

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON MAY 4, 2021**

The meeting was called to order by Council President Vecchio at 7:30 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, ORCUTT, TROYER, MENCINI, SALVATORE

Also in attendance were Mayor Gammella, Law Director Horvath, Finance Director Cingle, Engineer Piatak, Recreation Director Elliott, Service Director Garner.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting minutes held on April 6, 2021.

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

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

NAYS: Troyer. The motion carried with a vote of 4-1.

2. Regular Council meeting minutes held on April 6, 2021.

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

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

NAYS: Troyer. The motion carried with a vote of 4-1.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairwoman, Schmuck

No report provided.

Finance Committee - Chairman, Scott

Mr. Scott reported the finance committee has nothing on this evening's agenda. The Board of Controls met earlier today and approved six (6) items on the agenda; three largest are Velocity Direct, LLC for city newsletters and mailings for the remainder of the year \$24,000.00, Zashin & Rich month of March negotiations \$8,235.80 and Penchura, LLC playground equipment & repairs \$9,032.50.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported legislative committee have three (3) ordinances and two (2) in committee.

Parks & Recreation Committee - Member, Scott:

Mr. Scott reported Mr. Elliott will provide a report during director's report.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning committee has nothing on tonight's agenda. Planning commission met on May 3rd with three (3) items on the agenda. First was an aesthetics project approval for construction of 2,400 sq. ft. addition for Boss Pro Karting at 18301 Brookpark Road approved unanimously. Second is a request for construction of a brand new building at 15300 Brookpark Road and the third item was a request for aesthetics project approval for site landscaping

Reports from Standing Committees:**Planning Committee - Chairman, Orcutt: cont.**

at Gateway condominiums located on Hummel Road for a modification of a 1991 agreement to put vinyl fencing up on Hummel Road section and approved unanimously.

Safety Committee - Chairman Troyer

Mr. Troyer reported Safety committee has no legislation in committee and has one item on the agenda under second reading for a 'Safe Exchange Zone'. Would like to speak on a few things brought up at last meeting about grass in the street being dangerous. Reiterated this is very dangerous to motorcycles grass and weeds blown in the street are like ice. Also, clogs the catch-basins and want to stress it is illegal to put anything in the street i.e. leaves, grass, it is illegal. Mr. Troyer continued with Citizen of the Year to this date no nominations have been received. It's been a few months this has been out there and have been asking, this would be for 2020. The committee thought would get a lot of nominations with people helping out with COVID-19, that special person that really did something for neighbors or city-wide. If anyone knows of anybody that did great things for the city in 2020, resident or group nominate them. Forms are available at the recreation center, police department and library. Mr. Troyer read 'the purpose of the award is to recognize on behalf of Council of the City of Brook Park, Ohio, personally and collectively a deep appreciation and gratitude for outstanding service to the community of Brook Park. The nomination form is an explanation why your nominee should get this honor with things performed on behalf of the residents of the City of Brook Park, list of volunteer work related to nomination, nominees' participation in organizations, clubs and activities, don't have to be. It could be a neighbor that went out and shopped for seniors on a weekly basis, something like that. The deadline is May 15th that can be extended if need be.

Mr. Mencini stated to Mr. Troyer, good point of no nominations. One of the things brought up at Council meeting when first discussed for person of the year for 2020. Did say there are so many groups, people, essential workers to be recognized. If there are no nominations received perhaps could be done as a mass of the whole. 2020 was definitely a different year.

Mr. Troyer responded the committee discussed that and felt it should be done as one person but will see what happens. This is up to the committee, not up to me, I chair the committee and would be nice to start getting nominations. Anything that can be done to get more nominations would be appreciated.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported the Service committee has no legislation on tonight's agenda.

Reports of Special Committees:**Board of Zoning Appeals - Chairman, Mencini**

Mr. Mencini reported the Board of Zoning on May 4th with four (4) items on the agenda. First request approved was for an extension of a fence beyond the rear-line of main structure at 6150 Michael Drive; second approved request was for a variance to construct a 2,400 non-masonry addition at 18301 Brookpark Road for Boss Kart Racing; third request for a variance for non-masonry construction of a mini-warehouse storage unit at 15300 Brookpark Road that was refused in early 2020 and with things being worked out with the person's attorney and city's law department the request was approved. The fourth approved request was for relief of the landscaping requirement at Gateway condominium located on Hummel Road.

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

Mr. Orcutt reported the Southwest Community Systems Board will be meeting on Wednesday, May 5th, full report to follow.

Berea Board of Education Representative, Mencini

Mr. Mencini reported May 31st is no school in observance of Memorial Day. The district's nutritional services department is partnering with the Greater Cleveland Food Bank to provide vegan food choices for students and teachers. Pre-school, kindergarten and new student registrations can be done online and by appointment by registering at the kiosk at the board of education office only custodial parents and legal guardians can register students. The Berea school district is partnering with Giant Eagle education service centers of Northeast Ohio. To provide students 16 and over with an option to receive the COVID-19 vaccine, first and second doses will be done on May 20th and June 10th, at the high school, forms available on line. The district is looking for bus drivers and custodial personnel.

Technology and Innovation Council Representative - Poindexter

Mr. Vecchio gave the report received from Representative Poindexter by reporting the technology committee would like to present a presentation to Council at the May 11th Caucus meeting, regarding WIFI options at the city campus. The next technology meeting will be on May 12th.

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

Mayor Gammella reported the end of May will be Memorial day, unfortunately, due to COVID-19 there will be no parade for the second year. The city will have a small event in conjunction with American Legion Post #610. The former hotel at 16161 Brookpark Road is coming down, which was a total eyesore and the city had a lot of issues there. The city signed grant contracts for a \$50,000.00 Cuyahoga County

Healthy Tree grant giving the city 110 main trees for the main campus. As well as a \$15,000.00 from the Ohio EPA (Environmental Protection Agency) for the installation of four (4) electric vehicle charging ports; located between the former Brook Park Memorial property (BPM) and the recreation center.

Questions to the Mayor:

Mr. Troyer stated to Mayor Gammella have asked and still waiting to get the recreation center audit from last September; the performance energy-audit for the recreation center.

Mayor Gammella clarified is this for the redoing of the recreation center from Brewer-Garrett?

Mr. Troyer concurred.

Mayor Gammella responded yes, will tell Recreation Director Elliott to provide that.

Mr. Troyer asked if there is anything new for the roof and walls of the aquatic center?

Mayor Gammella responded still working on that, initially the thought that would be a mere \$200,000.00 and now it's going to cost a lot of money to fix that area. It will be fixed and get it right but the main thing is the study is being done and moving ahead. This will take time due to some issues there that are costly fixes with Council being a part of that decision-making process.

Mr. Troyer continued been talking about this for years and always said the longer the wait the more the cost, guess the city is there. Has to be fixed no doubt about it or as mentioned the recreation center closes. Will wait on other questions due to having questions on the new part of the roof.

Mayor Gammella commented had the natatorium been fixed when coming into office it would have still been extremely costly, think that's one of reasons it wasn't fixed with the \$5.2 million-dollar renovation on the recreation center.

Mr. Troyer asked if the roads program legislation will be introduced at tonight's meeting, or when can Council see that?

Mayor Gammella responded that should be in the law department.

Mr. Troyer commented about the new roof leaks that are still occurring, at least, a couple of weeks ago wasn't in there today with the rain. What is being done with the reoccurring leaks with the new roof that was supposedly installed.

Questions to the Mayor: cont.

Mayor Gammella responded will let Recreation Director Elliott address that. Will say that the roofing contractor has been extremely good at coming back and fixing the things, very diligent.

Mr. Mencini stated to Mayor Gammella received three (3) calls about tall grass and chose to wait until Sunday due to rain, snow and heat conditions. Are city personnel looking to see high grass, housing violations and so forth?

Mayor Gammella responded absolutely, with all the rain the building department is definitely on top of that.

Mr. Mencini asked if any thought has been given to Home Days, small or no scale?

Mayor Gammella responded the city would like to do something but it depends on the governor mandates for COVID-19; there are discussions about doing something on a smaller scale but that could be nixed also. The situation continues to be monitored but would like to have something community minded and the fireworks.

Mr. Mencini suggested once COVID-19 starts subsiding possibly the city could have a business fair in the recreation center parking lot. For businesses, maybe food vendors and a certain section to advertise Brook Park.

Mayor Gammella responded that's a great idea and think it was on your suggestion years ago to have the safety fair, that was extremely successful and would like to do something like that.

Mr. Salvatore asked Mayor Gammella for an update on lateral transfers with more discussion going on about moving forward.

Mayor Gammella responded just today told my assistant to inform the Civil Service commission about starting lateral transfers. The problem is there used to be 200 people take the police officers' test and currently it's down to 10 or 11. The city will have to do lateral transfers there is no choice and will proceed with that.

Mr. Troyer stated to Mayor Gammella has there been any contact with Paul regarding the electronics in the Council chambers for hybrid meetings.

Mayor Gammella responded that is totally up to Council. Paul was an independent contractor, not employed by the city but will work with Council any way possible.

Mr. Troyer continued want to do whatever is needed, whether hybrid concept or clean the room an hour before the meeting. Just want to do whatever is needed to get back into the Council chambers and that's what the residents want.

Questions to the Mayor:

Mayor Gammella responded there is nothing wrong with the Council chambers. There are various meetings in there and think the problem Council may have is the amount of people that would be drawn, especially in an election year, with only having so many. Planning & Zoning meetings and other meetings are held in the chambers but think Council meetings will draw a lot more people, especially during an election year. The problem could be who is kept in and who is kept out. Am sensitive to Council's needs but the room is safe and if it was just eight (8) Councilmembers, directors and so forth there wouldn't be an issue. The problem is when more and more people are let in that is violating the governor's mandates. Don't have the answer and know that the Council President and Council have been working hard to resolve this issue and think the majority would like to get back in chambers. The question is can that be done legally and that's a question for Council, not the Mayor. The room is safe and there are meetings in that room with just a certain amount of people.

Mr. Troyer commented was in the chambers for the Planning & Zoning meetings yesterday with quite a few people in there distanced. My understanding as stated before that there is no limit of ten people or whatever for a Council or public meeting. Obviously, would have to come with our own based on the size of the room being able to social distance., due to the bad area of the six-feet. As someone suggested have someone neutral in charge for a first-come, first-serve limit. Looking to go back and need to hybrid for people that don't want to go back under any circumstances, if we still have those, and need to clean before. Don't care who or why if someone wants it cleaned before that's what needs to be done to get back to chambers. Trying to work with everybody to get back in chambers. Understand feelings but if someone feels it's not safe why can't the room be cleaned before the meeting to get back to chambers; it's just a matter of working together to get this right.

Mayor Gammella stressed the room is fine, it is cleaned, there are no issues there, the recreation center is used constantly. As you stated you were in their last night for the Planning meeting and this is a Council issue. Also, with the governor's mandates need to be careful of them as well. This is Council's decision no my decision or the administration but have to think about the health and welfare of the community, as well.

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

Mrs. Horvath stated the law department does not have a report but will be providing a new list of pending litigation at the next meeting.

Reports and communications from other departments, commissions and other public officials:Service Director Garner: cont.

Mr. Garner reported next week is bulk week starting on May 10th, put item out on regularly scheduled rubbish day. Any storm damage items from two weeks ago please cut up in four (4) to five (5) lengths and put on tree lawn. The Vactor is working on the roads project list.

Finance Director Cingle

Mr. Cingle reported the 2020 audit is continuing as of today nothing to report, will keep Council updated. Finance Department will be working on the 2022 Tax Budget that will be forthcoming to Council. The city's income tax filing deadline is May 17th, if filing after that day taxpayers make sure to have a valid extension from the Internal Revenue Service (IRS). The tax department window is open from 9:00 a.m. to 4:00 p.m., Monday through Friday.

Engineer Piatak

Mr. Piatak reported Service Director Garner and I met with sewer district officials regarding a grant application for a new sanitary sewer down Sheldon Road, west of the Engle Road intersection. The sewer district officials offered good insights and suggestions to strengthen the city's application submitted last year. One suggestion was to submit a design-only application this year and have the plans prepared and submit a construction application for the same project the following year. The city will get extra points based on having a set of plans prepared and ready to go. The city is looking to making some of those changes to the application to help strengthen that are due around May 21st. Lastly, survey crews were out on sections of Delores Blvd., Sylvia Drive and Middlebrook Blvd. These are sections that are proposed to be reconstructed as part of the 2021 roads program, motorists please be careful of crews working in these areas.

Recreation Commissioner Elliott

Mr. Elliott reported with the waterpark renovations the weather has impacted some of the work, however, this coming Saturday the plumbing portion of the bid is scheduled to begin and be completed same day. The surface-blasting was to begin last week but due to weather the window is now two weeks, everything was scheduled for the month of May. Lifeguards are needed at the waterpark as well as cities throughout the state are having a challenging time. If anyone is interested, please call the recreation center and there are certification classes available before summer. Tennis lessons have been underway and baseball and softball games will begin soon. Encourage all residents participate in one of the fitness classes if able. The update on the ceiling and walls of the natatorium at next week's Caucus meeting representatives from Construction Resources, Inc. will be in attendance to provide a power point presentation and recommendations on how to proceed. To Mr. Troyer regarding the Brewer-Garrett energy-audit for the recreation center will follow-up with you. There is some leaking being experienced at the

Reports and communications from other departments, commissions and other public officials:**Recreation Director Elliott: cont.**

recreation center i.e. in the main hallway from the community room to the entrance to city hall. The natatorium exterior wall and there are a lot of tiles are stained; to replace doesn't make a lot of sense due to repeatedly having to do that. Most often when there is a leak or two the staff calls the city's contractor, West Roofing, who respond quickly. If there is a leak seen that may have been missed let me know. Regarding Home Days, I spoke with a representative from the Board of Health and there is a plan that will be shared with Mayor Gammella for a modified plan of Home Days. Once the Mayor is good with the plan notification will be given publicly of what will be done. The recreation staff has been working on different ideas i.e. water park movies, drive-in movies and different activities in the park that was done last year. There will be a whole schedule of events at the end of May that will be provided to the community. Also, speaking with Office of Aging Coordinator, Joan Corrigan, later this summer there will be senior band concerts.

Questions to the directors:

Mr. Troyer stated to Mr. Elliott understand the long hallway leaking due to the roof of the natatorium, that I've been saying covers more than just the pool area. There is a leak right outside the Council office, been there for a while, unless it's been repaired in the last two weeks. There is one in Council chambers that may be due to the wet tile look and also based on seeing the water. There is also a leak in the free weight room there is a couple that I've seen so that's my concern not the items with the pool roof. Everyone is probably that the center was supposed to get a brand new roof and maybe didn't. This has to be fixed right at some point and the company was paid well and the city shouldn't be having these problems.

Mr. Elliott responded all those locations have been noted and repaired before and one statement is the company is chasing a lot of those leaks and continue to do that to get this right. By the Council door that's more of the ductwork and have tried a number of times and will keep trying to get that repaired. It's safe to say that the roof is very challenging to the city and will do best possible to get corrected.

Mr. Troyer asked Mr. Elliott to give the Brewer-Garrett audit to the clerk for distribution to Council. To Mrs. Horvath when will the roads program legislation be forwarded to Council?

Mrs. Horvath responded it's being worked on and believe Council can expect very soon.

Questions to the directors: cont.

Motion by Mr. Troyer, supported by Mr. Mencini, to schedule a special Council meeting immediately following the Caucus meeting to introduce the roads program legislation if it's ready.

Mr. Salvatore asked a special Council meeting is called what is going to be on the agenda?

Mr. Troyer responded the roads program for introduction.

Mr. Salvatore Council doesn't have it yet, want to make sure the meeting is called right.

Mr. Troyer responded as stated if it's ready, if it is not provided to the clerk the meeting doesn't get called.

Mrs. Horvath stated I'm assuming the Council President would be the one calling the meeting once the legislation is provided to the Council clerk.

Mr. Troyer concurred.

The clerk called the roll on the motion by Mr. Troyer, supported by Mr. Mencini, to call a special Council meeting following the Caucus meeting.

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

Mr. Troyer - Point of clarification.

Mr. Vecchio recognized.

Mr. Troyer - I apologize, that is actually Council calling the meeting after it comes over. The Council President and clerk are just verifying that it is there. The clerk calls the meetings based on Council's vote just taken. It's actually not being called by the Council President; it's actually being called for by Council. It's actually not even a special meeting it's an additional meeting called by Council.

Mr. Vecchio - I think the way Mr. Salvatore expressed on that and my interpretation would be, including that comment from the law director. That if the legislation is received Council right now calling that meeting or advising to have that meeting is a non-existent meeting without that legislation. What is being insinuated is that if it comes over to have myself call it on behalf of Council, think that way is the proper way to go.

Questions to directors:

Mr. Troyer - I would prefer that it's not a special meeting, it's a meeting that Council required; a schedule change.

Mr. Vecchio - yes, anything we do right now then you have to go through and make a schedule change and vote on the schedule. Make the schedule change adding that is I think is kind of silly. Think leave it as a special meeting if you're going to do that, sir.

Mr. Troyer - okay, there's ramifications but okay, as long as it gets done.

Mr. Salvatore - my interpretation of this, is Council is instructing the President of Council to call the meeting on behalf of Council in the event that legislation is prepared; would be called under the President; otherwise, you will have to have three (3) signatures. The vote of Council is strictly to instruct the Council President to call the meeting provided the legislation is ready.

Mr. Vecchio - thank you, in that case that's what will take place.

Mr. Troyer continued have other heads of departments, asking Mr. Garner if a plastic Lays potato stack container recyclable?

Mr. Garner responded it is recyclable.

Mr. Troyer stated wanted to clarify that. Also, thank service crews for taking care of the catch-basin on Grayland at Edgepark, looks good. Did put in some street addresses for potholes and stuff and clarified Mr. Garner's city email address.

Mr. Garner responded rgarner@cityofbrookpark.com.

Mr. Troyer mentioned an email came back the other day. When will the city lot on Burton Drive be cut received calls from that area about other issues and it seems that has not been mowed to date? Were any catch-basins done on East and West Vancey at Sheldon?

Mr. Garner responded no, but service crews cleaned all catch-basins on Edgepark, Grayland and Norwood and are now working their way back. At some point crews will be over at the Vancey area, particular area would help.

Mr. Troyer asked do the crews have areas being done for hot-patch or are they just going through the city once? How is that being accomplished?

Mr. Garner responded those are done by routes and crews will cover every

Questions to the director: cont.

street at some point. There has been delays due to the recent storm, snow and trees but will start up in full shortly.

Mr. Troyer clarified every day weather permitting, correct?

Mr. Garner concurred.

Mr. Troyer continued not sure of the street sweeper's route but the one bad street is Southway that has large chunks that are on the tree lawn, kicked some back to the curb, so the street sweeper can pick up but don't know what it can handle.

Mr. Mencini stated to Mr. Garner how many trucks are planned for bulk pickup? Glad to have the yard waste and rubbish drop-off.

Mr. Garner responded probably three a day.

Mr. Mencini continued reason for asking is know what the department's employee numbers are. Three trucks would be nine employees and there is still have sewer calls, trees, hot-patch, vactor, sweeper and other things mentioned. When all that is scheduled is it on an as needed basis? With bulk week some of those items may be put on hold, correct?

Mr. Garner concurred three truck is nine employees and you are correct some of the other things are put on hold.

Mr. Mencini commented to Mr. Garner appreciate all the service crews are doing. To Mr. Piatak had a resident ask on Delores what is the timeframe for a street to get done?

Mr. Piatak responded for the duration of a project I would say somewhere in the 60 to 75-day range. Once contractors get into the final design that will be narrowed down. Have had good history as to how long a project will take once taken into account how many catch-basins and any mainline sewers that need to be repaired and such.

Mr. Mencini stated to Mr. Cingle with the income tax Columbus is planning on doing that would devastate a city like Cleveland. With people working from home i.e. NASA how bad would the damage be for the city by losing that income tax?

Mr. Cingle responded a bit of good news is the Franklin Court of Common Pleas dismissed the case that the Buckeye Institute brought forth. Currently, the city dodged the bullet with respect to the occasional entrant rule and refunds of any income tax dollars collected from individuals that didn't work in the City of Brook

Questions to the directors: cont.

Park. However, moving forward if some of these companies, for example Nasa, go to a hybrid work schedule where possibly the majority, or many, employees work from home a few days a week. Then work in the Brook Park facility the rest of the time, let's say, two days a week and three days in Brook Park. Then those individuals would be eligible once this emergency order is lifted and 30 days after that. Those individuals would be eligible to now start account for their days outside of Brook Park and ask for a refund. As far as putting a dollar-figure on it that is impossible to project because the department doesn't know who is working outside of the community; could be a very, very large number. The department is keeping a close eye on it and have been in contact with NASA, being the city's largest employer, and do know there are a lot of individuals currently that aren't working on site in Brook Park. Communications are continuing with NASA as to who is working in Brook Park and outside of Brook Park and NASA employees know to ask for a refund so it could be a seven-figure (7) number for employees working outside of the community in the future. The staff is keeping a close eye on this and it is a serious concern of the administration.

Mr. Scott asked Mr. Elliott for a projected opening date for the waterpark?

Mr. Elliott responded currently looking at June 5th as the projected date.

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

1. AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH STOOPS WESTERN STAR OF OHIO (OHIO CO-OP PURCHASING 023-21) FOR THE PURCHASE OF A WESTERN STAR TRUCK CHASSIS TO BE PACKAGED WITH A HENDERSON DUMP BODY AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Service committee
2. AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH STOOPS WESTERN STAR OF OHIO (OHIO CO-OP PURCHASING 023-21) FOR THE PURCHASE OF A WESTERN STAR TRUCK CHASSIS TO BE PACKAGED WITH A HENDERSON DUMP BODY AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in service committee
3. AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BEST EQUIPMENT (SOURCEWELL CONTRACT (#091219-LEG) FOR THE PURCHASE OF A 2022 MACK/LEACH REAR LOAD GARBAGE TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Service committee.

New Legislation: cont.

4. AUTHORIZING THE MAYOR TO PURCHASE TWO 2022 E-F350 PICKUP TRUCKS AND PLOWS FROM MIDDLETON FORD THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in service committee.

Mayor Gammella stated with steel rapidly increasing think the quicker the city moves on these the better. If a special Council meeting is called for next Tuesday I ask that these are put on that meeting and passed under suspension, referred to Mr. Garner.

Mr. Garner stated to reiterate the city has worked with all these vendors before and all these contracts are state purchasing and/or Sourcewell purchasing, as done for all vehicles in the past. The vendors have given a timeframe and typically a price is given in the fall before the budget is approved. This time the vendors made the city aware of a 40 to 45-day timeframe to get a letter of intent to them to hold the current pricing. The steel prices are increasing and if the city passes the 45-day mark that could go up 300%, just the steel package alone.

Mr. Troyer stated this has been done before and all these items are listed in the budget, correct?

Mr. Garner responded yes, and will say all the numbers the city has are well within the range of the monies that were approved.

Mr. Troyer continued have no problem with whatever the city needs to do to fast-track, don't like saying fast-track but it's a good fast-track to get this done and secured, have no problem with whatever needs to be done. I think there will already be a meeting so think we're good and I'm good with this let's make it happen.

Mr. Salvatore stated as chairman of the service committee to the clerk please make sure all these items being introduced appear on next week's Caucus agenda.

Clerk concurred.

Mr. Troyer - Point of clarification, these will be put on, have a little problem with this. If the legislation is put on Caucus being pulled out of committee; they can't be in two places at once. That Council meeting does need to be a regular Council meeting; can't add anything to a special Council meeting and maybe best to do something different.

New Legislation: cont.

Mr. Salvatore stated think Council is fine putting on the Caucus and need to see if there will be a special meeting. Have done this before as long as I can remember and as recent as recent of probably two (2) weeks ago. So I don't see anything wrong with it.

Mr. Troyer commented you are going to make me vote no on the some of the motions.

Mr. Vecchio stated I don't think there's an argument but Mr. Salvatore is absolutely correct Mr. Troyer. All of Council knows that legislation has been on a Caucus agenda and special meeting agenda numerous times. If Council so wishes to put to the Caucus agenda and have on the special Council agenda.

Mr. Salvatore - Point of Order.

Mr. Vecchio recognized.

Mr. Salvatore stated if for some reason there is no special Council meeting called. At least the legislation will be where it's supposed to be and Council can still move forward even if later in the week. My instruction, as Chairman, am instructing legislation be put on the Caucus agenda next week.

COMMUNICATIONS:

1. CORRESPONDENCE RECEIVED FROM BROOK PARK RESIDENT RELATING TO SEVERAL CITY CONCERNS.

Correspondence read into the record and attached to these minutes.

Motion by Mr. Troyer, supported by Mr. Mencini, to address the audience.

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

NAYS: None. The motion carried.

Mayor Gammella responded a few of these issues I have to address. As far as the \$300,000.00 for the fire scuba packs I spoke with Fire Chief Maund. That was addressed at the March 19, 2019 by Council and everyone. With the financial situation it was decided to hold off. Thousands of residents do not flood in the city and want to make that clear. The city has flooding issues not a flooding problem and don't have thousands of residents' flood. Again, \$300,000.00, quite frankly, what the city has to do with the retention basins is not going to go very far. Planting trees that appeared in the cleveland.com article is extremely important, green space is extremely important in sucking up water rather than all concrete, tar and everything there is throughout this community and other communities. This city has to learn how to manage our water better and will. As far as the Council meetings moving back to the chambers as stated earlier. The chambers

Correspondence from resident: cont.

are fine there's no problem, meetings are held there. The problem is the governor's mandates as Council is well aware. Until that is lifted Council is in a spot. There's no problems with the chambers the room is safe; the problem is the with the amount of people who would come in. As far as the individual named Paul, addressed earlier, he was an outside contractor helping the city out for a little bit, not a city employee. Am very aware of what is going on and appreciate Ms. Barbaric's letter and wish her well and if she would like contact city hall and we will have someone come and look at her flooding problem. To find out if it's a city problem or if it is her problem; in a lot of cases it is found to be actually be the homeowner's responsibility and not the city. Will continue to work with all the residents as in the past. Council thank you for the opportunity to respond.

Motion by Mr. Salvatore, supported by Mr. Scott, to go back to the regular order of business.

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

NAYS: None. The motion carried.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

No one came forward.

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

1. ORDINANCE NO. 11192-2021, AUTHORIZING THE MAYOR TO CREATE A 'SAFE EXCHANGE ZONE' BY THE BROOK PARK POLICE DEPARTMENT AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, Council as a Whole and Mayor Gammella.

Mr. Salvatore asked Mrs. Horvath for an update on the research about the legality and responsibility on behalf of the city for creating this zone.

Mrs. Horvath responded with an oral opinion ordinarily a political subdivision has sovereign immunity from any of the governmental functions it performs. A governmental function would be something that would be for the common good of all its citizens. In this particular case, there is an ordinance that speaks to a safe zone or a zone where citizens would come to exchange or barter items that would squarely fall into the governmental function area. I've checked the best I can to see if there would be any exceptions to that doctrine and think the city is safe that there wouldn't be any exceptions. Because there is always new coming up on the horizon and people are always

Second Reading of Ordinances and Resolutions: cont.

trying to push the envelope from a legal standpoint. Also spoke with the city's insurance carrier to see if they say anything happening in other political subdivisions or new of any pending cases that would involve this type of government function. The insurance company assured me that they were unaware of anything and felt passing this ordinance would not increase the city's liability.

Mr. Salvatore stated as one Councilman, would feel better by removing the word 'safe' out of the legislation and replace with another word. Only because the city is saying it's a safe zone but no one is watching. Don't want to give any false sense of security with somebody thinking that a person is watching and will run out and help immediately, if there's a problem, that's not the case. Any word that is going to create the ability to make this happen but not have any future liabilities on the city.

Mr. Mencini stated when bringing this legislation forward I mentioned preferably by the police station. To Mrs. Horvath are there any different specifications on the playgrounds or other parts of the city away from the municipal campus? Thought the city's insurance company said it best when doing the research on this I checked with other cities and they all said exactly what the insurance company told you. Have heard good things about this from the residents, nothing is safe in this world anymore. We want residents to think that this is a safe zone and the city will do the best possible to try and make it that way.

Mr. Troyer stated to Mrs. Horvath instead of 'safe' just make it 'safer'. To say it's safer than normal but not necessarily perfectly safe; would that be something that would alleviate Mr. Salvatore's and my issues?

Mrs. Horvath responded 'safer' would be fine and Mr. Salvatore's suggestion of calling it a video-exchange zone is also fine, not so much concerned as to what it is called. Would be fine with calling it 'safer' or video-exchange zone.

Mr. Orcutt stated to Mayor Gammella is it safe to say that we assigned an area of the city that has a camera on an exterior part of a building i.e. the police department or something that this can be done?

Mayor Gammella responded yes, outside the police department, however, the area will have to be manned with video cameras. There won't be a police officer there surveilling the area but if something should happen there would be recorded tape that transpired. Being near the police station parking lot someone would have to call to do something in the parking lot of a police station and knowing you're on video.

Second Reading of Ordinances and Resolutions: cont.

Mr. Orcutt continued if there is exterior camera there think that would be a very good point and liability question. This is a good piece of legislation that Mr. Mencini brought up and think it's a simple fix, to find the location for the cameral and like Mr. Salvatore's statement about the liability. Think one quick amendment would be to insert the word 'camera' and can proceed.

Mr. Vecchio stated Ordinance No. 11192-2021 has had its Second Reading.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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, Orcutt, Troyer, Poindexter, Salvatore

NAYS: None. The motion carried.

Mr. Vecchio declared this meeting adjourned at 8:54 p.m.

RESPECTFULLY SUBMITTED Michelle Blazak
Michelle Blazak
Clerk of Council

APPROVED June 1, 2021

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

6,734 words

Sue Barberic
5808 Fry Road
Brook Park, Ohio 44142

April 22, 2021

Michelle Blazak, Clerk of Council
City of Brook Park
6161 Engle Road
Brook Park, OH 44142

Re: Resident comments for next council meeting

Dear Ms. Blazak:

I would appreciate your reading this letter at the next council meeting.

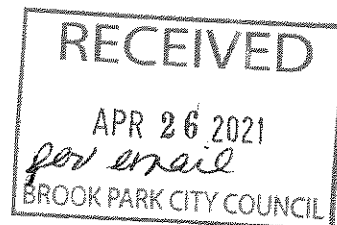
I have been a resident of Brook Park for more than 32 years. Obviously a lot has changed in our City during that period. Over the last several years I have been watching the happenings in our City much more closely and would just like to comment on a few issues.

Since Covid invaded our lives last year, I have been watching most of the council meetings on the internet. I encourage all residents to watch those meetings and see how our city government works.

The city budget – I was absolutely flabbergasted (as was all or most of Council) about the situation with the Fire Department requesting a huge sum of money for new equipment. While the safety of our fire and police is very important, how could this expenditure not have been brought up by the Fire Chief or the Mayor/Safety Director prior to the deadline for passing the budget? The Fire Chief and Mayor both failed in this regard. The fact that the money for the change in the budget was removed from the sewer and drains fund adds insult to injury. Spring is here and the rains will cause huge worry for hundreds, if not thousands of residents, that the sewers will back up and flood their homes again. I am one of those residents.

Council meetings moving back to chambers – This topic has been on the Council agendas for months. There was talk about cleaning chambers, managing residents who come to voice their opinions and conducting the meetings in person and with Zoom also available. There was talk about contacting "Paul" the tech guy who needed to access the computer room/equipment room to make sure both in person and Zoom could happen together. At the meeting on April 20, 2021 the Mayor seemed stunned and didn't know what the issue was with returning in person. How could he have missed these discussions over the last 6 months or more!! He even stated that he didn't think "Paul" even worked for the City anymore.

Read 5/4/2021 Council



April 22, 2021

I continue to wait and see if anything substantial will happen in the City. Way too much talk and no action. I was glad to hear the Mayor say that we are apparently purchasing the Super 8 property. That's the only good news I've heard in a very long time.

Thanks for listening to just a few of my concerns.

Thank you,

/s/ Sue Barberic

Sue Barberic

