

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON TUESDAY, JUNE 7, 2022**

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, Finance Director Cingle, Recreation Director Gonzales and Service Director Beyer.

DISCUSSION:

1. DIVISION OF LIQUOR CONTROL - CAVALRY AIR LLC, DBA FRONT ROW BBQ, 15119 SNOW ROAD & PATIO, BROOK PARK, OH 44142. **C TRFO 0915119, POSTMARK DATE 6/26/22**

Mrs. Horvath asked Council to place on the next Caucus agenda.

Motion by Mr. Mencini, supported by Mr. Roberts, to place on the June 14, 2022 Caucus agenda.

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

2. AMERICAN LEGAL SUPPLEMENTAL PAGES FOR CODIFIED BOOKS - **\$4,055.50.**

Motion by Mr. Troyer, supported by Madam Coyne, to place on the Council agenda immediately following under verbal approval.

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

Council President Vecchio stated this will appear as J-1.

3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GOVDEALS.COM FOR THE PURPOSE OF AUCTIONING MISCELLANEOUS FIRE EQUIPMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt

Mayor Orcutt stated this ordinance allows for disposal of fire equipment; the city has an account with GovDeals.com. The way this works is there is a 12% fee assessed for every item, that is not consumed by the city; the purchaser takes on the fee, there is no cost to the city.

Discussion: cont.

Motion by Madam Coyne, supported by Mr. Troyer, to place on the Council agenda immediately following under letter J.

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

Council President Vecchio stated this will appear as J-2.

4. AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF THE 2022 SIDEWALK REPLACEMENT PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt

Mayor Orcutt stated during the 2022 budget Council approved \$50,000.00 for the sidewalk program. This program will begin late spring or early summer and will inspect the areas where we left off at and incorporate building department sidewalk issues. After the inspections are done letters will be sent out mid-summer. Then we will start collecting funds from residents that want to participate in this program with sidewalks being replaced late summer/early fall.

Madam Coyne asked Mayor Orcutt will the labor be done by the service or building departments?

Mayor Orcutt responded both the labor and inspections will be done in-house by the service department. This being a pilot program once the concrete, gravel, seed, topsoil and necessary tools are purchased; we figure there will be approximately \$43,000.00 to work with to pour concrete. The way this will work is there will be 32 blocks taken out at time and once those blocks are filled and poured; crews will move onto the next 32, one truckload pours 32 blocks.

Mr. Poindexter asked Mayor Orcutt is the labor included in that?

Mayor Orcutt responded the labor is not included, that was just appropriated.

Mr. Poindexter continued if residents pay \$100.00 how much of that \$50,00.00 will used? I can't imagine a block of concrete being over \$100.00.

Mayor Orcutt responded with the materials it is estimated there is about \$43,000.00 worth of concrete to get us anywhere from 400 to 470 blocks to be done, the city can't make money on this whatsoever.

Mr. Poindexter asked do you know cost for material for one block on average?

Mayor Orcutt stated \$50,000.00 for the program did 500 blocks, that's \$100.00.

Discussion: cont.

Mr. Poindexter stated if the resident pays \$100.00 the \$50,000 is not needed.

Mayor Orcutt stated working with both the finance and service directors we are going to implement this program and have that money paid forward; with monies received back to have this program continue every single year. So it's one-time funding that the city puts money in one time.

Mr. Poindexter continued the city puts money in one time and every year it replenishes itself?

Mayor Orcutt concurred and stated looking to get over 400 done a year which is more than in the past.

Mr. Poindexter asked how many workers are 'earmarked' for this project and will that take away from other issues in the city?

Mayor Orcutt responded there will be two workers used to inspect in late spring/early summer. The plan is to tear out the blocks and the day the blocks are poured there will be three people used. Because there is a certain fee and workers have to move with that truck. Then we will have two finishers behind for a total of five.

Mr. Poindexter continued with 32 blocks at a time the focus will be on a particular neighborhood, no light loads.

Mayor Orcutt stated we don't want to have light loads because if let's say five yards is needed there could be a time given of 2:00 p.m.

Mr. Troyer stated he likes the fact that it's going to perpetuate itself and would like to this with the HMAP (Home Maintenance Assistance Program) making it a loan and not a grant. I sent a memo of a few residents that need sidewalks and received a response that it's the resident's responsibility. Is there a way to get those residents on the list because I am aware of some that should be put on this list?

Mayor Orcutt responded absolutely, we can get them on the list, the objective is to make a safer environment.

Mr. Mencini stated with the sidewalk program, the HMAP, grass and snow coming from Mr. Poindexter's questions. Little monies are being generated back and we have to take into consideration. When doing sidewalks', the weather, vacations and the many other jobs at the service garage. I am willing to give this a go this year and hope it works out.

Discussion: cont.

Mayor Orcutt responded this is the first time done in-house and is a pilot program, and will be more efficient. In the past, the contractors would tear blocks out and city personnel would have to hound them asking where are you? Service crews can be doing many things and have a water break. Also, have to remember that once a month nine members are taken from the department for bulk pickup. That will be addressed by this administration this year because there are a few homes that have bulk items every month.

Mr. Mencini stated glad you're seeing that pickup trucks are dropping off items.

Mayor Orcutt stated as a former Councilman I've seen trucks dropping off items and it has to stop; taxpayers are paying for that.

Mr. Poindexter stated with the legislation reading sidewalk replacement program. Are there any plans to address streets that have no sidewalks, such as Christene? Residents have expressed a desire for sidewalks so can this be implemented in this program?

Mayor Orcutt responded that can be done but as Mr. Mencini mentioned we have to be aware of time. Also, HB157 is changing our city so we are changing the way we operate, by doing this in-house. There are very talented people in the service garage and I know for a fact it's something we can do. Go over to Grayfriar where we are in the process of pouring 90 yards of concrete to replace half of a cul-de-sac, that's never been done before by city workers. I think that is something that we have to look at and also think Cedar Point is another one. Would have to do with the management of the city has as well as the cost of it.

Motion by Mr. Mencini, supported by Madam Coyne, to place on the Council agenda immediately following under letter J.

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

Council President Vecchio stated this will appear under J-3.

5. AN ORDINANCE AMENDING BROOK PARK CODIFIED ORDINANCES 1519.06 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
(Fireworks)

Mayor Orcutt stated HB 172 goes into effect on July 1, 2022 allowing fireworks to be blown off on certain days of the year. That is not feasible for our city due to houses being so close in range. This ordinance protects the current law in place and not part of HB 172, keeping the current ordinance on the books intact.

Mr. Troyer stated he is okay with this as is and stated to Mrs. Horvath this is an

Discussion: cont.

amendment and there is some wording in the Charter about repealing but in this case doesn't apply. Because we're not removing any wording just adding, correct.

Mrs. Horvath concurred

Mr. Mencini stated wanted to say as Councilmembers and also the administration we get many calls. I don't think anyone wants to stop fireworks but it's the heavy bombs going off at 10:00 p.m., 11:00 p.m. or 3:00 a.m. or 4:00 a.m. There are seniors, veterans and people that have pets in this city.

Mr. Poindexter stated am okay with legislation as written, fireworks have been illegal in Brook Park for as long as I've been here. If we were to give permission as the state is to blow off fireworks it would get bigger.

Mr. Troyer mentioned the city funded two firework displays in the budget. It is annoying when people are blowing off fireworks during the city's home days' celebration. Could this be limited to July 4th from 10:00 to 12:00.

Mr. Vecchio stated to Mrs. Horvath let's say the city moved forward with this and someone is discharging fireworks that randomly hits a house who is responsible?

Mrs. Horvath responded of course, in my opinion, the person shooting off the fireworks would be responsible. Sometimes sovereign immunity would come into police issues.

Mr. Vecchio clarified if the city followed HB 172 could there be a liability?

Mrs. Horvath responded I don't see any liability because people are expected to obey laws and sovereign immunity would protect the city.

Motion by Madam Coyne, supported by Mr. Troyer, to place on the Council agenda immediately following under letter J.

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

Mr. Vecchio stated this will appear as J-4.

IV. LEGISLATIVE COMMITTEE - CHAIRWOMAN, COYNE:

1. A RESOLUTION HONORING JOE HOLESOVSKY FOR BEING CHOSEN AS 2022 CITIZEN OF THE YEAR AND DECLARING AN EMERGENCY.
Introduced by Councilman Roberts, C/W and Mayor Orcutt.

Mr. Roberts stated the Citizen of the Year committee met and chose Mr. Holesovsky as the 2022 Citizen of the Year winner.

Legislative committee - Chairwoman, Coyne: cont.

Motion by Mr. Salvatore, supported by Mr. Troyer, to place on the Council agenda immediately following.

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

Mr. Vecchio stated that will appear under K-1 as Resolution No. 12-2022.

SERVICE COMMITTEE - CHAIRMAN, POINDEXTER:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO 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.

Mayor Orcutt recommended have this read in committee, another piece of legislation will be forthcoming with contract.

Motion by Mr. Troyer, supported by Mr. Scott, to be read in committee.

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

2. A RESOLUTION REQUESTING CUYAHOGA COUNTY TO PROCEED WITH THE RESURFACING OF SHELDON ROAD FROM ENGLE ROAD TO SMITH ROAD IN THE CITIES OF BROOK PARK AND MIDDLEBURG HEIGHTS RESOLVING TO PAY ONE-HUNDRED PERCENT (100%) OF THE PRELIMINARY AND DESIGN ENGINEERING, CONSTRUCTION AND CONSTRUCTION SUPERVISOR OF THE WATERLINE REPLACEMENT AND ASSOCIATED WORK WITHIN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated there has been a waterline issue on Sheldon Road for many years that is being chased both by Cleveland water and the city service department.

Mr. Piatak stated Council previously passed a cooperative agreement with the county for resurfacing of Sheldon Road between Engle and Smith Roads; that agreement has been executed and is down at the county. We requested that the county include this waterline segment between Engle Road and I-71 as part of this resurfacing project. The county agreed to include that waterline with the caveat it is all at city costs. The following legislation is a companion piece allowing the city to move forward with the design to have that waterline plan into that project with the plan of the county to begin construction in 2024.

Mr. Poindexter asked this is more than a resurfacing project with the tear-out of

Service Department - Chairman, Poindexter: cont.

the base of the road to replace the line, more or less a rebuild.

Mr. Piatak responded in some areas the waterline isn't under the pavement there is maybe 12" waterline with a 5' or 6' trench that is under the pavement. Some areas will have a more extensive repair but most will be a mill and fill.

Mr. Troyer asked Mr. Piatak this isn't cement it's all asphalt?

Mr. Piatak responded all asphalt.

Mr. Troyer continued it's not like pouring concrete and have to wait to cure and dry.

Mr. Piatak concurred.

Mr. Troyer asked Mr. Cingle money is being put aside for this?

Mr. Cingle responded yes, we may have to fund this project in 2023 for the construction season of 2024.

Motion by Mr. Mencini, supported by Mr. Roberts, to place on the Council agenda immediately following under letter M.

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

Mr. Vecchio stated this will appear under letter M as Resolution No 13-2022.

- 3. AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND BID DOCUMENTS AND THE MAYOR TO ENTER INTO A CONTRACT/AGREEMENT FOR THE SHELDON ROAD WATER MAIN REPLACEMENT PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Troyer, supported by Madam Coyne, to place on the Council agenda immediately following under letter M.

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

Mr. Vecchio stated this will appear under letter M as Ordinance No. 11262-2022.

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, Roberts
NAYS: Unanimous.

Council President Vecchio declared this meeting adjourned at 7:36 p.m.

RESPECTFULLY SUBMITTED Carol Johnson
Carol Johnson
Clerk of Council

APPROVED 7-19-22

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