

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON MAY 18, 2021**

The meeting was called to order by Council President Vecchio at 7:32 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Mayor Gammella, Law Director Horvath, Finance Director Cingle, Recreation Director Elliott, Service Director Garner and Economic Development Commission Adams 8:08 p.m.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting minutes held on April 20, 2021.

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

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

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

2. Regular Council meeting minutes held on April 20, 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 reported the Aviation & Environmental committee has nothing to report and no legislation on tonight's agenda.

Finance Committee - Chairman, Scott

Mr. Scott reported Finance committee has three (3) pieces of legislation on tonight's agenda. There were two Board of Controls since last report. First one held on May 11th with the 15 items approved with the three (3) largest items being grouping together five (5) vendors for the senior lawn cutting program totaled \$115,447.68; OnSolve, LLC for code red alerts increase of \$63.00 for a total of \$20,463.98 and third (3rd) largest for Ports Petroleum Co., Inc. for gas & diesel fuel. The Board of Control also met earlier today with four (4) items approved with the three (3) largest are Construction Resources for the study & plans for repair of the natatorium roof and walls in the amount of \$31,290.00; Davey Resource Group for water resources delineation report totaling \$10,215.00 and Grainger for red hydrant paint & supplies for \$5,847.25.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported there is one piece of legislation on third reading on tonight's agenda.

Parks & Recreation Committee - Chairman, Poindexter.

Mr. Poindexter reported the recreation committee has nothing on tonight's agenda; there are two (2) pieces of legislation in committee. The weather has

Reports of Standing Committees:**Recreation Committee - Chairman, Poindexter: cont.**

turned warmer so crews are working on the waterpark. The committee is anxiously waiting legislation for the natatorium roof and walls. The next recreation committee meeting is May 20, 2021.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning committee has two pieces of legislation on tonight's agenda and the committee has not met since last report.

Safety Committee - Chairman Troyer

Mr. Troyer reported the Safety committee has no legislation in committee and no legislation on tonight's agenda. My report is I would like to have reports from both the fire and police chiefs that have been asked for during the last 1½ years, multiple times. Asked for bullet points or written report that could be given in this forum; they provided once and haven't done again, asking multiple times. Stay safe and watch out for motorcycles, don't put grass in the street unsafe for motorcycles, all left lanes are for passing.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported the Service committee has four (4) items on tonight's agenda under First Reading.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the board has not met since last meeting with the next scheduled meeting being June 8th.

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

Mr. Orcutt reported Southwest General Health Systems trustees met on May 5th approving the recommended slate of 17 taxing district nominees to stand for election at the July 20, 2021; officers to the systems board were also approved. A motion was approved for the slate of four (4) systems board taxing district trustees to the center board; Brook Park's Andres Gonzales, Jr. was one (1) of the four (4) selected, congratulations and what an honor. The nominating committee at the hospital is chaired by Brook Park Councilman, Rick Salvatore, and would like to mention the great job with the nomination committee's presentation.

Berea Board of Education Representative, Mencini

Mr. Mencini reported on May 31st there is no school in observance of Memorial Day. The last day of students to attend school is June 10th; seniors getting out a little earlier; so be aware, courteous and observant that the children will be riding bikes and so forth. The Berea High School National Honor Society students helped plant the flowers at Brook Park memorial at Kennedy Park this past Saturday; flowers provided by Denise Krane and the school's Cindy Cordon who helped supervise, looks fantastic. With the transportation audit was requested by the Berea City Schools District for bus efficiency, bus costs and overall efficiency for

Reports of Special Committees:**Berea Board of Education - Representative, Mencini: cont.**

the whole transportation system. Some of the things also looked at were empty seats, special education transportation and things of that sort. Some people see a school bus with no children on them that was the reason for the audit. Some of the things looked at and being considered is consolidation of bus stops; bus drivers taking attendance; students that don't ride the bus for a long time action will be taken. Also thinking about a one-mile zone for elementary schools and 1.5 miles for middle schools would be the zone from home to bus stop. The audit did show too many special requests and don't want to step on anyone's toes but it's not a form of mass-transit. Not individual transportation unless pre-arranged for very special circumstances; I thought that was a great idea to save some costs.

Mr. Orcutt clarified that the district would be reducing some of the bus routes by recommending that elementary level students will be walking one-mile to a bus stop.

Mr. Mencini responded could be considered, these were some of the considerations that came back.

Mr. Orcutt continued very surprised and glad they're only being considered. One thing, as a Brook Park Councilman, I think that one-mile would be too excessive for any elementary student or the 1.5 mile for middle schools, especially with the weather in Northeast Ohio.

Mr. Mencini responded it is, but currently a lot of students get dropped off and to Mr. Orcutt you have very good thoughts for a young student that can be a long way; this is for cost-efficiency.

Technology and Innovation Council Representative - Poindexter

Mr. Poindexter reported the Technology committee met last on May 12th after the presentation to Council on municipal WIFI on May 11th. Would like to commend the committee for that presentation that was very informative. The committee looks forward to hearing Council's thoughts at the June 8th Caucus Prior to meeting about where to go from here. At that presentation Mr. Salvatore requested to find out if the city's IT consultants would charge for maintenance and was confirmed today there would be no additional charges for maintenance if the city goes with the WOW option, that is something to consider before the June 8th Caucus Prior to meeting. The next committee meeting is scheduled for June 9th.

Mr. Scott asked how does the city stand on that audit? Is there any movement on that city-wide audit?

Reports of special committees:

Technology and Innovation Committee - Representative, Poindexter: cont.

Mr. Poindexter responded it is still in the works but moving slowly. With the presentation taking up a lot of time with the committee. The committee is also in contact with the city's IT consultant with information to be coming forward more steadily in the near future.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella reported met today with both Middleburg Heights Mayor Castelli and Berea Mayor Kleem considering the dog park on Sheldon Road. Everything is moving along fine and have an excellent plan but there is one issue with fencing. Having a hard time finding someone to put the fencing up because can't get the material or people are too busy doing other jobs. Could delay the park a bit so if anyone knows someone in the fencing business have them contact myself or Jim Hearn from the City of Middleburg Heights. The other part is the city's excellent senior grass cutting program, however, will be asking Council to add more cuts to the program. Especially for the month of April due to all the rain with residents' yards being overgrown. Would like to thank the volunteers of the Beautification & Pride committee for planting of the flower pots that look very nice along with all volunteers and coaches that make Brook Park a great place.

Questions to the Mayor:

Mr. Troyer clarified to Mayor Gammella that is the Brook Park Botanical & Garden Club, not Beautification.

Mayor Gammella stood corrected, thank you.

Mr. Troyer asked Mayor Gammella for the Brewer-Garrett audit for the recreation center, savings audit, been asking for weeks.

Mayor Gammella stated to Mr. Troyer the broken globes from the Konery playground have been addressed.

Mr. Troyer commented much appreciated, definitely a safety issue. With the dog park my only concern has been, was and may still be with the way the contract was worded. My concern is that either city could drop out of the agreement after the first (1st) year. The way it was written is the city puts money to get built and then after the first year the City of Middleburg Heights could say to Brook Park we don't want you to be part of it anymore. Know that probably won't happen but the

Questions to the Mayor: cont.

wording has to be right to protect the city. With that said all for the dog park but would rather have it in Brook Park.

Mr. Poindexter asked Mayor Gammella calls have been received calls from concerned residents about the pickup and drop-offs at Brook Park elementary school with traffic congesting the safety building on Holland Road. Could something possibly be forwarded from both the city's police and fire chiefs and also school board to make that a little less congested and safer so the police and fire aren't trapped in the driveways. Sure they can get out if need be but there are a few residents with concerns.

Mayor Gammella responded good suggestion, will look at that first thing in the morning.

Mr. Mencini stated to Mayor Gammella with the Code Red on the Board of Control seems to be a high price being paid. Is there a number of calls allowed or is that a yearly fee?

Mayor Gammella responded as far as I know that is a yearly fee.

Mr. Mencini continued a lot of people like the Code Red especially when a very urgent Code Red. If that's the price the city is paying may want to find a good form of getting code red out maybe in the same form but a different way, not bothering people during the day unless an absolute code red emergency. Maybe use a different way instead of a call on phones possibly the internet or text message. With the fence at the dog park and construction materials increasing is the city looking ahead a bit of a possible surplus of materials that might be needed for services the city provides.

Mayor Gammella responded yes, quite certain Service Director Garner is doing that but, again, everyone has switched to just in time delivery method over the last ten years; critical items the city tries to keep in stock.

Mr. Mencini continued in last Sunday's Plain Dealer there was an article about the values of four homes that sold in Brook Park; one at \$142,000.00; \$162,000.00, \$155,000.00 and \$169,999.00. When talking to people and they bring up certain items about the city my first question is how much can you sell your house for? Is the city doing right things with building maintenance, safety to keep home values up? Will the city keep on that since home values are off the charts and definitely want to keep them there?

Questions to the Mayor: cont.

Mayor Gammella responded absolutely and will continue to keep home prices there. As everyone knows I am a huge component on green space being trimmed and home values increasing says a lot about the community.

Mrs. Schmuck asked Mayor Gammella is the city considering the possibility of having Home Days?

Mayor Gammella responded yes, speaking with Recreation Director Elliott and there will be a scale-down version with proper distancing and so forth. Not having the parade but will have fireworks and hope next year to be in full throttle. Will apprise Council of this situation shortly.

Mrs. Schmuck continued by asking Mayor Gammella for an update on Aerospace Parkway, anything new coming up for that area?

Mayor Gammella responded spoke with Board Chairman, Carlos M. Grodzinsky, earlier today and will be speaking again tomorrow about some good things coming up for that area. As well as with the IX Center, the city is hoping to get that back as a convention facility, bringing more income to the city. The IX Center and that whole area is a magnet.

Mrs. Schmuck commented great news and if the city can get the IX Center back that would be fantastic.

Mr. Troyer commented the Citizen of the Year committee met last night and chose a winner. To Mayor Gammella I was wondering if there is anything you could do for Home Days to honor the winner.

Mayor Gammella interjected to make the presentation?

Mr. Troyer responded did ask for a Resolution commending the winner but according to the legislation is the Citizen of the Year is supposed to be the parade marshal as well as the presentation at the Best of Brook Park ceremony.

Mayor Gammella interjected can discuss tomorrow when you come in.

Mr. Troyer commented the committee did choose a winner with very few nominations received. Will be notifying the winner so unable to say who it is this evening. If anyone on Council, especially Mr. Salvatore, would like to talk to me since Council used to something also.

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

Mr. Elliott reported to follow-up on Mr. Poindexter's comments, there is a lot of renovation with the waterpark project. Last week the plumbing contractor completed about 95% and will return to complete one other item that has to be completed. Safety service installation was completed today by Aqua Seal for the rubberized type of material that goes on top of the island and on the pads on one of the features. Heavy equipment has been staged for work to begin tomorrow on the slide, slide tower and pool floor. The public ad for bid and specification for the amphitheater did appear in the Plain Dealer as well as one other time with bid opening on June 1st. The monthly Red Cross blood drive will be back on Tuesday, June 15th from 12:00 noon to 6:00 p.m. Baseball and softball practices are underway and adult programs have begun games and the kids leagues will begin right after Memorial Day. Speaking of Home Days there is a meeting planned with the city's police chief, fire chief, service director, building commissioner and Mayor's office relating to this year's Home Days celebration.

Finance Director Cingle

Mr. Cingle reported the department will be working on the 2022 Tax Budget that will be coming to Council shortly.

Law Director Horvath

Mrs. Horvath reported the law department has no report tonight.

Service Director Garner

Mr. Garner reported last weeks' bulk pickup netted a little over 100 tons. As a comment to Mr. Poindexter signs have been posted to the safety building to not block the driveways.

Questions to the directors:

Mr. Troyer asked Mr. Cingle on the American Rescue Plan (ARP) what can the city expect and how much of the local fiscal recovery funds?

Mr. Cingle responded was on a webinar earlier today held by the Ohio Office of Budget Management (OBM) and the finalized figures for non-metropolitan population cities of less than 50,000 residents; the final figures have not been calculated to date, hoping the next few days. Working through some guidance currently but the city will receive funding through the State of Ohio. After the figures are finalized it could be anywhere between 30, 60 or 90 days after that. Working through guidance of eligible expenses, whether a new fund will be created and it appears a new fund will be created. Have two (2) webinars on Thursday, May 20th, with one administered by the Ohio Municipal League (OML) and the other by the National League of Cities (NLC). The guidance's are new and ever changing but once the finalized figures and more information is received will apprise Council.

Questions to the Directors: cont.

Mr. Troyer continued the city was promised the \$3.6 million-dollars and you stated that would probably be split up over two-years. Is there any new news on that matter?

Mr. Cingle responded there will definitely be two (2) payments; one in 2021 and the other in 2022. The initial forecast was approximately \$3.6 million-dollars but that has not been finalized.

Mr. Troyer asked Mrs. Horvath have the west-end residents been given an update with the lawsuit? Thinking maybe a get together that I wouldn't be involved in with those residents. To see if they would want to push the lawsuit? The residents are tired of waiting since they're the clients possibly have a meeting with them, would like to be there, but see what they want to do and the possible ramifications.

Mrs. Horvath responded as things are opening up have given thought to that. Thought would see Council open up and see what the governor's order does not only for local events but also court systems. Certainly understand why the residents would be frustrated also feel that frustration. In the event that is able to be planned will let you know.

Mr. Troyer stated to Mr. Garner is there any chance for Council to receive an update on certain work being done or after it's been done, for instance, patching certain streets; names of those streets that were done last week? Anyway that information could be provided on a regular basis especially in the wards but also city-wide, via email so Council is aware of what is going on.

Mr. Garner responded something can be put together for you.

Mr. Mencini stated to Mr. Garner not sure if a detailed report is needed when crews do stuff I would just like to know it was done. Lot of credit to service crews for the bulk pickup and grass cutting. Has the street sweeper, hot-patch and sewer truck been out on a daily or weekly basis?

Mr. Garner responded can tell you that last week those items were very limited due to bulk pickup and whoever wasn't on bulk was cutting grass. This week the Vactor was out, the sweeper was done through the weekend and just came back into service today, will be out tomorrow. Hot-patch has been done both days this week and will continue.

Mr. Mencini stated to Mr. Cingle with the cost of material and other things increasing how is the city is position for that in case monies have to be moved. Has the department considered and prepared for that?

Questions to the directors: cont.

Mr. Cingle clarified is the city prepared to purchase bulk materials.

Mr. Mencini responded sort of bulk materials and probably many things to stay ahead of the game with fuel, oil, paper, etc., and things of that sort?

Mr. Cingle responded as far as gasoline and oil only so much inventory can be held. The city does by paper and janitorial products in bulk and far as other products i.e. dirt and things of that nature. If the service director believes there may be a shortage it would come down to where it would be stored but if it's been properly appropriated and want to bring the materials in earlier due to concern of rising prices. If the city has the wherewithal to store safely and save some money to do so should be looking buying earlier.

Mr. Troyer stated to Mr. Garner can the street sweeper operate in the rain?

Mr. Garner responded to an extent, yes.

Mr. Troyer continued just not a heavy rain, correct?

Mr. Garner responded yes, it would pick up more water making more trips back and forth.

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

New Legislation:

AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S JOHN DEERE ROTARY AND HUSTLER SUPER Z MOWERS AND DECLARING AN EMERGENCY.
Introduced by Mayor Gammella.

Verbal Approval:

1. DIVISION OF LIQUOR CONTROL - BOB EVANS RESTAURANTS, LLC; DBA BOB EVANS RESTAURANT 56; 13050 BROOKPARK ROAD; BROOK PARK, OH 44142 FOR A **C NEW 0320703-0075** FOR A D1 AND D2 PERMIT CLASS. **POSTMARK DATE NO LATER THAN 5/24/21.**
2. DIVISION OF LIQUOR CONTROL - BOB EVANS RESTAURANTS, LLC; DBA BOB EVANS RESTAURANT 56; 16500 SNOW ROAD; BROOK PARK, OH 44142 FOR A **C NEW 0320703-0175** FOR A D2 PERMIT CLASS. **POSTMARK DATE NO LATER THAN 6/1/2021.**

Motion by Mr. Salvatore, supported by Mr. Troyer, to object to both pending all questions and concerns are answered through the law department.

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

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

Verbal Approval: cont.

3. AMERICAN LEGAL CODIFIED UPDATES - **\$1,701.95.**

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

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

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:

1. ORDINANCE NO. 11194-2021, AUTHORIZING THE MAYOR TO ENTER INTO A LISTING AGREEMENT WITH CUSHMAN & WAKEFIELD/CRESCO REAL ESTATE, FOR THE MARKETING AND SALE OF CITY OWNED PROPERTY LOCATED ON AEROSPACE PARKWAY ROAD AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to suspend.

Mr. Troyer mentioned okay with suspension on this because need to get the next three (3) items on the market to get sold and money in the city coffers, to bring businesses come in.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to suspend.

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

NAYS: None. The motion carried.

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

Mr. Salvatore stated in support to go out and see what is available to the city but do reserve the right if the project isn't exactly what I think is the best interest of the city doesn't necessarily will pass, but will support this to move forward and find out.

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

NAYS: None. Ordinance No. 11194-2021, has passed under suspension of the rules. Adopted.

Introduction of Ordinances and Resolutions: First Reading: cont.

2. ORDINANCE NO. 11195-2021, AUTHORIZING THE MAYOR TO ENTER INTO A LISTING AGREEMENT WITH CUSHMAN & WAKEFIELD/CRESCO REAL ESTATE, FOR THE MARKETING AND SALE OF CITY OWNED PROPERTY LOCATED ON CEDAR POINT ROAD AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

ROLL CALL: AYES: Schmuck, Mencini, Troyer, Poindexter, Salvatore, Scott, Orcutt
NAYS: None. Ordinance No. 11195-2021, has passed under suspension of the rules. Adopted.

3. ORDINANCE NO. 11196-2021, AUTHORIZING THE MAYOR TO ISSUE AND ADVERTISE FOR A REQUEST FOR PROPOSALS FOR THE LISTING, MARKETING AND SALE BY AN OHIO LICENSED COMMERCIAL BROKERAGE FOR LAND OWNED BY THE CITY OF BROOK PARK LOCATED AT 14100 PARKMAN BLVD. AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend section 2 by eliminating the 's' in funds and insert 243, to read the money needed for the aforesaid transaction shall be paid from Fund 243.

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

Mr. Scott asked Mr. Adams is the city looking at this for someone that is also involved with the Multiple Listing Service (MLS); or just a commercial broker?

Mr. Adams responded the property will be listed on the commercial loop-net and other areas to make sure it gets commercial people; at this point, won't go onto the residential one.

Mr. Scott continued thought the city was looking at all avenues?

Mr. Adams responded you want to work with them as commercial because of location and proximity to high traffic area and the large amount of land for the highest and best use; basically, most shops per square foot. That would be the first phase of the drive for commercial and if commercial comes up empty then the city will have to reassess to see if the city should change brokers or move into a residential area.

Introduction of Ordinances and Resolutions: First Reading: cont.

Mr. Mencini stated thought that also would like to see commercial come to that area but thought the city was part of the discussion to keep that open with a possible retention basin located somewhere or around in that area, thought all avenues were open on that. Is there a timeframe for retail-commercial?

Mr. Adams responded yes, the city is going to look for a negotiation of no longer than a year on the listing. Then have monthly meetings with the broker to see what type of avenues have been uncovered and what types of situations are coming forward.

Mr. Vecchio clarified this first piece of legislation is request for proposal (RFP), correct, the city is not going with anything?

Mr. Adams responded yes, it's an RFP to be targeted at commercial brokers that deal in with building and land area.

Mr. Vecchio continued Council can either vote up or down on step number two (2)?

Mr. Adams concurred, if an agreement is reached for principal then it would be brought forward to Council. To make a decision whether or not they want to accept the construction for the area, buildout for demolition of the area. This legislation is to get in front of people to see if the city can get the best price for it. And, at the same time get a nice project that would acquire most square-footage, more tax dollars and an end-user for that retention basin.

Mr. Salvatore clarified the listed agreement would be for one year? I, as one Councilman, think is a little too long and would like to see a six-month, can always extend if doing a great job.

Mr. Adams responded that is noted and can be built into the proposition of being six-months with the possibility of an extension.

Mr. Poindexter stated at the presentation last week it was made clear that the city was going to seek commercial properties first. Then pursue residential if no possible options were presented. Also, thought Council wanted to insist that a retention and/or detention basin be included in any development of that property. Even with all that Council is getting ahead of ourselves because this is just an RFP for possible listing. All the other items can be factored in after Council determines to choose someone to list or not.

Mr. Orcutt stated with Mr. Mencini and Scott's comments about the dual-purpose, dialogue of last Tuesday's meeting with the administration. That was to be able to

Introduction of Ordinances and Resolutions: First Reading: cont.

provide relief to the residents of that area with flooding and know with new construction, whether commercial or residential, the basins have to be provided per the codes. Wanted to make sure that is reiterated for this record that last week this was discussed between the Council and the administration this would be dual-purpose. When meeting with whatever company the city chooses that has to be the purpose of selling this land it will be dual-purpose. Not being in the real-estate industry the suggestion by Mr. Salvatore is warranted with the six-months mark.

Mr. Troyer stated tend to agree with the six-months but, at this point, don't want to tie the commissioner's hands with his negotiations. If something can be done with flooding in that area that would be great but don't want to tie his hands with that either.

Mr. Orcutt commented it is the city's land.

Mr. Troyer continued if the engineer and the storm water management team say yes, that would make a big difference and is needed then I think some land should be taken off the table to make that happen, let's look at everything and see what Mr. Adams can negotiate.

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

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

NAYS: None. The motion carried.

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

Mr. Salvatore asked Mrs. Horvath will you make sure the six-month time limit is included in the original document.

Mrs. Horvath responded yes, it seems that is Council's intent.

Mr. Poindexter clarified if Council passes this RQP and it comes back without the six-month suggestion Council can vote it down, correct.

Mr. Vecchio and Mrs. Horvath responded yes.

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

NAYS: None. Ordinance No. 11196-2021, has passed under suspension of the rules. Adopted as amended.

Introduction of Ordinances and Resolutions: cont.

Mr. Vecchio stated if no one on Council objects the following four (4) pieces of legislation are service oriented and can be done by **mass motion**. Mr. Vecchio read all four titles into the record. (See below).

4. ORDINANCE NO. 11197-2021, 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.
5. ORDINANCE NO. 11198-2021, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH HENDERSON PRODUCTS (SOURCEWELL CONTRACT 080818-HPI) FOR THE PURCHASE OF A NEW DUMP BODY PACKAGE TO BE MOUNTED TO A WESTERN STAR CHASSIS PACKAGE AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
6. ORDINANCE NO. 11199-2021, 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.
7. ORDINANCE NO. 11200-2021, 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.

Mr. Troyer asked Mr. Garner with the plows for the pickup trucks will they have back-drag capabilities?

Mr. Garner responded yes.

Mass motion by Mr. Troyer, supported by Mr. Mencini, to suspend on item numbers four (4) through seven (7).

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

Mass motion by Mr. Troyer, supported by Mrs. Schmuck, to adopt.

ROLL CALL: AYES: Troyer, Schmuck Scott, Orcutt, Mencini, Poindexter, Salvatore
NAYS: None. Ordinance No's. 11197-2021, 11198-2021, 11199-2021 and 11200-2021 have passed under suspension of the rules. Adopted.

Introduction of Ordinances and Resolutions: First Reading: cont.

8. RESOLUTION NO. 7-2021, GRANTING THE CONDITIONAL USE PERMIT TO OPERATE A RENT-A-CAR FACILITY, AESTHETIC/PROJECT APPROVAL FOR SITE AND BUILDING MODIFICATIONS AT 13200 BROOKPARK ROAD 'ENTERPRISE' LOCATED IN THE U7-D DISTRICT AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

Mr. Troyer asked Mayor Gammella if there is a reason for this to be passed?

Mayor Gammella responded there is no rush but think the company would like to proceed to move on.

Mr. Troyer commented bringing employees in sooner with more revenue?

Mayor Gammella responded yes.

Mr. Orcutt commented sooner than the better since the part of the rear building will be torn down to construct a new building. Earlier the company can get the material will help and there will be the same amount of employees as before.

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

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

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

ROLL CALL: AYES: Schmuck, Scott, Orcutt, Troyer, Mencini, Poindexter, Salvatore
NAYS: None. Resolution No. 7-2021, has passed under suspension of the rules. Adopted.

9. RESOLUTION NO. 8-2021, GRANTING THE CONDITIONAL USE PERMIT TO OPERATE A MINI WAREHOUSE/STORAGE UNIT FACILITY AT 15300 BROOKPARK ROAD LOCATED IN THE U7-C DISTRICT AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

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

Mr. Troyer stated will suspend on this to get out the city's hair and done with.

Mr. Mencini concurred with Mr. Troyer and commented this was first rejected by the zoning board over a year ago. They stayed patient by working with the city, courts and mediation so absolutely let's grant this request and move ahead.

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

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

ROLL CALL: AYES: Troyer, Schmuck, Orcutt, Scott, Salvatore, Poindexter, Mencini
NAYS: None. Resolution No. 8-2021, has passed under suspension of the rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD 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. Mencini thanked colleagues who worked with me to interpret the correct title for use by residents and people that want to use this; Councilman Scott has worked with me and been a supporter from the beginning. Many residents are in favor and is very important for residents and people for exchange of children and/or items. To Mayor Gammella prefer to have this somewhere by the police department with video-surveillance. Would like to call this a video exchange safe zone after speaking with colleagues.

Mr. Salvatore stated removing the word 'safe' throughout the legislation and replacing with 'video exchange area' makes more sense and definitely would support. Don't want anyone thinking they are being monitored or watched 100% because it's not going to be but the video would be running. To Mayor Gammella are you good with being able to get this video 24 hours, seven days a week or should there be a time available for this? We do have a law director and would like her opinion.

Mayor Gammella responded will speak with the police chief but there will be video and camera. Don't know if there would be hours or better lighting for the cameras to pick up, will look at doing what has to be done.

Mr. Scott clarified with Mr. Mencini the word 'safe' will be removed and insert 'video exchange zone'. Have no issues with the legislation as is but asking what do you want to do?

Mr. Mencini commented would like to call this 'video safe exchange zone', nice and simple nothing is safe.

Motion by Mr. Mencini, supported by Mr. Scott, to insert word video to read video safe exchange zone.

Mr. Salvatore stated Point of Order, that's not my understanding the word safe would be replaced with video.

Third Reading of Ordinances and Resolutions: cont.

The clerk called the roll on the motion by Mr. Mencini, supported by Mr. Scott, to insert word video to read video safe exchange zone.

Mr. Troyer - Point of clarification.

Mr. Vecchio - recognized.

Mr. Troyer - is that only the title for those changes?

Mr. Vecchio - anywhere in the body.

Mr. Troyer - it won't read correct but okay.

Mr. Orcutt stated my question was the same as Mr. Salvatore was asking before interrupted. Was that a question on the motion because I think that's what he is allowed.

Mr. Vecchio clarified Mr. Salvatore's question was he believed what it was supposed to say.

Mr. Orcutt - he was questioning the motion.

Mr. Vecchio - no, he was questioning what was the statement by Mr. Mencini. That he didn't believe that the term video and safe were going to be in there. Safe was going to be removed to only say video. Mr. Mencini clearly stated that his motion was to add video in front of safe.

Mr. Mencini stated if it reads video exchange zone there will be people out there thinking that's where videos are exchanged. Have to give a little leverage for what the ordinance is.

Mr. Orcutt stated just wondering there was discussion on the motion and were going to the law director for her opinion.

Mr. Poindexter stated after hearing the discussion am inclined to agree with Mr. Salvatore because the word safe in the legislation implies the city is insuring the safety of the people exchanging items. The city is only monitoring through video and think that's where the issue is, agree with Mr. Salvatore's assessment.

Mr. Salvatore commented would like to hear the law director's opinion.

Third Reading of Ordinances and Resolutions: cont.

Mrs. Horvath stated originally when discussions started the point of the matter was to remove the word 'safe' and replace with the word 'video'. To have both words in there won't accomplish perhaps what some people would like accomplished. Which is for this to reflect accurately what Council is trying to achieve. Want everyone to know that they are on camera and transactions are being videoed but don't think we want to guarantee that the transactions are safe. It was my understanding, initially, that one word would be replaced for the other. Seems like there are two (2) opinions on whether the word video should be added and replacing the word safe. To me, I think taking the word safe out and replacing with video is a more accurate reflect of what actually the service is.

Mr. Poindexter suggested the word 'surveilled'.

Mrs. Horvath continued whatever word Council feel is accurate that isn't words 'safe or guarantee' would be acceptable.

Mr. Mencini stated no vote yet, surveillance exchange zone I want to give people the opinion of all of it. By taking out the word 'safe' again nothing is safe in this world.

Mr. Troyer - Call for the question.

The clerk called the roll on the motion by Mr. Mencini, supported by Mr. Scott, to insert word 'video' to read video safe exchange zone.

ROLL CALL: AYES: Mencini, Scott, Schmuck

NAYS: Orcutt, Troyer, Poindexter, Salvatore. The amendment failed by a vote of 3-4.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to delete words 'safe exchange zone' and insert 'surveillance exchange zone'.

Mr. Troyer stated that creates more of a problem by saying we're actually surveilling and people are expecting it to be safer and that's not what will be done, it will just be recorded and I can't agree to that.

Mr. Salvatore stated if the word 'video' is holding Council back why not delete the word 'safe' all together and call it an exchange zone.

Mr. Poindexter **retracted** his motion, along with Mrs. Schmuck, **retracting** support.

Mr. Vecchio stated for point of clarification and possible information can it not read 'video monitored'?

Third Reading of Ordinances and Resolutions: cont.

Mr. Salvatore clarified 'Video Monitored Exchange Zone'?

Mr. Vecchio commented would that not suffice everything that everyone is looking for?

Mr. Troyer stated 'Video Recorded' since no one is monitoring.

Mr. Mencini stated Council could put in exchange zone and could put in video exchange zone, don't have to make this complicated. Have a sign from the service department 'Video Monitored, Under surveillance, Video Camera something to that effect. That doesn't have to be done right away and think the Mayor and Law Director would concur on that. This is an exchange zone so people know and have a sign under surveillance 24 hours a day, seven days a week (24/7).

Motion by Mr. Mencini, supported by Mr. Orcutt, to remove the word 'safe' throughout the body and title of legislation.

ROLLCALL: AYES: Mencini, Orcutt, Scott, Schmuck, Troyer, Poindexter, Salvatore

NAYS: None. The amendment carried.

Mr. Vecchio stated with the amendment approved the legislation goes back to Second Reading.

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

ROLLCALL: AYES: Mencini, Poindexter, Troyer, Salvatore, Scott, Schmuck, Orcutt

NAYS: None. The motion carried.

Council President Vecchio declared this meeting adjourned at 9:05 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.

6,854 words

