

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY SEPTEMBER 5, 2023**

A. ROLL CALL OF MEMBERS:

B. PLEDGE OF ALLEGIANCE:

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Special Caucus Meeting Minutes July 25, 2023.
2. Special Council Meeting Minutes July 25, 2023.
3. Special Caucus Meeting Minutes July 27, 2023.
4. Special Council Meeting Minutes July 27, 2023.
5. Caucus Prior to Meeting Minutes August 22, 2023.
6. Regular Council Meeting Minutes August 22, 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 LOLA AND LUKAS HUNLEY FOR OUTSTANDING PERFORMANCE IN CHARITABLE WORK.
2. A PROCLAMATION HONORING THE 2023 BOYS 7-8 YEAR-OLD COACH PITCH LEAGUE CHAMPIONS ' COUNCILMAN ROBERTS - IRON PIGS'.
3. A PROCLAMATION HONORING THE 2023 BOYS 9-10 YEAR-OLD 'A' LEAGUE BASEBALL LEAGUE CHAMPIONS 'BROOK PARK BOOSTERS'.
4. A PROCLAMATION HONORING THE 2023 BOYS 11-12 YEAR-OLD 'AA' LEAGUE BASEBALL LEAGUE CHAMPIONS 'COUNCILMAN SALVATORE MUCKDOGS'.

- 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:
- 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, SEPTEMBER 5, 2023**

The meeting was called to order by Council President Pro-Tem Salvatore at 8:11 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, Service Director Beyer, Safety Director Sensel, Recreation Program Coordinator Morgano and Engineer Piatak.

Council President Vecchio excused.

Motion by Mr. Mencini, supported by Madam Coyne, to go out of the regular order of business to letter G.

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

1. A Proclamation honoring Lola and Lukas Hunley for outstanding performance in charitable work.

Councilman Scott and Mayor Orcutt presented the proclamation to Lola and Lukas for lemonade sale proceeds of \$390.00 donated to the city's animal shelter.

2. A Proclamation honoring the 2023 Boys 7-8-year-old Coach Pitch League Champions - Councilman Roberts - Iron Pigs.
3. A Proclamation honoring the 2023 Boys 9-10 year-old A League Baseball league Champions - Brook Park Boosters.
4. A Proclamation honoring the 2023 Boys 11-12 year-old AA League Champions - Councilman Salvatore - Muckdogs.

Mayor Orcutt presented the proclamations to the team players and coaches and congratulated them on a great season.

Motion by Mr. Troyer, supported by Madam Coyne, to go to letter M-2.

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

NAYS: Unanimous.

ORDINANCES AND RESOLUTIONS FIRST READING:

2. RESOLUTION NO. 13-2023, RECOGNIZING SHIRLEY M. HOLLER FOR ALERTING THE FIRE DEPARTMENT ABOUT A HOUSE FIRE ON HER STREET AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Resolution No. 13-2023 has passed under

suspension of the rules. Adopted.

ORDINANCES AND RESOLUTIONS FIRST READING:

Mr. Mencini presented the proclamation to Ms. Holler and thanked her for her efforts.

Mayor Orcutt stated Ms. Holler saved multiple families since the fire could have spread.

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.

Motion by Mr. Troyer, supported by Madam Coyne, to take a five-minute recess.

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

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.

Motion by Mr. Troyer, supported by Madam Coyne, to go into Executive Session for Sale of Property.

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

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

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Special Caucus meeting minutes held on July 25, 2023.

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

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

2. Special Council meeting minutes held on July 25, 2023.

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

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

3. Special Caucus meeting minutes held on July 27, 2023.

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

Motion by Mr. Poindexter, supported by Mr. Roberts, to amend page 2, fifth paragraph changing Mr. Troyer to Mr. Poindexter.

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

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

Approval of minutes of preceding meetings: cont.

4. Special Council meeting minutes held on July 27, 2023.

Motion by Mr. Poindexter, supported by Mr. Roberts, to approve as presented.

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

NAYS: Troyer.

5. Caucus Prior to meeting minutes held on August 22, 2023.

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

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

NAYS: Troyer.

6. Regular Council meeting minutes held on August 22, 2023.

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

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

NAYS: Troyer.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Poindexter

Mr. Poindexter stated no report.

Finance Committee - Chairman, Scott

Mr. Scott stated nothing on tonight's agenda. The Board of Control met earlier today with 21 items on the agenda; three largest Snow Road and Sylvia Drive upgrade - \$17,272.00, Berea Youth football and cheer registration - \$19,570.19 and Brook Park Memorial School abatement - \$83,030.00.

Legislative Committee - Chairwoman, Coyne

Madam Coyne reported Legislative committee has one item on tonight's agenda.

Parks & Recreation Committee - Chairman, Mencini

Mr. Mencini reported that Titan football and cheerleading is in week one and the numbers are above past years. The Fall Softball and Baseball league is in week 2 and the Adaptive Fall Baseball league begins September 9th, registrations required.

Planning Committee - Chairman, Troyer

Mr. Troyer stated the next meeting is Monday, September 11th with four items on the agenda.

Safety Committee - Chairman, Roberts

Mr. Roberts reported Safety committee has four items on the agenda

Service Committee - Chairman, Poindexter

Mr. Poindexter reported Service committee has one item on the agenda.

Board of Zoning Appeals - Chairman, Salvatore

Mr. Salvatore reported next meeting is Monday, September 11th.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported the students from area high schools have completed their internship programs at Southwest General.

Reports from special committees:

Berea Board of Education Representative, Coyne

Madam Coyne reported there are 27 new staff members and on September 1st there was a tailgate and kindergarten night. Improvement projects to the middle school were the auditorium, front entrances and canopies, gymnasium and tennis courts that the seniors have been using for Pickleball. The courtyard has been updated with plant donations from Grace Church and the school is not handicapped accessible. The Roehm Athletic turf has been updated with a grant from the Cleveland Browns and the new Brook Park pre-school elementary playground is completed.

Technology & Innovation Council Representative, Poindexter

Mr. Poindexter reported there has been no meeting since last report. Technology committee member, Jimmy Presley, has met with Police Captain Stopiak regarding the sending of large files. The next meeting is scheduled for Wednesday, September 6th with Tax Commissioner jimmy Presley met with Stopiak regarding sending large files. Next meeting September 6th with Tax Administrator, Brian Thunberg, in attendance.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

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

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt stated a few dates, first one being September 7th at 6:00 p.m. the seniors' makeup concert featuring the 24th Polka Pirates. On Friday, September 15th from 6:00 p.m. to 10:00 p.m. last concert featuring band Moxie with food truck and inflatables. On September 19th the Public Works employees will be at the Caucus meeting informing the additional programs for maintenance of the storm system. On October 12th at 6:00 p.m. the pavilion at the Tri-City Dog Park will be named in Carl Burgio's honor, long time Brook Park resident and Councilmember.

Questions:

Mr. Roberts stated drove by Wedo Park and good to see Ashland Drive blocked off and construction underway for the retention basin. Any update on Blue Abyss on the west end of the city?

Mayor Orcutt responded the environmental testing report has not been generated to date but the testing has been completed. There is much fundraising going on for this project and the French Government will be giving 30% for this project and have been working with state and county officials for the monies. Once the study is generated Blue Abyss will commence construction with a projected date of Spring, 2024 to break ground.

Questions to the Mayor: cont.

Mr. Troyer clarified with Blue Abyss agreement they purchased the land?

Mayor Orcutt responded still needs to come through and my understanding is within the next week or two.

Mr. Troyer clarified just need to get the monies to do what needs to be done.

Mayor Orcutt responded in this extremely volatile economy, things are not moving as fast.

Mr. Troyer asked any update on Forward Innovation preliminary approval?

Mayor Orcutt responded there are three major projects, one being the preliminary with a fourth project coming forward that needs a little more land, there has been no action to date?

Mr. Troyer stated there are rumors about the Cleveland Browns stadium coming.

Mayor Orcutt responded for mixed uses.

Mr. Troyer asked for an update on the (Recreation Center) roof and walls?

Mayor Orcutt responded that is going out to bid the middle of September.

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

Law Director Horvath

Madam Horvath no report.

Safety Director Sensel

Mr. Sensel no report.

Engineer Piatak

Mr. Piatak reported with the Wedo Park retention basin Ashland and Shelby Drives are closed with site removals wrapping up in the next day or so. Hauling will begin on Wednesday or Thursday, again asking residents to not park on the street. Hauling will take about four weeks to complete weather permitting. With the Brook Park Memorial abatement project work continues with demolition activities to begin in October. The Sheldon Road water main replacement project, between I-71 and Engle Road was given a tentative schedule with work beginning September 18th, westbound traffic will be diverted from Fry Road to Holland Road to Engle Road.

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

Service Director Beyer

Mr. Beyer reported next week is bulk week on regularly scheduled rubbish day. On September 18th Crossroads Asphalt will be in town for resurfacing of Elmdale and Cynthia between Robert and Fry Road, as well as other minor repairs.

Recreation Program Coordinator Morgano

Madam Morgano reported the correct date for Adaptive Fall Baseball is September 20th, registrations are required for this free program. Registrations are taking place for Women's Volleyball and Adult Fall Ball starts this Friday. A few special events coming up is next Friday the concert, as mentioned. Saturday, September 16th is the Safety Fair from 1;00 p.m. to 4:00 p.m. The recreation center will be hosting the first Halloween home contest; residents can register online with voting beginning in October.

Questions:

Mr. Troyer stated to Mr. Piatak with the Wedo Park retention basin there are three or four houses on the west side with a storm pipe going on the east side of the tracks to the so-called tower. That will be the first access and then from the Kolleda Ditch.

Mr. Piatak responded there will be a junction chamber on the existing conduit, that's always been the plan, to divert water into the basin from the neighborhoods.

Mr. Troyer clarified water will come from the east side of the tracks and then from Kolleda Ditch.

Mr. Piatak responded no, there will be backwater gauges, flat-water gauges, that will be installed on the outlet side of the basin. To prevent Kolleda ditch from backing up, that has always been the plan, to isolate that neighborhood from Kolleda Ditch.

Mr. Troyer clarified will not be taking anything from Kolleda ditch?

Mr. Piatak responded no.

Mr. Troyer questioned will not going between houses on Harrison?

Mr. Troyer responded there are no planned updates for Shelby and Harrison Drives just to divert water, that was always the plan from the presentation two-years ago.

Mr. Troyer asked when the waterline on Sheldon Road will be done?

Questions to the directors: cont.

Mr. Piatak responded after Thanksgiving going into December, due to the resurfacing pavement project scheduled for next year.

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

New Legislation:

1. An Ordinance approving a 1.283-acre lot split labeled Parcel B-1 at 14801 Holland Road for a structure on a proposed lot to be assessed in assisted living located in the U1-A5 zoning district and declaring an emergency. Introduced by Mayor Orcutt. Placed in Planning committee.
2. An Ordinance authorizing the Mayor to enter into contract with Statewide Ford for two (2) police vehicles and declaring an emergency. Introduced by Mayor Orcutt. Placed in Safety committee.

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

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

Mr. Salvatore stated that will appear under M-6 as Ordinance No. 11352-2023.

3. An Ordinance authorizing the Mayor to enter into a contract for the sale of Permanent Parcel Nos. 344-15-008, 344-15-009, 344-15-178 and 344-29-086 and declaring an emergency. Introduced by Mayor Orcutt. Placed in Finance committee.
4. A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing them to the necessary tax levies and certifying them to the county fiscal officer and declaring an emergency. Introduced by Mayor Orcutt. Placed in Finance committee.
5. An Ordinance amending certain sections of Chapter 1122 of the Brook Park codified ordinances entitled 'Short Term Leases' and declaring an emergency. Introduced by Mayor Orcutt. Placed in Legislative committee.
6. An Ordinance enacting a new sub-section 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.

New Legislation: cont.

- 7. A Resolution granting a lot split of permanent parcel numbers 343-05-034, 343-05-035, 343-05-036, 343-05-008, 343-05-018 and 343-05-019 into a 4.08 acre-lot and consolidate permanent parcel numbers 343-05-032, 343-05-033 into a 1.88 acre-lot at Brookpark Road and West 164th Street in a U7-B1 zoning district. Placed in Planning Committee.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:
REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

ORDINANCES AND RESOLUTIONS: (FIRST READING):

- 1. ORDINANCE NO. 11353-2023, 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.

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

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

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

ROLL CALL: AYES: Roberts, Coyne, Scott, Troyer, Salvatore, Poindexter, Mencini
NAYS: Unanimous. Ordinance No. 11353-2023, has passed under suspension of the rules. Adopted.

- 2. Moved by **motion** to beginning of meeting.

- 3. ORDINANCE NO. 11354-2023, 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.

Motion by Madam Coyne, supported by Mr. Troyer, to suspend.

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

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

ROLL CALL: AYES: Coyne, Roberts, Mencini, Poindexter, Salvatore, Coyne, Scott
NAYS: Unanimous. Ordinance No. 11354-2023, has passed under suspension of the rules. Adopted.

- 4. ORDINANCE NO. 11355-2023, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GOVDEALS.COM FOR THE PURPOSE OF AUCTIONING MISCELLANEOUS FIRE EQUIPMENT AN DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Madam Coyne, supported by Mr. Roberts, to suspend.

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

Ordinances and Resolutions: First Reading: cont.

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

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

NAYS: Unanimous. Ordinance No. 11355-2023, has passed under suspension of the rules. Adopted.

5. ORDINANCE NO. 11356-2023, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO CONVERT 410 LIGHT FIXTURES TO LED AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Motion by Mr. Troyer, supported by Madam Coyne, to suspend.

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11356-2023, has passed under suspension of the rules. Adopted.

6. ORDINANCE NO. 11357-2023, AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH STATEWIDE FORD INC. FOR TWO (2) POLICE VEHICLES AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11357-2023, has passed under suspension of the rules. Adopted.

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.

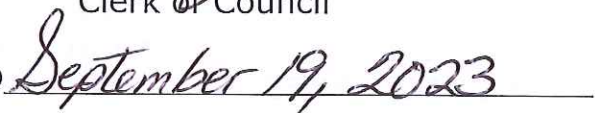
Council President Pro-Tem Salvatore declared this meeting adjourned at 10:36 p.m.

RESPECTFULLY SUBMITTED



Carol Johnson
Clerk of Council

APPROVED



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