

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, August 23, 2022
7:30 P.M.**

- A. ROLL CALL OF MEMBERS**

- B. PLEDGE OF ALLEGIANCE**

- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**
 - SPECIAL CAUCUS MINUTES FOR MARCH 24, 2022
 - SPECIAL COUNCIL MINUTES FOR MARCH 24, 2022
 - SPECIAL CAUCUS MINUTES FOR MARCH 29, 2022
 - SPECIAL COUNCIL MINUTES FOR MARCH 29, 2022

- 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:
Planning Commission-Holly Klinger- Per Mayor Orcutt

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

M. ORDINANCES AND RESOLUTIONS: (FIRST READING):

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO: 11271-2022
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.

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO: 11269-2022
AN ORDINANCE ENACTING CHAPTER 1126 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MEDICAL MARIJUANA DISPENSARIES', AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.
2. ORDINANCE NO: 11270-2022
AN ORDINANCE ENACTING CHAPTER 720 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MEDICAL MARIJUANA OPERATIONS', AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

Note: EXECUTIVE SESSION – PERSONNEL MATTERS (POLICE); SALE OF PROPERTY; PENDING OR IMMINENT COURT ACTION; COLLECTIVE BARGAINING MATTERS -MAYOR ORCUTT.

P. ADJOURNMENT:

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, AUGUST 23, 2022**

The meeting was called to order by Council President Vecchio at 8:33 p.m., the clerk called the roll and the following Members of Council answered:

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

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

Motion by Mr. Mencini, supported by Madam Coyne, to go out of regular order of business to letter G.

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

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A RESOLUTION HONORING THOMAS D. MAUND ON HIS RETIREMENT AS FIRE CHIEF FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mr. Vecchio assigned to legislative committee.

Motion by Mr. Scott, supported by Madam Coyne, to pull from legislative committee.

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

Motion by Mr. Salvatore, supported by Mr. Roberts, to place under letter M.

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

Mr. Vecchio stated this will appear under M-6 as Resolution No. 21-2022.

Motion by Mr. Troyer, supported by Mr. Roberts, to go back to regular order of business to letter M-6.

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Special Caucus minutes for March 24, 2022.
2. Special Council minutes for March 24, 2022.
3. Special Caucus minutes for March 29, 2022.
4. Special Council minutes for March 29, 2022.

Motion by Mr. Salvatore, supported by Madam Coyne, to approve as printed.

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

NAYS: Troyer.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter reported the 2021 Solid Waste report has been received with Brook Park being slightly below average at an average closer to 19% for recycling with the county standard of 27%. To Mayor Orcutt request an effort to get those numbers up a little bit; 7% is for yard waste and 12% is for recycling.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has two items on tonight's agenda. The Board of Control met on July 28th approving eight items with the three largest being Wichert Insurance services annual city policy renewal \$261,144.00; PO Vendor for the Sheldon water main replacement project \$48,691.76 and Westview Concrete Corporation for concrete for the sidewalk replacement program for \$48,000.00. The August 12th Board of Control had ten items on the agenda with the three highest being Ports Petroleum company for gas and diesel fuel - \$50,000.00; Cleveland Communications Inc. police cruisers video system maintenance - \$5,000.00 and Tri-Mor for Sylvania Drive reconstruction - \$32,675.29. The Board of Control met earlier today approving 14 items with the three largest being Cronin Ford North for two plow trucks - \$73,848.00; Euthenics services from July 29th through August 11th - \$21,224.43 and Middlebrook Blvd. Reconstruction Project - \$227,343.58.

Legislative Committee - Chairwoman, Coyne

Madam Coyne reported the Legislative committee has two pieces of legislation - medical marijuana on tonight's agenda; the meeting for the two gentlemen to speak on this topic will be rescheduled. Also, information was forwarded from the City of Lakewood on broadening of the zoning for informational purposes.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported we are moving out of Men's' and Co-ed softball and moving into football and cheerleading. There are a lot of programs at the recreation center and tells residents to use the facility.

Planning Committee - Chairman, Troyer

Mr. Troyer reported the Planning committee will have one item on the next Council agenda.

Safety Committee - Chairman, Roberts

Mr. Roberts reported the Safety committee has two items under first reading.

Reports of Standing committees: cont.

Service Committee - Chairman, Poindexter

Mr. Poindexter reported the Service committee has two items under first reading for the Wedo Park retention basin.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported at the August zoning board meeting the board approved three items.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported Southwest General Hospital has many programs and services that are in full compliance. Southwest General has received numerous recognitions for the heart and stroke program. Employee recruitment is a priority at Southwest General and a recent fundraiser raised \$1.2 million-dollars to help with services and programs.

Berea Board of Education Representative, Coyne

Madam Coyne reported at the August 15th preparations were being made for back to school. Also, the board had a school counselor/psychologist talk about goals implemented since the pandemic and asking students what changes they have experienced either in personal issues or school issues since the pandemic. During audience participation a parent expressed frustration on a Pride Club that apparently a few students, not in the club, expressing to their parents of items that are being forced on them. I will be reaching out to the school on the rules of this club.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported at the meeting held on August 17th the gentleman who set up the system for the chambers gave a presentation on how the system works so now there are several people who are trained on the system. Also, showed the procedure on how to show presentations on both the screens and livestream. Sad note, there will be an opening on the technology committee so any resident that is tech-savvy and interested please contact myself, Mayor's office or the technology members how to apply. The next meeting is tentatively scheduled for September 7th.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt reported on September 6th Fire Chief Maund will be retiring and would like to thank him for his 27 years of service to the city. Update on the former Bally's demolition began on August 18th with cleanup tentatively scheduled for end of September. Senior Spry medical center tends to be open before the end of the year. The Super 8 hotel bids have been received and are under review. There are two summer concerts to be held at the amphitheater. I recently had a

Reports and communications from the Mayor: cont.

meeting with Berea Mayor Kleem, Middleburg Hts. Mayor Castelli and Berea Superintendent Wheeler about a new program for veterans to assist schools where needed. A committee will be formed and the committee members for Brook Park are Dan Eberhardt, Bill Bailey and Councilman Salvatore.

Questions:

Mr. Roberts stated to Mayor Orcutt we briefly talked about residents' complaints with trains blowing their horns in the middle of the night.

Mayor Orcutt responded the service director has been in contact with both railroads.

Mr. Mencini stated I get calls from residents saying you have to see the inside of this home and I believe in property rights. Are we looking into doing full outside and inside property inspections?

Mayor Orcutt responded don't want to answer for the law department but those inspections ended due to that being unconstitutional for them to be done.

Mr. Mencini interjected other communities are doing this and was notified by Middleburg Hts. about performing an inside inspection of my rental, so it's being done. Also, the veterans meeting was very well done and thought that Madam Coyne would be perfect to assist and should have had a place at that table.

Mayor Orcutt responded I'm a volunteer and if she wants to volunteer that would be great. Back to the property maintenance we served on Council when that legislation was passed it being unconstitutional, maybe in Middleburg Hts. they do this with consent from the homeowner.

Mr. Troyer stated the Wedo Park legislation is on the agenda, all for it. Have expressed number one concern being the roof and walls of the recreation center, any update to get this going?

Mayor Orcutt responded have been working with the finance department and have given indication to the law department of having legislation drawn up. There is possibly a business that have indicated coming to Brook Park to build some sort of sports complex for a sport center. That may alleviate some of those issues and will share with Council on whether they will be coming.

Mr. Troyer continued that will delete the needs to do the roof and walls.

Questions to the Mayor: cont.

Mayor Orcutt responded yes, and the service director and I inspected underneath the pool and there is damage, my intention is to get the roof and walls done. Waiting to hear back from this potential business to see if Brook Park is the place they would like to come, don't want to get everyone's hopes up. The intentions are to get the repairs done in the natatorium area if this other project doesn't work.

Mr. Poindexter expressed surprise to hear about the changes in the police department and think the residents have a right to be notified.

Mayor Orcutt responded would like to speak on that in executive session with all of Council prior to moving forward with a public statement.

Mr. Poindexter continued would like the opportunity to know why this is happening?

Mayor Orcutt responded will speak publicly after the executive session.

Mr. Poindexter continued things are being done that drastically shape the entire department and the residents have a right to know.

Mr. Troyer - Point of information an executive session can be called for that particular reason and we can come back out to discuss the issue.

Mayor Orcutt stated will let the public know that for the last seven months and 23 days I look at each department to make the city clean and safe. I helped correct deficiencies and inefficiencies in each department. One inefficiency is with the police department and am looking to make a change with the department head.

Mr. Poindexter continued in 4 1/2 years there were no complaints in that department and it was a shock to see the change at the top; like it was a shock to see the change with the head of the building department.

Mayor Orcutt stated the building department is running efficiently and with some numbers leftover that department was under-staffed and am working on things to correct those. It is my intent for that department to run efficiently and will continue to improve issues with property maintenance and timely projects.

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

Mr. Cingle reported the income tax refunds as of August 8th total \$1,284,358.00 and attributing to the work from home refunds, to date, equaling \$1,176,513.00. The assistant finance director position has been accepted by Mary Maykut, from the tax department and am looking into filling the tax department position.

Reports and communications from departments, commissions and other public officials: cont.

Safety Director Sensel

Mr. Sensel reported all departments have been working diligently and two probationary officers are working on their own. Will be conducting speed studies for safety.

Mrs. Horvath reported with the Active Civil litigation there are six cases and will speak on those in executive session. With Mr. Mencini's concern on rental inspections things do change and see no reason why we can't take another look at that to see if the city can do something appropriate with no liability to the city. Working with Fire Chief Maund want to thank him on his professionalism and service.

Engineer Piatak

Mr. Piatak reported the progress on the 2022 roads program, the Middlebrook segment is wrapped up with a few punch-list items and grass growing. The Delores Blvd. segment the catch-basins will begin next Monday and tearing out of concrete the next week. The Hio Drive preconstruction meeting will be held tomorrow with the intent of the project beginning mid-September. As the Mayor stated the Super 8 hotel bids are under review. The ditch-cleaning project between Holland and Brookview are out to bid with the resubmission date of September 2nd. Working with the sewer district on an application with the EPA (Environmental Protection Agency) on a number of projects for sanitary lining and sewer upsizing funding.

Service Director Beyer

Mr. Beyer reported the service department is open for yard waste and rubbish drop off Monday through Friday 7:00 a.m. to 7:00 p.m. and Saturdays from 7:00 a.m. to 12:00 p.m. Next week is bulk pickup and note to residents' cardboard is not considered bulk pickup item please use the green containers located throughout the city. The August bulk pick was 60 tons and am pleased to state the sidewalk program is underway and for residents who received a letter have until September 15th to participate.

Recreation Director Gonzales

Mr. Gonzales reported the center had a busy summer and with fall comes football and cheerleading with the first game September 3rd. Would like to thank the service crews for the glass basketball hoops installed at Gallatin Park as well as the asphalt repairs. The annual dog swim will be on August 27th, \$10.00 per dog can register online or day of event. The recreation is turning 50 years-old, built in 1973 and will be celebrating with a concert on September 17th at the amphitheater.

Questions:

Mr. Scott stated to Mr. Sensel getting calls about deer complaints can you provide a description of the city's policy with feeding and culling?

Questions to the directors: cont.

Mr. Sensel responded there are several ordinances on the books regarding no feeding of wild animals, except birds, and hunting so there is not much the city can do.

Mr. Scott reiterated no feeding of deer or boarding of feral cats is allowed in the city.

Mr. Mencini asked Mr. Beyer is the crosswalks around school area are painted?

Mr. Beyer responded crews have hit school zones and have done line striping in the school zones, recreation center, city hall and all parks and playgrounds.

Mr. Mencini thanked Mr. Cingle for the monthly reports and stated there are a few increases. Is the okay being a full year coming out of Covid-19.

Mr. Cingle responded gasoline has increased dramatically as well as electricity, the department is working on an appropriation change ordinance for those changes.

Mr. Mencini stated to Mr. Sensel don't question anyone working hard but with the Holland Road house property maintenance. Have heard from the residents that city needs to get inside that home. The response to the work order sent on this home was the residents were offered the HMAP but no response as to the tall grass being cut and etc. Think there needs to be a little more response on work orders i.e. what was done.

Mr. Sensel asked Mr. Mencini to give him a call to discuss this further.

Mr. Troyer stated to Mr. Cingle appreciate the appropriation ordinance amendments coming forward, would like to see a few times a year. To Mr. Sensel appreciate the diligence on getting issues taken care of in Ward 1. To Mrs. Horvath any movement with the drone legislation and taking a different approach?

Mrs. Horvath asked Mr. Troyer would like for you to come back into the office, I have concerns with taking ORC (Ohio Revised Code) sections and dropping into city ordinances.

Mr. Troyer to Mr. Piatak thank you for the information on Hio Drive and would like to be kept apprised on the progress. To Mr. Beyer thank the tree arborist for tree cutting on Cambridge.

Mr. Beyer asked for patience with the stumps getting done, significant list.

Questions to the director: cont.

Mr. Poindexter asked Mr. Beyer is the sidewalk program in the data phase, collection phase or installation phase?

Mr. Beyer responded crews have begun removing sidewalk blocks and based on data the department had from where left off in 2016-2017. A truck of ten yards can do 36 blocks, give or take and to date approximately 125 blocks have been paid for.

Mr. Poindexter stated to Mr. Cingle any discussions with the illuminating company about replacement of all street lights all at once, significant savings.

Mr. Cingle responded the Mayor and I have talked about that but I have not reached out to the illuminating company.

Mr. Poindexter stated would like to see this move forward.

Mr. Salvatore thanked Mr. Sensel for the recent meeting and answering of concerns.

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

New legislation:

1. An Ordinance authorizing the Mayor to enter into a lease agreement with Greenscape, USA, Inc. and declaring an emergency. Introduced by Mayor Orcutt. Assigned to Finance committee.
2. A Resolution agreeing to allow Cuyahoga County to operate a public utility in the City of Brook Park pursuant to its powers under the State of Ohio and the laws established by the government of Cuyahoga County and declaring an emergency. Introduced by Mayor Orcutt. Assigned to Legislative committee.
3. An Ordinance authorizing the Mayor to contract for the necessary construction observation services for the 16644 Snow Road demolition project and declaring an emergency. Introduced by Mayor Orcutt. Assigned to Planning committee.
4. An Ordinance authorizing the Mayor to dispose of obsolete city recreation equipment and declaring an emergency. Introduced by Mayor Orcutt. Assigned to the recreation committee.
5. A Resolution supporting the Ohio Attorney Generals lawsuit to put an end to massive Robo-call scheme and declaring an emergency. Introduced by Councilman Salvatore.

New Legislation: cont.

6. An Ordinance making a written return to the fiscal officer of Cuyahoga County, Ohio, for charges for the services of the City of Brook Park, Ohio for cutting weeds on certain parcels of land described herein and authorizing said charges to be placed upon the tax duplicate and collected as other taxes pursuant to section 731.54 of the Ohio Revised Code and declaring an emergency.

Introduced by Mayor Orcutt. Assigned to Service committee.

7. An Ordinance authorizing the Mayor to enter into an agreement with Pfund Superior Sales, Co., Inc. for the purchase of a 2024 Ford E-450 life line type III ambulance model superliner and declaring an emergency. Introduced by Mayor Orcutt. Assigned to safety committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

Appointment:

Planning Commission - Holly Klingler - Mayor Orcutt.

Mr. Poindexter stated worked with Ms. Klingler on the technology committee and she will do great on the Planning committee.

Motion by Mr. Salvatore, supported by Mr. Mencini, to approve.

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

NAYS: Unanimous

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11272-2022

AN ORDINANCE AMENDING BROOK PARK CODIFIED ORDINANCE 2786-2022 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mr. Vecchio stated Ordinance No. 11272-2022, has had its First Reading.

2. RESOLUTION NO. 20-2022

A RESOLUTION OPPOSING OHIO'S NEW CONCEALED CARRY HANDGUN LAW AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, Roberts, Scott, Coyne, Poindexter, Salvatore, Council President Vecchio and Mayor Orcutt.

Mr. Vecchio stated Resolution No. 20-2022, has had its First reading.

Ordinances and Resolutions: (First Reading): cont.

3. ORDINANCE NO 11273-2022

AN ORDINANCE AMENDING SECTION 333.45(d) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'TEXTING WHILE DRIVING PROHIBITED' AND DECLARING AN EMERGENCY. Introduced by Councilman Roberts, C/W and Mayor Orcutt

Motion by Mr. Mencini, supported by Mr. Roberts, to suspend.

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

NAYS: Unanimous

Motion by Madam Coyne, supported by Mr. Roberts, to adopt.

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

NAYS: Unanimous.

4. ORDINANCE NO. 11274-2022

AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO COMPLETE THE FINAL DESIGN AND PREPARE CONSTRUCTION DOCUMENTS FOR THE WEDO PARK RETENTION BASIN PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Mencini, supported by Mr. Roberts, to suspend.

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

NAYS: Unanimous.

Motion by Mr. Troyer, supported by Mr. Poindexter, to adopt.

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

NAYS: Unanimous. Ordinance No. 11274-2022, has passed under suspension of the rules. Adopted.

5. ORDINANCE NO. 11275-2022

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 WEDO PARK RETENTION BASIN AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Poindexter, supported by Madam Coyne, to suspend.

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11275-2022, has passed under suspension of the rules. Adopted.

Ordinances and Resolutions: (First Reading): cont.

7. ORDINANCE NO. 11276-2022

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH GREENSCAPE, USA, INC. AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Scott, supported by Madam Coyne, to suspend.

Mr. Troyer stated I thought it was discussed that the 24/7 would be changed, I'm a no on this.

Mr. Poindexter stated the he spoke about having something relating to dirt and debris being kept clean on city streets.

Mayor Orcutt responded to Mr. Poindexter your answer is in 4-A of the contract.

Madam Coyne questioned this is good with the silica?

Mayor Orcutt responded only created when crushed.

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

NAYS: Troyer, Poindexter.

Mr. Vecchio stated Ordinance No. 11276-2022, has had its first reading.

8. ORDINANCE NO. 11277-2022

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PFUND SUPERIOR SALES, CO., INC. FOR THE PURCHASE OF A 2024 FORD E-450 LIFE LINE TYPE III AMBULANCE MODEL SUPERLINER AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

NAYS: Unanimous.

Motion by Madam Coyne, supported by Mr. Poindexter, to adopt.

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

NAYS: Unanimous. Ordinance No. 11277-2022, has passed under suspension of the rules. Adopted.

6. RESOLUTION NO. 21-2022

A RESOLUTION HONORING THOMAS D. MAUND ON HIS RETIREMENT AS FIRE CHIEF FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY.

Introduced by Mayor Orcutt and C/W.

Read in its entirety.

Motion by Mr. Poindexter, supported by Mr. Roberts, to suspend.

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

NAYS: Unanimous.

Motion by Mr. Salvatore, supported by Mr. Roberts, to adopt.

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

NAYS: Unanimous. Resolution No. 21-2022, has passed under suspension of the rules. Adopted.

Mr. Maund thanked Council, the citizens and Brook Park for the opportunity to serve 27 years. Very proud of the fire department and hope it continues success. Leaving the department in the capable hands of Assistant Fire Chief, Johnson, and hopefully the progress of the department will be unmatched. On September 6th I stand relieved.

Motion by Mr. Poindexter, supported by Mr. Troyer, to go back to regular order of business to letter C.

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

NAYS: Unanimous.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. Ordinance No. 11271-2022

AN ORDINANCE AMENDING SECTION 333.45 (J)(3) OF THE CODIFIED ORDINANCES ENTITLED 'MAXIMUM SPEED LIMITS; ASSURED CLEAR DISTANCE AHEAD' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Roberts, supported by Mr. Mencini, to suspend.

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

NAYS: Troyer.

Motion by Madam Coyne, supported by Mr. Mencini, to adopt

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

NAYS: Unanimous.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11269-2022

AN ORDINANCE ENACTING CHAPTER 1126 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MEDICAL MARIJUANA DISPENSARIES' AND DECLARING AN EMERGENCY. Introduced by Troyer, Poindexter, Coyne, Mencini and Roberts.

Motion by Mr. Poindexter, supported by Mr. Troyer, to adopt.

Madam Coyne reiterated still want to have speakers come and speak to Council and to provide answers and help the residents'.

Mr. Troyer stated can get this done in plenty of time there are no licenses available so able to bring the speakers in and talk to the people for possible amendments.

Third Reading of Ordinances and Resolutions: cont.

Mrs. Horvath reiterated to Council to possibly look at enlarging the zoning of particular areas and has passed along concern previously with Zone U7-A and the city could incur liability with the narrow area for this business to be in.

The clerk called the roll on the **motion** by Mr. Poindexter, supported by Mr. Troyer, to adopt.

ROLL CALL: AYES: Poindexter, Troyer, Coyne, Mencini, Roberts

NAYS: Salvatore, Scott. Adopted.

2. ORDINANCE NO. 11270-2022

AN ORDINANCE ENACTING CHAPTER 720 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MEDICAL MARIJUANA OPERATIONS' AND DECLARING AN EMERGENCY. Introduced by Councilmembers Troyer, Poindexter, Mencini, Roberts and Coyne.

Motion by Madam Coyne, supported by Mr. Mencini, to adopt.

ROLL CALL: AYES: Coyne, Mencini, Roberts, Poindexter, Troyer

NAYS: Salvatore, Scott. Adopted.

Motion by Mr. Mencini, supported by Mr. Roberts, to go into executive session for:
1. Personnel Matters - Police. 2. Sale of Property. 3. Pending or Imminent Court Action. 4. Collective Bargaining Matters - per Mayor Orcutt

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

NAYS: Unanimous.

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

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

NAYS: Unanimous.

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

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

Council President Vecchio declared this meeting adjourned at 11:31 p.m.

RESPECTFULLY SUBMITTED


Carol Johnson
Clerk of Council

APPROVED October 18, 2022

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