

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, MAY 7, 2024
7:30 P.M.**

- A. ROLL CALL OF MEMBERS**

- B. PLEDGE OF ALLEGIANCE**

- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**
 - 1. CAUCUS PROIR TO MEETING HELD ON APRIL 2, 2024.
 - 2. REGULAR COUNCIL MEETING HELD ON APRIL 2, 2024.
 - 3. CAUCUS PRIOR TO MEETING HELD ON APRIL 16, 2024.
 - 4. REGULAR COUNCIL MEETING HELD ON APRIL 16, 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:**
 - L. **REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**
 - M. **ORDINANCES AND RESOLUTIONS FIRST READING**
 - N. **SECOND READING OF ORDINANCES AND RESOLUTIONS:**
 - O. **THIRD READING OF ORDINANCES AND RESOLUTIONS:**
- Note:** EXECUTIVE SESSION – COLLECTIVE BARGAINING MATTERS – Mayor Orcutt.
- P. **ADJOURNMENT:**

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, MAY 7, 2024**

The meeting was called to order by Council President Salvatore at 7:42 p.m., the clerk called the roll and the following Members of Council answered:

TROYER, ROBERTS, DUFOUR, MENCINI McCORKLE, SCOTT

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

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting held on April 2, 2024.
2. Regular Council meeting held on April 2, 2024.

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

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

NAYS: Troyer

3. Caucus Prior to meeting held on April 16, 2024.
4. Regular Council meeting held on April 16, 2024.

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

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

NAYS: Troyer.

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee – Chairman, Dufour

No report.

Board of Zoning Appeals - Chairman, Mencini

Mr. Mencini reported the board met on May 6th with one request on the agenda for a fence variance at 14231 Holland Road; approved.

Finance Committee - Chairman, Scott

Mr. Scott reported nothing on agenda. The Board of Control met on April 22nd with the three (3) largest being Statewide Ford Lincoln increase of \$21,438.00 for a total of \$66,438.00 for purchasing a vehicle, instead of leasing; Precision Laser for capturing of criminal equipment - \$8,149.50; Huntington first year of a five-year lease on a pumper truck, police vehicle and recycling truck - \$340,876.81. The board met on April 25th with five (5) items on the agenda, final design and construction documents for the Wengler Drive detention basin - \$98,978.00; 2024 Roads Program - \$1,330,514.00. The board met on May 7th three (3) largest gas & diesel fuel - \$50,000.00; Brook Park Memorial demolition - \$119,378.92 and Sheldon Road waterline - \$27,625.82.

Legislative Committee - Chairman, Scott

No report.

Reports from standing committees: cont.

Parks & Recreation Committee - Chairman, McCorkle

Mr. McCorkle reported Spring Volleyball and Basketball will finish up next week or two (2); softball and baseball practices have begun with opening day May 28th. Welcome to new Recreation Director Wentmore and next meeting will be May 16th.

Planning Committee - Chairman, Poindexter

No report.

Safety Committee - Chairman, Troyer

No report.

Service Committee - Chairman, Roberts

Mr. Roberts reported no report but service crews are doing a great job with getting potholes filled; residents see any potholes call the service department or Councilmember.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported with the finances Southwest General takes a lot of revenue in and out; University Hospital (UH) total revenue in 2022 was \$5.8 billion dollars, increase over \$5.4 billion dollars, but spent out \$1.2 billion in 2022 and the current number being \$1.7 billion dollars. Southwest General is a non-profit with the total revenue in 2023 being \$443 million-dollars, resident tax dollars help a lot.

Berea Board of Education Representative, McCorkle.

No report, next meeting May 13th.

Technology & Innovation Council Representative, Dufour

No report, next meeting May 8th.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt reported the Planning Commission met last evening and removed a tabled item from the agenda for the Circle K gas station conditional use permit. The topic was discussed at length and the city engineer raised concerns with the grading. Residents expressed concerns with noise and traffic issues; Circle K did perform a traffic report. The topic was re-tabled so Circle K can do more research on concerns brought up. The Wedo Park retention park is moving along nicely and will open this summer, once the grass comes in. On June 8th the city will have its second (2nd) annual 5K run and picnic in the park, for Brook Park residents, at the amphitheater. The city is working with the company installing the Kennedy Park playground equipment for minor touchup and cleanup. The Brookview Elementary

Reports and communications from the Mayor: cont.

School will transfer ownership the second (2nd) week of June and once that happens the demolition permit approved by building department. Both the service and recreation directors are obtaining quotes for the municipal tennis courts.

Questions:

Mr. Mencini stated on the Planning Commission meeting a gentleman commented there was 400 signatures, were they from Brook Park or Berea?

Mayor Orcutt responded those signature sheets were reviewed by both myself and my executive assistant reviewed those signature sheets, seems they were in favor.

Mr. Mencini continued will miss Donte's and think this may be tight, lot of people for an against. Team practice later in the day the bathrooms are closed, maybe keep them open a little later.

Mr. Dufour commented there is a new playground being installed.

Mayor Orcutt responded correct, the service director has been administering the demolition and all those things.

Mr. Dufour commented what is up looks good, looking forward to it.

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

Law Director Horvath

Madam Horvath reported current civil litigation list has been received with a criminal appeal listed to keep Council informed. The city is listed in this because of a tax lien, answer filed.

Finance Director McGann

Mr. McGann reported on the Finance side the April month-end reports are available online. On the tax side as of last week, 338 refunds were issued for an amount of \$456,059.70; out of those 265 were work from home totaling \$371,412.01. To follow-up on Councilman Dufour's question from last week, the department is at an eight-percent (8%) to nine-percent (9%) e-filing, very successful for first (1st) year.

Safety Director Sensel

Mr. Sensel congratulated three new fire captains and three new police lieutenants promoted over last few weeks. Reported that one (1) new police cruiser is on the lot and the last one should be here this coming Wednesday.

Recreation Director Wetmore

Mr. Wetmore reported the Mother-Son dance will be held this Friday in the main gym with 91 couples attending. The Bocce league started today with 30

Reports and communications from other departments, commissions and other public officials:**Recreation Director Wetmore: cont.**

to 50 participants, service crews did great job cleaning up the area. The 5K Run in cooperation with the Army National Guard is a free event with signups at runsignup.com/Brookpark. Following the run is the Picnic in the Park in cooperation with American Legion and City of Brook Park; there will be music, inflatables and games beginning at noon. The Rock in the Park in collaborations with the Brook Park Boosters will kick-off on Flag Day, June 14th with music by Medusa and Closer to Home and inflatables. The city hosted two (2) last year and increased this event to four (4) this year. The update on the recreation parking lot should be completed this week, weather permitting. As mentioned the tennis and basketball courts are in the process of getting a face-lift by being resealed and repainted; the tennis courts will have tennis lines and Pickleball lines. In coordination with the service department the Kennedy Park new playground equipment is moving along with the project continuing through June.

Service Director Beyer

Mr. Beyer reported the first (1st) Shred it was held on April 27th, very well attended, collected 6.88 residential documents; thanked residents for the food and snack donations. Bulk pickup is next week on regular rubbish day. As mentioned the Kennedy Park new playground equipment is coming together, with service crews dismantling the old equipment. Very nice structure and matched up nicely with the American Disabilities Act (ADA) and one unique feature is actually connected to existing ADA equipment. Recreation parking lot is underway there were some repairs underneath the pavement. Beginning tomorrow construction crews will be moving to Park Drive, between Elmdale and Middlebrook and Saylor; mill out, chip seal, immediate seal and gutters. On Friday construction crews will mill Delores between Sylvia and Birchcroft doing the same process. The long overdue CSX railroad crossing is complete and CSX did a great job. Along that track-line all brush will be cleared out. As mentioned Wedo Park looks phenomenal the planting of shrubs, mulching and grass. There were probably 50 boulders pulled out that retention pond, throughout the park. American Legion fencing has been installed through a grant through the Cleveland Guardians with new basketball hoops, there are no rims, to date, waiting for the court to be resurfaced. Sheldon Road resurfacing will begin after July 1st and the CSX railroad line between Route 237, Sheldon and Eastland Roads will be closed to make repairs to crossing this month.

Questions:

Mr. Troyer asked Mr. Beyer about the Holland Road railroad tracks, near service department, anything scheduled, constant complaints.

Questions to directors: cont.

Mr. Beyer responded there have been no discussions about those track, my recall is those tracks were done in the last ten (10) years.

Mr. Troyer any number you can call to possibly speed up the repairs?

Mr. Beyer responded see how long it took for Engle Road tracks, not saying it's not doable, but will check into it.

Mr. Troyer continued with the playgrounds any general maintenance of mulch and so forth at Carpenter Park, Sylvia Park and Fry Road Park, there are big divots that fill with water.

Mr. Beyer thanked Mr. Troyer for bringing that up, left out of report. Ready-field solutions will be installing 430 cubic-yards of playground mulch at ten of the 12 playground locations in June sometime.

Mr. Troyer stated to Mr. McGann is was reported that the city is purchasing a police vehicle, where are those monies coming from?

Mr. McGann responded one (1) vehicle was totaled and the insurance monies received paid off the lease; giving the city a buffer to outright purchase one (1) vehicle instead of leasing.

Mr. Scott gave a shout-out to Mayor Orcutt and service department the kidney-shaker on Middlebrook and Crestway has been taken care of. Thanks to Mr. Beyer for getting Saylor and Park done have been asking the past (2) administrations to get those roads done.

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

Verbal Approval:

1. American Legal Internet Supplement Pages - \$569.40.

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

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

NAYS: Unanimous.

New Legislation:

1. 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.

Motion by Mr. Scott, supported by Mr. Troyer, to place under M-2.

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

AYES: Unanimous.

New Legislation: cont.

Mr. Salvatore stated that will appear under M-2 as Ordinance No. 11410-2024.

2. 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.

Motion by Mr. Scott, supported by Mr. Mencini, to place under M-3.

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

NAYS: Unanimous.

Mr. Salvatore stated that will appear under M-3 as Ordinance No. 11411-2024.

A Resolution approving the Cuyahoga County 911 Plan as adopted by the Cuyahoga County 9-1-1 Program Review Committee and declaring an emergency. Introduced by Mayor Orcutt. Safety committee.

Mr. Troyer asked to be pulled out for next Caucus agenda.

3. A Resolution selecting Mayor Holzheimer-Gail, as the Mayor of the City of Euclid in Cuyahoga County, to serve as a member of the Cuyahoga County 9-1-1 program review committee and declaring an emergency. Introduced by Mayor Orcutt. Safety committee.

Mr. Troyer asked to be pulled out for next Caucus agenda.

4. An Ordinance authorizing the Mayor to enter into a contract for the purchase of permanent parcel nos. 341-23-062 and 341-23-063 and declaring an emergency. Introduced by Mayor Orcutt. Finance committee.
5. A Resolution supporting state legislation to control increases in property values for tax purposes. Introduced by Council President Salvatore. Legislation committee.

Mr. Scott stated put on next Caucus agenda.

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Susan Minut

13861 Dalebrook

Madam Minut expressed concern with her dog being bitten in 2019 by pit bulls on the street and recently happened with these dogs escaping their home and attacking her dog, on her property; video presented to safety director and shown to some Councilmembers. Residents are concerned with these dogs attacking children.

Liz Sayers

23065 Cedar Point Road

Madam Sayers expressed concerns with constructional engineer for safety of the recreation center; maintenance of police vehicles and property maintenance on Switzer Road.

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

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

NAYS: Unanimous.

Mr. Dufour stated thanked Ms. Minut for coming and addressing the safety issue that needs to be addressed.

Mr. Mencini thanked Ms. Minut from coming up heard about it all day, the video was rough. This issue will be addressed and when the animal warden is called does address the issue.

Mr. Troyer (hard to transcribe, not speaking into microphone did hear the following statement) to Ms. Minut laws are passed but not without flaws. To Ms. Sayers the home on Switzer I put in a year ago; cleanup was started but not finished.

Mayor Orcutt stated to Ms. Minut the experience on Friday was brought to my attention this morning when you met with the safety director, thank you for doing that. As of today four (4) citations were issued since Friday with two (2) additional citations coming out. This safety issue will be addressed and taken care of. To Ms. Sayers a constructional engineer has been hired by the city for a second opinion to review the roof and walls to see what the actual damage is. With the home on Switzer a work order has been generated to correct the issues brought up the home was purchased and seems to have abandoned that project and the city is now going through the process.

Mr. Scott thanked Ms. Minut from coming tonight, been in contact with safety director. Residents see any dogs out call police must have a paper trail.

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11409-2024, AMENDING CERTAIN SECTIONS OF CHAPTER 714 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'STREET VENDORS' AND DECLARING AN EMERGENCY. Introduced by Councilman Dufour.

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

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

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

ROLL CALL: AYES: Scott, McCorkle, Mencini, Dufour, Roberts, Troyer
NAYS: Unanimous. Ordinance No. 11409-2024, has passed under suspension of the rules. Adopted.

2. ORDINANCE NO. 11410-2024, 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.

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

ROLL CALL: AYES: Roberts, Mencini, McCorkle, Scott, Roberts, Dufour
NAYS: Troyer. Suspension failed. First Reading.

3. ORDINANCE NO. 11411-2024, 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.

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

ROLL CALL: AYES: Mencini, Dufour, Roberts, McCorkle, Scott
NAYS: Troyer. Suspension failed. First Reading.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

Note: EXECUTIVE SESSION - COLLECTIVE BARGAINING MATTERS - Mayor Orcutt.

Motion by Mr. Troyer, supported by Mr. Mencini, to go into Executive Sessions.

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

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


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

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

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

NAYS: Unanimous.

Council President Salvatore declared this meeting adjourned at 9:53 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.