

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
HELD ON TUESDAY JUNE 20, 2023**

**I. ROLL CALL OF MEMBERS:**

**II. PLEDGE OF ALLEGIANCE:**

**III. DISCUSSION**

1. DEPARTMENT OF LIQUOR CONTROL - Elie Chahda, DBA FRONT ROW BBQ, 15119 SNOW ROAD & PATIO, BROOK PARK, OH 44142, C TRFO 2455116-0005. **Postmark Date 06/23/2023.**
2. AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE 2023 RECYCLE OHIO GRANT FOR TRASH/RECYCLING RECEPTACLES AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**IV. PLANNING COMMITTEE - CHAIRMAN, TROYER:**

1. A RESOLUTION FOR A CONDITIONAL USE PERMIT FOR SHORT TERM LEASING AT 14126 HEATHERWOOD DRIVE IN THE U1-A4 ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

**V. ADJOURNMENT:**

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
HELD ON TUESDAY JUNE 20, 2023**

The meeting was called to order by Council President Vecchio 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 Service Director Beyer, Recreation Director Gonzales, Interim Finance Director Maykut, Safety Director Sensel and Law Director Horvath.

**DISCUSSION**

1. DEPARTMENT OF LIQUOR CONTROL - Elie Chahda, DBA FRONT ROW BBQ, 15119 SNOW ROAD & PATIO, BROOK PARK, OH 44142, **C TRFO 2455116-0005. Postmark Date 06/23/2023.**

Madam Horvath stated appreciate extra time to do some research and it appears this transaction is appropriate. With the sale of the building the tenant had the liquor license and now the license is going to the new owner, will be good for the city.

Mr. Mencini asked Madam Horvath with Solid God building a patio were phone calls from North Gallatin residents received or did any speak on this matter?

Madam Horvath responded no phone calls were received and not sure what type of establishment this will be, Hopefully, will be quieter than former and run more professionally, no reason to object on any statutory basis.

**Motion** by Mr. Troyer supported by Mr. Poindexter, discussed.

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

2. AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE 2023 RECYCLE OHIO GRANT FOR TRASH/RECYCLING RECEPTACLES AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

As discussed at last week's Caucus meeting this is the new piece brought forward to accept the grant monies awarded to the city in the amount of \$40,782.00 from the Environmental Protection Agency.

**Motion** by Mr. Mr. Troyer, supported by Mr. Mencini, discussed.

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

**PLANNING COMMITTEE - CHAIRMAN, TROYER:**

1. A RESOLUTION FOR A CONDITIONAL USE PERMIT FOR SHORT TERM LEASING AT 14126 HEATHERWOOD DRIVE IN THE U1-A4 ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

**Note:** Verbatim as requested omitting the um and uh clauses.

Mr. Troyer thank you Mr. Council President, is anyone here to speak on this, the owner, seeing none.

**Motion** by Mr. Mencini, supported by Madam Coyne, to allow audience participation during Caucus.

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

Mr. Troyer to owner, Dana Seiko, come on up. Going to make the same presentation made to the Planning Commission. I was already there and at this point would go by the Councilman ward it is in. Trying to say it nicely, like the big storage unit on Michael I voted against at Planning and for it at Council because it's what Council wanted. Go ahead and make your pitch to council.

Dana Seiko

14126 Heatherwood drive

I have a four bedroom, two bath home and the front of the home is now empty with my children moving out going to college and living in different parts of the country. I wanted to help supply myself with extra income so I could go back to school. Plan on going back to nursing school either September or January. To supplement my income, I live in the back of the house it's totally separate from the front of the house; has a separate entrance, everything with a finished basement and shower back there. This would be for a three bedroom, one bath in the front for the Airbnb.

Mr. Troyer, Council any questions?

Mr. Scott, Ms. Seiko, I'm your Ward 4 Councilman, in the past have you had renters in there before you came to planning?

Ms. Seiko I did have it up and didn't know I was supposed to pull the conditional permit.

Mr. Scott and your mother where is she out of state?

Ms. Seiko she's sitting right there.

**Planning Committee - Chairman, Troyer: cont.**

Mr. Scott she's living out of state or...

Ms. Seiko no, she doesn't live out of state. She lives in another city and weren't going to bring this up but she is having surgery and we're trying to plan how if I possibly have to take care of her; depending on how the surgery goes once she goes into see her cardiologist next month.

Mr. Scott this is not against you, please don't take this wrong but when that letter came out I was inundated with multiple phone calls, multiple emails, everything. I did not get one person of your surrounding neighbors, not just one and I know you have personal conflict with one of them.

Ms. Seiko I don't have any personal conflict with anybody.

Mr. Scott well, I was at the Planning Commission meeting.

Ms. Seiko I know they have an issue with me and have no idea what that issue would be, but I do not have an issue.

Mr. Scott there was no support of all the residents that contacted me, I got a lot of them it's nothing against you personally, please. It's just the overall issue with safety and what-not.

Mr. Seiko what would be the safety issues?

Mr. Scott unknown residents in and out of, you know, short-term standard background checks, who are these people?

Ms. Seiko they do the background checks and we provide them through Airbnb. There are people that live in our neighborhood, we've had a drug raid four doors down on Middlebrook Drive. We didn't know that they lived there and selling drugs out of their home. There are several rental properties in my neighborhood on both Middlebrook and Heatherwood Drive.

Mr. Scott there are rental properties.

Ms. Seiko right, so I've never had any issues. I've been told the police have been at my house which is absolutely false. I pulled records and there are no incidents or any recordings, at my house, of any kinds of parties or anything like that. I've been there and have the plane schedule that I've been back and forth when I've been in town, when I have traveled and I'm there. So I'm not going to allow people to throw parties in a house that I've spent over \$50,000.00 just in the last



**Planning Committee - Chairman, Troyer: cont.**

two or three years renovating, I've put my whole life into this house. Obviously, I wouldn't want those types of people in my neighborhood, or my home, either.

Mr. Scott what's the duration of your typical rental?

Ms. Seiko typically it is two to three weeks.

Mr. Scott two to three weeks' short term, that's all.

Mr. Troyer anyone else?

Mr. Mencini thought about this and you make some good points. One of mine is a rental around the corner from you, I have rentals. Also, in my ward from what I've heard happens at homeowner homes too, want to get that out right away. Being a ward Councilman everything I've heard comes back and I've heard probably at a homeowner home. The issue I have and Councilman Troyer stated a 5-0 and an abstain vote, I didn't understand why that vote was. The issue I have, and am going to be a little brave with it, our home values are doing really good now and know what people think when they hear rental; Airbnb; that was in my ward, the one that we started setting some rules for. A lot of the neighbors seen it, they seen the advertisement, initially, in the paper, is what they seen. Smart ladies actually in a little cul-de-sac and they guy that owns them takes really good care of them. The issue that I do have and hope people don't think I'm one there are people here that know my home and how I am but I take good care of them. The problem is and you make good points but the issue I have is if home values come down, the rental properties; the homes that homeowners are not in. I get all the complaints and stuff you're going to hear that anyway. On your street, my street, their street, Middleburg Heights, Strongsville, wherever. The issue I have is everything starts off really good at first I'm not saying you or classifying you, your mother. But, it all starts off good at first then all of a sudden it starts getting a little complacent. As I've seen the money starts coming in but never see the guy, one of the guys wanted to come after me two years ago because he thought I was harassing him and all I ever said is am I right or am I wrong. I was right and point is will it stay maintained? That's the big issue when home values come down, hope they don't, no one that lives in Brook Park wants them to. Then the love of doing a rental the juices tend to fly away a little bit more, easy to do we see it in other communities, one a little north of us. Go ask them how some of that is working out and go to the far east side and ask them how rentals and things work out. Not classifying you but can see the thought process with some people when you say it's going by my neighbor, or want to sell your home, things of sort. You have an Airbnb and have a rental by you and as a Council we have to be pretty careful and would like to get the explanation of why the 5-0-1 vote, the one was an abstain. That's all I have, Mr. Chairman.

**Planning Committee - Chairman, Troyer: cont.**

Mr. Troyer, thank you Mr. Mencini. Council and everyone else I was remiss on this and made a mistake every once in a while. Because I wasn't planning on doing this I forgot to read it, so let me read it before we continue. A Resolution for a conditional use permit for short term leasing at 14126 Heatherwood Drive in the U1-A4 zone and declaring an emergency. Introduced by Council as a Whole. This is the request for a conditional use permit for short term leasing at 14126 Heatherwood Drive in the U1-A4 zoning district. As I said the other day you've all had this in front of you before so it was voted down, anyone else want to speak on this up here? Mr. Poindexter.

Mr. Poindexter thank you Chairman, I don't really have a question directed to you, it's more of a comment. I understand why people would want to do Airbnb's and generate income out of their house, that's kind of what we all want to do as Americans, right? Find ways to make money out of our house that's where a lot of people get their starts. Lot of businesses start in their garage and then go onto bigger and better things, I understand that. My concern is, though, that your neighbors will see you making your money and I want some of that; then their neighbor does and their neighbor does and then all of a sudden we have all these houses in city doing Airbnb's. Now, we're just a stop-over town, people passing through eating food and throwing trash out the window, whatever. Things that people do when on vacation or on a trip, that's my concern. Is there anything you can say to put my mind at ease with that concern?

Ms. Seiko I see what you're saying but under your guys' conditional use says I have to live there full-time on the property. So I would also be living on the property to maintain it to make sure people aren't throwing parties. I have cameras at every access point to my house, I want my place to stay a nice place it is my investment and my first home, hopefully, not my last. I don't want to disrespect my neighbors and absolutely understand where they're coming from. But, you guys put stipulations in this packet that I have abided by and have gone above and beyond to make sure it is and until I have had a complaint I feel like I should be given a chance to at least prove myself, that I'm going to do what you guys want of me. And, what my neighbors would like for me to do as far as screening people, I want to be given a chance. I know there are a lot of things that can happen; I could get a renter in there and rent my house out tomorrow for a whole year and these people could squat in my house; not pay anything; have parties every night and do a lot of things that I no control over and I can't get them out. But, with Airbnb I can get them out immediately if they break the rules and that's why I decided to go with the Airbnb short term; because I don't want long term renters in my house tearing up my house. I want to be able to remain in control of that and keep it the way I've spent thousands and thousands of dollars on doing.



**Planning Committee - Chairman, Troyer: cont.**

Mr. Poindexter, that's all I have.

Mr. Troyer, that's all you have, thank you. Anybody else, okay. Mr. Council President, with that motion we're also allowing general audience participation?

Mr. Vecchio, just on this subject.

Mr. Troyer, thank you very much, just making sure. Anyone from the audience like to speak on this? Please, if you would, please state your name and address first and then you can carry on.

Elizabeth Sayers  
23065 Cedar Point Road  
Brook Park, OH

Ms. Sayers, what she just said I have a neighbor that's been doing this for 12 years, think it's 12 years now. He rents his rooms out and they stay until who knows when; we don't bother him; he doesn't bother us. He's been renting his rooms out for a year, six months, whatever. It seems nobody knows about it, nobody seems to bother with it or anything else; so I don't see any problem with somebody having with what she wants because when you're in my neighborhood, right next door, you don't know who lives there. You don't know how many people are staying there but for the last 12 years he's been doing the same thing. I don't see why she would have a problem with it and why people are making such a big issue over it and everything. Because where I live nobody seems to have an issue about it and we don't have any problems, except with the owner of the home once in a while. Other than that I don't see what the big deal is, I really don't. Because you know what, what happens in your house should not go any farther than anybody else. If you want to rent your little rooms out and live there should not be a problem with that. I'm gung-ho for her and hope it works out and everything because my neighbor is still doing it and none of you know who lives there, none of you know that he rents his rooms and none of you know what really goes on there. You don't know that, right now, we have a person that's from Russia that lives there, very nice guy, but you don't know who else is there; you don't know if they're sex offenders or whatever. So she needs a break and she needs to have what she wants and let her do it. Because it seems that everybody does what they want anyway in this city. I would back her up in a heartbeat because my neighbor 12 years been doing it. Thank you.

Mr. Troyer, thank you Ms. Sayers. To clarify for everyone this is a conditional use permit for short term, not six months or a year. Anyone else from the audience? Please come up, state your name and address for the record.

**Audience participation on conditional use permit only: cont.**

Sandy Osborne

5978 Middlebrook Blvd.

Ms. Osborne right across from this rental and have seen several things go on for the last ten months, property does not be maintained, she has not been there like she says she is. People come and go, are out there all hours of the night, I can understand probably because their smoking and there is no smoking in the house. They come out on the porch and it's not a private patio as advertised on here it's right out on Middlebrook Blvd.; drinking, smoking cigarettes, whatever they're doing at 2:00 or 3:00 in the morning. They're coming and going tears up my dogs, my dogs go crazy every time it happens and I am against it as you can see. Just from what I'm saying and if I could I'd like to bring up somethings she has advertised.

Mr. Troyer make it brief.

Ms. Osborne it is brief, from reading the ordinance on an Airbnb it says there is nothing to be in the basement and she advertises there is a washer and dryer. All the pictures showed on the site do not show a washer and dryer on the first-level but in the basement; so I'm going off the impression that is where hers is. She was also talking about no partying or drinking at her house but, yet, in her ad she advertises that there are wine glasses at the house, available to use. If that is not an advertisement for alcohol, then I don't know what is. She also states that there is a private balcony to the patio and it's not private, it's wide open on the side of her house; as I said we can see everything that goes on. She also states in there that she has a private backyard that is fenced, it is not fully fenced. There is a ten to 12-foot section where there used to be a fence that was torn down. They tore down the wooden privacy fence and they got one of those red wire ones that's pushed into the ground, so to me that's not a fenced in yard that's just decoration. She also has stated that there is free street parking for the past ten months I've seen people parking on the street and going to that house with cars staying all night. Is there still a parking ordinance in Brook Park that you can't park from 2:00 to 6:00 a.m., these are out there all the time. There was one time they had four cars parked there and there were more than five adults with four cars parked in the driveway. Had the sidewalk blocked, kids, women walking their children have to go around into the street to get around it. Same thing happened in the winter the sidewalks were not maintained would have taken a picture for you but the person that plows the driveway just pushed it onto the sidewalk, so there's this big mound of snow there. The kids getting off the bus had to walk around the snow in the street. Also, when I was at the meeting the guidance, laws, whatever the by-law it says an Airbnb cannot be longer than five days for short term. She's also stated to me that she's rented it out for three weeks, at a time, and on here it long term stays are allowed for 28 days. There's a bunch of



**Audience participation on conditional use permit only: cont.**

reviews and the reviews go all the way back I printed out the last one, its October, 2022. I have the last one that somebody commented on that stayed there, nobody had comments but, once again, we don't know who is coming or going there. I've seen a lot of things, they've had a construction crew in there so they had these big trailers hauling their equipment that they pulled into the driveway and used my driveway to do it. I'm sorry I don't want trucks and stuff backing in and out of my driveway just so they can park in hers. She says there is five guests' minimum in there and there was a time where there was a family that came with five adults and four children, that's nine people in this house at one time.

Mr. Vecchio you have a few more seconds.

Ms. Osborne she does say that drive way is two-cars and overnight parking is permitted but you can call Brook Park police and let them know you're parking there. I know they do that on occasion for emergencies, car breaking down or something you can call and let them know. You have a party and someone gets too drunk, graduation or whatever, there's no room in your driveway you call and let them know. But, is this supposed to go on for an Airbnb to park on the street all the time when we have street ordinance? There are several more, I can go on, but won't since you only give me a little amount of time but totally against this. Worry about the kids getting on and off the bus; if it's 500-feet from a playground how can it be 100-feet from a school bus stop. That school bus stop has been there for years my daughter used it and I live in a house that says I'm too far. So every year I have to call in to get them registered for the bus that's how I know the bus stop is there.

Mr. Troyer thank you very much.

Ms. Osborne thank you.

Mr. Troyer would anyone else like to speak on this topic? Name and address for the record, please.

Louie Modic, 14399 Fayette Boulevard, Brook Park. The only concern I have is I wouldn't want it in my neighborhood if you're at the west end you have those long driveways and big yards. You might not know what is going on next door even though you say they are there and not causing trouble; nobody even knows they're there. Well, apparently yeah somebody does know they are there because they just reported it. I don't know the party but I heard her say, if I heard here correctly, that at one time she was initially against Airbnb's, I guess she had concerns about them at one time, herself. If you have someone with kids and looking to come into Brook Park are you really want to be in an area where there's

**Audience participation on conditional use permit only: cont.**

an Airbnb and have no control of who is going to be there for a couple of days; or somebody else might be there. If you do have and I don't know the answer is there part of the ordinance that somebody is going to rent out an Airbnb are they registered with the city? When I moved to Brook Park I live here, my wife lives here how do you do that with an Airbnb keeping proper records knowing who is coming in and out. I really don't think the neighbors at that end are concerned about her actions; the concern is you don't know who that guest is. Thank you.

Robin Fuller current address 324 Glenwood Drive, Berea, OH, but will be moving to 14126 Heatherwood Drive soon, probably within the next few weeks. Yes, I am Dana's mother and would like to show you the advertisement that says free driveway parking, says nothing about off-street parking. The Airbnb company does background checks they don't just let anybody move in there. Now, when you buy a house you don't know what you're getting; so the new neighbor next door could be anything, have arsenal in his room or whatever. I guess my question is, well, the scarier statement I want to make is Ms. Osborne's knowing or think she knows so much about my daughter's private life. That really scares me that is scary to me. First of all, you don't have to have a private patio you can sit on your patio. What kind of city is it that tells you can't sit on your patio and have a cigarette at 3:00 in the morning, if that's what you want? Here's my question for City Council; so in your Brook Park codified ordinance section 1141.342, believe that's it and the Charter section 11.03, section c you know what they are, so I don't have to do that. But, there was a list of requirements that had to be done and Ms. Seko did every one of them. When she bought that house it was a mess; she has completely remodeled it and it's gorgeous. Look at the pictures on Airbnb if you want to see how beautiful it is. She's put her whole like into that place why would she let someone come there and trash it. The only reason she went with Airbnb is because they do backgrounds checks, we know who they are. I just don't understand why you would have this ordinance and people jump through all the hoops and you say no. Why would you say no? Why would you say no to someone, that's my question? Do you say no based on the negative? Do you say no on what's best for Brook Park because why have this ordinance? She has approval from the fire prevention officer of the fire department; she has approval from the building inspection department; she has done everything she can. I just want to know why you have this ordinance if you're not going to respect the person that has done all this work and then shoot her or him down. I understand you have to consider everybody here, I get that, I've lived next to renters; I've lived next to crazy neighbors that were taking note on me. You live where you live and try to mind your own, that's all you can do. That's all she's trying to do and God bless her she's trying to help me too. I'm asking you if you're not going to respect somebody that tries to abide by your ordinances then don't have them, take them out.



**Audience participation on conditional use permit only: cont.**

Mr. Poindexter I have a question to Ms. Fuller we all understand the intentional negative of the residents in the room. What is the positive for Brook Park for this type of business?

Ms. Fuller you guys don't know this but I believe it's the Airbnb company if people are displaced from their home for emergencies, renovations, sewer breaks and the city says you can't live there anymore. You have kids and can't afford a hotel, don't want to go to a family shelter they can come to her Airbnb and stay in a family home where they all can be together while the home is getting renovated or while the electrical fire that burnt down their house and all their belongings; they have a place to stay that's safe. And, the Airbnb's assures her; otherwise she wouldn't be doing this. She's not a very big girl and I wouldn't want her doing this unless she has the background check of who is coming there. So it does a service to Brook Park, absolutely, if there is an Airbnb that will take a family that could afford to stay at her place for a couple of weeks. Instead of a hotel where God knows what you're going to get. It does provide a service to the community.

Mr. Poindexter, isn't that basically what this is a hotel?

Ms. Fuller no it's not a hotel, a hotel has several rooms, lots of rooms where all kinds of people stay right next door to each other. The people that come to the Airbnb are usually a family they know each other and are not strangers trying to live in a house, it's nothing like a hotel.

Mr. Poindexter it's still the hotel concept, though.

Ms. Fuller no, it isn't

Mr. Poindexter you're staying and going.

Ms. Fuller no it isn't, you're staying in a home, this is totally different. If I stay in a hotel I'm going to get room service, I can order downstairs for a big steak and don't have to go nowhere. You can't do that at the Airbnb you have to cook it yourself or you have delivery from can't remember what they are, there's too many of them and don't use them. You're comparing apples to oranges no disrespect, sir.

Mr. Poindexter that's all the questions, I have. Thank you.

Ms. Fuller thank you very much for listening to me, I appreciate it.

End of verbatim transcript.



Mr. Troyer, Council what's your pleasure? Would like to entertain a motion to move this legislation which I read a little late to tonight's Council meeting.

**Motion** by Mr. Poindexter, supported by Mr. Roberts, to move to tonight's Council meeting.

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

Mr. Vecchio stated that will appear under M-2, as Resolution No. 8-2023.

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.

Council President Vecchio declared this meeting adjourned at 7:38 p.m.

RESPECTFULLY SUBMITTED Carol Johnson  
Carol Johnson  
Clerk of Council

APPROVED August 22, 2023

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