

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 4, 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:

MENCINI, ROBERTS, POINDEXTER, SALVATORE, TROYER, SCOTT

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

Madam Coyne excused.

Moment of silence given for former Councilman, John Bernath who recently passed away.

Motion by Mr. Troyer, supported by Mr. Mencini, to go out of regular order of business to letter J.

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

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

New Legislation:

An Ordinance authorizing the Mayor to enter into a Memorandum of Understanding with the Cuyahoga County Public Library and declaring an emergency. Introduced by Mayor Orcutt. Assigned legislative committee.

An Ordinance authorizing the Mayor to enter into a lease agreement with the Cuyahoga County Public Library and declaring an emergency. Introduced by Mayor Orcutt. Assigned legislative committee.

A Resolution honoring Donte's Restaurant and Pizza Shop on their 50th anniversary in the City of Brook Park and declaring an emergency. Introduced by Mayor Orcutt and C/W.

Motion by Mr. Troyer, supported by Mr. Poindexter, to move to letter M, under first reading.

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

Mr. Vecchio stated this will appear under M-4 as Resolution No. 27-2022.

Motion by Mr. Troyer, supported by Mr. Roberts, to continue out of regular order of business to M-4.

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

ORDINANCES AND RESOLUTIONS FIRST READING:

4. RESOLUTION NO. 27-2022

A RESOLUTION HONORING DONTE'S RESTAURANT AND PIZZA SHOP ON THEIR 50TH ANNIVERSARY IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and C/W.

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

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

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

ROLL CALL: AYES: Troyer, Mencini, Roberts, Poindexter, Salvatore, Scott
NAYS: Unanimous. Resolution No. 27-2022, has passed under suspension of the rules. Adopted.

Read in its entirety.

Mr. Vecchio congratulated the Donte's family. Mr. Donte thanked Mayor, Council and all city departments, his employees and residents; and mostly his parents' for seeing the gem on that corner.

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

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter stated Aviation committee has nothing on the agenda or in committee.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has Board of Control met on nothing on tonight's agenda. The Board of Control met on September 30th having six items on the agenda; three largest \$94,704.00 for the final design of the Wedo Park retention basin; \$6,380.00 for Middlebrook Blvd. and \$4,000.00 for miscellaneous parts. The Board of Control met earlier today having six items on the agenda; three largest being for services rendered by Euthenics up to September 23rd - \$29,532.84; construction services by Euthenics - \$13,482.11 and American Fireworks - \$10,000.00.

Legislative Committee - Co-Chairman, Scott

Mr. Scott reported the Legislative committee has two items on tonight's agenda under first reading.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported girls' volleyball has begun as well as football. Many times this building is empty and would like members using the facility.

Reports of Standing Committees:

Planning Committee - Chairman, Troyer

Mr. Troyer reported the commission met last night and approved the construction of a 16x9 front porch on Michael Drive. Also, approved was the proposed lot consolidation of permanent parcel numbers 344-14-042 and 344-15-177 for the Space Shop located at 14571 Snow Road. Approvals were also given to operate a Kwik Car Wash located at 14831 Snow Road for a conditional use permit and aesthetic approval for site and building modifications. October is Breast Cancer Awareness Month and sent out a reminder to get your checkups.

Safety Committee - Chairman, Roberts

Mr. Roberts reported has one item on tonight's agenda.

Service Committee - Chairman, Poindexter

Mr. Poindexter reported no items in committee or on tonight's agenda

Board of Zoning Appeals - Chairman, Salvatore

Zoning met last night and approved a 7'9" variance setback as well as 22 parking spaces for Kwik Car Wash.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported Southwest General hospital is working with Medicare and Medicaid to expand access to advanced health equity. Hoping to go into partnership with the Cleveland Clinic and Southwest is working with the schools to entice students into different medical positions.

Berea Board of Education Representative, Coyne

Mr. Vecchio reported Madam Coyne will give a report at the next meeting.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported the committee met on September 21st unable to attend due to scheduling issues; next meeting is scheduled for tomorrow. The committee is still accepting resumes for the vacancy on the technology committee, send resumes to the Mayor's office or existing committee members.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt reiterated October is Breast Cancer Awareness Month so get your checkups also a time to remember all who passed from this disease. Specialty Products will be expanding their business to the empty lot on West 130th Street and Hummel Road creating more jobs. Boo Park will be held on October 9th from 12:00 p.m. to 3:00 p.m. in the Amphitheater parking lot. The Super 8 demolition will begin at the end of the month and the schedule date to have this building demolished is by the end of the year.

Questions:

Mr. Mencini asked for any updates on Henry Ford Boulevard any new businesses?

Mayor Orcutt responded the project with the new building is moving along and there have been meetings about the utilities that have been resolved as well as having dedicated roads next year. Have spoken with Ford Motor plant manager and there have been new upgrades as well as new machinery coming from Michigan so they are moving ahead as much as they possibly can. May have to sit down with Council shortly for incentives for potential businesses coming to the city.

Mr. Salvatore thanked Mayor Orcutt and service department crews for getting the breast cancer awareness banners up throughout the city, awareness is climbing in our district.

Mayor Orcutt responded that goes to Building Maintenance Foreman, Jeff Elliott, who does a great job; also would like to put money in the budget to expand as well.

Mr. Troyer stated if there is a tour of Ford Motor would like to be attendance

Mayor Orcutt responded will be scheduled by end of the month

Mr. Troyer continued also with NASA, that is in my ward.

Mayor Orcutt responded no problem.

Mr. Troyer asked any update on the (recreation center natatorium) roof and walls?

Mayor Orcutt responded yes, someone is interested in coming to the municipal campus to do something but we can't wait anymore and must move forward. Legislation will be coming forward to go out to bid that will have no cost to the city except for advertisement. There is \$1.8 million-dollars in the budget and the city is able to take out a loan at three-percent (3%) interest with a ten-year payback through Nopec.

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

Safety Director Sensel

Mr. Sensel welcomed a new police officer recently sworn in, property maintenance is continuing and the fire department is selling t-shirts for breast cancer awareness.

Law Director Horvath

Mrs. Horvath stated the recent active civil litigation list has one case that will be dismissed.

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

Mr. Piatak reported with the roads projects, contractors this past Friday poured the second mainline on Delores on the northbound side and will follow-up with aprons and so forth on the eastside of the street. With the Hio project part of the cul-de-sac has been torn out with concrete scheduled for tomorrow. The Snow Road hotel pre-construction meeting was held so there will be a fence erected in the next few weeks and contractors will be at the site. The and the second mainline pour on Delores will be removed. A preconstruction meeting was held for the CSX ditch-cleaning project for the railroad tracks behind Michael & Westbrook. The Rocky River Watershed Council will be having a tree planting event this Saturday at 11:00 a.m. at Konery Park, looking for volunteers.

Service Director Beyer

Mr. Beyer reported bulk pickup is next week on regularly scheduled rubbish day for residents' only, mattresses, box springs and cloth furniture must be wrapped; no contractors should be dumping bulk items on tree lawns. If residents are bringing bulk items to the service garage please bring proper identification. The garage is open for yard waste and rubbish drop-off until November 19th from 7:00 a.m. to 7:00 p.m. and Saturdays from 10:00 a.m. to 2:00 p.m. This year the department is trying something new by staying open on Saturdays only from 10:00 a.m. to 2:00 p.m. for rubbish and yard waste drop-off. October 15th is Shred-it day from 10:00 a.m. to 1:00 p.m. for residents' only. Leaf pickup will begin when an abundance of leaves begins to fall, make sure there is no dog waste, other debris or sticks this may cause the leaf pile to not be picked up.

Recreation Director Gonzales

Mr. Gonzales reported basketball and cheerleading will continue throughout the month of October for grades Pre-K to 12. Boo Park will be held on October 12th from 12:00 p.m. to 3:00 p.m. at the amphitheater with a variety of activities i.e. trick or treat street, food vendors and much more. On November 25th will be the parade and tree lighting ceremony and any participants are asked to light up their float. Would also like to see more residents in the building so during the month from October 1st through 31st the recreation center is offering discounted recreation passes.

Questions:

Mr. Mencini thanked Mr. Sensel for all the help recently, much appreciated. Would like to meet for an update on Agnes; problems on Larkfield and phone calls about motorists shooting stop signs and speeding through school zones. To Mrs. Horvath with the airport lawsuit after the November 1st conference call can Council get a good update on this situation.

Mrs. Horvath responded the intent is to have an executive session after the November 1st conference call.

Questions to the directors: cont.

Mr. Mencini stated to Mr. Beyer, good to hear about Saturday drop-offs and the crews are doing a great job.

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

Note: Moved my **motion** to beginning of meeting.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Donna Calvey

15400 Muskingum Blvd.

Ms. Calvey expressed concerns of sexual student abuse occurring in 1978 and a conviction in 1989, target family and told not able to speak on this but is able to do so. Also, the over prescription of children due to ADD and ADHD.

Due to the five-minute time limit rule a **motion** by Mr. Salvatore, supported by Mr. Troyer, to allow for a one-minute extension.

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

NAYS: Unanimous.

Lou Modic

14399 Fayette Blvd.

Mr. Modic expressed concerns with legal medical marijuana legislation and holding public hearings.

Albert Wolf

5880 Wengler Drive

Mr. Wolf thanked Mr. Roberts and Mayor Orcutt for the Super 8 updates and thanked everyone for their efforts.

Motion by Mr. Troyer, supported by Mr. Roberts, to address the audience.

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

NAYS: Unanimous.

Mr. Troyer addressed Ms. Calvey by stating agrees with the over prescription of children. To Mr. Modic when medical marijuana was first brought forward the state did not promulgate any rules, that's the reason this took so long. Have introduced legislation and wanted to have people come to speak but that didn't work out. Madam Coyne was able to have a speaker and the legislation is on first reading to hopefully move forward for the residents and veterans that need it, it's not about the money.

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

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

ORDINANCES AND RESOLUTIONS FIRST READING:

1. ORDINANCE NO. 11286-2022
AN ORDINANCE ENACTING CHAPTER 720 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MEDICAL MARIJUANA OPERATIONS', AND DECLARING AN EMERGENCY. Introduced by Councilmen Troyer, Poindexter, Roberts, and Mencini.

Mr. Vecchio stated Ordinance No. 11286-2022, has had its first reading.

2. ORDINANCE NO. 11287-2022
AN ORDINANCE ENACTING CHAPTER 1126 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MEDICAL MARIJUANA DISPENSARIES', AND DECLARING AN EMERGENCY. Introduced by Councilmen Troyer, Poindexter, Roberts, and Mencini.

Mr. Vecchio stated Ordinance No. 11287-2022, has had its first reading.

3. RESOLUTION NO. 26-2022
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ALL-HAZARDS MITIGATION PLAN WITH CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt & C/W.

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

Mr. Troyer reiterated no rush on this and asked for information prior to the vote.

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

Mr. Vecchio stated Resolution No. 26-2022, has had its first reading.

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 Mr. Roberts, to adjourn.

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

Council President Vecchio declared this meeting adjourned at 8:33 p.m.

RESPECTFULLY SUBMITTED *Carol Johnson*
Carol Johnson
Clerk of Council

APPROVED *November 1, 2022*

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