

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, FEBRUARY 6, 2024  
7:30 P.M.**

**A. ROLL CALL OF MEMBERS**

**B. PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. SPECIAL CAUCUS MEETING HELD ON DECEMBER 8, 2023.  
**Moved from Regular Council meeting held on January 16, 2023.**
2. CAUCUS PRIOR TO COUNCIL MEETING HELD ON JANUARY 16, 2024.
3. REGULAR COUNCIL MEETING HELD ON JANUARY 16, 2024.

**D. REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Dufour  
Board of Zoning Appeals - Mencini  
Finance Committee - Scott  
Legislative Committee - Scott  
Parks & Recreation Committee - McCorkle  
Planning Committee - Poindexter  
Safety Committee - Troyer  
Service Committee - Roberts

**E. REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center Trustee - Mencini  
Berea Board of Education Representative - McCorkle  
Technology & Innovation Council Representative - Dufour

**F. REPORTS OF BOARDS AND COMMISSIONS:**

**G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

**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: APPOINTMENTS:**

1. TECHNOLOGY AND INNOVATION COMMITTEE- DALE J. WALTER.

**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. 11380-2024  
AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS (RFQ) FOR AN ENERGY EFFICIENCY PROJECT, 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, FEBRUARY 6, 2024**

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

**TROYER, ROBERTS, DUFOUR, POINDEXTER, MENCINI, McCORKLE, SCOTT**

Also in attendance were Mayor Orcutt, Assistant Law Director Sackett, Finance Director McGann, Safety Director Sensel, Service Director Beyer and Engineer Piatak.

**APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. SPECIAL CAUCUS MEETING HELD ON DECEMBER 8, 2023.

**Moved from the Regular Council meeting held on January 16, 2023.**

2. CAUCUS PRIOR TO MEETING HELD ON JANUARY 16, 2024.

3. REGULAR COUNCIL MEETING HELD ON JANUARY 16, 2024.

**Motion** by Mr. Poindexter, supported by Mr. Mencini, to move to the next Council agenda, February 20th.

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

**Motion** by Mr. Troyer, supported by Mr. Dufour, to go out of the regular order of business to letter K.

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

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

1. TECHNOLOGY AND INNOVATION COMMITTEE - DALE J. WALTER.

Mayor Orcutt stated Mr. Walter has an extensive background and longest lasting family in the city.

Mr. Troyer stated still has old family tractor.

Mr. Dufour stated your resume is incredible and looking forward to working with you on the committee.

Mr. Mencini stated concur with resume statement and it's always good to have people with experience being placed on a committee.

Mr. Poindexter stated looking at the resume fantastic will fit right in with the committee and with history of the city; attention to detail and commitment is biggest asset.

**Appointments: cont.**

Mr. Salvatore stated incredible resume, nice to have you on the committee.

**Motion** by Mr. Troyer, supported by Mr. Roberts, to appoint Mr. Walter to the Technology committee.

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

**Motion** by Mr. Troyer, supported by Mr. Roberts, to stay out of the regular order of business to letter J.

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

**OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL**

**APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

New Legislation:

1. A Resolution recognizing Express Deli's achievement on being named to Yelp's Top 100 Placed to eat in the U.S. list and declaring an emergency. Introduced by Council as a Whole and Mayor Orcutt.

**Motion** by Mr. Poindexter, supported by Mr. Roberts, to move to letter M.

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

Mr. Salvatore assigned the Resolution 1-2024.

**Motion** by Mr. Troyer, supported by Mr. Poindexter, to stay out of regular order of business to letter M-1.

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

**ORDINANCES AND RESOLUTIONS: (FIRST READING):**

1. RESOLUTION NO. 1-2024  
A RESOLUTION RECOGNIZING EXPRESS DELI'S ACHIEVEMENT ON BEING NAMED TO YELP'S TOP 100 PLACED TO EAT IN THE U.S. LIST AND DECLARING AN EMERGENCY. Introduced by Council as a Whole and Mayor Orcutt.

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

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

**Motion** by Mr. Mencini, supported by Mr. Poindexter, to adopt.

**ROLL CALL: AYES:** Mencini, Poindexter, Dufour, Roberts, Troyer, Scott, McCorkle  
**NAYS:** Unanimous. Resolution No. 1-2024 has passed under Suspension of the Rules. Adopted.



**Ordinances and Resolutions: (First Reading): cont.**

Councilmembers Dufour and Roberts presented the resolution to the Aboukhaled family.

Mr. Aboukhaled thanked everyone and stated it's an honor to be a working part of this city.

**Motion** by Mr. Troyer, supported by Mr. Mencini, to go back to regular order of business to letter D.

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

**REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee – Dufour

Mr. Dufour reported Cleveland Hopkins International Airport announced that they served over nearly 10-million passengers in 2023 or 13.5%. An increase from 2022 by 1,175,000 passengers with projections showing 2024 being a record year. Sun Country Airlines will have straight flights from Hopkins Airport to Minneapolis, St. Paul. The airport will also be taking on a significant restroom improvement project expected to last until Spring, 2025. On the environmental side the work on the County's Climate Action Plan with NOACA (Northeast Ohio Areawide Coordinating Agency) is on track with highest priority being reduction of mitigation actions to reduce our carbon footprint.

Board of Zoning Appeals - Mencini

Mr. Mencini reported the Board of Zoning Appeals February 5th meeting was cancelled; next meeting is scheduled for March 4th.

Finance Committee - Scott

Mr. Scott reported the committee has one (1) item on the agenda. The Board of Control met on January 23rd with 11 items on the agenda; three largest being Huntington first-year of a four-year lease for wheel loader - \$51,161.19; up-fit of two (2) new police cars - \$32,407.48 and Fabrizzi Trucking Sheldon Road water main project - \$44,563.18. The Board of Control met on February 6th with ten (10) items on the agenda; three largest being Southwest Council of Governments annual membership - \$27,500.00; Huntington Merchant Services - \$12,000.00 and Shuttler's Apparel uniforms for two (2) police officers - \$4,400.00.

Legislative Committee - Scott

No report.

Parks & Recreation Committee - McCorkle

Mr. McCorkle reported the Daddy-Daughter Dance is full with 200 attendees, looking for volunteers to help with setup; Mother-Son dance to be determined sometime in May. Signups for Youth Volleyball and Dodgeball are being accepted. Baseball, Softball and Tee-ball registrations are being accepted. As well as Youth Spring

**Reports from Standing Committees:****Parks & Recreation Committee - McCorkle: cont.**

Football signups with a deadline date of March 1st. Basketball is going strong on Saturdays.

**Planning Committee - Poindexter**

Mr. Poindexter reported the Planning committee met twice, first meeting was a special meeting to appoint Planning's appointment to the Housing Council - Tim Chornak. Committee met on February 5th with six (6) items on the agenda - first five being approval of front porches for a housing development on Engle Road - approved unanimously. Sixth (6th) item was aesthetic approval for a project addition at 16891 Brookpark Road, passed unanimously. The one (1) tabled item is for a conditional use permit for a gas station on Sheldon Road, still on the table with a traffic study underway. Next meeting will be on March 4th.

**Safety Committee - Troyer**

Mr. Troyer reported a few safety issues with the past snow if trucks have flashing lights the truck owns the road until the driver waves the motorists by, don't try to sneak past a plow truck. Left lanes are passing lanes and it is illegal to blow snow into the street.

**Service Committee - Roberts**

No report

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

Mr. Mencini reported that Southwest General Hospital was recognized by CMS (Center for Medicare and Medicaid Services) with a five-star overall quality rating based on quality of care for all patients. Southwest was also recognized as one of the best employers in the State of Ohio for health care by the Forbes annual list. The Community Health Care Foundation exceeded its fundraising target for 2023 by raising over \$1 million-dollars.

**Berea Board of Education Representative, McCorkle**

Mr. McCorkle reported at the last meeting the big topic was community engagement and trying to get out to the residents at libraries and churches. Trying to get away from emails and getting in front of the residents. Class of 2017, Ms. Scranton, is the new Cross Country Coach. The district has a new better financial deal with Under Armour for jerseys and so forth. On February 20th, at 7:00 p.m. there will be a Technology, Laser engraving and other classes that everyone is welcome to attend, to see how technology works. Doug Schwinn is the new Polaris school representative. Shout out to Tom Dufour for his new office hours. There is a new LPN (Licensed Practical Nurse) Program from a \$11.2 million-dollar grant; signups are going very well. Possible future Blue Abyss Program with the schools.

**Technology & Innovation Council Representative, Dufour**

Mr. Dufour reported the next meeting is Wednesday, February 7th at 6:00 p.m.

**REPORTS OF BOARDS AND COMMISSIONS:**

**INTRODUCTION OF RESOLUTIONS OF COMMENDATION:****REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

Mayor Orcutt reported he met with Senator J.D. Vance about Blue Abyss and what other programs the government can have to utilize Blue Abyss once built; earmark funds to help with the capital stack. The administration continues to work with the finance department on the 2024 budget and thanked Mr. McGann and his team will have the budget to Council by end of the month. Met with the owners of 15666 Snow Road and the first floor is open to medical offices; second and third floors are being renovated for future leases. The third floor when renovations are complete will be the new home to Alpha Home Health Care. Everyone is invited to a swearing-in ceremony for a new police officer on Wednesday, February 7th at 4:30 p.m. in the community room.

**Questions:**

Mr. Dufour asked for an update on the street lighting project.

Mayor Orcutt responded Mr. Beyer will provide an update during his report.

Mr. Mencini suggested to Mayor Orcutt to meet individually with Council to go over the budget, no surprises.

Mayor Orcutt responded like that idea, did that last year and could bring two (2) or three (3) Councilmembers in to discuss the budget.

Mr. Mencini continued would like to meet to discuss the Forward Innovation Center and bringing Brookgate shopping center owners to a meeting in April or May.

Mayor Orcutt responded no problem, Economic Development Commissioner, Mr. Marnacheck, met with the Westin Group and there are positive things happening.

Mr. Troyer requested hard copies of the estimate for the (recreation center) roof and walls; audit guaranteed savings report for the \$5.2 million-dollars for the recreation center and a hard copy of the report from Economic Development Commissioner Marnacheck, given a few months ago. One question with the RFQ (Requests for Qualifications) there would be no subcontractors the company chosen would use their own employees?

Mayor Orcutt responded on the RFQ looking for a company that can handle all in-house analysis of city-owned buildings for an energy reduction project. With the RFQ the city will accept bids to be analyzed and brought to Council. Once the bid is approved the company will analyze different opportunities to find funding sources to put together a project. Which is one opportunity to save money like the street lighting project being another opportunity to save money.



**Questions to the Mayor: cont.**

Mr. Troyer asked about the former BP gas station (Snow and Smith Roads)?

Mayor Orcutt responded have made progress with understanding the deed restriction. BP (British Petroleum) sold about 36 gas stations to Cross-America and in the sale agreement there is a deed restriction in effect until 2029. Anyone utilizing the building cannot sell coffee, packaged donuts, etc. Have met with BP and Cross-America and the interested person who would like to purchase the building to hopefully reach an agreement to pay BP to get rid of the deed restriction, to date, BP has refused to get rid of the deed restriction. The city has given an opportunity that if that corner is purchased and the building is knocked down not put anything there and utilize that location as a parking lot.

Mr. Troyer asked about the other corner, Rite-Aid location?

Mayor Orcutt responded Rite-Aid does not own the building and the price tag is \$3 million-dollars with one person showing interest.

Mr. Poindexter asked if the BP building is torn down does the city still have to pay the \$25,000.00 (from the grant given)?

Mayor Orcutt responded still working with the same person.

Mr. Poindexter clarified Council would have to amend the ordinance?

Mayor Orcutt concurred

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

Engineer Piatak

Mr. Piatak reported an update on the former Brook Park Memorial school basement backfill is continuing. Additionally, the old asphalt, curb and aprons will be removed on Thursday.

Service Director Beyer

Mr. Beyer reported bulk pickup is the week of February 12th regular rubbish day. The service yard continues to be open on Saturdays from 9:00 a.m. to 1:00 p.m., weather permitting. Sometimes crews are dispatched for emergency sewer repairs on Saturdays that overlaps with the 9:00 a.m. opening of the yard, is that occurs the yard is kept open later. The Engle Road railroad crossing (Snow Road) will have temporary immediate repairs on February 13th and 14th, crossing will be closed. Early April, weather permitting, permanent repairs will be made to the tracks. The city's 410 energy light conversion the engineering is wrapping up between First Energy and the contract and should see light replacement this summer for Engle,



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

Service Director Beyer: cont.

Brookpark, Snow and Smith Roads; First Energy is doing a cost-analysis for the rest of the city.

Safety Director Sensel

Mr. Sensel reported the two police cars ordered arrived several weeks ago, unfortunately it will be six (6) to eight (8) weeks out for up-fitting of new vehicles. The new police motorcycle should be received shortly. The Housing Council met on February 1st and all properties are in compliance.

Finance Director McGann

Mr. McGann reported the January month-end reports will be on the website by the end of the week. The tax department issued 22 refunds in the amount of \$75,249.34.

Assistant Law Director Sackett

Mr. Sackett reported that most of his work is with the police department and had the opportunity to watch the K-9 officer and dog on attacking. Police officers do a tremendous job for this community.

**Questions:**

Mr. Mencini concurred with Mr. Sackett on the police department as well as the fire department and court doing a great job and being aggressive. Law department provided the Active Civil litigation list with five (5) items listed. Mr. Mencini stated to Mr. Sensel Housing Council does a great job with inspections of properties. Asked Mr. Piatak for an update with the hole at former BPM being filled in, status of Kennedy Park and main campus?

Mr. Piatak responded when the backfilling is finished the area will be graded close to when the building was in place. The puddle by the football field is currently in negotiations to get something done since it was not part of the project.

Mr. Mencini asked Mr. Beyer with the good weather are crews catching up on spring items?

Mr. Beyer responded some things can't be done until the asphalt plant opens up but cold-patching is done daily as well as trees and the biggest item is the cleanup of debris throughout the city.

Mr. Troyer stated safety first, to Mr. Sackett can you elaborate on a recent post about the City of Cleveland lawsuit?

**Note:** hard to understand Mr. Sackett's response due to not speaking directly into microphone. Was able to hear that the City of Cleveland decided to try and reverse the trial court and Brook Park wants no part of that.

**Questions to directors: cont.**

Mr. Dufour thanked service crews for the quick response to the cleanup of graffiti on I-71. Safety forces best around do an incredible job.

Mr. Roberts asked Mr. Beyer how is the city on salt?

Mr. Beyer responded doing so good that Economic Development Commissioner Marnacheck, asset to the city, is looking for a grant to build a second salt-dome due to the minimum the city can take and having to pay storage fees.

Mr. Poindexter asked Mr. Beyer when a street light is reported burned-out the light is replaced with LED lighting?

Mr. Beyer responded yes, that agreement has not changed and I get confirmation on all burned-out lights that were replaced.

Mr. Poindexter asked Mr. Piatak when will activity start up at Wedo Park?

Mr. Piatak responded not until March or April with needed landscaping, can't have a freeze. The contractor is ready to install the decorative split-rail fencing but is waiting for a freeze so the fencing can be installed.

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

New Legislation:

1. A Resolution recognizing the Housing Council of the City of Brook Park Community Reinvestment Area (CRA) agreement and declaring an emergency. Introduced by Mayor Orcutt. Legislative committee.
2. An Ordinance amending section 153.09 entitled Bonds and declaring an emergency. Introduced by Mayor Orcutt. Legislative committee.
3. An ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) 2024 energized community grant(s) fund, and declaring an emergency. Introduced by Mayor Orcutt. Finance committee.
4. An Ordinance authorizing the Mayor to enter into a contract with the Teamsters Union Local 436 and declaring an emergency. Introduced by Mayor Orcutt. Finance committee
5. An Ordinance retaining and employing the law firm of Weltman, Weinberg & Reis Co., LPA to act as co-counsel with the law director in collections and declaring an emergency. Introduced by Mayor Orcutt. Legislative committee.
6. An Ordinance providing for a contract between the Cuyahoga County General Health District and the City of Brook Park, Ohio, and declaring an emergency. Introduced by Mayor Orcutt. Finance committee.

**Motion** by Mr. Poindexter, supported by Mr. Roberts, to move to M-1.

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

Mr. Salvatore stated that will appear as Ordinance No. 11383-2024.

**MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

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

**REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

Albert Wolf

5850 Wengler Drive

Mr. Wolf stated refreshing to hear good news about Police, Fire and Service departments and the good work they do.

Louie Modic

14399 Fayette Blvd.

Mr. Modic expressed concerns of Council's responses to the audience at the last Council meeting.

Matt Pfeiffer

16140 Cynthia Drive

Mr. Pfeiffer congratulated new Councilmembers including Council President Salvatore and Finance Director McGann.

**ORDINANCES AND RESOLUTIONS: (FIRST READING):**

1. RESOLUTION NO. 1-2024

A RESOLUTION RECOGNIZING EXPRESS DELI'S ACHIEVEMENT ON BEING NAMED TO YELP'S TOP 100 PLACED TO EAT IN THE U.S. LIST AND DECLARING AN EMERGENCY. Introduced by Council as a Whole and Mayor Orcutt.

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

2. ORDINANCE NO. 11383-2024

AN ORDINANCE PROVIDING FOR A CONTRACT BETWEEN THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT AND THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

**Motion** by Mr. Poindexter, supported by Mr. Dufour, to adopt.

**ROLL CALL: AYES:** Poindexter, Dufour, Roberts, Troyer, Scott, McCorkle, Mencini  
**NAYS** Unanimous. Ordinance No. 11383-2024, has passed under suspension of the rules. Adopted.



**SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11380-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS (RFQ) FOR AN ENERGY EFFICIENCY PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated at last two (2) meetings I suggested making changes on the RFQ, itself, on pages one (1); three (3); six (6) and 14 include 'after Council approval'. Section 1, second line, after (RFQ) add 'per exhibit A' as one piece.

**Motion** by Mr. Mencini, supported by Mr. Dufour, to include 'per exhibit A' in section one (1).

**ROLL CALL: AYES:** Mencini, Dufour, Roberts, Poindexter, McCorkle, Scott

**NAYS:** None.

**ABSTENTION:** Troyer.

Mayor Orcutt asked if a special Council meeting can be called for next Tuesday for this topic.

Mr. Troyer, supported by Mr. Mencini, to place this topic on the next Caucus agenda, February 13th, under discussion.

Mr. Salvatore stated Ordinance No. 11380-2024 has had its second reading, as amended.

**THIRD READING OF ORDINANCES AND RESOLUTIONS:**

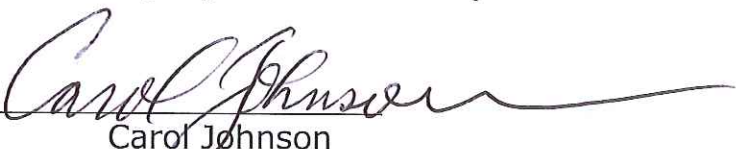
There being no further business to come before this meeting a **motion** by Mr. Mencini, supported by Mr. Roberts, to adjourn.

**ROLL CALL: AYES:** Mencini, Roberts, Dufour, Poindexter, Troyer, Scott, McCorkle

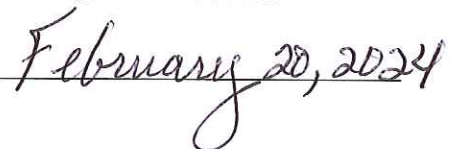
**NAYS:** Unanimous.

Council President Salvatore declared this meeting adjourned at 8:51 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.