

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
HELD ON WEDNESDAY, NOVEMBER 3, 2021**

The meeting was called to order by Council President Vecchio at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, ORCUTT, TROYER, MENCINI, POINDEXTER, SALVATORE

Also in attendance were Mayor Gammella, Law Director Horvath and Finance Director Cingle.

DISCUSSION:

1. VACANT CITY COUNCIL SEAT

Mr. Vecchio stated there has been discussion of how Council wanted to fill that vacancy. During discussions it was determined that the highest vote-getter in a non-current election. With the election results that still need to be certified by the Board of Elections (BOE) which is ten (10) days at 12:01 a.m. Council does have 30 days by Charter and then flips over to the Mayor if Council does not fill the vacancy.

Mr. Mencini recommended moving this topic to November 16th.

Mr. Vecchio responded from the date of the vacancy of the seat on October 15th that would put Council to November 15th to fill the vacancy. Knowing the decision of the Board of Elections (BOE) and Council's decision recommended moving to the November 9th Caucus agenda.

Mr. Scott stated Council can figure out the process of how this should be done then when the certification does happen we'll know what to do.

Mr. Salvatore stated a special meeting should be called immediately following the November 9th Caucus for that purpose, would have to be done at a Council meeting. Also, think the two candidates being talked about should be contacted asking if they want the appointment.

Mr. Vecchio concurred with contacting both candidates-elect to see if they are interested. They are by no means obligated to fill that position.

Mr. Poindexter stated it's ten (10) days from the date of the election for certification; think we would have a very clear winner by the end of the week, agree with a special meeting on Tuesday would be adequate.

Discussion: cont.

Mr. Troyer stated all the suggestions are fine and know the one that is would be more than happy to assume that seat.

Mr. Scott asked if Council agreeing to the procedure of having the highest vote getter?

Mr. Vecchio stated if Council is in agreement to take the highest non-incumbent vote getter from the at-large race and see if they would like to fulfill that position. If everybody is in favor signify by saying AYE. Unanimous vote by Councilmembers. Same thing for having a special Council meeting following the November 9th Caucus meeting. All in favor? Unanimous vote by Councilmembers.

Motion by Mr. Mencini, supported by Mr. Orcutt, item was discussed.

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

2. AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S VERMEER STUMP CUTTER AND PURCHASE A NEW VERMEER SC-802 STUMP CUTTER AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

Mr. Salvatore stated a few weeks ago Council pulled legislation from the Service committee only spoke to the trade-in of a stump cutter. This legislation addresses a trade-in and purchase of a stump cutter.

Mr. Salvatore asked for clarification if the amendment is necessary?

Mrs. Horvath responded Mr. Troyer called the law office regarding this issue, spoke with Ms. Cardaman pointed out.

Mr. Troyer - Point of clarification, I did not I sent an email.

Mrs. Horvath continued Ms. Cardaman responded in some sort of fashion, with her response being that same information you want to amend is in exhibit A? Therefore, there would be no need to make that amendment, think it's already covered and think the reason for the amendment is to have everything you need to have in the exhibit and no need to clutter legislation with that. Thought that resolved the issue and did not realize that you intended to go forward and make that

Discussion: cont.

amendment. It is the law department's opinion that the amendment is unnecessary.

Mr. Troyer stated totally disagree and have been chastised for bringing things up late and when I bring them up early I get it thrown back in my face. This reads Premiere SC802 stump grinder, that's what the legislation reads. That is not what is being traded in so it's wrong, the legislation is wrong. I let you know ahead of time but then you come up here and try to say it doesn't need to be changed, it does need to be changed. I totally disagree with you and say you're the attorney and I'm not but I can read and understand. The legislation reads trade-in of a SC802 stump grinder the city is trading in a Vermeer 665B stump grinder and it does matter.

Mr. Salvatore stated to Mr. Troyer referring to section three (3) the Mayor is hereby authorized to enter into a contract with Vermeer Heartland for a new 2021 SC-802 that's the model for the purchase.

Mr. Troyer concurred.

Mr. Salvatore stated it doesn't say anywhere in the legislation for the trade-in.

Mr. Troyer interjected in section one (1) it does.

Mr. Salvatore concurred.

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend section one (1) by removing SC802 and inserting 1995-655B.

Mr. Mencini asked if Service Director Garner will be in attendance at the Council meeting.

Mayor Gammella responded no.

Mr. Salvatore asked Mayor Gammella is that the correct model being traded in and correct model being purchased?

Mayor Gammella responded to the best of my knowledge, yes.

The clerk called the roll on the motion by Mr. Troyer, supported by Mr. Poindexter, to amend section one (1).

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

Motion by Mr. Troyer, supported by Mr. Poindexter, to place on tonight’s Council agenda under J for Introduction.

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

SERVICE COMMITTEE - CHAIRMAN, SALVATORE:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY’S VERMEER STUMP CUTTER AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.


Mr. Salvatore stated this stump cutter was discussed in detail recommend having this Read in Committee.

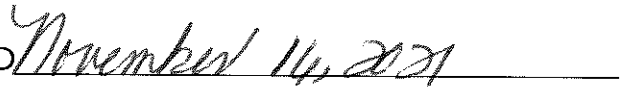
Motion by Mr. Troyer, supported by Mr. Mencini, to have read in committee. Unanimous vote.

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

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

Council President Vecchio declared this meeting adjourned at 7:16 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.

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