

**SPECIAL COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, MARCH 12, 2024 IMMEDIATELY
FOLLOWING THE REGULAR CAUCUS MEETING**

The meeting was called to order by Council President Salvatore, 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 Finance Director Sackett, Finance Director McGann, Service Director Beyer and Economic Development Commissioner Marnacheck.

REMARKS FROM THE AUDIENCE ONLY ON SUBJECT MATTER BEFORE COUNCIL:

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. Ordinance No. 11390-2024

AN ORDINANCE TO PROVIDE FOR THE APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2024 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

Motion and support for suspension was withdrawn due to wanting more discussion on the topic.

Mr. Troyer asked Mr. McGann on page five (5) Fund 290 there is \$1.1 million-dollars what is the reason to keep those monies in that fund?

Mr. McGann responded that is liability costs i.e. accidents those monies will cover the costs to pay for repairs to later get reimbursed from the insurance company.

Mr. Troyer asked Mr. McGann the \$1.1 million-dollars in not appropriated, correct?

Mr. McGann responded some have been appropriated based on last year.

Mr. Troyer confirmed the monies are there in case, even if not appropriated?

Mr. McGann concurred.

Mr. Troyer continued on page eight (8) Fund 690 there is \$2.8 million-dollars in Medical Benefits fund; explanation why that is unappropriated?

Mr. McGann responded cover medical insurance benefits.

Second Reading of Ordinances and Resolutions:

Mr. Troyer commented it's not appropriated.

Mr. McGann responded \$2.5 million-dollars have been appropriated.

Mayor Orcutt stated that fund has always been funded that way in case the city becomes self-insured.

Mr. Troyer expressed concern with Fund 552 on page seven (7) on the revenue side of \$1.6 million dollars and nothing for the natatorium. Also, appropriating Fund 282 - \$1.8 million-dollars from the American Rescue Plan (ARPA) monies.

Mr. McGann responded the ARPA monies have to be encumbered by the end of 2024. So regardless, if the city spends the monies on the roof and walls, which is the intention. Those monies have to encumbered by the end of 2024 that's the reason for putting the encumbrances in there. For Fund 552 the total cost is not known of the natatorium improvements, so at a later time, when getting those numbers, they will be appropriated the balance in that fund.

Mr. Troyer continued there is \$3.4 million-dollars that is not known where it's actually going to go. The \$1.8 million-dollars was taken from the ARPA monies and just hanging there, not appropriated anywhere else.

Mr. McGann concurred and stated those monies will stay in that fund for financial reporting purposes for the federal government.

Mr. Troyer commented would rather see it in Fund 552. More roads could have been done especially in Ward One (1) as far as resurfacing. Looking at last year's roads program 12 streets were done, originally nine (9), at \$1.4 million-dollars. This year there is \$1.1 million-dollars and only five (5) streets being done. Would like to add Robert Drive in Ward Two (2) and Claudia Drive in Ward One (1); to the asphalt resurfacing list. Would like to take \$200,000.00 out of the Street, Construction, Maintenance and Repair (S.C.M.R.) fund and add to (roads) fund. Have already taken \$300,000.00 out of the S.C.M.R. fund and know that is kept around for emergencies but don't think there is going to be \$1 million-dollar emergency for roads.

Motion by Mr. Troyer, supported by Mr. Poindexter, to take \$200,000.00 out of SCMR fund and place in Roads Program.

Mayor Orcutt stated to Mr. Troyer agree with getting more roads appropriated immediately. By adding Robert and Claudia Drives; Robert Drive will take extra attention. Do know there will be contingency monies that will be utilized to pick up more roads; this year's list is over \$3,120,000.00, for projects and resurfacing.

Second Reading of Ordinances and Resolutions: cont.

There are joint repairs for Sylvania Drive and one (1) major street is Sheldon Road between Engle and Smith Roads. That will cost the city \$222,125.00 due to grants. Furthermore, out of that \$3,120,000.00 - \$450,000.00 is being utilized for the recreation center parking lot, that is overdue and taking a big portion of the monies. In 2023 there was \$2,147,000.00 for 12 roads including an overdue water main project costing over \$500,000.00 and in 2022 there was \$1.6 million-dollars for roads. Reason it is being shown in the revenue section where would like to keep the money is to get back to full-depth reconstruction repairs. The city has to finish off Sylvania Drive from Mercer Drive to Michael Drive; that is 'earmarked' for over \$1.3 million-dollars. Don't know the price tag for Middlebrook Blvd. but the intention is to get back to Middlebrook Blvd. and continue to West 130th Street. Those are the plans for 2025 with getting back to the full-depth reconstruction and saving those monies. City is doing well and recently had the Supreme Court ruling that the 2020 refund checks did not have to be paid out; and utilizing those funds for the roof and walls (recreation center natatorium area).

Mr. Mencini asked the Mayor for his thoughts on contingency monies.

Mayor commended Mr. Beyer for bringing the new roads program forward because a lot does get done. For people at home contingency money is if a road is estimated at \$100,000.00 and if there are issues underneath \$20,000.00 may be needed to repair those issues. If a street is milled up and has no issues that contingency money is used towards more streets. When going out to bid would like to find a company for both years 2024 and 2025.

Mr. Mencini stated people still want their services and these buildings must be done. As a Councilman there are a few streets in Ward Two (2) that are getting touched on; as well as the recreation center parking lot. Any contingency money is important and as previously stated should be reviewing the budget every six (6) months to see what there is, drove Brookpark Road to Broadview Road and nice ride, new asphalt.

Mayor Orcutt responded some great points and this budget has been diversified in many areas i.e. equipment that has not been replaced in many years; police and fire truck payments that are coming up. The Hotel-Motel (Tax) and Street, Construction, Maintenance and Repair (SCMR) funds are for emergencies and the city has been getting as many grants possible. Working with Ohio Department of Transportation District 12 (ODOT) Brookpark Road from Route 237 to West 130th Street will be asphalted; at no cost to the city. Last year two (2) pieces of legislation were brought forward after the Roads Program and that is the plan for this year.

Second Reading of Ordinances and Resolutions: cont.

Mr. Dufour asked Mr. Beyer for estimates for both Robert Drive and Claudia Drive?

Mr. Beyer responded that would need to go through the bid process. May have something for Robert Drive from last year and think there was an estimate of \$250,000.00. Also, have to take in effect this year is there is an estimated two-percent (2%) increase in material; three-percent (3%) increase in trucking and three and a half (3 1/2%) increase in labor. Not sure what will be left with contingency any evidence would cover something or not cover something. By way of saying there could be a deficit by adding those two streets; Robert Drive and Claudia Drive are comparable and would have to see what is left over.

Mayor Orcutt stated it's important to get this program started because it is found out very quickly about contingency (monies) and have legislation introduced to keep this program rolling. Reiterated finding a company when going out to bid for years 2024 and 2025.

Mr. Dufour continued without having the \$200,000.00 estimates in front of Council would ask that instead of appropriating funds just add Robert and Claudia (Drives) to the contingency list.

Mr. Poindexter stated every year there are funds that grow nonstop and have the fund reserve policy, safety net, and all other funds that are safety nets. At what time do we start investing that safety net to provide service to some residents, who haven't had their streets done in a long time. Robert Drive is in bad shape with all these funds growing; what are they being saved for? This city has had emergencies and covered them and still haven't touched these growing funds, since being on Council. For example, SCMR with the \$2.3 million-dollars total revenue minus \$90,000.00 appropriated out of that fund; there will be a surplus of \$1.4 million-dollars. Take out \$2.3 million-dollars and there is still 1.2 million-dollars left. Do like the mill and fill program, good program, why not get a few more streets done. The city is relying on contingency monies and they may have to make repairs on all those roads and there are no extra streets.

Mr. Scott stated after this budget is passed will be getting calls from residents why wasn't my street done? Nobody knew that Ruple Road and Holland Road were going to collapse. Why is it different for the city to deplete all funds used for the Fund Reserve Policy Balance? To Mr. McGann how is the Fund Reserve Balance Policy funded.

Mr. McGann responded the Fund Reserve Policy is 212th of the yearly expenditures mainly through the General Fund, Admission Tax, Hotel-Motel Tax and Insurance Fund to name a few. In 2008 and 2009 \$3.19 million was transferred to General Fund due to the great recession and mostly due to the Ford (Motor) closure. In

Second Reading of Ordinances and Resolutions: cont.

2013 transferred a combined \$1 million-dollars due to falling below the fund reserve policy and then consecutive year transferred \$140,000.00 because that's all that was left. Put an income tax increase and property tax levy on the ballot that both failed; then had to make cuts for not meeting the fund balance reserve policy. Have now met that policy for the last ten (10) years with approximately \$2.2 million-dollars in that fund; which is a decent amount of money but at the same time used over \$2 million-dollars in both 2008 and 2009.

Mr. Scott stated would like to get more roads done but need to be frugal and smart with the monies. This is a good budget and diversified and there are only so many pieces in the pie. Don't think any amendments are needed and had three (3) roads done last year with contingency monies.

Mayor Orcutt reiterated the SCMR Fund has \$1,378,000.00 in there with plans for next year (2025) for full-depth repairs on Sylvia Drive from Mercer Drive to Michael Drive. Also, reiterated with the Roads Program in 2022 there was \$1.6 million-dollars; 2023 there was \$2,047,000.00 and in 2024 there is \$310,000.00 due to generating revenue and diversifying it. Part of diversifying is taking care of employees that hasn't been done for ten (10) years. The \$1.3 million-dollars is preparing for next year and looking in past years SCMR - Fund 240 in 2022 \$1.5 million-dollars; 2023 \$1.24 million-dollars and 2024 has \$1.3 million-dollars. The Hotel-Motel and Admissions Tax has been utilized in major emergencies and the city tapped into those funds in 2008, 2009, 2013 and 2014 wiping that fund clean; we are now trying to start rebuilding and using that money in 2025. We know there will be extra monies in contingency and will have legislation brought forward to get more roads done. This city is healthy and that's not a bad thing.

Mr. Troyer stated more things are getting done due to having more money and revenue is up. Listening to all this, one second this fund is for reserves and the next second is for doing a street next year. Don't know what everyone is meaning by 'diversified' if it means fair I disagree. Ward One (1) needs a street and I picked Claudia Drive and next year would like to see Zehman and Siegler Drives. In 2016, it was proposed to borrow monies to do seven (7) streets with full-depth replacement that was pushed aside. Now, the city has money to do a few extra streets and reiterated would like to add Robert and Claudia Drives.

Mayor Orcutt clarified to residents and Mr. Troyer when talking about emergency funds that would be the Admissions and Hotel-Motel Tax funds. Fund 240 - SCMR is being stockpiled for roads in 2025. Think Mr. Troyer would agree that grant monies are funded by (Cuyahoga) County, State of Ohio and Federal level paid from taxpayers. When talking about diversifying Sheldon Road is a \$3 million-dollar project with the city paying \$220,000.00, in Ward One (1). Also, in Ward (1) is a grant for \$1,125,000.00 for a bridge design and construction that will be

Second Reading of Ordinances and Resolutions: cont.

reimbursed and paid by the taxpayers. Also, in Ward One (1) there are septic systems that will be done so Ward (1) has a lot of concentration with tax dollars, probably more than any other ward. Most importantly, the \$240,000.00 in SCMR is money to do emergencies and would like to keep monies in there for preparation for 2025. Do know there will be monies taken from the General Fund for very large economic development projects the city has been working on. Not trying to not look out for Ward One (1) but are getting grant monies for Ward One (1) residents.

Mr. Dufour stated in 1000% agreement to do more roads and looking forward to legislation forthcoming for more roads. Am not in favor of the motion of adding more roads without having those numbers is front of Council.

Mr. Mencini stated to Mr. Troyer's question have suggested roads in the past and when talking about reserve funds coming from the service department. There are employees that are ready to retire and might decide to go this summer; may have to go into the reserve funds for hiring purposes. The other thing as Mr. McGann brought up the cost of everything going up especially if medical shoots up where does the city go? May have to dip into the reserves for the worst case scenarios and should come back in June or July to go over everything.

Mayor Orcutt stated the intentions is to bring legislation forward to do more roads.

Mr. Troyer stated I think healthcare may have re-openers, not sure. Looking at this with the Admissions Tax Fund - \$1 million-dollars unappropriated; Hotel-Motel Tax - \$1.4 million-dollars unappropriated; SCMR - \$1 million-dollars unappropriated; State Highway Fund - \$1.3 million-dollars unappropriated; Permissive Tax - \$337,000.00 unappropriated; Economic Development Fund - \$1.9 million-dollars unappropriated, not touching that, Brookpark Road Corridor Fund - \$57,000.00 unappropriated; Special Recreation Fund - \$350,000.00 unappropriated; Capital Contract Fund - \$214,000.00 unappropriated. There is a lot of money in this budget and only asking for \$200,000.00 for few more streets. What did Wedo Park cost in Ward Three (3) or American Legion Park with new driveway and fence in Ward Four (4)? Ward One (1) is only getting a part of Delores Blvd. for asphalt resurfacing.

Mr. Salvatore stated was part of Council when the Fund Balance Policy was established and would like to see more monies placed in there as a rainy day fund.

Second Reading of Ordinances and Resolutions: cont.

Mr. Troyer reiterated the **motion** supported by Mr. Poindexter, to remove \$200,000.00 from the SCMR Fund and add streets Robert and Claudia (Drives).

ROLL CALL: AYES: Troyer, Poindexter

NAYS: Roberts, Dufour, Mencini, McCorkle, Scott. **Failed**

Mr. Poindexter stated to Mr. McGann emailed you yesterday about what was spent on senior snow plowing and grass cutting, this year. To Mayor Orcutt reason for asking is due to the light winter and having a flat fee for that service. Would be in support of hiring service department employees to bring those services in-house; during spring and summer those employees could be utilized elsewhere.

Mayor Orcutt responded there was \$1.2 million-dollars 'earmarked' in Fund 242 the last few years with over \$220,000.00 spent. In 2023 - \$93,000.00 for snow plowing services. With the hiring of a few more people with salaries and fringe benefits portion going from 14% to 18% per the State of Ohio. The biggest portion of that fund is the grass-cutting of 17 properties.

Mr. Poindexter continued believe working people should have good pay and healthcare; would like to bring those services in-house.

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend Section 2 after 2024 by adding Exhibits B - Revenue; C - Appropriations Worksheet; D - Capital Budget; E - Key Budget Points; F - Best in Brook Park Fund 243; G - Pie Charts and H - 2024 Roads Program to provide additional expenditures for the rest of the year.

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

NAYS: Roberts

Motion by Mr. Troyer, supported by Mr. Poindexter, to amend Exhibit H - 2024 Roads Program by adding a heading under contingency the streets Claudia and Robert.

Mr. Mencini expressed what about Wards Three (3) and Four (4), there are two (2) other wards in the city.

Mayor Orcutt stated there is an asterisk with a contingency of Burton already and by adding two (2) other streets; may create a quagmire, by not knowing how to proceed forward. The intention, as was last year, is bringing two (2) pieces of legislation forward to continue with the roads program. To not cause a quagmire let's get through this program and see what can be done and move forward.

Mr. Mencini asked would there be a budget meeting in June, July or August for the budget, see where we're at?

Second Reading of Ordinances and Resolutions: cont.

Mayor Orcutt responded Assistant Finance Director Maykut provides the end-of-month reports for review what revenue is there, not opposed to those meetings. My concern is having three (3) roads for contingency and only able to do one (1) road; what road will be done?

Mr. Dufour stated Burton Drive should be the priority since already allocated; then figure out how to fund the other two (2) streets.

Mr. Salvatore stated let's get the roads program started and take a look at the contingency monies; fund balances and have a meeting in July. Let's work together, be patient, and make decisions on facts.

The clerk called the roll on the **motion** by Mr. Troyer, supported by Mr. Poindexter, to amend Exhibit H - 2024 Roads Program by adding a heading under contingency the streets Claudia and Robert.

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

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

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

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

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

Council President Salvatore declared this meeting adjourned at 8:49 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.