

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY JUNE 20, 2023**

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:

1. A RESOLUTION HONORING CITIZEN OF THE YEAR - ELLEN ALBRIGHT.
2. A RESOLUTION HONORING SHIRLEY M. HOLLER.

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):**

1. ALTERNATIVE TAX BUDGET

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, JUNE 20, 2022**

The meeting was called to order by Council President Vecchio at 7:38 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, Recreation Director Gonzalez, 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 reported Finance has nothing on tonight's agenda. The Board of Control met earlier with 24 items on the agenda: three largest are Buckeye Pumps for Havendale and Middlebrook pumping stations - \$49,856.00; Rock N Roll Harley Davidson motorcycle - \$26,092.00 and Motorola Solutions Inc., dispatch maintenance contract, fourth year of five-year contract - \$24,680.00.

Legislative Committee - Chairwoman, Coyne

Madam Coyne reported Legislative committee has one piece under letter M, thanked all residents for coming to the meeting and signed petition.

Mr. Vecchio interjected there will be no more campaigning from the dais.

Mr. Mencini understood.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported the Hit, Pitch and Run is on July 7th at 6:45 p.m. at Hufsey field. The waterpark is open 11:00 a.m. to 6:00 p.m. daily; won't be open if below 70 degrees. Are in the third week of Little League baseball and softball.

Planning Committee - Chairman, Troyer

Mr. Troyer reported Planning committee has one item on tonight's agenda.

Safety Committee - Chairman, Roberts

Mr. Roberts stated no report.

Service Committee - Chairman, Poindexter

Mr. Poindexter stated no report.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported the next meeting will be held on Monday, July 3rd.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported students from the Cleveland Public Schools participated in the health care program offered as well as Berea High School students giving ideas on the taking up the health care field. Southwest General believes in the power of teamwork creating a family like environment and balance for employees, patients and families.

Berea Board of Education Representative, Coyne

Madam Coyne reported the meeting was held on June 12th that included the last Titan recognition for 2023 that recognizes students, teachers, faculty and staff. The superintendent's report and many teachers went through active shooter training and personnel recommendations and curriculum adoptions.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported no meeting since last report; next meeting tentatively scheduled July 12th.

REPORTS OF BOARDS AND COMMISSIONS:

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

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

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

Verbal Approval:

1. ALTERNATIVE TAX BUDGET.

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

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

New Legislation:

1. An Ordinance authorizing the City of Brook Park to provide a demolition grant to G.G. Brookpark 2023, LLC for the demolition of 15150 Snow Road and declaring an emergency. Introduced by Mayor Orcutt. Assigned to Legislative committee.
2. A Resolution honoring Shirley M. Holler for alerting the fire department of a house fire on her street and declaring an emergency. Introduced by Mr. Mencini. Assigned to Safety committee.

New Legislation: cont.

3. A Resolution honoring Ellen Albright for being chosen Citizen of the Year and declaring an emergency. Introduced by Councilman Roberts and C/W.
Assigned to Recreation committee.

Motion by Mr. Poindexter, supported by Madam Coyne, to place on tonight's Council agenda under first reading.

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

Mr. Vecchio stated that will appear under M-3 as Resolution No. 9-2023.

4. 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. Assigned to Service committee.

Motion by Mr. Poindexter, supported by Mr. Mencini, to place on tonight's Council agenda under First Reading.

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

Mr. Vecchio stated that will appear under M-4 as Ordinance No. 11344-2023.

Motion by Mr. Roberts supported by Mr. Troyer, to go to letter M.

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

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11343-2023
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.

Mr. Troyer to Mayor Orcutt for this amendment what is the purpose, what will be achieved.

Mayor Orcutt responded to respect the integrity of the west end by not producing mass manufacturing and mass production.

Mr. Troyer stated absolutely against this, this legislation was confirming and acknowledging what the ordinance says; this now allows the company to continue with the eight docks and trucks. As this legislation reads doesn't allow the docks and the trucks a conditional use permit is needed. What the Mayor just said was this company is grandfathered so the company there would be allowed there.

Ordinances and Resolutions: (First Reading): cont.

Mayor Orcutt responded Councilman, what we're doing with the change to the zoning code is clarifying the word 'industrial'. When this came up and you were in my office I explained the company that would like to put eight docks would have to go for a conditional use permit, that still stands today, none of that changes; it's not grandfathered the change was to identify the word 'industrial' and clarify that.

Mr. Troyer continued in your office before Planning meeting I told you it needed a conditional use permit and you stated no. Speaking with the building commissioner, at the time, stated no conditional use permit was needed. The building commissioner blamed you and you blamed the building commissioner.

Mayor Orcutt responded one thing you will not see this Mayor do is go through the mud. The conditional use permit will be needed and the building commissioner and I never disagreed, in my office I said to you're putting the cart before the horse.

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

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

NAYS: Coyne, Troyer, Poindexter. Failed.

Mr. Vecchio stated Ordinance No. 11343-2023 has had its first reading.

2. RESOLUTION NO. 8-2023

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.

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

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

NAYS: Mencini.

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

ROLL CALL: AYES:

NAYS: Scott, Roberts, Poindexter, Salvatore, Troyer, Coyne, Mencini

Mr. Vecchio stated Resolution No. 8-2023 has failed.

3. RESOLUTION NO. 9-2023

A RESOLUTION HONORING ELLEN ALBRIGHT FOR BEING CHOSEN CITIZEN OF THE YEAR AND DECLARING AN EMERGENCY. Introduced by Councilman Roberts and C/W.

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

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

NAYS: Unanimous.

Ordinances and Resolutions: First Reading: cont.

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

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

NAYS: Unanimous. Resolution No. 9-2023 has passed under suspension of the rules. Adopted.

4. ORDINANCE NO. 11344-2023

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.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11344-2023 has passed under suspension of the rules. Adopted.

Motion by Mr. Troyer, supported by Madam Coyne, to go back to regular order of business.

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

NAYS: Unanimous.

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A RESOLUTION HONORING CITIZEN OF THE YEAR - ELLEN ALBRIGHT.

Mr. Vecchio read the resolution in its entirety and Mr. Roberts and Mayor Orcutt presented the resolution to Ellen Albright.

Mayor Orcutt stated Ms. Albright goes above and beyond with the seniors.

Mr. Albright stated the senior ladies and gentlemen are my family.

Mr. Vecchio thanked Ms. Albright for all she does.

Mr. Troyer stated senior club doesn't start until the bus arrives.

Mr. Mencini stated it's what you do on the outside, congratulations.

2. A RESOLUTION HONORING SHIRLEY M. HOLLER.

Motion by Mr. Poindexter, supported by Troyer, to remove G-2.

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

NAYS: Unanimous.

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt stated the bids for the Wedo Park retention basin and Sheldon Road waterline have been received, engineer to give more details in report. Huge thank you to American Legion Post #610 and recreation department for the first annual Picnic in the Park event that was very well attended. There will be two summer concerts on Friday, August 11th and Friday, August 15th having inflatables for the children, food trucks and entertainment; totally different events from the senior concerts. Home Days celebration will be on July 8th and 9th.

Questions:

Mr. Troyer asked Mayor Orcutt any update on the roof and walls?

Mayor Orcutt responded construction documents are being put together by Construction Resources.

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

Law Director Horvath

Madam Horvath stated the active civil litigation list has two items listed; first one am waiting for a Court of Appeals panel for arguments and secondly is for additional funds to be paid from that fund.

Safety Director Sensel

Mr. Sensel announced that the city's K-9 and handler graduated last Friday; the new motorcycle will be ordered this week and for three days at Brook Park Elementary the Cities of Middleburg Hts., Berea and Brook Park along with the Berea City School District had active shooter training.

Interim Finance Director Maykut

Madam Maykut thanked Council for approval of the alternative tax budget that will be filed with Cuyahoga County. The CAFR is being filed with the State of Ohio and the full audit is nearing completion.

Recreation Director Gonzalez

Mr. Gonzalez reported that football and cheerleading registrations are through July 1st. Something new for this year is a Fall baseball and softball league with registrations taking place until July 21st. Thanked everyone for the well wishes on recent surgery.

Service Director Beyer

Mr. Beyer reported the next two bulk pickups will be on July 10th and August 14th on regular scheduled trash days. This past Monday kicked off the 2023 roads program in the Parkland, Crestridge and Christene areas with mill and fill. Congratulations to Ms. Albright who puts a smile on everyone's face and picks up people when down.

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

Engineer Piatak

Mr. Piatak reported the Wedo Park retention basin has five bidders, good competitive bidding process, still reviewing bids and will have a recommendation to the city shortly; next step is for the Mayor to enter into a contract with the bidder.

The Sheldon Road waterline project had one bidder and will be reviewing to make sure everything is in order. With Brook Park Memorial (BPM) demolition a site visit was conducted for the demolition with 16 different companies touring the facility today, great turnout; bids will be submitted by next Tuesday. The service director and myself will be meeting with the sewer district on June 28th for potential grant opportunities.

Questions:

Mr. Troyer asked Engineer Piatak with the Wedo Park retention basin does the bid include getting rid of the dirt, Plant Lane is tailing off.

Mr. Piatak responded the contractor included in the bid it's his choice, will keep in mind for future contracts.

Mr. Troyer asked Mr. Beyer for the hot-patch repair schedule, have a couple of streets that need to be done.

Mr. Beyer responded the schedule varies day-to-day due to waterline repairs and blowouts. If I recall, I reached out to you by email to meet in some areas of concern with no response back.

Mr. Troyer continued with Siegler and Zehman Drives a work order was put in on May 1st, June 1st and today and have not been touched.

Mr. Beyer responded the response given was will make sure streets will be addressed.

Mr. Troyer to Madam Horvath any update on the public information records put in a few weeks ago.

Madam Horvath requested speaking after the meeting.

Mr. Mencini stated to Madam Horvath would like to meet about a few items in the Ohio Municipal League newsletter on rental housing.

Madam Horvath responded certainly.

Questions to the directors: cont.

Mr. Mencini asked Madam Maykut for an update on refunds?

Madam Maykut responded the Work from Home refunds as of June 14th totaled \$570,329.00; with 331 refunds; the total refunds to date is \$688,761.00.

Mr. Mencini asked Mr. Beyer how is the scheduling figured daily?

Mr. Beyer responded have to prioritize days, people need to flush toilets or do laundry, have to make sure grass is cut at vacant properties, could go on and on. Everything is a priority and the crews are tasked on a daily basis of making the city welcoming and residents being accommodated.

Mr. Troyer stated to Mr. Beyer there are five bodies funded in the Street Construction, Maintenance and Repair weekly, where have they been?

Mr. Beyer responded that is a broad department with sewers, asphalt, catch-basins and concrete.

OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL

APPROVAL: (INTRODUCTION OF NEW LEGISLATION):

Note: Moved by motion to earlier in the meeting.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

1. BOARD OF ZONING APPEALS COMMISSION - DAN EBERHARDT.

Mayor Orcutt stated this was a tough decision with many applicants interested and with extensive interviews. Looking at Mr. Eberhardt' s resume am certain he will serve the Board of Zoning and city by making fair decisions for the community.

Mr. Vecchio commented serving next to Mr. Eberhardt with the Brook Park Boosters confident he will do a great job.

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

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

NAYS: Troyer.

Mr. Vecchio congratulated Mr. Eberhardt on his appointment.

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed concerns with a vehicle parked in the garage, Apollo Drive company and keep U-6 as written originally.

Remarks from the audience on any subject matter: cont.

Louie Modic

14399 Fayette Blvd.

Mr. Modic read facts of the Planning Commission meeting held on October 3, 2022 for a conditional use permit variance not needed for Apollo Parkway. Also, read Ohio Revised Code Title 7, Section 721 - Sale or Lease of Municipal Property.

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

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

NAYS: Scott.

Mr. Troyer thanked Mr. Modic for the help, great to have seniors in attendance and thanked everyone who spoke.

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

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

NAYS: Unanimous.

ORDINANCES AND RESOLUTIONS: (FIRST READING):

Note: Moved by motion to earlier in the meeting.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

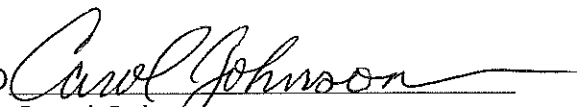
There being no further business to come before this meeting a **motion** by Mr. Mencini, supported by Mr. Roberts, to adjourn.

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

NAYS: Unanimous.

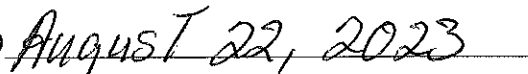
Council President Vecchio stated Council begins summer recess and will reconvene on August 22nd and declared this meeting adjourned at 8:39 p.m.

RESPECTFULLY SUBMITTED



Carol Johnson
Clerk of Council

APPROVED



THESE MEETING MINUTES ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.