

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
HELD ON JULY 20, 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 and Service Director Garner.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Caucus Prior to meeting minutes held on June 1, 2021.
2. Regular Council meeting minutes held on June 1, 2021.
3. Caucus Prior to meeting minutes held on June 15, 2021.
4. Regular Council meeting minutes held on June 15, 2021.

**Mass motion** by Mr. Mencini, supported by Mrs. Schmuck, to approve four (4) sets of meeting minutes.

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

**NAYS:** Troyer.

**ABSTENTION:** Poindexter. The motion carried with a vote of 6-1.

**Motion** by Mr. Mencini, supported by Mr. Scott, to go out of the regular order of business to M1 through M3.

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

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

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

1. RESOLUTION NO. 11-2021, HONORING ROSIE'S PLAYHOUSE AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, C/W and Mayor Gammella.

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

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

**NAYS:** None.

**ABSTENTION:** The motion carried.

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

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

**NAYS:** None.

**ABSTENTION:** Scott. Resolution No. 11-2021 has passed under suspension of the rules. Adopted.

The clerk read the Whereas' as requested.

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

Mr. Salvatore stated this is a great organization and a real honor to present this resolution to Kathy Stautihar.

Mrs. Stautihar stated Rosie's Playhouse will be going into session in September, 2021 due to COVID-19.

2. RESOLUTION NO. 12-2021, HONORING KURT NENNSTIEL, JR., FOR HIS COUNTLESS YEARS FOR VOLUNTEERING IN COACHING BROOK PARK SPORTS PROGRAMS, FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, C/W and Mayor Gammella.

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

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

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

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

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

**NAYS:** None. Resolution No. 12-2021, has passed under suspension of the rules. Adopted.

The clerk read the 'Whereas' as requested.

Mr. Mencini presented the resolution to Mr. Nennstiel's family and stated think of all the memories shared with Kurt.

Mrs. Nennstiel thanked Mayor, Council and especially Mr. Mencini along with the three communities where Kurt coached, your support has meant very much to the family. Due to unforeseen circumstances Kurt couldn't be here and read a story about her son and the love of coaching.

Mr. Poindexter stated never coached with Kurt but watched him coaching on the sidelines and put his heart and soul in teaching them along with the many children he coached.

Mr. Scott stated never coached with Kurt and his heart was with the children and will miss him a lot.

Mr. Orcutt stated there are great coaches that can change a child's life.

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

3. RESOLUTION NO. 13-2021, HONORING JOE BACHIE JR. ON HIS MANY ACCOMPLISHMENTS AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, C/W and Mayor Gammella.

**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 Mrs. Schmuck, supported by Mr. Orcutt, to adopt.

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

**ROLL CALL: AYES:** Salvatore, Schmuck, Scott, Orcutt, Troyer, Mencini, Poindexter  
**NAYS:** None. Resolution No. 13-2021, has passed under suspension of the rules. Adopted

The clerk read the 'Whereas' as requested.

Mr. Mencini presented the resolution to Joey and stated when entering coaching it is a blessing and see them succeed in life it's a great feeling and it's more than sports. Brook Park is very proud of Joe.

Mr. Gonzalez stated the reason that Kurt and many other coaches do what they do is to see people succeed. Joe is a true leader and it's an awesome thing to see and it's always with Brook Park with Joe.

Mr. Bachie stated appreciate everyone here, I was born and raised in Brook Park. Whenever I come back I always come to the recreation center and always have a key chain lanyard with Brook Park; my home and where I came from.

Mr. Salvatore stated congratulations on all your accomplishments and making Brook Park proud.

Mr. Poindexter stated never met in person but thank you for representing Brook Park well; couldn't be more proud of you not only for sports but for carrying yourself and Brook Park well.

Mrs. Schmuck stated love hearing all your accomplishments and as a teacher it's great to see someone succeed, thank you for being here.

Mr. Scott stated you are prime example of giving 100% in all you do and showing Brook Park is in your heart.

Mr. Troyer stated thank you and proud of you.

Mr. Orcutt stated didn't have the opportunity to coach with you but had the

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

opportunity to watch you practice which was fantastic to see.

Mayor Gammella stated thank you for all your hard work and great spirit, you are a great role model for Brook Park.

Mr. Vecchio stated went to school with your father and you are an epitome of him, both on and off the field. Keep up the hard work and continue down the path you are on and you will go great places. On behalf of City Council congratulations on all your achievements.

**Motion** by Mr. Troyer, supported by Mrs. Schmuck, to go back to the regular order of business.

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

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

**Motion** by Mr. Troyer, supported by Mr. Orcutt, to place executive Session number one (1) Sale of Property on the Council agenda.

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

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

**Motion** by Poindexter, supported by Mr. Scott, to place executive Session number two (2) Collective Bargaining Matters on the Council agenda.

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

**NAYS:** Troyer. The motion carried.

**Motion** by Mr. Scott, supported by Mr. Poindexter, to place executive session number three (3) Certain Personnel Matters - Council Clerk Position on tonight's Council agenda.

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

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

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

Mrs. Schmuck stated no report this evening.

**Finance Committee - Chairman, Scott**

Mr. Scott reported the Finance committee has no legislation on tonight's agenda. There are two (2) Board of Control reports, the first one is for June 29<sup>th</sup> with the three (3) largest being Contract PO Vendor for the 2021 Asphalt Resurfacing Project for \$89,550.00, Baker Vehicle Systems, Inc. for a replacement ballfield groomer for \$22,944.06 and one item was removed for Evunited for the electric vehicle charging system for more discussion. The Board of Control also met earlier today with the three (3) largest items being SlidePros for the water park

renovation project for \$102,463.00, Ports Petroleum for gas & diesel fuel for \$40,000 and the Delores Blvd. Construction Project four bidders were received with an estimate of \$790,000 and the board chose Fabrizi for \$748,204.00.

Mr. Poindexter asked Mr. Scott why was the electric charging system removed.

Mr. Scott responded there were issues with the grant with no one knowing how much the grant would cover, what the overall cost would be or the bottom-line costs.

Legislative Committee - Chairman, Mencini

Mr. Mencini thanked everyone for coming for the resolution presentations.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the Parks & Recreation commission met on July 15<sup>th</sup> unable to attend due to special Council meeting, future report to come. Upcoming events are on July 23<sup>rd</sup> Christmas in July drive-in movie Elf; August 6<sup>th</sup> family luau and drive-in movie Moana; August 7<sup>th</sup> the amazing race from 12:00 noon to 2:00 p.m. in the Brook Park recreation center parking lot and on August 20<sup>th</sup> a drive-in movie Raya and the Lost Dragon in the recreation center parking lot. The summer concerts are scheduled for the month of August and one week in September at the gazebo.

Planning Committee - Chairman, Orcutt

Mr. Orcutt reported the Planning commission met on July 12<sup>th</sup> with two (2) items on the agenda; one for an aesthetic front porch project at 6477 Wedgewood Drive that passed unanimously. Second request was for aesthetic project approval at 15005 Snow Road, Solid Gold Lounge, that was tabled by the commission so that the building commissioner and property owner can set up a meeting.

Safety Committee - Chairman Troyer

Mr. Troyer reported the Safety committee has one item on tonight's agenda, fire pumper truck, for introduction and hopefully passage; the current pumper truck is back in service. Also, want to stress that it is illegal and unsafe for motorcycles to put grass clippings and so forth in the street.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported the Service committee has no legislation on tonight's agenda but would like to thank all service workers for their hard work in the community being understaffed.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini concurred with Mr. Salvatore's comments. The Board of Zoning Appeals met on July 12<sup>th</sup> with two (2) items on the agenda; one being a front porch at 6477 Wedgewood Drive that the board passed unanimously. The second request was for construction of a 1,260 square-foot garage at 16115 Paulding that was tabled for further review by the building department.

**REPORTS OF SPECIAL COMMITTEES:**

**Southwest General Health Center - Trustee, Orcutt**

Mr. Orcutt reported that due to the lifting of the COVID-19 restrictions the board is no longer meeting virtually beginning July 21<sup>st</sup>.

**Berea Board of Education Representative, Mencini**

Mr. Mencini reported the first day of school is August 25<sup>th</sup>. The board had 22 recommendations from the March 20<sup>th</sup> instructional audit with 21 being addressed. To Mr. Orcutt with your concerns of busing for the elementary school children that is being continued and will probably have something for you when school is in session, for right now think it will stay the same. The board approved three agreements between the district and Three agreements were approved between the district and Varsity University Center; Nutella for Kids and The Ohio Athletic Association.

**Technology and Innovation Council Representative - Poindexter**

Mr. Poindexter reported the committee met on July 14<sup>th</sup> and happy to report that information was compiled for the technology audit. Some of the matter is quite sensitive and will be given to the Mayor to possibly be discussed in executive session.

**REPORTS OF BOARDS AND COMMISSIONS:**

**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Gammella reported it quit raining and the city received a lot of rain with no flooding. Driving on Snow Road Driving will see the Ford project coming along with the tearing down of the aluminum plant and the engine plant shortly. This new development is going to bring thousands of jobs to this community and not only be a big project for this community but for Northeast Ohio also; last time there was a magnitude of this kind of development was 70 years ago when Ford Motor came to town. Ford Motor currently has 1,500 employees working in plant one (1). With these 200 acres and the Aerozone will put this community in great shape. There are only two (2) ways to raise revenue one is raise taxes that I am opposed to and the second being creation of new jobs. There will be a large announcement coming shortly and want to state that all departments of this city are properly staffed.

**Questions:**

Mr. Poindexter stated to Mayor Gammella good job with the Ford property so excited for the future of this community. At the last meeting I mentioned a rain barrel program for the city have you had a chance to speak with the sewer district?

Mayor Gammella responded no, not yet, but will contact them.

Mr. Orcutt stated to Mayor Gammella that monies were approved for the roads program project and asked what is the start date for the Delores Blvd. project?

**Questions to the Mayor: cont:**

Mayor Gammella responded don't have that tonight will call tomorrow.

Mr. Salvatore asked Mayor Gammella with the 1,500 jobs at Ford Motor is there any growth potential or job loss?

Mayor Gammella responded there is good and bad news, the reason for getting the development of the Ford property is by my working with Ford land extensively. As far as Engine Plant One (1) by the year 2035 most vehicles will be electronic; using a third less of components needing less people to assemble them. Currently, Ford Motor is spending more money on transportation costs than labor and overhead combined. In my opinion, that plant has a good decade left.

Mr. Salvatore asked how is the city doing with lateral transfers?

Mayor Gammella responded with what is occurring with police officers' no one wants to take the test; used to get 200 people and now only are getting 12 to 14 that want to take the test. There will be two (2) new officers on staff and see lateral transfers in the very near future.

Mr. Salvatore continued that he approached the board about lateral transfers and would like to have everything in place so the city is ready to go. Spoke with some officers that wanted to come to Brook Park but had to go elsewhere.

Mayor Gammella responded would like to have discussions with the union and employees.

Mr. Mencini concurred good job with the Ford property. Nice to see a police officer under the bridge on Sylvia this morning but would rather see them at 5:00 p.m. or 5:30 p.m. Disagree with the comment that all city departments are fully staffed and will speak what I feel and that is the service department is short-staffed.

Mayor Gammella commented as a result of the Aerozone and the Ford property and speaking with the Cities of Strongsville and Westlake. There are going to be some high-tech businesses coming and this community will see good things coming.

Mr. Troyer stated to Mayor Gammella with the Ford property that was a bad situation and with your connections that land was put up for sale. Now Council is hearing Amazon, you didn't say that, but it is a little embarrassing that Council doesn't know what is going in on that property. If there was a non-disclosure agreement signed that should be seen as a redacted public record

**Questions to the Mayor: cont.**

Mayor Gammella responded there is a non-disclosure agreement and I want to see that come to fruition; I signed an agreement, gave my word and will keep my word.

Mr. Troyer commented that he was told by residents two (2) weeks before those buildings were torn down, would be nice to have more information.

Mayor Gammella commented with all due respect to the residents and Facebook not what everyone says is accurate.

Mr. Troyer concurred with Mayor Gammella comments about residents and Facebook and continued the damaged guardrail at Grosse needs to be fixed with signs posted and police presence. This is the same at Sheldon and Engle Roads with no turn-signal and traffic backing up; motorists are cutting through neighborhoods getting lost and causing problems. Talked about having a study at the intersection with Middleburg Hts. being involved. Also when will the Sandhurst street project being done wanted it done before school was back in session. Anything new with the roof and walls

Mayor Gammella responded will call tomorrow about Sandhurst and there is nothing yet with the roof and walls still looking and investing thoroughly.

Mr. Troyer stated with the lateral transfers and in my investigation and talking with the head of civil service. It seems to vote of Civil Service commission to change their rules to be able to do that.

Mayor Gammella responded that is technically right, however, I would want to consult with the people whether union or not to find out their feelings and ideas to move forward.

Mrs. Schmuck asked Mayor Gammella with the last rainfall were the environmental mats used?

Mayor Gammella responded the environmental mats will be installed within the next two weeks and there was no flooding since the cleaning of the catch-basins and sewer jobs done, any flooding issues were property owner matters of foundation problems and so forth, continue to work with them to solve problems.

Mrs. Schmuck stated great development at the Ford plant and thank you for bringing in new jobs.

Mayor Gammella responded took a lot of leg work and knowing the right people in Detroit.



**Questions to the Mayor: cont.**

Mr. Salvatore stated working with the police and fire personnel is a good approach but think the same approach should be with Council in the same fashion. Lateral transfers have been discussed many, many times and will require legislation for passage, want to get everything in place sooner rather than later. Information should be shared with Council if Amazon is a player or not at the Ford property so that Council can field any questions from the residents.

Mayor Gammella stated I'm taking the same heat from residents and that information will be coming forward so Council can answer questions from the residents.

Mr. Vecchio asked Mayor Gammella when will the new coffee shop across from Dunkin Donuts be coming in?

Mayor Gammella responded meeting with them tomorrow.

Mr. Vecchio continued what about the former gas station at Snow and Smith Roads?

Mayor Gammella gave credit to Economic Development Commissioner Adams on all his hard work with that matter. There should be new development on that property by early next year.

Mr. Salvatore stated numerous calls have been received about the Middlebrook Blvd. and the railroad tracks project. Concerned that this may not be done this year and would like a starting date for that road project.

Mayor Gammella stated the city engineer will be at the next meeting.

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

Mr. Garner reported last week was bulk week with 70 tons of debris collected. With the last rainfall there was two (2) inches of water that fell in a 36-hour period, causing the grass to grow. Crews are working on sewers, residential dig jobs and grass cutting.

**Law Director Horvath**

Mrs. Horvath reported with the city's current Active Civil Litigation list would like to speak on two (2) cases: One being DeScenzo vs. City of Brook Park has been settled. The other case is Pawluk Realty, LLC vs City of Brook Park Board of Zoning. The settlement is being finalized and will be completed by the end of August. The other cases left on the list are minimal except for the City of Brook Park Vs City of Cleveland that is currently being worked on.

**Reports and communications from departments, commissions, public officials: cont.**

Finance Director Cingle

Mr. Cingle reported the concluded at the end of June with no issues.

**Questions:**

Mr. Orcutt stated to Mr. Garner of the observation he made on Saturday at the intersection of Hummel and Champaign. The southeast corner catch-basin was not draining throughout the weekend, went back on Sunday and was still not flowing.

Mr. Troyer stated to Mr. Garner thank the crews for the cleanup and patching n Liberty Bell, looks good. There are some issues on Parkland at the north end of Southway. Received complaints about with the bottom Sandhurst by Birchcroft. Also, who replaces guardrails on Kalvin and Gross is that service crews or contracted out?

Mr. Garner responded looked at that today and the department has crews to fix the guardrail and if needed calls will be made to contract out.

Mr. Troyer commented would like to have signs posted and new guardrails with possible flashing lights.

Mr. Troyer asked Mr. Cingle if there is any update on the federal COVID-19 monies?

Mr. Cingle responded the paperwork has been filed.

Mr. Troyer asked Mr. Cingle if there are any new numbers with the people working from home?

Mr. Cingle responded no new numbers and imagine the city will start seeing refund requests next year.

Mr. Troyer stated to Mrs. Horvath with the Cleveland Airport lawsuit have the affected people been updated and is it moving?

Mrs. Horvath responded is the department's intent to update the residents.

Mr. Troyer thanked the law department for drafting of legislation.

**Questions: cont.**

Mr. Mencini stated to Mrs. Horvath with the Pawluk lawsuit it seems this agreement has been going on since 2020. Where is the city currently with this case?

Mrs. Horvath responded the paperwork has been signed, filed and appeared in front of the court. The city engineer and building commissioner are looking at a few items that could be made better with the tweaking of general building concerns and other matters and are in the process of making those changes prior to finalization.

Mr. Mencini asked Mr. Cingle with the rescue plan COVID-19 monies what types of funds is the city looking at?

Mr. Cingle responded the over three-million dollars was reduced by 40%.

Mr. Mencini continued to Mr. Cingle does the city anything the opposite way from people working from home.

Mr. Cingle responded yes, if someone is working from home in the City of Cleveland and lives in Brook Park they would have to initiate that refund.

Mr. Mencini asked Mr. Garner how is the city doing on flooding calls?

Mr. Garner responded there were none on Friday, two (2) on Saturday, none on Friday and five (5) on Monday; with a couple having possible tee problems.

Mr. Salvatore asked Safety Director/Mayor Gammella what would the penalty be for people picking up something from a tree lawn that ends up being sold at a garage sale?

Safety Director/Mayor Gammella responded, not an attorney, but thinks once an items hits the tree lawn it's fair game; deferred to Law Director Horvath.

Mrs. Horvath responded would like to take at look at that not 100% if there are any penalties for an item being discarded on the tree lawn.

Mr. Salvatore continued I think there is an ordinance about someone going through someone else's trash and taking that item to another residence to be put up for sale at a garage sale.

**Questions: cont.**

Mrs. Horvath commented want to make sure the correct answer is given, call me tomorrow to set up a meeting.

Mr. Troyer stated to Mr. Garner you mentioned with storm drains if there is a collapse does the city infiltrate the sanitary?

Mr. Garner responded no, if crews find sanitary lines in the same trench as the storm they are repaired. Storm lines are smaller by design and do not go well with the equipment for cleaning. Storm lines are dye-tested and smoke-tested to make sure they are flowing and repairs are made if not.

Mr. Troyer continued if there is a collapse that infiltrates the sanitary it is corrected?

Mr. Garner responded yes, if it is a tee.

Mr. Orcutt commented to Mr. Salvatore I think I know the area you are speaking and would like to share information about personal property being discarded on tree lawns and sold at garage sales.

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

New Legislation:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE SUTPHEM CORPORATION FOR THE PURCHASE OF A FIRE TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella, Councilman Troyer and C/W.

Mr. Vecchio assigned to Safety committee.

**Motion** by Mr. Troyer, supported by Mr. Poindexter, to suspend Council rule no. 12A.

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

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

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

Mr. Vecchio stated this will appear under M-6 as Ordinance No. 11207-2021.

**New Legislation: cont.**

2. An Ordinance authorizing the Mayor to enter into a contract for the purchase of permanent parcel no. 343--15-023 and declaring an emergency. Introduced by Mayor Gammella.
3. An Ordinance 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 at 14100 Parkman Blvd. and declaring an emergency. Introduced by Mayor Gammella.
4. An Ordinance amending section 1361.13 of the Brook Park codified ordinances entitled 'Parking' and declaring an emergency. Introduced by Mayor Gammella.
5. An Ordinance enacting Chapter 556 of the Brook Park Codified Ordinances entitled 'Prohibition of cultivation, processing or retail dispensaries of medical marijuana and declaring an emergency. Introduced by Councilman Troyer

Mr. Troyer stated the 4<sup>th</sup> Whereas reads 'this is a temporary measure until Council can promulgate its own regulations for the safe dispensing of medical marijuana, this legislation does not permanently outlaw.

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

Liz Sayers

Ms. Sayers expressed concern with trash being taken from tree lawns, dog park possible flooding problem, gazebo issues and rubbish around the neighborhood.

Robert & Diane Ryan  
6416 Scott Drive

Mr. & Mrs. Ryan expressed safety concerns with unleashed dogs, speeding and constant fireworks late at night.

Jim Klinger  
6023 Greene Drive

Mr. Klinger expressed concerns with why the long wait for making a decision on medical marijuana with the monies that could be made with dispensaries. Also, expressed concerns with the condition of city streets.

**Remarks from the audience on any subject: cont.**

George Teetzel  
5724 Doris Drive

Mr. Teetzel expressed concerns with the city's storm and sanitary lines being separate then why is sanitary sewer backing up. Also asked who is responsible for cleaning the sanitary lines the city or NEORSD (Northeast Ohio Regional Sewer District)?

Mr. Garner responded the city is responsible for cleaning sanitary lines.

**Motion** by Mr. Mencini, supported by Mr. Orcutt, to address the audience.

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

Mr. Mencini thanked Mr. Teetzel for the good questions and may want to speak with Mr. Garner for answers. With the fireworks and speeding issues we want to see police cars in the neighborhoods in the early morning and evening hours. With fireworks it's hard to tell what direction they are coming from. Residents don't want to turn in neighbors regarding these kinds of complaints. With Medical Marijuana I did research but don't hear a lot about that but it's good that you brought the subject up.

Mr. Orcutt stated with flooding issues myself and Councilmembers Mencini and Scott were in the trenches and took video of water not moving. Councilman Scott and I provided information to the NEORSD of debris that was in the ditch that has been cleaned out in locations and has played a big role with no flooding this month. To Mr. & Mrs. Ryan a few suggestions would be jot down addresses of loose dogs and call city hall, your Councilman and the animal warden. The speeding is terrible in this community and more police officers are needed in the neighborhoods. To Mr. Klinger the city takes 2% from people's paychecks that work in Brook Park and with the medical marijuana Council wants to make sure it's zoned properly, don't think anyone on this Council is against it just needs to be done right.

Mr. Troyer stated the city has been told quite a few times by the storm management personnel that the problem with Abrams Creek is the road going downhill on Sheldon Road, that may also cause speeding in the neighborhood. The Storm Water Management team is on board and the last time I spoke with them they are waiting for the city to apply for that county road project, that could help with flooding in the area. To Mr. & Mrs. Ryan when there are issues in the neighborhood call the proper personnel first, police or fire, and then call me so that I can follow-up on the issue. To Mr. Klinger the legislation tonight is to ban medical marijuana and everything involved with it so Council doesn't have to renew the six-month moratorium. I am currently working on legislation to have dispensaries in the city, it can be done but there are issues to look at such as zoning. There is revenue the city is losing and

**Remarks to the audience**

Mr. Troyer continued and also understand that the State of Ohio only allows so many. Also have to take into consideration this turning in recreational marijuana also. Would like Council's input and support on this legislation until we can come up with new legislation regulating medical marijuana with education being a big part of this.

Mr. Salvatore thanked everyone for coming to the microphone and agree with everything that was said. With the medical marijuana has been kicked down the road for the reason that there is no plan in place. I think there should be licensing fees because the 2% of the income tax doesn't put a dent into that type of industry.

**Motion** by Mr. Mencini, supported by Mr. Troyer, to go back to regular order of business.

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

**Motion** by Mr. Poindexter, supported by Mr. Troyer, for a recess.

**ROLL CALL: AYES:** Poindexter, Troyer, Mencini, Salvatore, Scott, Schmuck, Orcutt  
**NAYS:** None. The motion carried at 9:51 p.m.

**Motion** by Mr. Mencini, supported by Mrs. Schmuck, to go back to regular order of business.

**ROLL CALL: AYES:** Mencini, Schmuck, Scott, Orcutt, Troyer, Poindexter, Salvatore  
**NAYS:** None. The motion carried at 10:00 p.m.

**Motion** by Mr. Poindexter, supported by Mrs. Schmuck, to go into Executive Session for Sale of Property, Collective Bargaining Matters and Certain Personnel Matters (Council Clerk position).

**ROLL CALL: AYES:** Poindexter, Schmuck, Scott, Orcutt, Mencini Salvatore  
**NAYS:** Troyer. The motion carried at 10:03 p.m.

Attendance: Councilmembers, Mayor Gammella, Law Director Horvath, Finance Director Cingle and Economic Development Commissioner Adams.

Mr. Adams left executive session at 10:17 p.m.

Mayor Gammella and Finance Director Cingle left executive session at 10:30 p.m.

**Motion** by Mr. Mencini, supported by Mrs. Schmuck, to go back to regular order of business.

**ROLL CALL: AYES:** Mencini, Schmuck, Scott, Orcutt, Troyer, Poindexter, Salvatore  
**NAYS:** None. The motion carried at 10:47 p.m.

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

**Note:** Items M-1 through M-3 were moved by motion to the beginning of the meeting.

- 1. RESOLUTION NO. 11-2021, HONORING ROSIE’S PLAYHOUSE AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, C/W and Mayor Gammella.
- 2. RESOLUTION NO. 12-2021, HONORING KURT NENNSTIEL, JR., FOR HIS COUNTLESS YEARS FOR VOLUNTEERING IN COACHING BROOK PARK SPORTS PROGRAMS, FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, C/W and Mayor Gammella.
- 3. RESOLUTION NO. 13-2021, HONORING JOE BACHIE JR. ON HIS MANY ACCOMPLISHMENTS AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, C/W and Mayor Gammella.
- 4. RESOLUTION NO. 14-2021, GRANTING THE LOT CONSOLIDATION OF PARCEL 1; PARCEL 3 AND PARCEL 2 (PPN-341-04-015) LOCATED IN THE U-1A2/U6 ZONES AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Troyer asked how did this legislation get here?

Mr. Vecchio responded by a vote of Council.

**Motion** by Mr. Troyer, supported by Mr. Mencini, to suspend Council rule no. 12.

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

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

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

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

**ROLL CALL: AYES:** Mencini, Poindexter, Salvatore, Troyer, Orcutt, Schmuck, Scott  
**NAYS:** None. Resolution No. 14-2021, has passed under suspension of the rules. Adopted.

- 5. ORDINANCE NO. 11026-2021, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE TEAMSTERS UNION LOCAL 436 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

**ROLL CALL: AYES:** Poindexter, Scott, Schmuck, Orcutt, Mencini, Salvatore  
**NAYS:** Troyer. The motion carried.



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

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

Mr. Troyer stated on 1334.02 read in entirety is considered in a 'Me Too' that are dangerous to the city's financial situation. In any case any union with a 'Me Too' could file for that wage or benefit. Another example, in this position in this union needed higher education or special training and that person couldn't be found the city would have to pay a higher salary to that person; then the city would have to pay the other unions that include 'Me Too'. This is considered a 'Me Too' and will be voting no on this.

**ROLL CALL: AYES:** Poindexter, Mencini, Salvatore, Orcutt, Schmuck, Scott  
**NAYS:** Troyer. Ordinance No. 11026-2021, has passed under suspension of the rules. Adopted.

6. ORDINANCE NO. 11027-2021, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SUTPHEN CORPORATION FOR THE PURCHASE OF A CUSTOM PUMPER FIRE TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella, Councilman Troyer and C/W.

**Motion** by Mr. Troyer, supported by Mrs. Schmuck, to suspend.

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

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

**ROLL CALL: AYES:** Poindexter, Scott, Schmuck, Orcutt, Salvatore, Mencini, Troyer  
**NAYS:** None. Ordinance No. 11027-2021, has passed under suspension of the rules. Adopted.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:****THIRD 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. Scott, supported by Mr. Orcutt, to adopt.

Mr. Troyer stated in favor of this legislation and appreciate the compromise with the 15 miles.

**ROLL CALL: AYES:** Scott, Orcutt, Schmuck, Troyer, Mencini, Poindexter, Salvatore  
**NAYS:** None. Ordinance No. 11201-2021, has passed under third reading.

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

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

Council President Vecchio declared this meeting adjourned at 10:52 p.m.

RESPECTFULLY SUBMITTED *Michelle Blazak*  
Michelle Blazak  
Clerk of Council

APPROVED *August 24, 2021*

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

5,837 words