

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON WEDNESDAY, MARCH 20, 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.
 - 4. SPECIAL CAUCUS MEETING HELD ON FEBRUARY 26, 2024.
 - 5. CAUCUS PRIOR TO MEETING HELD ON MARCH 5, 2024.
 - 6. REGULAR COUNCIL MEETING HELD ON MARCH 5, 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. DIRECTOR OF RECREATION – Christopher Wetmore– Per Mayor Orcutt.

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

M. ORDINANCES AND RESOLUTIONS FIRST READING

1. ORDINANCE NO.11391-2024

AN ORDINANCE AMENDING ORDINANCE 11342-2023, PASSED MAY 16, 2023, WHICH AUTHORIZED THE MAYOR TO HIRE THE LAW FIRM OF "ULMER & BERNE LLP", TO ACT AS CO-COUNSEL WITH THE LAW DIRECTOR, DUE TO NAME CHANGE OF THE FIRM TO "UB GREENSFELDER LLP", AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

2. ORDINANCE NO.11392-2024

AN ORDINANCE APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; AND 344-029-085 FROM U1-A5 TO U2-A6. Introduced by The COUNCIL AS A WHOLE.

3. ORDINANCE NO.11393-2024

AN ORDINANCE APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-15-178; 344-29-086; 344-15-008 AND 344-15-009; FROM U1-A5, U3-B TO U2-A-6. Introduced by The COUNCIL AS A WHOLE.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD 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 THE FISCAL YEAR ENDING DECEMBER 31, 2024. Introduced by Mayor Orcutt.

P. ADJOURNMENT:

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON WEDNESDAY MARCH 20, 2024**

The meeting was called to order by Council President Salvatore at 7:37 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, Service Director Beyer, Safety Director Sensel, Activities Programmer Colonna and Engineer Piatak.

Motion by Mr. Troyer, supported by Mr. Roberts, to remove items M-2 and M-3 from the Council agenda. (rezoning legislation).

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Special Caucus meeting held on December 8, 2023.

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

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

2. Special Caucus meeting held on February 26, 2024.

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

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

3. Caucus Prior to the Council meeting held on March 5, 2024.

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

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

4. Regular Council meeting held on March 5, 2024.

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

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Dufour

Mr. Dufour stated no legislation in committee; reported the crew-base opened on March 14th with 400 pilots, flight attendants and maintenance professionals within the first (1st) year. This will generate \$80 million-dollars annually in local wages and eventually will serve 30 destinations from Cleveland Hopkins Airport.

Board of Zoning Appeals - Chairman, Mencini

No report.

Finance Committee - Chairman, Scott

Mr. Scott reported the Finance committee has one (1) item on the agenda.

Reports from Standing Committees: cont.

Legislative Committee - Chairman, Scott:

Mr. Scott reported Legislative committee has one (1) item on tonight's agenda.

Parks & Recreation Committee - Chairman, McCorkle

Mr. McCorkle reported Spring Volleyball starts this week and are in second session of Spring Basketball. Safety Town registrations for this summer are being accepted and the Spring Craft Show will be held on April 6th and 7th.

Planning Committee - Chairman, Poindexter

Mr. Poindexter reported had two (2) items on agenda that were removed; will not be in attendance at the April 2nd meeting due to work commitment.

Safety Committee - Chairman, Troyer

Mr. Troyer stated no legislation in committee and cautioned everyone to be safe and careful of the children with Spring being here.

Service Committee - Chairman, Roberts

No report.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini stated to Mr. Salvatore with the question asked last week about the scholarship program; that is still being worked on, with more details upcoming. Southwest has a program 'Stop an Overdose - Save a Life' with Narcan and Home Remediation Tool Kit for distribution. This program is run by the Oakview Behavioral and Health and will be at the Southwest Old Oak Center on March 21st and April 18th from 4:00 to 5:30 p.m. Another program is with the American Heart Association for heart-saving and Automatic External Defibrillator (AED) instructions; certification card upon completion. This is a four-hour course to be held on March 26th and April 25th from 6:00 p.m. to 10:00 p.m. in Building A. Southwest Hospital is in the top five-percent (5%) on quality patient care with a 77% recommendation.

Berea Board of Education Representative, McCorkle

Mr. McCorkle reported the board had the second annual Titan awards given to students, staff and committee members. To be a Titan must be adaptable, a communicator, critical thinker, emphatic, innovative and a leader. One (1) award would like to point out is to Officer Cordell (not sure of spelling) and Jerome Becks (not sure of spelling) for performing CPR at a basketball game until the paramedics showed up, saving a woman's life. Lost a teacher and talking with students a beloved teacher who will be missed, thoughts and prayers to family and students. Polaris provided an update the ERA wing is coming along nicely and the new LPN space, for the program, is coming together. The Cosmetology department participated in the 'Night to Shine' doing hair for the Tim Tebow event for children with special needs, great success. On May 15th and 16th at the Berea Fairgrounds a Career Fair will be held. The middle school will be getting new desks and tables; with the old furniture being auctioned off. The board is installing LED lighting for cost-savings. The Cleveland Browns have reached out to

Reports of special committees:

Berea Board of Education - Representative, McCorkle: cont.

both the middle school and high school for a Girls Flag Football Program, that is becoming popular throughout the country. The Cleveland Browns will pay for the uniforms and equipment and were looking for, at least, 15 girls to sign-up; with 27 showing interest. The high school Gymnastics team held a great competition with 75 schools and 400 competitors.

Technology & Innovation Council Representative, Dufour

Mr. Dufour reported at the last meeting there was discussion of a report being worked on of generative AI (Artificial Intelligence) and how it potentially intersects and impacts municipal operations. The goal of the report will include the history and development of these types of technology and how it came to be; along with the emerging regulatory environment surrounding nationally, locally, internationally and how local governments are handling these types of uses, products and how it may affect current operations and what can be done to prepare for this technology to be in the wild. The goal is to provide a baseline to move forward.

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

Mayor Orcutt reported on March 18th Congressman, Max Miller, toured the entire community center and natatorium area; once the congressional budget is passed will submit for dollars coming to Brook Park. A grant application will be submitted this Friday to Senator, Sherrod Brown's office for restoration of the natatorium area. This past Sunday, Brook Park made the front page of the Sunday paper announcing that county funds have been submitted for the Blue Abyss project. A Northeast Ohio Areawide Coordinating Agency (NOACA) grant that was awarded years ago and sitting idle will be moving forward.

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

Assistant Law Director Sackett

No report.

Recreation Activities Programmer Colonna

Mr. Colonna reported on Saturday, March 23rd, the department will be having the annual 'Spring into the Park' event from 11:00 a.m. to 2:00 p.m. inside the recreation center. This event will include inflatables; a food truck with the snack bar set up for eating. The Easter egg hunt will begin with ages zero (0) to three (3) at 11:30 a.m.; ages four (4) to six (6) at 12 p.m.; ages seven (7) to nine (9) at 12:30 p.m. and ages ten (10) and older at 1:00 p.m. On March 29th the center will be hosting the Midnight Madness event from 8:00 p.m. to 12:00 a.m. for ages

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

Recreation Activities Colonna: cont.

eight (8) to 14. On April 8th the center will be hosting the lifetime solar eclipse watch party in the parking lot, eclipse glasses will be provided. The recreation staff would like to thank all the coaches who participated in this year's basketball season and the Berea School District for allowing the children to play the championship games at the high-school. Registrations are complete for baseball and softball with a waiting list being created for interested participants; once the teams are formed letters will be sent out in May. Spring football and cheerleading will take place this Saturday and thanked all the coaches and sponsors. Office of Aging, Joan Corrigan, head of the senior group is always looking for new members to join for meetings on Tuesday.

Finance Director McGann

Mr. McGann reported an update to the income tax refunds, to date 174 refunds were given totaling \$268,741.43 and of that 144 were work from home refunds totaling \$214,605.66.

Safety Director Sensel

Mr. Sensel reported important legislation will be introduced tonight.

Service Director Beyer

Mr. Beyer reported that yard waste and rubbish dumping, at the service garage, will re-open on April 8th from 8:00 a.m. to 7:00 p.m.; Saturdays 8:00 a.m. to 1:00 p.m. A grant was awarded to the city from the Cuyahoga County Solid Waste District in the amount of \$115,000.00 for the purchasing of six (6) Suncast plastic sheds for storage of 96-gallon totes for the Gateway Condominiums complex, residents will also receive 15-gallon recyclable containers.

Engineer Piatak

The Cuyahoga County Public Works Department received bids, yet to be certified, for the Sheldon Road resurfacing project, between Smith and Engle roads. Seven (7) bids were received with one (1) exceeding the engineer's estimates.

Questions:

Mr. Mencini stated to Mr. Sackett during COVID calls were being made to people to pay their (court) fines, is that still an issue?

Mr. Sackett responded that process has not stopped with good feedback with 35% to 50% of cases given the opportunity to resolve without coming to court.

Mr. Mencini asked Mr. McGann with the \$268,741.43, 174 payouts, is that a monthly average?

Mr. McGann responded the \$268,741.43 is year-to-date; refunds are issued on a weekly basis and the department is on par from last year.

Questions to directors: cont.

Mr. Mencini stated to Mr. Beyer years ago Gateway condominium residents put out small containers of recyclables on Hummel Road for pickup; this will be a good program for those residents.

Mr. Troyer asked Mr. Beyer if the city makes any money on recycling, any idea how expensive?

Mr. Beyer responded prior to the last time the city went out to bid the city was being charged for recyclables. Being in the second year of the new contract the city now gets compensated which offsets the tipping fees for rubbish.

Mr. Troyer asked Mr. Piatak with the seven (7) bids for the Sheldon Road project what is the difference between the lowest/best bidder compared to the engineer's estimate?

Mr. Piatak responded don't know because the county opened the bids; the City of Brook Park was not part of the bidding process, was notified in a quick email from the county.

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

New legislation:

1. AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE 2024 RECYCLE OHIO GRANT FOR A RECYCLING TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and C/W. Service committee.

Motion by Mr. Poindexter, supported by Mr. Dufour, to move to letter M.

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

Mr. Salvatore stated that will appear under M-2 as Ordinance No. 11394-2024.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, CITY OF BROOK PARK POLICE SERGEANTS AND LIEUTENANTS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Safety committee.

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

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

Mr. Salvatore stated that will appear under M-3 as Ordinance No. 11395-2024.

New legislation: cont.

3. AN ORDINANCE AMENDING SECTION 1121.23 (c) (1) (D) (1) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'U-3A BUSINESS DISTRICT' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Zoning committee.
4. AN ORDINANCE AMENDING SECTION 937.02 (a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'QUALIFICATIONS' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Legislative committee.
5. AN ORDINANCE AMENDING SECTION 303.08 (a) (10) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'IMPOUNDING OF VEHICLES; REDEMPTION' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Safety committee.
6. A RESOLUTION RECOGNIZING OUR HOMETOWN HEROES, OUR ACTIVE DUTY SERVICE MEMBERS AND MILITARY VETERANS WITH A BANNER PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt Legislative committee.
7. AN ORDINANCE AMENDING SECTION 1513.04 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'AMBULANCE TRANSPORT FEES' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Safety committee.
8. AN ORDINANCE AMENDING SECTION 1507.04 THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FALSE ALARMS' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Safety committee.
9. AN ORDINANCE AUTHORIZING THE INCLUSION OF ORNAMENTAL PATHWAY LIGHTS AND AERATING FOUNDATION IN THE WEDO PARK STORM WATER BASIN PROJECT (CONTRACT 202211) AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Service committee.
10. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ('MOU') WITH LOCAL 860 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. Service committee.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

1. DIRECTOR OF RECREATION - Christopher Wetmore - Mayor Orcutt. Mayor Orcutt stated had opportunity to meet Mr. Wentmore 14 years-ago being one (10 of two (2) assistant directors for North Olmsted. Has worked in the recreation industry for 27 years and has a Bachelor of Science Recreation & Parks degree. Has managed recreation renovations in North Olmsted in the amount of \$2.2 million-dollars.

Mr. Mencini stated has participated in programs and have heard nothing but good about Mr. Wentmore. Recreation staff has done a great job last few months.

Mr. Dufour stated great guy the \$2.2 million-dollars renovation jumped out.

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

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

NAYS: Unanimous.

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Albert Wolf

5850 Wengler Drive

Mr. Wolf mentioned that the Blue Abyss project not only made the Cleveland Plain Dealer but also Channel 8 news. With the Mayor hiring of his executive assistant, Debby Doud, is good for the city. Keep up the good work with economic development projects.

Louie Modic

14399 Fayette Blvd

Mr. Modic questioned if the 'Citizen of the Year' program will continue?

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

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

NAYS: Unanimous.

Mr. Dufour stated to Mr. Modic the Citizen of the Year committee is meeting for the first (1st) time tomorrow; will approve the document and get out to the entire city. To Mr. Wolf agree that Debby Doud is a wealth of information, as well, as Economic Development Commissioner, Marnacheck doing a great job.

Mr. Troyer to Mr. Wolf things have changed since past years and COVID so the city has the revenues to hire more people.

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

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

NAYS: Unanimous.

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11391-2024

AN ORDINANCE AMENDING ORDINANCE NO. 11342-2023, PASSED MAY 16, 2023, WHICH AUTHORIZES THE MAYOR TO HIRE THE LAW FIRM OF 'ULMER & BERNE, LLP' TO ACT AS CO-COUNSEL WITH THE LAW DIRECTOR DUE TO NAME CHANGE OF THE FIRM TO 'UB GREENSFELDER, LLP' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

NAYS: Unanimous.

Motion by Mr. Mencini, supported by Mr. McCorkle, to adopt.

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

NAYS: Unanimous. Ordinance No. 11391-2024, has passed under suspension of the rules. Adopted.

Note: Previous items M-2 and M-3 rezoning legislation were removed by **motion** from the agenda.

2. ORDINANCE NO. 11394-2024

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE 2024 RECYCLE OHIO GRANT FOR A RECYCLING TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and C/W.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11394-2024, has passed under suspension of the rules. Adopted.

3. ORDINANCE NO. 11395-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, CITY OF BROOK PARK POLICE SERGEANTS AND LIEUTENANTS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

NAYS: Unanimous.

Motion by Mr. Mencini, supported by Mr. Dufour, to adopt.

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

NAYS: Unanimous. Ordinance No. 11395-2024, has passed under suspension the rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

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. Scott, to adopt.

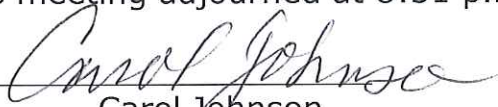
Mr. Troyer stated like the budget able to increase appropriations for different departments and employees.

ROLL CALL: AYES: Roberts, Scott, McCorkle, Mencini, Poindexter, Dufour, Troyer
NAYS: Unanimous. Ordinance No. 11390-2024 is adopted.

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

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

Council President Salvatore declared this meeting adjourned at 8:31 p.m.

RESPECTFULLY SUBMITTED 
Carol Johnson
Clerk of Council

APPROVED April 16, 2024

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