

**SPECIAL COUNCIL 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 7:46 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.

**OTHER COMMUNICATIONS AND PETTITONS, AND VERBAL APPROVAL:
INTRODUCTION OF NEW LEGISLATION:**

New Legislation:

1. AN ORDINANCE ENACTING CHAPTER 1128 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PLANNED UNIT DEVELOPMENT DISTRICT' (PUD).
Introduced by Mayor Orcutt.

Motion by Mr. Roberts, supported by Mr. Dufour, to place under letter M-1, first reading.

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

Mr. Salvatore stated that will appear under M-1 as Ordinance No. 11478-2025.

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

Motion by Mr. Roberts, supported by Mr. Mencini, to place under letter M-2.

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

Mr. Salvatore stated that will appear under M-2 as Ordinance No. 11479-2025.

3. 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.

Motion by Mr. Roberts, supported by Mr. McCorkle, to place under letter M-3

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

Mr. Salvatore stated that will appear under M-3 as Ordinance No. 11480-2025.

Ordinances and Resolutions: First Reading:

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

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

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

Mr. Salvatore stated that will appear under letter M as Ordinance No. 11481-2025.

REMARKS FROM THE AUDIENCE ONLY ON SUBJECT MATTER BEFORE COUNCIL:

Jim Astorino
6258 Engle Road

Mr. Astorino read section 1128.02 - Intent and expressed concern with the section superseding other controls the city has to operate. The city's fire department works under the Ohio Fire Code and there is no mention of that in the ordinance. Language is needed for the fire department to provide protection and enforcement of the Ohio Fire Code. Another concern expressed is on page 12 - 8E Appeals that establishes the Planning commission who are not elected officials making decisions. Another concern is 1128.12 C - Sports Facility that does not provide the city control in making modifications by the Planning commission, City Council, Building commissioner or fire department.

Motion by Mr. Troyer, supported by Mr. Poindexter, to allow two (2) minutes extension.

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

Mr. Astorino expressed concern with Council protecting the residents in making decisions and be smart, not emotional. There are investors to protect but the residents need protection and are not being protected by some things in this legislation.

ORDINANCES AND RESOLUTIONS: FIRST READING:

1. ORDINANCE NO. 11478-2025
AN ORDINANCE ENACTING CHAPTER 1128 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PLANNED UNIT DEVELOPMENT DISTRICT'.
Introduced by Mayor Orcutt.

Mr. Troyer asked Madam Horvath who wrote Chapter 1128?

Ordinances and Resolutions: First Reading.

Madam Horvath responded, as indicated, this was a collaborative effort. The city recently hired Bricker-Graydon as co-counsel for the city; who does a great deal of work involving sports facilities in the state.

Mr. Troyer asked Madam Horvath was there a template used from a different city for mixed-use or PUD?

Madam Horvath responded the first (1st) template was shredded and this is a ground-up effort for the city and Council.

Mr. Troyer expressed concerns with everything in front of Council not the same as what was given to the Planning commission. Fire department has one (1) issue in 1128.02 – Intent, verbiage read into the record, means the fire protection officer authority is cut. 1128.04 – Prohibited Uses on page five (5) verbiage read into the record the way it reads is the preliminary approval Council would be involved if a conditional use is needed. If there is not conditional use preliminary approval goes to the Planning commission and City Council has no say. Page 11, 1128.10F – Final Development Plan read into records going to preliminary that is where Council may have a little say with certain circumstances. Moving ahead to final Council has no say only in very slim circumstances. 1128.11 – Flood Plan modification procedures verbiage read into the record why is Council taken out of the plan. 1128.09E takes City Council authority away. 1128 gives design review to the Planning commission not City Council or building department. Why is Council's rights being cut Council represents the people and has no control?

Mr. Poindexter stated with the sports facility I have extensive construction background and think the architects and engineers hired for this facility; will know more than the city's planning commission. My opinion is that is the purpose of why the planning commission is being omitted.

Mr. Troyer continued that authority cannot be given to someone because it takes away the authority of the city of a whole it takes the city's authority on that project. Page 12 letter E verbiage into record means if a mistake was made that is already approved can't go back.

Mayor Orcutt stated to answer some concerns when it comes to 1128.02 – Intent on page two (2) the very last paragraph was read that this PUD is the final and will supersede everything. Mayor Orcutt read the first (1st) paragraph verbiage was read into the record that allows for flexibility of setbacks. Second paragraph verbiage read into the speaks to fire trucks radius. Mayor Orcutt continued with reading of section verbiage into the record, available on the website. Guidelines

Ordinances and Resolutions: First Reading: cont.

are included in this PUD is guidelines and protections for the city throughout the PUD. The final development plan will be built by the developers, City Engineer Piatak, Service Director Beyer, Building Commissioner Monaco and the fire department. Will not allow anything to be built there without having protections for the new residents and city residents.

Mr. Poindexter asked Madam Horvath does this affectively rezone the parcels? Nothing is mentioned in the sections only the Whereas' of the legislation. The public hearing is going to be called for rezoning of parcels.

Madam Horvath responded the purpose is listed on page three (3) changing from a current U-5 district to allow for different classes of uses.

Mr. Poindexter reiterated isn't legislation needed for the parcel numbers to be rezoned? The point is to rezone the parcels that must be done by City Council, for the new PUD.

Madam Horvath stated good question and will get an answer.

Mr. Poindexter stated at the Planning commission meeting they approved their portion of the rezoning for the parcels. Believe, something is needed in the legislation for third (3rd) reading.

Mayor Orcutt stated good find and amend the legislation to add those parcel numbers.

Mr. Troyer stated the guidelines and rules covered a lot of things for design standards. My point is who is enforcing this and having elected officials make sure the guidelines are being followed. Section two (2) of the legislation was read into the record.

Madam Horvath stated there is a difference between City Council tasks and administrative tasks.

Mr. Mencini agreed with Mr. Poindexter of having parcel numbers (listed) and must rely on other people to do the right thing and bring back to the city.

Mr. Dufour stated this document gets the city to where it is going and know that there have been concerns, as a Council. Want the best for the city and dedicated to getting this right.

Ordinances and Resolutions: First Reading: cont.

Mr. Salvatore stated Ordinance No. 11478-2025. The public hearing for this legislation will be held on August 21, 2025 in Council chambers. The newspaper advertisement will appear in the paper.

2. ORDINANCE NO. 11479-2025
AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE WINDOWS FROM ALLIED GLASS SERVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

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

ROLL CALL: AYES: Dufour, Mencini, McCorkle, Scott, Troyer, Roberts, Poindexter
NAYS: Unanimous. Ordinance No. 11479-2025, has passed under suspension of the rules. Adopted.

3. ORDINANCE NO. 11480-2025
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.

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

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

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

ROLL CALL: AYES: Dufour, McCorkle, Scott, Mencini, Poindexter, Roberts, Troyer
NAYS: Unanimous. Ordinance No. 11480-2025, has passed under suspension of the rules. Adopted.

4. ORDINANCE NO. 11481-2025
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.

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

ROLL CALL: AYES: Troyer, Mencini, McCorkle, Scott, Poindexter, Dufour, Roberts
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. 11453-2025, has passed under suspension of the rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11477-2025

AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE BRIDGE LIGHTING AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

Mr. Troyer stated there are a myriad of things wrong with the way the legislation is written i.e. no fund given and over the \$77,250.00 limit.

Mr. Mencini asked if all the city bridges will be done?

Mr. Beyer concurred

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

NAYS: Troyer.

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

Mr. Troyer reiterated not written according to city Charter and think it is a waste of money. Will be voting no could be spending monies on different items such as streets, instead of lighting.

Mr. Mencini questioned being done with NOPEC monies.

Mr. Poindexter – Call the question.

Mayor Orcutt responded yes to NOPEC monies.

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

NAYS: Troyer. Ordinance No. 11477-2025, has passed under suspension of the rules. Adopted.

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

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

Council President Salvatore declared this meeting adjourned at 8:50 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.