

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, MARCH 7, 2023
7:30 P.M.**

- A. ROLL CALL OF MEMBERS**

- B. PLEDGE OF ALLEGIANCE**

- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

- 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:

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

M. ORDINANCES AND RESOLUTIONS FIRST READING:

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

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

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, COYNE, SCOTT

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter stated no report.

Finance Committee - Chairman, Scott

Mr. Scott stated the Finance committee has nothing on tonight's agenda. The Board of Control met on February 23rd with the three largest being Southwest Council of Government annual membership - \$28,000.00; Cuyahoga County Public Library first year of a ten-year loan for paving of the parking lot - \$17,678.29 and Elmdale Road improvements - \$32,196.33. Award contract for Solid Waste disposal and processing services had four (4) bidders with the lowest bidder being Republic with \$36.84 per ton first year and \$38.49 per ton the second year. With recycling the first year was \$74.72, second year was \$77.98 per ton. The past fee was \$48.19 per ton and for recycling \$95.00 per ton showing a decrease of approximately \$20.00.

Legislative Committee - Chairwoman, Coyne

Nothing on agenda

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported this Saturday is (basketball) championship weekend with all games being held at Berea-Midpark High School, is an all-day event. Thanked his three (3) teams for putting up with him as coach. Midnight Madness will be held on March 24th from 8:00 p.m. to 12:00 p.m., registration deadline March 17th.

Planning Committee - Chairman, Troyer

Mr. Troyer reported the Planning Commission met last night with two (2) items on the agenda. First was for aesthetic and project approval for a service shop addition for Crown Acura, passed with a five-to-one vote. The second was for aesthetic and project approval to construct a storage building on an existing building for Airport Go Carts that passed unanimously. One (1) item was removed from the table due to expiring and a vote of no, adjourned at 7:41 p.m.

Safety Committee - Chairman, Roberts

Mr. Roberts stated no report.

Reports of standing committees: cont.

Service Committee - Chairman, Poindexter

Mr. Poindexter stated no report.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore stated the Zoning Board met last night approved two (2) variances for Crown Acura and two (2) variances for Airport Go-Carts. One (1) item was removed from the table for a sign variance for Park N Fly that was defeated.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Southwest General has developed a committee with several other organizations that will be responsible for a quality management system. Southwest General has also partnered with Ohio Grindstone for a recovery program for overdoses, funded by a grant and generous donor.

Berea Board of Education Representative, Coyne

Madam Coyne reported at the February 13th meeting there was discussion of funds received in the amount of \$105,011.00; with \$41,000.00 going to Saint Bart's and Saint Mary's and \$37,000.00 going to support staff. Special recognition was given to all staff and students, which is a good thing. Also, just a note that Brook Park resident, Doug Schwinn, now serves on the Polaris Board.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported there has not been a meeting since last report. The committee will meet tomorrow at 6:00 p.m. in the Council Chambers with the hope of having RFP's from vendors for the website.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt thanked Officer, George Kosakowski, (Koz) for his service to the city, last day will be Friday, March 10th; thank you for your many years of service to the city and best of luck in the future. Spoke with the new owners of Interport Plaza Two (2) on Snow Road who have made large improvements to both the inside and outside, bringing an occupancy rate to 65%. The grand opening for Bigby Coffee on Snow Road will be on March 16th at 11:00 a.m. Mayor Orcutt encouraged residents to patronize businesses in the city.

Questions:

Mr. Mencini stated with the Forward Innovation possibly having a representative come before Council with a presentation. It was sad to see that Papponetti's, long time business closed last week at Brookgate; possibly have the Glimcher Group come before Council with any possible updates. Mr. Mencini asked what kind of trees will be placed around the municipal campus?

Questions to the Mayor: cont.

Mayor Orcutt responded originally wanted evergreen's and speaking with the county that application would have been denied. There is a list of 10 or 11 trees that can be provided. With the Ford innovation Center, the hop is to have a representative(s) here sometime in April or May to hopefully announce some good news. With the Glimcher Group the economic development director and I am meeting with the property manager next week to discuss the car group hanging out on the weekends, new sign postings and overnight parking of vehicles, will check her availability.

REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:Recreation Director Gonzales

Mr. Gonzales reported that on March 25th the recreation center will be hosting a wrestling event; April 1st is the Spring into the Park Easter event from 12:00 p.m. to 3:00 p.m., great family event. Registrations are taking place for both the spring basketball and adaptive basketball leagues with many people signups. Spring flag football and baseball teams are currently being formed with players being contacted very soon; if anyone is interested in sponsoring a team the deadline date is March 14th. Wished all the Brook Park championship basketball teams the best of luck this Saturday, the games begin at 11:00 a.m. on the big court at Berea-Midpark High School

Service Director Beyer

Mr. Beyer reported bulk week is next week on regularly scheduled rubbish day, cardboard, trash bags or loose rubbish will be picked up. The service yard is open on Saturdays from 9:00 a.m. to 1:00 p.m. for yard and waste drop-off. On April 10th the service department will begin spring, summer and fall hours Monday through Friday from 8:00 a.m. to 7:00 p.m. On April 22nd the department will be hosting Shred-It day from 10:00 a.m. to 1:00 p.m. for all residents. The activity around the amphitheater is the installation of water and sewer lines and conduit for electricity for the bathrooms.

Engineer Piatak

Mr. Piatak reported the sewer district released grant material for the 2024 infrastructure programs, have submitted in the past but unsuccessful; will submit a project. The sewer district sent an updated agreement to the city for the Sheldon Road bridge and raising between Eastland and Engle, over Abrams Creek; anticipate that agreement coming before Council in the near future.

Finance Director Cingle

Mr. Cingle reported the 2023 appropriations are near completion with a few final items to review with the hope of having to Council next week to begin the legislative process.

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

Safety Director Sensel

Mr. Sensel reported the four (4) police vehicles and one (1) utility truck are currently being outfitted. It's been an honor working with Officer Koz and wish him the best in the future. Rental inspections will be starting in April. Tomorrow night there is a Neighborhood Watch meeting at the library where I will be discussing vehicle thefts.

Law Director Horvath

Madam Horvath reported there are five (5) cases listed on the Active Civil litigation list with one case dropping off. Wished Officer Koz a great retirement and thanked him for all of his assistance on law department matters.

Questions:

Mr. Roberts asked Mr. Sensel with the recent email received about the potential issues at Brookgate with speeding and noise; possibly have special attention this Saturday.

Mr. Sensel responded special attention is already in place and will be having a meeting with the Mayor, myself and Brookgate property manager to discuss a few issues.

Mr. Roberts to Mr. Beyer thank the crews for filling of potholes, great job.

Mr. Mencini stated to Mr. Sensel with the rental inspections that will be all registered rental properties in the city and can only do the exterior, correct?

Mr. Sensel responded all rental registrations are currently being entered into the computer by administration personnel, all inspections will run from April to August.

Mr. Mencini continued to Mr. Sensel about parking of vehicles in the front yard, there are a few, in particular, that are getting out of hand.

Mr. Sensel responded there were two (2) issues handled this afternoon with both vehicles being cited.

Mr. Mencini asked Mr. Beyer to thank the crews on the hot-patching, good job. Just to be sure with bulk pickup bags will not be picked up, correct?

Mr. Beyer responded that is correct and either a letter is sent or a door knocker is left informing residents of bulk items.

Mr. Troyer asked Mr. Beyer why the decrease in tipping fees, which is a great thing.

Questions: cont.

Mr. Beyer responded there were many things that were not being applied to the city in the past.

Mr. Troyer asked Mr. Beyer to elaborate on contamination.

Mr. Beyer responded Brook Park residents have 20% contamination and the city was not receiving any compensation in the past, and now are.

Mr. Troyer stated to Madam Horvath with the active civil litigation list 'Dismissed without Prejudice means it could be refiled? Without prejudice means the matter is final.

Madam Horvath concurred and stated there are statutory time limits for refiling.

Mr. Troyer asked Mr. Sensel to thank Officer Koz on his years of service.

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

New Legislation:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CIVICA NORTH AMERICA, INC., FOR A SOFTWARE SYSTEM AND SUPPORT FOR THE CITY'S TAX DEPARTMENT, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Assigned Finance committee.
2. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO DEPOSIT MONIES IN THE GENERAL FUND FOR EXPENSES RELATED TO THE FORWARD INNOVATION CENTER REVIEW, INSPECTIONS AND TESTING AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Assigned Finance committee.
3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LABORERS' UNION LOCAL 860 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Assigned Finance committee.

Motion by Mr. Troyer, supported by Mr. Poindexter, to move item number one (1) to letter M.

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

Mr. Vecchio stated this will appear as Ordinance No. 11317-2023 under letter M-1.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Ray Peterlin

5811 Wengler Drive

Mr. Peterlin expressed concerns of not planning evergreen trees around the municipal campus. With the former Super 8 motel when will a sign be placed to recoup the \$2 million-dollars spent.

Lou Modic

14399 Fayette Drive

Mr. Modic expressed in favor of the placement of trees around the municipal campus and also concerns with a no vote at the Planning Commission meeting for Crown Acura that met all requirements of the city's fire department and state.

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

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

NAYS: Unanimous.

Mr. Troyer stated to the person that just spoke doesn't understand the difference between Planning and Zoning.

Mr. Vecchio - 'Point of Order' will only say this once this ends today. The indirect communication of coming up and slapping a Member of Council or slapping a member of the public ends today. If there is a legitimate issue, there are ways for that to be handled and understand there are personality conflicts but with this going back and forth there is no reason for it.

Mr. Troyer continued there are misleading lies on social media about this exact topic and some people don't understand the difference between the Planning commission or zoning variances. The fire marshal had nothing to do with this it was aesthetic and project approval and the reason for my no vote on Planning is, I did the right thing for the city at large. This will put a huge bulge on the side of the building, that will match the building, and if it wasn't for the side street being there the vote may be different. Viewing the site this will not look good for the city at large. Don't want to have another big monstrosity of a building going up near a residential area like the one on Snow and Michael, aesthetically don't think it is correct for the city.

Mr. Poindexter stated the citizen complaining of a no vote at the Planning commission meeting when the item passed. We don't have to agree all the time and the process works when majority rules, applaud colleague on voting his convictions or conscience without having the fear of retaliation or being chastised.

Address the audience: cont.

Mr. Roberts thanked Mr. Peterlin for coming tonight.

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

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

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11317-2023, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CIVICA NORTH AMERICA, INC., FOR A SOFTWARE SYSTEM AND SUPPORT FOR THE CITY'S TAX DEPARTMENT, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend section one (1) to read 'The Finance Director is hereby authorized to recommend and maintain a general accounting system for the city as set out in Article Seven (7) Section 7.02 of the Charter' and continue as written.

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

Motion by Mr. Poindexter, supported by Mr. Mencini, to strike section two (2) and move up numbers.

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

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

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

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

ROLL CALL: AYES: Mencini, Coyne, Scott, Troyer, Salvatore, Poindexter, Roberts
NAYS: Unanimous. Ordinance No. 11317-2023, has passed under suspension of the rules. Adopted as amended.

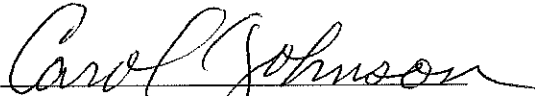
SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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

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

Mr. Vecchio declared this meeting adjourned at 8:22 p.m.

RESPECTFULLY SUBMITTED 
Carol Johnson
Clerk of Council

APPROVED March 21, 2023

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