

NOTICE

SPECIAL MEETING OF COUNCIL

Clerks Office, Brook Park, OH

Date: APRIL 22, 2016

TO: COUNCIL MEMBERS TROYER, MENCINI, POWERS, SCOTT, BURGIO, McCORMICK, SALVATORE, COUNCIL PRESIDENT ASTORINO, MAYOR COYNE, LAW DIRECTOR HORVATH, FINANCE DIRECTOR CINGLE.

XXX COUNCIL MEETING

CAUCUS MEETING

XXX EXECUTIVE SESSION

OTHER (Specify)

Such meeting will accordingly be held on TUESDAY the 26TH day of APRIL, 2016 IMMEDIATELY FOLLOWING THE REGULAR CAUCUS MEETING: (At the place of holding regular meetings

*Refer to Rules of Council No. 4 if applicable).

SUBJECT(S):

A. ROLL CALL OF MEMBERS:

B. PLEDGE OF ALLEGIANCE:

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

O. THIRD READING OF RESOLUTIONS AND ORDINANCES:

SEE ATTACHED SHEET OF LEGISLATION TITLES:

NOTE: EXECUTIVE SESSION – PERSONNEL MATTERS

Q. ADJOURNMENT:

Council Member

Council Member

Council Member

Jim Astorino

President of Council

Michelle Blazek

Clerk of Council

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 Councilwoman McCormick, Council Members Powers, Mencini, Troyer, Council President Astorino

2. ORDINANCE NO. 10010-2016, ENACTING CHAPTER 741 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SNOW REMOVAL AND LANDSCAPING/LAWN MAINTENANCE CONTRACTORS' AND DECLARING AN EMERGENCY Introduced by Mayor Coyne, Council Members Salvatore, Burgio, Scott, Mencini, Troyer

3. ORDINANCE NO. 10011-2016, REPEALING CHAPTER 938 ENTITLED 'GRASS CUTTING SERVICE' AND DECLARING AN EMERGENCY Introduced by Mayor Coyne, Council Members Salvatore, Burgio, Scott, Mencini

4. ORDINANCE NO. 10012-2016, AMENDING CHAPTER 937 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SENIOR CITIZENS AND PHYSICALLY DISABLED SERVICES' AND DECLARING AN EMERGENCY Introduced by Mayor Coyne, Council Members Salvatore, Burgio, Scott, Mencini

P/C 3/15/16 Finance
CA 3/22/16
1st R 4/5/16
2nd R 4/19/16
3rd R 4/26/16 Sp. Council
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

EXHIBIT
A

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		\$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 4/12/16 Service
CA 4/12/16
1st R 4/5/16 CR13
2nd R 4/19/16
3rd R 4/26/16 Sp. Council
B/C
Cau 4/26/16

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10010-2016

INTRODUCED BY: MAYOR COYNE, COUNCILMEN SALVATORE, BURGIO & SCOTT
MENCINI, TROYER

AN ORDINANCE
ENACTING CHAPTER 741 OF THE
BROOK PARK CODIFIED ORDINANCES,
ENTITLED 'SNOW REMOVAL AND
LANDSCAPING/LAWN MAINTENANCE CONTRACTORS,'
AND DECLARING AN EMERGENCY

WHEREAS, residents of our City are now in need of hiring contractors for snow removal, landscaping and lawn maintenance; and

WHEREAS, this Council and Mayor are desirous of enacting a new Chapter of the Brook Park Codified Ordinances entitled "Snow Removal and Landscaping/Lawn Maintenance Contractors" to establish regulations for those individuals and/or companies in the business of snow removal and landscaping/lawn maintenance from a personal residence or business; and

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

SECTION 1: The Brook Park Codified Ordinances shall be supplemented by enacting Chapter 741 entitled "Snow Removal and Landscaping/Lawn Maintenance Contractors" is hereby enacted to read as follows:

741 SNOW REMOVAL AND LANDSCAPING/LAWN MAINTENANCE CONTRACTORS.

741.01 DEFINITIONS.

"Private snow removal firms, landscapers/lawn maintenance contractors or individuals" means any person, company, firm or corporation who engages in the act of removing, pushing, plowing snow and/or the maintenance and removal of turf (grass), shrubs and trees from a property other than the personal residence or business of such person, company, firm or corporation.

741.02 REGISTRATION.

A. All private snow removal firms, landscaping/lawn maintenance contractors and individuals shall register annually with the office of the Building Commissioner in accord with the

provisions of Section 741.05 prior to removing, pushing, plowing snow or the maintenance of landscaped yards and lawn maintenance from any private or public property located within the City. Such registration will expire annually on June 1 of each year.

B. No private snow removal firm, landscapers/lawn maintenance contractors or individual shall engage in the act of removing, pushing, plowing snow and/or the maintenance or removal of turf (grass), shrubs and trees from any private or public property located within the City without first having registered with the office of the Building Commissioner as required by this section.

741.03 EXCLUSIONS.

The provisions and requirements of this chapter shall not apply to:

A. Individuals or firms using snow shovels, snow blowers or small lawn or garden tractors; or

B. Individuals or firms using any type of snow removal or landscaping/lawn maintenance equipment for the removal or plowing of snow or cutting grass from their own personal residences or business premises.

C. Individuals or firms using any type of snow removal or landscaping/lawn maintenance equipment for the removal of snow or yard waste from the personal residence of another in which they do not receive any compensation.

741.04 ISSUANCE OF LICENSE.

The Building Commissioner shall issue annual sticker registration tags to all private snow removal firms, landscaping/lawn maintenance contractors and individuals who comply with the requirements set forth in section 741.05.

741.05 REGISTRATION PROCEDURE.

The Building Commissioner shall register and issue sticker registration tags to all private snow removal firms, landscaping/lawn maintenance contractors or individuals who:

A. Complete an application form prescribed by the Building Commissioner for the registration of private snow removal firms, landscaping/lawn maintenance contractors or individuals;

B. Pay a registration fee of twenty-five dollars (\$25.00) per year for each vehicle which sticker registration tags are to be issued;

C. Demonstrate proof of liability insurance with limits in the amount of fifty thousand dollars (\$50,000) per person and one hundred thousand dollars (\$100,000) per occurrence for bodily injury and fifty thousand dollars (\$50,000) property damage liability.

741.06 DISPLAY OF TAGS.

All private snow removal firms, landscaping/lawn maintenance contractors or individuals shall prominently display, on each vehicle used in snow removal plowing, landscaping/lawn maintenance a current registration tag issued by the Building Commissioner at all times while such vehicle is engaged in removal, pushing, or plowing of snow and/or lawn maintenance or removal of turf (grass) trees and shrubs on private property.

741.07 DEPOSIT OF SNOW AND/OR ICE AND YARD WASTE.

A. No private snow removal firms, landscaping/lawn maintenance contractors or individuals while in the process of snow plowing or removal of snow, or the removal of yard waste shall deposit or cause to be deposited any snow and/or ice and yard waste that would obstruct, hinder, block or cause damage to any public or private road, right of way, crosswalk, sidewalk, driveway or fire hydrant.

- (1) Normal routine yard waste shall be disposed of in accordance with the City of Brook Park waste regulations.
- (2) City or state snow plow operations are exempt from this Section.
- (3) In addition to the penalty provided in this Chapter, whoever violates this Section shall forfeit any license issued pursuant to this chapter.

741.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Chapter is guilty of a first degree misdemeanor.

SECTION 2: 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 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare of said City, and for the further reason to enact Chapter 741 of the Brook Park Codified Ordinances; 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: _____

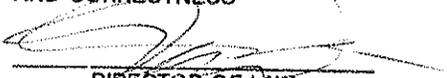
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW

4/12/16 Service
A 4/12/16
1st R 4/5/16 CR 13
2nd R 4/19/16
3rd R 4/26/16 Sp. Council
Cau 4/26/16

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10011-2016

INTRODUCED BY: MAYOR COYNE, COUNCILMEN SALVATORE, BURGIO & SCOTT, MENCINI

AN ORDINANCE
REPEALING CHAPTER 938 ENTITLED
'GRASS CUTTING SERVICE'
AND DECLARING AN EMERGENCY

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

SECTION 1: Ordinance No. 7214-1988 as enacted and passed on May January 17, 1989, Ord. No., 8614-1999, passed November 16, 1999, Ord. No. 8745-2000, passed December 5, 2000 and Ord. No. 9645-2010, passed May 5, 2010, is hereby repealed.

SECTION 2: 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 3: 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 Council desires to repeal Chapter 551; 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.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

P/C 4/12/16 Service
CA 4/12/16
1st R 4/5/16 CR 13
2nd R 4/19/16 -amended
3rd R 4/26/16 Sp. Council
P/C
Caucus 4/26/16

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10012-2016

INTRODUCED BY: MAYOR COYNE, COUNCILMEN SALVATORE, BURGIO & SCOTT, MENCINI

AN ORDINANCE
AMENDING CHAPTER 937
OF THE BROOK PARK CODIFIED ORDINANCES
ENTITLED 'SENIOR CITIZENS AND PHYSICALLY DISABLED SERVICES,'
AND DECLARING AN EMERGENCY

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

SECTION 1: Chapter 937 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 5367-1978, passed April 25, 1978 and Ordinance No. 9972-2015, passed September 22, 2015, and reading as follows:

937.01 SENIOR SNOW REMOVAL ASSISTANCE PROGRAM.

There is hereby created a senior snow removal assistance program for senior citizens of the City residing in any single-family dwelling and meeting the qualifications as outlined in Section 937.02. Such program shall provide financial assistance to seniors who qualify.

is hereby amended to read:

937.01 SENIOR SNOW REMOVAL/GRASS CUTTING ASSISTANCE PROGRAM.

There is hereby created a senior snow removal/grass cutting assistance program for senior citizens of the City residing in any single-family dwelling and meeting the qualifications as outlined in Section 937.02. Such program shall provide financial assistance to seniors who qualify.

SECTION 2: Former Section 937.01 of the Brook Park Codified Ordinances as enacted by Ordinance No. 5367-1978, April 25, 1978, and Ordinance No. 9972-2015, September 22, 2015 is hereby expressly repealed.

SECTION 3: Section 937.04 of the Brook Park Codified Ordinances, as enacted by Ordinance No. enacted by Ordinance No. 5367-1978, passed April 25, 1978, and Ordinance No. 9972-2015, passed September 22, 2015, and reading as follows:

937.04 CONTRACTORS.

(a) The City shall annually review and approve of any

"private snow removal firms or individuals," as defined in Section 741.01 herein, who apply to participate in the senior citizen discount snow program. The Mayor's office shall develop and promulgate the rules, terms and conditions for any private snow removal firms or individuals applying and participating in the senior citizen discount snow plow program. Any private snow removal firms or individuals who apply and participate in the senior citizen discount snow plow program shall be in full compliance with Chapter 741 herein.

(b) The private snow removal firms or individuals who are selected to participate in the senior citizen discount snow plow program shall be assigned by the City the senior citizens who have registered and are eligible for this program. The private snow removal firms or individuals shall enter into a contract, as supplied by the City, to perform snow plowing services with each and every senior citizen they are assigned.

(c) For each senior citizen that enters into a contract with a private snow removal firms or individuals pursuant to subsection (b) herein, then the City shall pay to the private snow removal firms or individuals an amount to be appropriated by City Council annually, for each validly executed contract. Said payment shall then be credited to the total amount owed by each senior citizen to the private snow removal firms or individuals. Each senior citizen shall be responsible to pay to the private snow removal firms or individuals for the balance owed for said snow plowing services.

(d) Any senior citizen who does not qualify pursuant to Section 937.02 herein because their annual income exceeds the guideline amounts then they shall be entitled to participate in the snow removal assistance program, with the exception that they shall not receive any of the benefits set forth in Section 937.04(c) herein. In allowing said senior citizens to qualify for the snow removal assistance program it is the intent of this ordinance that they shall be responsible to pay to the private snow removal firms or individuals the total amount owed for said snow plowing services.

is hereby amended to read:

937.04 CONTRACTORS.

(a) The City shall annually review and approve of any "private snow removal firms, landscaping/lawn maintenance contractors or individuals," as defined in Section 741.01 herein, who apply to participate in the senior citizen discount snow/grassing cutting program. The Mayor's office shall develop and promulgate the rules, terms and conditions for any private snow removal firms, landscaping/lawn maintenance contractors or individuals applying and participating in the senior citizen discount snow plow/grass cutting program. Any private snow removal firms, landscaping/lawn maintenance contractors or individuals who apply and participate in the senior citizen

discount snow plow/grass cutting program shall be in full compliance with Chapter 741 herein.

(b) The private snow removal firms, landscaping/lawn maintenance contractors or individuals who are selected to participate in the senior citizen discount snow plow/grass cutting program shall be assigned by the City the senior citizens who have registered and are eligible for this program. The private snow removal firms, landscaping/lawn maintenance or individuals shall enter into a contract, as supplied by the City, to perform snow plowing/grass cutting services with each and every senior citizen they are assigned.

(c) For each senior citizen that enters into a contract with a private snow removal firms, landscaping/lawn maintenance contractors or individuals pursuant to subsection (b) herein, then the City shall pay to the private snow removal firms, landscaping/lawn maintenance contractors or individuals an amount to be appropriated by City Council annually, for each validly executed contract. Said payment shall then be credited to the total amount owed by each senior citizen to the private snow removal firms, landscaping/lawn maintenance or individuals. Each senior citizen shall be responsible to pay to the private snow removal firms, landscaping/lawn maintenance or individuals for the balance owed for said snow plowing, landscaping/lawn maintenance services.

(d) Any senior citizen who does not qualify pursuant to Section 937.02 herein because their annual income exceeds the guideline amounts then they shall be entitled to participate in the snow removal and grass cutting assistance program, with the exception that they shall not receive any of the benefits set forth in Section 937.04(c) herein. In allowing said senior citizens to qualify for the snow removal and grass cutting assistance program it is the intent of this ordinance that they shall be responsible to pay to the private snow removal firms, landscaping/lawn maintenance contractors or individuals the total amount owed for said snow plowing and grass cutting services.

SECTION 4: Former Section 937.04 of the Brook Park Codified Ordinances as enacted by Ordinance No. 5367-1978, April 25, 1978, and Ordinance No. 9972-2015, September 22, 2015 is hereby expressly repealed.

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 of amending Chapter 937 the Brook Park Codified Ordinances; 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.

SECTION 7: The monies needed for the aforesaid transaction shall be paid from the Economic Development Fund 243 for said purpose.

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