

**SPECIAL CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON MONDAY, JULY 21, 2025**

The meeting was called to order by Council President Salvatore at 6:30 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, Law Director Horvath, Finance Director McGann, Engineer Piatak, Service Director Beyer and Economic Development Commissioner Marnacheck.

Motion by Mr. Roberts, supported by Mr. Mencini, to go out of regular order of business to Planning Committee.

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

PLANNING COMMITTEE – CHAIRMAN, POINDEXTER:

1. AN ORDINANCE ENACTING CHAPTER 1128 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PLANNED UNIT DEVELOPMENT'. Introduced by Councilmembers Mencini, Roberts, Scott, Dufour, McCorkle, Poindexter and Council President Salvatore

Mr. Poindexter stated this comes from the Planning Commission who approved the rezoning of parcels of the former Ford property for a domed stadium.

**Monica Lens
Berea, OH**

Power point presentation is on the city's website livestream under the Council tab or can be requested from the Clerk of Council on a flash drive at a cost.

Questions:

Mr. Mencini stated with that area having office, retail and people living there is one concern, with area residents, of motorists driving down city streets. This is a fantastic plan with getting motorists off the freeways and street routes to the facility.

Ms. Lens responded our team is currently working with the traffic consultants to understand how to get motorists off the highways to the stadium. Will assure people if there is an event taking place people will still have access to the offices and living areas.

Mr. Troyer asked Ms. Lens did you have anything to do with the writing of this legislation?

Planning Committee - Chairman, Poindexter: cont.

Ms. Lens responded yes, worked collaboratively with the City of Brook Park and Dillon partners.

Mr. Troyer continued why is so much control or lack of control by the City of Brook Park, the way this is reading.

Ms. Lens responded still in process of defining and refining the development and what it all entails.

Mayor Orcutt stated with questions about control with the city please ask me, as the Mayor, because this was done with the Haslams Sports Group and City of Brook Park. I can answer those questions as to what type of oversight the city does have and this Planned Unit Development (PUD) that has protections for investors, City of Brook Park and, most importantly, the residents.

Mr. Poindexter stated the PUD is written to provide flexibility in the design with the concept not being fully developed. The zones are one (1) through six (6), as written in the city's ordinances. There are items in those zones that don't typically fit with what is trying to be accomplished. My question, for example, is zone one (1) a U-1 district is for single-family housing that has five (5) items listed for that district: single-family dwelling, public parks, recreation ground operated by the public, municipally owned and operated public utilities, fire or police station and armory, churches, schools, libraries and farms. Should the ones in that district be omitted that don't belong? For example, someone wanted to purchase a parcel, down the line, because at the Planning commission meeting it was mentioned that sub-lots may be sold later of the Homeowners Association (HOA) scenario. Under the way this is written someone could potentially put a farm there. My concern is some of these ordinances allow items that won't fit in that area.

Mayor Orcutt responded to give some history this was a collaboration of all the investors, engineering, law and building departments and what it relies on is giving the flexibility within this mixed-use area to do different things. The investors are going to have to make their money back so by having a farm would probably not be a good return on that investment. Going back to the July 8th meeting with a rebuttal from the Haslam's Sports Group about a parcel being sold off the rebuttal was that would most likely be not something that would happen. If it did happen there would be some type of HOA tied to that only to control what the outside would look like, like the housing project on Snow Road. That would be rented out and they can control possibly one (1) unit not being maintained and becomes an eyesore.

Mr. Poindexter stated my concern is phase one (1) goes great but phase two (2) isn't getting the interest, as anticipated. So they want to sell off some parcels and put a single dwelling there; they own the parcel and can do that the way the PUD is

Planning Committee - Chairman, Poindexter: cont.

written. My concern is the city bonding \$3 million-dollars just to pay the principal back in 20 years would have to make approximately \$86,000.00 per year, for each of acre of land.

Mayor Orcutt interjected the city is not done with negotiations and have what will be pledged and unpledged.

Mr. Poindexter continued want to make sure that the city is using every acre of that property to the best of ability. So think that omitting some of the items, from that district, that are allowed in other U-1 districts. Per the list prepared, for example, zone three (3) there are no greenhouses or nurseries allowed. That could be put in as part of the prohibited uses even though it's allowed in a U-3, that would insure that not going there and also insure the items in the U-3 that have the densest ability for a return investment to the City of Brook Park, goes in there.

Mayor Orcutt clarified the city is not completely finished with all the negotiations and out of the 176 acres there will be an area where pledged dollars and revenue will come from versus unpledged, will be very careful with that. This meeting is for the process of going from a U-5, Industrial to giving the city flexibility of zones U-1 through U-6.

Mr. Poindexter continued with the rendering don't see gas stations, this Council has had many discussions on gas stations. Just want to insure that this project brings in the maximum amount of money to pay the bonds back on time and thrive beyond that.

Mr. Salvatore suggested providing the list to the law department and other team(s) the city hired to review and get into legal form for amendments, at next meeting.

Mr. Troyer concurred with the gas stations and stated is that something wanted in that area, or something that would be restricted.

Ms. Lens responded drive-thru running in and getting food?

Mr. Troyer stated in your vision is that something that would be wanted there, don't think fast food restaurants fit there, maybe a Subway. Would like to get these worked out and my concern is the future and making money. As this reads, if a final plan is approved for up to seven (7) years the city cannot stop by changing this legislation.

Mr. Poindexter stated none of these renderings are final these are concepts for rezoning to fit something that matches that; plans won't come until much later.

Planning Committee - Chairman, Poindexter: cont.

Mr. Troyer mentioned before the Browns were mentioned was in favor of mixed-use.

Ms. Lens commented still perusing through the uses but haven't progressed that far with tenants and so forth.

Mr. Troyer mentioned having percentages of land for fast food, businesses and housing.

Ms. Lens stated working with a development partner who have mixed-use development across the United States. Every market was different but successful for uses, living quarters and offices. Could probably put maximum percentages but that is something that we have to work through.

Mr. Mencini stated this project is a Class A project with a lot of money going into this. At the Planning commission meeting the question was asked if there would be extra land available for a possible vacation spot.

Ms. Lens responded this investment is to put the best mixed use project not only for the City of Brook Park but for Northeast Ohio.

Mayor Orcutt stated this PUD shows how this mixed-use area will be built alongside the sports facility. There will be a preliminary plan to come forward to the city and the final development plan to come forward to the city. The modification procedure was read into the record from page 11 and stated the city's protection is that the building commissioner must bring all plans to the planning commission and City Council.

Mr. Dufour stated think the modification procedure is a good one and covers a lot of the bases. City Council approves the preliminary plan but the final plan only goes before Planning commission. The question is for minor modifications it's the building commissioner that approves those things. The major modification goes before Planning commission but does not come forward to City Council. Are there any thoughts of having Council involved in the major modifications?

Mayor Orcutt commented the current laws would need to be amended and make sure there are no wires crossed with the Charter.

Mr. Poindexter stated City Council is the legislative body and we're going to give authority to a resident-based Planning commission for major modifications. Not speaking of now with this Haslam Group this would be 20 years into the future.

Planning Committee - Chairman, Poindexter: cont.

Mayor Orcutt stated have trusted the Planning commission members and have had great success.

Mr. Poindexter reiterated City Council should be involved in the major modifications due to this being a major cornerstone of this city.

Mr. Troyer stated reading this it takes the fire department, building commissioner and City Council away from this. With what was presented to the Planning commission section 128.99 is not in the legislation.

Mayor Orcutt stated any other questions of detail I am available to discuss that. The Haslam Group and the City of Brook Park knows about that. What Mr. Troyer is referring to is a scripter error that appeared on the top of the first (1st) page where 09 was inserted with procedures for PUD applications. That was stringent error and everything in here is the same.

Mr. Poindexter stated packet from the Planning commission section 128.99 is not listed.

Mayor Orcutt referred to Mr. Marnacheck.

Mr. Marnacheck concurred there was a scripter error and stated there is a jump from eight (8) to ten (10) with what I call the table of contents.

Mr. Poindexter commented in the Planning commission packet 1128.10 is actually 1128.09.

Mr. Marnacheck stated to City Council with going back there will be numerical changes with the use of Microsoft Word program automatically rennumbers.

Madam Horvath stated 100% correct, is a scripter error, the tables of content had a deleted section left out, which is the 09 section. Any reference to the 09 section in the body had to be taken out and everything was renumbered. Will see these types of scripter errors when parties are working on multiple drafts.

Mr. Marnacheck stated the subsection letters are the same and everything reads the same.

Motion by Mr. Scott, supported by Mr. Mencini, to place on Special Council agenda following. **Note:** Due to a change in the **motion** verbiage listed below there was no roll call taken on this motion.

Planning committee - Chairman, Poindexter: cont.

Mr. Poindexter stated this is a referral coming from the Planning commission and technically Council requests legislation but through a request from the Mayor I requested legislation.

Motion by Mr. Mencini, supported by Mr. Roberts, to have proper legislation drafted and introduced at the Special Council meeting.

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

NAYS: Troyer. Motion carried.

Motion by Mr. Mencini, supported by Mr. McCorkle, to go back to regular order of business.

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

NAYS: Unanimous.

DISCUSSION:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE WINDOWS FROM ALLIED GLASS SERVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated the building department has window replacement over the last two (2) years and this would be the last stretch of window replacement, at a cost of \$37,360.00, per two (2) quotes in legislation.

Mr. Troyer asked Mr. McGann what is threshold for going out to bid?

Mr. McGann responded \$77,250.00.

Mayor Orcutt stated this will be for the rear of the building making the two (2) garage doors one solid door as well as the westerly walls including the kitchen. The bidding process did take place and the city has a letter from Allied Glass as this being specialty work and modified for our building.

Mr. Troyer amended section one quotes and bids there were not bids there were estimates. Would like to have it say quotes and estimates and adding the numbers 76,795.00 putting under the threshold bid.

Mayor Orcutt interjected by stating part of exhibit A for Allied Glass \$17,885.00 and \$19,475.00 what will be seen for Allied Glass is \$21,550.00. There are other quotes for Carrol Glass and BGP with Allied Glass being the cheapest when this project was bid out in 2023. These are custom manufactured windows and the city will not mix and match custom manufactured windows so the aesthetic appeal shows on a main street. The exhibit shows all the quotes not for specialty work

Discussion: cont.

but for the actual bidding process and work with law department and finance director, per the annual audit done every year. Referred to the finance director.

Mr. McGann stated when the final quote was received it came up to \$77,000.00 mark and agreed it would be in the best interest of the city to bring forward to Council for approval since being right at the threshold and transparent.

Motion by Mr. Troyer, to amend section one (1) changing quotes and bids to quotes and estimates. Lack of second.

Mr. Poindexter commented installing these types of windows before manufactures have different opinions of windows and want to make sure getting from the same contractor.

Mr. Scott concurred.

Motion by Mr. Troyer, supported by Mr. Poindexter, discussed.

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

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER BETWEEN SIGNAL SERVICE AND THE CITY OF BROOK PARK FOR ADDITIONAL MAINTENANCE AND REPAIR WORK TO OUR TRAFFIC SIGNALS INCURRED UNDER ORDINANCE NO. 11457-2025 AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated there was another accident to a traffic box that needs repair; in the amount of \$400,000.00 out of General Fund 100. This number is larger than normally seen and still working on tornado cleanup with Selective Insurance and Ohio Emergency Management Agency (OEMA) and usually will recoup some dollars. In this instance the person took off and city personnel was unable to get insurance information.

Mr. Troyer stated to Mr. McGann what amount is tornado related?

Mr. McGann responded to date the city is at approximately \$75,000.00.

Mr. Troyer asked if any of this is normal maintenance for the city's system?

Mayor Orcutt responded the overall cost for this company to do work in the city includes the maintenance of traffic signals, tornado cleanup and removal of traffic signals from the former Brook Park Memorial School.

Mr. Troyer expressed concerns with using one (1) company for maintenance and tornado cleanup when there are other companies available. to do this kind of work.

Mayor Orcutt responded an opinion on this subject was written, in the past, the bid is lowest and or best bidder. For example, if a company bids for a mill and fill of a street and shows up with one piece of equipment, that company may not be the best quote. It is the same with this company the city needs to have 24-hour service and the ability, under one (1) roof, to provide a service to busy cities.

Mr. Troyer stated the problem is when getting to the \$400,000.00 range should be put out to bid per the law.

Mr. Mencini stated to Mayor Orcutt with this accident and not able to get insurance information from the motorist. Will the city be able to recoup monies from the city's insurance company?

Mr. Beyer stated the replacement for that unit was \$45,000.00 with insurance covering \$38,000.00. To the Mayor's point mentioned earlier, unfortunately, when there a moving vehicle accident (MVA) the city can't go out to bid, right then and there. Need to get that repaired as soon as possible (asap) or the city is down a traffic light. This is a unique situation due to the city needing that traffic signal repaired asap.

Motion by Mr. Roberts, supported by Mr. McCorkle, discussed.

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

3. AN ORDINANCE AMENDING ORDINANCE NO. 11453-2025, TO INCLUDE ADDITIONAL ROADWAY REPAIRS IN THE 2025 GENERAL PAVEMENT SERVICES PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated exhibit B of the 2025 city budget needs to be amended for Sylvia Court joint repairs by adding concrete replacement before asphalt resurfacing. The mill and fill report showed that the concrete base does not exist due to past water breaks and backfilled with wrong material, decades ago. Basically, there is no sub-base and five (5) homes, two (2) driveways totaling seven (7) affected on that street that will have full-depth concrete. City saw two (2) different quotes; one for full-depth curbs reconstruction and one (1) for new concrete curbs, concrete sub-base and asphalt. The asphalt was more expensive at \$205,000.00 and change and full-depth concrete is cheaper at \$186,000.00. Will not see the subtotal estimated change, at the bottom, of \$4,535,147.00 because there are enough contingency monies left in the roads program of

Discussion: cont.

\$1,461,622.11; those monies coming from funds 240 and 551. The second amendment is with Siegler Drive, having a bullet point instead of an asterisk. The city was going to Siegler Drive with leftover contingency monies. Due to city personnel being out of town and Cross Roads general contractor not at the Siegler Drive the person started milling up Siegler Drive, on accident. The people on Richard Drive and Middlebrook Blvd. will have legislation brought forward.

Motion by Mr. Roberts, supported by Mr. Dufour, discussed.

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

NAYS: Unanimous.

PLANNING COMMITTEE – CHAIRMAN, POINDEXTER:

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

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

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

NAYS: Unanimous.

Council President declared this meeting adjourned at 7:41 p.m.

RESPECTFULLY SUBMITTED Carol Johnson
Carol Johnson
Clerk of Council

APPROVED September 2, 2025

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