

**SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK
HELD ON DECEMBER 23, 2020**

The meeting was called to order by Council President Vecchio at 5:00 p.m., who read the meeting notice. The clerk called the roll and the following Members of Council answered:

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

Also in attendance were Mayor Gammella, Law Director Horvath and Finance Director Cingle.

REMARKS FROM THE AUDIENCE ON SUBJECT MATTER ON THIS AGENDA ONLY:

No one in attendance and no correspondence received.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11181-2020, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, CITY OF BROOK PARK, POLICE SERGANTS AND LIEUTENANTS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Troyer stated to Mr. Cingle since there was no summary sheet provided this mirrors the patrol officers contract adopted at last night's special meeting. Please explain how the b-bank on page nine has changed?

Mr. Cingle responded the article in the contract for the b-bank will increase b-bank time from 120 to 240 hours. That time is non-pensionable and must be used and/or paid out by the end of a year.

Mr. Troyer continued asked for explanation of the court cancellation day clause? Is that the same as in the patrol officers contract?

Mr. Cingle responded yes, it is the same, two hours of court time will be paid in the event that the appearance of the officer is cancelled within 24-hours of scheduled time to appear in court.

Mr. Troyer continued asking for an explanation of the sign-in bonus of \$2,500.00, correct.

Mr. Cingle concurred and stated \$2,500.00 there are eight individuals in this bargaining unit with a total dollar amount of \$20,000.00 non-pensionable.

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

Mr. Troyer continued with the 'Me Too' clause included is expected to go through all the contracts. Doing some calculations an employee earning \$40,000.00 is roughly a 6% pay increase on the year; an employee earning \$50,000.00 is about a 5% increase; an employee earning \$60,000.00 is a 4% increase and an employee earning \$70,000.00 is roughly a 3.5% increase, is that correct?

Mr. Cingle responded fairly accurate but remember this unit is receiving no pay increase in 2021 other than the sign-in bonus. Their base wages are not increasing, also, this same unit did not receive a pay raise in 2020.

Mr. Troyer stated there is a 'Me Too' included and as stated before don't like and is enough for me to not for this contract, due to past and future ramifications of not having 'Me Too' clauses. To Mrs. Horvath on page 18 - Section 16.5 - Reopeners reads 'the parties agree that insurance terms have already been established. Along with the base wage reopener in section 14.01, the parties agree to reopen sections 16.1, 16.2 and 16.4 relating to employee contributions on October 1, 2021 and October 1, 2022, etc. My question is where are sections 14.1, 16.1, 16.2 and 16.4?

Mrs. Horvath responded some of those are on page 16 and 17.

Mr. Troyer stated stand corrected and this particular contract is actually correct. Can anyone explain what the urgency is passing this contract?

Mr. Mencini responded obviously, this will have first reading tonight and asked Mayor Gammella why did this take 12 months to get to this point with the patrol officers?

Mayor Gammella responded the city is done with the patrol officers contract and with COVID-19 and the extension on the contract from last year, it's been a tough set of negotiations and the city is there. Nothing is going to change so the contract should be voted for under suspension so the sergeants and lieutenants can enjoy the holidays.

Mr. Mencini followed-up how are the negotiations going with the other unions?

Mayor Gammella responded the more contracts that get passed is important. The firefighters are in fact-finding and the city is in discussions with the other unions and are waiting to see how these contracts go. The city will be fair to all employees by making equal offers to everyone. The patrol officers contract was signed and passed by Council this one is signed by the membership, who voted unanimously for this. If Council passes under suspension this evening that is two unions done and make the city's negotiating position all the better. Would

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

like to stress the city is being as fair as possible with all employees during this COVID-19 situation.

Mr. Poindexter stated don't think there is a rush to pass this contract and think this is a good contract. Also, think that the sergeants and lieutenants bargained and understand the situation the city is in by agreeing to no raises. Which not only helps the city this year but also going forward into the next few years because base salaries will remain the same. Think both sides understand the current situation and prepared to pass tonight, colleagues aren't that's on them, it's not that it's rushed but it's ready to go.

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

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

NAYS: Troyer. The motion carried.

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

Mr. Troyer stated wish last night's issue wouldn't have been passed being the Mayor called for a third special meeting and is on the agenda this evening, expected it to be there. For the record would have voted no on the patrol officers contract?

Mr. Vecchio interjected what does that have to do with this contract?

Mr. Troyer continued will be voting no on this contract due to having the 'Me Too' clause and stated months ago that I will not for any union contracts that has the 'Me Too' clause; it will come back on the city as it has done before. The city needs to work around that clause somehow, there are good things in this contract and good to get this done for them but the 'Me Too' clause is going to hurt the city in the future.

The clerk read the legislation in its entirety, as requested.

Mr. Troyer stated Point of information, forgot to bring up this is not signed by the union?

Mr. Vecchio stated there was a separate email forwarded.

Mr. Cingle stated 'Point of clarification, there is not a 'Me Too' clause in the OPBA contract. Patrol officers (FOP) does have one but the OPBA does not.

Mr. Troyer stated Point of clarification.

Mr. Scott stated there is an MOU (Memorandum of Understanding).

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

Mr. Mencini commented 16% more than the patrol officers.

The clerk was asked to call the roll on the motion by Mr. Poindexter, supported by Mr. Scott to adopt.

ROLL CALL: Poindexter

Mr. Troyer - Point of clarification there is not.

Mr. Vecchio - Mr. Troyer we are calling the roll and moving forward.

Mr. Troyer - there is nothing in the packet of a signed contract.

Mr. Vecchio - a second email was sent to Council.

Mr. Troyer - there was an email that is not part of the packet and not part of this process.

Mr. Vecchio - we are going to move forward and call the roll and you've already indicated you are a no vote and can vote no at that point.

Mr. Troyer - Point of clarification.

Mr. Vecchio - Your point is not being recognized, clerk please call the roll.

Mr. Troyer - there is not 'Me Too' in this, Mr. Finance Director?

Mr. Vecchio - Clerk please call the roll?

Mr. Poindexter - would like to hear his point.

Mr. Vecchio - it has already been stated there is not a 'Me Too' with the sergeants and lieutenants per the finance director.

Mr. Troyer - Mr. finance director is that true?

Mr. Cingle - Mr. Chairman, if I may?

Mr. Vecchio - please.

Mr. Cingle - I looked through the packet and don't see a 'Me Too' in there and just spoke with the Mayor's Administrative Assistant, Tony D'Amico, who reached out to the union and called me back stating there is no 'Me Too' clause in this agreement.

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

Mr. Troyer thanked everyone and stated will vote for the contract.

Mr. Orcutt commented backing up the finance director stating there is no 'Me Too' clause included in this contract. The only differential is 16% more than the patrol officers.

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

ROLL CALL: AYES: Poindexter, Scott, Schmuck, Orcutt, Troyer, Mencini, Salvatore
NAYS: None. Ordinance No. 11181-2020, has passed under Suspension of the Rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11179-2020, AMENDING SECTION 153.01 (d) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'VACATIONS' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

ROLL CALL: AYES: Mencini, Schmuck, Scott, Troyer, Poindexter, Salvatore
NAYS: None. Ordinance No. 11170-2020, has passed under Suspension of the Rules. Adopted.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11180-2020, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE BROOK PARK PATROL OFFICERS, FRATERNAL ORDER OF POLICE LODGE NO. 15 (PATROL OFFICERS) AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

Motion by Mr. Orcutt, supported by Mrs. Schmuck, to remove letter O from the agenda adopted previously.

ROLL CALL: AYES: Orcutt, Schmuck, Scott, Salvatore, Poindexter, Mencini
NAYS: Troyer. 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. Orcutt, to adjourn.

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

Council President Vecchio declared this meeting adjourned at 5:25 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *January 19, 2021*

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

1,704 words