

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, AUGUST 22, 2023
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior To Meeting Minutes June 6, 2023.
2. Regular Council Meeting Minutes June 6, 2023.
3. Caucus Prior To Meeting Minutes June 20, 2023.
4. Regular Council Meeting Minutes June 20, 2023.

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 PROCLAMATION HONORING OFFICER SEAN MCBRIDE FOR OUTSTANDING PERFORMANCE.

H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:

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

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

- K. **MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

- L. **REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

- M. **ORDINANCES AND RESOLUTIONS FIRST READING:**

- N. **SECOND READING OF ORDINANCES AND RESOLUTIONS:**
 - 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.

- 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, AUGUST 22, 2023**

The meeting was called to order by Council President Vecchio at 7:30 p.m., the clerk called the roll and the following Members of Council answered:

MENCINI, ROBERTS, POINDEXTER, SALVATORE, TROYER, COYNE, SCOTT

Also in attendance were Mayor Orcutt, Law Director Horvath, Interim Finance Director Maykut, Recreation Director Gonzalez, Service Director Beyer and Engineer Piatak.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting minutes held on June 6, 2023.
2. Regular Council meeting minutes held on June 6, 2023.

Motion by Mr. Mencini, supported by Mr. Roberts, to approve as printed.

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

NAYS: Troyer.

3. Caucus Prior to meeting minutes held on June 20, 2023.
4. Regular Council meeting minutes held on June 20, 2023.

Motion by Mr. Mencini, supported by Mr. Roberts, to approve as printed.

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

NAYS: Troyer.

Motion by Mr. Poindexter, supported by Mr. Troyer, go out of regular order of business to letter G:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A Proclamation honoring Officer Sean McBride for outstanding performance.

Mayor Orcutt read and presented the proclamation and congratulated to Officer McBride for saving the life of a motorist involved in a traffic accident.

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

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

NAYS: Unanimous.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter stated no report.

Finance Committee - Chairman, Scott

Mr. Scott reported Finance committee has nothing on tonight's agenda; the Board of Control met earlier today with the three highest being Diesel fuel - \$50,000.00, 2023 Equipment & General Pavement Services Program - \$684,628.55 and

Reports of Standing Committees:Finance Committee - Chairman, Scott: cont.

Euthenics services for Sheldon Road Profile Raising & bridge replacement - \$36,107.00 and will be reimbursed.

Legislative Committee - Chairwoman, Coyne

Madam Coyne stated no report.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported cheerleading and football practices have begun with the Titan Youth Football season beginning Labor Day weekend; the Fall Baseball and Softball program will be starting soon with 200 participants; Saturday, August 24th is the dog swim at the waterpark and children are back in school drive safely.

Planning Committee - Chairman, Troyer

Mr. Troyer stated no report.

Safety Committee - Chairman, Roberts

Mr. Roberts stated the safety committee has nothing on the agenda, as mentioned school is back in session so be advised of school zones, children and school buses.

Service Committee - Chairman, Poindexter

Mr. Poindexter stated no report.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported the board met on August 7th, variance request for a wheelchair ramp at 15390 Ashland Drive was denied. All Erection & Crane at West 164th and Brookpark Road requested four variances that passed and six variances for Engle Road were approved but denied at the Planning Commission.

REPORTS OF SPECIAL COMMITTEES:Southwest General Health Center Trustee, Mencini

Mr. Mencini reported Southwest celebrated one-year celebration for the Neo-Natal Care Program; staff participated in a disaster drill from the Disaster Medical System providing staff with skills and tools needed for real-life disaster situations. Southwest was recognized the both Medicare and Medicaid with a five-star overall quality rating and filled 172 positions with 72 being nursing positions that were needed.

Berea Board of Education Representative, Coyne

Madam Coyne reported will have report at next meeting.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported the committee met last Wednesday, August 16th with Police Captain Stopiak in attendance. The committee has been meeting with various department heads to see how the committee can help with issues and provide feedback. The main topic was how to share very large files electronically quicker; the current process is time consuming. Update with the website development is ongoing with the company collecting data and will be interviewing department heads in September, no target date for launch. The next tentative meeting date is September 6th.

REPORTS OF BOARDS AND COMMISSIONS:**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

Note: Moved by **motion** to beginning of the meeting.

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt announced the city has a new Fire Chief, Mark Higgins and new Police Captain, James Stopiak both were sworn in on July 7th. Wedo Park basin project update this week equipment will be mobilized; next week removal of park components and week of September 5th hauling operations will begin; estimated time is four to six weeks. Have met with Shelby, Ashland and Harrison Drives the intersection of Shelby and Ashland will be closed during hauling operations. Asking residents to not park in the street on Shelby during working operations. The city engineer has coordinated with Berea City School District transportation department for rerouting bus routes. The city was awarded an \$84,630.00 from the Northeast Ohio Regional Sewer District for in May for abatement approximately 14 septic systems in Brook Park. Once the design is completed the city will apply for another grant for construction dollars to tie-in residential homes to the main sanitary system. Past Sunday the city hosted along with the Ohio National Guard the first annual 5K Pioneer Run that was a great success, recognized recreation department staff, service department staff both police and fire departments, safety director and all participants. Natatorium roof and walls update the construction documents have been completed which do include a vapor barrier for the new roof and repairs to the façade for attachment to the cinder block. Estimated engineering costs is \$3 million-dollars with the bidding process beginning September 5th and closing on September 12th.

Questions:

Mr. Roberts clarified September 5th for hauling of dirt from Wedo Park.

Mayor Orcutt concurred.

Mr. Mencini stated to Mayor Orcutt hearing from residents about streets being done and the great job with blacktopping of streets recently done; two big ones in Ward Two are Stonecrest and Robert. Also hearing about speeding.

Mayor Orcutt responded there are many streets that need to be done Robert Drive was assessed and is in bad shape that came in with a high price tag. The intention to keep working hard with this new system and will need to go back to mill and fill and preventive maintenance of streets to get the longevity. Speeding is a big problem and the number one issue with Police Chief Powers, Captain Stopiak and Safety Director Sensel; month of June traffic citations totaled and month of July totaled \$77,000.00.

Questions to the Mayor: cont.

Mr. Mencini continued with neighborhood maintenance and stated disappointed with Brookgate Shopping Center with retail stores having stuff located at front door; Glimcher Group should pick up their game.

Mayor Orcutt responded property maintenance was the number one complaints received from residents when taking office. Currently, the city is working from behind due to issues in the building department with inspections not getting done; as everyone knows lost a lot of revenue with the billboards lawsuit. The approach is having to appropriate dollars in 2024 for another inspector; it's impossible for one inspector to administer this program. One thing that has been done to remedy is eliminating building court mediations now a resident gets a three-day notice to correct citations; nothing done certified letter is sent and if nothing done the resident receives a citation. Brookgate shopping center is the biggest issue and both the safety director and I will be meeting with Brookgate Property Manager on Thursday.

Mr. Troyer stated to Mayor Orcutt there has been some talk about Wedo Park and how it will work; basically this will be a big retention basin with water coming in through the large pipe at Kolleda Ditch and go back out through the small pipe. Or is this going to be done some other way?

Mayor Orcutt responded the big pipe that dumps water into the Kolleda Ditch will have a distribution box with baffles to direct water to the basin. There will be another discharge box installed to direct water back to Kolleda Ditch.

Mr. Troyer continued that water will come from the street pipes not from the Kolleda ditch?

Mayor Orcutt responded the water will be coming from the street pipes. There is a 45-acre area in the Wengler, Robert, Doris, Ashland, Harrison and Shelby areas that water collects into the big pipe by the cell tower. That area will dump water to the distribution box and put into the retention basin and trickle back out.

Mr. Troyer clarified there is a pipe coming down Shelby Drive that everything has gone into that pipe will go into the retention basin and not take the overflow out of the Kolleda Ditch, as the engineer mentioned.

Mayor Orcutt stated there will be a system of baffles and the city has spent \$100,000.00 on construction documents for this basin to be built. As I understand the baffles will concentrate on the heavily flooded area and allow everything else to work into that ditch. A lot of other areas for the city are picked up on Snow Road running between Conrad's and Brookgate; down Hummel Road by Marc's; across

Questions to the Mayor: cont.

Smith Road to the Marine Reserve Center into the Kolleda Ditch on Diane, which is all downstream. The upstream of Kolleda Ditch takes the water from the municipal campus, Gilmore area and the homes behind Snow Road to Wengler Drive and hits the Kolleda Ditch, the pipe being mentioned will be right next to the retention basin.

Mr. Troyer stated Council was told at the meeting water would be coming from Kolleda Ditch big pipe in and small pipe out.

Mayor Orcutt responded there will be a distribution box to move the water around if there are overflows; Kolleda ditch water is happening downstream from there.

Mr. Troyer clarified there will be no mechanicals, just baffles.

Mayor Orcutt concurred no mechanicals or electric. The intent of retention basin is to take on city water, help the Kolleda ditch and this basin will take care of areas where the most flooding happens.

Mr. Troyer asked if what was passed covers the whole cost?

Mayor Orcutt responded there are \$200,000.00 in contingency monies if there are no would be \$200,000.00 less.

Mr. Troyer asked where is the dirt going?

Mayor Orcutt responded the Forward Innovation Center that is flat and needs to be raised to allow water through sanitary and sewer pipes. Usually pay \$8.00 cubic-yard for tipping fees and the city will get it for \$2.00.

Mr. Troyer stated with the roads program a work order was put in for both Sylvia and Zehman Court and any extra money leftover would be for cul-de-sacs.

Mayor Orcutt responded with Sylvia Court, wanted to get that done, but will take more money than what the city has. The centerline section needs to be removed; put in a good sub-base and redo the street.

Mr. Poindexter asked if Greenscape has moved into next to the service garage?

Mayor Orcutt concurred yes.

Mr. Poindexter continued operational?

Mayor Orcutt currently leveling out the site.

Questions to the Mayor: cont.

Mr. Poindexter continued are they stockpiling material behind the service garage?

Mayor Orcutt responded yes, haven't been to the dump.

Mr. Poindexter continued had a resident phone call that it's not being taken to the dump.

Mayor Orcutt responded Greenscape has taken a lot of material and only and only mulches a few times a year.

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

Recreation Director Gonzalez

Mr. Gonzalez reported it's been a good summer very busy with multiple events and programs. Publicly thanked recreation staff and other departments for help with all events takes a team to put these events together; Home Days huge success and team effort. Looking forward the water park is closed for the season except for the Dog Swim next Saturday. Great season and thanked the lifeguards and looking forward to 2024. The first summer concert was rained out so the next concert is scheduled for September 15th. The annual Safety Fair has returned from hiatus and will be held on September 16th from 1:00 p.m. to 4:00 p.m. in the recreation center parking lot; will have state, county, local governments and local businesses.

Service Director Beyer

Mr. Beyer reported the department is continuing with asphalt, mill and fills and potholes. Unusual summer with all the rain service crews are trying to keep up with grass and weeds. The next bulk pickup is September 11th on regular rubbish day. The sidewalk program has started with blocks being marked and letters sent to residents to participate. The lateral replacement program is going well with six participants and think this is a good amenity being offered to the residents. With all the new work would like to thank everyone for their collaboration. Working with the engineer on a few projects; the Brook Park Memorial School (BPM) abatement and demolition project has begun and will be done in phases. With the Sheldon Road water main replacement project from Engle Road to I-71 there is a pre-construction meeting set for September 27th. The Hio Drive contractor is aware of the landscaping issues and will be on site end of August and early September.

Interim Finance Director Maykut

The city has received a clean audit for 2022, the Annual Comprehensive Financial Report (CAFR) was sent to the Auditor of State with no modifications. Brook Park is a recipient of the Auditor of State extinction award related to the 2022 annual report, will receive award within next few weeks. Thanked both the tax and finance departments on a job well done.

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

Safety Director Sensel

Mr. Sensel welcomed newest police officer sworn in yesterday and thanked all department employees for making this a fun and safe summer.

Law Director Horvath

Madam Horvath stated at 11:00 a.m. this morning oral arguments for the Brook Park Vs City of Cleveland were given in front of a three judge panel; the case was then marked heard and submitted. There is no timeline on waiting for an opinion from the panel. Thanked law department staff, co-counsel, Mayor and City Council for their support with this case; letters will be sent out to the affected residents.

Questions:

Mr. Scott asked Mr. Sensel with the deer issue what is the city's stance?

Mr. Sensel responded the Cleveland MetroParks does the deer culling program.

Mr. Scott continued if a resident has an issue contact the MetroParks?

Mr. Sensel concurred and stated have the link in my office.

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

New Legislation:

1. 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. Placed in Finance committee.

Motion by Mr. Poindexter, supported by Mr. Mencini, to place under letter M.

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

NAYS: Unanimous.

Mr. Vecchio stated this will appear under M-1 as Ordinance No. 11349-2023.

2. 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. Placed in Finance committee. Placed in Finance committee.

New Legislation:

Motion by Mr. Scott, supported by Mr. Troyer, to place under M-2.

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

NAYS: Unanimous.

Mr. Vecchio stated that will appear under M-2 as Resolution No. 12-2023.

3. AN ORDINANCE ENACTING A NEW SUBSECTION OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED 'DISORDERLY CONDUCT AT SPORTING EVENTS AND DECLARING AN EMERGENCY. Introduced by Councilman Scott. Placed in Legislative committee.
4. AN ORDINANCE AUTHORIZING THE BROOK PARK CIVIL SERVICE COMMISSION TO ENTER INTO A CONTRACT WITH THE BOARD OF EDUCATION OF THE BEREA CITY SCHOOL DISTRICT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in Legislative committee.
5. AN ORDINANCE AUTHORIZING THE MAYOR TO DISPOSE OF OBSOLETE COMPUTER, NETWORK AND PHONE EQUIPMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in Legislative committee.
6. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GOVDEALS.COM FOR THE PURCHASE OF AUCTIONING MISCELLANEOUS FIRE EQUIPMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in Safety committee.
7. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MUNICIPAL EMERGENCY SERVICES FOR THE PURCHASE OF TURNOUT GEAR AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in Safety committee.
8. A RESOLUTION EXPRESSING THANKS TO THE DONORS FOR OUR NEW K-9 UNIT FOR THE BROOK PARK POLICE DEPARTMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in Safety committee.
9. 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. Placed in Service committee.

Motion by Mr. Scott, supported by Mr. Mencini, to place under letter M.

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

NAYS: Unanimous.

New Legislation: cont.

Mr. Vecchio stated that will appear under M-3 as Ordinance No. 11350-2023.

10. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO CONVERT 410 LIGHT FIXTURES TO LED AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Placed in service committee.
11. 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. Placed in Service committee.

Motion by Madam Coyne, supported by Mr. Mencini, to place under letter M-4.

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

NAYS: Unanimous.

Mr. Vecchio stated that will appear under M-4, as Ordinance No. 11351-2023.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Liz Sayers

23065 Cedar Point Road

Ms. Sayers expressed livestream not being seen only heard and why all the problems.

Hollis Hura

14042 Sheldon Road

Ms. Hura expressed concerns with flooding, large retention basin being built will not serve all city residents; possible smaller retention basins around the city.

Ray Peterlin

5811 Wengler Drive

Mr. Peterlin expressed concerns of flooding, rotted power poles leaning and mosquitoes on Wengler Drive.

Louie Modic

14399 Fayette Blvd.

Mr. Modic provided an update on the dog park the concrete pad has been poured and operational by September. In October, the pavilion will be dedicated to Carl Burgio.

Motion by Mr. Roberts, supported by Mr. Mencini, to address audience.

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

Mr. Roberts stated to Mr. Peterlin we spoke multiple times and what I said is I'm trying to solve the 50-year old problems; why weren't they addressed before, we are trying to address the issues maybe not up to your standards. You also told me that people on Wengler Drive didn't want the street done the way it is and when talking to those residents they were ecstatic at having their street done.

Mr. Mencini thanked Mr. Modic for the update and thanked Ms. Hura for coming and speaking. Will start with Wedo Park and there is a retention basin at Sheldon and Smith your area in Middleburg Heights. There are a lot of city issues that need to be addressed and they are not cheap.

Mayor Orcutt thanked Ms. Hura for coming and speaking tonight about the flooding issues which is a growing problem with in the country, with more storms. The infrastructure is not 100% adequate for modern day and one thing the administration is taking very serious is flooding. Met with the director of public works and will have in attendance at the November 12th Caucus meeting to give a report on the opportunities the county has to help with maintenance programs. Service crews are out with the Vactor and meets the minimum jetting and cleaning out of mains, one trip takes 30-months.

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

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

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11349-2023
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.

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

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

Ordinances and Resolutions: First Reading): cont.

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

ROLL CALL: AYES: Poindexter, Roberts, Mencini, Scott, Coyne, Troyer, Salvatore
NAYS: Unanimous. Ordinance No. 11349-2023, has passed under suspension of the rules. Adopted.

2. RESOLUTION NO. 12-2023

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.

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

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

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

ROLL CALL: AYES: Poindexter, Roberts, Mencini, Scott, Coyne, Troyer, Salvatore
NAYS: Unanimous. Resolution No. 12-2023 has passed under suspension of the rules. Adopted.

3. ORDINANCE NO. 11350-2023

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.

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. Mencini, supported by Mr. Roberts, to adopt.

Mr. Troyer stated went over this few different angles this program is not an end-all, be-all has worked in many cases; Christene and Parkland have issues not addressed yet. Streets look good when complete don't think heavily traffic streets such as Elm should be done, there are a few other streets that need to be done. Would like to see a section of Delores full-depth done next year and have to be careful with the streets chosen that are not heavily traveled but have a good base. Will be a no vote on this and an alternative would be Stonecrest or full-depth on Delores with \$50,000.00.

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

NAYS: Troyer. Ordinance No. 11350-2023, has passed under suspension of the rules. Adopted.

Ordinances and Resolutions: First Reading: cont.

4. ORDINANCE NO. 11351-2023
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.

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

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

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

ROLL CALL: AYES: Poindexter, Coyne, Troyer, Scott, Mencini, Roberts, Salvatore
NAYS: Unanimous. Ordinance No. 11351-2023, has passed under suspension of the rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

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.

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

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

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

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend.

Mr. Troyer stated the amendment to read as listed below in A-1 and (d) (1) C. Section A-1, second line, after word 'their' insert 'directly' to read 'To provide areas for office uses and aerospace research and development activities and their directly related educational, industrial support and services uses. **Industrial is not to include mass production and mass manufacturing of products**'. Section (d)(1)(c) will read 'Educational, industrial support and service uses directly related to the permitted uses listed above. **Industrial is not to include mass production and mass manufacturing of products**'.

Mr. Vecchio asked the clerk to make not of having a clean copy of legislation prior to signatures.

The clerk called the roll on the amendment.

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

Second Reading of Ordinances and Resolutions: cont.

The clerk called the roll on adoption.

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

NAYS: Roberts, Salvatore, Scott. Adopted as amended.

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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.

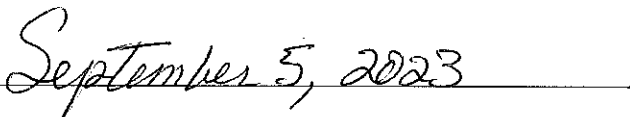
Council President Vecchio declared this meeting adjourned at 9:02 p.m.

RESPECTFULLY SUBMITTED



Carol Johnson
Clerk of Council

APPROVED



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