

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON NOVEMBER 16, 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 Law Director Horvath, Finance Director Cingle, Service Director Garner, Engineer Piatak and Mayor Gammella (7:35 p.m.).

Councilman Orcutt properly excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus prior to meeting minutes held on November 3, 2021.
 2. Regular Council meeting minutes held on November 3, 2021.
- Motion** by Mr. Mencini, supported by Mr. Poindexter, to approve both sets of minutes, as printed.

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

NAYS: Troyer. The motion carried with a vote of 4-1.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Co-Chairman, Poindexter

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

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has nothing on tonight's agenda. The Board of Control met earlier today approving 11 items; the three largest being Tri-Mor Corporation for the Sylvia Drive Reconstruction Project for \$206,383.45, Konstruction King, Inc. for the 2021 Asphalt Resurfacing Project for \$133,427.67 and Vermeer Mid Atlantic, LLC for a stump cutter for \$47,982.00.

Legislative Committee - Chairman, Mencini

Mr. Mencini reported the Legislative committee has three (3) ordinances and one (1) resolution and has legislation on tonight's agenda under first reading.

Parks & Recreation Committee - Chairman, Poindexter

Mr. Poindexter reported the Parks & Recreation commission will meet on Thursday, November 18th. Basketball and cheerleading signups are complete with the players being notified this week or next week with coaches and practice schedules.

Planning Commission - Member, Mencini

Mr. Mencini reported that the Planning commission nor Board of Zoning has not had a meeting, the next meetings are scheduled is December 6th.

Reports of standing committees: cont.

Safety Committee - Chairman Troyer

Mr. Troyer reported the Safety committee has nothing in committee or nothing on tonight's agenda. Children will be out over thanksgiving please be careful. Leaves are not to be placed in street it's against the law, unsafe and bad for the city's sewer system.

Service Committee - Chairman, Salvatore

Mr. Salvatore stated the Service committee has two (2) items on tonight's agenda and the 2022-yard waste & bulk pickup calendar was mailed to residents.

Board of Zoning Appeals - Chairman, Mencini

Note: See Planning commission report.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center - Trustee, Orcutt

Mr. Vecchio reported the health center has not met since last meeting.

Berea Board of Education Representative, Mencini

Mr. Mencini reported the Thanksgiving holiday will be from November 24th - 26th. Elementary school parent conferences begin tonight, Middle School tomorrow and both elementary and high school conferences are Thursday, November 18th. The Ohio Standardized testing process has changes with how tests have evolved with content and metrics from year to year. State Vendors have changed five (5) times in the past 10 years and another change is from paper tests to online testing. To improve district achievement from building operations to teaching, learning and structure leadership has occurred. The Berea City School District has lowered the minimal graduation credit requirement reduction from 22 to 21. The Ohio Department of Education minimum requirement is 20 credits with 94% of graduates having more than 22 credits with more than 50% seniors beginning with 20 credits or more.

Technology and Innovation Council Representative - Poindexter

Mr. Poindexter reported the committee met on November 10th with Senior Coordinator, Joan Corrigan, and library staff were in attendance for possible coordinating of educating classes for seniors to become more tech-savvy for doing senior club meetings and events remotely, if necessary. The next meeting is scheduled for December 8th.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Gammella reported the 150 trees, through a grant, have been received and will be planted next year. The amphitheater is being constructed and a new police officer has been hired, through attrition, due to retirement.

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

Finance Director Cingle.

Mr. Cingle reported with 2021 winding down the administration will be bringing forward legislation; supplemental for appropriations for this year and temporary appropriations for the first (1st) three (3) months for 2022.

Law Director Horvath

Mrs. Horvath stated no report this evening.

Service Director Garner

Mr. Garner reported for last week's bulk the crews collected and disposed approximately 63-tons of curbside bulk. Saturday, November 20th will be the last day of yard waste, trash, and bulk items for resident drop-offs at the service garage. Residents are urged to use the monthly curbside bulk pickup with the next one beginning December 13th on regular rubbish day. Curbside leaf pickup is continuing for leaves only, no branches or garden waste will be picked up.

Engineer Piatak

Mr. Piatak updated the city's road program with concrete being wrapped up for the full-depth for Delores Blvd., Middlebrook Blvd. and Sylvia Drive with work continuing on miscellaneous landscaping, asphalt work tie-ins on the side streets and start and stop areas of the project. The asphalt repair project for Hummel Holland and Sandhurst full-depth concrete repairs will continue through into next week. The crack-fill operations on various streets will continue weather permitting. Received word that Sheldon Road will be closed for approximately two (2) weeks between Engle and Eastland Roads for waterline work at the Abrams Creek culvert that Cleveland Water will be undertaking. The closure date and details have yet to be set for this project and when information is available will pass along.

Questions:

Mr. Mencini stated to Mr. Piatak with the Sheldon Road closing will detours be set up?

Mr. Piatak responded yes, the contractor sent over conceptual detour plans that both myself and Middleburg Hts. commented on for revisions. Think the intent is to use Bagley Road as the detour route and will be properly posted. One comment I had is for message boards at least a week ahead of time with the starting date for the road closure.

Mr. Mencini with the crack sealing how far do you think contractors will get possibly end of November?

Mr. Piatak responded don't think contractors will be done by end of November; if

Questions to the directors: cont.

crews are available and want to work the contractor will work into December weather permitting. Whatever isn't finished this year will be picked up in the spring.

Mr. Mencini asked Mr. Garner how is the leaf pickup coming along?

Mr. Garner responded crews have been through the city twice prior to bulk pickup last week. This week four (4) crews and trucks are out, it's a slow process and the crews are doing a good job.

Mr. Mencini stated to Mr. Cingle would like to meet and discuss next year's budget. With the working from home reimbursements due to COVID-19 has the city had any traction with that or still pending?

Mr. Cingle responded individuals are permitted to request a refund if working from home in 2021. The department has asked that those requests be submitted in 2022. I did place a call to the controller at NASA but was unable to contact him. Wanted to ask what he is hearing on his end or any idea of how many individuals will be requesting a tax refund. Do know a lot of people at NASA are working from home and my concern is a large number of refunds and large dollar-amount the city will have to refund to those individuals. Once information becomes available will pass along to Council.

Mr. Mencini thanked Mrs. Horvath and Mr. Sackett for all the assistance provided this week, really appreciated as well as some residents.

Mr. Salvatore asked Mr. Cingle is there is a deadline for people to request a refund?

Mr. Cingle responded there is, per say, deadline for individuals to ask for a refund. My inclination is when individuals submit income tax information to their accountant at that time the proper paperwork prepared and submitted to the city. Think by May or June of 2022 the city will have an understanding of how many individuals and how big the refund.

Mr. Salvatore asked what is the chances of the city establishing a deadline, maybe the law department could look into this.

Mrs. Horvath responded that is something the law department hasn't had an opportunity to research, good question. All of us know April 15th being the tax submission deadline but sometimes people take extensions that can go to August 15th. Think this is going to be a new area where the law and finance departments

Questions to the directors: cont.

to come up with something sensible that works for the city.

Mr. Salvatore asked Mr. Piatak on the short piece of Holland Road that was repaired, between Michael Drive and railroad tracks, nice to see almost completed. Residents still have concerns with the railroad tracks is there anything in the future to improve that situation.

Mr. Piatak responded if referring to the actual grade crossing with the track I am not aware of anything being proposed by the railroad but could inquire.

Mr. Poindexter asked Mr. Piatak when the Cleveland Water Department does the work on Sheldon Road. Will that work commence at Abrams Creek or will the entire street be torn up?

Mr. Piatak responded it's my thought that the work would be more focused around the crossing of the culvert under Abrams Creek. Haven't seen a plan to see exactly the length of repairs but, to my knowledge, seems to be focused in that general location. Just to reiterated that when the work is being done the street will be closed to thru-traffic.

Mr. Troyer stated to Mr. Piatak with the Sheldon Road project hoping that the Mayor has more police presence on Grosse and that area, so there are no cut-through. Also, will Sandhurst project be done this year?

Mr. Piatak responded yes.

Mr. Troyer stated to Mr. Cingle will you have the final and temporary appropriations budgets ready before the next meeting?

Mr. Cingle responded am working with the Mayor's office to finalize the appropriations and there is one (1) more piece of legislation coming to Council, with respect, to the natatorium roof and walls. That figure is being finalized and the hope is to have everything wrapped up by Wednesday, November 24th. If Council doesn't have that by then the intent would be early the following week.

Mr. Troyer stated would be nice to receive earlier, have you been working with Mayor-elect to bring the full budget early next year?

Mr. Cingle responded have spoken with Mayor-elect Orcutt regarding the budget. The challenge next year is going to be how much to budget for the refunds. Did have discussions with tax department personnel about the occasional entrant rule and need to talk to the individual at NASA to see if anything is being heard on

Questions to the directors: cont.

their end as to how many people will be requesting refunds. Going back to Mr. Salvatore's question regarding refunds there is a deadline, to the best of my knowledge to request a refund, think it may be three (3) years from the date the return is filed. Want to go back to provide a final answer on that and not sure how it will play out with the occasional entrant rule; if there is any stipulations, with respect, to that.

Mr. Troyer thanked Mrs. Horvath for working on very amended Drone legislation. Am working on something to bring forth to Council for a better way of doing this. At this point based on what you know would it be best to amend what we have or just start new?

Mrs. Horvath responded right now have no opinion on that. Just had a chance to look at what you sent over, good question, will get the answer as soon as possible.

Mr. Troyer thanked all the service crews for a great job.

Mr. Scott asked Mr. Garner are the hours staying the same for drop-off?

Mr. Garner responded the hours are the same, 7:30 a.m. to 7:00 p.m., Monday through Friday and Saturdays 10:00 a.m. to 2:00 p.m.

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

New Legislation:

A RESOLUTION IN SUPPORT OF HOUSE BILL 361 TO PROVIDE FOR NEW REQUIREMENTS AND INCREASED PENALTIES FOR BLOCKED RAILROAD CROSSINGS AND DECLARING AN EMERGENCY. Introduced by Council as a Whole. Placed in Legislative committee.

AN ORDINANCE AUTHORIZING THE MAYOR TO GO OUT TO BID FOR THE DEMOLITION OF THE FORMER BROOK PARK MEMORIAL SCHOOL BUILDING AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Recreation committee.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PROTEGIS FIRE & SAFETY FOR TWO FIRE ALARM SYSTEM PANELS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Safety committee.

New legislation cont.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PROTEGIS FIRE & SAFETY TO REPAIR THE FIRE SPRINKLER LINE IN VAULT OUTSIDE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. Placed in Safety committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Carl Burgio

15073 Sylvia Drive

Mr. Burgio gave an update on the tri-city dog park between the cities of Middleburg Hts., Brook Park and Berea.

Matthew Nowakowski

13973 Franklyn Blvd.

Mr. Nowakowski commended the elected officials for being public servants and gave information on drones.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11227-2021, AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER BETWEEN SIGNAL SERVICE AND THE CITY OF BROOK PARK FOR ADDITIOANL MAINTENANCE AND REPAIR WORK TO OUR TRAFFIC SIGNALS INCURRED UNDER ORDINANCE NO. 11161-2020 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

Mr. Vecchio stated Ordinance No. 11227-2021, has had its First Reading.

2. ORDINANCE NO. 11228- 2021, 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.

Mr. Vecchio stated Ordinance No. 11228-2021, has had its First Reading.

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. Mencini, supported by Mr. Salvatore, to adjourn.

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

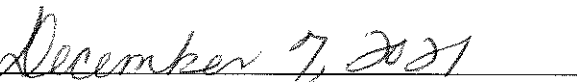
NAYS: None. The motion carried.

Mr. Vecchio declared this meeting adjourned at 8:09 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.