

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, FEBRUARY 7, 2023**

The meeting was called to order by Council President Pro-Tem Salvatore at 8:05 p.m., the clerk called the roll and the following Members of Council answered: **TROYER, MENCINI, ROBERTS, SCOTT, POINDEXTER, SALVATORE** Also in attendance were Mayor Orcutt, Law Director Horvath, Finance Director Cingle, Engineer Piatak, Service Director Beyer and Recreation Director Gonzales.

Council President Vecchio and Councilwoman Coyne excused.

Moment of silence for long-time resident and business owner Jimmy Paponetti.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting minutes held on January 17, 2023.
2. Regular Council meeting minutes held on January 17, 2023.

Motion by Mr. Mencini, supported by Mr. Roberts, to approve as printed.

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

NAYS: Troyer.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter stated no report.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has nothing on tonight's agenda. The Board of Control met on February 2nd and February 7th. There were 13 items on the February 7th agenda with the three (3) largest items being Euthenics for engineering services through January 27, 2023 - \$49,061.99, Huntington lease for year two (2) of a five (5) year lease for a rubbish truck - \$120,955.39 and \$50,000.00 for gas and diesel fuel. The February 2nd Board of Control had 20 items with the three (3) largest being North Royalton annual contract for jail services - \$63,875.00, CSX ditch cleaning \$120,072.00 and Road Salt - \$100,000.00.

Legislative Committee - Co-Chairman Scott

No report.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported entering the sixth (6th) week of basketball, on April 29th from 10:00 a.m. to 3:00 p.m. there will be the craft and vendor show and on Wednesdays at 10:00 a.m. is Pickle Ball must bring own racket and there is a cost of \$5.00.

Planning Committee - Chairman, Troyer

Mr. Troyer reported last night's Planning committee meeting was cancelled.

Reports of Standing Committees: cont.

Safety Committee - Chairman, Roberts

Mr. Roberts reported the Safety committee has no report.

Service Committee - Chairman, Poindexter

Mr. Poindexter reported the Service committee has no report.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported the Board of Zoning met last night and approved two (2) variances for new homes on both Sheldon and Burton Roads.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported Southwest General was awarded the 2023 Top Work Place award, solely on employee feedback, with more than half of the employees participating. Southwest is offering many different programs dealing with mental health and well-being.

Berea Board of Education Representative, Coyne

No report.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported the next meeting will be Wednesday, February 8th.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt gave deepest condolences to the Jimmy Paponetti family. Jimmy served this city as a commissioner and a city business owner, amazing person and proud to know him. The administration met with new State Senator, Matt Dolan, on January 26th who toured the recreation center, municipal campus and the city. Last month I participated in the inauguration of County Executive, Chris Ronayne, and look forward to working with him. On February 2nd attended the Spry Senior Care facility on Snow Road, great turnout. Welcomed Edward Powers III as new police chief for the city and wished best of luck in serving the community. A few weeks following the December 20th Council meeting where the (non-union) salary schedule was amended removing the building commissioner increase; I received Building Commissioner, Neal Dorenkott's resignation letter. Mr. Dorenkott served the city efficiently with professionalism and thanked Mr. Dorenkott for bringing the city up to date with state reports that were not submitted for the years 2019 through 2021.

Mr. Mencini stated good to hear about Mr. Powers being the new police chief and good for the community. Want to keep working on the commercial vehicle (parking) and also the exchange zone, not being in the lobby (of the police station). Is there any update on the budget?

Questions: cont.

Mayor Orcutt responded the new police chief was sworn in yesterday evening, after the testing results were received. With the exchange zone that will tie-in with my budget rebuttal. Brook Park's budget is not complicated but has a very large split between both General and Capital funds. At the end of March, the appropriations are made on the revenue estimated coming into the city along with the actual funds appropriated for that year; the city spends money but has to continue to watch the revenue coming in every month. Let's say we find out that a large city business with a one-million-dollar income tax is closing doors the middle of the year. The budget was passed in March and we find this out afterwards that the city will not be receiving the \$50,000.00 revenue from July 1st through the end of the year. Have been working with the department heads for a better understanding of the operations and capital funds of the city. With the exchange zone there are still capital items that need to be purchased and it is the full intention to have cameras around the (police building) for 2023.

Mr. Mencini continued there are many needs with employees, vehicles and buildings getting old and definitely must set priorities.

Mayor Orcutt reiterated the need to find the priorities of all departments and would like to work with the departments and Council to appropriate for future years. The state has defunded the city since former Governor Kasich was in office.

Mr. Poindexter stated with the announcement of Building Commissioner Dorenkott resignation was the December 20th meeting the reason why he left?

Mayor Orcutt concurred.

Mr. Poindexter continued were you forthcoming of the salary when he was offered the position?

Mayor Orcutt concurred.

Mr. Poindexter stated the raise would be retroactive for the year?

Mayor Orcutt responded not retroactive to January 1st because he wasn't employed with the city then and he wouldn't have received the \$10,000.00 but would have a bump in pay.

Mr. Poindexter stated when he accepted the position he knew of the established salary?

Questions: cont.

Mayor Orcutt responded he witnessed City Council giving the law and finance department's employees a raise as well as giving the boards and commissioners a 50% increase and the only person I had on the schedule was him; everyone was given a raise except him. I negotiated with unions and worked with Council to appropriate raises and that was all established on January 3rd when the ordinance was passed for Union Local 436 that included a raise for the assistant building commissioner getting a raise with earning more money than the building commissioner.

Mr. Poindexter asked how long the assistant building commissioner has been in the position?

Mayor Orcutt responded for several months and is part of the union. On December 20th I stated, and still stand today with it, building commissioners are a very competitive industry and I gave the reasons why there should be a raise in that department. We negotiated with union 436 and with the building commissioner being removed from the salary schedule his subordinate (assistant building commissioner) receives more money and that's the reason he left, because of Council's decision.

Mr. Poindexter continued also at the December 20th meeting a Councilmember to your left stated he would potentially give an increase this year after completion of having one-year on the job.

Mayor Orcutt responded that is the opinion of one (1) Councilmember.

Mr. Poindexter continued the police chief makes more money than you are you going to resign because of that?

Mayor Orcutt responded no.

Mr. Poindexter asked about the former building commissioner?

Mayor Orcutt responded there are many reasons why he left. The building commissioner is a human being and felt very hurt because of the decision of City Council and reached out to me after the January 3rd meeting. Councilman, you come here and say things like the former police chief can sue the city but never once did you ask to look at the 436 pages of court documentation or the testimony from both myself and the human resources commissioner in court. When it was time for the former police chief to testify he pulled his appeal back but you still say the city is going to get sued and that is not true. With the former building

Questions: cont.

commissioner, the city was sued because we could not produce reports for inspections of city billboards losing lots of revenue. As stated in my report earlier Mr. Dorenkott had to straighten out that department and produce annual reports of the building department for the years 2019, 2020 and 2021. I don't want to bring that up at a meeting, this administration's focus is to work with Council and residents and not say bad things about people. Mr. Dorenkott left because of how he was treated by City Council.

Mr. Poindexter continued I heard about his leaving from a resident on Wednesday and waited two (2) days before texting you to be told you were going to let Council know on Tuesday.

Mayor Orcutt responded we were still working through this situation and understand there are many rumors out there and also on social media.

Mr. Poindexter commented Council should have been apprised of situation on Friday.

Mayor Orcutt reiterated we were still working through this issue until this afternoon and give good credit to Human Resources Commissioner, Mr. Rednour, of filling positions with talented individuals and the city will be just fine. I had no aspirations to be in this position today but the reason I am here is due to the April, 2015 edition of Hometown News.

Mr. Troyer stated to get a few things straight and won't speak for other Councilmembers but did say on the floor I would be happy to increase the pay of that position this year, that could have been in front of Council on January 3rd. I was told by the gentleman today that North Olmsted wanted him back. My question is about 1000 Apollo Drive because I have received some calls this week and you stated a permit would be needed for certain things. They are digging up next to the foundation to explore how deep the foundation is; can you shed some light on that?

Mayor Orcutt responded the building commissioner turned down the position in North Olmsted on December 1st due to telling him plans of a 3% raise and when he didn't receive that he called North Olmsted and the position was not filled so he went back. With 1000 Apollo Drive that issue does not make me very happy because what they've done is expose footers for construction documents for the controversial dock doors. OUPS (Ohio Utilities Protection Services) came out for electrical inspections which was brought to my attention Monday morning and that operation has been shut down because that would require a permit.

Mr. Troyer continued would like to get the budget as soon as possible.

Questions: cont.

Mayor Orcutt reiterated will need a few years on how the city spends money in this community to be able to have revenue in place. Have all the capital wish-lists from each department and will put the budget together as soon as possible.

Mr. Troyer stated the building commissioner is still on the job until Friday and believe he told me today that a permit was not needed for exploratory?

Mr. Roberts commented I put in a work order for the building commissioner on Sunday night and received a response by 1:00 p.m. Monday afternoon. Also had an issue for the service department that was resolved that night. Also, remember the April, 2015 edition of the Hometown News and that's why I am involved.

Mr. Scott clarified the salary schedule was a minimum-maximum with no guarantee of a \$10,000.00 raise?

Mayor Orcutt concurred and stated I am on record of saying the building commissioner would not receive that \$10,000 raise.

Mr. Scott continued the legislation passed on January 3rd made the assistant building commissioner making more money than the building commissioner.

Mr. Troyer stated the reason the other positions received a raise is because they were not given bonuses and to make the situation right for two (2) employees in the law department and one (1) employee in the finance department; those people have been here. Whereas, the building commissioner was only here for a short time and legislation should have been brought forward the first of the year. The opportunity was there so this can't be blamed on Council.

Mayor Orcutt agreed with Mr. Troyer it is the position and I explained that on December 20th that there are not enough people in that industry. The state has made it very hard to get certifications and also explained that people are getting their certification(s) and are hired the next day; I am trying to set up this city for success. We have a 365,000 square-foot building going up and potentially another one that is larger; both the building commissioner and assistant building commissioners have those certifications so the city was sitting good. So to say we won't do this on December 20th but would on January 3rd why couldn't it get done on December 20th

Mr. Troyer stated different year and there is a version of that legislation in committee that could have been pulled out.

Mayor Orcutt commented doesn't mean would have given the raise out.

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

Law Director Horvath

Madam Horvath reported the Active Civil litigation listing has five (5) cases with one dropping off due to dismissal without prejudice.

Finance Director Cingle

Mr. Cingle reported continue to work on the budget daily. Welcomed new tax administrator, Brian Thunberg, coming to the city with over 20-years of municipal income tax experience.

Recreation Director Gonzales

Mr. Gonzales reported registrations are still being taken for the Daddy-Daughter dance on February 15th, currently there are over 160 participants. At the end of March, the department will be teaming with Empower Sports for an adaptive basketball league. Registrations for baseball, softball, T-Ball and flag football are being taken from February 1st through 28th.

Service Director Beyer

Mr. Beyer reminded next week is bulk week on regularly schedule trash day; bulk items, to name a few, are mattresses, box springs that are covered, household doors, dismantled basketball hoops. Cardboard is not recyclable and can be placed in blue container or in cardboard dumpsters located throughout the city. If anyone has snow plow damage call the service department to be put on the list for Spring; any potholes that pop-up call the service department so it can be repaired.

Engineer Piatak

Mr. Piatak reported the Wedo basin plans have been submitted to the sewer district for verification. With Brook Park Memorial School, the city will be hiring an environmental services firm to conduct any hazardous conditions prior to demolition. Met with the sewer district and they are looking to put an advanced planning RFP for bidding purposes for problems areas of the city. This study consists of advanced storm water planning and road indentation to come up with additional alternatives; no work will start until mid-year and the study will take 12 to 15-month study.

Questions:

Mr. Mencini asked Mr. Piatak with that study will they go to the problem areas first of a demographic of Cuyahoga County?

Mr. Piatak responded information is yet to come out but the district did a Big Creek-Northwestern Master Plan study of the regional network and there were three (3) problems in Brook Park. The district will be doing some pre-planning and pre-design of those problem areas; primarily over 300 acres.

Mr. Mencini stated to Mr. Beyer let the crews know they are doing a great job. Is the Saturday drop-off still taking place?

Questions to directors: cont.

Mr. Beyer concurred and it is being utilized a lot.

Mr. Mencini clarified from 9:00 a.m. to 1:00 p.m.

Mr. Beyer concurred.

Mr. Mencini continued what else can go into the recyclable bin?

Mr. Beyer responded the list is on the city's website that comes from the Solid Waste District as to what is acceptable or not acceptable. It is important for residents to read what can be recycled.

Mr. Mencini to Mr. Gonzales tell the staff great job for being so busy on Saturdays., even when being short-handed at times.

Mr. Gonzales responded will let the staff know and the rentals are increasing since COVID is settled down, not saying it's not here anymore.

Mr. Mencini to Mr. Cingle spoke with Mr. Thunberg very willing to talk and get into the community.

Mr. Troyer to Mr. Beyer appreciate you coming to Liberty Bell had to leave for the meeting; did everything get settled?

Mr. Beyer responded it went well, the residents, management and board appreciated having a city representative come to speak to them, this is a collaboration between the city and Liberty Bell. The management group has been fantastic when something is left on the tree lawn when it shouldn't be it gets picked up.

Mr. Troyer thanked Mr. Beyer for taking care of a pothole and stated the lights on Aerospace (Parkway) look good.

Mr. Beyer responded the city is at the liberty of the people making the poles, the bases are in just waiting to get the poles.

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 (MOU) WITH THE BROOK PARK FIREFIGHTERS ASSOCIATION, LOCAL 1141 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in Finance committee.

New Legislation: cont.

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH WESTVIEW CONCRETE FOR THE PURCHASE OF CONCRETE AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore. Placed in Legislative committee.

A RESOLUTION DESIGNATING THE MONTH OF FEBRUARY AS HEART HEALTH AWARENESS MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, C/W and Mayor Orcutt. Placed in Legislative committee.

Motion by Mr. Scott, supported by Mr. Mencini, to move to letter M.

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

NAYS: Unanimous.

Mr. Salvatore stated that will appear under M-1 as Resolution No. 2-2023.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. RESOLUTION NO. 2-2023, DESIGNATING THE MONTH OF FEBRUARY AS HEART HEALTH AWARENESS MONTH IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, C/W and Mayor Orcutt.

Read in its entirety.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous.

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.

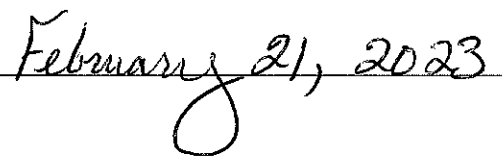
ROLL CALL: AYES: Mencini, Roberts, Poindexter, Salvatore, Troyer, Scott

NAYS: Unanimous.

RESPECTFULLY SUBMITTED


Carol Johnson
Clerk of Council

APPROVED



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