

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, NOVEMBER 12, 2024
7:00 P.M.**

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

III. APPROVAL OF MINUTES OF PRECEDING MEETINGS

1. REGULAR CAUCUS MEETING MINUTES HELD ON SEPTEMBER 10, 2024.
2. REGULAR CAUCUS MEETING MINUTES HELD ON OCTOBER 8, 2024.

IV. DISCUSSION:

V. FINANCE COMMITTEE- COUNCILMAN SCOTT

1. AN ORDINANCE AMENDING SECTION 1311.06(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SURETY BOND AND INSURANCE REQUIRED', AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
2. AN ORDINANCE TO AMENDING ORDINANCES NO. 11390-2024 AND 11427-2024, THE APPROPRIATION ORDINANCES FOR THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
3. A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

VI. LEGISLATIVE COMMITTEE- COUNCILMAN SCOTT

1. ORDINANCE 11438-2024
AN ORDINANCE AMENDING SECTION 1323.02 OF THE BROOK PARK CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.
Introduced by Mayor Orcutt.

VII. PLANNING COMMITTEE- COUNCILMAN POINDEXTER

1. REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A SENIOR MEDICAL CARE FACILITY AT 15149 SNOW ROAD| LOCATED IN THE U-3A ZONING DISTRICT| 1121.23(c)(1).

VIII. ADJOURNMENT

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, NOVEMBER 12, 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 and Economic Development Commissioner Marnacheck.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. Regular Caucus meeting minutes held on September 10, 2024.

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

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

NAYS: Troyer

2. Regular Caucus meeting minutes held on October 9, 2024.

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

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

NAYS: Troyer

Motion by Mr. Dufour, supported by Mr. Poindexter, to go out of regular order of business to Planning Committee.

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

NAYS: Unanimous.

PLANNING COMMITTEE - CHAIRMAN, POINDEXTER:

1. REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A SENIOR MEDICAL CARE FACILITY AT 15149 SNOW ROAD, LOCATED IN THE U-3A ZONING DISTRICT. (Former Rite Aid Snow and Smith Roads)

Mr. Poindexter stated two (2) company representatives gave a presentation at the last Planning Commission meeting and this was voted unanimously by the Planning Commission to grant a conditional use permit. Representatives are in attendance from ArchWell Senior Services.

Carmen Fiorelli

Construction Manager - ArchWell Senior Facility

Mr. Fiorelli stated this is a primary health facility for people 60 years and above. ArchWell is planning a \$2 to \$3 million-dollar investment into an existing facility. This is the first (1st) presence in the market but do have other facilities in Northeast Ohio that are also in the planning stages. General employment will be high-level doctors and physicians with 10 to 15 in the first year and grow to 30 over time.

Mr. Poindexter mentioned that ArchWell is originally from Nashville, TN.

Planning Committee - Chairman, Poindexter: cont.

Mr. Mencini thanked representatives for coming and stated coming from Nashville why here and why that building?

Mr. Fiorelli responded demographically ideal for patients being seen and am from Cleveland, OH and know the area. This is a facility that provides care to patients and from a traffic standpoint won't see the kind of traffic as the prior retail store.

Mr. Troyer stated have concerns with parking may being problem at the Planning Commission meeting it was mentioned there would be group meetings; suggested ample parking without a variance.

Mayor Orcutt mentioned that did come up at the Planning Commission meeting and the facility will mostly be using senior busing.

Mr. Poindexter stated the activity room is a decent size but the events will be small in nature.

Mr. Fiorelli concurred and stated the group meetings may be 15 to 20 people so there will be enough parking, since the building was used prior for a retail facility.

Mr. Poindexter commented it was mentioned at the Planning Commission meeting this would for a ten-year lease on the building.

Mr. Salvatore asked if ArchWell is affiliated with any hospitals i.e. Cleveland Clinic?

Mr. Fiorelli responded being the construction manager can't answer that question but would say no.

Mr. Salvatore continued if secondary health plans will be accepted, not only Medicare?

Mr. Fiorelli responded would say yes to different benefits.

Mr. Salvatore asked if there will be a lab for testing of blood work?

Mr. Fiorelli responded yes, there will be a testing facility.

Mr. Scott stated at the Planning Commission meeting it was mentioned this would be a Monday through Friday operation. Were the hours mentioned?

Mr. Fiorelli responded 8:00 a.m. to 5:00 p.m.

Planning Commission - Chairman, Poindexter: cont.

Mr. Dufour stated at the Planning Commission a concern was brought up about the exterior lighting, has that been updated.

Mayor response wouldn't have any issues with the homes and the \$2 to \$3 million-dollar renovation brings the building up to code with a sprinkling system and so forth.

Mr. Poindexter mentioned the drive-thru window will be eliminated.

Mr. Troyer questioned if the drive-thru roof will remain intact?

Mr. Fiorelli concurred.

Mr. Troyer asked will the exterior lighting be the same or changed?

Mr. Fiorelli responded building and parking lot lighting will remain but will be upgraded, there will be no additional lighting added.

Motion by Mr. Troyer, supported by Mr. Mencini, to have the proper legislation drawn up to approve the conditional use permit.

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

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

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

FINANCE COMMITTEE - CHAIRMAN, SCOTT:

1. AN ORDINANCE AMENDING SECTION 1311.06(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SURETY BOND AND INSURANCE REQUIRED' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated the intention of this legislation is to increase the contractors' insurance that they need to carry for doing projects in the city. This allows the city to pull that bond, if work isn't done correctly, and pay another contractor to do the work correctly. The current amount the city is \$25,000.00 which is the normal with other surrounding communities. At the current level of \$25,000.00 surety bond would cost the contractor \$150.00 yearly. At \$100,000.00 it would be somewhere under \$600.00 annually for contractors to register with the city. Recommended amending the \$100,000.00 by decreasing to \$40,000.00 costing the contractor under \$300.00 to work in the city.

Finance committee - Chairman, Scott:

Mr. Poindexter asked Mayor Orcutt if any discussions took place with a tiered approach with \$25,000,00 being the minimum and depending on the project could go up to \$100,000.00, if required.

Mayor Orcutt responded that is a good suggestion and did have conversations with the building commissioner but what ends up happening is creating more paperwork for the building department.

Mr. Troyer suggested have an amendment for this to be incremental because that would also help the resident. The contractor will pass on that cost to the resident so this should be based on the amount of work estimated on the type of work. The amendment would appear in 1131.06(a) last line to read 'the bond for all contractors shall be incremental in nature, be set by the building department, and start at the penal sum of \$25,000.00'. This would be set by the building department keeping the costs down to the contractor and residents.

Mr. Scott asked Mr. Troyer is that per job?

Mr. Troyer responded no, when filing out the contractor's permit

Mr. Scott continued let's say a contractor does a job in April for a \$25,000.00 and pays \$150.00. What happens if the contractor does another job in July for a different resident?

Mr. Troyer responded assuming the first (1st) job is done the contractor moves onto the next job. If the contractor has many jobs in the city that would require a higher bond.

Mr. Scott continued with the \$40,000.00 that would be sufficient for the year, no matter how many jobs.

Mr. Troyer stated the insurance company is called to raise the bond and it's up to the building commissioner to give the city the best situation.

Madam Horvath stated have a couple of comments and first (1st) being anytime a class of people and treat them unequally there will be problems. The city is taking a group of contractors', big or small, and dividing them into a tiered system. I see that as something that would be problematic and possible source of litigation. The other problem I see is asking surety companies that have already posted one (1) bond for one (1) amount and for whatever reason the surety company needs to write another bond. Lastly, asking the building department, at a time, to do extra work and be a watchdog to determine or not additional bonds should be posted. Think an increase is needed but wouldn't like to see any type of tiered system

Finance Committee - Chairman, Scott: cont.

because it makes more complicated and anytime categories are set with people being treated unequally the question isn't when will there be litigation; the question is when will there will be litigation.

Mr. Poindexter stated to Madam Horvath don't see this as unequal treatment. Everyone would have the responsibility to have the minimum of \$25,000.00 and with the amount of work to be done, in the city, would raise the bond. Don't think that's unfair gives everyone the same opportunity and also protects the residents getting the work done, in case it doesn't go well.

Madam Horvath responded there a group of contractors and the city is looking at an additional \$200.00 annually. Not knowing what criteria would be for allowing the contractors to determine the amount of work being done. There could be one (1) that decides paying the extra \$200.00 in unfair and file action towards the city. Think the main question is who as a legislative authority do you wish to benefit? Think it benefits the city and residents more to have just one (1) amount and have it be clean and simple for surety companies. Also, not have the excess amount of time and work that the building department must put in to trace.

Mr. Poindexter stated think this treats every contractor the same and it is Council's job to protect the residents. Also, with the tracking of the bond owed all projects must have permits pulled so, at that time, would know the amount of bond that is needed.

Mr. Dufour stated am against the \$100,000.00 and think \$40,000.00 is a much better number. Discussions with people was told that after \$50,000.00 for a surety bond the contractor would have to open the books to show how much money the contractor is making and so forth. There would also be contractors that don't want to do work in the city for that \$100,000.00 based on not having those large scale projects; \$40,000.00 is a good number and protects the homeowners with the cost of material increasing that's a good change.

Mr. Mencini asked Mayor Orcutt when these parameters were set who was in that meeting and what discussions took place? Were other communities looked at?

Mayor Orcutt responded myself, law director and building commissioner and this was based on the fact of having a bad contractor and pulling that contractors' license last year. Don't believe a number came up, at that time, the law department is looking for the best protection for the resident; since they work directly with the resident if there is an issue. Bringing this down to \$40,000.00 is for two (2) reasons; first being to protect the residents with the increase of

Finance Committee - Chairman, Scott: cont.

materials. The building department is watching all jobs and if bad work is being done the job is stopped.

Mr. Mencini asked how many bad jobs have been done in the city?

Mayor Orcutt responded one (1) it doesn't happen often but want to protect the residents. Second (2nd) thing wanted to bring up is not knocking the tier system and it's not a bad concept. Where it does get complicated is how the city is managing that in the building department and also how is the contractor manages that, as well.

Mr. Mencini stated enforcement is everything and Council gives the tools to do the jobs, without complication.

Mayor Orcutt continued think there is a fine-line with how this ordinance and Brook Park taking the lead and updating. Contractors are choosing what type of work they want to do due to so much work being out there.

Mr. Salvatore asked Madam Horvath since taking office how many times was the \$25,000.00 (bond) not enough?

Madam Horvath responded in the last four (4) years there were three (3) instances that the city had to go after bonds. This year was the first time the city had to go after the bond to be split between two (2) homeowners.

Mr. Poindexter asked Madam Horvath in the case where the bond wasn't enough to cover do those homeowners right to pursue the company that did the work, to help recover funds?

Madam Horvath responded that's a possibility and there are times when attorney costs and fees are covered by a bond, in addition. What the city would want for their citizens and contractors a simple process; making \$40,000.00 is an easy process.

Mr. Poindexter stated my concern is that the resident is able to pursue legal avenues from that contractor rather than having a job cost of \$80,000.00 and not done properly; the resident is stuck with that remaining \$40,000.00.

Madam Horvath responded there is a distinction between someone getting a judgement and suing a contractor. The bond is a useful tool due to getting some compensation through the surety company, not sure if the contractor would be able to pay out any compensation. This legislation needs to be upped since last time amended was 1999 and with the changes in building material costs and labor.

Finance Committee - Chairman, Scott: cont.

There other avenues that can be pursued but can the resident collect is another question.

Mr. Troyer stated reason this was brought forward was due to a few houses with my understanding the foundation being built too high, water flowing into neighbors' home. The idea was to raise the bond so the city is covered and don't the \$40,000.00 does that and will cost the smaller contractor more money which will cost the resident more money. The amendment made does not set the high just sets the low and the building department sets the high, in incremental. This legislation is written wrong per Charter Section 4.08 (2).

Madam Horvath responded this same issue came up in 2016 and thought it was dealt with at that time. Apparently, it's being resurrected and would interpret this section by saying we are a chartered city and the part that reads the section or sections so revised or amended the word 'or' is sufficient to erase the part before and view that as a chartered city the ability to draft legislation that just amends sections rather than repealing the entire ordinance and then turning around redoing the same thing again. I'm sure Councilman Troyer has looked at sections of the Ohio Revised Code with cities that are not chartered cities but statutory cities. Looking at that 731.19 (could be wrong on last two numbers) differs a little bit from what we have and being a chartered city gives the ability to amend by sections so it's not too cumbersome. Therefore, I would opine that every time something is amended is perfectly legal and appropriate and following in the footsteps of other law directors who have done things the same way for 30 to 35 years.

Motion by Mr. Dufour, supported by Mr. Roberts, to amend \$100,000.00 to \$40,000.00.

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

Mr. Troyer will take under advisement and look at that we are a chartered city and the only time we cannot follow the Ohio Revised Code is when the Charter says different. In this sense the Ohio Revised Code means nothing and still see it the same way; there has been other legislation written per the Charter

Motion by Mr. Mencini, supported by Mr. Roberts, to move to the next Council agenda, November 19th.

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

Finance Committee - Chairman, Scott: cont.

2. AN ORDINANCE AMENDING ORDINANCES NO. 11390-2024 AND 11427-2024, THE APPROPRIATION ORDINANCES FOR THE CITY OF BROOK PARK, STATE OF OHIO AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this is done on an annual basis with the adjustments shown in the middle column. Fund 345 - Home Days celebration - \$2,000.00 - Police Department overtime; Fund 412 - Police Department - \$146,352.00 - raises police department personnel; Fund 414 - \$4,400.00 - Auxiliary Police; Fund 428 - \$1,000.00 - traffic signs upgrades and Fund 427 - Trees and Tree Lawns - \$10,250.00 - repairs to leaf collections machines and trailers repairs for a total of \$164,002.00.

Mr. McGann stated Fund 282 - American Rescue Plan Act Fund - \$8,500.00 - no increase just a re-class; Fund 290 - Insurance Fund - \$250,000.00 - Sill Company fees; Fund 401 - Capital Improvements - Fund 210 - Mayor's Court - \$1,500.00 - new printer; Fund 342 - Parks & Playgrounds - \$89,335.19 - Carpenter Park upgrades; Fund 412 - Police Department - \$104,883.09 and Fund 413 - Fire Department - \$104,883.09 - Motorola Radios; Fund 500 - Legal Department - \$1,000.00 - laptop and increase in law books; Fund 700 - General Government Lands and Bonds - \$10,124.00 - Christmas decorations used by NOPEC grant. Fund 459 - Sewer Improvements - \$200,000.00 - first (1st) of five-year (5) payback from the NEORSD Community Cost Share. These monies are advanced from the General and Capital Improvement Funds and are now repaying those advances - \$120,368.00 to Capital Improvement Fund and \$79,632.00 to General Fund. Fund 551 - 2024 Street Improvements Fund - \$617,709.34 - second round of the streets program and Fund 713 - Southwest General Hospital - \$1,483.27 - additional collections received and forwarded to Southwest General Hospital; for a total increase of \$1,335,133.80.

Mr. Poindexter asked for clarification on the second round of streets

Mr. McGann responded Robert Drive, Claudia Drive, Carol Drive, Fry Road and Snow Road.

Mr. Troyer clarified that Burton Drive, Claudia Drive and Robert Drive were already accounted for, with the other streets being added later.

Mr. Mencini asked for clarification on Fund 700 - Government Lands and Buildings how does that work with the grants?

Mr. McGann responded grants were received from NOPEC to be used for various purposes and was decided to be used for Christmas decorations.

Finance Committee - Chairman, Scott: cont.

Mr. Mencini stated with the four (4) streets added to the Roads Program?

Mayor Orcutt responded the leftover \$1.2 million-dollars Claudia and Robert Drive were secondary streets lined up and there was enough money left over to add Carol Drive and Fry Road.

Mr. Poindexter asked Mr. McGann if these adjustments will be good until the end of the year?

Mr. McGann responded there will be a final appropriation adjustment in December for the income tax transfers.

Mr. Poindexter continued would it behoove Council to have three (3) readings for the appropriation ordinance to include the final appropriation adjustments in December, instead of additional legislation?

Mr. McGann responded would prefer to have this appropriation legislation passed next week, if possible, and put forth the final appropriation in December.

Motion by Mr. Poindexter, supported by Mr. Troyer, to place on next Council agenda.

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

3. A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF THE TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

Mayor Orcutt stated this is a housekeeping matter to collect property tax and special assessments revenues.

Mr. McGann stated the county requires a resolution passed by City Council to take tax advances. If not passed the city would not be able to collect first-half advances until March 14th and second-half revenues until August 15th, creating a cash-flow issue.

Motion by Mr. Poindexter, supported by Mr. Troyer, to place on next week's Council agenda.

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

LEGISLATIVE COMMITTEE - CHAIRMAN, SCOTT:

1. ORDINANCE NO. 11438-2024
AN ORDINANCE AMENDING SECTION 1232.02 OF THE BROOK PARK
CODIFIED ORDINANCES AND DECLARING AN EMERGENCY. Introduced by
Mayor Orcutt. (Occupancy Permits)

Mayor Orcutt stated this amendment is for the issuing occupancy permits to owners by adding paragraph c on page one. This is directly what the city had on the east end of Snow Road where a contractor, through emails, told the city one story of opening a grocery store and when the city's building commissioner went in for inspection of HVAC and electrical noticed that it would be a smoke shop. The city had a moratorium, at that time, and the gentleman was telling the city one (1) story and doing something different. This gives authority to revoke the occupancy permit for those that are not operating properly under the Ohio Building codes.

Mr. Poindexter concurred with points one (1) - making false statements and three (3) - non-compliance of Ohio building code but expressed concern with point two (2) of non-compliance of a building code, too general.

Mayor Orcutt disagreed and gave an example if a person was issued an occupancy permit to include a sprinkler system and after the issuance of the permit the sprinkler system was taken out, the city would have the authority to say cannot operate without a sprinkler system.

Mr. Poindexter rebutted that would be covered under the third point of not being in compliance with the Ohio building code and first (1st) point- making false statements.

Mayor Orcutt disagreed by stating not only do city codes have to be followed but also Ohio building codes. This is the result of a lawsuit that the city won so this gives the city added protection.

Mr. Poindexter continued point two (2) is too vague by allowing an occupancy permit granted and then revoked due to a building code violation.

Madam Horvath provided a different example of owning a body shop and required to have spray booths and fans in working order and something stops working and I still continue to paint cars without the proper requirements in place, the extra language is in there to help the building commissioner.

Mr. Troyer thanked Madam Horvath for everything just pointed out that is included in the legislation. To give a scenario the law abiding citizen lives in the city for 50-years and has a gutter hanging that occupancy permit can be pulled, the way this reads. Amendment provided to read or 'non-residential properties, for not being

Legislative Committee - Chairman, Scott: cont.

in compliance of the building code' geared more towards businesses not residential.

Mayor Orcutt mentioned a homeowner has Point of Sale inspections and if a resident of 50-years has a gutter hanging the building department will give a notice. This protects the city from having a business owner say one thing and do another.

Mr. Mencini stated coming into office there were a lot of maintenance issues and have never seen someone going after a 50-year resident for a hanging gutter, have rentals in other cities and they are strong with their ordinances.

Mr. Dufour asked for clarification with this section and code section 1413.01 - Certificate Required that is basically the same only difference is reading Inspector and not Building Commissioner.

Madam Horvath responded the only person that can issue an occupancy permit is the building commissioner, that will need to be changed

Mr. Dufour continued the other issue looking at other codes from different cities are written basically the same, the one difference is with what Brook Park has opposed to other cities is the last line 'refuses to comply with the Ohio Building Code or any of the Brook Park Codified Ordinances'. Is that language in there because of moratoriums being outside the building code?

Madam Horvath concurred with the moratoriums being outside of the building code.

Mayor Orcutt stated in the 2025 Budget a lot of the city ordinances are outdated and need to have a company come in and do a cross-reference of codes. Will cost the city money but a company must be brought in to cross-reference and update the codes.

Mr. Poindexter stated not saying current building commissioner or past building commissioners would go hog-wild, not accusing anyone, just saying they could. Offered an amendment as follows 'Or for non-compliance of the building code'.

Motion by Mr. Poindexter, supported by Mr. Troyer, to amend section one (1) paragraph (c) fifth-line after comma (,) strike out 'Or for non-compliance of the building codes'.

ROLL CALL: AYES: Poindexter, Troyer

NAYS: Roberts, Dufour, Mencini, McCorkle, Scott. **Failed.**

Legislative Committee - Chairman, Scott: cont.

Motion by Mr. Mencini, supported by Mr. McCorkle, to move to the November 19th Council agenda.

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

NAYS: Troyer, Poindexter.

PLANNING COMMITTEE - CHAIRMAN, POINDEXTER:

Moved by **motion** to beginning of the meeting.

Motion by Mr. Mencini, supported by Mr. Poindexter, to move to the Addendum.

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

NAYS: Unanimous.

ADDENDUM - PLANNING COMMITTEE - CHAIRMAN, POINDEXTER:

1. A RESOLUTION GRANTING A LOT CONSOLIDATION OF FOUR (4) PARCELS AT 14100 SNOW ROAD AND WESTBROOK DRIVE; PPN'S 344-15-178; 344-29-086; 344-15-008; AND 344-15-009 LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

Motion by Mr. Troyer, supported by Mr. Roberts, to place on the November 19th Council agenda.

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

NAYS: Unanimous.

2. A RESOLUTION GRANTING A LOT CONSOLIDATION OF NINE (9) PARCELS AT PEMBERTON AND VAN WERT DRIVES; PPN'S 334-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084 and 344-29-085, LOCATED IN THE U2-A6 ZONING DISTRICT. Introduced by Council as a Whole. (Former Brookview Elementary School).

Motion by Mr. Mencini, supported by Mr. Roberts, to place on the November 19th Council agenda.

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

NAYS: Unanimous.

Mr. Salvatore asked to add Economic Development Commissioner Marnacheck to give a report.

Motion by Mr. Dufour, supported by Mr. Roberts, to have Mr. Marnacheck give a report.

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

Mr. Marnacheck reported with the development for Van Wert and Pemberton Drives - Villas of Brookview developers expect first (1st) tenants by mid-December with new applications received this past weekend; very strong interest in Phase One (1) with the 23 units. Phase Two (2) (former Brookview Elementary School) demolition was completed today with pre-construction activities beginning this week. All buildings are expected to be completed by fiscal year 2026 and developers are in the process of doing an open-house. With the former BP gas station project, I am in constant contact with the title company - Land Services USA, LLC and Cross Country America. Am in collaboration with the building commissioner and full staff for local businesses approval and permit process i.e. ArchWell who presented this evening. Am helping businesses with Job Ohio Small Business Grant Funding opportunities. Awaiting news in January, 2025 about the CDSG Grant - \$50,000.00 for Carpenter Park upgrades. Applied for a CDMG grant in the amount of \$70,795.88 for updates to the John F. Kennedy memorial park. Collaborating with the Service Director Beyer and Recreation Director Wetmore on Recycle Ohio grant funds for potential projects. Have reached out to Councilmembers about the Nasa Glenn visit on December 9th.

Mr. Mencini asked when a business is looking to come into the city. Do we approach them or do they contact the city and we work with them?

Mr. Marnacheck responded all of the above, we work on business retention, expansion and attraction. When contacted by a real estate company information such as the zoning map and particular sections of the codes is provided, that's how Savvy Sliders opened their first (1st) location in Northeast Ohio in Brook Park.

Mr. Mencini continued do we keep touch with proprietors already located in the city. Do we reach out to business as to how the city can be of assistance?

Mr. Marnacheck responded yes, by mail and email communications.

Mr. Mencini stated receive magazines from surrounding cities, not a newsletter, but an informational pamphlet of what is going on in the city. Maybe that is something Brook Park should be doing to open Brook Park up.

Questions to Economic Development Commissioner Marnacheck: cont.

Mayor Orcutt interjected the commissioner has put together and organized getting businesses together at small luncheon, could be 20 to 25 business owners, to speak and make presentations about expansion and other opportunities, that pay off in dividends.

Mr. Dufour thanked Mr. Marnacheck for coming and stated there's been a lot of success the past few years. What can be done in the following years to make the city more successful?

Mr. Marnacheck responded continue what is being done currently with cleaning up the town and making it brighter; think the city is on the right track with the business projections.

Mr. Dufour continued monies have been appropriated in the budget for a Main Street Development Program that didn't have time to be implemented, is that something that would be done next year? Also, how would that be more attractive for new businesses and updating existing businesses.

Mayor Orcutt responded the budget line-item appropriated for that topic the city is working with the potential first candidate for the StoreFront Renovation Program. Think it's a good time to go public because the legislation is in place and the city has been working with different business owners to see how this would work. The Storefront Renovation Program is the city will provide a loan to businesses with a one-percent (1%) interest rate for administrative purposes to fix the business up. Also, there is a grant for new machinery and new employees the city will benefit with the income tax. Will go public with the city has been working with improvements to Brookpark Road and will announce that the city has been working with people out of Manhattan to build a new Dunkin Donuts at West 140th Street and Brookpark Road.

Mr. Dufour asked Mr. Marnacheck for a status update with Blue Abyss.

Mr. Marnacheck responded Blue Abyss is actively on the capital stack and speaking with the project manager had a very positive conversation and good dialogue, hope to hear from the shortly.

Mr. Troyer thanked Mr. Marnacheck for the quickness of the Carpenter Park grants.

Mr. Marnacheck interjected that was a team effort with many city departments.

Questions to Economic Development Commissioner Marnacheck: cont.

Mr. Troyer thanked all that were involved with the grant process and continued with the Forward Innovation Center what was on the drawing board prior to the (Cleveland) Browns option to purchase, that the city didn't get?

Mayor Orcutt responded inherited from the previous administration was nine (9) warehouses over ten (10) years and learning how much revenue that would pay this administration aggressively started looking at other options. One thing looked at is putting electricity plants in with the city being part owner. These plants would be operated by laborers, pipefitters and electricians to generate electricity and oil that would be taken to refineries for jet fuel. Working with them and also the Haslams, at the same time.

Mr. Troyer asked what is the percentage of getting the Cleveland Browns dome in Brook Park.

Mayor Orcutt responded working with the Cleveland Browns on a daily basis to give the percentage currently would say 50/50.

Mr. Salvatore thanked Mr. Marnacheck for his report.

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

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

Council President Salvatore declared this meeting adjourned at 8:56 p.m.

RESPECTFULLY SUBMITTED


Carol Johnson
Clerk of Council

APPROVED January 14, 2025

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