

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, MARCH 16, 2021**

The meeting was called to order by Council President Vecchio at 8:28, 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, Engineer Piatak and Service Director Garner.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. CAUCUS PRIOR TO COUNCIL MEETING MINUTES HELD ON FEBRUARY 16, 2021.

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

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

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

2. REGULAR COUNCIL MEETING MINUTES HELD ON FEBRUARY 16, 2021.

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

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

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

**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Chairwoman, Schmuck

Mrs. Schmuck stated the aviation committee has no legislation or report.

Finance Committee - Chairman, Scott

Mr. Scott reported the finance committee has nothing on tonight's agenda. The Board of Control met earlier today, masked and distanced, with the three largest items being; Onsolve, LLC, code red alerts, in the amount of \$20,400.00; compass Minerals America, Inc. for road salt in the amount of \$50,000.00 and Cooper-Kurtz disposal fees for yard waste containers in the amount of \$9,000.00.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the legislative committee has one piece of legislation on tonight's agenda.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the parks & recreation committee has no legislation on tonight's agenda. Baseball & softball signups are ongoing through the end of March. The next recreation commission meeting is March 18<sup>th</sup>. Happy birthday to Recreation Director Elliott.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported planning committee has nothing on tonight's agenda and the commission has not met since last report. Do have a brief message to report for Brook Park residents and owe it to the residents to say what I believe no matter how difficult it may be. I am extremely disappointed at the continued failure of

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

redevelopment and growth for Brook Park, we can and must do better. Often Brook Park is hamstrung by politics and bureaucracy. Moving forward we need to collectively end that pattern, ignore the noise and work together on redeveloping our 61-year-old city. I ran on a pledge to be a strong voice in City Council to represent everyone fairly in Ward 3 and vote in the best interest of Brook Park residents. I have devoted myself every day to the great duties of the Ward 3 Councilman. Representing the people of Brook Park has been the privilege of a lifetime. Accordingly, as a professional courtesy to our residents I would like to announce that I will not seek a third term as Brook Park's Ward 3 City Council representative. I hope this provides the next candidate or candidates the proper timeline to put their campaigns in order. I will assure you that I will not abandon our residents, I will continue to work hard to improve our city and look forward to introducing new legislation, once approved through our law department, that will provide security and protection for Brook Park businesses and further help in the redevelopment of Brook Park.

**Safety Committee - Chairman Troyer**

Mr. Troyer reported the Safety committee has no legislation on tonight's agenda and nothing in committee.

**Service Committee - Chairman, Salvatore**

Mr. Salvatore reported the service committee has nothing on tonight's agenda.

**Board of Zoning Appeals - Chairman, Mencini**

Mr. Mencini reported the zoning board did not have a meeting on March 1<sup>st</sup> and the next meeting is scheduled for April 5<sup>th</sup>.

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

Mr. Orcutt reported Southwest General hospital at the March 3<sup>rd</sup> board meeting there was discussion about capital improvements. A few updates from that meeting Governor DeWine did issue on March 19<sup>th</sup> that he is opening up the vaccine for phase 1E and 2C which includes age 40 and over. At that meeting the capital improvements discussed are two new MRI machines and the maternity ward is on pace and/or completion for the year 2022.

**Berea Board of Education Representative, Mencini**

Mr. Mencini reported today was first family night, no school commitments and March 30<sup>th</sup> is end of third quarter. April 5<sup>th</sup> through 9<sup>th</sup> is spring break and summer camp registrations are open for kindergarten to age 14, wide variety of activities, experiences, sports and outdoor games, etc.; go on the school's website to register. The community open house for the high school is through the month of June with much depending on the front parking lot. The district is hiring bus drivers and interested parties can apply on the district website.

**Reports of Special committees: cont.**

Mr. Vecchio commented being a proud parent, at this moment, youngest daughter has been elected to the Brook Park Elementary school student council and in honor for myself to see her engaging there.

**Technology and Innovation Council Representative - Poindexter**

Mr. Poindexter congratulated Mr. Vecchio and daughter on her achievement. The technology committee met on March 10<sup>th</sup> and were going to attempt to try the hybrid meeting model to bring to Council. It was brought to the city's attention that we didn't have access to the main computer in the back room and come to find out it's not city property. Will need the technician's presence to try the hybrid model meetings and ready to assist the technician when he is available. During the technology meeting the committee discussed the ongoing research and still waiting on final numbers from the Cuyahoga County public library for the municipal WIFI proposal to be brought forward to Council; as well as the city's IT consultant. Hopefully, they will come in soon to bring a full report and presentation to Council.

**REPORTS OF BOARDS AND COMMISSIONS:**

**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella reported there are a lot of things occurring in the city that many of you are well aware of and continue to move forward. The city is in good shape and will get through the budget and would like to do a big roads program this year, knows that Council agrees with that. Also, the city's website will be redone to bring more up to date with the technology committee.

**Questions:**

Mr. Poindexter stated to Mayor Gammella last year Council appropriated funds for the water park. Do you have a beginning date when the construction as well as an ending date, construction was estimated to be finished mid-April?

Mayor Gammella responded will have Mr. Elliott call you tomorrow.

Mr. Troyer stated to Mayor Gammella saw some digging outside of Kennedy Park today, wondering what is going on there?

Mayor Gammella asked where exactly, they are working on the ballfield. Also, what they are doing in roping off parts of it so foul balls don't hit any cars and there will be a non-parking zone.

Mr. Troyer asked Mayor Gammella if there is any word on the Grosse Drive backyard flooding coming from Engle Road; any legislation using the cost-share?

**Questions to the Mayor: cont.**

Mayor Gammella responded you and I have had that conversation with city engineer Piatak and that will be addressed this year.

Mr. Troyer commented don't see anything in the budget on that.

Mr. Mencini asked Mayor Gammella how is the city doing with the union contracts for the firefighters, service employees, local 436 and 860?

Mayor Gammella responded there in negotiations process and with the COVID-19 but they're coming along, these are negotiations and will proceed.

Mr. Mencini asked Mayor Gammella any update as to what the city is going to do with Brook Park Memorial and Brookview schools?

Mayor Gammella responded the main function of buying those buildings was to secure the 18 acres for the football and baseball fields and Veteran's Memorial. The city was able to get both schools for a very good price; school district was very fair with the city. We are going to take our time to get something in there and as you know those parcels were discussed in executive session this evening. Something will be done within the next year or two.

Mr. Mencini asked Mayor Gammella with the new speed limit signs will they be moved around throughout the city?

Mayor Gammella responded no, those signs are stationary and the city will be getting more of them. The signs can be moved around but prefer they not be and want to get more of them, those signs are from a NOPEC grant and didn't cost the city anything to purchase.

Mr. Salvatore stated to Mayor Gammella to follow-up with the acquisition of the schools has the city taken title of both schools yet?

Mayor Gammella responded yes and the city is maintaining them.

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

Engineer Piatak

Mr. Piatak reported being notified yesterday that the regional sewer district contractor was onsite removing woody debris and sediment from a ditch north of Brookpark Road, opposite Holy Cross cemetery. They removed a little shy of 100 cubic yards of material with an estimated cost of \$13,000.00 paid for by the sewer district.

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

Service Director Garner

Mr. Garner reported bulk week was last week with crews picking up approximately 82 tons.

Law Director Horvath

Mrs. Horvath reported Council received the most recent list of current pending civil litigation.

Finance Director Cingle

Mr. Cingle reported working through the 2021 budget any questions or information needed please let me know. The tax department window is open to assist taxpayers from 9:00 a.m. to 4:00 p.m., Monday through Friday, no appointments necessary. COVID-19 restrictions are one person at the window at a time and there is a mask mandate. The tax department will have extended hours until 7:00 p.m. on March 23<sup>rd</sup>, March 30<sup>th</sup>, April 6<sup>th</sup> and April 13<sup>th</sup>; Saturday hours will be 9:00 a.m. through 12:00 p.m. on March 27<sup>th</sup> and April 10<sup>th</sup>.

**Questions:**

Mr. Orcutt stated to Mr. Piatak great news about 100 cubic yards of debris coming out of the ditch. How was that process done was that a work order generated from your office to the sewer district?

Mr. Piatak responded it was an inspection by the district, the district walks the streams on a fairly regular basis. I received a heads-up notification yesterday morning that the district will be out, district initiative activity.

Mr. Orcutt commented if there is anything that the city can do to initiate more would be greatly appreciated by the residents. At the last meeting it was requested for a printout of the annual rainfall for the last few years. How far back can the city go possibly a few decades on the rainfall sheet from the sewer district?

Mr. Piatak responded not sure how far the district goes and can request that information and forward whatever is sent by the district. As part of the presentation last week there was some rainfall data included in that information.

Mr. Mencini asked Mr. Garner when the trash and yard waste dumps will be open at the garage?

Mr. Garner responded the dump sites will open April 12<sup>th</sup> for miscellaneous debris, rubbish and yard waste of grass clippings, branches, limbs. The department is asking that residents keep to a manageable size for placement in the dumpster effectively. The hours will be 10:00 a.m. to 2:00 p.m. on Saturdays.

Mr. Mencini thanked Mr. Garner for the help earlier today with a resident.

**Questions to the directors:**

Mr. Troyer asked Mr. Cingle with the NOPEC grant for the electronic signs, happy that the city received took a while. Were those paid for outright going through the budget? Is there legislation for that how did those monies work?

Mr. Cingle responded there was no legislation and will defer that question to the Mayor since his administrative assistant secured that purchase of those signs.

Mayor Gammella stated the city applied for the grant from NOPEC and received to spend on those signs.

Mr. Troyer asked how much were they and doesn't that have to be shown going through the budget? Is that last year or this year's budget?

Mayor Gammella responded I think it would be this year but will research and let you know tomorrow.

Mr. Troyer stated to Mr. Cingle is that in the budget where I can find it, it's not in capital.

Mr. Cingle responded looking at the capital report for solar equipment there is an encumbrance of \$26,495.00 for solar equipment and for the flashing stop signs encumbered \$7,165.28.

Mr. Troyer asked for the fund number.

Mr. Cingle responded capital improvement fund 700 - general government lands and buildings.

Mr. Troyer stated it's not on list of capital for 2021?

Mr. Cingle responded no, it's not, because it's already been encumbered.

**OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL**

**APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

Correspondence received:

Mr. Vecchio read a letter received from a citizen on Saturday, March 13<sup>th</sup>, into the record and attached to these minutes. Mr. Vecchio personally extended thanks and gratitude to not only Officer Biglang-Awa but also to the Brook Park police officers who all go above and beyond to protect and serve everybody always. Special recognition to Edwin for this effort in taking care of a citizens at an ultimately scary time for them. To Mayor Gammella think we need to do something and will send to your office and would like to have something presented to Edwin on behalf of City Council and yourself.

**Correspondence received:**

Mayor Gammella responded capital idea and will do that.

**New Legislation:**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK FOR THE STORMWATER MCM#6 IMPLEMENTATION AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Service committee.

A RESOLUTION URGING ALL RESIDENTS TO SHOP IN THE CITY OF BROOK PARK DURING THE SHOP IN BROOK PARK MONTH DURING THE MONTH OF APRIL AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini. Placed in Legislative committee.

Mr. Mencini asked that shop in the city legislation be pulled out of committee.

Mr. Troyer - Point of order.

Mr. Vecchio recognized.

Mr. Troyer - again, unless you put in committee it's not in committee so it would have to be introduced under a true emergency and Council would vote to put under letter M. If you place in committee it's not supposed to come out at a Council meeting.

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 ENERGIZED COMMUNITY GRANT(S) FUND AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Finance committee

AN ORDINANCE TO PROVIDE FOR THE APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2021. Introduced by Mayor Gammella. Placed in Finance committee.

**Motion** by Mr. Mencini, supported by Mr. Poindexter, to pull shop in Brook Park legislation out of committee and place on tonight's Council agenda.

Mr. Troyer - Point of order again, improper supposed to be pulled out of committee at a Caucus.

Mr. Vecchio - Where is it improper, sir, where do you have that listed at sir?

Mr. Troyer - No, don't need it that's the way it's supposed to be.

**New legislation: cont.**

Mr. Vecchio - if you don't have it listed, sir, then your point is invalid.

Mr. Troyer - really.

Mr. Salvatore - just for the record, legislation can be introduced right from the Council floor by the sponsor. If Mr. Mencini wants to introduce from the floor right now he can do it. However, we have done it the other way before so that's where the confusion comes in by doing things in more than one fashion. If Mr. Mencini wants that legislation on the agenda pull it out Mr. Mencini introduce tonight on the Council floor.

Mr. Vecchio to Mr. Mencini at that point it would have to be read in its entirety.

Mr. Troyer - Point of clarification.

Mr. Vecchio recognized.

Mr. Troyer - the motion would be introducing it on the floor of Council which is what we would be doing under the emergency clause.

Mr. Vecchio - then he would need to restate his motion with the second being removed, that's why I reiterated the motion, sir.

Mr. Mencini commented I've seen it done that way before.

Mr. Poindexter commented it's been done that way for years.

Mr. Mencini retracted his motion, Mr. Poindexter rescinded his second.

**Motion** by Mr. Salvatore, supported by Mr. Troyer, to that shop in Brook Park legislation gets introduced on tonight's agenda.

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

Mr. Mencini invited all Councilmembers' to co-sponsor along with the Mayor. This has been brought up before and don't think there's a more critical time then now to do all shopping, visiting different businesses and restaurants with so many placed in Brook Park. If every household in the month of April went five to seven times it would definitely help these restaurants with the majority surviving COVID-19 but could use a little help and hopefully we are coming out of the COVID-19. Little disappointed of hearing that someone put out something that there are no places in Brook Park and differ with that immensely. A lot of people that own these businesses are Brook Park people so let's help them out a bit.



**New legislation: cont.**

Mr. Orcutt stated this is a fantastic idea on doing this and watching the Brook Park businesses get through the pandemic, unfortunately, some had to reduce work staff and hopefully can get those numbers back up. Think this is actually helping city businesses in one way by learning how to run efficiently and once we get through the pandemic these Brook Park businesses by supporting them will thrive.

Mr. Mencini commented great points Mr. Orcutt.

Mr. Vecchio polled Council for co-sponsor.

Mr. Troyer - Point of clarification or information. How can I be a co-sponsor without seeing this, has anyone seen this?

Mr. Orcutt stated to Mr. Troyer this is something that has been discussed for weeks.

Mr. Troyer responded understand that but have to read it.

Mr. Orcutt commented if you haven't seen it that's fine.

Mr. Troyer asked Mr. Orcutt have you seen this?

Mr. Orcutt responded yes have had a lot of discussion with the Councilman.

Mr. Troyer stated I get chided for not talking to people about things but then things come up and I don't get it.

Mr. Vecchio - guys this is enough.

Mr. Orcutt - I don't think I'm arguing anything here, Mr. Troyer. If you want to take that argument somewhere you might as well take it there but tonight, this evening, I'm speaking about our businesses and how they can be successful and promoting them and promoting that our residents use our businesses now more than ever.

Mr. Troyer - as I have too.

Mr. Orcutt - will take a phone call after this meeting and you and I can debate it all night.

Mr. Troyer - the point I'm trying to make is people want us to support and co-sponsor and I've never seen it and you said you've seen it.

Mr. Vecchio - you'll work it and discuss that at another point.

Mr. Orcutt - fantastic point.

Mr. Scott to Mr. Mencini is this not the same legislation and same wording as proposed for March just changing the month?

Mr. Mencini commented absolutely taking out March and shop for the month of April.

Mr. Scott commented people don't like it all you have to do is vote no.

Mr. Poindexter to Mr. Mencini is this the similar piece of legislation as Council has done the last few years that you brought forward?

Mr. Mencini concurred.

Mr. Vecchio asked the question stated if you don't feel comfortable co-sponsoring please speak up.

Mr. Troyer stated I'll co-sponsor because can always vote against it once read.

Mrs. Schmuck commented feel very comfortable co-sponsoring, thank you Mr. Mencini for bringing this up and Mr. Orcutt for your professionalism, debate it after the meeting.

Mr. Vecchio asked Mayor Gammella for co-sponsorship.

Mayor Gammella responded have spoken with Mr. Mencini and good with the legislation.

**Motion** by Mr. Troyer, supported by Mrs. Schmuck, to place under letter M.

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

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

Ms. Blazak stated that will appear as Resolution No. 3-2021.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

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

1. RESOLUTION NO. 2-2021, TO ISSUE A MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE ANY BUSINESS THAT ENGAGES IN HOOKAH USE (ALSO KNOWN AS CALLED SHISHA AND NARGILE, A WATERPIPE) ESTABLISHMENTS KNOWN AS 'BARS OR LOUNGES' 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 Mayor Gammella.

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

**ROLL CALL: AYES:** Scott, Poindexter, Mencini, Troyer, Orcutt, Schmuck  
**NAYS:** None.

**ABSTENTION:** Salvatore. The motion carried with a motion of 6 with 1 abstention.

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

Mr. Troyer stated will vote for this think needs to be in place for now but would have liked to only have for six months and will definitely hesitate to ever vote for extending this because we should get this stuff in place; have rules in place.

**ROLL CALL: AYES:** Scott, Mencini, Troyer, Poindexter, Schmuck, Orcutt  
**NAYS:** None.

**ABSTENITON:** Salvatore. The motion carried with a vote of 6 with 1 abstention. Resolution No. 2 has passed under suspension of the rules. Adopted.

2. RESOLUTION NO. 3-2021, URGING ALL RESIDENTS TO SHOP IN THE CITY OF BROOK PARK DURING THE SHOP IN BROOK PARK MONTH DURING THE MONTH OF APRIL AND DECLARING AN EMERGENCY. Introduced by Council as a Whole and Mayor Gammella.

Read in its entirety.

**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. Scott, supported by Mr. Mencini, to adopt.

Mr. Troyer stated agree with this shop in Brook Park and brought up a month or so ago, whenever talked about it briefly. It's as easy as people who go to Southland Marc's or Giant Eagle come to Brook Park Giant Eagle and Marc's has a new deli.

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

Make that choice whenever possible or halfway convenient to shop in Brook Park.

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

**NAYS:** None. Resolution No. 3-2021, 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 adjourn.

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

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

Council President Vecchio declared this meeting adjourned at 9:22 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.

3,995 words