

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON NOVEMBER 3, 2021**

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

SCOTT, ORCUTT, TROYER, MENCINI, POINDEXTER, SALVATORE

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting minutes held on October 5, 2021.
2. Regular Council meeting minutes held on October 5, 2021.

Motion by Mr. Mencini, supported by Mr. Poindexter, to approve the October 5, 2021 meeting minutes, as printed.

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

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

3. Caucus Prior to meeting minutes held on October 19, 2021.
4. Regular Council meeting minutes held on October 19, 2021.

Motion by Mr. Mencini, supported by Mr. Scott, to approve the October 19, 2021 meeting minutes, as printed.

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

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Co-Chairman, Poindexter

Mr. Poindexter reported the Aviation & Environmental committee has no legislation in committee and no report.

Finance Committee - Chairman, Scott

Mr. Scott reported there is no legislation on tonight's agenda. The Board of Control met earlier and approved 19 items, largest three (3) being Klyn Nurseries, Inc. trees for the city's main campus in the amount of 29,774.00; Trimor Corporation for the Sylvia Drive Reconstruction Project in the amount of \$26,896.20 and the City of Middleburg Heights dog park contribution share for \$35,000.00

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the legislative committee has three (3) and one (1) resolution in committee.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the committee has no legislation in the parks and recreation committee.

Reports of standing committees:

Planning Committee - Chairman, Orcutt: cont.

Mr. Orcutt reported the committee has nothing on tonight's agenda and has not met since last report.

Safety Committee - Chairman Troyer

Mr. Troyer reported the safety committee has nothing in committee and nothing on tonight's agenda. The Brook Park Neighborhood Watch Group will have a meeting on Monday, November 15th at 7:00 p.m. in the Brook Park library meeting room. Besides the normal items the topic will be the Ohio Internet Crimes Against Children Task Force; discussion on how to keep children safe online.

Service Committee - Chairman, Salvatore

Mr. Salvatore reported at the Caucus Prior there was an issue with a piece of legislation from a few weeks that has been cleaned up and moved to letter J on tonight's Council agenda.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the next scheduled meeting will be December 6th.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Orcutt:

Mr. Orcutt reported the board has not met since last report. The employee retention remains very good at the hospital; continues to maintain over a 90% retention for all employees. The hospital has tested over 41,500 people for COVID-19 and visitor restrictions remain in place for one (1) visitor per day per patient.

Berea Board of Education Representative, Mencini

Mr. Mencini reported there is no school from November 24th through 26th for Thanksgiving break. On Monday, November 8th will be Family 1st Night for families to spend time together, without school commitments. With COVID-19 for October 25th through 29th showed four (4) positive students and three (3) positive staff members. November 16th the elementary school will have parent-teacher conferences; 17th the middle school will have parent-teacher conferences and 18th both the elementary and high school will have parent-teacher conferences.

Technology and Innovation Council Representative, Poindexter

Mr. Poindexter reported the technology audit has been presented to the Mayor's office and due to some security issues can be requested through the Mayor's office. The audit wasn't as bad as anticipated with issues that can be resolved in the next future. The next meeting will be held on November 10th.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella stated congratulations to Mayor-elect Orcutt and Councilmember-elect. Within the next 30 to 45 days a project on the west-end will be brought forward for the vacant property on Aerospace Parkway. Looks like there is an interested party for purchase of that property for a high-tech business. With the Forward Innovation Center there have been conversations with the engineer about earlier discussions with the Wedo Park retention basin. Forward Innovation representative may dig the basin and move the dirt which would be a significant cost-savings to the city; Mr. Orcutt will be in on those meetings with the Forward Innovation representatives.

Questions:

Mr. Orcutt thanked Mayor Gammella for the invitation to the meetings and think with them digging the hole for the retention basin will be positive for people on the north end.

**REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:****Engineer Piatak**

Mr. Piatak reported with the Delores Blvd. project mainline concrete pavement replacement is complete with the contractor working on miscellaneous concrete work, sidewalks and manhole catch-basin block-outs with anticipated landscaping and tree planting in the spring. The Sylvia Drive project the first mainline pour earlier this week and scheduled to pour the balance of the eastbound lane early next week; following up with apron and under-drain installations. The Middlebrook Blvd. project is anticipated to have the final mainline concrete pour next week and follow-up with underdrain and apron work, project is winding down. Had to do an adjustment of the schedule and phasing of the work due to Dominion Gas doing very important gas line work neat McGovern Park. With the asphalt project full-depth concrete repairs are ongoing at the Holland-Hummel Roads location and are continuing with saw-cutting operations on Sandhurst Drive. Received an update from the Northeast Ohio Regional Sewer District (NEORS) on some projects they have ongoing. Last week the NEORS finished up the trash-rack install at the culvert inlet at the vet clinic near Smith and Sheldon intersection. The district will continue to monitor that trash-rack and indicated they may install a trail camera for future monitoring so there is no debris built up; not sure of the cost but the project was completed at no cost to the city or property owners. Had a meeting with NEORS representatives regarding the southwest interceptor local sewer system evaluation study that has been an ongoing project for probably 18 months if not longer. The district is in the final

Reports and communications from departments, commissions and public officials:

Engineer Piatak: cont.

phases of drafting a community report expected to be available before the end of the year.

Finance Director Cingle

Mr. Cingle reported last week Fitch Ratings conducted the review of the city's bond rating and affirmed the city's AA minus bond rating. The press release has been given to Council and will be available on the city's website for public review.

Law Director Horvath

Mrs. Horvath reported the law department has received some materials through the Mayor's office regarding to having another opportunity to participate in an opioid settlement. This would be to Johnson & Johnson and Janssen Pharmaceuticals; this material came from the State of Ohio Attorney General's office. This case has a very short timeline and need to submit necessary materials to opt-in by January 2, 2022. Something will be brought forward to Council as soon as possible for review and determination of opting-in. If Council does not opt-in there would be no available funds given from that company. Also, on a personal note we all know our firefighters are the best and have certainly shown time and time again of performing in difficult circumstances, receive very high ratings and I have seen in my capacity as law director all the good work they do and how talented as far as helping people. Had an opportunity to see that last Thursday with my mother becoming very ill and needed to call the rescue squad and would say had a first-hand opportunity to see how wonderful and well and professionally they performed. Would like to thank the firefighters for all of their help and very grateful my mother has recovered and back home. Do know part of her recovery was the help she received from the Brook Park firefighters.

Questions:

Mr. Mencini stated to Mrs. Horvath thoughts and prayers are with you and agree all the city's safety forces, services and staff are great. To Mr. Piatak would like to meet with you to discuss next year's budget and if the current street program will be done this year.

Mr. Vecchio asked Mrs. Horvath regarding opioid lawsuits wasn't there just a settlement from Giant Eagle and Rite-Aid locally. Was the city involved with those cases?

Mrs. Horvath responded the only other settlement I'm aware of is the one listed on the active litigation list. There was an occasion of

Questions to directors:

Law Director Horvath: cont.

discussion whether or not the city wanted to join in with some of the settlements and believe it was one (1) that was in federal court that had a necessary retainer in order to participate. It appeared, at that point in time, there wasn't sufficient interest for the city to get involved. But, are fortunate that the city is able to participate in this case.

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

Introduction:

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. Placed in Service Committee.

Motion by Mr. Troyer, supported by Mr. Mencini, to place under letter M on tonight's agenda.

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

NAYS: None. The motion carried as amended.

Mr. Vecchio stated this will appear under M-1 as Ordinance No. 11226-2021.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER BETWEEN SIGNAL SERVICE AND THE CITY OF BROOK PARK FOR ADDITIONAL MAINTENANCE AND REPAIR WORK TO OUR TRAFFIC SIGNALS INCURRED UNDER ORDINANCE NO. 11161-2020 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Service committee.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY, WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE MAINTENANCE OF TRAFFIC CONTROL DEVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Ralph Lohn

15960 Meigs Blvd.

Mr. Lohn expressed concerns to Mrs. Horvath who is responsible with tree lawn tree branches scratching vehicles, city personnel blocking people on social media public page being against the law and violation of 1st amendment.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns with being blocked from the Mayor social media page and public records not received concerning the recreation center.

Mr. Vecchio stated to Ms. Sayers in this case with the Mayor's Facebook page whatever was there is now over with as of yesterday. Would direct you to the law director who handles those laws. Secondly, you are saying about a public records request. If to date you have not received those from the current Mayor's office in 60 days you will have a new Mayor-elect Orcutt and suggest take it up with him if you are not getting resolution right now.

Ms. Sayers stated that was the Mayor's responsibility and now going to pass onto Mr Orcutt.

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

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

NAYS: None. The motion carried.

Mayor Gammella stated Ms. Sayers has been given everything that we have.

Mr. Mencini stated as always if there is an issue call or come to my house and totally respect the residents because you have to try and get some sort of resolution. Want to get this issue with Ms. Sayers over with and if I have to be the mediator will do that.

Motion by Mr. Poindexter, supported by Mr. Troyer, to go back to the regular order of business.

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

NAYS: None. The motion carried.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11226-2021, 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. Troyer asked Mr. Cingle in section four (4) fund 401-427 is correct?

Mr. Cingle concurred.

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

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

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

ROLL CALL: AYES: Troyer, Mencini, Poindexter, Salvatore, Scott, Orcutt
NAYS: None. Ordinance No. 11226-2021, has passed under Suspension of the Rules. Adopted as amended.

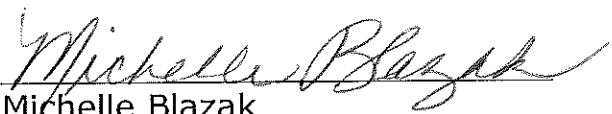
SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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

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

Council President Vecchio declared this meeting adjourned at 8:12 p.m.

RESPECTFULLY SUBMITTED 
Michelle Blazak
Clerk of Council

APPROVED November 16, 2021

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

2,280 words

