



**SPECIAL COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
HELD ON TUESDAY, DECEMBER 12, 2023 IMMEDIATELY  
FOLLOWING THE REGULAR CAUCUS MEETING**

The meeting was called to order by Council President Vecchio at 7:17 p.m., the clerk called the roll and the following Members of Council answered:

**MENCINI, ROBERTS, POINDEXTER, SALVATORE, TROYER, SCOTT**

Also in attendance were Mayor Orcutt, Law Director Horvath and Finance Director McGann.

**REMARKS FROM THE AUDIENCE ONLY ON SUBJECT MATTER BEFORE COUNCIL:**

**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11375-2023  
AN ORDINANCE AMENDING PART EIGHTEEN OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MUNICIPAL INCOME TAX' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

Mr. Troyer expressed concerns with this being under section reading when never posted or read.

Mr. Vecchio responded legislation has first reading at last meeting, now posted for second reading.

Mr. Troyer to Madam Horvath can first reading be given when never posted or read?

Madam Horvath responded being this was moved at last meeting on December 5th and the reason for second reading tonight. Also there is a certain timeliness of this being in effect by December 15th or city not being in compliance; conforming to House Bill 33. Think that it was properly posted and my recollection was moved at the last meeting.

Mr. Salvatore to Madam Horvath this has been posted and if the rules are suspended, with six (6) voted and passed tonight that would be a legal vote and proper.

After discussion between Councilman Salvatore and Madam Horvath as to what Council rules is being cited Madam Horvath concurred with Mr. Salvatore.

**Second Reading of Ordinances and Resolutions: cont.**

Mayor Orcutt stated I do recall last Tuesday was able to discuss at the Caucus Prior to meeting and brought up the city must be in compliance. This legislation was introduced at the Council meeting and moved to first reading due to not being able to read all 80 pages.

Mr. Poindexter clarified this was not posted on the Caucus Prior to agenda, of last week.

Mayor Orcutt reiterated was introduced and moved to letter M for first reading.

Mr. Mencini concurred with Mr. Poindexter not on Caucus Prior to agenda, my question is this has to be done by December 15th?

Mayor Orcutt concurred.

Mr. Troyer questioned how can something get a first reading if not posted or read?

Madam Horvath asked if this was posted to the website.

Mr. Vecchio responded for this meeting, yes, and stated this was introduced at last week's Council meeting with the intent by Council to have posted for tonight's meeting, so it wouldn't have to be read.

Madam Horvath stated should have been posted for first reading.

Mr. Troyer suggested move to first reading and suspend.

Mr. Roberts withdrew his **motion** to suspend; Mr. Mencini withdrew his support.

**Motion** by Mr. Troyer, supported by Mr. Poindexter, to amend agenda from letter N to read First Reading.

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

Mr. Troyer asked who would know more about this legislation?

Madam Horvath responded the finance director more familiar with the law department knowing more about the procedural. When House Bill 33 was passed there were many questions between the tax director and law department and generated a list of things that would need to be amended to conform to the State of Ohio.

**Second Reading of Ordinances and Resolutions: cont.**

Mr. Troyer continued there are a lot of major changes in here, did they have to be made?

Madam Horvath responded if changes are not made won't be in compliance. Not sure from a financial standpoint what that means.

Mr. McGann responded but hard to transcribe due to not speaking directly into the microphone.

Mr. Troyer asked if there any changes that didn't need to be made?

Mr. McGann responded this is to conform with House Bill 33.

Mr. Troyer stated nothing was tweaked.

Mr. McGann concurred.

Mr. Troyer questioned the deadline.

Mr. McGann responded that is cited in House Bill 33.

Mr. Troyer continued don't have to repeal legislation or any sections per the Charter due to this being an attachment?

Madam Horvath responded this is to amend an ordinance and obviously will need to amend other ordinances.

Mr. Mencini stated many line-outs on 1806.06 whole section is wiped out. When brought forward why wouldn't that all that be excluded.

Madam Horvath stated this will not be in final ordinance book but is giving history.

Mayor Orcutt big item in the house bill is the restructuring fees and what can be charged and the city getting less revenue.

**Motion** by Mr. Mencini, supported by Mr. Roberts, to suspend, as amended.

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

**NAYS:** Unanimous.

**Motion** by Mr. Mencini, supported by Mr. Roberts, to suspend, as amended.

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

**NAYS:** Unanimous.

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

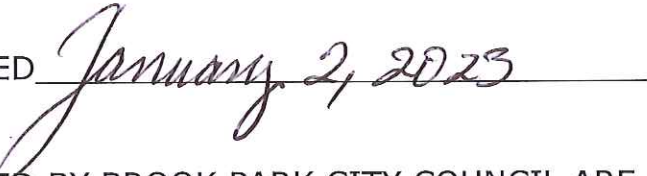
**ROLL CALL: AYES:** Mencini, Roberts, Poindexter, Salvatore, Troyer, Scott  
**NAYS:** Unanimous.

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

RESPECTFULLY SUBMITTED

  
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Carol Johnson  
Clerk of Council

APPROVED

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