

NOTICE  
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

July 6, 2016

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

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF COUNCIL  
HAS BEEN CALLED FOR THE PURPOSE OF:

XXX COUNCIL MEETING                       CAUCUS MEETING  
 EXECUTIVE SESSION                       OTHER (Specify)

Such special meeting will accordingly be held on SATURDAY, the 9<sup>th</sup> day of

JULY, TO BE HELD AT 10:00 A.M. at the place of holding regular meetings. (\*Refer to Rules of Council, No. 4, if applicable.)

**SUBJECT:**

- A. **ROLL CALL OF MEMBERS**
- B. **PLEDGE OF ALLEGIANCE**
- L. **REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR RESOLUTIONS THAT PERTAIN TO THE AGENDA ONLY:**
- O. **THIRD READING OF RESOLUTIONS AND ORDINANCES:**  
**SEE ATTACHED SHEET**
- P. **ADJOURNMENT**

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Michelle Blaych  
Clerk of Council

**O. THIRD READING OF RESOLUTIONS AND ORDINANCES:**

1. ORDINANCE NO. 10025-2016, AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO THE RESTATEMENT OF THE WATER SERVICE AGREEMENT WITH THE CITY OF CLEVELAND Introduced by Mayor Coyne
  
2. RESOLUTION NO. 16-2016, AUTHORIZING THE MAYOR TO ENTER INTO A RESTATEMENT OF THE WATER SERVICE AGREEMENT FOR DIRECT SERVICE WITH THE CITY OF CLEVELAND AND DECLARING AN EMERGENCY Introduced by Mayor Coyne
  
3. RESOLUTION NO. 17-2016, AUTHORIZING THE MAYOR TO ENTER INTO AN ASSET TRANSFER AGREEMENT WITH THE CITY OF CLEVELAND FOR THE TRANSFER OF WATER SERVICE ASSETS AND DECLARING AN EMERGENCY Introduced by Mayor Coyne
  
4. RESOLUTION NO. 18-2016, AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL UTILITY DISTRICT AGREEMENT WITH THE CITY OF CLEVELAND IN CONNECTION WITH THE PROVISION OF WATER SERVICE AND DECLARING AN EMERGENCY Introduced by Mayor Coyne

P/C 3/15/16 Legislative  
CA 6/14/16  
1st R 6/21/16  
2nd R 7/2/16 Sp. Cou  
3rd R 7-19-16 Sp. Cou  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10025-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AUTHORIZING AND DIRECTING THE MAYOR  
TO ENTER INTO THE RESTATEMENT OF THE  
WATER SERVICE AGREEMENT WITH THE CITY OF CLEVELAND

WHEREAS, the City of Brook Park has previously entered into certain agreements with the City of Cleveland related to the provision of water service to the City of Brook Park's residents and businesses; and

WHEREAS, the City of Cleveland amended and restated the various agreements so that it may continue to reimburse communities, beyond the year 2012, for replacement water lines; and

WHEREAS, the Council finds and determines that the proposed Restatement of the Water Service Agreement is in the best interests of the City of Brook Park, its water users and ratepayers, and its taxpayers and residents.

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

SECTION 1: That the Mayor be and is hereby authorized and directed to enter into the "Restatement of the Water Service Agreement" with the City of Cleveland, which is on file in the Clerk of Council's office.

SECTION 2: That the Mayor may take such further actions and sign such documents as are necessary to fully implement the "Restatement of the Water Service Agreement."

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 shall take effect and be in force from and after 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

	Yea	Nay
Troyer	_____	_____
Mencini	_____	_____
Powers	_____	_____
Scott	_____	_____
Burgio	_____	_____
McCormick	_____	_____
Salvatore	_____	_____

P/C 3/15/16 Legislative  
CA 6/14/16  
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2nd R 7/2/16 Sp. Cou.  
3rd R 7-19-16 Sp. Cou  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 16-2016

INTRODUCED BY: MAYOR COYNE

A RESOLUTION  
AUTHORIZING THE MAYOR  
TO ENTER INTO A RESTATEMENT OF THE  
WATER SERVICE AGREEMENT FOR DIRECT  
SERVICE WITH THE CITY OF CLEVELAND,  
AND DECLARING AN EMERGENCY.

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

SECTION 1: The Mayor be, and he hereby is, authorized to enter into a Restatement of the Water Service Agreement for direct Service with the City of Cleveland for the transfer of water service assets, a copy of which Agreement is attached hereto as Exhibit "A."

SECTION 2: 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 3: 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 authorize the Mayor to enter into a Restatement of Water Service Agreement for Direct Service with the City of Cleveland; 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

	Yea	Nay
Troyer	_____	_____
Mencini	_____	_____
Powers	_____	_____
Scott	_____	_____
Burgio	_____	_____
McCormick	_____	_____
Salvatore	_____	_____

P/C 3/15/16 Legislative  
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1st R 6/21/16  
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3rd R 7-19-16 Sp. Cou  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 17-2016

INTRODUCED BY: MAYOR COYNE

A RESOLUTION  
AUTHORIZING THE MAYOR  
TO ENTER INTO AN ASSET TRANSFER  
AGREEMENT WITH THE CITY OF CLEVELAND  
FOR THE TRANSFER OF WATER SERVICE ASSETS,  
AND DECLARING AN EMERGENCY.

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

SECTION 1: The Mayor be, and he hereby is, authorized to enter into an Asset Transfer Agreement with the City of Cleveland for the transfer of water service assets, a copy of which Agreement is attached hereto as Exhibit "A."

SECTION 2: 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 3: 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 authorize the Mayor to enter into an Asset Transfer Agreement with the City of Cleveland; 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

	Yea	Nay
Troyer	_____	_____
Mencini	_____	_____
Powers	_____	_____
Scott	_____	_____
Burgio	_____	_____
McCormick	_____	_____
Salvatore	_____	_____



P/C 3/15/16 Legislativ  
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1st R 6/21/16  
2nd R 7/2/16 Sp. Cou  
3rd R 7/19/16 Sp. Cou  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 18-2016

INTRODUCED BY: MAYOR COYNE

A RESOLUTION  
AUTHORIZING THE MAYOR  
TO ENTER INTO A MUNICIPAL UTILITY  
DISTRICT AGREEMENT WITH THE CITY  
OF CLEVELAND IN CONNECTION WITH  
THE PROVISION OF WATER SERVICE,  
AND DECLARING AN EMERGENCY.

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

SECTION 1: The Mayor be, and he hereby is, authorized to enter into a Municipal Utility District Agreement with the City of Cleveland in connection with the provision of water service, a copy of which Agreement is attached hereto as Exhibit "A."

SECTION 2: 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 3: 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 authorize the Mayor to enter into a Municipality Utility District Agreement with the City of Cleveland; 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

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



DIRECTOR OF LAW

Troyer  
Mencini  
Powers  
Scott  
Burgio  
McCormick  
Salvatore

Yea      Nay

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