

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, NOVEMBER 17, 2020**

The meeting was called to order by Council President Vecchio at 9:12 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:

1. Caucus Prior to meeting held on October 20, 2020.

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

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

2. Regular Council meeting held on October 20, 2020.

Motion by Mr. Mencini, supported by Mrs. Schmuck, to approve as printed.

ROLL CALL: AYES: Mencini, Schmuck, Scott, Orcutt, Troyer, Poindexter, Salvatore
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 nothing on tonight's agenda. The Board of Control met earlier with three members in attendance with masks and social distancing at eight-foot tables. The three largest expenditures were North Shore Pump & Equipment remove and install submersible pumps in the amount of \$66,718.00; second largest was for Signal Service Company for maintenance agreement for traffic signals in the amount of \$40,000.00 and third largest was for Concrete Pete's Construction for the 2020-2021 senior snow plowing program in the amount of \$19,980.00.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee has four pieces of legislation in committee; anything to be brought out please contact.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the Recreation committee hasn't met since last meeting; the next committee meeting is Thursday, November 19th at 7:00 p.m.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning committee met earlier this evening with one item on the agenda. For a request for a lot split of the property labeled as parcel No. 1 located at Brook Park Memorial, 16900 Holland Road in the municipal and board of

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

education zone; from the property labeled as parcel no. 2, parcel no. 3 and parcel no. 4 located at Brook Park Elementary, 17001 Holland Road in the municipal and board of education zone and also a request for consolidation of the 18.1595 acres labeled as parcel no. 1. Easier reference is there were three parcels that run north and south, evenly spaced out from Sylvia Drive to back fence line behind Brook Park Elementary. The commission took the parcels from Holland Road to Sylvia Drive and consolidated (parcel no's) two, three and four into one parcel. The commission approved this request unanimously and will be forwarded to Council for approval.

Safety Committee - Chairman Troyer

Mr. Troyer reported Safety committee has nothing in committee and nothing on tonight's agenda.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported the Service committee does not have legislation on tonight's agenda.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the board hasn't met since my last report and hopefully will have a report after December 7th.

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

Mr. Orcutt reported the number of people testing positive for COVID-19 has recently increased across the State of Ohio. The Ohio Department of Health and Center for Disease Control and Prevention reports as of this afternoon Ohio has 312,443 total positive cases; resulting in 5,772 total deaths ranging from less than one-year old to 109 years-old. In an effort to ensure Southwest General continues to provide high-quality and safe patient care the health center is monitoring actual and suspected COVID-19 patients. Basic rules to follow is wearing a mask in public, keep distance, wash hands often, keep building well ventilated, stay home if not well, avoid travel to areas with high spread of COVID-19 and take appropriate precautions.

Berea Board of Education Representative, Mencini

Mr. Mencini stated today elementary school parents had teacher-conferences, November 18th conferences will be held of middle school and November 19th elementary school conferences will finish up. The district is still doing hybrid learning and have been playing phone-tag with Superintendent Wheeler. Will get in contact with Ms. Wheeler for a report on COVID-19 and what the plans are for 2021. From November 9th through 13th there were 12 positive-tested students and seven staff members. District wide since September is 21 positive students, positive staff 15 and 36 total cases for COVID-19, quarantined is 103.

Reports of special committees: cont.

Mr. Vecchio commented having students in the district there will be remote learning for all students.

Technology and Innovation Council Representative - Poindexter

Mr. Poindexter reported the Technology committee has been working on different avenues to bring WIFI to the municipal campus. The committee did receive numbers from WOW cable company but there still a few more questions. There are two different avenues that can be taken; one being partnership with the library and the second is purchasing through Wow cable, once all information is received the committee will present to Council. The next Technology & Innovation remote meeting is Wednesday, November 18th.

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

Mayor Gammella reported the COVID-19 pandemic keeps dragging on and want to thank all employees who come to work every day. With the recent windstorm one wind gust hit 81 miles an hour and driving around the city there were downed limbs, trees and power wires that have been taken care of in an expedite manner. As Mr. Orcutt reported the lot split and consolidation for the schools is extremely important and time-sensitive; special Council meeting called for Thursday, November 19th at 5:30 p.m. on this topic only.

Questions:

Mr. Orcutt asked Mayor Gammella at the last report stated the plans for the retention basin have been received. Have you received those plans?

Mayor Gammella responded I don't have the plans to date but once received will share with Council. At this point, the city is looking at one retention basin at Wedo Park and possibly another one depending on the amounts.

Mr. Mencini asked Mayor Gammella can Council meet with you for budget discussions?

Mayor Gammella responded anytime, absolutely all Members of Council.

**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**Law Director Horvath

Mrs. Horvath reported since last report, the law department's most important task is to make sure all necessary paperwork to complete the Brook Park Memorial & Brookview school transaction. Met today with the title company and Economic Development Commissioner Adams and looks like the timeline is worked out and everything should proceed in a timely fashion.

Engineer Piatak

Mr. Piatak reported on the Wedo-Wengler basin study I have been out of the office for an extended period and have been unable to complete the review of the study. Will be back in the office tomorrow and top of the list is to review the study and once complete will forward to the Mayor's office.

Finance Director Cingle

Mr. Cingle reported the temporary appropriations for 2021 has been sent to the Council office. With the 2020 final appropriations the department is waiting on a few final purchase requisitions to be received and hope to have done by the end of next week. There are two pieces of legislation that should be forthcoming to Council; one for the property tax advances for real property tax payments from the county. Second piece is an Ordinance to increase the expenditure for the Signal Service Company for work performed in 2019 through 2020.

Questions:

Mr. Poindexter asked Mr. Cingle earlier this year with COVID-19 a projection of \$3 million-dollar shortfall for 2021, is the city meeting or falling short of that target?

Mr. Cingle responded fortunately, the city is improving from that target and is still working on income tax projections that will be down slightly from original projection. The department is working on the parking tax legislation with the parking lot operators in the city which may result in a \$500,000.00 reduction. Fortunately, the city won't be as deep as the \$3 million-dollars but less than originally projected and will share once the final 2020 appropriations are finalized.

Mr. Mencini thanked Mr. Cingle for the healthy budget discussion earlier today.

**OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL:
INTRODUCTION OF NEW LEGISLATION:**

New Legislation:

An Ordinance to provide for the temporary appropriations of the City of Brook Park, State of Ohio, for the three months ending on March 31, 2021 and declaring an emergency. Introduced by Mayor Gammella. Placed in Finance committee.

An Ordinance authorizing the Mayor to enter into a memorandum of agreement with DriveOhio and declaring an emergency. Introduced by Councilman Poindexter. Placed in Safety committee.

Mr. Troyer - Point of order..

Mr. Vecchio recognized.

Mr. Troyer - Again, that should be introduced by Councilman Poindexter on the floor and a vote taken by Council to move to letter M - first reading or place in committee.

Mr. Vecchio - this was taken from the vote of Council at the Caucus Prior to, that's why it's here.

Mr. Poindexter - the motion was it was discussed.

Mr. Vecchio - there was a motion made to place it over.

Mr. Poindexter - originally did but my colleague said it wasn't necessary to make the motion to move over.

Mr. Poindexter introduced an Ordinance authorizing the Mayor to enter into a memorandum of agreement with DriveOhio and declaring an emergency. Introduced by Councilman Poindexter.

Mr. Vecchio assigned to safety committee.

Motion by Mr. Troyer, supported by Mrs. Schmuck, to place under letter M- First Reading.

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

Mr. Vecchio stated this will appear under M-2 as Ordinance No. 11173-2020.

New Legislation: cont.

Mr. Troyer introduced a Resolution urging an investigation by the Cuyahoga Board of Elections into how the November 3, 2020 election was conducted in the City of Brook Park and declaring an emergency. Introduced by Councilman Troyer.

Mr. Troyer stated my intention was to place under first reading on tonight's agenda but the majority Members of Council would rather wait until the Board of Elections speaks to Council, hope to set that date sooner than later.

Mr. Vecchio placed in legislative committee.

Verbal Approval:

2021 Caucus - Council meeting schedule.

Motion by Mr. Poindexter, supported by Mr. Mencini, to verbally approve.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to amend the schedule by adding a meeting for the third week of July; July 20, 2021.

ROLL CALL: AYES: Salvatore, Orcutt, Troyer, Mencini

NAYS: Scott, Schmuck, Poindexter. The amendment carried 4-3.

Mr. Troyer stated the reason Council needs those extra Tuesday meetings is next Tuesday, November 24th, would be a great time to speak about the catch-basins.

The clerk called the roll on the motion by Mr. Poindexter, supported by Mr. Mencini, to verbally approve as amended.

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

NAYS: Salvatore, Troyer, Orcutt. The motion carried with a vote of 4-3.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:Miscellaneous business:

1. RESOLUTION NO. 35-2019, TO EXTEND THE MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING OR RETAIL SALE OF? MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED TWELVE MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE BROOK PARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE TO SUCH USE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole and Mayor Gammella.

Miscellaneous business: cont.

Motion by Mr. Scott, supported by Mr. Poindexter, to approve the moratorium amendments from 12-months to 20-months.

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

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

Mr. Vecchio stated Resolution No. 35-2019 as amended has been approved and adopted.

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Mr. Vecchio stated there is no one in the waiting room.

Mr. Poindexter asked Mr. Vecchio thought there was a letter to be read, what happened with that?

Mr. Vecchio responded the person didn't want it read.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. RESOLUTION NO. 21-2020, URGING THE OHIO LEGISLATURE TO ADOPT HOUSE BILL 308, COMMONLY REFERRED TO AS THE FIRST RESPONDERS PTSD BENEFITS BILL, SPONSORED BY REPRESENTATIVE, TOM PATTON, AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

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

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

NAYS: None. The motion carried.

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

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

NAYS: None. Resolution No. 21-2020, has passed under Suspension of the Rules. Adopted.

2. ORDINANCE NO. 11173-2020, AUTHORIZING THE MAYOR TO ENTER INOT A MEMORANCUM OF AGREEMENT WITH DRIVEOHIO AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter.

Mr. Vecchio stated Ordinance No. 11173-2020 has had its First Reading.


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 adjourn.

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

Council President Vecchio declared this meeting adjourned at 9:49 p.m.

RESPECTFULLY SUBMITTED 
Michelle Blazak
Clerk of Council

APPROVED 

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

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