

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, APRIL 19, 2022  
7:30 P.M.**

- A. ROLL CALL OF MEMBERS**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**
- D. REPORTS OF STANDING COMMITTEES:**
  - Aviation & Environmental Committee – Chairman, Poindexter
  - Finance Committee - Chairman, Scott
  - Legislative Committee - Chairwoman, Coyne
  - Parks & Recreation Committee - Chairman, Mencini
  - Planning Committee - Chairman, Troyer
  - Safety Committee - Chairman, Roberts
  - Service Committee - Chairman, Poindexter
  - Board of Zoning Appeals - Chairman, Salvatore
- E. REPORTS OF SPECIAL COMMITTEES:**
  - Southwest General Health Center Trustee, Mencini
  - Berea Board of Education Representative, Coyne
  - Technology & Innovation Council Representative, Poindexter
- F. REPORTS OF BOARDS AND COMMISSIONS:**
- G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**
- H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:**
- I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,  
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**
- J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL  
APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**



**K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

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

1. ORD. NO. 11248-2022  
AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 163 OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED 'TECHNOLOGY AND INNOVATION COMMITTEE,' AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter
2. ORD. NO. 11249-2022  
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 Councilman Poindexter
3. RES. NO. 10-2022  
A RESOLUTION IN SUPPORT OF OUR RESIDENTS ENROLLING THEIR STUDENTS IN BEREA CITY SCHOOLS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt & C/W
4. RES. NO. 11-2022  
A RESOLUTION GRANTING PROJECT APPROVAL FOR THE POWER AND LIGHTING DESIGN OF THE CITY OF BROOK PARK'S COMPLEX, AND DECLARING AN EMERGENCY. Introduced by Council as a whole.

**N. SECOND READING OF ORDINANCES AND RESOLUTIONS:**

**O. THIRD READING OF ORDINANCES AND RESOLUTIONS:**

**P. ADJOURNMENT:**



**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
HELD ON TUESDAY, APRIL 19, 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, SCOTT, COYNE, POINDEXTER, SALVATORE**

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

Councilman Roberts properly excused.

**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter reported there is nothing new in committee.

Finance Committee - Chairman, Scott

Mr. Scott reported there are two items on tonight's agenda. There has been no Board of Control since last meeting.

Legislative Committee - Chairwoman, Coyne

Madam Coyne stated no report but the Mayor would like to discuss the Home Maintenance Assistance Program (HMAP).

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported spring break so watch out for the children. Recreation center has been filling up. Look for this Thursday activities in collaboration with the City of Middleburg Heights. Baseball and softball teams will be in full swing soon.

Planning Committee - Chairman, Troyer

Mr. Troyer reported there is one item on tonight's agenda, that needs one minor amendment, relating to the lighting of the central park complex, near the library.

Safety Committee - Chairman, Roberts

Mr. Roberts excused, therefore, no report given.

Service Committee - Chairman, Poindexter

Mr. Poindexter reported there is one item in the service committee would like to bring out at the next Caucus meeting. Have been receiving calls about disposal of mattresses during bulk pickup. All mattresses must be bagged if left on curb or residents can dispose of mattresses themselves at the service garage, no bag is needed.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported no meeting since last report. The next meeting is scheduled for May 2nd.

**REPORTS OF SPECIAL COMMITTEES:**

**Southwest General Health Center - Trustee, Mencini**

Mr. Mencini reported the patient volume medical group was below budget for March leaving a negative operating level for the month of March. The health center has invested \$1.6 million-dollars in capital improvements to date, approved from last year's budget.

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

Madam Coyne reported the next meeting is scheduled for April 25th, she will be attending. Currently working with Mrs. Horvath and Sergeant Sensel to figure out the legalities regarding bullying and other issues occurring. Some students are still home-schooling so these issues are out of the school boards hands.

**Technology & Innovation Council Representative, Poindexter**

Mr. Poindexter stated the committee met on April 13th with the city's economic development commissioner in attendance to discuss the main campus WI-FI and believe the Mayor will be instructing the economic development commissioner to seek grants for the central park, nice little caveat. The committee also did a survey of all city departments for a wish list of each department needs to update the city's website, in the near future.

**REPORTS OF BOARDS AND COMMISSIONS:**

**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

**REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Orcutt reported updates with the Roads Program the survey and base-mapping have been completed on all three streets. The Middlebrook Blvd. project is the furthest along and anticipate advertising in two weeks. Hio Drive and Delores Blvd. anticipate the advertising process in mid-June. With the Super 8 hotel demolition waiting for the testing company to perform the environmental testing on the facility. There will be an entry police testing in mid-June. The central park committee met last week that included a walk-thru of the indoor pool area; it was raining that day showing the infiltration of water on the compromised roof. A meeting is scheduled for April 21st with Bud Griffith, of Construction Resources to discuss the roof study and design.

**Questions:**

Mr. Poindexter asked Mayor Orcutt with the entry level police officer testing; will there be an entry level testing to fill the two positions in the service garage?

Mayor Orcutt responded that is not set up through the service department's union.

**Questions to the Mayor: cont.**

Mr. Poindexter read from Charter section 11.02 (2) 'The classified service shall include but not limited to the following positions'..." All foremen, truck drivers and laborers employed in the Department of Public Service".

Mayor Orcutt responded there have been discussions with conflicting issues on that.

Mrs. Horvath will research and send out an opinion; with the upcoming Civil Service agenda there are topics relating to the service department.

Mr. Poindexter continued reason for asking is that I heard that people have been hired or will be hired.

Mayor Orcutt responded we are in the process of hiring and one person has been hired.

Mr. Poindexter asked if the positions were advertised?

Mayor Orcutt responded there is a file in the human resources department prior to becoming Mayor, we working from.

Mr. Mencini stated to Mayor Orcutt that former Mayors had an open door police to meet. I have not met with you or talked with you and will you be meeting with Councilmembers? Is that in the plans to pick a date and time to meet with Councilmembers?

Mayor Orcutt responded have been doing that now, have met with Councilman Poindexter and have met with Councilman Salvatore regularly, in my office.

Mr. Mencini asked do we call your office?

Mayor Orcutt responded if you would like to meet regularly to discuss the issues of RV parking and so forth; call my office and will get you on the schedule.

Mr. Mencini continued have been hearing a lot of things and think we need to meet regularly. Former Mayors had an open door policy and understand there is a lot on your plate, being new and never doing this before.

Mayor Orcutt continued I do have an open door policy and have met regularly with Councilmembers in my office, since taking office. If you would like to set up a rotating meeting schedule every other week, that's fine. The central park committee draws a good base-line for the park and the entire plan will be

**Questions to the Mayor: cont.**

filtered through the Planning committee and City Council, with those meetings being open to the public.

Mr. Salvatore asked Mayor Orcutt if there has been any consideration of lateral transfers?

Mayor Orcutt responded that was discussed at last month's Civil Service meeting and the members are working very hard on this matter. Looking at other cities that have lateral transfers this is a nationwide problem because not everyone is signing up to be a police officer.

Mr. Salvatore expressed concerns with other cities that are doing this and hopes that Brook Park doesn't lose a few officers.

Mayor Orcutt stated the Civil Service commission is looking at other cities that have lateral transfers for their criteria.

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

Finance Director Cingle:

Mr. Cingle reported that the 2021 audit continues with no further update. Yesterday was the deadline to file city income taxes unless requesting a six-month extension. Thanked both the tax department for their hard work during tax season with extended hours; also thanked the taxpayers for their patience yesterday when waiting to file their taxes.

Law Director Horvath:

Mrs. Horvath reported that the city's civil litigation cases are status-quo with the exception of one tax foreclosure case with the house being sold; waiting for the outcome. The department has been busy with the handling of many cases involving potholes and/or flat tires. Want to publicly thank the service department for information provided to process these claims.

Service Director Beyer:

Mr. Beyer reported the rubbish and yard waste drop off at the service garage is open from 7:30 a.m. to 7:00 p.m., Monday through Friday and Saturdays from 10:00 a.m. to 2:00 p.m. Mr. Beyer thanked Mr. Poindexter for the wrapping of mattresses when leaving on the curb during bulk week. This is to protect the service crews and their families with the uptick of bedbugs. If residents are bringing mattresses to dispose themselves at the garage they can either be wrapped or not. There have been questions about having two bulk pickups that was suspended years ago and never continued. The asphalt crews have been



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

**Service Director Beyer: cont.**

out every day since March 28th, when the asphalt plant opened, weather permitting. The matter that Mrs. Horvath spoke of is an isolated area that has remedied. The Mayor's number one priority is to get the crews out and also allowed the department to rent another asphalt roller to tackle these issues. Tree lawn crews have been out repairing tree lawns from snow damage; if any resident has tree lawn damage please call the service department. Crews have made repairs to joints and slabs of bad concrete in the Fayette Blvd. and Green Drive and this is the first time crews have done this type of work, saving the city money.

**Recreation Director Gonzales:**

Mr. Gonzales stated the Easter event was fabulous with a lot of people in attendance, mostly Brook Park residents. Want to thank everyone who donated or volunteered for this event. The center had two events that day with the Easter event and Senior Tea running at the same time. There were some parking issues and thanked a few Councilmembers and Mayor Orcutt for traffic control. Moving forward the center will not schedule two events on the same day. As everyone knows the Easter event was scheduled to be outdoors but due to weather had to be moved into the center. Speaking with Officer Kosakowski (Koz) it was estimated that there were 3,000 people in the center. 65 children have signed up for spring break activities in collaboration with Middleburg Hts.; on Mondays and Wednesdays children will be going to Middleburg Hts. and on Tuesdays and Thursdays activities will be held in Brook Park. Last September the department applied for a grant for helmets, face masks and etc. and proud to report that the first batch was received, next order coming in May. The price tag on each helmet is \$70.00 with the department receiving over \$10,000.00 in equipment. Thanked the service crews for the baseball and softball fields looking good. The tennis nets are up for anyone that wants to play. Registration for the Mother-Son dance is this Friday.

**Questions:**

Madam Coyne asked Mr. Gonzales if there is an age limit for the upcoming Mother-Son dance?

Mr. Gonzales responded there is no age limit and commented at the recent Father-Daughter dance there was a four-year-old child with her 60-year-old dad.

Mr. Mencini stated to Mr. Beyer with the hot-patch being put in and the dampness from the weather getting under there the patch comes back out; tell

**Questions: cont.**

the crews great job with the hot-patching. To Mr. Gonzales the Easter event was very good even with the parking issues it was nice to see this recreation center humming, hasn't been seen for a long time.

Mr. Poindexter stated to Mr. Cingle losing a big piece of the finance department, when is your assistant's last day?

Mr. Cingle responded Marty Healy is leaving to take a position in the City of Strongsville. There is not a final day because he will be working on a part-time basis.

Mr. Poindexter publicly thanked Mr. Healy for all his hard work provided.

Mr. Cingle mentioned that Mr. Healy is a viable part of the department and me but understand why he is leaving for a better position for his family.

Mr. Mencini stated to Mr. Cingle pass along to Mr. Healy a class act and spent a lot of time with me, answering questions.

Madam Coyne agreed with both Councilmembers and wished all the best to Mr. Healy, an amazing person and will do great things.

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

New Legislation:

1. An Ordinance authorizing the purchase and installation of a precast concrete restroom building from CXT, Inc., for the Brook Park Central Park and declaring an emergency. Introduced by Mayor Orcutt. Placed in Recreation committee.
2. An Ordinance amending Ordinance No. 11143-2022, authorizing the implementation of the Brook Park Home Maintenance Assistance Program (HMAP) and declaring an emergency. Introduced by Mayor Orcutt. Placed in Legislative committee.
3. An Ordinance authorizing the Mayor to advertise for bids for tree inventory services and to authorize the Mayor to enter into a contract with the lowest and/or best bidder to provide the tree inventory services and declaring an emergency. Introduced by Mayor Orcutt. Placed in Service committee.
4. An Ordinance authorizing the Mayor to trade-in the city's 2013 Hustler Hyperdrive 72-inch mower and purchase a new 72-inch Hustler Super Z mower and flex forks and declaring an emergency. Introduced by Mayor Orcutt. Placed in Service committee.

**New legislation: cont.**

- 5. An Ordinance authorizing the Mayor to enter into a contract with Stoops Western Star of Ohio (ODOT CO-OP purchasing 023-22) for the purchase of a Western Star truck chassis to be packaged with a Henderson body and declaring an emergency. Introduced by Mayor Orcutt. Placed in Service committee.
- 6. An Ordinance authorizing the Mayor to enter into a contract with Henderson Products (Sourcewell contract 080818-HPI)/Sourcewell #39065 for the purchase of a 2022 single-axle snow and ice control truck equipment package and declaring an emergency. Introduced by Mayor Orcutt. Placed in Service committee.
- 7. An Ordinance authorizing the Mayor to enter into a contract with Buckeye pumps, Inc. to purchase four list station pumps, two control panels and two primex pressure transducers and declaring an emergency. Introduced by Mayor Orcutt. Placed in Service committee.

Mr. Scott asked Madam Coyne to have HMAP legislation pulled out of committee and placed under letter M.

Madam Coyne concurred.

**Motion** by Mr. Scott, supported by Mr. Mencini, to place HMAP legislation out of committee and place under letter M on tonight's agenda.

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

Mr. Vecchio stated this will appear as Ordinance No. 11150-2022.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

Carl Burgio

15073 Sylvia Drive

Mr. Burgio stated the Tri-City dog park committee met on April 14th in the Brook Park community room and thanked Mayor Orcutt for introducing himself to the committee. Discussions included fundraising events, dog park ideas, planting of trees, lighting, artificial turf and other items. The first fundraising event will be held on June 10th at Teamz. The next meeting will be held on June 4th at Berea City Hall.

Liz Sayers

23065 Cedar Point Road

Ms. Sayers asked when will the recreation roof repairs begin and expressed concerns with being in the recreation building.

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

1. ORD. NO. 11248-2022  
AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 163 OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED 'TECHNOLOGY AND INNOVATION COMMITTEE,' AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter.

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

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

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

**ROLL CALL: AYES:** Mencini, Scott, Coyne, Troyer, Salvatore, Poindexter  
**NAYS:** Unanimous. Ordinance No. 11248-2022, has passed under suspension of the rules. Adopted.

2. ORD. NO. 11249-2022  
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 Councilman Poindexter.

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

Madam Coyne thanked Mayor Orcutt and Finance Director Cingle for clarification on this matter.

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

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

**ROLL CALL: AYES:** Troyer, Mencini, Poindexter, Salvatore, Coyne, Scott  
**NAYS:** Unanimous. Ordinance No. 11249-2022, has passed under suspension of the rules. Adopted.

3. RES. NO. 10-2022  
A RESOLUTION IN SUPPORT OF OUR RESIDENTS ENROLLING THEIR STUDENTS IN BERA CITY SCHOOLS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt & C/W

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

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

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

**ROLL CALL: AYES:** Mencini, Poindexter, Salvatore, Troyer, Coyne, Scott  
**NAYS:** Unanimous. Resolution No. 10-2022, has passed under suspension of the rules. Adopted.

**Ordinances and Resolutions: (First Reading):**

4. RES. NO. 11-2022

A RESOLUTION GRANTING PROJECT APPROVAL FOR THE POWER AND LIGHTING DESIGN OF THE CITY OF BROOK PARK'S COMPLEX, AND DECLARING AN EMERGENCY. Introduced by Council as a whole.

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

Mr. Troyer wanted to make an amendment to the first section to clarify. At the end of section one eliminate the period (.) and insert 'as presented by the Planning Commission meeting held on April 4, 2022.

Mr. Salvatore asked what was presented, how can we make an amendment with nothing here?

**Motion** by Mr. Troyer to amend and stated the way it reads it appears that we're approving lighting for the whole complex and the commission only approved a part.

Mr. Mencini commented it doesn't say whole.

Mr. Troyer clarified by stating whole complex.

Mrs. Horvath stated this is the second occasion this year where we have a request that came up from the Planning Commission and past practice was Council voted up or down. Seems we're on the cusp of some sort of change our procedure and should follow what the commission sends to the Council clerk. Bad precedent when something comes up and there is an amendment whether minor or eliminating certain provisions, like the last time. Don't know why this is being done and the Councilmember making the amendment sits on that commission and could voice those comments at that meeting (Planning). If an amendment is to be made, then please attach any necessary documentation and Mrs. Horvath suggested that each time something comes from the Planning commission that we look at tweaking or it there or amending it there we thereby disregard the opinion of the Planning commissioners who heard the entire presentation and made a determination as to what they specifically felt was appropriate in the legislation. We go back to either voting it up or down and if Council feels there is any confusion let's take all those drawings and specifications that were previously presented and attach to the legislation.

Madam Coyne had a question for the finance director?

Mr. Vecchio asked if this has to do with the amendment?

Mr. Salvatore stated the roll call should be called for suspension then present the amendment.

**Ordinances and Resolutions: (First Reading): cont.**

The clerk called the roll on suspension.

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

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

Mr. Troyer stated the law director is only to speak when asked to speak and planning did not ask the law director to draw up Council did at the last meeting. Just want to clarify, very simple and have this clear, it seems that we're approving the whole central park complex. To Mayor Orcutt this includes only the lighting around the amphitheater, library and workout area?

Mayor Orcutt responded absolutely and with the spending they have to go out and get prices for this.

Mr. Troyer stated to Mayor Orcutt any other plans for lighting in the central park area will come before Planning?

Mayor Orcutt concurred.

Mr. Troyer withdrew his motion.

Mr. Salvatore asked that the clerk read the first 'Whereas'.

Mr. Troyer stated the first 'Whereas' is not binding; it is section one is binding.

The clerk called the roll on adoption.

**ROLL CALL: AYES:** Mencini, Salvatore, Poindexter, Troyer, Coyne, Scott  
**NAYS:** Unanimous. Resolution No. 11-2022, has passed under suspension of the rules. Adopted.

5. ORDINANCE NO. 11250-2022  
AN ORDINANCE AMENDING ORDINANCE NO. 11143-2022, AUTHORIZING THE IMPLEMENTATION OF THE BROOK PARK HOME MAINTENANCE ASSISTANCE PROGRAM (HMAP) AND DECLARING AN EMERGENCY.  
Introduced by Mayor Orcutt.

**Motion** by Mr. Salvatore, supported by Madam Coyne, to suspend.

**ROLL CALL: AYES:** Salvatore, Coyne, Scott, Mencini  
**NAYS:** Troyer, Poindexter. The motion failed with a vote of 4-2.

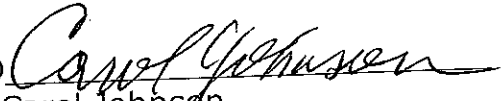
**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

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

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

Council President Vecchio declared this meeting adjourned at 8:34 p.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.

