

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, FEBRUARY 15, 2022**

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:

**TROYER, MENCINI, ROBERTS, SCOTT, COYNE POINDEXTER, SALVATORE**

Also in attendance were Mayor Orcutt, Law Director Horvath, Finance Director Cingle, Service Director Beyer, Engineer Piatak and Recreation Director Gonzales.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. Regular Caucus meeting minutes held on January 11, 2022.
2. Special Council meeting minutes held on January 11, 2022.

**Motion** by Mr. Mencini, supported by Madam Coyne to approve.

**ROLL CALL: AYES:** Mencini, Coyne, Roberts, Scott, Salvatore, Poindexter

**NAYS:** Troyer. Unanimous.

3. Caucus prior meeting minutes held on January 18, 2022.
4. Regular Council meeting minutes held on January 18, 2022.

**Motion** by Mr. Mencini, supported by Mr. Roberts, to approve.

**ROLL CALL: AYES:** Mencini, Roberts, Coyne, Scott, Salvatore, Poindexter

**NAYS:** Troyer. Unanimous.

**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Chairman, Poindexter

Mr. Poindexter reported nothing new out of the Aviation & Environmental committee.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has two items on tonight's agenda.

Legislative Committee - Chairwoman, Coyne

Madam Coyne reported there is no legislation on tonight's agenda. However, at a recent Caucus meeting I want to thank my colleagues for their patience with it being a lengthy agenda. Some of the items in committee have been in committee for several years and my intention is to move legislation forward in a timely fashion and hope colleagues will do so as well. Also, am requesting the law director to provide me with the process and procedures to convene a public hearing on medical marijuana dispensaries, this is long overdue. Hopefully, moving forward when an agenda is sent out the sponsors and appropriate enforcement personnel will be prepared to comment so Council can expedite legislation.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported that baseball and softball registrations will continue until February 28th. The Father-Daughter Dance will be held on February 18th from 6:00 p.m. to 9:00 p.m. There will be half-Yoga class on Wednesdays from 4:30

p.m. to 5:30 p.m. Beginning February 25th there will be open gym for volleyball. On Wednesdays there will be open gym volleyball from 6:00 p.m. to 8:00 p.m. Pickleball will be on Wednesday mornings from 9:00 a.m. to 11:00 a.m. nets will be provided must bring own equipment.

Planning Committee - Chairman, Troyer

Mr. Troyer reported nothing new, we talked about one issue and want to make clear that the way that was handled and would like to get some information from the Mayor. This is a committee and I am the chair of the committee and should be running the committee. Being on the Planning commission before that's how it was done and don't remember anything changing so if someone can show me how that changed. Also, whenever the Planning Commission passes something the chair would instruct the Council clerk to put on the agenda to be passed by Council. If that has changed somehow show me where it reads or how you want it to read and proper will do it. If changes are made should be done by the Planning Committee, not Council.

Safety Committee - Chairman, Roberts

Mr. Roberts reported on Wednesday, February 16th at the Brook Park Library at 7:00 p.m. the Brook Park Neighborhood Watch will be having a meeting on the Internet Crimes Children Task Force to keep children safe online. Also, preparations have begun for the Citizen of the Year committee and would like Council's representatives as soon as possible to schedule a date for the first meeting.

Mr. Vecchio asked Mr. Roberts if there is a hardline date to have the names turned in?

Mr. Roberts responded February 18th or 19th.

Mr. Vecchio stated to Council please have the names by end of the day on February 18th.

Service Committee - Chairman, Poindexter

Mr. Poindexter reported the Service committee has one item on the agenda and there are no items in committee.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported the February meeting was cancelled due to no applications received.

**REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center - Trustee, Mencini

Mr. Mencini reported received the 2022 Top USA Award sponsored by the Plain Dealer and cleveland.com; with 1200 employees participating on different matters involving health care. With COVID-19 the hospital tested more than 53,000

**Reports from special committees: cont.**

people and treated 7,900 testing positive. There were 780 employees and 237 deaths and those numbers have decreased over the last month.

**Berea Board of Education - Representative, Coyne**

Madam Coyne reported that copies will be made available to Council regarding information on disorder, bullying and other forms of aggressive behavior. Will be attending the February 22nd meeting and will be discussing with Law Director Horvath who has great ideas of proposing conflict legislation between the students. Can't always rely on the parents and these are different times so if we can handle it at the lowest level that would be wonderful.

**Technology & Innovative Committee - Council Representative, Poindexter**

Mr. Poindexter reported the committee met on February 9th and discussed the electrical vehicle chargers grants; locations; compatibility and the issues that may or may not arise. There were also discussions about the city's website being outdated and needing upgraded. There will be a questionnaire developed for the departments heads what they want on the website.

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

Mayor Orcutt reported with the former PNC Bank on Snow Road in 2021 the Planning Commission approved Bigby Coffee to move into the building. Have been working with the developer to push forward on the project and the lease was signed on February 5th with Bigby Coffee moving in within six months. Capital budget talks with department heads, round one, have completed. Will be meeting for round two to whittle down their lists and will have all department heads before Council through March for discussions of the department's capital needs. With the former Bally's building on Snow Road I spoke with developers that wanted to put up a building and discussions took place about green space and removing the rear parking lot. A rendering will be brought forward to the Planning Commission with the concept of flooding relief by removing the rear asphalt and installing a retention basin. The Economic Development Commissioner and myself have a meeting scheduled next week with the Geronimo Group to discuss plans for the first building. To Councilman Poindexter with the electric vehicle charging stations speaking with the grant people the new locations was accepted and the electric vehicle chargers will be placed closer to the entrance of the parking lot. The second item of the Technology and Innovative committee about the website a call has been placed to have the necessary changes submitted weeks ago and will be working with the Technology & Innovative committee to make the website more efficient.

**Questions:**

Madam Coyne stated to Mayor Orcutt on tonight's agenda there is legislation to provide compensation for non-contractual employees and I would request to have this placed back in finance committee until negotiations are concluded. In my opinion to do this is unsound negotiation policy and unfair to those administrative employees not covered under union contracts; these employees deserve the same consideration. As one Councilmember I would prefer to discuss your administrative personnel streamlining in an executive session.

Mayor Orcutt responded I would recommend that we don't and follow the procedure that I'm obligated to do and have this before Council, for review. This is something that needs to be looked at and if it's something that Council doesn't want then just vote no. This will not affect any employee in their current role in a negative way, by making less money. This is putting parameters in order to make sure there is a financially responsible schedule in place if the city has to continue with these tax rebates for the next three, four or five years. I have spoken with city hall employees and they seem to be good with that but this is up to Council. If Council wants an executive session to speak about personnel, I understand that and do know what is going on in the city and understand the records requests coming in. One of the records request is with my administration we are working with \$6,790.00 less than 2021. Furthermore, if you would see the changes as Mayor we have streamlined over \$70,000.00 in the building department and \$50,000.00 in the recreation department.

Mr. Troyer stated to Mayor Orcutt that does not include the safety director, correct?

Mayor Orcutt responded that does not include the safety director on there.

Mr. Troyer continued you are planning on hiring one?

Mayor Orcutt responded not at this time.

Mr. Troyer asked that can be zeroed out?

Mayor Orcutt responded at this time you can, what I'm doing is reviewing what is going on with police and fire and will make sure that position is either filled or unfilled. Today, being day 50, there are certain things that had to be done to get where we are; everything on this schedule is factual.

Mr. Troyer commended Mayor Orcutt on what he has been doing.

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

Mr. Cingle stated the 2021 audit has begun with auditors being onsite today and the next few weeks. Wanted to give a brief overview with the 2022 budget in a kind of hi-level overview and show the challenges being faced. There is still more work to do before bringing brought forward before Council. Going to focus on the general fund, city income tax fund and the worksheet that shows the estimated/actual revenues; focusing initially on the general fund and the estimates for 2022 compared to the actual receipts for 2021. Looking at the last column estimated for 2022 the ending balance is \$3.2 million-dollars and by adding the fund balance reserve policy of roughly \$4.9 million-dollars; the year began at \$8.2 million-dollars with the calculated fund balance reserve policy. That will change working the finalized budget but looking to carry forward \$4.9 million-dollars to cover the fund balance reserve policy. Going through some of the line items the property tax line as everyone knows last year was an appraisal year for the county so the property tax estimate for the general fund for 2022 is a little over \$1.9 million-dollars; 2021 the city collected \$one million and six hundred seventy-five dollars, showing an increase in 2022. The local government county dollars estimated for 2022 is budgeted at \$425,000.00 compared to \$436,000.00. The state-aid real property rollback is budgeted at \$205,074 dollars and in 2021 there was a little over \$189,000.00 collected. Miscellaneous charge for public service is budgeted at \$491,000.00 compared to \$477,000.00 in 2021. Kept court costs and fines flat with court costs budgeted at \$135,000.00 and fines budgeted at \$222,000.00 estimated for 2022. Permits, licenses and fees were budgeted down by about 155,000.00. Parking fees have a little uptake with \$598,600.00 being budgeted in 2022 compared to \$495,000.00 in 2021. Transfer from the city income tax fund in 2021 there was a transfer of a little over \$17 million-dollars to the general fund. In 2022 the projection is \$14.4 million-dollars which is a large decrease in fund transfer. Proposing a transfer of \$450,000.00 from the admissions tax fund to meet the city's fund balance reserve policy. The income tax projections for 2022 is \$19.9 million-dollars compared to \$20,194.000 in 2021. Currently the general fund appropriations are a little over \$23 million-dollars the appropriations for the city income tax fund is a little over \$20.4 million-dollars. The admissions tax is budgeted at \$36,000.00, concession stand is \$88,000.00, retirees improved benefits fund is \$100,000.00, police pension \$749,000.00 and fire pension is \$822,500.00. Taking all the operating funds for the city adding all them together and eliminating all the inner fund transfers. There will be \$16.4 million-dollars transferred out of the city income tax fund with \$14.4 million-dollars of that amount will get transferred to the general fund with the balance going to the capital improvement fund. \$45,000.00 will go to the concessions stand funds, \$550,000.00 to the police pension fund and \$625,000.00 to the fire pension fund. Eliminate the inner fund transfers to the to the operational budget currently being used and, again, that will change

**Reports and communications from departments, commissions and other public officials:**

Finance Director Cingle: cont.

once some items are cleaned up. With compounding the budgetary growth of 3% that gives a dollar amount of approximately \$29,079.00 and some change bringing an amount of about 9 million-dollars.

**Questions:**

Mr. Mencini asked what is the \$4.9 million-dollars?

Mr. Cingle responded the \$4.9 million-dollars, per the ordinance, would be the calculated fund balance reserve policy.

Mr. Mencini asked for an explanation of the concessions stand fund.

Mr. Cingle responded that is mainly for the water park currently, the operation of the water park, that is not self-sufficient. The expenses exceed the revenues brought in so the proposal is to transfer \$45,000.00 from the general fund to cover the shortfall of the waterpark.

Mr. Mencini stated the \$2.6 million-dollars for property tax. In 2020 it was \$2.6 million-dollars; 2021 \$7.2 million-dollars and estimated in 2022 \$3.2 million-dollars. Can you itemize that?

Mr. Cingle responded to Mr. Mencini you are looking at the beginning balance line. You have to add the fund balance reserve policy of \$4.2 million-dollars; 2021 started at \$7.2 million-dollars add another \$4.2 million dollars' equals \$11.5 million-dollars; 2022 would be approximately \$8.1 million-dollars. The property tax numbers were given from the county are going from \$1,675,000.00 to \$1,925,000.00, showing an increase of \$250,000.00.

Mr. Mencini stated talking about the people working in other cities would that outweigh the opposite of people working from home in Brook Park have to pay elsewhere?

Mr. Cingle clarified you're asking Brook Park residents that are now working from home

Mr. Mencini responded yes.

Mr. Cingle continued if they would file with the City of Brook Park they would see those tax dollars being collected. Showing working from home and their principal place of employment is the City of Cleveland, pre-COVID-19. Now they are working from home in the City of Brook Park their employer could withhold those

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

dollars and the city would get those dollars from their employer. Or they could apply for a refund from the City of Cleveland and pay the 2% to the City of Brook Park. If they are working from home in Brook Park they will pay 2% income tax to Brook Park and pay Cleveland 2 1/2% those employees will save that 1/2% in income tax.

Madam Coyne stated to Mr. Cingle I recently asked for information and Mr. Cingle provided something to me but it is not what was requested. I requested an employee roster with the name of employee, full time or part time, and the compensation and benefit costs for the years 2021 and 2022, and assume would be readily available and already exist.

Mr. Cingle responded I don't recall seeing that request for non-union employees' salaries for 2021 and 2022.

Madam Coyne continued the information received there are only names but don't have the position, whether full or part-time and think that would be a better understanding of this streamlining and what is going to happening further.

Mr. Cingle stated that information will be provided. Continuing with the income tax analysis for 2022 versus 2021 last year income tax dollars nearly \$20.2 million-dollars. This year we're budgeting \$19.917 million-dollars. Businesses will be non-profit and the dollars received from residents it could be that the residents ask for a refund pre-COVID-19 and now working from home, that's where those dollars would be accounted for. Automotive industry and in the aeronautics sector this is where we believe the majority of the income tax refunds will come from. Not looking at this as the occasional entrant rule it's more the employees working from home. The emergency measure is lifted and the 2021 budget bill now allows for individuals to request refunds from municipalities where they were not working in 2021. The lawsuit for 2020 that speaks to the same item is in the Appellate Court and there was a ruling that favored municipalities. Then the plaintiffs have appealed that decision and it is believed this will go to the Supreme Court and hopeful they both courts will still rule in favor of the municipalities', it is still not clear what is going to occur for 2020. Most tax agencies think this will get to the Supreme Court and if ruled in favor of the plaintiffs then there will be additional refunds for 2020. I would summarize 2022 as a year of uncertainty with respect to income tax collections and how much income tax dollars will have to be refunded. There is much concern from the income tax professionals since no one has a good way to project what the refund magnitude is going to be. We're preparing for what we think is the worst and budgeting accordingly. In the Aeronautics industry we collected a little over \$6.1 million-dollars and in 2022 the

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

projection is a little over \$6 million-dollars so the budget is about \$97,000 less than in 2021. What we do know out of that industry there was a federal rule for a decision from the administrative office at NASA as to how many employees they were going to allow to work onsite on any given day in 2021 and it's continued in 2022. In 2021 the city's been informed that NASA followed the federal mandate for one-quarter of employees working onsite and three-quarter of the employees working remotely, again this is continued in 2022. The proposed income tax revenue for 2022 is \$19.9 million-dollars and we calculated the refund figure from \$364,000.00 with the encumbrance of \$8,000.00 from 2021. We calculated the refund figure from 2021 with the city collecting \$6.1 million-dollars roughly and we know that 75% of the individuals worked from home. So with the \$6 million-dollars we know that 75% of the individuals worked from is \$4.5 million-dollars roughly is income tax collected and attributed to individuals working outside of Brook Park. Every year there are refunds to taxpayers and corporations so in 2021 \$243,000 were refunded, every year there are refunds to taxpayers and corporations; which is called not working from home just general refunds. In 2021 there was \$243,000.00 refunded to taxpayers; in 2020 there were \$170,000.00 in refunds and in 2019 there was a little over \$312,000.00 and the in 2022 the refund projection is a little over \$200,000.00 which is what we call the general annual refunds estimated to process even without the work from home. Looking at a \$3.6 million-dollars you can see how that impacts the transfer from the general fund to the capital improvement fund. In 2021, there was \$17 million-dollars transferred to the General Fund and \$2.8 million-dollars to the Capital Improvement Fund and for 2022 the projection is to transfer \$14.4 million-dollars to the General Fund and a little over \$2 million-dollars to the Capital Improvement Fund.

Mr. Poindexter asked are we estimating the total to be less and then out of that less amount we still have to appropriate for those refunds?

Mr. Cingle concurred.

Mr. Poindexter continued going back year over year on average there have been \$2 million-dollars more actual than estimated receipts. In 2021 total revenues were \$31.7 million-dollars and the actual receipts were \$33 million-dollars, which is a similar estimate. Are we being a little more cautious than normal or assume using the same level of caution and being less than \$2 million.

Mr. Cingle responded we are always conservative on revenue projections, there are a lot of moving parts. In the business sector that is net-profit and again we try to look at historical data to project. There city may get a company that sends



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

in a high estimate and then may not have the tax liability to offset that estimate completely and can ask for a refund. It may come in on the top line in revenue and seen in the business line and in some cases not entirely owed until income tax when they can ask for a refund. The variance collected in 2021 versus 2022 is 277,000.00 so that is 1% variance. Getting 2% growth on the actual 2021 numbers is \$400,000; that would not offset what is being projected for refunds. With this year having a lot of uncertainty this is a year to be cautious with the budget so we can manage through these refunds. Note that the taxpayer has three years to file for a refund so I don't think we will know right on April 15th. I think what is going to wind up happening is the CPA's are going to work through the tax returns initially and either in the summer months or slow period to process the refund requests. The city is getting about 15 inquiries a day either by email or phone calls on how to get a refund. We are getting companies that they have an employee that is not working in the City of Brook Park, it's one employee not employees and want to set up an account, one or every two weeks. Hope would be that September have a good idea but, again, they have three years to request a refund.

Mr. Poindexter asked if the ruling stays in favor of the city with the appeals being invalid. If refunds were issued to people that weren't entitled are those people sent a bill?

Mr. Cingle responded refunds are only for 2020, in 2021 the emergency measure was lifted through the budgetary process and there are no refunds requests being processed. There have been inquiries on how to get a refund and people are told they can submit that request and it will be held until the courts decide.

Mr. Troyer stated to Mr. Cingle this occasional entrant issue what has been done to flip for the people that work in Cleveland at 2 1/2% or in Parma Hts. that has 3% what is being done to educate our residents?

Mr. Cingle responded speaking with the Mayor putting out a separate newsletter for income tax only to alert Brook Park residents that worked from home in Brook Park. Contact the tax department to discuss if you are entitled to a refund from your previous place of employment and walk them through on how to submit that request.

Mr. Troyer continued seems that the we don't have a lot of control with money going out but have control bringing money in by educating the people.

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

Mr. Vecchio stated to Mr. Cingle because of House Bill 157 is there an estimate for 2020 and 2021 or put that together for the next budget discussions.

Mr. Cingle stated 2020 wouldn't be as bad because there were a few months that employees were working in the city for the first quarter of 2020, at least in the Aeronautics industry. The concern we have is that again in 2022 people are still working remote and talking with the administration at NASA it appears that there are components of the administration i.e. the accounting department it doesn't sound like they are ever going back.

Mr. Troyer stated to Mr. Cingle with this occasional entrant issue what has been done for the people that used to work in Cleveland at 2 1/2% and Brook Park only 2%; or people that work in Parma Heights at 3%. That could be advantageous for Brook Park residents to file correctly and what is being done to educate Brook Park residents?

Mr. Cingle responded spoke with the Mayor about putting out a separate newsletter just for income tax only alerting residents that if you worked from home in Brook Park. Contact the tax department whether or not people are entitled a refund from their previous place of employment and walk them through the steps on how to process their return to the City of Brook Park.

Mr. Troyer continued it seems like we don't have a lot control on the money going out but have a lot of control on bringing money in by educating the people.

Mr. Vecchio asked Mr. Cingle because of House Bill 157 is there an estimated total for 2020 and 2021 that may be refunding; or can that be put together for the next set of budget discussions.

Mr. Cingle responded certainly we can, 2020 would not be as bad because there were employees working full-time in the city for the first quarter of 2020, at least in the Aeronautics industry. The concern we have is in 2022 people are still working remotely and talking with the administration there it appears there are various components of the administration i.e. accounting department that are never going back. So the new normal is concerning in that employees hopefully will gravitate back and start working in Brook Park at the facility. To wrap this up as a high level overview this budget is challenging and is being prepared on a \$14.4 million-dollar General Fund transfer from the Income Tax Fund; that is almost \$2.6 million-dollars less than transferred in 2021. So when this budget comes

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

forward there will be an understanding on the challenges. how it was prepared. The projected tax amount is \$14.4 million dollars and working through the 20% transfer to the Capital Improvement fund. The total amount appropriated is \$4,320,000.00 and subtracting out the 2020 encumbrances and 2021 encumbrances, leases and commitments that have to be made and also bringing in the debt-service that has to be paid and transferred out of the Capital Improvement Fund that number is less than \$750,956.00. Which is the dollar amount transferred from the Income Tax Fund to the General Bond Retirement Fund. Backing out some restrictive dollars for the clerk and police computer funds. The number given to the Mayor to work with is \$1.7 million-dollars for him to take out for the Roads program, lease cars and vehicles wanting to be purchased this year as well as sewer improvements. That is not a large collar amount and the thought process going through this with respect to the work from home matter is this being a challenging budget. Do expect using cash balances to balance the budget and hope for better new in the future.

Law Director Horvath

Mrs. Horvath stated the law department has no report.

Recreation Director Gonzales

Mr. Gonzales reported as stated baseball and softball registrations are taking place and the department is seeking sponsorship, any donations will be taken. The Father-Daughter dance has 180 participants signed up. There is a football spring co-ed for children in grades first through sixth. The library and recreation center will be doing joint programming at both locations. Mr. Gonzales thanked James Presley of the technology committee for help with the billboard out front for advertising of upcoming programs. The energy project at the amphitheater will appear on the March Planning commission meeting and the game room is now open for use with a pool table, foosball table and computer game hookups.

Engineer Piatak

Mr. Piatak stated no report.

Service Director Beyer

Mr. Beyer reported that bulk pickup is this week on regular rubbish days. The service department has been staying busy with removal of the basketball courts in the central park area to make room for the outdoor fitness equipment installation hopefully next month, weather permitting. Service crews have been removing snow from the cul-de-sac and are continuing to trim trees, throughout the city, with 100 trees trimmed over last month.

**Questions:**

Mr. Roberts thanked Mr. Beyer and service crews for the issues in Ward 3, especially in the school bus areas, residents are happy.

Madam Coyne requested from Law Director Horvath the proper procedure and process for holding a public hearing relating to medical marijuana.

Madam Horvath asked for a detailed email be sent.

Mr. Poindexter asked Mr. Beyer if bulk pickup week will continue being the second week, as prior administration, or will there be a change?

Mr. Beyer stated bulk week will stay the same because the last administration put out the calendar.

Mr. Poindexter suggested to Mr. Beyer residents are desiring to have a place for bulk pickup drop-off during the winter months, perhaps on a Saturday morning using the waterpark parking lot.

Mr. Beyer responded that will be a discussion with the Mayor in the near future.

Mr. Troyer expressed kudos to Mr. Beyer and service crews for the cleanup of snow at the cul-de-sacs and also with the tree trimming. Mr. Troyer asked the if the tree is being trimmed all around, correct?

Mr. Beyer responded yes, the trees are being trimmed all around for walkers.

Mr. Troyer suggested to Mr. Beyer to alert the residents on the bulk week pickup.

Mr. Beyer responded this month bulk week started on a Tuesday, may be the same situation next month, so technically goes into the third week but bulk week is the second full week.

Mr. Troyer stated to Mr. Piatak that Sandhurst has created a few waves.

Mr. Piatak clarified with the joints rising?

Mr. Troyer concurred.

Mr. Piatak responded I don't like it but it's not uncommon for joints to rise in the pre-thaw winter and expect for them to go down as the weather moderates.

Mr. Salvatore asked Mr. Gonzales how are baseball-softball signups going?

**Questions:**

Mr. Gonzales responded currently signups are slow but will pickup.

Mr. Salvatore continued to Mr. Gonzales will there be an extension if needed?

Mr. Gonzales responded yes, looking at the numbers there will always be an extension, if needed.

Mr. Mencini asked Law Director Horvath for an updated active civil litigation list

Madam Horvath stated after the holidays things are always quiet and most cases have stayed the same.

Mr. Mencini stated to Mr. Gonzales very good job with the game room thanked for the employee report. Lot if kids in the gym playing full court with two groups playing half-court. Will that always be done when there are 50 to 60 adults and children in there?

Mr. Gonzales responded today was exceptional with having the gym jam-packed with kids being on one side playing full court and also half-court. Will be bringing up to the recreation commission at next meeting to address if there could be certain periods for full court as well as the times for children to be in the building, to eliminate the chaos and cluster. Adult residents have also requested that children only be allowed in the building during certain times and also having only full-court times.

Mr. Mencini stated to Mr. Beyer with bulk pickup are you looking to add an opening in the winter months for possible drop-off?

Mr. Beyer responded the service department opens up the service garage in mid-April for bulk and yard waste drop-off. There was no discussion of the plant opening earlier than April 15th, that will be discussed either later this year or early next year.

Mr. Mencini stated to Mr. Beyer tell the crews good job.

Mr. Mencini stated to Mayor Orcutt good job by the safety departments and looking forward to Biggy's coffee coming to the city.

Mr. Vecchio asked Mr. Beyer bulk pickup and yard waste drop-offs are spring to fall, correct?

Mr. Beyer responded yes, that runs through mid-April to November.

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

**New Legislation:**

A Resolution accepting the recommendations of the housing council on the City of Brook Park's community reinvestment area (CRA) agreements and declaring an emergency. Introduced by Mayor Orcutt. Placed in Planning committee.

A resolution approving participation in region governance structure under the OneOhio memorandum of understanding and declaring an emergency. Introduced by Mayor Orcutt. Placed in Legislative committee.

**Motion** by Mr. Poindexter, supported by Mr. Mencini, for a five-minute recess.

**ROLL CALL: AYES:** Poindexter, Mencini, Roberts, Coyne, Scott, Salvatore, Troyer. Unanimous vote.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns with not wearing masks properly. Ms. Sayers thanked Mr. Beyer for consideration with a recent neighbor situation.

Lou Modic

14399 Fayette Blvd.

Mr. Modic expressed concerns with Council showing fiscal responsibility by eliminating of one position of a Council-at-large cost-savings. Legislation for non-union salaries not affecting any employees in current positions and bulk-pickup week being confusing.

Ray Peterlin

5311 Wengler Drive

Mr. Peterlin thanked service crews on snow removal and expressed concerns with residents not having handouts that Council receives i.e. budget reports. Expressed concerns with people parking boats, cabin cruisers, recreation vehicles (RV's) and Winnebago's in front yard and having out of town guests living in them.

Matthew Priefer

16140 Cynthia Drive

Mr. Priefer stated this is the first time attending a City Council and thanked the elected officials and staff for doing a great job on improving the city in both

**Remarks from the audience: cont.**

present and in the future, also getting buyers for the former Bally building as well as other vacant buildings in the city.

**Motion** by Troyer, supported by Mr. Poindexter, to respond to the audience. Unanimous vote.

Mr. Troyer stated to Ms. Sayers and Mr. Modic agree with somethings said and to Mr. Peterlin there is a need to regulate recreational vehicles as well as work vehicles.

Mr. Peterlin welcomed Mr. Prierer for coming and stated this group is looking at the best interests of the city, and won't always agree.

Madam Coyne thanked Ms. Sayers for her honesty, Mr. Modic for his forthcoming and to Mr. Peterlin the recreational vehicles and boats issued need to be looked at. To Mr. Prierer and your father thanked them for being so hospitable and knowledgeable.

Mr. Mencini thanked Mr. Prierer for the very nice comments, Mr. Peterlin if you know of anyone living in something outside the home please notify city officials. Don't want to stop parking of these vehicles but there has to be limits. To Ms. Sayers thank you for your comments even though we don't always agree. To Mr. Modic agree with your comments when coming to the microphone. Likes the five-minute time limit and never agreed with the reduction of City Council due to all work put in.

Mayor Orcutt stated to Mr. Peterlin met with Mr. Mencini, building commissioner and Police Captain Edwards about the parking of recreational vehicles. Think most people don't understand the ordinances and something will be put out to educate the people on this matter.

Mr. Roberts welcomed Ms. Sayers back and thanked Mr. Prierer for coming.

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

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

1. ORDINANCE NO. 11237-2022

AN ORDINANCE AMENDING SECTION 537.05 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'AGGRAVATED MENACING' AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter, C/W and Mayor Orcutt.

Mr. Vecchio stated Ordinance No. 11237-2022 has had its first reading.

2. ORDINANCE NO. 11238-2022

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ADMINISTRATIVE CODE TO PROVIDE ADJUSTMENTS IN COMPENSATION FOR EMPLOYEES OF THE CITY, OTHER THAN ELECTED OFFICIALS OR THOSE COVERED UNDER NEGOTIATED LABOR CONTRACTS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

Mr. Troyer commented will be voting no on suspension, do not have information asked for and thinks there are other things to learn on this.

**ROLL CALL: AYES:** Salvatore, Roberts, Scott, Mencini

**NAYS:** Coyne, Poindexter, Troyer. Suspension failed with a vote of 4-3.

Mr. Vecchio stated Ordinance No. 11238-2022 has had its first reading.

3. ORDINANCE NO. 11239-2022

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 ENERGIZING COMMUNITY GRANT(S) FUND AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

**ROLL CALL: AYES:** Mencini, Scott, Coyne, Troyer, Salvatore, Poindexter, Roberts  
**NAYS:** None. Suspension carried.

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

**ROLL CALL: AYES:** Troyer, Mencini, Poindexter, Salvatore, Scott, Roberts Coyne  
**NAYS:** None. Ordinance No. 11239-2022, has passed under Suspension of the Rules. Adopted.



**First Reading of Ordinances and Resolutions: cont.**

4. RESOLUTION NO. 3-2022

A RESOLUTION APPROVING THE STORM WATER MANAGEMENT AND ACCESS EASEMENT AGREEMENT BETWEEN PAWUK REALTY LIMITED AND THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY.

Introduced by Mayor Orcutt.

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

Mr. Troyer commented very important to get this done, people have been waiting a long time.

**ROLL CALL: AYES:** Mencini, Salvatore, Poindexter, Roberts, Scott, Coyne, Troyer  
**NAYS:** None. Suspension carried.

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

**ROLL CALL: AYES:** Scott, Troyer, Coyne, Salvatore, Poindexter, Mencini, Roberts  
**NAYS:** None. Resolution No. 3-2022, has passed under suspension of the rules. Adopted.

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

Mr. Mencini stated to Council Clerk Johnson very good job tonight it's not easy with wearing masks.

There being no further business to come before this meeting a **motion** by Madam Coyne, supported by Mr. Roberts, to adjourn.

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

Council President Vecchio declared this meeting adjourned at 9:23 p.m.

RESPECTFULLY SUBMITTED *Carol Johnson*  
Carol Johnson  
Clerk of Council

APPROVED 5-3-22

THESE MEETING MINUTES ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.

