

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON TUESDAY, MAY 7, 2024
7:00 P.M.**

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

III. DISCUSSION:

1. American Legal Internet Supplement Pages \$569.40.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MOTOROLA SOLUTIONS, INC., FOR SOFTWARE UPGRADES, MAINTENANCE AND EQUIPMENT FOR THE CITY'S COMMUNICATIONS, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

3. AN ORDINANCE AMENDING AND ADDING TO CERTAIN SECTIONS OF CHAPTER 1121 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED "LISTING OF PERMITTED USES FOR EACH USE DISTRICT", AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

IV. LEGISLATIVE COMMITTEE – CHAIRMAN, SCOTT:

1. AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 714 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED "STREET VENDORS" AND DECLARING AN EMERGENCY. Introduced by Councilman Dufour.

V. ADJOURNMENT:

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO COUNCIL MEETING
HELD ON TUESDAY, MAY 7, 2024**

The meeting was called to order by Council President Salvatore at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

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

Also in attendance were Mayor Orcutt, Law Director Horvath, Finance Director McGann, Service Director Beyer, Recreation Director Wetmore and Safety Director Sensel. Councilman Poindexter excused.

DISCUSSION:

1. AMERICAN LEGAL INTERNET SUPPLEMENT PAGES - \$569.40.

Motion by Mr. Troyer, supported by Mr. Mencini, to place under verbal approval on the Council agenda.

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

NAYS: Unanimous.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MOTOROLA SOLUTIONS, INC., FOR SOFTWARE UPGRADES, MAINTENANCE AND EQUIPMENT FOR THE CITY'S COMMUNICATIONS, WITHOUT PUBLIC BIDDING AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this will be for new Motorola radios for police and fire departments and is a mandated upgrade as part of Southwest Regional Dispatch. In March, when the budget was approved there was appropriations close to \$1 million-dollars for radios; the city's safety director, fire chief and police chief were able to reduce that number to \$793,535.37. This is time-sensitive and needs to be passed collectively with all cities that participate with Southwest Regional Dispatch.

Mr. Troyer pointed out in Section One (1) Charter section should be 7.04, not 7.03. To Madam Horvath the third 'Whereas' speaks to State of Ohio Administrative Services and with the new best deal this does not have to go out to bid.

Madam Horvath responded believe that is the case and purchase items with the State of Ohio assistance.

Mr. Troyer continued Section One (1) Charter section 7.04 talks about in certain circumstances the city does not need to go out to bid for professional services.

Discussion: cont.

Madam Horvath stated there is a typo and should read 7.04; why would you not want to include the first Whereas.

Mr. Troyer continued the only issue at end of section two is to be reflective in a contract approved by the law department. The law department does not approve contracts; Council approves contracts; this is only a quote.

Madam Horvath responded for clarity sake the law department does approve contracts and the legislative branch authorizes the Mayor to enter into contracts; then the law department would approve the contract.

Mr. Troyer stated there is no contract, only an agreement. What the city is getting for the services is not in here.

Mayor Orcutt stated the cooperative pricing is the term looked for earlier, how it's done with state pricing. My question is who provided the date when this was due?

Mr. Troyer responded the gentleman I spoke with on the phone.

Mayor Orcutt you called Motorola correct?

Mr. Troyer correct.

Mayor Orcutt continued the safety director works with Southwest Regional Dispatch so the date given was not the 21st, prior to that. The person at Motorola is not collecting all the legislation from different cities. That is being done by Southwest Regional Dispatch, which is the City of Strongsville, just wanted to clarify that for Council.

Mr. Troyer continued still authorizing a contract that hasn't been seen.

Mayor Orcutt responded the quote seen gives the prices and layout for every type of radio being received. All the prices are listed and at the very end there is a signature block for both Motorola and City of Brook Park.

Mr. Mencini asked the \$793,535.37 is the final price? This was discussed at the budget and every city will get them.

Mr. Dufour stated this is a five-year term but in the quote there is mention of a seven-year term?

Mayor Orcutt responded will reach out to the assistant fire chief to provide that information.

Discussion; cont.

Mr. Troyer stated speaking with the gentleman at Motorola using this method of using the state program is quite a bit of savings, quoted 20%, 25% and 34% consolidated savings. Council is approving two things acquiring and paying for approval of the items and also approving a maintenance and updating contract for personal services. There is no contract here so what is the city getting?

Mayor Orcutt asked Mr. Troyer do you recall a piece of legislation for a ten-year service agreement with Motorola last year?

Mr. Troyer responded no.

Mayor Orcutt continued that was already approved and this is just the hardware. The city is in an agreement with Motorola for ten-years to provide the software and this legislation is the hardware upgrades to the radios. There is a contract showing all the cities involved and pro-rated to exactly what the city would be paying within that ten-year contract for Motorola services.

Madam Horvath stated with conversations with safety director the master contract is with Southwest Regional Dispatch and the municipalities send the quotes back saying the city agrees with the master contract.

Mayor Orcutt explained what basically happens is Motorola is basically signing a contract with Southwest Regional Dispatch who in turn will be the liaison with the cities that belong to Southwest General. This is being done through Chagrin Valley dispatch who have multiple cities that belong, Chagrin Valley dispatch will then be taking on the City of Strongsville.

Mr. Scott stated this won't pass tonight, put it on first reading make the necessary changes and get the issues worked out and move forward. Don't want safety forces left in the dark.

Mr. Dufour stated to Madam Horvath the issue about this being a contract or not a contract. Page five (5) states parties enter into this agreement at the effective date; would that, more or less, constitute a contract?

Madam Horvath reiterated the master contract is through Southwest Regional Dispatch and what is being done is ascending, like a sub-contractor, indicating that the city agrees to that master contract.

Mr. Dufour continued on page five (5) mentions a sub-agreement.

Madam Horvath clarified there is both software and hardware and would assume that is a reference to an agreement concerning software.

Discussion: cont.

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

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

NAYS: Unanimous.

3. AN ORDINANCE AMENDING AND ADDING TO CERTAIN SECTIONS OF CHAPTER 1121 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'LISTING OF PERMITTED USES FOR EACH DISTRICT' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this legislation is adding prohibited uses in sections 1121.23, and 1121.40. What is being amended is 1121.04 that speaks of adding district U-3; U-3A; U-4 and U-5 having lumbar in the open. What is going to be added is the following that applies to car wash establishments with five (5) bullet points listed. Section 1121.23 speaks about adult entertainment and the city is adding one (1) through five (5) that applies to car wash establishments. There is a moratorium that expires the end of this month.

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

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

NAYS: Unanimous.

LEGISLATIVE COMMITTEE - CHAIRMAN, SCOTT:

1. AN ORDINANCE AMENDING SECTIONS OF CHAPTER 714 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'STREET VENDORS' AND DECLARING AN EMERGENCY. Introduced by Councilman Dufour.

Mr. Dufour explained there are unlicensed street vendors in the city causing concern for parents that don't understand which ones are licensed or not. This law passed in 2010 requires street vendors to submit an application with necessary information. This amendment requires that the street vendor display their authorized application being visible from the street and increases the penalty from an M-4 to an M-3. Asking Council for one (1) amendment in section 714.03 changing the license application fee from \$150.00 to read \$100.00.

Mr. Mencini asked Mr. Sensel is this really an issue? Have received calls about vendors at the door but not so much about this.

Mr. Sensel responded yes, it has become a problem have received quite a few calls on this and parents should have confidence of what is being sold to children.

Mr. Mencini interjected my problem is with solicitors coming to the door or walking in the backyard. Haven't seen ice cream trucks going down the street.

Discussion:

Mr. Sensel continued there are three (3) ice cream trucks in the city; one is licensed and the other two (2) are not have directed both the police chief and police officers to stop them. Anyone has the right to ask a solicitor or vendor to see their permit; if they don't have a permit call the police.

Mr. Troyer stated Council should set the penalties on legislation.

Mr. Dufour stated the penalty is now \$250.00 and 30 days in jail and will be upped to \$500.00 and 60 days in jail, that's the motivation behind this.

Mr. Scott stated the penalty is stated so people will be aware.

Motion by Mr. Troyer, supported by Mr. Mencini, to amend page four (4) letter 'd' from \$150.00 to \$100.00.

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

NAYS: Unanimous.

Motion by Mr. Troyer, supported by Mr. Mencini, to place on Council agenda immediately following, first reading.

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

NAYS: Unanimous.

Mr. Salvatore stated that will appear under M-1 as Ordinance 11409-2024.

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

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

NAYS: Unanimous.

Council President Salvatore declared this meeting adjourned at 7:42 p.m.

RESPECTFULLY SUBMITTED Carol Johnson
Carol Johnson
Clerk of Council

APPROVED May 21, 2024

THESE MEETING MINUTES ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.