

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, June 13, 2023
7:00 P.M.**

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

III. APPROVAL OF MINUTES OF PRECEDING MEETINGS

REGULAR CAUCUS MEETING MINUTES HELD ON MAY 9, 2023.

IV. DISCUSSION:

1. AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE 2023 RECYCLE OHIO GRANT, AND FOR THE MAYOR TO ADVERTISE FOR BIDS FOR TRASH/RECYCLING RECEPTACLES AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER, AND DECLARING AN EMERGENCY, Introduced by Mayor Orcutt.- PER COUNCIL PRESIDENT VECCHIO.

2. DEPARTMENT OF LIQUOR CONTROL-ELIE CHAHDA, DBA FRONT ROW BBQ, 15119 SNOW ROAD & PATIO BROOK PARK, OH 44142, **C TRFO 2455116-0005 POSTMARK DATE: 6/23/23.**- PER COUNCIL PRESIDENT VECCHIO.

2. ALTERNATIVE TAX BUDGET- PER COUNCIL PRESIDENT VECCHIO.

V. LEGISLATIVE COMMITTEE- CHAIRWOMAN, COYNE

1. AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1121.37 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'U-6 COMMERCIAL, RESEARCH AND DEVELOPMENT DISTRICT,' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. **Moved by motion from Caucus Prior June 6, 2023.**

VI. PLANNING COMMITTEE- CHAIRMAN, TROYER

1. REQUEST APPROVAL FOR A CONDITIONAL USE PERMIT FOR SHORT TERM LEASING AT 14126 HEATHERWOOD DRIVE| LOCATED IN A U1-A4 ZONING DISTRICT.

VII. ADJOURNMENT

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, JUNE 13, 2023**

The meeting was called to order by Council President Pro-Tem Salvatore at 7:00 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, Interim Finance Director Maykut and Service Director Beyer.

Council President Vecchio properly excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Caucus meeting minutes held on May 9, 2023.

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

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

NAYS: Troyer.

DISCUSSION:

1. AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE 2023 RECYCLE OHIO GRANT AND FOR THE MAYOR TO ADVERTISE FOR BIDS FOR TRASH/RECYCLING RECEPTACLES AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated the administration is asking that this be discussed in order to bring a new piece for next Tuesday's Caucus Prior to meeting. The new piece will be for accepting the grant money of \$40,000.00 and the service director was able to find a few vendors for less money but same quality.

Mr. Mencini asked if this will be for the smaller cans also?

Mayor Orcutt responded this grant is receptacles for all municipal parks. The service director is researching the 45-gallon cans that are scarce. The city will be receiving approximately 70 cans for placement in all municipal parks.

Mr. Mencini commented the current cans are not aesthetic.

Mr. Troyer clarified the new piece of legislation to accept the grant and the agreement should be included with the legislation.

Motion by Mr. Troyer, supported by Madam Coyne, discussed.

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

NAYS: Unanimous.

Discussion: cont.

2. DEPARTMENT OF LIQUOR CONTROL - ELIE CHAHDA, DBA FRONT ROW BBQ, 15119 SNOW ROAD & PATIO, BROOK PARK, OH 44142 **C TRFO 2455116-0005. Postmark Date 6/23/2023.**

Madam Horvath stated this is sort of interesting and a little bit different. Law department research show nothing to preclude the transfer of the license but what is interesting is the license is not being transferred to a corporation but to Mr. Chahda, himself. I do have some questions and have reached out by phone with no responses received. Requesting this item be moved to the next Caucus Prior to agenda to be able to have questions answered.

Motion by Mr. Poindexter, supported by Madam Coyne, to move to the next Caucus Prior to agenda.

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

3. ALTERNATIVE TAX BUDGET.

Madam Maykut stated this is a housekeeping item done annually for setting the property tax rate for 2024. The deadline date is July 20th to have down to the county and once approved by the county auditor in either September or October; another piece of legislation will be brought forward to Council. The Tax Budget is completely estimated, until later in the year, but the needs of the city must be listed.

Mr. Poindexter asked the tax advances listed on the last page are estimates.

Madam Maykut concurred.

Motion by Mr. Troyer, supported by Mr. Poindexter, to place on the June 20th Council agenda under Verbal Approval.

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

LEGISLATIVE COMMITTEE - CHAIRWOMAN, COYNE.

1. AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1121.37 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'U-6 COMMERCIAL RESEARCH AND DEVELOPMENT DISTRICT' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Note: Verbatim excerpts as requested omitting the ah's and um's pauses as well as first names.

Mayor Orcutt as discussed at the last meeting with great suggestions from Council. This amended piece would keep the word 'industrial' and on page 2 (1) Main Buildings, paragraph 'c' keep the word industrial and insert not to include mass production and manufacturing of products.

Mr. Mencini where is that Mayor?

Mayor Orcutt main buildings and uses permitted letter c keep word industrial and insert not to include mass production and manufacturing of products.

Mayor Orcutt would keep industrial in that. Just a suggestion and would like to open that up for some dialogue from everyone to see what their thoughts are on that.

Mr. Salvatore, Councilman Poindexter.

Mr. Poindexter through the chair to the Mayor, the example you gave us looks like it should be in section 1 - A-1.

Mayor Orcutt thank you very much I would put it there and also put in.

Mr. Poindexter put in both places, comfortable with that. If I may continue.

Mr. Salvatore go ahead.

Madam Coyne point of order please, is this no longer my chair?

Mr. Salvatore I'm sorry.

Madam Coyne I want to go by the rules, that's all.

Mr. Mencini good for you Councilwoman, good for you to take charge over there.

Madam Coyne thank you gentlemen

Mr. Poindexter my question to my colleague is do we need to add something in there to make sure that like transportation isn't included in that industrial, you know, this line says industrial does not include mass production and

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

manufacturing of products. But, also, distribution of those products as well. I think we should add something to that effect also.

Madam Coyne, Councilman Troyer.

Mr. Troyer thank you Madam Chairwoman, yes, and I'm just working on something would like to change what is there and add to it as far as heavy trucking, heavy truck use. Industrial is not and was not meant to include mass production and manufacturing products; nor regular heavy truck use. That is my suggestion, that's it thanks.

Mr. Scott to Councilman Troyer, where does it state in the zoning that, that should have been in there? You're saying that, you're implying that should be in there or what?

Mr. Troyer industrial is not allowed in U-6. If you have any kind of reading comprehension

Mr. Scott don't go there, don't go there.

Mr. Troyer it's..

Madam Coyne, gentlemen

Mr. Troyer U-6 does not allow industrial except for manufacturing only of the product developing and developing the process.

Mr. Scott okay, there's different definitions of light industrial and you're very specific of some items that are not in there I was just asking because we have light industry, heavy industry. There are different types of industrial.

Madam Coyne, Councilman Mencini.

Mr. Mencini kind of having a problem hearing some people too, don't know if everyone is talking into the microphone. I will have my opinion in a minute would like to hear the law director's opinion on this before we start, if that's okay.

Madam Coyne absolutely, Madam Horvath.

Madam Horvath thank you very much the law department hasn't had a lot of time to work on this. I appreciate some input that we've had from Councilman Salvatore and other Councilmembers and also the Mayor. It seems that maybe we need a little bit of a different definition instead of calling this industrial because we have other places in ordinances that we talk about industrial being allowed. Maybe we need a new definition of something that is called light industrial. Something allowing a line that would be there to assist the research and development issues

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

that would be going on here. So light industrial would be something in conjunction with Aerospace Research and Development that would pertain to that and related education purposes. Then you could put in there whatever you wanted to exclude if you don't want it to include mass production you can put that in so there's no confusion if maybe in another section of the code you look and see it says industrial. But, in this particular section it says industrial but it means something different.

Madam Coyne, Councilman Mencini.

Mr. Mencini thank you I think what we're kind of looking for is what we didn't want to get into out here, I believe, you guys can tell me if I'm wrong is the bam, bam, bam of industrial as some of us are looking at it. And, where Councilman Troyer is going is when we say heavy trucks. Are we meaning 18-wheelers or do we limit it to like box trucks and vans, I mean.

Mr. Troyer we can stipulate that, that could be our building department. But it means in my use means nor regular heavy truck use. Which means yeah any business might get a semi coming in from time to time. So, I mean, how do you want to define it?

Mr. Mencini we can go around the room I'll come back, let someone else go?

Madam Coyne, Councilman Poindexter.

Mr. Poindexter thank you Madam Chairwoman, I think we're kind of getting off-track a little bit of what we're trying to do here. We don't want to..I think we should refrain from making a list of items that we are prohibiting because then somebody can come and say well it's not listed here in the prohibited section and that's not what we really want to do. What we really want to do is just use U-6 for what it's for, right, for office spaces or for Aerospace Research & Development. Now the industrial, educational and support services are to facilitate those. So I think this example that the Mayor gave us kind of does that. It defines it more closely but I mean I think we really reiterate that it's only..industrial is only for support of the first two items; office space and research and development. Even if we just say that industrial is only support of those two items. I think that's kind of would.

Madam Coyne Mayor.

Mayor Orcutt going to echo off of what Councilman Poindexter just said right there. The opportunity we're trying to give people over there is to utilize that zone to do exactly what it states here offices, research and development. If we add industrial is not to include mass production and manufacturing of products that

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

just says it doesn't matter if it's light, heavy, what have you. We're not going to have mass production which means constant 18-wheelers on the west end. Now, also heard moments ago you may from time to time have an 18-wheeler stop over there. Honeywell's offices are over there they have technicians that work outside in the field and may need a component that's a couple of hundred pounds that needs to be delivered to the office. You will see those onesies, twosies maybe throughout the week but what we're trying to do is make sure those trucks aren't running through all day long, five days a week. The administration felt that this phrase to be inserted there is kind of broad where it says there's not going to be mass production or manufacturing.

Madam Coyne, Councilman Troyer.

Mr. Troyer thank you Madam Chair, getting back to original intent of this legislation. Actually we probably shouldn't have manufacturing of products but again the intent of this was to allow research and development. The development of a product to fruition which means some manufacturing to get it up and going, this product and business up and going. So when just saying it's not to include manufacturing of products it takes that away. It takes the usefulness of the U-6 building it takes the usefulness away. Which is why I didn't want to take out industrial because manufacturing is considered industrial, so that being said, I said it so.

Madam Coyne, Councilman Poindexter.

Mr. Poindexter thank you Chairwoman I read it to say industrial is to not include a mass production it says mass production and manufacturing. My mind makes it seem as mass production and mass manufacturing. you could still make a prototype; you can still formulate your process. Once you get that process you're not pumping out thousands and thousands a day.

Madam Coyne, Mayor did you have something?

Mayor Orcutt I was just going to say the same thing. If you're doing research and development you have prototypes that you need to test. So you may produce, let's say, 20 of them and then you take them out to the field and test your product. I don't consider that mass production that's part of your research and development.

Madam Coyne, Councilman Troyer.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Mr. Troyer okay then I think we should just amend it to mass production and mass manufacturing.

Madam Coyne, Councilman Mencini.

Mr. Mencini he's done and I concur with Councilman Poindexter and the Mayor to not to include mass production and mass manufacturing of product. I think a little issue we have to have here, a little bit, is the heavy truck thing if we're going to do anything with that. We may kind of want to be specific with that. Mayor, go ahead I'm done.

Mayor Orcutt through the chair

Madam Coyne go ahead

Mayor Orcutt I don't know if we can restrict trucks on Aerospace which is a four-lane road going to the back. We do have a back gate for NASA so NASA does need to have their deliveries as well too.

Madam Coyne, Councilman Troyer.

Mr. Troyer thank you Madam Chair, again that's what my wording was nor regular heavy truck use, which means a truck once in a while that's fine, the word regular in there would allow that.

Madam Coyne, Chairman Salvatore.

Mr. Salvatore after having several meetings with Councilman Scott, Councilman Mencini and Councilman Poindexter and spent a lot of time with the law director. All those thoughts rolled into one I think kind of reduced to one sentence and thinks this works. I think we got what we wanted and going to accomplish what we need to do to get us to where we need to be. I'm okay with this the way it is right now.

Madam Coyne, Councilman Scott.

Mr. Scott no I wanted to ask Mr. Mencini you want to put mass manufacturing of projects?

Mr. Mencini I mean that's what we were kind of looking at over here, I thought a little bit. Industrial not to include mass production or mass manufacturing of product. But, if somebody has got an issue with that I mean I'm willing to hear. Don't want to beat this up all night the not heavy truck use if I can go to that really quick. How do you limit that? I understand where Councilman Troyer is at but how do you limit? You're going to nail one guy and not the other guy at 8:00 that's kind of hard to do. Like the Mayor said there are four lanes there we're

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

trying to build up out there a little bit you're going to have trucks out there. So some might be just going the wrong way I don't know. As far as the industrial to not include mass production and mass manufacturing of product I could live with that. But, if you guys I kind of agree with Councilman Salvatore.

Madam Coyne, Councilman Poindexter.

Mr. Poindexter yeah, I was going to make a point, you know, tractor-trailers aren't allowed on our city streets, you know, in our residential neighborhoods. But, if somebody is moving out then they're able to have a tractor-trailer for the moving of stuff, right? So we understand when there are times they're going to need deliveries the thing is we just want to limit, just want to make sure that they're not doing eight trucks a day or 64 trucks a day every day or idling in their parking lot. You know, creating a nuisance for the residents so I think that this addition kind of clarifies it a little bit and if they're not mass producing a mass manufacturing products is there really a need at that point for mass truckloads? I would say probably not.

Madam Coyne, Councilman Roberts.

Mr. Roberts thank you Madam Chairwoman, I basically what you just said Councilman Poindexter if we're not allowing mass production and we're not allowing mass manufacturing of products there's not going to be a need to have that many trucks going in and out of there. You can't..what's the definition of heavy truck use, I mean, one week maybe someone does get three or four trucks and the next week they may not need any. Who is sitting here watching are we going to have somebody counting saying this business had four trucks this week, does that constitute heavy? So next week they're not allowed to have any because they already hit their quota of heavy trucks. You can't ban trucks and think by eliminating mass manufacturing of products that alone will keep the truck traffic down itself. That's what I'm getting at.

Madam Coyne, Councilman Troyer.

Mr. Troyer thank you Madam Chair, I'd like to respond to that and then go to the law director. Who will let us know, who will let me know. The residents that live right there, right next to that building.

Mr. Roberts you have residents watching 24-7?

Mr. Troyer they live there.

Mr. Roberts no one is watching 24/7.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Mr. Troyer believe me if something happens over there I hear about it. madam law director on this industrial is not to include mass production or mass manufacturing do you feel that extra mass is needed to make clear. Or do you think where it's worded mass production and manufacturing still means mass manufacturing?

Madam Horvath I don't the harm in putting the second mass in I think it gets more specific and as far as the trucks go I think you're opening another can of worms there and may we don't want to go there. I would intend to agree with Councilman Roberts that you know maybe that's something that will happen, maybe it won't, we don't know. If it does, we should probably deal with it at the time it does happen rather than trying to legislate it now. So, I don't see a problem with putting two masses in there.

Mr. Troyer if I may continue are you saying right now they can have heavy truck traffic, semi's back there?

Madam Horvath I don't know that they do and in theory if they're not going to be doing mass manufacturing they shouldn't have heavy trucks traffic there. Whatever sort of business they're doing should reflect on what sort of supply and demand they have back and forth. So, all I'm saying is you're just like opening another door and maybe don't want to open that now. Maybe, may want to amend this and see what happens. Does anyone know of any semis' back and forth there now?

Mr. Troyer yes

Madam Horvath where are the semi's going, where are they headed to NASA?

Mr. Troyer I'm told all the way back so again I'm not there it's what I hear.

Madam Horvath I just feel there's too many different businesses with different types there and would hate to begin to limit traffic as to what can or can't go back in that area; it is a public road. I guess I prefer that to a later date if it's something that seems to be necessary and can deal with it then. But, I think it will be something that will hopefully not be needed.

Mr. Troyer speaking of opening a door right now the door is wide open so we need to close the door on trucks.

Madam Horvath through the chair to Councilman Troyer you want to prevent trucks going in and out of that area to various businesses on a public road?

Mr. Troyer number one around that building is not a public road

Madam Horvath no, I understand that.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Mr. Troyer it's a U-6 district but again nor regular heavy truck use, regular heavy truck use. Which means basically to extend to a trucking company or heavy manufacturing or something like that. We all know where this is going..

Mr. Mencini where's it going

Mr. Scott where's it going

Mr. Troyer what we're trying to prevent, I mean the hole is already dug in the ground for the docks, for the eight docks.

Madam Horvath through the chair to Councilman Troyer, you know, part of my job is to give opinions and certainly you're here for legislative purposes to represent the residents and give your opinions on policy. I understand where you're coming from but my opinion would be that I don't think we need to go there right now? Let's adjust this and see what happens?

Madam Coyne, I would like to make a comment if I may. I'm going to go off a little bit with what Councilman Troyer had said. Am going to speak, like I said, it would behoove us again to consider the residents on the west end. Again, in speaking with them and just remember how they were when they had come up here. And, I think we should think long and hard about that for our residents' before we do anything. Councilman Mencini.

Mr. Mencini, Councilman Poindexter had his hand up first

Madam Coyne I apologize, Councilman Poindexter.

Mr. Poindexter thank you Councilman I appreciate that. I was just going to try and touch on mass manufacturing if we put this line in there would be no need for them to ship manufactured goods because they won't be able to legally mass produce manufactured goods. Now, with the upcoming excited project over there, the Blue Abyss Project, I would imagine there would be a lot of heavy truck traffic during the construction phase there. So, we can't enter that slope of limiting no trucks because you're going to grind that construction to a halt. What if they get, they might get ten pieces delivered for research and development of Blue Abyss? What if it all comes on one truck like each piece on one truck. There's ten trucks lined up down the road so I think that the way this proposal is. It's going to reduce the amount of truck traffic that's going to be there for a long period of time. And, I think that proposal is right and think it puts more at ease with having mass manufacturing and mass production in there twice and think that will do us for now. We don't want to make so restrictive that we end up cutting out other aspects, that's all I got.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Madam Coyne, Councilman Mencini.

Mr. Mencini to continue on that when we say other aspects I believe my colleague is talking about other businesses things of sort. I want to state that many of times I've been the deciding vote on a lot of issues, lot of heavy issues and have never had a problem with it because as Councilman Troyer says we listen to the residents' but also have to look at things as a community, too. We don't" want to start limiting companies that look here and do understand about the heavy truck traffic, I do. Okay, but one of the things that I think about it is, you know, how many heavy trucks will be going back there? I don't want to be one to say, hey, and do agree with the law director to a sense where okay, we'll let it go and deal with it later if it becomes a problem. I'm not sure it's going to be that big of a problem a lot of trucking now is the UPS, the FedEx, the box trucks, things of sort. Okay, go ask the people on Engle Road about that. You want to have a conversation with people about trucks go ask the people on Engle Road. On a two-lane road how they feel about trucks, okay, you might be a little surprised I'll leave it there. So when we talk about talking to residents there you go and does it come up? It does and they accept it they're there but you don't want to start limiting businesses, limiting things. I just don't want to see semi's going continuously back there, okay. Councilman Troyer is right the things are dug out there there's doors but we have a lot of industrial parkways, think three or four in Brookpark Road and one on 150th. I'm in the area a lot and don't see a lot of the trucks, I see the box trucks Fed EX, UPS and I could be wrong down the road but I don't think I'm going to be and don't want to start limiting businesses on what we're going to allow and what we're not going to allow.

Madam Coyne thank you Councilman Mencini just to comment. I'm going to agree to disagree with you. Engle Road is a lot different of an area than back on the west end.

Mr. Mencini that's residential.

Madam Coyne if we could agree to dis..well.

Mr. Mencini no well.

Madam Coyne it is a big well sir, big well.

Mr. Mencini go ahead.

Madam Coyne I'm going to agree with you on the fact that we don't want to..of course we don't' want to deter any businesses from coming here. However, our job up here is to protect the residents and again that area is nothing like Engle Road, I'm just going to put that out there.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Mr. Mencini really.

Madam Coyne really.

Mr. Mencini okay so you're classifying, okay that's fine.

Madam Coyne okay I'm not trying to start an argument I'm going to Councilman Troyer first.

Mr. Mencini not with me, I don't classify streets and residents, okay

Madam Coyne okay well no I'm just saying like I said the residents have been up here in regards to that. So I mean it's nothing we don't know. Councilman Troyer.

Mr. Troyer thank you Madam Chair, there are so many things to hit. My suggestion on trucks was not to prohibit them, not to prohibit. It was just to limit the amount of them, we limit a lot of things. We limit speed so I mean I want to stay on topic but let me just say 8 and 64 keeps coming to mind. So again I agree and suggested to the law director that you put- add the word mass in there makes it very clear. I still don't..something could come in there that would have heavy truck use that we don't even see, it shouldn't but it could. So let's say I mean that's the big problem with this. Offices, Research and Development. Maybe, there is some kind of research and development that not what was proposed but that somehow requires a lot of semis and docks. Keep in mind, again, there is a street going through it but the buildings are surrounded in an area on three sides by residential property, three sides. So, I just..they're doesn't need to be a prohibition but there needs to be a limit to protect those residents out there. And, I want to go into, should have made more notes, that's the biggest thing. Just a point and it's sad and would love to have quieter vehicles going up and down and I believe that's a state route and it's 35 miles an hour. Out there it's a little side street for industrial. Well, actually not industrial area it's a U-6 area that's not industrial it's to a office complex I mean that's way back. That's where this all started because they'll be at the back of this building it's not like they're coming off the street into this building. They're going all the way around this building so it's affecting this whole neighborhood and, again, three sides is residential, three sides. And, if you haven't been out there you should go out there because it's one of the nicer areas in this whole city. I know people along 130th would disagree but, of course, my street is nicer. But anyway, this is I mean I'll take whatever I can get but there should be some kind of talk about heavy truck use; some kind of prohibition or limit on heavy truck use. Thank you.

Madam Coyne, Councilman Poindexter.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Mr. Poindexter thank you I have a little synopsis here and a suggestion. My synopsis is I would like you guys all too understand why we're having this discussion. We're having this discussion to protect the people over there and think that we can all agree on. Secondly, we have to understand that we're not changing this Ordinance right, we're just defining what is the intent of the U-6 district to begin with, right. So if we can agree on all that I believe that this proposal does help remedy that. My suggestion would be, for you to consider, instead of just saying industrial does not include mass production and mass manufacturing of products. Why don't we say this industrial is not to include mass production, mass manufacturing of products, distribution centers or any other use that's intended to be anything other than research and development for Aerospace or office. We could put etcetera in there and that kind of covers everything that we don't list.

Madam Coyne any other questions, comments concern.

Mr. Troyer actually I do have an idea.

Madam Coyne, Councilman Troyer you have the floor.

Mr. Troyer industrial is not to include mass production and mass manufacturing of products and mass trucking of products.

Mr. Mencini how do you limit that

Mr. Troyer I don't know, it sounded good in my head.

Madam Coyne, Councilman Scott.

Mr. Scott we're taking a simple item and are expanding this to beyond reality. We're starting to include this, we're starting to include that, we're starting to include this. We're going to exclude that. This is now but what happens five years down the road? What we are doing now is I mean we're being very, very specific about items that may not even imply in five years; it may be obsolete. This legislation why are we just expanding this to beyond reality? We're including this, we're including that we're excluding this. we're excluding that. This is light manufacturing I mean there's different items; I mean, we could sit here and we could keep adding things on here, this is just getting to be ridiculous. I honestly believe Councilman Salvatore is good, Mr. Mencini I totally agree with putting mass manufacturing and I think that encompasses an awful lot of items. But, now we're going to start excluding this, start including that, we're going to start limiting this. I drove an 18-foot truck and I used docks, okay. So, they have eight-foot docks there I drove an 18-foot flatbed; I drove a 16-foot box truck; I've used docks they are all not inclusive of semi's; docks are not inclusive of semi's. I

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

understand when the residents came up here they wanted industrial taken out. Am I not correct, Council?

Several Councilmembers agreed.

Mr. Scott they wanted it removed

Mr. Troyer point of order no they didn't

Mr. Scott okay I'm not going to argue. But, all I'm saying is Councilman Mencini is adding the mass manufacturing of products, see no issue with that and I agree with Councilman Salvatore. This is good but like I said we can't be adding and deleting stuff we're going to dilute this thing and make it a joke, that's all I got.

Madam Coyne, Councilman Troyer.

Mr. Troyer thank you Madam Chair, the reason we have to do this and I'd be here until midnight to get this right. Because that's how much I care about this and the residents out there, all residents. Again, this as it's written if fine; I understand completely that manufacturing and the type of manufacturing. The eight-foot docks with 64 trucks a day would not be allowed. When I read this as is I understand that but somehow it wasn't understood, so this is why we're here. I'll sit here until midnight because we're not allowed after midnight in case you didn't know that; to get this right.

Mr. Scott where isn't this right?

Madam Coyne, Mr. Chairman.

Mr. Salvatore thank you Madam Chairman, I've listened to everyone's comments and I really do welcome the dialogue, think it's good dialogue. We could sit here until midnight and probably going to end up with the same result as of right now. We can't mass produce and we can't mass manufacture so there is nothing to mass distribute, there isn't a product to distribute. I understand where Councilman Poindexter is coming from and it makes sense but you can't do it because we're limiting it to they can't mass manufacture, they can't mass produce. So if they can't do that we don't have anything to distribute. I think we should move forward, I think this will solve the problem and thing I know about politics if something goes wrong we can come back to the table and start over. I think this is where we need to be today. Thank you

Madam Coyne, Councilman Poindexter.

Mr. Poindexter thank you I agree with my colleague Councilman Troyer I think the original piece excluded everything under the sun. It excluded everything except

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

for the two things that it references- Office space and Research and Development. But because somebody read that word industrial, oh, I can do whatever I want there that's industrial when it clearly doesn't say that, so here we are. I think that this is a good step, I think that this proposed amendment will do a lot to curb that and if doesn't curb it all then we come back and add another amendment. I would caution Council, though, hopefully we don't have to do it after the fact because then it doesn't get done, right. If somebody moves in there and are mass distributors of something because we didn't add it in here now that's going to be a lot tougher at that point.

Madam Coyne, Mr. Mencini.

Mr. Mencini thank you Madam Chairwoman, more importantly thank you for letting me go in front of Councilman Troyer; it's 11:59 we can't go past 11:59. So all I can say is like i said it kind of before Councilman Poindexter just said it we don't want like have to later but sometimes we've done that already. Many of times Councilman Salvatore you've been here for a very long time and you guys had to made adjustments later on for things; sometimes that happens. Do we want to do that - no. Do we want to limit I mean we don't want to limit a business that might want to go back there that might be close to this but they don't want nothing to do with heavy trucks? Maybe listening to this tonight we don't want to get into that. My point is no heavy truck use signs go up or business district only; trucks to business district only. We'd have to work on that i mean there's many verifications you could do on that. Where the signs go up i mean i could probably use this Holland Road here where trucks aren't supposed to go down to cut through but unfortunately sometimes they do; sometimes they take a wire out too. But, sometimes off Engle Road they cut down there on the shortcut or lost, or whatever, unfortunately but we do have signs up there. Doesn't mean they always listen but if we have to go into that direction if it gets to that point. Seems like there are some good businesses that want to go out there from what I'm hearing and what I'm seeing a little bit so I'm kind of done here so thank you.

Madam Coyne, Councilman Troyer.

Mr. Troyer thank you Madam Chair through the chair to the law director. Madam Law Director so I'm looking at this and it's been said a couple of times up here if they don't have mass production or mass manufacturing well then they won't have the trucks. Tend to agree but my concern is what if they're not manufacturing. What if they're bringing things in kind of separating them somehow and then shipping them back out? So would this still basically offices and research and development would that wording prohibit that for the record.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Madam Horvath through the chair to Councilman Troyer so we're saying that they're a distribution center instead of the Aerospace research and development that it's designated.

Mr. Troyer correct

Madam Horvath I think it's for educational purposes and the development of prototypes for the Aerospace research and whatever applications follow after but you're prohibiting them from doing any sort of mass production or mass manufacturing. So will there be large trucks up and down probably. Will there be for this particular area maybe some of will be; some of them might be for NASA. Some of them may be to assist in constructing Blue Abyss, I don't know. Hopefully, one day we don't have to worry about the noise because it will all be electric and that won't be a problem. I think the more you try to put in to it the narrower you make of it and I think you're at the point where you've addressed the issue. To add anything further I think you're making things number one limiting and number two possibly asking for some further problems. So, I certainly understand your concern for the residents, I do. I know that's residential and Councilman Mencini's comments were somewhat similar and he had acknowledged that there is a concern for that but the obligation to look at everything as the entire community. So my opinion is what you want to add now that's appropriate and my advice would be not to add anything further.

Mr. Troyer okay to continue if we add what we want to add and the existing is distribution prohibited.

Madam Horvath, well this is for Aerospace research and development so when you say distribution I'm sure at some point in time they're going want to take whatever prototype or product that they manufacture at facility and send it someplace else. It's not going to be on a mass level but I'm sure maybe they want to send it out someplace for testing or whatever. I don't think that this particular section would allow a quote-unquote distribution center; where that's almost like a warehouse. Items come in and maybe put them together and send them back out I don't think that's what this is intended for. This is for educational purposes and Aerospace research. I'm sure that some of things they make they're going to want to send somewhere; it's not going to do anybody any good to just leave it on that site. But, by the same token I don't think they're mass producing widgets and they're going to send them out throughout the State of Ohio and or other states in heavy trucks. I think we're to the point that whatever concerns or problems are properly addressed and my recommendation would be that what's proposed is sufficient.

Legislative Committee - Chairwoman, Coyne: cont. verbatim.

Mr. Troyer okay thank you if I may at this time would like to make a mass motion to. again, eliminate the lined out where it says industrial leave that in and then add, as we spoke, industrial - the wording industrial is not to include mass production and mass manufacturing of products and that will go in two places. It will be A-3 is that correct Madam Law Director not following.

Mr. Roberts and Mr. Mencini A-1.

Mr. Troyer will be included in A-1 at the end and also at the end of C permitted uses.

Mr. Mencini main buildings and uses permitted

Mr. Troyer hang on

Mr. Roberts yes

Mr. Mencini second page main buildings and uses permitted under C if that's what you're doing I'll second that.

Madam Coyne there is a motion on the floor and properly supported.

Mr. Salvatore for the record could you read how those will read.

Mr. Poindexter would you like me to read it Madam Chairwoman?

Madam Coyne if you want to, sure.

Mr. Poindexter Section A-1 will read as to provide areas for office uses and Aerospace research and development activities and their related education industrial support and service uses. Industrial is not to include mass production or mass manufacturing of products, that's the first one. The second one is also in 1-C will say educational and industrial support and service uses related to the permitted uses listed above industrial is not to include mass production or mass manufacturing of products.

Mr. Salvatore thank you, thank you Madam Chairwoman.

Mr. Troyer for the record want to make sure that everybody understands that this is not to change the ordinance as originally written; it is to clarify the ordinance as originally written. Thank you.

Note: End of verbatim script.

Mass Motion by Mr. Troyer, supported by Mr. Mencini, to amend to read Section A-1 will read as to provide areas for office uses and Aerospace research and development activities and their related education industrial support and service uses. Industrial is not to include mass production or mass manufacturing of products, Also, Section 1-C to read educational and industrial support and service uses related to the permitted uses listed above industrial is not to include mass production or mass manufacturing of products.

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

Motion by Mr. Poindexter, supported by Mr. Roberts, to place on next week's Council agenda, June 20th, under first reading.

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

PLANNING COMMITTEE - CHAIRMAN, TROYER:

1. REQUEST APPROVAL FOR A CONDITIONAL USE PERMIT FOR SHORT TERM LEASING AT 14126 HEATHERWOOD DRIVE, LOCATED IN A U1-A2 ZONING DISTRICT.

Mr. Troyer read Brook Park Planning Commission met on June 5, 2023 in regards to a conditional use permit for short-term leasing at 14126 Heatherwood Drive. By a vote of five to one with one abstention the Planning Commission voted to deny the conditional use permit; based upon the guidelines provided in the Brook Park Codified Ordinances section 1141.342.

Mr. Mencini asked Madam Horvath when this was experienced in Ward 2 a piece of legislation was brought forward, when this occurred in Ward 2, that these would not be allowed and must be owner occupied; also thought there was a moratorium on them for a bit.

Madam Horvath responded yes, I did take a look at this particular section of the Ohio Revised Code that reads 'that under certain circumstances it would be allowable; would have to check on any moratorium legislation. In this particular case I see that almost everything provided to the Planning Commission is here but what I don't see is the discussion by residents' views heard at the Planning Commission meeting, think there were two or possibly three correspondences from residents.

Mr. Mencini stated one of the big things is the owner had to live there.

Madam Horvath concurred.

Mayor Orcutt stated I advised Ms. Seko of the next step and she plans on attending the June 20th meeting.

Planning Committee - Chairman, Troyer: cont.

Mr. Poindexter stated in 2018, Mr. Mencini brought forward legislation for banning of short-term leasing, not a moratorium.

Mr. Mencini commented with the owner living in the home.

Mr. Troyer stated the owner lives there and would be renting out most of the home as an Airnb.

Mayor Orcutt stated at that meeting there were several people that spoke against this, no one spoke for it along with three pieces of correspondences received from people speaking against this. Information obtained shows this person living in another state.

Mr. Troyer stated Ms. Seko was running a Bed & Breakfast and found out she was not allowed so that's the reason for the conditional use permit.

Mr. Scott stated once the letters went out I received many phone calls from residents with not one being in favor. The concerns were who would live there, background checks and concerns of the children and neighborhood.

Motion by Mr. Salvatore, supported by Mr. Mencini, to allow residents in the audience to speak.

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

Jeri Dedrick
5952 Middlebrook Blvd.

Ms. Dedrick stated don't want in neighborhood, police called to this home early morning hours of a drunken trying to get into the home.

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

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

Motion by Mr. Poindexter, supported by Madam Coyne, to have legislation drafted

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

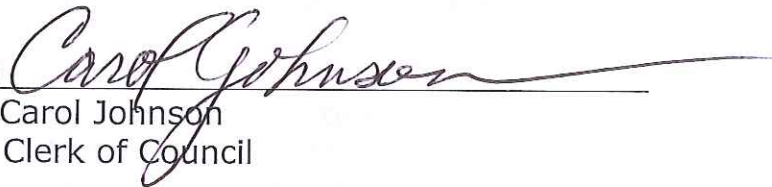
Motion by Mr. Mencini, supported by Madam Coyne, to place on the June 20th Caucus Prior to agenda.

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

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, Coyne, Scott
NAYS: Unanimous.

Council President Pro-Tem Salvatore declared this meeting adjourned at 8:25 p.m.

RESPECTFULLY SUBMITTED 
Carol Johnson
Clerk of Council

APPROVED September 12, 2023

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