

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
HELD ON AUGUST 22, 2023**

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

III. DISCUSSION:

1. DEPARTMENT OF LIQUOR CONTROL - ZEMAL, LLC, 6313 ENGLE ROAD, BROOK PARK, OHIO, 44142. **C TRFO 9912617: Postmark Date: 8/28/23.**
2. AN ORDINANCE AMENDING ORDINANCE 11323-2023 TO INCLUDE ELMDALE ROAD AND CYNTHIA DRIVE FROM FRY ROAD TO ROBERT DRIVE TO THE GENERAL PAVEMENT SERVICES PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK FOR A WEDO PARK RETENTION BASIN AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
4. A RESOLUTION AUTHORIZING THE CITY OF BROOK PARK TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA COORDINATING AGENCY (NOACA) FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES (SECTION 5310) PROGRAM APPLICATION STATE FISCAL YEAR 2023 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
5. AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY, OHIO, FOR CHARGES FOR SERVICES OF THE CITY OF BROOK PARK, OHIO, FOR CUTTING WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN AND AUTHORIZING SAID CHARGES TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURSUANT TO SECTION 731.54 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

IV. PLANNING COMMITTEE - CHAIRMAN, TROYER:

1. REQUEST LOT CONSOLIDATION OF PARCEL #'S 343-05-034, 343-05-035, 343-05-036, 343-05-008, 343-05-018 AND 343-05-019 INTO 4.08 ACRE LOT AND ALSO CONSOLIDATE PARCEL #'S 343-05-032 AND 343-05-033 INTO A 1.80 ACRE LOT AT BROOKPARK ROAD & WEST 164th STREET (ALL ERECTION & CRANE RENTAL) LOCATED IN THE U-7B ZONING DISTRICT.
2. REQUEST LOT CONSOLIDATION OF 5 LOTS AND THEN SPLIT THEM INTO 10 EQUALLY PROPORTIONED LOTS FOR THE PURPOSE OF BUILDING 5, TWO-FAMILY HOMES AT VL ENGLE ROAD PARCEL #'S 343-13-001, 343-13-013, 343-13-014, 343-13-015 AND 343-13-181 LOCATED IN THE U-1, A 3 ZONING DISTRICT.
3. REQUEST A CONDITIONAL USE PERMIT TO CONSTRUCT TWO-FAMILY HOMES LOCATED IN THE U1-A3 ZONING DISTRICT ORDINANCE 1121.04.
4. REQUEST APPROVAL FOR A 1.283 ACRES LOT SPLIT, LABELED PARCEL B-1 (SURVEY PROVIDED) AT 14801 HOLLAND ROAD (NORTH PARK RETIREMENT COMMUNITY) FOR THE PURPOSE OF LICENSING AND CONVERTING THE STRUCTURE LOCATED ON THE PROPOSED LOT TO AN ASSISTED LIVING FACILITY LOCATED IN THE U1-A5 ZONING DISTRICT 1101.09.

V. ADJOURNMENT:

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
HELD ON TUESDAY, AUGUST 22, 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 Mayor Orcutt, Law Director Horvath, Interim Finance Director Maykut, Recreation Director Gonzalez, Service Director Beyer, Safety Director Sensel and Engineer Piatak.

DISCUSSION:

1. DEPARTMENT OF LIQUOR CONTROL - ZEMAL, LLC, 6313 ENGLE ROAD, BROOK PARK, OHIO, 44142, **C TRFO 9912617 Postmark date: 8/28/23**

Madam Horvath stated no objections with the liquor permit.

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

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

2. AN ORDINANCE AMENDING ORDINANCE 11323-2023 TO INCLUDE ELMDALE ROAD AND CYNTHIA DRIVE FROM FRY ROAD TO ROBERT DRIVE TO THE GENERAL PAVEMENT SERVICES PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated the resurfacing of nine different areas in the city with Council appropriating \$1,420,000.00 have been completed at the cost of \$954,891.79; leaving a balance of \$465,108.21. Had a few other streets identified and after doing the math the city identified a portion of Cynthia Drive between Fry Road and Robert Drive that the city would like to do at a cost of \$145,635.84. Also, included is all Elmdale Road at a cost of \$281,230.84 adding these two streets to this year's roads program; the balance left over would be \$38,241.53 and ask through legislation to be put into the crack-sealing and joint repairs and municipal parking lot repair.

Mr. Mencini asked Mayor Orcutt on the streets identified is that due to price total or damage of streets; do have Stonecrest and Robert Drives in Ward 2, streets done good calls received.

Mayor Orcutt responded did have a few streets as well as the ones mentioned, there are many bad streets throughout the city. With the combination of monies

Discussion: cont.

leftover is what made the determination. Elmdale is a secondary artery and in bad shape; last year three tons of hot-patch was used for potholes.

Motion by Mr. Poindexter, supported by Mr. Roberts, discussed.

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

NAYS: Unanimous.

3. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK FOR A WEDO PARK RETENTION BASIN AND DECLARING AN EMERGENCY.

Introduced by Mayor Orcutt.

Mayor Orcutt stated the cost of the retention basin is estimated at \$1,252,000.00 and this contract allows the city to pull from the community cost share account with the sewer district. End of July there was \$880,000.00 and the city is asking to utilize \$800,000.00. The allows the city to pay ourselves back at \$200,000.00 for the next five-years for a total of \$1 million-dollars; the community cost-share is over \$300,000.00 collected from taxpayers and businesses of Brook Park.

Mr. Troyer clarified the cost-share is 25% storm water management fee listed on sewer bill; 75% goes to the entity for major projects.

Motion by Mr. Scott, supported by Mr. Mencini, discussed.

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

NAYS: Unanimous.

4. A RESOLUTION AUTHORIZING THE CITY OF BROOK PARK TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA COORDINATING AGENCY (NOACA) FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES (SECTION 5310) PROGRAM APPLICATION STATE FISCAL YEAR 2023 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated the economic development commissioner is applying for a grant for a senior transit van with a wheelchair lift. The vehicle currently being used is a re-purposed police vehicle for senior grocery shopping and doctor visits.

Mr. Mencini stated to Mayor Orcutt will this coincide with the service department of be a different entity, will there be another driver?

Mayor Orcutt responded same purpose and will replace the re-purposed police vehicle being used by the service department, bonus being the wheelchair lift.

Discussion: cont.

Mr. Troyer stated this was announced at senior club a few weeks ago, seniors are all for it. Basically, a people hauler van with a wheelchair lift.

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

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

NAYS: Unanimous.

5. AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY, OHIO, FOR CHARGES FOR SERVICES OF THE CITY OF BROOK PARK, OHIO, FOR CUTTING WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN AND AUTHORIZING SAID CHARGES TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURSUANT TO SECTION 731.54 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this is a housekeeping item that is done maybe once a year, or more depending, this year the service department maintained 14 homes. This allows for assessments to be placed on the homeowners' tax bills.

Mr. Mencini clarified cutting weeds is basically grass.

Mayor Orcutt concurred.

Motion by Mr. Poindexter, supported by Mr. Roberts, discussed.

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

NAYS: Unanimous.

PLANNING COMMITTEE - CHAIRMAN, TROYER:

Note: Mr. Vecchio asked for a motion to strike item #'s two (2) and (3) three from the agenda; denied at Planning Commission.

Motion by Mr. Troyer, supported by Mr. Roberts, to strike item two and three.

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

NAYS: Unanimous.

Planning Committee - Chairman, Troyer: cont.

1. REQUEST LOT CONSOLIDATION OF PARCEL #'S 343-05-034, 343-05-035, 343-05-036, 343-05-008, 343-05-018 AND 343-05-019 INTO 4.08 ACRE LOT AND ALSO CONSOLIDATE PARCEL #'S 343-05-032 AND 343-05-033 INTO A 1.80 ACRE LOT AT BROOKPARK ROAD & WEST 164th STREET (ALL ERECTION & CRANE RENTAL) LOCATED IN THE U-7B ZONING DISTRICT.

Motion by Mr. Poindexter, supported by Mr. Roberts, have proper legislation drafted and placed on next Council agenda.

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

NAYS: Unanimous.

2. REQUEST LOT CONSOLIDATION OF 5 LOTS AND THEN SPLIT THEM INTO 10 EQUALLY PROPORTIONED LOTS FOR THE PURPOSE OF BUILDING 5, TWO-FAMILY HOMES AT VL ENGLE ROAD PARCEL #'S 343-13-001, 343-13-013, 343-13-014, 343-13-015 AND 343-13-181 LOCATED IN THE U1-A3 ZONING DISTRICT. **(Stricken by motion)**
3. REQUEST A CONDITIONAL USE PERMIT TO CONSTRUCT TWO-FAMILY HOMES LOCATED IN THE U1-A3 ZONING DISTRICT ORDINANCE 1121.04. **(Stricken by motion)**
4. REQUEST APPROVAL FR 1.283 ACRES LOT SPLIT, LABELED PARCEL B-1 (SURVEY PROVIDED) AT 14801 HOLLAND ROAD (NORTH PARK RETIREMENT COMMUNITY) FOR THE PURPOSE OF LICENSING AND CONVERTING THE STRUCTURE LOCATED ON THE PROPOSED LOT TO AN ASSISTED LIVING FACILITY LOCATED IN THE U1-A5 ZONING DISTRICT 1101.09.

Mr. Troyer stated this came through a few years ago and expired, must be redone.

Motion by Mr. Mencini, supported by Mr. Roberts, to have proper legislation drafted.

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

NAYS: Unanimous.

Mr. Mencini agreed with Council President Vecchio on items two and three, if not approved by Planning should not be forwarded to Council.

Mrs. Horvath concurred, if denied at either level (Planning or Zoning) would not come before Council. Would like to have the law department along with Councilmembers' Mr. Mencini, Mr. Salvatore, Mr. Scott and Mr. Troyer look at ordinances to see if some of these provisions can be made clearer.

Planning Committee - Chairman, Troyer: cont.

Mr. Mencini mentioned when rejected by Planning or Zoning there is a reason for it.

Mr. Vecchio stated if rejected by Planning or Zoning there is not Council-matic action.

Mr. Troyer stated looking at all paperwork draw attention 1121.34 - Conditional Use Permit. Public hearing on conditional use permit applications - 1121.341 c next regularly meeting Council shall approve or deny.

Mr. Vecchio concurred and stated if passed at Planning than Council can approve or deny, if not passed at Planning then it's non-existent.

Mr. Troyer understood that and stated there was an incident that the Planning Commission denied and it still came before Council. Asked Madam Horvath if denied by Planning Commission does not need to come before Council.

Madam Horvath responded yes, that is my understanding and why my answer to Mr. Mencini, that needs to be made clearer, so there isn't any doubt whatsoever and so the public has an understanding on how things work.

Mr. Troyer clarified if Planning Commission denies a conditional use permit, property on Engle Road, then it's done.

Both Mr. Vecchio and Madam Horvath concurred with that statement.

Mr. Vecchio stated serving on Planning commission in 2016-2017 it was that way if denied by Planning, did not move forward.

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

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

Council President Vecchio declared this meeting adjourned at 7:28 p.m.

RESPECTFULLY SUBMITTED


Carol Johnson
Clerk of Council

APPROVED September 5, 2023

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