

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, APRIL 5, 2016
7:00 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

D. REPORTS OF STANDING COMMITTEES:

AVIATION & ENVIRONMENTAL (Powers) _____	PLANNING COMMITTEE (Troyer) _____
FINANCE COMMITTEE (McCormick) _____	SAFETY COMMITTEE (Salvatore) _____
LEGISLATIVE COMMITTEE (Troyer) _____	SERVICE COMMITTEE (Burgio) _____
PARKS & RECREATION (Mencini) _____	BOARD OF ZONING APPEALS (Scott) _____

E. REPORTS OF SPECIAL COMMITTEES:

SOUTHWEST GENERAL HEALTH CENTER - TRUSTEE (Salvatore) _____
BEREA BOARD OF EDUCATION COMMITTEE (Burgio, McCormick) _____

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):**

Other Communications:

1. CORRESPONDENCE RECEIVED FROM RESIDENT.

K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

**L. REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR RESOLUTIONS
THAT PERTAIN TO ITEMS ON THE AGENDA:**

M. INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):

1. ORDINANCE NO. 10008-2016, 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 Coyne
2. RESOLUTION NO. 3-2016, URGING THE MAYOR OF THE CITY OF BROOK PARK TO KEEP FIRE STATION NO. 2 OPEN AND DECLARING AN EMERGENCY. Introduced by Council Members Troyer, Mencini, Powers and Burgio.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 10005-2016, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A GRANT TO LUNI, LTD. AND THE R.L. WURZ COMPANY FOR THE DEMOLITION OF OBSOLETE STRUCTURES LOCATED AT 16110 BROOKPARK ROAD.
Introduced by Mayor Coyne
2. ORDINANCE NO. 10006-2016 AUTHORIZING THE MAYOR TO HIRE AN INSPECTOR FOR THE 2016 SIDEWALK REPAIR PROGRAM AND DECLARING AN EMERGENCY.
Introduced by Mayor Coyne

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 1002-2016, AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND SPECIFICATIONS AND THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE 2016 SIDEWALK REPAIR PROGRAM. Introduced by Mayor Coyne

2. ORDINANCE NO. 10003-2016, AMENDING SECTION 143.026 OF THE CODIFIED ORDINANCES OF THE CITY OF BROOK PARK REGARDING THE STAFFING OF FIRE SAFETY PERSONNEL WITHIN THE CITY AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

P. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**Q. ADJOURNMENT:**

Updated 2016

SYNOPSIS OF RESOLUTIONS
FOR THE COUNCIL MEETING OF TUESDAY, APRIL 5, 2016

FIRST READING:

Ord. No. 10008-2016 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.

SYNOPSIS: An ordinance amending the salary schedule for 2016 to reflect changes in the minimum salary for part-time employees.

Res. No. 3-2016 A RESOLUTION URGING THE MAYOR OF THE CITY OF BROOK PARK TO KEEP FIRE STATION NO. 2 OPEN, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution urging and encouraging the Mayor to keep Fire Station No. 2 open.

SECOND READING:

Ord. No. 10005-2016 AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A GRANT TO LUNI, LTD. AND THE R.L. WURZ COMPANY FOR THE DEMOLITION OF OBSOLETE STRUCTURES LOCATED AT 16110 BROOKPARK ROAD.

SYNOPSIS: An ordinance authorizing the City to provide a grant to Luni, Ltd., and the R.L. Wurz Company to be applied exclusively to the immediate demolition of the Quonset hut buildings and improvements on the property in an amount of \$25,000.

Ord. No. 10006-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE AN INSPECTOR FOR THE 2016 SIDEWALK REPAIR PROGRAM AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the Mayor to hire an inspector for the 2016 Sidewalk Repair Program.

THIRD READING:

Ord. No. 10002-2016 AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND SPECIFICATIONS, AND THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR CONSTRUCTION OF THE 2016 SIDEWALK REPAIR PROGRAM, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the Consulting Engineer to prepare bid documents and provide construction administration services, and further authorizing the Mayor to advertise and enter into a contract for the 2016 Sidewalk Repair Project.

Ord. No. 10003-2016 AN EMERGENCY ORDINANCE AMENDING SECTION 143.026 OF THE CODIFIED ORDINANCES OF THE CITY OF BROOK PARK REGARDING THE STAFFING OF FIRE SAFETY PERSONNEL WITHIN THE CITY AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending Section 143.026 of our codified ordinances to allow staffing by sufficient full and part time firefighters at 17401 Holland Road, (Station No. 1) and 22530 Ruple Road (Station No. 2) to protect the property of all persons and businesses present within the City at all times.

PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
March 31, 2016

P/C 3/15/16 Finance
CA 3/22/16
1st R 4/5/16
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10008-2016

INTRODUCED BY: COUNCILWOMAN MCCORMICK, COUNCIL MEMBERS POWERS,
MENCINI, TROYER, COUNCIL PRESIDENT ASTORINO

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

WHEREAS, it is the desire of the Council of the City of Brook Park to provide adjustment in compensation for employees of the City, other than elected officials, who are not specifically covered in negotiated labor contracts, and also to provide adjustment in the starting rates and periodic increases covering new employees; and

WHEREAS, the minimum salary for part-time and seasonal employees of the City of Brook Park should be adjusted to the salary schedule attached;

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: The Salary Schedules for the years 2014 and 2016 are attached hereto and marked Exhibit "A," and made a part hereof as if fully rewritten herein and are hereby adopted. Those said Sections of the Codified Ordinances specifically enumerated in the attached "Salary Schedules" are hereby amended accordingly.

SECTION 2: The compensation provided in "Salary Schedule 2014 and 2015" shall remain in effect until duly changed.

SECTION 3: The "Salary Schedule 2014-2015" as enacted by Ordinance 9915-2014, passed June 3, 2014 is hereby specifically repealed.

SECTION 4: The money needed for the aforesaid transaction shall be paid from funds theretofore appropriated or to be appropriated for said purpose.

SECTION 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council,

and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to provide adjustments in compensation without undue delay; provided this ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

**I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS**

DATE



DIRECTOR OF LAW

SALARY SCHEDULE

Ordinance Title

		2014 Minimum	2014 Maximum	2016 Minimum	2016 Maximum
121.02 (b)	Clerk Of Council	\$52,768.22	\$62,768.22	\$52,768.22	\$62,768.22
121.03 (b)	Assistant Clerk Of Council	\$39,785.36	\$49,785.36	\$39,785.36	\$49,785.36
121.08 (b)	Part-time Assistant Clerk of Council**	\$10.00	\$16.56	\$10.00	\$16.56
131.03 (b)	Executive Assistant to the Mayor	\$60,079.10	\$70,079.10	\$60,079.10	\$70,079.10
131.06 (b)	Temporary Clerical	\$10.00	\$16.56	\$10.00	\$16.56
131.07 (a)	C.O.E. Assistant Office Clerk**	\$7.70	\$12.14	\$10.00	\$10.00
131.08 (c)	Commissioner of Admin. Services (H.R.)	\$68,210.81	\$78,210.81	\$68,210.81	\$78,210.81
131.09 (c)	Clerk of Mayor's Court	\$50,605.28	\$60,605.28	\$50,605.28	\$60,605.28
131.11 (d)	Commissioner of Purchasing	\$68,210.81	\$78,210.81	\$68,210.81	\$78,210.81
131.13 (c)	Commissioner of Economic Development	\$73,200.64	\$83,200.64	\$73,200.64	\$83,200.64
133.02 (c)	Assistant Law Director	\$38,381.14	\$48,381.14	\$38,381.14	\$48,381.14
133.03 (c)	Administrative Assistant to the Law Director	\$50,605.28	\$60,605.28	\$50,605.28	\$60,605.28
133.061 (c)	Part-time Assistant Law Director-Class #2	\$12,000.00	\$30,480.24	\$12,000.00	\$30,480.24
133.07 (b)	Law Department Clerk**	\$10.00	\$16.56	\$10.00	\$16.56
133.062	Assistant Law Director-Class #3	\$57,123.97	\$67,123.97	\$57,123.97	\$67,123.97
137.02 (b)	Assistant Finance Director	\$73,565.00	\$83,200.00	\$73,565.00	\$83,200.00
137.03 (b)	Assistant Deputy Finance Director	\$44,019.00	\$51,281.00	\$44,019.00	\$51,281.00
139.01 (b)	Director of Public Safety	\$85,311.37	\$95,311.37	\$85,311.37	\$95,311.37
139.07 (c)	School Crossing Guards	\$7,524.76	\$9,406.44	\$7,524.76	\$9,406.44
139.11	Safety Forces High Risk Board**	\$1,885.51	\$1,885.51	\$1,885.51	\$1,885.51
140.03 (b)	Electrical Inspector	\$20,385.54	\$20,385.54	\$20,385.54	\$20,385.54
140.04 (b)	Plumbing Inspector	\$20,385.54	\$20,385.54	\$20,385.54	\$20,385.54
141.03 (a)	Police Chief	\$89,667.76	\$99,667.76	\$89,667.76	\$99,667.76
141.03 (a)	Police Captain	\$83,147.11	\$93,147.11	\$83,147.11	\$93,147.11
142.07 (c)	Auxiliary Police	\$10.00	\$18.76	\$10.00	\$18.76
143.03 (a)	Fire Chief	\$89,667.76	\$99,667.76	\$89,667.76	\$99,667.76
143.03 (a)	Assistant Fire Chief	\$83,147.11	\$93,147.11	\$83,147.11	\$93,147.11
145.01	Director of Public Service	\$85,311.37	\$95,311.37	\$85,311.37	\$95,311.37
145.15 (b)	Summer Grass Cutters	\$7.70	\$12.14	\$10.00	\$12.14
146.08 (c)	Part-time Assistant of Public Property (PT Janitors)**	\$7.70	\$12.14	\$10.00	\$12.14
147.01 (g)	Commissioners of Parks and Playgrounds	\$2,732.87	\$2,732.87	\$2,732.87	\$2,732.87
147.02 (c)	Director of Recreation	\$77,662.38	\$87,662.38	\$77,662.38	\$87,662.38
147.08 (b)	Playground Supervisor	\$7.70	\$15.00	\$10.00	\$15.00
147.12 (b)	Pool Lifeguard	\$7.70	\$15.00	\$10.00	\$15.00
147.12 (b)	Lifeguard w/ Safety Instructor Card W.S.I.	\$7.70	\$15.00	\$10.00	\$15.00
147.13 (b)	Front Counter Attendant	\$7.70	\$15.00	\$10.00	\$15.00
147.14 (b)	Roving Supervisor	\$7.70	\$15.00	\$10.00	\$15.00
147.15 (b)	Arts and Crafts Instructor	\$10.00	\$16.56	\$10.00	\$16.56
147.16 (b)	Asst. Arts and Crafts Instructor	\$7.70	\$15.00	\$10.00	\$15.00



147.17 (b)	Athletic Program Instructor	\$7.70	\$15.30	\$10.00	\$15.30
147.18 (b)	Part-time Parks and Playground Instructor	\$7.70	\$15.00	\$10.00	\$15.00
147.20 ©	Part-Time Concession Stand Supervisor	\$7.70	\$15.00	\$10.00	\$15.00
147.21 ©	Asst. Part-time Concession Stand Manager	\$7.70	\$15.00	\$10.00	\$15.00
147.23 ©	Recreation Building Attendant	\$7.70	\$15.00	\$10.00	\$15.00
147.28 ©	Recreation Cleaning Supervisor	\$7.70	\$15.00	\$10.00	\$15.00
147.28 ©	Recreation Cleaning Supervisor	\$7.70	\$15.00	\$10.00	\$15.00
147.33(d))	Commissioner of Leisure Time Activities	\$62,000.00	\$70,000.00	\$62,000.00	\$70,000.00
149.03	Civil Service Commission	\$2,679.63	\$2,679.63	\$2,679.63	\$2,679.63
149.04 (c)	Permanent Part-time Civil Service Secretary	\$15.00	\$20.81	\$15.00	\$20.81
149.06 (b)	Civil Service Legal Advisor**	\$17,650.26	\$17,650.26	\$17,650.26	\$17,650.26
1101.06	Planning Commission	\$2,679.63	\$2,679.63	\$2,679.63	\$2,679.63
	Board of Zoning Appeals	\$2,679.63	\$2,679.63	\$2,679.63	\$2,679.63
1725.01 (a)	Tax Review Board Member	\$1,885.51	\$1,885.51	\$1,885.51	\$1,885.51
1729.02 (b)	Director of Taxation	\$77,662.38	\$87,662.38	\$77,662.38	\$87,662.38
1729.06 (b)	Assistant Part-time Tax Clerk	\$7.70	\$15.00	\$10.00	\$15.00
1929.05 (d)	Permanent Part-time Tax Clerk	\$7.70	\$15.00	\$10.00	\$15.00
171.03	Magistrate	\$27,284.96	\$27,284.96	\$27,284.96	\$27,284.96
171.04	Mediator	\$10,000.00	\$14,000.00	\$10,000.00	\$14,000.00
141.15	Full Time Jailer	\$31,616.00	\$41,616.00	\$31,616.00	\$41,616.00
141.16	Part Time Jailer	\$15.00	\$20.81	\$15.00	\$20.81
140.02	Building Commissioner	\$77,662.39	\$87,662.39	\$77,662.39	\$87,662.39
139.093	Part time Clerks Safety Department	18.26	21.15	18.26	21.15

P/C 3/1/16 Legislative
CA 3/15/16 Sp. Caucus
1st R 4/5/16
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 3-2016

INTRODUCED BY: COUNCIL MEMBERS TROYER, MENCINI, POWERS, BURGIO,
McCORMICK

A RESOLUTION
URGING THE MAYOR OF THE CITY OF BROOK PARK
TO KEEP FIRE STATION NO. 2 OPEN,
AND DECLARING AN EMERGENCY

WHEREAS, an initiative petition process exists and is available to the electors of the State of Ohio and the City of Brook Park through powers and procedures set forth in the Ohio Constitution and in Article XIII, Section 13.01 of the Charter of the City of Brook Park; and

WHEREAS, on or about July 28, 2014 part petitions of an initiative were filed with the City containing a total of 630 valid signatures; and

WHEREAS, on or about September 25, 2014 thirty-six supplemental part petitions were filed with the City containing a total of 816 valid signatures; and

WHEREAS, the Cuyahoga County Board of Elections verified that the required number of valid signatures were obtained to place the proposed measure before the voters of Brook Park; and

WHEREAS, City Council passed legislation to place the proposed amendment on a February 3, 2015 special election ballot; and

WHEREAS, the measure proposed by initiative petition was designated as Issue 2 on the February 3, 2015 ballot; and

WHEREAS, on February 24, 2015 the Cuyahoga County Board of Elections certified that Issue 2 received an affirmative majority of the votes cast at the special election on February 3, 2015 and the proposed amendment became law. The measure passed by more than 2 to 1 margin receiving 1,730 affirmative votes to only 836 votes against the measure; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brook Park, State of Ohio that:

SECTION 1. The Brook Park City Council urges and encourages the Mayor to keep the Fire Station No. 2 open.

SECTION 2: The Clerk of Council is hereby authorized and instructed to post a certified copy of this Resolution to the City's website.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to urge and encourage the Mayor to keep Fire Station No. 2 open; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

**I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS**


DIRECTOR OF LAW

3/1/16 Safety
3/8/16
1st R 3/15/16
2nd R 4/5/16
3rd R
4/5/16

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10005-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE AUTHORIZING
THE CITY OF BROOK PARK TO PROVIDE A GRANT TO LUNI, LTD. AND THE
R.L. WURZ COMPANY FOR THE DEMOLITION OF OBSOLETE STRUCTURES
LOCATED AT 16110 BROOKPARK ROAD.

WHEREAS, Luni, Ltd. owns Permanent Parcel Nos. 344-36-004,005,006 and 008 located at 16110 Brookpark Rd., Brook Park, Ohio (herein the "Property");

WHEREAS, Luni, Ltd. (herein "Luni") is wholly owned by Thomas Lavelle, President and majority shareholder of The R.L. Wurz Company (herein "Wurz");

WHEREAS, Luni and Wurz are interrelated companies;

WHEREAS, Luni and Wurz desire to demolish a Quonset hut structure located at 16110 Brookpark Rd. and construct a \$2.5M corporate office, warehouse and distribution facility at 16110 Brookpark Rd.;

WHEREAS, the Quonset building is economically unviable, obsolete, dilapidated, blighted and in substantial disrepair;

WHEREAS, the condition of the Quonset building creates a negative economic pressure and influence upon the surrounding community along the Brookpark Road Corridor Special District;

WHEREAS, Luni and Wurz desire to demolish the buildings, structures and improvements upon the Property to attract and justify new investment and improvements upon the Property;

WHEREAS, The Wurz desires to locate its corporate offices, warehouse and distribution facility at the Property upon the demolition of the existing obsolete and dilapidated structures and improvements upon the property;

WHEREAS, Luni and Wurz desire to enter into a contract to demolish the Quonset structures on the Property and to construct a new \$2.5M, 33,000 square foot of office, warehouse and

distribution facilities on the Property;

WHEREAS, Wurz anticipates employing between 14 and 20 persons with an estimated payroll of at least \$1.5 - 2M per annum on the Property;

WHEREAS, Wurz estimated annual sales are \$10,000,000;

WHEREAS, Construction cost of the new facility at the Property is estimated at \$2.5M;

WHEREAS, Demolition cost, including asbestos abatement, at the Property is estimated at \$25,000;

WHEREAS, Luni and Wurz desire to commence demolition of the structure on or about June 1, 2016 and commence construction of the new facilities project on or before July 1, 2016; and

WHEREAS, the City of Brook Park encourages the development of real property and the acquisition of personal property located within the City's Enterprise and Target Improvement Zones; and

WHEREAS, Luni and Wurz are desirous of undertaking a project which will create employment opportunities within the City of Brook Park, provided that the appropriate development incentives are available from the City to support the economic viability of the Project; and

WHEREAS, Financial assistance from the City of Brook Park is necessary to secure the investment of Luni and Wurz in the project;

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing Luni and Wurz with incentives available for the development of the Property consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution to create or preserve jobs and employment opportunities, to eradicate and mitigate blight within the City, and to improve the economic welfare of the people of the State; and

WHEREAS, the Mayor of the City of Brook Park has investigated the request of Luni and Wurz for demolition grant assistance and recommends the same to the City Council on the basis that Luni and Wurz are qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City of Brook Park;

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: This Council agrees to provide a demolition grant to Luni & Wurz to be applied exclusively to the immediate demolition of the Quonset hut buildings and improvements on the

Property in an amount of \$25,000.00.

SECTION 2: The money needed for the aforesaid transaction shall be paid by the City from funds appropriated for brown field redevelopment and economic development to Luni & Wurz upon the completion of the demolition of all buildings and improvements currently situated upon the Property and said demolition funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by Luni & Wurz in furtherance of the demolition.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Sections 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS



DIRECTOR OF LAW

DATE

W/C 3/1/16 Service
CA 3/8/16
1st R 3/15/16
2nd R 4/5/16
3rd R _____
R/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO. 10006-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE
AUTHORIZING THE MAYOR TO HIRE AN INSPECTOR
FOR THE 2016 SIDEWALK REPAIR PROGRAM
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Brook Park,
State of Ohio, that:

SECTION 1: The Mayor be and is hereby authorized to hire
an inspector for the 2016 Sidewalk Repair Program. The
Inspector shall report to and be directed by the Consulting
Engineer.

SECTION 2: The Inspector shall be paid between \$18.00 and
\$23.00 per hour. Such payment to be made by the City upon
receipt of statements from the Inspectors.

SECTION 3: The money needed to complete the aforesaid
transaction shall be paid from the economic development fund 243
for said purpose.

SECTION 4: It is found and determined that all formal
actions of this Council concerning and relating to the adoption
of this Ordinance were adopted in an open meeting of this
Council, and that all deliberations of this Council and of any
of its committees that resulted in such formal action, were in
meetings open to the public, in compliance with all legal
requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is hereby declared to be an
emergency measure necessary for the immediate preservation of
the public peace, health, safety and welfare of the City, and
for the further need to have an Inspector on site for the
duration of the project; therefore provided this ordinance
receives the affirmative vote of at least five (5) members
elected to Council, it shall take effect and be in force
immediately upon its passage and approval by the Mayor;
otherwise, from and after the earliest period allowed by law.

PASSED: _____

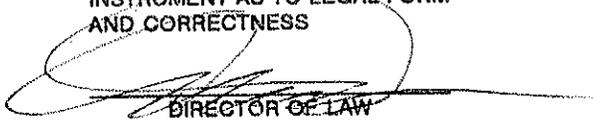
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS


DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

2/16/16 Service
CA 2/23/16
1st R 3/1/16
2nd R 3/15/16
3rd R 4/5/16
C/C

ORDINANCE NO. 10002-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE
AUTHORIZING THE CONSULTING ENGINEER TO PREPARE
PLANS AND SPECIFICATIONS, AND THE MAYOR TO
ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR
CONSTRUCTION OF THE 2016 SIDEWALK REPAIR PROGRAM,
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: The Consulting Engineer is hereby authorized to prepare bid documents and provide construction administration services, and the Mayor is authorized to advertise for bids and enter into contract(s) with the lowest and/or best bidder for the 2016 Sidewalk Repair Project.

SECTION 2: The Consulting Engineer shall be paid a fee of \$4,000.00 for preparation of the necessary plans, specifications and bid documents, and a lump sum fee of \$8,000.00 for construction administration services.

SECTION 3: The money needed for the aforesaid transaction shall be paid from economic development fund 243 for said purpose.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of said City, and continued maintenance of the City's sidewalks; therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

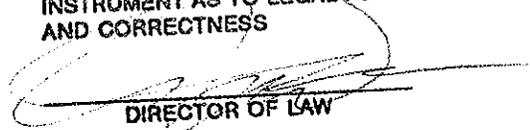
ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

F:\Jobs\187\1602 - 2016 Sidewalk Program\2016 Sidewalk Ord.docx

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS



DIRECTOR OF LAW

P/C _____
CA _____
1st R 3/1/16
2nd R 3/15/16
3rd R 4/5/16
P/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: ~~10003-2016~~

INTRODUCED BY: MAYOR COYNE

AN EMERGENCY ORDINANCE

AMENDING SECTION 143.026 OF THE CODIFIED ORDINANCES OF THE CITY OF BROOK PARK REGARDING THE STAFFING OF FIRE SAFETY PERSONNEL WITHIN THE CITY AND DECLARING AN EMERGENCY

WHEREAS, on February 3, 2015, the residents of the City voted in favor of Issue 2 to staff Fire Station 2 at 22530 Ruple Road;

WHEREAS, immediately following the February 3, 2015 election the Mayor staffed Fire Station 2 at 22530 Ruple Road;

WHEREAS, the Mayor intends to keep Fire Station 2 fully staffed;

WHEREAS, Issue 2 amended Ordinance 143.026 to require the minimum manning of firefighters on duty at the 17401 Holland and at 22530 Ruple Road fire stations;

WHEREAS, the Director of Law of the City of Brook Park identified a legal conflict between the provisions, duties and responsibilities set forth in Articles III and VIII of the Charter of the City of Brook Park, the Ohio Public Employee Collective Bargaining Act set forth in Chapter 4117 of the Ohio Revised and amended Ordinance Section 143.026;

WHEREAS, on March 2, 2015 of the Director of Law of the City of Brook Park filed a Declaratory Judgment action pursuant to Ohio Revised Code Chapter 2721 to declare, construe and resolve the conflicts between Articles III and VIII of the Charter of the City of Brook Park and Ordinance 143.026 and with the Ohio Public Employee Collective Bargain Act set forth in Chapter 4117 of the Revised Code;

WHEREAS, on February 3, 2016 the City filed a Notice of Appeal to the trial court's decision that the City lacked standing to seek a declaration of its rights under Chapter 2721 of the Ohio Revised Code;

WHEREAS, on February 23, 2016 a third party tax payer lawsuit (City of Brook Park ex rel. Michael Wohlgemuth v. Committee to Secure Our Safety et al., Common Pleas Case No. 16 CV 859397) was filed in the Cuyahoga County Court of Common Pleas seeking to declare amended Ordinance 143.026 invalid;

WHEREAS, the Mayor of the City of Brook Park desires to compromise, resolve, eliminate, settle and avoid all litigation and appeals relating to amended Ordinance 143.026,

WHEREAS, the Mayor desires to resolve all conflicts between Articles III and VIII of the City Charter, Chapter 4117 of the Revised Code and amended Ordinance 143.026;

WHEREAS, the Mayor desires to provide the Director of Public Safety and the Fire Chief of the City of Brook Park with sufficient and effective authority to properly manage and utilize the resources of the Fire Department; and,

WHEREAS, the Mayor wishes to eliminate the need for all further litigation by amending Ordinance 143.026 to clarify that the authority to manage the resources of, and assign personnel within, the Fire Department of the City resides with the Director of Public Safety and the Chief of the Fire Department;

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, that:

Section 1.

Codified 143.026 MINIMUM MEMBERS ON DUTY.

The Director of Public Safety and the Chief of the Fire Department shall see that there is, in addition to the Fire Chief, Assistant Fire Chief and the Fire Prevention Personnel, a minimum of five firefighters on duty at 17401 Holland Road (Station No. 1) and two firefighters at the 22530 Ruple Road (Station No. 2) fire stations at all times;

is hereby amended to read:

Codified 143.026 MINIMUM MEMBERS ON DUTY.

The Director of Public Safety and the Chief of the Fire Department shall see that there is, in addition to the Fire Chief, Assistant Fire Chief and Fire Prevention Personnel, sufficient **full and part time** firefighters at 17401 Holland Road (Station No. 1) and 22530 Ruple Rd. (Station No. 2) as necessary to protect lives and property of all persons and businesses present within the City at all times.

SECTION 2: Ordinance 143.026 as passed February 3, 2015 and effective March 1, 2015, is hereby expressly repealed.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that

resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION: 4 This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that it is necessary to amend Ordinance No. 143.026; therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

**I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS**

DATE



DIRECTOR OF LAW