

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
TO BE HELD ON TUESDAY, MAY 21, 2024  
7:00 P.M.**

**I. ROLL CALL OF MEMBERS:**

**II. PLEDGE OF ALLEGIANCE:**

**III. DISCUSSION:**

**IV. LEGISLATIVE COMMITTEE- COUNCILMAN SCOTT**

1. A RESOLUTION URGING ALL RESIDENTS TO SHOP IN THE CITY OF BROOK PARK DURING 'SHOP AND DINE IN BROOK PARK MONTH,' DURING THE MONTH OF JULY, AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

**V. ADJOURNMENT:**

Posted 5/21/24



**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
HELD ON MAY 21, 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, ROBERTS, DUFOUR, POINDEXTER, MENCINI, McCORKLE, SCOTT**

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

Mr. Salvatore asked for a Moment of Silence for City of Euclid Police Officer, Jacob Derbin recently killed in the line of duty.

**LEGISLATIVE COMMITTEE - COUNCILMAN, SCOTT:**

1. A RESOLUTION URGING ALL RESIDENTS TO SHOP IN THE CITY OF BROOK PARK DURING 'SHOP AND DINE IN BROOK PARK MONTH' DURING THE MONTH OF JULY AND DECLARING AN EMERGENCY.  
Introduced by Councilman Mencini, C/W and Mayor Orcutt.

Mr. Mencini stated one thing everyone is guilty of is shopping outside of Brook Park, sometimes necessary. This is to be a good community for residents that live here also shop here and this needs to get out.

Mr. Roberts stated in full support there are plenty of great places to eat and shop.

Mr. Poindexter stated in support this city has a misnomer going around that people in Brook Park don't spend money. I think that's why some business owners put their businesses near Brook Park because residents do spend money and also think there is opportunity to lure people to come here.

Mr. Dufour stated in support and must support local businesses year round. When a city has a truly local business, not a chain. When money is spent in the community that money stays in the community to develop neighborhoods for the people in that community.

Mr. Troyer stated some stores are duplicated near Brook Park but do want to point out that Rose's Discount Store in the Brookgate shopping center, is unique to the area and offers a senior discount of 10% off on Wednesdays.

Mr. Mencini stated a lot of proprietors live in Brook Park and donate to city functions, so it's nice to give back to them.

**Legislative Committee - Chairman, Scott: cont.**

**Motion** by Mr. Troyer, supported by Mr. Roberts, to place under letter M-8.

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

**NAYS:** Unanimous.

**Motion** by Mr. Troyer, supported by Mr. Poindexter, to place under discussion Ordinance No. 11413-2024.

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

**NAYS:** Unanimous.

Mr. Troyer stated this is hereby amended to read '351.99 - Penalty - Parking Ticket Violations. Whoever violates any provision of this chapter relating to parking ticket violations is guilty of a misdemeanor of the third degree and wants to raise that up. Reading from section 351.03 - Prohibited/Standing parking spaces that covers the entire section and this is not fixing one (1) problem to be fixed. Every parking violation will be affected to a higher level. Section 351.12 would then be a third-degree misdemeanor that reads no person shall stand or park a vehicle on any street within the city between the hours of 2:00 a.m. to 6:00 a.m. If a car is forgotten in the street that becomes a third-degree misdemeanor. It is the Council's job to set the limits, not one person, and this takes it out of Council's hands and puts it in one person's hand. Council should be setting the limits on each one and the wording is in this section. This is wrong and hope a different way is found to be doing this, will be used inappropriately and have experienced it as well as others. Council should do their job and set each one of these as individual issues, especially overnight parking that if changed will be a third-degree misdemeanor.

Mr. Poindexter stated believe the change at the end is too broad, but there are sections here that have different penalties. For example, 351.19 - Parking on Posted Private Property at the very end states whoever violates division A of this section is guilty of minor misdemeanor, the proposed change made today would not apply to that section A. Everything in that section would be a fourth-degree misdemeanor but if section A is violated it's a minor misdemeanor. Am okay with certain ones being elevated to a third-degree misdemeanor especially the handicapped parking. Section 351.04 - Handicapped Parking has different levels of penalties listed so this change would not affect that one, which is the biggest. If Council is going to change the penalty it should be done on a point-by-point basis and not broad that everything is third-degree misdemeanor, not left up to the judge that may be having a bad day. Not in support of this if changed today but am willing to go on a point-by-point basis.

Mr. Mencini stated there are some good points especially with handicapped parking. Watching the television show 'Cops' back in the day people would get

**Discussion: cont.**

busted for a very small amount of marijuana. Want to be that city that has rules because it's the same offenders that park on the grass or on the street overnight. As far as the judges have been to Mayor's Court and judges are fair especially with one-time offenders; think police officers are smart. It is the repeat offenders that don't get it and there are some cities that will not tolerate this type of stuff, Middleburg Heights being one, am not disagreeing with my two (2) colleagues. Mr. Mencini asked for Mr. Sensel and Mayor's thoughts on this matter?

Mr. Sensel stated don't personally have thoughts on this, Council are the legislators and my job is to make sure police officers enforce Council's decision.

Mr. Mencini asked if this is an issue?

Mr. Sensel clarified parking on the street, no it's not but do have habitual offenders.

Mayor Orcutt stated this is something that both my office and the assistant law director/prosecutor worked on to update the penalty for repeat offenders, handicapped parking and things of that nature. There is a \$10.00 ticket for overnight parking and if not paid in ten (10) days increases to \$50.00, the court works with people. A new system was started during COVID-19 where the prosecutor will handle offenses over the phone so people don't have to come to court. There were some great points brought up here and willing to work with Council to add protection; could have a magistrate speak to Council. This was just to bring Brook Park up to what other cities are doing.

Mr. Troyer thanked Mayor Orcutt and mentioned when comes up at the Council meeting following should be placed back in committee. This change takes it out of Council's control. Should work on a stair-step situation and how this goes with extra offenses.

**Motion** by Mr. Poindexter, supported by Mr. Dufour, - discussed.

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

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

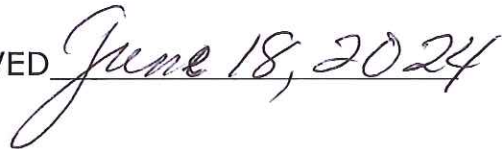
**ROLL CALL: AYES:** Mencini, Dufour, Poindexter, Roberts, Troyer, Scott, McCorkle  
**NAYS:** Unanimous.

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.