

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 15, 2024
7:30 P.M.**

- A. ROLL CALL OF MEMBERS**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**
 - 1. CAUCUS PRIOR TO MEETING MINUTES HELD ON SEPTEMBER 3, 2024.
 - 2. REGULAR COUNCIL MEETING MINUTES HELD ON SEPTEMBER 3, 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

1. ORDINANCE NO. 11431-2024
AN ORDINANCE AUTHORIZING A CHANGE ORDER FOR BEST EQUIPMENT CO., INC. FOR THE PURCHASE OF PARTS AND REPAIRS FOR GARBAGE TRUCKS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
2. ORDINANCE NO. 11432-2024
AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK'S PURCHASE OF A 2024 FORD TRANSIT 350 WHEELCHAIR VAN AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
3. ORDINANCE NO. 11433-2024
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE MAINTENANCE OF TRAFFIC CONTROL DEVICES, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
4. ORDINANCE NO. 11434-2024
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE TRADE IN OF SIX GUNS AND A RIFLE SCOPE, AND TO ACCEPT A TRADE IN ALLOWANCE OF \$7,420.00, AND USE THAT ALLOWANCE TO PURCHASE A ROSS M40A3 TACTICAL RIFLE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
5. ORDINANCE NO. 11435-2024
AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO TRADE-IN POLICE EQUIPMENT AND/OR UNCLAIMED OR FORFEITED PROPERTY NO LONGER NEEDED BY THE BROOK PARK POLICE DEPARTMENT, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
6. ORDINANCE NO. 11436-2024
AN ORDINANCE AMENDING SECTION 143.02(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COMPOSITION: EXECUTIVE HEAD, AND DECLARING AN EMERGENCY' Introduced by Mayor Orcutt.

M. ORDINANCES AND RESOLUTIONS: FIRST READING; CONT.

7. ORDINANCE NO. 11437-2024
AN ORDINANCE AUTHORIZING AN INCREASE IN COMPENSATION FOR THE SENIOR SNOW REMOVAL AND GRASS CUTTING ASSISTANCE PROGRAM PROVIDERS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

8. ORDINANCE NO. 11438-2024
AN ORDINANCE AMENDING SECTION 1323.02 OF THE BROOK PARK CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

9. ORDINANCE NO. 11439-2024
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GAMETIME FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT CARPENTER PLAYGROUND, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11429-2024
AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ADMINISTRATIVE CODE TO PROVIDE ADJUSTMENTS IN COMPENSATION FOR EMPLOYEES OF THE CITY, OTHER THAN ELECTED OFFICIALS OR THOSE COVERED UNDER NEGOTIATED LABOR CONTRACTS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

P. ADJOURNMENT:

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 15, 2024**

The meeting was called to order by Council President Salvatore at 7:30 p.m., the clerk called the roll and the following Members of Council answered:

TROYER, ROBERTS, DUFOUR, POINDEXTER, MENCINI, SCOTT

Also in attendance were Mayor Orcutt, Assistant Law Director (Class Three) Cardaman, Finance Director McGann, Human Resources Rednour, Service Director Beyer and Recreation Director Wetmore. Councilman McCorkle - excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Caucus Prior to meeting minutes held on September 3, 2024.
2. Regular Council meeting minutes held on September 3, 2024.

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

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

NAYS: Troyer

Motion by Mr. Troyer, supported by Mr. Scott, to go out of the regular order of business to letter M-10.

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

NAYS: Unanimous.

ORDINANCES AND RESOLUTIONS: FIRST READING:

10. RESOLUTION NO. 19-2024

A RESOLUTION HONORING AND COMMENDING DAVID MARFLAK, JR. FOR ACTIONS CONTRIBUTING TO SAVING A LIFE AND DECLARING AN EMERGENCY. Introduced by Council President Salvatore, C/W and Mayor Orcutt.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous.

The clerk read the proclamation in its entirety, as Council President presented to Mr. Marflak and stated it is with great honor and pride to save someone's life on August 14th.

Mr. Marflak recognized Lisa Alanis and stated just going about our day and saw the impact and believe from start to finish every little thing done from calling 911 to having Lisa keep the victim calm to not go into shock; in the right place at the right time. Looking for a tourniquet borrowed a bystander's belt to stop the profuse bleeding summer day had on t-shirt, shorts and flip-flops.

Ordinances and Resolutions First Reading - M-10 cont.

Mr. Poindexter thanked Mr. Marflak for being in the right place and with my day job must perform first aid and it takes courage to do this task some people won't jump in.

Mr. Mencini concurred with Mr. Poindexter and stated sometimes the hero is the loudest or strongest and being a reserved type of guy inspires me more to go ahead and do this something, lot of people don't you're a hero and congratulations.

Mr. Scott stated to Mr. Marflak right person at the right place and time, meant to be there.

Mayor Orcutt stated to Mr. Marflak you are hero to step up and do what you did is truly appreciated and to Steve and Michelle met with Steve recently and after a few months of this accident ready to go back to work.

Mr. Dufour concurred with his colleagues and stated taught first-aid and the hardest part of first-aid is having the type of person react, sometimes heroes wear flip flops shorts and a t-shirt.

Mr. Salvatore stated the hero and victim are Brook Park residents and also recognized the paramedics and everyone involved for their assistance in saving a life and had the victim Steve (motorcyclist) who was in attendance stand up for acknowledgement.

Motion by Mr. Troyer, supported by Mr. Dufour, to go back to regular order of business.

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

REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Dufour

No report.

Board of Zoning Appeals - Mencini

Mr. Mencini reported at the October 7th meeting there were four (4) requests on the agenda. First being a fence variance at 13430 Donald Drive - approved; garage variance at 6480 Engle Road - approved; fence variance at 23011 Cedar Point - approved and a shed variance at 23011 Cedar Point Road - approved. The next meeting will be on November 4th.

Finance Committee - Scott

Mr. Scott reported committee has two (2) items on tonight's agenda. The Board of Control met earlier today with 18 items on the agenda; the three largest were: resurfacing of Sheldon Road from Engle to Smith Roads - 220,925.81; appraisals

Reports of Standing Committees:

Finance Committee - Chairman, Scott: cont.
and adjustment of city building - 4113,914.34 and 2024 radio system - \$73,906.68.

Legislative Committee - Scott

Mr. Scott reported the committee has two (2) items on the agenda.

Parks & Recreation Committee - McCorkle

No report.

Planning Committee - Poindexter

Mr. Poindexter reported at the October 7th meeting there were three (3) items on the agenda that were approved unanimously. The first (1st) two (2) items were lot consolidations for the former Brookview Elementary School on Snow Road and also the Pemberton and Van Wert area. The third (3rd) was aesthetic approval for a crosswalk from the main campus to Brook Park Elementary School on Holland Road. There is one (1) item in committee due to waiting for a remedy on the traffic study for Circle K gas station. Next meeting will be held on November 4th.

Safety Committee - Troyer

Mr. Troyer stated there are five (5) items on the agenda and one (1) item in committee waiting for the proper amendments.

Service Committee - Roberts

Mr. Roberts reported there are two (2) items on agenda.

REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini

Mr. Mencini reported Southwest General has hired a chief revenue officer that will hopefully save the hospital \$4 million-dollars with the first (1st) responsibility being an annual revenue cycle for itemizing every department. More responsibilities for the job is engaging in peer-to-peer support for third-party payer; enhance better documentation of denial of third-party payers and increasing the capture value of third-party payers.

Berea Board of Education Representative, McCorkle.

No report.

Technology & Innovation Council Representative, Dufour

No report.

REPORTS OF BOARDS AND COMMISSIONS:

INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

REPORTS AND COMMUNICATIONS FROM THE MAYOR:

Mayor Orcutt welcomed everyone back to the recreation center that is now open. Thanked both Mr. Wetmore and Mr. Beyer for their hard work with documentation and working with Sill Company adjusters hired by Council and the Sill Insurance, city's insurance company. Since hiring the Sill Company, a few weeks ago, the

Reports and communications from the Mayor: cont.

first (1st) check has been received in the amount of \$1,495,000.00 for repairs to the fencing, roofs, bleachers, window damaged in the concession area, ceiling tiles and other miscellaneous items. Recently met with the Cuyahoga County Emergency Management Association (EMA) and found out there will be no federal dollars coming to any city for cleanup of the tornado; currently working with the state for any dollars that can be recouped. One (1) negative item to report is there will be no reimbursement for straight-time for city employees during regular work hours, don't agree with this. The city could have hired companies to clean-up the city streets and neighborhoods and would have been reimbursed. Instead, made the decision to suspend the sidewalk program and other things needed so service department crews could clean up city neighborhoods, if you agree with that decision that's fine if not contact your state representatives. Currently working with city departments for capital needs and working with the finance director to get the budget introduced as soon as possible. Thanked both service and recreation department employees for a wonderful Boo Park Fall Festival held on October 6th.

Questions:

Mr. Troyer stated to Mayor Orcutt we talked about both Sylvia and Zehman Court with the overlay not being normal due to the (center) island; need to get both islands. Would like to have a cost assessment for removal of both islands if one in-house Cost assessment for removal of center island if done in-house would be the best case scenario. Also, would like to have a new street database due to being a few years old. Would also like to see the structural engineer report of the recreation center. Any update or new information with Blue Abyss?

Mayor Orcutt responded with Sylvia and Zehman Court the plan was to use 2024 contingency money and Council added Claudia and Robert Drives which took the contingency monies away from Sylvia and Zehman Courts. For 2025 would like to get both Sylvia and Zehman Courts done in-house; currently working with the service director for a 2025 Roads Program. The structural engineer report for the recreation center is too large to email will have a hard-copy sent over the Council office. With Blue Abyss update the monies in the amount of \$325 million-dollars came in from the state to assist with the building of drawings needed to utilize the capital stack. Have been meeting with Blue Abyss representatives more often the last few weeks because the project may expand the drop-tower at NASA that is over 60-years old. Drop towers are used for testing of zero-gravity and combustion while in space. Talking with Blue Abyss may be able to build a new drop-tower in Brook Park that would be 500-feet deep. The economy is slowing this project down like it is for Intel.

Mr. Troyer asked for an update with the Cleveland Browns coming to Brook Park?

Questions to the Mayor: cont.

Mayor Orcutt responded there has been no official report from Cleveland Browns owners the Haslams. Continue to do due diligence with the Haslams for that project to come to Brook Park. As stated before if this will be a negative impact on the City of Brook Park will fight against the Browns coming; if financial gain that can be managed will proper contracts will take under consideration.

Mr. Troyer asked if anything can be shared with the public, Council has no answers.

Mayor Orcutt responded the cost of \$2.4 million-dollars has been brought forth by the Haslams for this project to move forward. The Haslams would like to put up \$1.2 (million-dollars) with the public sector putting up the other \$1.2 million-dollars. The projected numbers are \$600 million-dollars from the state; \$600 million-dollars in bonds from the county and the City of Brook Park as well as the county would utilize taxes from parking; hotel-motel tax and admissions tax to pay off those bonds. Am not in the negotiations with the City of Cleveland and the Cleveland Browns.

Mr. Troyer continued there has been a proliferation of signs on tree lawns which is illegal, Take-5 car wash has a broken sign that needs to be removed.

Mayor Orcutt responded will talk to Take 5 and mentioned have driven around the city with Service Director Beyer pulling yard signs, as well as Mr. Mencini pulled yard signs.

Mr. Mencini stated if yard signs are posted to telephone poles or strapped to stop signs will remove them. Also have been hearing a lot lately about parking on front grass, tree lawn or across the driveways. With the Browns going in a different direction if they don't come to Brook Park need to look what can be put in that area, maybe multiple ideas. If the Browns do come residents in the area are concerned with renting out of houses as an Airbnb; parking and traffic. Former Mayor Gammella had the idea of a technology tech park in that location. With the recent tornado the stated and federal government are giving out a lot of money and read that people in California in five-years (5) will not be able to afford insurance.

Mayor Orcutt responded with the parking on the front grass please share the addresses through work orders. With the Browns coming and residents' concerns if they do come to Brook Park it would only be through a financial gain for the community. With the tech park vision of former Mayor Gammella approvals were given by the Planning Commission for renderings with the goal being to build warehouses in the amount of \$1 or \$2 million-dollars of revenue, income tax

Questions to the Mayor: cont.

projections of over ten (10) years. Have heard very little from concerned residents and this city will change if the Cleveland Browns come to Brook Park. The city has been told that the plan is to have seven (7) to ten (10) events a year in addition to the football games. The Airbnb's are in a good place with the laws of the city. The city has been very aggressive with FEMA and state grants with some money not being seen.

Mr. Dufour stated there has been a lot of truck traffic coming down Fry Road and Sylvia Drive, recently seen a truck carrying automobiles. Is there any reason why the excessive truck traffic?

Mayor Orcutt responded Google Maps is sending the people and don't care if it's an electric bicycle or semi-truck. The city has been patrolling and many citations are being written.

Mr. Roberts stated with a recent discussion did look into it and the Mayor is allowed to spend up to \$75,000.00 without coming to City Council. Asked for an update on the former BP station at the intersection of Snow and Smith Roads.

Mayor Orcutt responded with the former BP gas station sale the law department has spent a lot of time on this with Cross America (owners of BP) law department to make sure the contract is right. The city's law department has finalized their revisions and sent to Cross America's law department. If Cross America is good with the city's final revision legislation will be brought forward to purchase. If passed by City Council the project will be passed onto Public Works Director, Beyer, for demolition of the building.

Mr. Troyer requested that the city's economic development commissioner appear at the next Caucus meeting to give a report.

Mayor Orcutt responded Mr. Marnacheck will be at the Caucus meeting in November.

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

Assistant Law Director Cardaman

No report.

Finance Director McGann

Mr. McGann reported the income tax extension deadline ended today and thanked the tax department for all their hard work. To the penny the amount is \$1,498,538.81.

Human Resources Commissioner Rednour

No report.

Reports and communications from departments, commissions and public officials: cont.**Service Director Beyer**

Mr. Beyer reported this week is bulk week on regular rubbish day. October 19th there will be the annual shredding event from 10:00 a.m. to 1:00 p.m. this is drive-through event with service department personnel grabbing the documents. Next week leaf pickup will begin with one (1) truck being out and will increase trucks as needed. Crossroads Asphalt is milling and filling Robert and Carol Drives that were put on hold from recent tornado damage.

Recreation Director Wetmore

Mr. Wetmore reported Fall Fest was a great success with over 2,000 people attending. The recreation staff is in the midst of planning the winter events. Youth volleyball and football are currently in the playoffs; Co-ed adult volleyball will be this Friday and the annual cheer-off for cheerleaders will be on October 26th at Berea-Midpark High School. Youth basketball registrations are taking place from October 1st through end of month with over 1,000 participants signed up. Once again, thank you to the Cities of Middleburg Hts., Parma Hts., and Berea for use of facilities and ball fields with the recent tornado.

Questions

Mr. Troyer stated to Mr. Beyer there are issues with the sealer and puddling on Claudia Drive as well as the corner of Parkland, that you're aware of. Can anything be done this year?

Mr. Beyer responded took a look at Parkland and it's a little more than new asphalt and drainage the grade needs to be changed. The thought is to mill off the top to move the catch-basin. With Claudia not aware of any puddling but Crossroads is aware of issues with the sealer and will be going back to address those issues; as well as the hardening of asphalt on the roads.

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

1. An Ordinance authorizing the Mayor to enter into a contract with the Patrolmen's Benevolent Association (OPBA Patrolmen) and declaring an emergency. Introduced by Mayor Orcutt.

Motion by Mr. Troyer, supported by Mr. Mencini, to move to letter M-11.

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

NAYS: Unanimous.

2. An Ordinance authorizing the Mayor to enter into an agreement with Montrose Ford for the purchase of two (2) police vehicles and with Hall Public Safety Up-lifters for the necessary uplifting equipment for the vehicles and declaring an emergency. Introduced by Mayor Orcutt. Safety committee

MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Lou Modic

14399 Fayette Blvd.

Mr. Modic expressed concerns with certain Councilman being against the traffic signal legislation and not having professional conduct at meetings.

Marty Healy

6419 Stonecrest Drive

Mr. Healy expressed concerns with behavior/conduct of Councilmen Ward 1.

Jeri Dedrick

5952 Middlebrook Blvd.

Ms. Dedrick expressed concerns with behavior of Ward 1 Councilman by using a hand motion of suicide.

Elizabeth Sayers

23089 Cedar Point Road

Ms. Sayers expressed concerns with attack of elected officials everyone should have professionalism.

Albert Wolf

5850 Wengler Drive

Mr. Wolf stated the police department should have the requested rifle to fight crime in the neighborhoods and the entire city.

Motion by Mr. Troyer, supported by Mr. Poindexter, to address audience.

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

NAYS: Unanimous.

Mr. Troyer responded apologized for offending anyone don't know who it would offend that is something done to show disdain. Talking with the police chief regarding the rifle and is something the department should have. One person that came to the podium has threatened me several occasions.

Mr. Poindexter responded to the audience many came up to speak about one (1) Councilman and many have disdain against this Councilman is well documented. Regardless of people's thoughts on this Councilman the residents of Ward One (1) duly elected him to City Council.

Mr. Dufour responded to Ms. Dedrick once made that hand motion and had a friend's wife explain the meaning behind that gesture, am trying not to do it again. To Mr. Modic understand anger towards another person but sometimes that may

Response to the audience: cont.

be unfair or unwarranted. Everyone has disagreements about things and ask everyone for the betterment of the city. Let's find the best way to represent our city, moving forward.

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

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

ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 11431-2024
AN ORDINANCE AUTHORIZING A CHANGE-ORDER FOR BEST EQUIPMENT CO., INC. FOR THE PURCHASE OF PARTS AND REPAIRS FOR GARBAGE TRUCKS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

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

ROLL CALL: AYES: Roberts, Dufour, Poindexter, Mencini, Scott, Troyer
NAYS: Unanimous. Ordinance No. 11431-2024, has passed under suspension of the rules. Adopted.

2. ORDINANCE NO. 11432-2024
AUTHORIZING THE CITY OF BROOK PARK'S PURCHASE OF A 2024 FORD TRANSIT 350 WHEELCHAIR VAN AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and C/W.

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

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

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

ROLL CALL: AYES: Mencini, Roberts, Dufour, Poindexter, Scott, Troyer
NAYS: Unanimous. Ordinance no. 11433-2024, has passed under suspension of the rules. Adopted.

3. ORDINANCE NO. 11433-2024
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY, WITHOUT PUBLIC BIDDING, TO PROVIDE FOR THE MAINTENANCE OF TRAFFIC CONTROL DEVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

Ordinances and Resolutions: First Reading: cont.

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

Mr. Troyer cannot vote for this due to the second (2nd) Whereas not being true.

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

NAYS: Troyer. Ordinance No. 11433-2024, has passed under suspension of the rules. Adopted.

4. ORDINANCE NO. 11434-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE TRADE-IN OF SIX GUNS AND RIFLE SCOPE AND TO ACCEPT A TRADE-IN ALLOWANCE OF \$7,420.00 AND USE THAT ALLOWANCE TO PURCHASE A ROSS M40A3 TACTICAL RIFLE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and C/W.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11434-2024, has passed under suspension of the rules. Adopted.

5. ORDINANCE NO. 11435-2024

AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO TRADE-IN POLICE EQUIPMENT AND/OR UNCLAIMED OR FORFEITED PROPERTY NO LONGER NEEDED BY THE BROOK PARK POLICE DEPARTMENT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and C/W.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11435-2024, has passed under suspension of the rules. Adopted.

6. ORDINANCE NO. 11436-2024

AN ORDINANCE AMENDING SECTION 143.02(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COMPOSITION: EXECUTIVE HEAD AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

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

NAYS: Unanimous.

Ordinances and Resolutions: First Reading: cont.

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

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

NAYS: Unanimous. Ordinance No. 11436-2024, has passed under suspension of the rules.

7. ORDINANCE NO. 11437-2024
AN ORDINANCE AUTHORIZING AN INCREASE IN COMPENSATION FOR THE SENIOR SNOW REMOVAL AND GRASS CUTTING ASSISTANCE PROGRAM PROVIDERS AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt, Councilmembers Roberts, Dufour, Mencini, Scott

Motion by Mr. Poindexter, supported by Mr. Troyer, to amend section one (1) to remove \$50,000.00 and insert may not exceed \$74,999.00. **Rescinded.**

Mr. Poindexter asked Mr. McGann would it be more appropriate to read not to exceed \$75,000.00 or \$74,999.00, for legal ramifications.

Mr. McGann clarified the state statute says \$75,000.00 or above.

Motion by Mr. Poindexter, supported by Mr. Mencini, to amend section one (1) to read vendors may not to exceed \$74,999.00.

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

NAYS: Unanimous.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11437-2024, has passed under suspension of the rules. Adopted as amended.

8. ORDINANCE NO. 11438-2024
AN ORDINANCE AMENDING SECTION 1232.02 OF THE BROOK PARK CODIFIED ORDINANCES AND DECLARING AN EMERGENCY Introduced by Mayor Orcutt.

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

Mr. Troyer stated this was discussed last Caucus and will be a no vote due to needing amendments and being written wrong.

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

NAYS: Troyer, Poindexter

Mr. Salvatore stated Ordinance No. 11438-2024 has had its first reading.

Ordinances and Resolutions: First Reading: cont.

Motion by Mr. Troyer, supported by Mr. Poindexter, to place on the next Caucus agenda of November 12, 2024.

ROLL CALL: AYES: Troyer, Poindexter, Dufour

NAYS: Roberts, Mencini Scott. Due to a tie-vote Council President Salvatore voted AYE.

9. ORDINANCE NO. 11439-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GAMETIME FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT CARPENTER PARK AND DECLARING AN EMERGENCY.

Introduced by Mayor Orcutt.

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

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

NAYS: Unanimous.

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

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

NAYS: Unanimous. Ordinance No. 11439-2024, has passed under suspension of the rules. Adopted.

10. RESOLUTION NO. 19-2024

A RESOLUTION HONORING AND COMMENDING DAVID MARFLAK, JR. FOR ACTIONS CONTRIBUTING TO SAVING A LIFE AND DECLARING AN EMERGENCY. Introduced by Council President Salvatore, C/W and Mayor Orcutt. **Note:** Moved by **motion** to beginning of meeting.

11. ORDINANCE NO. 11440-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA PATROLMEN) AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

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

Mr. Troyer stated have problem with the 'Me Too' clause, will suspend.

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

NAYS: Unanimous.

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

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

NAYS: Troyer. Ordinance No. 11440-2024, has passed under suspension of the rules. Adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS:

THIRD READING OF ORDINANCES AND RESOLUTIONS:

- 1. ORDINANCE NO. 11429-2024
 AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ADMINISTRATIVE CODE TO PROVIDE ADJUSTMENTS IN COMPENSATION FOR EMPLOYEES OF THE CITY, OTHER THAN ELECTED OFFICIALS OR THOSE COVERED UNDER NEGOTIATED LABOR CONTRACTS AND DECLARING AN EMERGENCY.
 Introduced by Mayor Orcutt.

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

Mr. Troyer stated there a few positions listed that don't believe should be raised, will be a no voted.

ROLL CALL: AYES: Poindexter, Mencini, Scott, Roberts, Dufour,
NAYS: Troyer. Ordinance No. 11429-2024, has passed under suspension of the rules. Adopted.

Executive Session - Council Office Personnel - Council President Salvatore
Motion by Mr. Poindexter, supported by Mr. Dufour, to go into executive session.

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

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

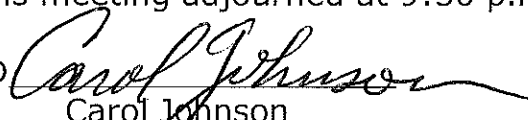
ROLL CALL: AYES: Poindexter, Mencini, Scott, Troyer, Roberts, Dufour
NAYS: Unanimous.

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, Roberts, Troyer, Mencini, Scott
NAYS: Unanimous.

Council President Salvatore declared this meeting adjourned at 9:50 p.m.

RESPECTFULLY SUBMITTED


 Carol Johnson
 Clerk of Council

APPROVED December 3, 2024

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