

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
HELD ON JUNE 15, 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, 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 Engineer Piatak.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

None presented.

**Motion** by Mr. Salvatore, supported by Mr. Mencini, to go out of the regular order of business to letters J, K, L- legislation on agenda only, M, N and O.

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

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

**OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL**

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

Verbal Approval:

1. 2022 TAX BUDGET.

Mr. Troyer asked Mr. Cingle for a brief explanation of the tax budget?

Mr. Cingle responded the tax budget is an annual document that City Council approves for determination of the city's tax rates. Later this year City Council will have another resolution for passage to certify those tax rates back to the city.

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

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

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

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

Mayor Gammella stated there has been a vacancy on the Board of Zoning Appeals, Carol Henninger resigned. Would appreciate Council's consideration of appointing Carl Burgio to fulfill the term.

**Motion** by Mr. Salvatore, supported by Mr. Scott, to appoint Carl Burgio to the Board of Zoning Appeals.

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

**NAYS:** None. The appointment carried.

**REMARKS FROM THE AUDIENCE ON LEGISLATION ON THE AGENDA ONLY:**

Carl Burgio  
15073 Sylvia Drive

Mr. Burgio stated nice to see former colleagues in person and regarding Senate Bill 164 this is essential for passage because Dick Goddard's laws took several years to get passed by the assembly. In 2016, this Council passed a resolution in support of Dick Goddard's law and previous to that the State of Ohio was one of four states where abusing an animal was a minor misdemeanor. I was asked, at that time, by Paws Executive Director, Amy Biechler, to testify to the State House Agricultural Committee alongside Dick Goddard for passage of that bill signed into law September, 2016. Since that time, there have been several different laws passed diminishing Goddard's law and by passing Senate Bill 164 this will, once again, reinforce Goddard's law and would like to thank everyone for their support of this legislation.

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

1. ORDINANCE NO. 11203-2021, AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S SUPER STAR GROOMER WITH ATTACHMENTS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

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

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

**ROLL CALL: AYES:** Mencini, Salvatore, Poindexter, Troyer, Orcutt, Schmuck, Scott  
**NAYS:** None. Ordinance No. 11203-2021 has passed under Suspension of the Rules. Adopted.

2. RESOLUTION NO. 9-2021, GRANTING A CONDITIONAL USE PERMIT AT 15344 SNOW ROAD LOCATED IN THE U3-B ZONE TO OPERATE A BIGGBY COFFEE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

Mr. Troyer asked if the movement of the order speaker was addressed? Could create a problem with the residents over the wall?

Mayor Gammella responded yes, it was addressed.

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

**ROLL CALL: AYES:** Mencini, Orcutt, Schmuck, Scott, Salvatore, Poindexter, Troyer  
**NAYS:** None. Resolution No. 9-2021, has passed under Suspension of the Rules. Adopted.

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

3. ORDINANCE NO. 11104-2021, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH METIS CONSTRUCTION SERVICES, LLC FOR THE CONSTRUCTION OF THE CITY OF BROOK PARK'S MUNICIPAL CAMPUS OUTDOOR AMPHITHEATER AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Troyer stated to Mr. Elliott appreciate the movement to the southwest corner and will there be some elevation so it is not ground level?

Mr. Elliott concurred that it will not be on the ground.

4. RESOLUTION NO. 10-2021, IN SUPPORT OF SENATE BILL 164 AND DECLARING AN EMERGENCY. Introduced by Councilman Scott, Council as a Whole and Mayor Gammella.

Read in its entirety.

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

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

**Motion** by Mr. Salvatore, supported by Mrs. Schmuck, to adopt.

**ROLL CALL: AYES:** Salvatore, Schmuck, Scott, Orcutt, Troyer, Mencini, Poindexter  
**NAYS:** None. Resolution No. 10-2021, has passed under Suspension of the Rules. Adopted.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11201-2021, AMENDING SECTION 1366.03(b)2 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'VACANT PROPERTY/BUILDING REGISTRATION AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

**Motion** by Mr. Troyer, supported by Mrs. Schmuck, to amend Section 1, second paragraph- fifth line to strike the words 'in Ohio and resides'.

Mr. Salvatore asked what effect would have on the first sentence?

Mr. Troyer responded the word Ohio is in the second line.

Mr. Vecchio clarified the manager, successor agent must reside within a 15-mile of the city limits of Brook Park.

**SECOND READING OF ORDINANCES AND RESOLUTIONS: CONT.**

Mr. Salvatore asked what effect does that have in the first sentence by not having that.

Mr. Vecchio read if the owner is out of state the manager/successor agent or principle place of business must reside in a 15-mile radius of the city limits.

Mr. Salvatore stated the only person that has to apply is the manager/successor agent that doesn't have a business in Ohio. As long as there is a business in Ohio the amendment doesn't make any difference.

The clerk called the roll on the amendment by Mr. Troyer, supported by Mrs. Schmuck.

**ROLL CALL: AYES:** Troyer, Schmuck, Poindexter

**NAYS:** Scott, Orcutt, Mencini, Salvatore. The amendment failed with a vote of 3-4. Defeated.

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

Mr. Troyer stated cannot vote to suspend because of what I just pointed out. What the amendment does is the additional person/successor agent has to reside within 15-miles of the city. A principle place of business is not adequate; they have to reside within a 15-mile radius.

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

**NAYS:** Troyer, Poindexter. The motion failed with a vote of 5-2.

Mr. Vecchio stated Ordinance No. 11201-2021 has had its second reading.

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11192-2021, AUTHORIZING THE MAYOR TO CREATE AN 'EXCHANGE ZONE' BY THE BROOK PARK POLICE DEPARTMENT AND DECLARING AN EMERGENCY. Introduced by Councilmembers Mencini, Orcutt, Scott, Schmuck, Poindexter, Salvatore, Council President Vecchio and Mayor Gammella.

Mr. Troyer stated don't agree with the process and won't speak 40-minutes on this but anything that has to do with the process will vote no. Will vote yes in the end because we should have these but, again, as stated many weeks ago. Is this the Mayor's prerogative and all we had to do is ask the Mayor to do this and could have been done, spent a lot of time on this.

**THIRD READING OF ORDINANCES AND RESOLUTIONS: CONT.**

Mr. Mencini rebutted by saying a lot of times hearing things from residents it's always Council. Council brings something forward and it's great that the administration brings a lot of things forward. But, Council brings things forward also and this was one of them, it's a good one. Brought this forward and want to thank Council colleagues for working a long time to get here.

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

**ROLL CALL: AYES:** Poindexter, Mencini, Salvatore, Troyer, Orcutt, Schmuck, Scott  
**NAYS:** None. Ordinance No. 11192-2021, is adopted.

**Motion** by Mr. Mencini, supported by Mr. Orcutt, to go back to the Regular of Business.

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

Mr. Salvatore left the meeting due to personal matters.

**REPORTS OF STANDING COMMITTEES:****Aviation & Environmental Committee - Chairwoman, Schmuck**

Mrs. Schmuck reported the Aviation & Environmental committee has no legislation on tonight's agenda.

**Finance Committee - Chairman, Scott**

Mr. Scott reported the Finance committee has no legislation on tonight's agenda. The Board of Control met earlier today and approved 17 items; the three largest were: Contract PO Vendor for the Delores Road Reconstruction Project Phase 1 in the amount of \$121,050.00, Contract PO Vendor for the Sylvia Drive Reconstruction Project Phase 2 in the amount of \$113,050.00 and Contract PO Vendor for the Middlebrook Blvd. Reconstruction Project - Phase 2 in the amount of \$117,650.00.

**Legislative Committee - Chairman, Mencini**

Mr. Mencini thanked everyone for coming, it's good to be back on the dais. The Legislative committee has two pieces of legislation on tonight's agenda; two ordinance and resolutions are in committee.

**Parks & Recreation Committee - Chairman, Poindexter**

Mr. Poindexter reported the waterpark renovation work is wrapping up with opening day being June 17<sup>th</sup>; hours are 12:00 p.m. to 7:00 p.m. everyday. The next recreation commission meeting is Thursday, June 17<sup>th</sup> at 7:00 p.m. in the chambers.

**Planning Committee - Chairman, Orcutt**

Mr. Orcutt reported the Planning committee has one item on this evening's agenda that has passed. The Planning Commission met on June 7<sup>th</sup> with three (3) items on the agenda. The first was an aesthetic request to construct a front porch at 6290 Siegler Drive that passed unanimously. The second item on the agenda was request for approval of a lot consolidation of parcel one (1), two (2) and three (3) of permanent parcel number 341-04-015 located in the U-1-A2-U6

zone that passed unanimously. The third item was for a request for a conditional use permit at 15344 Snow Road located in the U3-B Zone to operate Biggby Coffee that passed unanimously with one (1) condition that the order board be relocated to help with flow of traffic off Snow Road.

Safety Committee - Chairman Troyer

Mr. Troyer thanked Council for the moment of silence last week on the passing of my mother. The safety committee had one item on tonight's agenda that passed and has nothing in committee.

Service Committee - Co-Chairman, Mencini

Mr. Mencini reported the service committee has one piece of legislation on tonight's agenda that passed. Service crews are busy and doing a super job.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the board met on June 7<sup>th</sup> with two requests; one being for the front porch at 6290 Siegler passed unanimously. The second request was for 139030 Brookpark Road for Classic Mazda for signage and height variances, approved.

**REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center - Trustee, Orcutt

Mr. Orcutt reported Southwest General Hospital has a high-quality of providing medical services to patients. Maintaining the ability to provide high-level of patient care requires continued reinvestment of the hospital's infrastructure and expansion of services. The maternity service project is \$17.6 million-dollar, multi-year project and key component to the hospital's strategic plan to support additional growth of maternity volume and higher level of care for moms and babies. The project features an additional 400 square-foot of space, level two neonatal special care nursery, two new state of the art operating rooms, ten delivery labor suites, 19 postpartum suites, three family lounges and additional amenities. Work began in October, 2020 and expected to be completed in summer, 2022.

Berea Board of Education Representative, Mencini

Mr. Mencini reported recognized former colleague, Carl Burgio, who served on the Berea School board. Thursday, June 10<sup>th</sup> was the last day of school and ask everyone drive careful during the summer months. Several Berea-Midpark varsity programs will be hosting youth camps during the summer that provide instruction, development and fun opportunities for students of the district, information found on the district's website. On June 21, 2021 in the high school auditorium will be having the board of education meeting and the 'Be a Titan' recognition. A second board meeting will be held on June 30, 2021 in Room G-104 of the high school. A few highlights this year, through the pandemic shutdown, the school and board is very proud of is the opening of the new Brook Park Elementary School and Berea-Midpark High School. For 2022, there will be virtual learning opportunities for 2022 and 2023 through a third-party curriculum. Each family was provided one Chromebook to finish out this year's

**Reports from special committees:****Berea Board of Education Representative, Mencini: cont.**

school year that went well. The administration, teachers, staff, students, bus drivers, janitors and volunteers did a great job during the pandemic.

Mr. Orcutt asked Mr. Mencini to provide an update with the proposals of changing the bus pickups of students?

Mr. Mencini responded I will and that was part of the audit, sort of a suggestion, towards the Berea City School Board. Don't think there is any resolution to that, as of yet, just a money-saver option that was looked at and given to the district for review. As stated this was from a ½-mile walk to a one (1) mile walk students to catch a bus. What they didn't want to get into with the buses is a limo-service because it was starting to get like that in some ways, everyone having a special request. The district has many cost factors like all of us do and will get back to you on that question.

Mr. Orcutt responded appreciate that and if I need to speak to the school board will do. Think it was from ½-mile to a one (1) mile change for elementary students, think that is a little too far for kindergartners and first (1<sup>st</sup>) graders.

**Technology and Innovation Council Representative - Poindexter**

Mr. Poindexter reported the next technology & innovation meeting is tomorrow at 6:00 p.m. in the Council chambers. In attendance will be a group called Foundation for the Future is an education and advocacy non-profit dedicated to creating a federally chartered public-private corporation for space infrastructure development. The foundation educates various sectors on visionary economic and developmental projects including to federal space-port authority options, advanced space access technologies, novel financing of space programs and benefits of infrastructure applications in Earth's orbit and beyond. This group was created in collaboration with government industry and economic experts the foundation has also developed a program work-force for the future. National training resource providing necessary skills and certifications for a career in space. The committee hopes to get some feedback from the city's IT consultant for preliminary information for the tech-audit that Council has been looking forward to.

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

Mayor Gammella thanked Council for the passage of the amphitheater legislation, great improvement to the city's central park. Home Days will be scaled down this year, due to COVID-19. Finding out last minute from the governor the parade could

not be put together but will be back next year. Home Days will be for two (2) days on July 10<sup>th</sup> & 11<sup>th</sup> from 2:00 p.m. to 11:00 p.m., slightly scaled down with fireworks on Sunday evening. The city is also looking for ways to solve problems and sometimes those ideas come from outside sources and think out of the box. Mr. Garner and I were talking to Parma Hts. Service Director, Dennis Patten, about detention-retention basins. Mr. Patten shared an idea that Parma Hts. came up with that is effective called environmental mats. What these mats do is in sections where there is basement flooding the environmental mats are placed over the catch-basins. That slows down the water going into the sewers and also filters out the silt and everything that goes into the sewers. The bad part is the water remains on the street and depending on how heavy the rainstorm may go up to the lawn. Mr. Patten stated with these mats basements don't flood and being a homeowner would have water on the street and not in the basement. Working with Engineer Piatak and Service Director Garner the city ordered the mats that have been received for a pilot program in the city that experiences more flooding than usual. Will have meetings with the residents of the chosen streets as to what to expect but, again, until the detention-retention basins can be built; these environmental may be the ticket to help the residents and city with flooding issues. Again, there will be water on the street but not in the basements.

**Questions:**

Mr. Mencini asked Mayor Gammella with the environmental mats I hear from residents who experience flooding is this is an uphill battle and always will be. The mats sound like a great idea but want to stick with the detention-retention basins and things of that nature. As I tell residents this city was built in the late 1950's-1960's fast using clay tiles and to fix will take billions of billions of dollars, my personal opinion. To redo the infrastructure underneath and submersible sump-pumps; there are multiple things this city has to do to fight flooding. In support of these mats but don't want to forget about the detention-retention basins, anything keeping water out of residents' basements is an A-plus factor. With Home Days there will be no Friday activities, correct?

Mayor Gammella clarified Saturday and Sunday from 2:00 p.m. to 11:00 p.m., fireworks on Sunday evening. Scaled down will be car show and rides for smaller children, various foods and the Boosters booth, due to last minute news from the governor. Mr. Mencini thanked Mayor Gammella, Middleburg Hts. Mayor Castelli and Berea Mayor Kleem of the great discussion about the future of the county and cities. As I stated one community starts to fail the others will follow.

Mayor Gammella commented on that subject I work very closely with both Mayor Castelli and Kleem and the City of Berea would like to join Middleburg Hts. and Brook Park dog park, as a tri-city event and little less costly for all cities; trying to do this to maximize tax dollars.



**Questions to the Mayor: cont.**

Mrs. Schmuck asked Mayor Gammella if Mr. Patten spoke of a cost for the environment mats?

Mayor Gammella responded the mats are expensive but when considering what residents go through on those streets and how much the city goes through with getting refuse off the tree lawns, the cost is pretty small. It seems like a very elementary idea and Mr. Patten claims it works in Parma Hts., being the first community doing this. Have had the city engineer and service director look into this and keep in mind these mats weren't made for flooding problems made for construction zones to stop sediment from getting into the catch-basins. Since this stops the water the city is doing a small pilot program and will work with the various ward Councilmembers to get this program implemented.

Mr. Poindexter stated it's going to be a multi-faceted approach for flooding issues with the retention-detention basins being a big part, perhaps, these environmental mats may be a part as well. Would like to explore the option of maybe having a rain-barrel program in the city, which may also help alleviate flooding. The city needs to take the approach to explore all options and resources.

Mayor Gammella commented rain barrel is an excellent idea. The more water that can be taken off the streets, the better. That's what I'm such a big proponent of greenspace because the more greenspace there is sucks up the water, especially trees.

Mr. Troyer stated to Mayor Gammella a couple of meetings ago, we talked about possibly meeting on Southway and you stated you've been there and would call me. Is anything going to happen on Southway I did put a memo in some time ago with nothing being done. Have asked for information on what streets were done, when they were done and haven't received any of that. Not getting a lot of feedback on memos being put in not sure if you see them or your assistant gets them. Did get a phone call from your assistant today with replies that were Ward Two memos. Honorable mention to the building department for usually gets me the timeframe memo and gets back to me right away, otherwise not getting a lot.

Mayor Gammella responded understanding it's an election year with everyone walking and getting a ton of memos. We met this past Friday and you addressed Southway to me for the second time, had been there earlier. Gave that to the service director and is on the list to get done and done on a priority basis. If a pothole develops that could be a safety hazard that gets done first.

Mr. Troyer continued anything new with the pool roof and walls?

**Questions to the Mayor: cont.**

Mayor Gammella responded that will be addressed at a later date and will cost some money; that's a major problem that will be addressed.

Mr. Troyer commented there was a memo put in about speeding on Fry Road, a few weeks ago and residents are contacting me that nothing is getting done. Try to explain that I can't tell the police department what to do that is up to the safety director or the Mayor. The Ward One section of Fry Road the complaints the city needs to show a force of police officers being out there, they need to be giving tickets out.

Mayor Gammella responded with COVID-19 backing off the STOP program will be restarted so think there will be more action out there.

Mr. Vecchio stated with the sale of 195 or 200+ acres at Ford Motor some of the information that has gone around. Is there any idea as to when shovels will be seen in the ground?

Mayor Gammella responded yes, probably next week a Caucus meeting will be called to apprise Council. Asked the developer to be here this week but couldn't make it. The developer has a major project for that site and can say the building currently there is going to be leveled. The developer wants to level that building as soon as possible in order to build a new building for the client. Engine Plant Two (2) and the aluminum plat will be leveled.

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

Mr. Cingle thanked Council for approval of the 2022 Tax Budget earlier. When Mr. Troyer asked me to speak on that I should have clarified as property tax rates that did not change still the same as submitted in previous years. The audit is in the final stages and not aware of any issues currently. With the American Rescue Plan monies, the city has not received final guidance as to the amount the city will receive. In House Bill 110, budget bill for the State of Ohio, there is language that has made its way into the budget bill that speaks to the occasional entrant rule that has been mentioned the last few months. To recap the occasional entrant rule it was amended in House Bill 197 where individuals' principle place of business being Brook Park and working in another location due to COVID-19, most likely their home. Those people continued to pay income tax to the City of Brook Park. In this House Bill 110 language has made its way in, again, that would allow those individuals to request refunds. Retroactively mandate municipalities to comply with the refund request back to March 9, 2020. Keeping an eye on this and have the notification from the Ohio Municipal League sent out on Friday that they oppose this measure due to a significant

**Reports and communications from departments, commissions and other public officials:****Finance Director Cingle: cont.**

impact on the city's budget.

**Recreation Director Elliott**

Mr. Elliott thanked Council for passage of the amphitheater legislation to get started on this project. In addition, Mr. Poindexter mentioned the waterpark opening this weekend and pleased with how the project went. This week the recreation department will be hosting the Golden Globes Boxing tournament usually held in April. Also, besides playing baseball, softball and tennis the center will be accepting football and cheerleading registrations. On the city websites home page, the recreation staff put together a calendar of event beginning the end of June and through July and August; that include drive-in movies in the parking lot, dive-in movies at the waterpark, scavenger hunt, Christmas in July activity and Home Days.

**Law Director Horvath:**

Mrs. Horvath reported no report this evening.

**Engineer Piatak:**

Mr. Piatak reported the office is working diligently with the 2021 Roads Program with field work all but complete on all streets. The office is currently working on final design and construction documents focusing efforts currently on the asphalt resurfacing project that includes Sandhurst Drive, Hummel Road between Shelby Drive and Fry Road and a little section of Holland Road on the east side of town between the CSX tracks and Michael Drive. Also, focusing efforts on Delores Blvd. reconstruction project- phase one (1), between Rademaker and Paulding Blvd. Getting close on these two projects and hopefully get advertised in the next two weeks. Will follow up shortly with the Middlebrook Blvd. and Sylvia Drive reconstruction projects.

**Service Director Garner**

Mr. Garner reported this is the second full week of June and being bulk week with the next bulk week being the week of July 7<sup>th</sup> through the 12<sup>th</sup> on regular scheduled rubbish days. The service department crews are cutting grass, prepping ballfields, catch-basin repairs, sewers & drains, trees, patching, jetting, sweeping as manpower dictates what can be done. Also, working with the engineer on the roads program and recreation director for Home Days preparation with electrical and setting up the layout.

**Questions:**

Mr. Orcutt asked Mr. Garner I have submitted a work order three times for Shelby Drive between Hummel Road and Wedo Park about a gigantic pothole. Received a phone call last night of someone popping their tire. Just wanted to know if you have received that work order yet?

Mr. Garner responded not sure I have seen that but will certainly if it is a hazard

**Questions to the directors: cont.**

service crews will take care of it.

Mr. Orcutt commented that pothole I think needs immediate attention. To Mr. Piatak it seems that the city is a little behind on the roads program this year. Prior to summer recess Council saw legislation for approval of the different companies doing the work. Is there an issue with other companies of more work than usual or people not available to do the field work needed to be done?

Mr. Piatak responded not aware, think everyone is busy currently. As far as bidding some of these projects we've always bid them mid-to-late summer which is problematic; think that has a lot to do with the budget getting passed. Would be nice to have these projects authorized throughout the winter so come springtime the city hits the ground running as opposed to getting the design going. Am aware of one project in another community that there are about five (5) bidders on a waterline project. There is interest out there and keeping fingers crossed that the economy keeps up and the contractors keep up with the workflow out there; so some good numbers come in.

Mr. Orcutt commented you have reiterated several times that timing is everything with that. Does that affect pricing by bidding these projects in mid-spring or early-summer versus a budget being passed in December.

Mr. Piatak responded would like to think so but will say that even, in the past, the city has received competitive bids even though the city had late timing. Would like to say that if the city were a little more ahead of the game by getting these projects out in January or February, when contractors are starting to fill their schedules; might be willing to take a job and make a little less on the project. Where towards the end contractors take the job and make more money but think the city would have better pricing if projects were out earlier.

Mr. Scott stated to Mr. Elliott when is the waterpark opening?

Mr. Elliott responded wanted to be open last Saturday but due to rain those few days had to wait for the epoxy. The opening day is set for Thursday, June 17<sup>th</sup>.

Mr. Mencini stated to Mr. Garner with staff vacations and the many services done by service crews with potholes. Is a crew out once or twice a week for patching or is that done by phone calls and memos received?

Mr. Garner responded this week crews are doing emergencies only due to being bulk week. Last week there was a crew out every day and trying to run routes. If the sweeper runs down a street we try to get that street cleaned and if there are exposures that's a good time to fix that street. The patch-crew and catch-

**Questions to the directors: cont.**

basin crews are coming off of bulk tomorrow to pour concrete on Fry Road. When crews finish bulk routes they cut grass for a few hours to stay on top of that.

Mr. Mencini asked Mr. Piatak what his thoughts are on the environmental mats, Mayor Gammella spoke of?

Mr. Piatak responded willing to give a shot, think it's a good idea. Anything to keep water out of the sewers and on the surface will help ease the burden on the undersized storm sewer system and how that impacts the sanitary system will be improved.

Mr. Mencini clarified with Mr. Piatak still in favor of the retention-detention basins the city is currently looking at, correct?

Mr. Piatak responded yes, am in communication with the sewer district on a regular basis. The district has regional models that they're inputting the basins into and adding some additional details into those models to aid the city's analysis of the city's system. Service Director Garner and I met with the district this past Friday with another meeting scheduled in July to go over some of the model results. It's an ongoing process and think it's prudent to work with the district to make sure the decisions we make are in concert with the district's recommendations and analysis.

Mr. Mencini stated to Mr. Cingle have been following the Ohio Municipal League on HB 197 and know you've been redundant with what you've said the past few weeks or months about how heavy this could hit the city; the City of Cleveland will have a huge hit. What could the city possibly lose through HB 197 and could some of the American Rescue monies be used to compensate the city?

Mr. Cingle responded yes, think the city would be able to, revenue loss is one component for the rescue plan money.

Mr. Mencini continued understand you can't make a total prediction but would those monies be a patch or help the city perhaps 75%? Personally, this is big and very important so how much would that help the city?

Mr. Cingle responded it's impossible to project, it would help and hope there is enough rescue plan dollars to cover any refunds. Depends on how many individuals would ask for a refund. There are a lot of NASA employees that are non-residents that are following this like everyone else is here. Those employees know they can ask for refunds and that would be very significant but hope that the rescue money would be enough to cover those refunds, don't know for sure.

**Questions to the directors: cont.**

Mr. Troyer stated to Mr. Cingle, to follow-up on Mr. Mencini's question. Can the city contact NASA and a few other particular companies that this may be a problem with to get a number of how many people are working from home? Isn't there some way the city can figure out some kind of number for this?

Mr. Cingle responded the department has been in contact with NASA representatives a few months ago and only had roughly 100 employees working there. That is obviously more than the majority of their work force so there could be seven (7) figures in refunds potentially. The non-resident has to request the refund and that's the piece the department doesn't know how many would ask.

Mr. Troyer commented would like to think the city is getting the relief money, \$1.8 million-dollars per year, is probably somebody figuring it out and possibly about the amount the city may lose?

Mr. Cingle responded I don't know if anyone has really figured it out, honestly, when looking at rescue plan figures and what the dollars could be used for. They do know in Washington that municipalities have been struggling or lost revenue so that's one component of this. Another component is to relieve as well as broadband being another component for it. So those are components for it and don't know if they've looked into that, per say to say how much each city is actually losing. Mr. Mencini is correct cities like Cleveland, Columbus, Cincinnati, and Independence will get hit really hard, if this provision stays in this budget bill. Hopefully, it will get removed and it is being opposed and along with Council will continue to watch and advise as to what happens in Columbus.

Mr. Troyer concurred and mentioned that I brought up a few pieces urging them to do the right thing in Columbus. The only good news about the City of Cleveland, if you want to call it good news about the City of Cleveland having an issue; is that some of that money may come here, the refunds.

Mr. Cingle responded if a Brook Park resident's principle place of business is the Cleveland and they are working from and ask for a refund, they would pay Brook Park but they have to ask for the refund.

Mr. Troyer mentioned getting that information out to the residents to make sure they do that.

Mr. Cingle stated if their principal place of business is Cleveland and they are working from home it would be advantageous for them to request a refund since they are paying 2 ½% to City of Cleveland and pay 2% to Brook Park, saving ½ percent.

**Questions to the directors: cont.**

Mr. Troyer continued to Mr. Piatak kind of remember this due to being passed in record time once received the roads program legislation is passed at this point? All that needs to happen is to go out to bid, get the bids back and take the lowest bidder to get the projects done.

Mr. Piatak responded the legislation is passed and authorized but it's not magic to push a button and have documents prepared; there is a process to do that work from my office. We are working to do that.

Mr. Troyer interjected not saying you're slow, that's not my point. My point is Council has done what was needed to do, to get it done.

Mr. Piatak concurred.

Mr. Troyer stated understand that if the budget and capital were done earlier along with passage of the legislation earlier the programs could be sent out to bid earlier, would be better. Council has done what was needed and the roads program is in progress and will be done in whatever time needed.

Mr. Piatak concurred.

Mr. Troyer stated to Mrs. Horvath because it will be over a month before the next meeting is there anything new on the west end lawsuit, that can be told to the residents?

Mrs. Horvath responded it's being worked on and would urge if you want further details to call my office and make an appointment to talk about it.

Mr. Vecchio stated to Mr. Garner how do those environmental mats install and stay in place?

Mr. Garner responded the install is done with zip-ties with the lid being lifted off, zip-tied to the lid and the lid placed back in place. Will require some maintenance i.e. ties break or weather. Will take some time to install possibly three weeks once started depending on manpower.

Mr. Vecchio continued to Mr. Garner the city is struggling due to manpower and obviously lawn growth has been unbelievable. How many people have been employed as summer help with lawns? How is that working out for the city?

Mr. Garner responded believe there have been seven (7) secured with the last two (2) starting this Monday, doing an excellent job. Again, a foreman is with the cutters and cutting grass. They are good teens but not self-sufficient they do need

**Questions to the directors: cont.**

some help that is provided.

Mr. Vecchio stated that's my point is the city does have additional help, unfortunately, with that additional help comes an expense of a senior employee having to be there at all times; so the city loses manpower to a degree.

Mr. Garner concurred and mentioned the foreman is also working, just not sitting there. The teens must be watched for safety issues and are doing an excellent job.

Mr. Vecchio stated moving to letter L - Remarks from the audience so everyone is aware there is an issue with the camera not being able to switched that we found out earlier today. Therefore, the speaker can be heard but not seen.

**OTHER COMMUNICATIONS AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION:**

**Note:** Moved by **motion** to the beginning of the meeting.

**MISCELLANEOUS BUSINESS, APPOINTMENTS CONFIRMATIONS:**

**Note:** Moved by **motion** to the beginning of the meeting.

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

Joan Markusic

13911 Bellbrook

Ms. Markusic expressed concerns of grants the city received, amphitheater not including electricity, recreation equipment not budgeted properly, dog park updates, city personnel responding unprofessionally to residents and public records not being addressed and sale of the Ford Motor property.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers stated she is being monitored by the courts, family members being on the dais at the same time, flooding, better communication between city officials, public records request for recreation center documents not received and the gazebo at the former city hall and council office having a broken railing and roof leaks.

Ray Peterlin

5811 Wengler Drive

Mr. Wengler presented the clerk with the manifest he read into the record about several different issues within the city that is available for review in the Council office.



**Motion** by Mr. Troyer, supported by Mr. Mencini, to respond to the audience.  
**ROLL CALL: AYES:** Troyer, Mencini, Poindexter, Scott, Schmuck, Orcutt  
**NAYS:** None. The motion carried.

Mr. Troyer stated to Ms. Markusic as far as capital for the recreation center and parks & playgrounds the list is gym floor renovations - \$38,000.00, water park furniture - \$10,750.00, football goal posts - \$12,000.00, 2020 Christmas decorations - \$10,000.00, weight room accessories - \$3,000.00, fitness equipment \$2,500.00, round banquet tables - \$5,000.00, mini gym scoreboard - \$4,000.00, event tents - \$1,500.00, two (2) pickup service trucks - \$25,000.00 parks & playgrounds, one (1) turbo motor - \$14,000.00 which actually spent a little less on that and the ballfield groomer added tonight in the amount of \$20,000.00, one (1) snow blower - \$750.00, weed-wacker and blower - \$2,250.00, ballfield fencing - \$30,000.00 and the amphitheater - \$100,000.00. That is the list of capital for the recreation center and what not. To Ms. Sayers know how you feel with the public records requests and want to reiterate to the Mayor, law director, recreation director, finance director and any member of Council serving in 2018. It's an official records request to get the contract signed with Brewer-Garrett by Mayor Coyne that has still not been received after years of requesting the document. Need the contract signed by Mayor Coyne for the \$5.2 million-dollars of this recreation center.

Mayor Gammella interjected to Mr. Troyer weren't you a member of Council when that was signed?

Mr. Troyer responded no.

Mayor Gammella continued yes, you were on Council.

Mr. Troyer stated that was 2017 and we never saw it.

Mayor Gammella stated you were on the Council and should have had that a copy of it, you're telling me you never saw it.

Mr. Troyer stated Mr. Mayor you've been a Council President and I had the floor and you jumped in.

Mr. Vecchio called order.

Mr. Troyer continued again, public records request don't make me go to Columbus, I want that information. Never seen it and know it was available and know some Councilmembers' received in 2018, when I wasn't here. That's what I'm looking for. To Mr. Peterlin I agree with you on a few things, as far as road crews fixing the roads. Yes, we're chasing out tail because we're not maintaining our current roads

**Address the audience: cont.**

and have said this for years. We should have a road crew out there if the weather is appropriate we should have a road crew fixing these roads. Not talking about throwing asphalt and rolling over it; talking about grinding out sections, pouring cement, whatever it takes there should be a crew doing that. Also, feel with you on the trees there are a lot of issues. Want to make a statement if the Mayor want to hire more people in the service department would be happy to change the budget. If the Mayor wants to hire more people in the police department would be happy to bring the budget back to change it and make that happen.

Mr. Mencini stated going to be more than honest and it's not going to be the most popular with some people. When we were sitting in Zoom meetings for 14 months always thought of this day coming back to chambers for meetings. Appreciate everyone that came today but will be more than honest COVID-19 or no COVID-19, thought this chambers would be packed, I really did. Love that you care but it's the same ones and walking about 70% of Ward Two since March have heard what people are saying. That's what all of you need to do is get out there and hear what the average resident has to say. Mr. Peterlin saved the city \$2 million-dollars and had great ideas, agree with Mr. Troyer. Saved the city \$2 million-dollars but spent \$3 million-dollars with resealing all the streets, what do you think that costs? How many streets does the city have? How many people reside in this city?

Mr. Vecchio responded just under 19,000.

Mr. Mencini stated 19,000 and how many are in the audience tonight? For me, I want to hear residents that I see at the door, ballfields, graduation parties and driving here and there or all the ones that pull into my driveway. I hear a lot of stuff and very strong tonight and respect the three (3) that came. I really thought tonight would be something different and thought residents would come that we don't see a lot and thought it would be jammed in the chambers. Tonight, the city parks and ballfields are full but the city doesn't have the children. Again, 12 to 14 year-old girls' teams the city used to have eight (8) teams in Brook Park. Now there is one (1) team in Parma Heights, one (1) in Middleburg Heights and one (1) in Brook Park, we don't have the children. When I first came on I first came on for the seniors to have grass cut and as someone said today children today don't want to cut grass rather play video games. It's a different world and different Brook Park and we have to maintain as we try up here. We could sit here until tomorrow writing down what this city needs to do because as the Mayor says the last time this city built a building was in 1974.

Mr. Orcutt thanked the residents who came to the podium, all concerns have been heard and certainly hope some of the answers do get answered very quickly. To Ms. Sayers hope the information you are looking for gets answered by the Mayor and/or the recreation director. To Mr. Peterlin want to address the work orders you

**Address the audience: cont.**

mentioned and thank you very much because it is a big issue with the fire hydrants being hidden. Not only the one (1) you provided but found two (2) others totaling three (3). Will make sure to resent those to the Mayor tomorrow and text the picture forwarded.

Mr. Poindexter addressed Ms. Markusic's comments about the grants. The city received a \$50,000.00 grant for the recreation equipment in the city campus and \$100,000.00 for the amphitheater project. If a grant is given that grant has to be used for those items the city cannot take the \$50,000.00 and put it into the amphitheater, visa-versa. If the city doesn't use the grants for those purposes, or the grant is not used at all. To Mr. Peterlin you brought forward a lot of concerns but brought one (1) good idea that I would like to see implemented. With the computers and laptops brought into the recreation center, think it's a great idea.

Mr. Vecchio stated to Ms. Markusic with the sale of the Ford property that is private property, has nothing to do with the city. So as far as what took place with that property the city has no say in that the city is pretty much absolved of whatever takes place there. The city has no control with what takes place on there the city can provide guidance but it's a private sale, like the sale of a house. To follow-up on the idea of putting computers and items into the recreation center I personally don't think it's a good idea. Because unfortunately someone has to police it due to sexual predators and a lot of other internet issues so the city would need more manpower to police that. Don't think that's a burden that should be put on the recreation staff or by adding additional manning with the police department or whatever else. The city can't control what people are going to be on so someone would have to be over people's shoulders all the time, don't think that would be the right thing to do.

Mayor Gammella stated as Mayor have to answer a few of the issues tonight. All monies in this city are properly expended the city is audited every year. When health and safety issues do come forward they are addressed immediately. One of the speakers stated she can't get her public records request; that public request was granted. May not be the answer wanted but that public request was granted. The one thing that has to be done is to stop the hate, have to stop the hate starting right here. Every single person up here cares about this city, every single person out there cares about this city. Let's at least try to work together and get the job done and want to thank everyone.

**Motion** by Mr. Orcutt, supported by Mr. Poindexter, to go back to regular order of business.

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

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

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

**Note:** Moved by **motion** to the beginning of the meeting.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

**Note:** Moved by **motion** to the beginning of the meeting.

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

**Note:** Moved by **motion** to the beginning of the meeting.

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

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

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

Mr. Vecchio declared this meeting adjourned at 9:50 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.

8.053 words