

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
TO BE HELD ON TUESDAY, JULY 19, 2022  
7:00 P.M.**

**I. ROLL CALL OF MEMBERS:**

**II. PLEDGE OF ALLEGIANCE:**

**III. DISCUSSION:**

1. MEDICAL MARIJAUNA

NOTE: Speakers John Pardee and Don Attie representatives from Ohio Rights Group specializing in Medical Marijuana. -PER COUNCIL PRESIDENT VECCHIO.

2. SOUTHWEST GENERAL ORGANIZATION LIST

**Deadline: August 31, 2022-** PER COUNCIL PRESIDENT VECCHIO.

3. LIBRARY LEASE- PER COUNCIL PRESIDENT VECCHIO.

4. A RESOLUTION AUTHORIZING THE CITY OF BROOK PARK TO APPLY FOR A GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCE AND DECLARING AN EMERGENCY.

Introduced by Mayor Orcutt. – PER COUNCIL PRESIDENT VECCHIO.

**IV. LEGISLATIVE COMMITTEE -- COUNCILMAN, COYNE**

1. A RESOLUTION OPPOSING HOUSE BILL 563, WHICH IF PASSED, WILL PROHIBIT A MUNICIPAL CORPORATION FROM ADOPTING OR ENFORCING ANY REGULATION OR RESTRICTION THAT PROHIBITS SHORT-TERM RENTAL PROPERTIES OR REGULATES THE NUMBER, DURATION OR FREQUENCY OR RENTAL PERIODS FOR SHORT-TERM RENTAL PROPERTIES, AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

2. A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS, ON VAPE AND SMOKE ESTABLISHMENTS OR SHOPS WITHIN THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

3. AN ORDINANCE AMENDING BROOK PARK CODIFIED ORDINANCE 2786-1967, AND DECLARING AN EMERGRNCY. Introduced by Mayor Orcutt.

**LEGISLATIVE COMMITTEE – COUNCILMAN, COYNE cont.**

4. A RESOLUTION APPROVING THE CITY OF BROOK PARK'S INTERNSHIP POLICY, AUTHORIZING THE MAYOR TO EXECUTE SUCH DOCUMENTS WITH UNIVERSITIES AND OTHER INSTITUTION OF HIGHER LEARNING AS MY BE NEEDED TO FORMALIZE THE CITY'S INTERNSHIP PROGRAM WITH INTITUTIONS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
  
5. AN ORDINANCE AMENDING SECTION 333.03(j) (3) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MAXIMUM SPEED LIMITS; ASSURED CLEAR DISTANCE AHEAD.' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**V. PLANNING COMMITTEE – COUNCILMAN, TROYER:**

1. A RESOLUTION GRANTING APPROVAL FOR A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL TO CONSTRUCT A NEW FULL-SEVICE CAR WASH FACILITY AT 5764 WEST 130<sup>TH</sup> STREET LOCATED IN THE U4-A3 ZONE, AND DECLARING AN EMERGENCY. Introduce by Council As A Whole.

**VI. SAFETY COMMITTEE – COUNCILMAN, ROBERTS:**

1. A RESOLUTION OPPOSING OHIO'S NEW CONCEALED CARRY HANDGUN LAW, AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

**NOTE: EXECUTIVE SESSION CALLED BY MAYOR ORCUTT.  
REASON: SALE OF PROPERTY**

**V. ADJOURNMENT**

**Posted: 7/15/22**

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
TO BE HELD ON TUESDAY, JULY 19, 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:

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

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

**Motion** by Mr. Mencini, supported by Mr. Roberts, to go into Executive Session for two reasons:

1. Pending Court Action
2. Sale of Property

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

**NAYS:** Unanimous. 7:03 p.m.

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

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

**AYES:** Unanimous. 8:00 p.m.

Motion by Mr. Mencini, supported by Madam Coyne, for a five-minute recess.

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

**NAYS:** Unanimous. 8:02 p.m.

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

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

**NAYS:** Unanimous. 8:07 p.m.

**Motion** by Mr. Roberts, supported by Mr. Mencini, to go out of regular order of business to Planning Committee:

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

**NAYS:** Unanimous.

**PLANNING COMMITTEE - CHAIRMAN, TROYER:**

1. A RESOLUTION GRANTING APPROVAL FOR A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL TO CONSTRUCT A NEW FULL-SERVICE CAR WASH FACILITY AT 5764 WEST 130TH STREET LOCATED IN THE U4-A3 ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

Mr. Troyer stated the Planning commission turned this down and now comes to Council to approve, disapprove or approve with stipulations.

**Planning Committee - Chairman, Troyer:**

**Motion** by Mr. Mencini, supported by Madam Coyne, to allow speakers.

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

**NAYS:** Unanimous.

**Bruce Waterhouse**

**Legal Counsel for property owner Randy Krause**

**3328 Allenbury Drive**

**Solon, OH**

Mr. Waterhouse stated this transaction is important to Mr. Krause who is 70 years-old and retired from Baldwin-Wallace college and the air force. Mr. Krause lost his wife 12 years ago, has no children and lives in North Royalton. This property located on West 130th Street has been in the Krause family for 40 years and basically operated as gas stations. This was the sole source of income for Mr. Krause and when the recent Speedway (gas station) lease expired in 2019, that caused financial hardship for Mr. Krause. In that 3 to 3 1/2 years' liens have been filed against the property which was Mr. Krause's retirement and only asset and if this doesn't go through will be devastating to Mr. Krause.

**Brian Cruz**

**15951 Kingsford**

**Strongsville, OH**

Mr. Cruz provided packets illustrating the core values and stated there are eight facilities in Northeast Ohio and currently building a ninth facility; being in the Marines the name Sgt. Clean was picked. The packet also provides comments from Mayor and Police Chiefs from other cities where located regarding noise and traffic along with a list of other references. Currently finished building the car wash in Strongsville and donated \$10,000.00 to the Strongsville Education Fund and raised over \$6,000.00 for the Streetsboro Education Fund. This process started in January, 2022 and had an executed purchase agreement in March. Mr. Siefert the architect for the project attended the Planning commission meeting of July 6th giving a presentation with the project being voted down by a vote of 5-1 with no clear reason why. Looked at the appeal process and received an email to come here and then another email received not to come here and the reason why we are here tonight.

Mr. Mencini thanked both gentlemen for their service and condolences on your loss. Looking at the packet this will only be a car wash, nothing sold inside the shop.

Mr. Cruz responded an express cars wash only.

**Planning Committee - Chairman, Troyer:**

Mr. Mencini asked if there is a number projection?

Mr. Cruz responded there will be 12 to 15 employees, an investment of \$300,000.00 to the city and a \$ 5 million-dollar building constructed.

Mr. Mencini stated there will be revenue tax to the schools is there anything else for the schools?

Mr. Cruz responded yes, there is a campaign for free car washes to the teachers and also our main focus is on leadership.

Mr. Mencini asked will you be able to agree with the conditions from the city's engineer i.e. a fire hydrant and moving of a driveway apron?

Mr. Cruz responded those were brought to the Planning committee meeting and yes, we can agree with those nine conditions.

Mr. Troyer clarified that Sgt. Clean can agree to the nine conditions from the city engineer and also a possible retention pond in the corner?

Mr. Cruz concurred and stated there is a retention basin in the Parma facility so the costs are known.

Madam Coyne stated being a (Navy) corpsman thanked you both for your service, acknowledgement also given to Madam Coyne who stated it's nice to have a family business that wants to come to Brook Park.

Mr. Vecchio asked what makes you want to come to Brook Park?

Mr. Cruz responded there are a lot of different reasons such as the mural on the wall come grow with us. We are in this area and community and this will be complimentary to our Parma, Strongsville and Westlake locations. This has been a vacant piece of land for quite a while and think Brook Park needs the investment, especially with the recent closing of the hotel and we want to invest.

Mr. Troyer asked if anyone mentioned that if this is approved it will have to go back to the Planning committee for aesthetics?

Mr. Cruz responded no, but we are capable of going through the process.

Mr. Troyer continued this is written in stone about the West 130th street driveway and it was suggested being a right-hand turn only when exiting. Also, was told this should just be an exit and don't agree with that. Also, the moving north to

**Planning Committee - Chairman, Troyer: cont.**

that corner of the lot for people going left they don't get stuck at the (traffic) light.

Mr. Cruz responded have spoken with our architect, Mr. Siefert, and we would be happy to move north of there and actually would be better for us; having four curb cuts instead of two.

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

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

**NAYS:** Unanimous.

**Motion** by Mr. Mencini, supported by Mr. Roberts, to approve with engineer stipulations.

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

**NAYS:** Unanimous.

Mr. Troyer stated this is verbally approved unless would like to do at the Council (meeting) too.

**Motion** by Mr. Salvatore, supported by Mr. Roberts, to place under verbal approval.

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

**NAYS:** Unanimous.

**Motion** by Mr. Mencini, supported by Madam Coyne, to go back to the regular order of business.

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

**NAYS:** Unanimous.

**DISCUSSION:**

1. **MEDICAL MARIJUANA Note:** In attendance: Speakers John Pardee and Don Attie - Representatives from the Ohio Rights Group specializing in Medical Marijuana.

Mr. Vecchio stated with discussion item number one the speakers are unable to attend and have not received a confirmed date and assume it will be after summer session is over and placement on a regular Caucus agenda.

Mencini Roberts discussed

**Motion** by Mr. Mencini, supported by Mr. Roberts, that item number one was discussed.

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

**NAYS:** Unanimous.

**Discussion: cont.**

2. SOUTHWEST GENERAL ORGANIZATION LIST: **Deadline Date August 31, 2022.**

Mr. Vecchio stated these are organizations throughout the city that serve as Southwest representatives.

Mr. Salvatore stated the Council President serves as chairman and an alternate is chosen by City Council, if the chairman cannot attend.

Madam Coyne asked is this for the board?

Mr. Vecchio responded no, this is an annual meeting of delegates.

Madam Coyne mentioned will take the nomination.

Members of Council, in attendance, voted AYE in favor of Madam Coyne being the alternate.

**Motion** by Mr. Troyer, supported by Madam Coyne, to place on the Council agenda for verbal approval.

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

3. LIBRARY LEASE:

Mayor Orcutt stated the library lease expired in 2021 and have met with the director and CFO. Would still be a basic lease like the last 25 years for \$1.00 a year. The director and CFO also talked about the parking lot that is overdue for replacement with a cost of \$25,000.00; some numbers are lower but items are increasing. The project would be from Memorial Drive to the stop sign, by the amphitheater and the entire parking lot and striping. The library would fund the entire project with zero interest and a payback over ten years. The only thing the library would be responsible for is the area of 25 parking spaces

Mr. Mencini stated there has been talk the library shouldn't be there but if this is a start, sounds like a good plan. The library is a good resource and does a good job. Would like to see the mailbox removed prior to this but like what I'm hearing. People say don't like it and it shouldn't be there.

Mayor Orcutt agreed and stated provides books and is currently feeding 15 daily lunches.

**Discussion: cont.**

Mr. Roberts clarified this will be a cost of \$250,000.00 for a ten-year lease at zero interest.

Mayor Orcutt concurred and stated the city will put the money up front and will have to budget starting in 2023, and throughout. Will make sure there is a solid number provided to be included in the legislation.

Mr. Troyer stated always looking for another angle or way but this sounds pretty good. Has there been any other alternative of possibly moving it or them maybe moving to (former) Brook Park Memorial school.

Mayor Orcutt responded that did not come up in the discussion.

Mr. Troyer asked they are solid with the 25-years, can't be five or ten?

Mayor Orcutt responded as Mayor and a resident would want that library here for another million years.

Mr. Troyer stated would want a library here.

Mayor Orcutt stated doesn't mean they can't upgrade.

**Motion** by Mr. Roberts, supported by Madam Coyne, to have proper legislation drafted and bring back to Council.

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

4. A RESOLUTION AUTHORIZING THE CITY OF BROOK PARK TO APPLY FOR A GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this is a grant through the State of Ohio Nature Works that the city submitted an application for an additional pavilion on the municipal campus.

**Motion** by Mr. Troyer, supported by Mr. Mencini, in second 'Whereas' strike word replace and insert construct.

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

Mayor Orcutt continued this is a 75/25% grant with the city paying 25% of the project ranging at \$85,499.00. The dollars 'earmarked' for this project would come from \$50,000.00 donation from Mr. Ray Park for the Brook Park script sign.



**Discussion: cont.**

The leftover monies would be utilized for the pavilion and the other 25% would be for a 30 x 36 concrete pad and also the labor. The name of this project is the 'Iron Mike Tedesco Memorial Project'. The city met the application deadline date of July 15th and has 30 days, August 15th, for submission.

**Motion** by Mr. Troyer, supported by Mr. Roberts, to have introduced at the Council meeting immediately following.

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

**NAYS:** Unanimous.

**LEGISLATIVE COMMITTEE - CHAIRWOMAN COYNE:**

1. A RESOLUTION OPPOSING HOUSE BILL 563, WHICH IF PASSED, WILL PROHIBIT A MUNICIPAL CORPORATION FROM ADOPTING OR ENFORCING ANY REGULATION OR RESTRICTION THAT PROHIBITS SHORT-TERM RENTAL PROPERTIES OR REGULATES THE NUMBER, DURATION OR FREQUENCY OR RENTAL PERIODS FOR SHORT-TERM RENTAL PROPERTIES AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, C/W and Mayor Orcutt.

Mr. Mencini stated back in 2018 I brought forward legislation amending code section chapter 1414 registration rentals for Air BNB's and short-term leases due to having an issue in Ward 2. Most ward Councilmembers get housing complaints and don't want to classify rentals and homeowners. I agree with a lot of things coming from the State of Ohio but when getting into home-rule the city, village and township are all different and I have an issue with the state classifying them all the same; home rule grants residents a voice in the community called home. HB 563 would prohibit any regulation or restriction short-term rental properties of the number, duration, frequencies or rental periods for short-term rental properties. The piece in 2018 if you were grandfathered they were fine with this piece with Air BNB's the owner must live in the home and this will be tough but home rule authority in the Ohio Constitution grants the residents a voice in the community they call home and this would take that away a little bit. We fought hard for that piece in 2018 and you can't tell people what they can do in their homes but you can regulate many things.

Mr. Troyer stated as a chartered city we do have a way to do this and where is HB 563 currently?

Mr. Mencini responded it's close to passage.

Mr. Troyer stated anytime they want to take away home rule I'm against.

Mayor Orcutt commented that he co-sponsored a resolution opposing HB 563 with the Mayors' and Managers' organization. This is another example of how the

**Legislative Committee - Chairwoman, Coyne:**

state is trying to overtake.

Madam Coyne under Home Rule can this still be determined?

Mr. Mencini responded yes the state says and the government says yes it could go to court.

Mrs. Horvath stated any legislation passed can be challenged and Council needs to take a look at this if they want this for our community. Make policies based on what is best for the community and not on someone deciding to a court challenge on legislation.

Mr. Mencini stated as Mr. Troyer when they start coming at us with home rule, the state, government, county there are a lot of items that they should i.e. Covid.

**Motion** by Mr. Troyer, supported by Mr. Roberts, to move to letter M on tonight's Council agenda.

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

Mr. Vecchio stated that will appear under M-1 as Resolution No. 15-2022

2. A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS ON VAPE AND SMOKE ESTABLISHMENTS OR SHOPS WITHIN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this moratorium will allow the city time to properly zone these types of establishments.

Mr. Troyer stated in favor of this but will not be in favor or extending past 12 months.

Mr. Mencini stated this is a good piece and these establishments are welcome to come to the city but should be in their own little areas, not a main corner of the city.

**\*Motion** by Mr. Troyer, supported by Mr. Roberts, to place under letter M, first reading, on tonight's Council agenda.

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

**Legislative Committee - Chairwoman, Coyne:**

Mr. Vecchio stated this will appear under M-2 as Resolution No. 16-2022.

3. AN ORDINANCE AMENDING BROOK PARK CODIFIED ORDINANCE NO. 2786-1967 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated in speaking with Councilmembers' some good suggestions were made on how to move forward with this; a new piece will be introduced at the Council meeting.

**Motion** by Mr. Troyer, supported by Mr. Mencini, to have read in committee.

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

**NAYS:** Unanimous.

4. A RESOLUTION APPROVING THE BROOK PARK'S INTERNSHIP POLICY, AUTHORIZING THE MAYOR TO EXECUTE SUCH DOCUMENTS WITH UNIVERSITIES AND OTHER INSTITUTION OF HIGHER LEARNING AS MAY BE NEEDED TO FORMALIZE THE CITY'S INTERNSHIP PROGRAM WITH INSTITUTIONS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated the administration created an internship program all city departments with policy and procedures that will have to be followed. These interns will receive no compensation only credits for interning.

Mr. Mencini stated very good piece and like that we're opening up to students.

Mr. Vecchio asked are there any departments to add interns in the near future?

Mayor Orcutt responded yes, the economic development department and this opens up for anyone that needs credits for internship programs.

Mr. Vecchio asked is this for six weeks or a quarter?

Mayor Orcutt responded three months, one semester.

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

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

**NAYS:** Unanimous.

Mr. Vecchio stated that will appear under letter M-3 as Resolution No. 17-2022

**Legislative Committee - Chairwoman, Coyne:**

AN ORDINANCE AMENDING SECTION 333.03 (j)(3) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MAXIMUM SPEED LIMITS' ASSURED CLEAR DISTANCE AHEAD AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this amends an existing ordinance on the books and was requested by the law department to be able to fine double when driving through construction zones; to help protect the construction workers.

Mrs. Horvath stated this will update what is currently what is on the books and help with the construction workers' safety.

Mr. Troyer stated to Mrs. Horvath this will conform with the way the Ohio Revised Code reads?

Mrs. Horvath responded yes, there was a change and this will make the city consistent.

Mr. Troyer continued the way this reads it seems like we're weakening the law.

Mrs. Horvath stated I think it's written correctly but will take another look at this and provide an answer.

Mr. Mencini stated this piece would with enforcement, enforcement is everything.

**Motion** by Mr. Scott, supported by Mr. Roberts, to move to letter M on tonight's Council agenda.

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

Mr. Vecchio stated will appear under M-4 as Ordinance No. 11272-2022.

**PLANNING COMMITTEE - CHAIRMAN, TROYER:**

**Note:** Moved by **motion** to the beginning of the meeting.

**SAFETY COMMITTEE - COUNCILMAN, ROBERTS:**

1. A RESOLUTION OPPOSING OHIO'S NEW CONCEALED CARRY HANDGUN LAW AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, Salvatore, Roberts, Scott

Mr. Mencini stated was going to have a guest speaker, unfortunately, he was unable to attend. Would like to move this to the August 23rd meeting.

Mayor Orcutt stated in complete support don't feel we need to loosen laws for safety or training with people not having to tell police officers of having a gun.

**Motion** by Mr. Mencini, supported by Mr. Scott, to amend section one to include the Mayor.

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

Mr. Troyer stated love the constitution of the United States, support the constitution of the United States and we all were sworn to support the constitution of the United States, this law we're opposing constitutional care.

Mr. Mencini stated I have waited a long time for this and it probably means a lot to a lot of people and if we cannot support our police officers and safety forces.

Mr. Troyer - Point of Order. I never said I do not support police officers, quit making accusations.

Mr. Mencini stated this has nothing to do with you, Councilman Troyer, to be honest I don't even know what you said. My point is if we can't support our police officers and our safety forces.

Mr. Troyer stated again, you're insinuating that somebody that was against this doesn't support our police officers and our police department; that couldn't be more-less true. I support our police and police officers and support the constitution; wish they wouldn't have changed it but they did.

**Motion** by Mr. Mencini, supported by Mr. Troyer, to move to the August 23rd Caucus Prior meeting.

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

Mr. Salvatore stated the resolution approving the conditional use permit should have been placed under letter M, that's the only way it can be approved.

Mr. Troyer stated we've been doing it wrong for ions when items come from the

Planning commission it usually goes on the Caucus to request legislation to be drafted. In this case the legislation was drawn up and the problem with the is in the 3rd Whereas where it reads the request was submitted to the Brook Park Planning Commission and referred to Council. In this case the idea was to have the legislation drawn up and the problem with the legislation is in the third Whereas that reads the request for a conditional use permit public hearing was submitted to the Brook Park Planning commission on June 6<sup>th</sup>. In Chapter 1121.36 (c) there is a whole list of things that are being eliminated from our code. If that's removed and words are put in to the fact under the conditions of the engineer's conditions.

Mrs. Horvath stated first off we are in summer session and it was designated to have two meetings, one in July and one in August to take care of business. Secondly, there was a presentation by Sgt. Clean and it appears they are in accord with everything in the engineer's report and doesn't need to be included in the legislation. This takes a different path since it was denied by the Planning commission. In the future if there are questions of the appropriateness of particular legislation I would urge all of Council to please call the law department before the meeting. Law department's opinion is this is entirely appropriate and think Mr. Salvatore is entirely, in his assessment, that this needs to be placed on the Council agenda and don't see the need to put any of those other issues in the legislation.

Mr. Troyer stated to Mrs. Horvath in the third Whereas the line that reads and recommend the requirements set forth in 1121.36 (c) should be waived.

Mrs. Horvath stated i think it was drafted appropriately and if this would have been asked before this meeting so that code section could have been provided to this entire body.

**Note:** EXECUTIVE SESSION - SALE OF PROPERTY - MAYOR ORCUTT: Moved by **motion** to the beginning of the meeting.

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

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

Council President Vecchio declared this meeting adjourned at 9:30 p.m.

RESPECTFULLY SUBMITTED Carol Johnson  
Carol Johnson  
Clerk of Council

APPROVED September 20, 2022

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