have on-staff grant writers or by departments?

Mayor Gammella stated some cities do, yes.

Mr. Mencini stated to Mr. Cingle with the \$1.3 million-dollars Council President Vecchio asked where this money would go throughout the city, we talked about this last week. Why wasn't this discussed in September why did it take the Council President to bring a decent idea like this forward? You're right this city has a lot of financial issues i.e. low on employees, residents need help but so does the city businesses. If the city has not businesses the city won't have any tax monies 2022 or 2023. Now all of a sudden it's starting to be a problem but heard nothing from anybody before on this. To Mr. Cingle where is this money going to go?

Mayor Gammella responded every dime will be accounted for and it takes time to put this together. A lot of departments and people in the city work very hard to put this together and the city will spend every dime available.

Mr. Mencini stated I spoke out on that last week with starting late on this any my question is where is this money going to go?

Mr. Cingle responded the monies will reduce payment for salaries out of the general fund and recorded in the Cares Act fund; to have a positive impact on the general fund, that with the administration all along. Treasury gave guidance the later part of September saying these dollars could be used for safety personnel salaries, because they are deemed to be substantially dedicated to fighting the pandemic. What we asked of each department when meeting with the Mayor last week is to assess their departments and come back to the Mayor with the percentage of time their department is spending, on a daily basis dealing, with the pandemic. The directors came back with good information that is being assessed currently and the report has been filed with OBM who reviewed the report and have no issues with the report. When the city files again will be filed the same way and will utilize every penny allocated to the City of Brook Park.

Mr. Scott clarified the city has 96 small businesses in the City of Brook Park and understand where the finance director and Mayor are coming from. How many of

**Discussion: cont.**

these businesses are going to make it through this? It may seem like a small amount of money but if we can supplement some of these businesses to keep them afloat. These businesses pay into the city's tax base and don't know how many small businesses are not going to make it; it's been stated 60% to 70% small businesses may not come back. Luckily, Brook Park has not been hit that hard with businesses curtailing their services. Understand protecting the general fund and using money to pay salaries but really feel that we should try and help the small businesses stay afloat. Doing the research on this and comparing to other cities is not the best thing to do but Brook Park must look out for their own. Also, understand salaries are an important part of this but our tax-based small business need to have a sure way to survive. I did work on this trying to help small businesses and the application is a mirror of the City of Berea.

Mr. Salvatore reiterated his question if this is doable from the administrative side to get this project to the public? Did hear at the last meeting and tonight that any monies not used by a certain date the city ends up giving back.

Mr. Vecchio responded it is doable to the fact that Mr. Scott laid out what was sent over to Council that mirrors the City of Berea for an online form. That form can be put on the city website front page to be reviewed by a designee of the Mayor for review, contact and appropriate the necessary funds. The undertaking is minimal and you also asked about utilizing Baldwin Wallace for assistance. The city does have the ability to put the form on the website for businesses to fill out and submit.

Mayor Gammella stated I think there is a lot of work to be done on that and we're in territory the city has never been into before and know the City of Brook Park can use this money desperately; all of us want to help small businesses and residents. This is just a situation that the City of Brook Park has to be helped to stay afloat and that's what will be done, I think administering this would be extremely difficult being quite frank.

Mr. Vecchio reverted back to Mr. Poindexter's additional technology committee if need be. One member builds websites and another member updates backend software and the third member who does other stuff, I believe we do have the resources to assist in streamline this process.

Mr. Cingle stated from the administrative point, if Council decides to move forward, Section 1 #7 need more detail. The administration would need to know what to be looking at in order to assess the hardship. Just saying that businesses must have been ordered closed or reduced operations, restaurants were ordered to close. The city would have to go in and ask them to allow city personnel to review their financial statements to assess how much sales have declined, for example, 2020 versus same time period of 2019, think more detail there so when the auditors look

**Discussion: cont.**

at this there is no professional judgement. These are U.S. Treasury dollars and needs to be black and white. In addition, under #1 where it states such grants will be for small non-corporate owned businesses I think Mr. Poindexter hit on that with only allowing for partnerships to be able to receive these grants. A subchapter S, C Corporation, LLC and a sole proprietorship wouldn't qualify.

Mr. Troyer – Point of Order.

Mr. Vecchio recognized.

Mr. Troyer – not speaking to this legislation in general Council should not be discussing something that the residents have not seen, part of a packet or amended.

Mr. Vecchio – Mr. Troyer I believe what is discussing ideas of things that would need to be changed or suggested amendments of something currently there. There are no amendments that are set forward so the residents along with all of us have the same piece of legislation to look at.

Mr. Troyer – No, they do not.

Mr. Vecchio – they have the very first piece put forward.

Mr. Troyer – yes, but there's been a few Councilmembers that have talked about something that is proposed and not amended into the legislation.

Mr. Vecchio – these are ideas of amendments during a Caucus meeting.

Mr. Troyer – has a motion been made to amend?

Mr. Vecchio – nobody has there is discussion of ideas for amendments to make this correct and better moving forward to do this.

Mr. Cingle continued Section 1 - #2 such grants shall be awarded in an amount of \$500.00 not to exceed 10 employees. Again, the company would have to allow the city to review their payroll register to verify that there were less than 10 employees. Is that full-time or part-time employees or a combination of both? How would that be looked at if a restaurant that has higher turnover how would that be assessed. This is a good start but needs a little more detail and will be highly scrutinized and significantly audited. Want to make sure there is no subjectivity in the review process.

Mr. Orcutt stated this piece of legislation has great intentions and also think that

**Discussion: cont.**

the right investments must be made for the city and always do. I see this legislation as an investment to the small businesses to help them through this crisis. With today being October 20<sup>th</sup> and all applications must be in by November 20<sup>th</sup>. I suggest that there were good amendments sent out earlier this week but it seems the Council President, Mayor and Finance Director need to work on some amendments and call a special meeting.

Mr. Vecchio concurred and stated to Mayor meeting with you, Mr. Scott and Mr. Adams last week and proposed some items discussed in that meeting that was sent out to Councilmembers. Mr. Cingle has now come forward with some other things in this that maybe the two of you have discussed previously and not shared. Which is quite concerning to me considering the fact that we are in the 11<sup>th</sup> hour.

Mr. Cingle – Mr. Chairman, I'll stop you right there. I saw these amendments for the first time today about 2:00 p.m., nobody reached out to me. I saw you in the office last Thursday with Mr. Scott, Mr. Adams and the Mayor but first time seeing these amendments was six hours ago.

Mr. Vecchio – that's what I'm saying Mr. Cingle is that you guys have had the discussion or there was no discussion and we're in the 11<sup>th</sup> hour with this. Which is concerning to which goes back to a communication issue around the board. I'm not holding you responsible, I'm saying this collectively.

Mr. Cingle – Mr. Chairman, I will say again to you the first time I saw these were six hours ago. We've been at a meeting for one hour and twelve minutes and a phone call can be made to me explaining what you plan on doing and I will try to provide some professional insight. I'm in no way against this but my role is to let Council know the challenges the city is facing and, again, I'm going to be the one talking to the auditors next year, so we need to make sure it is done right.

Mayor Gammella – Mr. Chairman, my suggestion is I call you tomorrow to set up a meeting, or no later than Thursday, with myself, finance director, economic development commissioner to get to the bottom of this and move forward, one way or the other.

Mr. Vecchio – in favor of that and take Mr. Orcutt's recommendation to schedule a special meeting.

Mr. Troyer – Point of clarification.

Mr. Vecchio recognized.

Mr. Troyer – To Mrs. Horvath, through this discussion and me, the legislation reads

non-corporate own. Is an S Corporation corporate owned?

Mrs. Horvath responded yes, of course, it would be due to definitely being a corporation. There are other types of corporations and certainly something you would want to consider for an amendment.

Mr. Troyer continued at this time the legislation reads non-corporate owned and my business is a corporation I can be part of this discussion.

Mrs. Horvath stated the last time we talked I felt that you were not barred from discussion and think you're giving another reason why you would be able to participate. Have no direct knowledge on how your business may be set up but certainly if you are not a sole proprietorship or some kind of partnership, or maybe an LLC you may discuss, I thought you would be safe in discussing this last time.

Mr. Troyer stated then I will be seeing a fix for this if Council would like because it would be nice to do. The way I see this is the COVID money is spent and is working out great for the city. Why not change this to coming out of the city's general fund and possibly make it a little less since it will come out of the general fund in the end. I would suggest so there are no issues make this sort of like the Home Maintenance Assistance Program (HMAP) that comes out of the general fund. If taking out of the COVID money there will be more money out of the general fund to pay for what that was going to pay for. Why deal with COVID let the administration do this with coming out of the general fund.

Mr. Vecchio stated to Mr. Troyer that's a pretty good suggestion.

Mr. Poindexter stated why not just authorize the Mayor to do this and if there's funding available those funds can be dispersed as necessary. If there isn't funding available those funds can't be dispersed; Council authorizes the Mayor to do this.

Mr. Vecchio commented Council would have to direct where the monies are coming from. In that case, there are two instances the COVID-19 and the general fund.

Mr. Poindexter continued authorize the Mayor to implement this grant program authorizing to spend up to \$100,000.00. If it gets up to that point the Mayor is in his legal right and if doesn't reach that point then if there isn't enough monies available it can't be done; Council gives the authorization and the Mayor has the leeway.

Mr. Troyer asked Mr. Cingle for his comments on that suggestion.

Mr. Cingle stated still think Council should have legislation passed not related to COVID dollars, like that idea. My recommendation would to expend out of the

**Discussion: cont.**

economic development fund, same as the HMAP, not being tied to COVID dollars.

Mr. Vecchio asked Mr. Cingle for the balance of the economic development fund?

Mr. Vecchio commented to Council that is a great suggestion in order to help out the small businesses immediately and if the funds are available in the economic development fund Council can appropriate from that at Council's discretion. Then if the administration wants to put the monies back in from the Cares act to cover then do so. To Mr. Scott I think that is what the City of Berea initially did with their first round by pulling from general fund and paid back to the Cares dollars.

Mr. Scott concurred.

Mr. Vecchio continued that the onerous off of Council to have to try and over-legislate and make this where it's so cumbersome it can't get done. The time can be spread out to put together and help these businesses.

Mr. Cingle stated to answer the question, there is \$534,373.00 in the economic development fund. Again, I would have Council pass legislation to have black and white parameters so when looked at there is no gray area.

Mr. Troyer stated either new legislation is needed or amend this by taking COVID out of it. Would prefer having a new piece of legislation and have the city help the businesses.

Mr. Vecchio asked Mrs. Horvath one question, this legislation could still be called the COVID grant assistance and just amend section 2 by deleting 'funds received from Section 5001 of the Cares Act, correct?

Mrs. Horvath responded yes, obviously the reason this is being done is to due to COVID-19. As long as it's clear that the city isn't using any funds provided to the city through federal government, that can certainly be done.

Mr. Troyer stated if taking out of the general fund there is no rush and Council can take a little time to get this right.

Mr. Vecchio commented the only rush is if the administration deems to try and pay the funds back from reducing the Cares act fund balance.

Mr. Salvatore stated to Mrs. Horvath this mirrors the legislation being prepared to assist residents, basically the same concept taking from the general fund, maybe both pieces could be done at the same time.



**Discussion: cont.**

Mrs. Horvath responded that is an excellent suggestion to pull both pieces of legislation and tie them together; using the general fund for both.

Mr. Mencini stated Mr. Salvatore with discussion of going back to chambers that we work together and as Mr. Vecchio mentioned before seems like a few things went on that all of Council isn't hearing about.

Mr. Troyer stated treading lightly because there a lot of city issues i.e. flooding, road and everything else that needs to be done in this city. So this giving money away has to be balanced that basically residents give the city to take care of the city infrastructure as a whole. Need to be careful balancing this out and think the city can but don't want to be giving hundreds of thousands of dollars when we could be doing road. The city should have a program like this and in favor but need to be careful with the amounts.

Mr. Vecchio commented wouldn't say giving away I would say reinvesting in the City of Brook Park and its future, whatever monies is helping in that regard is helping the city to maintain and grow businesses. Whatever monies Council deems to appropriate for this is a benefit for all.

**Motion** by Mr. Salvatore, supported by Mrs. Schmuck, to place back in committee.

Mr. Troyer stated I wasn't saying in anyway giving the money away it is in a sense all for taking care of businesses but, again, must tread lightly, weigh carefully and make sure the amounts are right. I was talking about the amounts both the businesses and residents are important.

Mr. Mencini stated this Council has been very adamant about flooding locally, road and all that every meeting it is brought up. Council has not forgot that and won't forget that.

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

5. A RESOLUTION HONORING THE COOPER FOUNDATION AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter, C/W and Mayor Gammella..

Mr. Poindexter questioned if this is the piece voted for last meeting?

Mr. Vecchio concurred.

Mr. Poindexter continued appreciate the honoring of the Cooper foundation but

**Discussion: cont.**

believe the legislation requested was a resolution supporting the Cooper’s fundraising efforts to bring forward all-inclusive playground equipment for city parks.

**Motion** by Mr. Poindexter, supporting by Mrs. Schmuck, to have legislation drafted granting permission to move forward with a joint venture with the Cooper foundation and City of Brook Park.

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

**Motion** by Mr. Troyer, supported by Mr. Poindexter, that legislation honoring the Cooper foundation was discussed.

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

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

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

Council President Vecchio declared this meeting adjourned at 8:38 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*  
Michelle Blazak  
Clerk of Council

APPROVED *November 17, 2020*

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

7,653 words