

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
HELD ON TUESDAY, APRIL 5, 2022  
7:00 P.M.**

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:

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

Also in attendance were Mayor Orcutt, Law Director Horvath and Finance Director Cingle. Also in attendance: Engineer Piatak, Service Director Brain Beyer, and Recreation Director Andres Gonzalez.

**DISCUSSION:**

1. AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND BID DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRAC(S) FOR THE 2022 ROADS PROGRAM, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt - PER COUNCIL PRESIDENT VECCHIO.

Mr. Vecchio stated that this piece will be Introduced under Letter J in tonight's Council meeting.

Mayor Orcutt gave a brief overview of the ordinance and referred to Engineer Piatak for further information concerning the ordinance.

Mr. Piatak elaborated on the details as it pertains to the annual Roads Program and welcomed any questions.

Mr. Vecchio gave more specifics as to what streets the roads program would take place. Hio Dr. Cul De Sac to Merece Dr., Delores Blvd, Sylvia Dr. to Paulding area, and Middlebrook Blvd from Havendale Dr. to Heatherwood Dr Heatherwood.

Mr. Roberts asked Mayor Orcutt if this legislation was time sensitive.

Mayor Orcutt replied that this is absolutely time sensitive to get bids in timely manner and to get the project rolling.

**Motion** by Mr. Troyer supported by Mr. Poindexter that this was discussed.

Madame Coyne shared information from a newspaper article that misquoted her about an amount of funds not being appropriated for the Roads Program. She asked to make an amendment to the amount to correct what was misstated in the article.

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

**DISCUSSION: cont.**

2. A RESOLUTION AUTHORIZING THE MAYOR TO PARTICIPATE IN THE ODOT CONTRACT FOR ROAD SALT, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt - PER COUNCIL PRESIDENT VECCHIO.

Mr. Vecchio stated that this piece will also be Introduced under Letter J in tonight's Council meeting.

Mayor Orcutt a brief overview of this resolution and asked Mr. Beyer to bring forth additional information.

Mr. Beyer reiterated that this is an annually renewed contract for Road Salt Services from ODOT. This for the year 2022 and 2023.

Mr. Vecchio asked Mr. Beyer about the time restraints for this contract to approved.

Mr. Beyer replied that not only is it does this piece needs to be approved expediently, additionally, ODOT needs the contract submitted at a certain time frame and get legislation passed by cites by the end of April.

**Motion** by Mr. Troyer supported by Mr. Mencini that this was discussed.

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

**Motion** by Mr. Troyer supported by Mr. Roberts to go out of regular order of business.

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

3. ELECTORAL REDISTRICTING PER BROOK PARK CHARTER (Councilmen Scott and Salvatore) - PER COUNCIL PRESIDENT VECCHIO.

**Motion** by this was discussed.

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

**PLANNING COMMITTEE - CHAIRMAN, TROYER:**

Mr. Troyer stated that the next two (2) pieces need to preferably be moved to tonight's Council meeting for passage. He gave a brief overview of both pieces of legislations and read the title of the first Resolution.

1. A RESOLUTION GRANTING A 17-SPACE PARKING VARIANCE AT 15059 HUMMEL ROAD, "PARCEL B-CLUTCH AUTO," LOCATED IN THE U3-A5 ZONE, AND THE LOT SPLIT "PARCEL B-CLUTCH AUTO," FROM PPN 344-13-001 LOCATED IN THE U3-A5 ZONE, AND DECALRING AN EMERGENCY. Introduced by Councilman Troyer and Council as a Whole- PER COUNCIL PRESIDENT VECCHIO.

**PLANNING COMMITTEE - CHAIRMAN, TROYER: cont.**

Mr. Troyer acknowledged that he should have brought this piece forth in an earlier meeting to be moved to Regular Council meeting for approval but would like to place it on tonight's Council meeting under Letter M.

**Motion** by Mr. Salvatore, supported by Mr. Poindexter to place under Letter M in tonight's Council meeting.

Mr. Mencini asked about the amendments and why they weren't in the resolution.

Mr. Troyer explained and stated that it will be sorted out at tonight's meeting.

The Clerk called the roll.

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

Mr. Troyer read the next Resolution title:

2. A RESOLUTION GRANTING A 8' HEIGHT VARIANCE TO CONSTRUCT A NEW CLASS-A SELF STORAGE FACILITY "THE SPACE SHOP" AND GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A NEW CLASS-A SELF STORAGE FACILITY LOCATED AT 14571 SNOW ROAD, BROOK PARK, OHIO, IN THE U3-A ZONE, AND DECALRING AN EMERGENCY. Introduced by Councilman Troyer and Council as a Whole - PER COUNCIL PRESIDENT VECCHIO.

Mr. Troyer asked Mayor Orcutt if he would like to co-sponsor both pieces of legislation.

Mayor Orcutt responded that he would.

Mr. Troyer asked the Clerk to place the Mayor of these legislations as co-sponsor.

**Motion** by Madame Coyne, supported by Mr. Poindexter to place under Letter M in tonight's Council meeting.

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

**FINANCE COMMITTEE - CHAIRMAN, SCOTT:**

1. A RESOLUTION OPPOSING SUB. HOUSE BILL 519 AMENDING THE LAW REGARDING MUNICIPALE INCOME TAX PRE-EXEMPTION, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt - PER COUNCIL PRESIDENT VECCHIO.

Mr. Scott read the title of the resolution and asked mayor Orcutt to introduce the legislation.

Mayor Orcutt gave a brief overview of the resolution and then asked the Finance Director to give further comments.

Mr. Cingle stated that Ohio Municipal League is requesting communities to pass a resolution in opposition to the House Bill. This an assault on Municipal income tax collections. This was one of the sample resolutions provided by the OML and asked

**FINANCE COMMITTEE - CHAIRMAN, SCOTT: cont.**

all communities to approve one asap and get it sent down to Columbus to show the communities' opposition to this House Bill.

Mr. Mencini asked Mr. Cingle what way would this affect The City Brook Park?

Mr. Cingle responded that it would limit the penalties that could be charged for late filing of municipal income and prohibits late filing notices from being sent to tax payers during the IRS extension period. Under House Bill 5 back in 2016, the penalties and interest charge by municipalities was changed to allow a \$25 a month charge for late filing to a maximum of \$150. Interest was reduced at that time. In this House Bill, the penalties are being reduced to the maximum of \$25. Therefore, \$25 is the penalty for being a year late and the same amount is charged for being 2 years late versus \$150. The interest has not been adjusted upward at all.

Mr. Vecchio asked Mayor Orcutt if he would like to be a co-council on this legislation with council as whole.

Mayor Orcutt replied, yes.

**Motion** by Mr. Troyer, supported by Mr. Mencini to place on tonight's Council meeting under Letter M.

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

Mr. Vecchio moved to the Service Committee.

**SERVICE COMMITTEE - CHAIRMAN, POINDEXTER:**

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK, FOR THE STORMWATER MCM #6 IMPLEMENTATION, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt - PER COUNCIL PRESIDENT VECCHIO.

Mr. Poindexter read the title of the ordinance and gave Mayor Orcutt the floor.

Mayor Orcutt gave a brief overview of the ordinance and turned the floor over to the Service Director, Mr. Beyer.

Mr. Beyer explained further this ordinance as a housekeeping program that Brook Park has participated in for approximately three (3) years. It reimburses the city for cleaning of the catch basin, street sweeping, and basically keeping the city's waterways clean.

Mr. Troyer asked Mayor Orcutt if this was a time sensitive piece.  
Mayor Orcutt responded that it is, absolutely.

**Motion** by Mr. Troyer, supported by Mr. Roberts to place on tonight's Council meeting under Letter M.

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

**DISCUSSION: cont.**

Mr. Vecchio asked for a motion to go back to regular order of business.

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

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

3. ELECTORAL REDISTRICTING PER BROOK PARK CHARTER (Councilmen Scott and Salvatore) - PER COUNCIL PRESIDENT VECCHIO.

Mr. Scott stated that only a verbal approval is needed on any of the map variants that are presented to Council. Legislation is not needed it is all verbal approval. Mr. Vecchio reiterated that there are four (4) variables to choose from. There will be a brief discussion and then a vote on the variants.

Mr. Mencini stated that he is for variant four (4).

Mr. Roberts agreed that number four (4) because it has the least amount of movement.

Mr. Troyer stated that number one would be his first (1) choice and number three (3) his second choice. Number four (4) has too much interlocking of districts.

Mr. Mencini asked to hear from the rest of Council before taking a vote.

Mr. Scott stated that he favors variant 4 because it has the least amount of shifting.

Mr. Poindexter stated that this doesn't affect the At Large Councilpersons as it does the Ward members. As such, he wanted to hear the Ward members' thoughts before voicing his opinion. Ward 4 is more favorable over the others because it has the lowest range and it is less likely that the wards would have to change again.

Mr. Vecchio went around for a Council vote:

Variant 1	Variant 2	Variant 3	Variant 4
Scott - <b>NAY</b>	Mencini- <b>NAY</b>	Scott - <b>NAY</b>	Mencini- <b>YEA</b>
Coyne- <b>NAY</b>	Roberts- <b>NAY</b>	Coyne- <b>NAY</b>	Mencini- <b>YEA</b>
Troyer- <b>YEA</b>	Poindexter- <b>NAY</b>	Troyer- <b>NAY</b>	Mencini- <b>YEA</b>
Salvatore- <b>ABSTAIN</b>	Salvatore- <b>ABSTAIN</b>	Salvatore- <b>ABSTAIN</b>	Salvatore- <b>ABSTAIN</b>
Poindexter- <b>NAY</b>	Troyer- <b>NAY</b>	Poindexter- <b>NAY</b>	Troyer- <b>NAY</b>
Roberts- <b>NAY</b>	Coyne- <b>NAY</b>	Roberts- <b>NAY</b>	Coyne- <b>YEA</b>
Mencini- <b>NAY</b>	Scott - <b>NAY</b>	Mencini- <b>NAY</b>	Scott - <b>YEA</b>

Variant 4 was chosen 5 to 1 with one abstention.

**Motion** by Mr. Poindexter, supported by Mr. Mencini that this was discussed.

**ROLL CALL: AYES:** Poindexter, Mencini, Roberts, Salvatore, Troyer, Coyne, Scott  
**NAYS:** None. One abstention (Salvatore). Motion approved.

**ADJOURNMENT:**

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

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

**NAYS:** None. Motion approved.

Adjourned at 7:31P.M.

RESPECTFULLY SUBMITTED



Carol Johnson  
Clerk of Council

APPROVED

June 7, 2022

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