

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 11, 2016
7:00 P.M.**

I. ROLL CALL OF MEMBERS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

IV. DISCUSSION:

1. PROPOSED 2016-2017 COUNCIL RULE CHANGES – Councilman Salvatore – PER COUNCIL PRESIDENT ASTORINO
 - a) COUNCIL RULE NO. 7
 - b) COUNCIL RULE NO. 9
 - c) COUNCIL RULE NO. 12
 - d) COUNCIL RULE NO. 19
 - e) COUNCIL RULE NO. 23
 - f) COUNCIL RULE NO. 27
2. COUNCIL OFFICE TECHNOLOGY - PER COUNCIL PRESIDENT ASTORINO
3. REQUEST FOR A CONDITIONAL USE PERMIT AND PROJECT APPROVAL TO CONSTRUCT AND OPERATE A NEW 12,000 SQUARE-FOOT MULTI-TENANT BUILDING LOCATED AT 16110 BROOKPARK ROAD IN THE U7-B & U7-E DISTRICT - PER COUNCIL PRESIDENT ASTORINO

Received from the Planning Commission on October 4, 2016.

In attendance: Thomas Lavelle, Owner

***Note:* Legislation in the form of a Resolution is needed
for Conditional Use Permits.**

IV. DISCUSSION: CONT.

4. a) 'ME TOO CLAUSE PROVISION' WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1141. - PER COUNCIL PRESIDENT ASTORINO
- b) 'ME TOO CLAUSE PROVISION' WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL INC. (DISPATCHERS) - PER COUNCIL PRESIDENT ASTORINO
- c) 'ME TOO CLAUSE PROVISION' WITH THE FRATERNAL ORDER OF POLICE, LODGE #15 - PER COUNCIL PRESIDENT ASTORINO
- d) 'ME TOO CLAUSE PROVISION' WITH THE OHIO PATROLMAN'S BENEVOLENT ASSOCIATION (SERGEANTS AND LIEUTENANTS) - PER COUNCIL PRESIDENT ASTORINO
- e) 'ME TOO CLAUSE PROVISION' WITH THE TEAMSTERS LOCAL 436 - PER COUNCIL PRESIDENT ASTORINO
- f) 'ME TOO CLAUSE PROVISION' WITH THE MUNICIPAL FOREMAN AND LABORERS' UNION LOCAL NO. 1099 - PER COUNCIL PRESIDENT ASTORINO

V. FINANCE COMMITTEE - CHAIRWOMAN, McCORMICK:

1. AN ORDINANCE AUTHORIZING THE RENEWAL OF THE BROOK PARK HOME MAINTENANCE ASSISTANCE GRANT PROGRAM (HMAP) FOR 2017. Introduced by Council Members McCormick, Troyer, Powers and Council President Astorino. **Placed in committee 9/20/2016**

VI. LEGISLATIVE COMMITTEE - CHAIRMAN, TROYER:

1. AN ORDINANCE ENACTING SECTION 509.15 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PROHIBITING NUISANCE PARTIES' AND DECLARING AN EMERGENCY. Introduced by Council President Astorino **Placed in committee 9/20/16**

VII. SAFETY COMMITTEE - CHAIRMAN, SALVATORE:

1. AN ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO PREPARE SPECIFICATIONS FOR POLICE AUTO CAMERAS AND VIDEO WITH SOUND RECORDERS AND FURTHER AUTHORIZING THE MAYOR TO SEEK SUCH PROPOSALS AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne. **Placed in committee 10/4/2016**

VII. ADJOURNMENT:

Posted 10/7/2016

CURRENT COUNCIL RULES (2016—2017)

RULE 7: ORDER OF BUSINESS

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council shall, by a majority vote (4), suspend the rule and change the order.

- A. ROLL CALL OF MEMBERS
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS
- D. REPORTS OF STANDING COMMITTEES
- E. REPORTS OF SPECIAL COMMITTEES
- F. REPORTS OF BOARDS AND COMMISSIONS
- G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION
- H. REPORTS AND COMMUNICATIONS FROM THE MAYOR
- I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS
- J. OTHER COMMUNICATIONS AND PETITIONS AND VERBAL APPROVAL (INTRODUCTION OF NEW LEGISLATION)
- K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS
- L. REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR RESOLUTIONS THAT PERTAIN TO ITEMS ON THE AGENDA
- M. INTRODUCTION OF ORDINANCES AND RESOLUTIONS (FIRST READING)
- N. SECOND READING OF ORDINANCES AND RESOLUTIONS
- O. THIRD READING OF ORDINANCES AND RESOLUTIONS
- P. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER
- Q. ADJOURNMENT (Amended/Adopted 1/4/16)

PROPOSED AMENDMENT TO COUNCIL RULES (2016—2017)

RULE 7: ORDER OF BUSINESS

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council shall, by a majority vote (4), suspend the rule and change the order.

- A. ROLL CALL OF MEMBERS
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS
- D. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER
- E. REPORTS OF STANDING COMMITTEES
- F. REPORTS OF SPECIAL COMMITTEES

- G. REPORTS OF BOARDS AND COMMISSIONS
- H. INTRODUCTION OF RESOLUTIONS OF COMMENDATION
- I. REPORTS AND COMMUNICATIONS FROM THE MAYOR
- J. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS
- K. OTHER COMMUNICATIONS AND PETITIONS AND VERBAL APPROVAL (MOTIONS BY COUNCIL).
- L. MOTION BY COUNCIL INVOLVING ANY TOPICS REQUIRING A MAJORITY VOTE OF COUNCIL MEMBERS INCLUDING RULE CHANGES
- M. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS
- N. INTRODUCTION OF ORDINANCES AND RESOLUTIONS (FIRST READING)
- O. SECOND READING OF ORDINANCES AND RESOLUTIONS
- P. THIRD READING OF ORDINANCES AND RESOLUTIONS
- Q. ADJOURNMENT (BY MOTION AND SHALL REQUIRE A VOTE OF THE MAJORITY MEMBERS OF COUNCIL APPROVAL)

RULE 9: CONDUCT OF ELECTED AND APPOINTED OFFICIALS AT COUNCIL MEETINGS

Electronic devices of all elected and appointed officials shall be turned off or set on airplane mode during City Council meetings. Use of electronic devices for talking, texting, email or otherwise during City Council meetings is, except for emergency communications, prohibited. It is the City Council's intent to prohibit electronic communications between Members of the Council and other persons during City Council meetings. Prohibiting communications of this type enables the Council to operate with maximum transparency and to avoid any appearance or perception of engaging in discussions or deliberations not open to the public during City Council meetings. (Addition/Adopted 1/4/16)

**** PROPOSED AMENDMENT FOR CLARIFICATION PURPOSES: ****

“Electronic devices belonging to councilpersons should not be used for talking, texting, emailing, or other forms of communication during Council meetings, except for emergency communications. It is Council's intent to prohibit electronic communications between members of the Council and other persons during City Council meetings. Electronic devices such as laptop computers and tablets are permitted to be used only for Council-related business during City Council meetings. All others in attendance at City Council meetings are also permitted to use electronic devices, except that they must not be used to communicate with any member of Council or others on the dais during Council meetings. Electronic devices should be silenced and the volume on devices muted. Any phone conversations during the course of a Council meeting should be taken elsewhere as not to disrupt the meeting.”

(NO OTHER PORTION OF RULE #9 WOULD BE CHANGED)

1 **PROPOSED AMENDMENTS TO COUNCIL RULES**

2 **RULE 4: SPECIAL MEETINGS**

3 Special meetings may be called at any time by the Mayor, President of Council or any three (3)
4 Members of Council, by a written notice, not less than twenty-four (24) hours in advance. Such
5 notice shall be served personally on each Member, or left at his usual place of residence, and
6 shall state the date, time and subjects to be considered. No other subjects shall be considered
7 other than what is stated in the NOTICE OF SPECIAL MEETING.

8 ***

9 **SHALL BE AMENDED TO READ:**

10 **RULE 4: SPECIAL MEETINGS**

11 When in session, Special meetings may be called at any time by the Mayor, President of Council
12 or any three (3) Members of Council, by a written notice, not less than twenty-four (24) hours in
13 advance. When in recess during the months of July and August, Special meetings may be
14 called only by the Mayor by a written notice, not less than forty-eight (48) hours in
15 advance. Such notice shall be served personally on each Member, or left at his usual place of
16 residence, and shall state the date, time and subjects to be considered. No other subjects shall be
17 considered other than what is stated in the NOTICE OF SPECIAL MEETING.

18 ***

19 -----
20 **RULE 12: ORDINANCES AND RESOLUTIONS**

- 21 a. **INTRODUCTION:** Ordinances and Resolutions shall be introduced in the Council only in
22 printed form, with the name of the Committee introducing the same endorsed thereon, or by the
23 Mayor, except if legislation is introduced by a Councilman on the floor of Council, then it shall
24 carry his name. All ordinances and resolutions shall be read by title only on the day introduced
25 and shall be referred to Committee by the Presiding Officer.

26 **SHALL BE AMENDED TO READ:**

27 **RULE 12: ORDINANCES AND RESOLUTIONS**

- 28 a. **INTRODUCTION:** Ordinances and Resolutions shall be introduced in the Council only in
29 printed form, with the name of the Committee introducing the same endorsed thereon, or by the
30 Mayor, except if legislation is introduced by a Councilman on the floor of Council, then it shall
31 carry his name. All ordinances and resolutions shall be read by title only on the day introduced
32 and shall be referred to Committee by the Presiding Officer. (The reading by title only on the

33 day of introduction is for identification purposes only and shall not be considered as a first
34 reading of the introduced legislation.)

35 -----
36 **RULE 12: ORDINANCES AND RESOLUTIONS**

37 c. **DELIVERY TO LAW DIRECTOR:** In order that adequate time may be given to the
38 preparation of legislation, Members of Council shall present requests, in writing, for legislation
39 to the Law Director not later than 5:00 p.m. on the Tuesday preceding the meeting at which such
40 legislation is to be introduced. Legislation to be introduced under suspension of the rules must
41 be presented to the Law Director at least one (1) week preceding introduction to Council.

42 **SHALL BE AMENDED TO READ:**

43 c. **DELIVERY TO LAW DIRECTOR:** In order that adequate time may be given to the
44 preparation of legislation, Members of Council shall present requests, in writing, for legislation
45 to the Law Director not later than 5:00 p.m. on the Tuesday preceding the meeting at which such
46 legislation is to be introduced. Legislation to be introduced under suspension of the rules must
47 be presented to the Law Director at least one (1) week preceding introduction to Council. **Under**
48 **no circumstance will the Law Director fail to provide the requested legislation within thirty**
49 **(30) days.**

50 -----
51 **RULE 19: PERMISSION REQUIRED TO ADDRESS COUNCIL**

52 Persons other than Members of the Council and City Officers shall not be permitted to address
53 Council except upon introduction by the presiding officer. Each citizen must identify himself,
54 and his residential address, for purpose of the Public Record.

55 **SHALL BE AMENDED TO READ:**

56 **RULE 19: PERMISSION REQUIRED TO ADDRESS COUNCIL**

57 Persons other than Members of the Council and City Officers shall not be permitted to address
58 Council except upon introduction by the presiding officer. Each citizen must identify himself,
59 and his residential address, for purpose of the Public Record.

60 **Each citizen shall at all times during any Regular or Special Council meeting, conduct**
61 **themselves in a professional manner. They shall not use offensive language to elected or**
62 **appointed officials or to the attending public. They shall not personally attack either**
63 **physically or verbally any elected or appointed official. They shall comply with the Rules of**
64 **Council 2016-2017.**

65 Except with permission of Council specifically given, speakers shall be limited to five
66 minutes.

67 -----

68 **RULE 23: SUSPENSION OF THE RULES**

69 Any provision of these rules not governed by the Charter or Code may be temporarily suspended
70 at any meeting of the Council, by a majority vote of all voting members elected. The vote on
71 any such suspension shall be taken by Yeas and Nays and entered upon the record.

72 **SHALL BE AMENDED TO READ:**

73 **RULE 23: SUSPENSION OF THE RULES**

74 Any provision of these rules not governed by the Charter or Code may be temporarily suspended
75 at any meeting of the Council, by a majority vote plus one (5) of all voting members elected.
76 The vote on any such suspension shall be taken by Yeas and Nays and entered upon the record.

77 -----

78 **RULE 25: PARLIAMENTARY AUTHORITY**

79 Any rule not specifically covered by ~~these listed rules~~, shall be determined by referral to
80 "Roberts Rules of Order, 9th Edition". (Amended/Adopted 2/1/00)

81 **SHALL BE AMENDED TO READ:**

82 **RULE 25: PARLIAMENTARY AUTHORITY**

83 Any rule not specifically covered by these listed rules, shall be determined by referral to the
84 latest revision of "Roberts Rules of Order, 9th Edition".

85 -----

86 **NEW RULE WXYZ TIME LIMIT**

87 Any legislation introduced which is not passed or defeated with two years of the date that it
88 was first introduced shall be automatically removed from consideration, unless a separate
89 motion of Council passed by a majority vote plus one (5) of all voting members elected extends
90 the time period for consideration to a date certain.

RULE 27:OFFICE ADMINISTRATOR

The Council President shall be the administrator of the Office of Council with the responsibility of directing the day-to-day operations of the office, in accordance with the policies established by the majority members of Council, in addition, the Council President shall follow the personnel policies and procedures adopted by Council on November 26, 1991. All rules and regulations can be amendable or nullified by a majority of Council. All expenditures in excess of five hundred dollars (\$500.00) must be approved by Council. The administrator shall serve at the pleasure of Council. (Amended 2/3/98 – Verbal Approval.)

PROPOSED AMENDMENT TO COUNCIL RULES (2016-2017)

RULE 27:OFFICE ADMINISTRATOR

The Council President **Pro-Tempore** shall be the administrator of the Office of Council with the responsibility of directing the day-to-day operations of the office, in accordance with the policies established by the majority members of Council, in addition, the Council President **Pro-Tempore** shall follow the personnel policies and procedures adopted by Council on November 26, 1991. All rules and regulations can be amendable or nullified by a majority of Council. All expenditures in excess of five hundred dollars (\$500.00) must be approved by Council. The administrator shall serve at the pleasure of Council. (Amended 2/3/98 – Verbal Approval.)



MEMO

To: Michelle Blazak, Clerk of Council
CC: Kate Schmidt, Law Department
File
From: Katie Anzalone, BZA/PC Secretary
Date: 10/04/16
Re: Approval

* ATTACHMENTS *

The following request was approved with the conditions outlined at the Monday – October 3rd Planning Commission meeting and should be forwarded to City Council for approval.

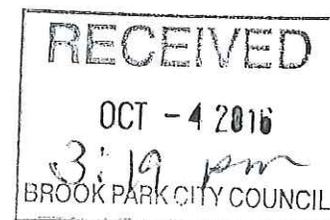
Request approval for a Conditional Use Permit and project approval to construct and operate a new 12,000 SQ" multi-tenant building located at 16110 Brookpark Road, located in the U7-B & U7-AE District.

Planning Commission conditions for granting the Conditional Use Permit:

1. Applicant must submit final building details (ie: Landscaping, Signage, Parking) to the Planning Commission for review.
2. Applicant must submit for lot consolidation of PPN 344-36-004, 005, 006, 008 with the Planning Commission prior to final Certificate of Occupancy issuance.
3. Applicant agrees to the initiation for rezoning of the consolidated parcel by the City of Brook Park to the U7-B District.

Agent: Janotta & Herner
c/o Ryan Bickley, Project Manager
309 Monroe Street
Monroeville, Ohio 44847
Phone: (419)681-5713
Email: ryan@janottaherner.com

Owner: Thomas Lavelle
13320 Enterprise Avenue
Cleveland, Ohio 44135
Phone: (216) 267-1550
Email: tlavelle@rlwurcz.com



ADVANCE BROOK OHIO

0003254164
Order Confirmation

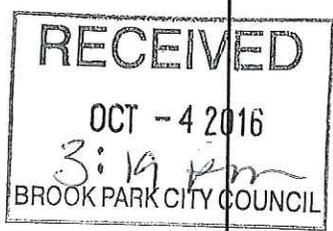
<u>Ad Order Number</u> 0003254164	<u>Customer</u> BROOK PARK CITY OF	<u>Payer Customer</u> BROOK PARK CITY OF	<u>PO Number</u>
<u>Sales Rep.</u> Iponzo	<u>Customer Account</u> 40309043	<u>Payer Account</u> 40309043	<u>Ordered By</u> Katie Anzalone
<u>Order Taker</u>	<u>Customer Address</u> ACCOUNTS PAYABLE BROOK PARK OH 44142 USA	<u>Payer Address</u> ACCOUNTS PAYABLE BROOK PARK OH 44142 USA	<u>Customer Fax</u>
<u>Order Source</u>	<u>Customer Phone</u> 2164331300	<u>Payer Phone</u> 2164331300	<u>Customer Email</u> kanzalone@cityofbrookpark.com
<u>Email</u>			<u>Special Pricing</u>

<u>Ad Number</u>	<u>Ad Type</u>	<u>Pick Up</u>	<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Production Method</u>	<u>Payment Method</u>	<u>Production Notes</u>	<u>Payment Amount</u>	<u>Amount Due</u>
0003254164-01	Legals - Liner		\$166.40	\$0.00	\$166.40	Machine/Adbooker	Invoice		\$0.00	
<u>Ad Size</u> 1 X 17.00 II <u>Color</u>										
<u>Invoice Text</u>										

WYSIWYG Content

PUBLIC NOTICE
Notice is hereby given that a Public Hearing for the City of Brook Park Planning Commission will be held on October 9, 2016 at 7:15pm at 6161 Engle Road (Council Chambers), Brook Park, Ohio. Purpose of the hearing is to consider the request to Request approval for a Conditional Use Permit and project approval to construct and operate a new 12,000sq' multi-tenant building located at 1611D Brookpark Road, located in the U7-B & U7-AE District Meeting is being held pursuant to Chapter 1395 of the Brook Park Codified Ordinances which requires Public Notice.
Katie Anzalone, Secretary
Planning Commission
p.d.:sept09.2016-3254164

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Position</u>	<u>Zone</u>	<u>Sched Cost</u>	<u>Subtotal</u>
09/30/2016	Plain Dealer	Public Notices	1600 PN	Full	\$166.40	\$166.40
09/30/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00
10/01/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00
10/02/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00
10/03/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00
10/04/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00
10/05/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00
10/06/2016	Online	Public Notices	1600 PN	Full	\$0.00	\$0.00



It is agreed by the City of Brook Park and the International Association of Fire Fighters Local 1141 that the collective bargaining agreement shall be amended as follows effective January 1, 2016. The parties acknowledge that each has the authority to enter into and execute this agreement.

1. Article XIV – Compensation, Section 1

All base wages contained within Article XIV, Section 1 shall be increased by 2% effective January 1, 2016. Excluded from the 2% increase is the Longevity benefit scale contained in Section 1.

2. Vacation: Article XII, Section 1

Section 1 All full-time employees shall be granted the following vacation leave with pay for each year based on length of service with the Employer. Vacations shall be taken at a time mutually convenient to the Employer and the employee. During the vacation selection process, employees shall be permitted to “float” four (4) vacation selections into the calendar year in which they shall be taken, or subject to the terms of Section 4 of this article.

<u>Years of Service</u>	<u>Length of Vacation</u>
After 1 year	2 weeks
After 5 years	3 weeks
After 10 years	4 weeks
After 15 years	5 weeks
After 20 years	6 weeks

Section 1(a) Any employee credited with an extra week of vacation as a result of this fact finding award and contract amendment shall have the option of scheduling the additional week or banking the week in accordance to this contract. In 2016 only, any member receiving an extra week of vacation as a result of this fact finding and contract amendment will have the option of receiving a weeks’ pay in lieu of either banking or utilizing the additional week. Employees selecting this option must make this selection by October 15, 2016 and the payment will be made concurrent with the first pay period in November and shall be a separate and distinct check from any other compensation.

Signed the 15th day of July, 2016

For the IAFF Local 1141

Matthew Knight President
Mark J. Higgins VP

For the City of Brook Park

David P. Byrne

It is agreed by the City of Brook Park and the Fraternal Order of Police, Ohio Labor Council, Inc. (Dispatchers) that the collective bargaining agreement effective January 1, 2016 shall be amended as follows:

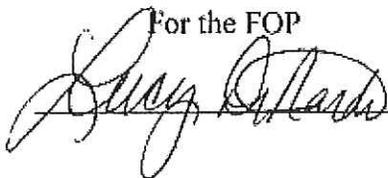
I. Vacation: Article X

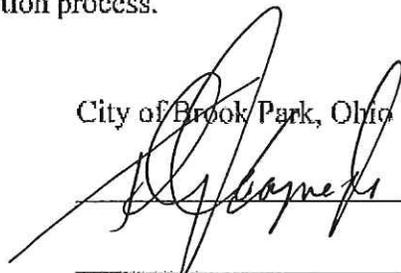
10.1 All full-time employees shall be granted the following vacation leave with pay for each year based on length of service with the Employer. Vacations shall be taken at a time mutually convenient to the Employer and the employee. The Employer may allow two (2) employees to take vacation at the same time provided they are not scheduled on the same shift.

<u>Years of Service</u>	<u>Length of Vacation</u>
After 1 year	2 weeks
After 5 years	3 weeks
After 10 years	4 weeks
After 15 years	5 weeks
After 20 years	6 weeks

10.1(a) All employees credited with an extra week of vacation in 2016 as a result of this amendment shall have the option of either banking the vacation week or receiving 40 hours of salary in lieu of scheduling the time off.

10.1(b) Effective January 1, 2017, all employees receiving 6 weeks of paid vacation shall have the option of receiving cash for one (1) vacation week per year. Payment for this week of vacation shall be paid concurrent with the first pay day in December of each year. An employee wishing to utilize this option must notify the Police Chief during the normal vacation selection process.

For the FOP


City of Brook Park, Ohio


Date 7/19/16

It is agreed by the City of Brook Park and the Fraternal Order of Police, Lodge #15 that the collective bargaining agreement effective January 1, 2016 shall be amended as follows:

1. Vacation: Article XIV

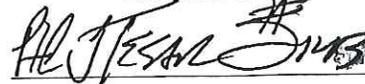
14.01 All full-time employees shall be granted the following vacation leave with pay for each year based on length of service with the Employer. Vacations shall be taken from January 1st through December 31st and shall be selected by employees in December preceding the year the vacation is to be taken based upon seniority and classification.

<u>Years of Service</u>	<u>Length of Vacation</u>
After 1 year	2 weeks
After 5 years	3 weeks
After 10 years	4 weeks
After 15 years	5 weeks
After 20 years	6 weeks

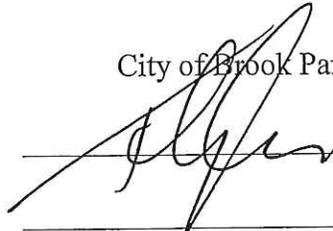
14.01(a) All employees credited with an extra week of vacation in 2016 as a result of this contract amendment shall have the option of either banking the additional vacation week or receiving 40 hours of salary for that additional week.

14.01(b) Effective January 1, 2017, all employees receiving 6 weeks of paid vacation shall have the option of receiving cash for one (1) vacation week per year. Payment for this week of vacation shall be paid concurrent with the first pay day in December of each year. An employee wishing to utilize this option must notify the Police Chief during the normal vacation selection process.

For the FOP


DET [Signature] #60
[Signature] #70

City of Brook Park, Ohio



5.3.16

Date

It is agreed by the City of Brook Park and the Ohio Patrolman's Benevolent Association (Sergeants and Lieutenants) that the collective bargaining agreement effective January 1, 2016 shall be amended as follows:

ARTICLE XIII
VACATION

Section 1 All full-time employees shall be granted the following vacation leave, with pay, for each year based on length of service with the Employer. Vacations shall be taken from January 1 through December 31 and shall be selected by employees in December preceding the year the vacation is to be taken based upon seniority.

<u>Years of Service</u>	<u>Length of Vacation</u>
After 1 year	2 weeks (80 hours)
After 5 years	3 weeks (120 hours)
After 10 years	4 weeks (160 hours)
After 15 years	5 weeks (200 hours)
After 20 years	6 weeks (240 hours)

Section 2 Compensation for vacation shall be based upon forty (40) hours of pay at the employee's regularly hourly rate for each week of vacation.

Section 3 Any break in service by an employee will result in a forfeiture of all accumulated years or service. Break in service shall mean retirement or resignation by an employee or termination by the Employer which is final.

Section 4 Accumulation Vacation shall be taken in the calendar year following the calendar year in which it is earned, except that all employees of the Division of Police may accumulate up to three times their annual vacation provided that in no event shall such accumulation exceed ten (10) weeks (400 hours).

Accrued vacation time in excess or accumulation permitted by the preceding paragraph, and carried over to the following calendar year, shall be forfeited.

Section 5 Employees may be permitted to take their earned vacation time (1-6 weeks / 80-240 hours) in hourly increments provided that permission for such vacation has been secured from the Chief or his designee and further provided that such vacation does not cause overtime.

Section 6(a) All employees credited with an extra week of vacation in 2016 as a result of this amendment shall have the option of either banking the vacation week or receiving 40 hours of salary in lieu of scheduling the time off.

Section 6(b) Effective January 1, 2017, all employees receiving 6 weeks of paid vacation shall have the option of receiving cash for one (1) vacation week per year. Payment for this week of vacation shall be paid concurrent with the first pay day in December of each year. An employee wishing to utilize this option must notify the Police Chief during the normal vacation selection process.

For the OPBA

James Stogrich
A. Spinks
Phill

City of Brook Park, Ohio

[Signature]

7/21/16

Date

It is agreed by the City of Brook Park and the Teamsters Local 436 that the collective bargaining agreement effective January 1, 2016 shall be amended as follows:

1. Vacation: Article XVIII, Section 18.01

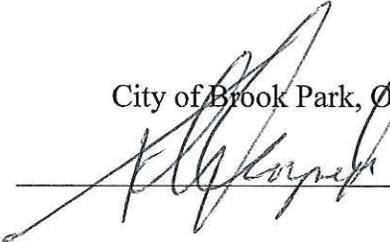
18.01 All regular full-time employees shall be granted the following vacation leave with pay for each year based on length of service with the Employer. Vacations shall be taken at a time mutually convenient to the Employer and employee based upon the operational needs of the employer.

<u>Years of Service</u>	<u>Length of Vacation</u>
After 1 year	2 weeks
After 5 years	3 weeks
After 10 years	4 weeks
After 15 years	5 weeks
After 20 years	6 weeks

18.01(a) All employees credited with an extra week of vacation in 2016 as a result of this amendment shall receive 40 hours of salary in lieu of scheduling the time off concurrent with the first pay in December, 2016.

18.01(b) Effective January 1, 2017, all employees receiving 6 weeks of paid vacation shall have the option of receiving cash for one (1) vacation week per year. Payment for this week of vacation shall be paid concurrent with the first pay day in December of each year. An employee wishing to utilize this option must notify their department director or commissioner upon either the completion of the normal vacation selection process.

For the Teamsters Local 436


City of Brook Park, Ohio


8-11-16
Date

It is agreed by the City of Brook Park and the Municipal Foreman and Laborers' Union No. 1099 that the collective bargaining agreement effective January 1, 2016 shall be amended as follows:

1. Vacation: Article XVII, Section 17.01

17.01 All regular full-time employees shall be granted the following vacation leave with pay for each year based on length of service with the Employer. Vacations shall be taken at a time mutually convenient to the Employer and employee based upon operational needs of the Employer.

<u>Years of Service</u>	<u>Length of Vacation</u>
After 1 year	2 weeks
After 5 years	3 weeks
After 10 years	4 weeks
After 15 years	5 weeks
After 20 years	6 weeks

17.01(a) All employees credited with an extra week of vacation in 2016 as a result of this amendment shall receive 40 hours of salary in lieu of scheduling the time off concurrent with the first pay in December, 2016.

17.01(b) Effective January 1, 2017, all employees receiving 6 weeks of paid vacation shall have the option of receiving cash for one (1) vacation week per year. Payment for this week of vacation shall be paid concurrent with the first pay day in December of each year. An employee wishing to utilize this option must notify their department director or commissioner upon completion of the normal vacation selection process.

For Local 1099

Victor S. Callahan
Bruce Beys

City of Brook Park, Ohio

[Signature]

8-11-16

Date

P/C 9/20/16 Finance
CA 10/11/16
1st R _____
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: _____

INTRODUCED BY: COUNCIL MEMBERS MCCORMICK, TROYER, POWERS AND COUNCIL PRESIDENT ASTORINO

AN ORDINANCE
AUTHORIZING THE RENEWAL OF THE BROOK PARK HOME MAINTENANCE
ASSISTANCE GRANT PROGRAM (HMAP) FOR 2017

WHEREAS, City Council appropriated \$100,000 in the 2016 budget to provide home maintenance assistance to Brook Park residents;

WHEREAS, response to the 2016 Home Maintenance and Assistance Program has exceed available funding;

WHEREAS, the City of Brook Park has encourages the development and maintenance of real property within the City's LMI (low/moderate income) and Target Improvement Area zones;

WHEREAS, financial assistance from the City of Brook Park is necessary to permit residents to effectuate the remediation and repairs to their residential properties and to protect the community from blight and deterioration; and

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous or providing its residents with assistance and incentives to protect their properties and to prevent deterioration and decay of its residential neighborhoods consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution to eradicate and mitigate blight within the City, and to improve the economic welfare of the State; and

WHEREAS, the Council of the City of Brook Park has previously authorized the Mayor and Finance Director to issue grants and loans in order to implement HMAP in the City and believes that continuing the program in 2017 will greatly assist homeowners and city officials to remediate housing stock within the City, improve the living conditions of City residents, and improve the economic climate of the City of Brook Park.

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

SECTION 1: The Council of the City of Brook Park hereby authorizes the renewal of the Home Maintenance and Assistance Program for 2017, and authorizes the Mayor and Finance Director to issue grants and loans under previously agreed upon terms and conditions set forth in Ordinance Nos. 9993-2015 and 9999-2016.

SECTION 2: Council will appropriate \$100,000 for the HMAP program in the 2017 appropriations budget.

SECTION 3: The money needed for the aforesaid grants and loans shall be paid by the City from funds appropriated for the Home Maintenance Assistance Program upon the completion of the aforesaid remediation and repair activities and said funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by the homeowner in furtherance of the aforesaid home maintenance and improvements.

SECTION 4: 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.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

P/C 9/20/16 Legislati
CA 10-11-16
1st R _____
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: _____

INTRODUCED BY: COUNCIL PRESIDENT ASTORINO

AN ORDINANCE
ENACTING SECTION 509.15 OF THE
BROOK PARK CODIFIED ORDINANCES,
ENTITLED 'PROHIBITING NUISANCE PARTIES,'
AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park has continued to receive complaints of excessive noise and other violations of the law from large parties and gatherings in the City; and

WHEREAS, the City of Brook Park would like to prohibit unruly, nuisance parties within the City limits in order to preserve the peace and tranquility of the City and neighborhoods;

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

SECTION 1: That Section 509.15 of the Brook Park Codified Ordinances, entitled 'Prohibiting Nuisance Parties' is hereby enacted to read as follows:

509.15

(a) Nuisance Party Defined. A social gathering or party which is conducted on premises within the City and which, by reason of the conduct of the persons in attendance, results in any one or more of the following conditions or events occurring at the site of the said party or social gathering, or on neighboring public private property:

1. Disorderly conduct.
2. Illegal open container.
3. Outdoor urination or defecation in a public place, or on the property of another.
4. Unlawful sale, furnishing, dispensing or consumption of beer or intoxicating liquor; sale or furnishing beer or intoxicating liquor to an underage person.
5. Possession or consumption of beer or intoxicating liquor by an underage person; illegal use of a controlled substance.

6. Public indecency.
7. Unlawful deposit of litter or refuse.
8. Damage or destruction of property without consent of the property owner; unlawful pedestrian or vehicular traffic.
9. Standing or parking of vehicles that obstructs the free flow of traffic on the public streets and sidewalks or that impedes the ability to render emergency services; unlawfully loud noise.
10. Any other conduct or conditions that threatens injury, inconvenience, or alarm to persons or damage to property which is hereby declared to be an unlawful public nuisance.

(b) Duty to Control Premises. A person who is an owner, occupant, tenant, or otherwise has rightful possession or possessory control, individually or jointly with others, of any premises, who either sponsors, conducts, hosts, invites, or permits a social gathering or party on said premises which is or becomes a nuisance party, as defined in division (a), and which nuisance is either the intentional result of, or within the reasonable expectations of, the person or persons having such possessory control is deemed to be in violation of this section.

(c) Order to Cease and Disperse. A party or social gathering that is or becomes a nuisance party, as defined in subsection (a) hereof, shall cease upon the order of the Police Chief, or the Police Chief's designee; and all persons not residing therein at the site of such social gathering or party shall leave the premises immediately. Any person who fails or refuses to obey and abide by such an order shall be guilty of a violation of this Code.

(d) Retaliation. No person shall direct a verbal, physical or electronic act against the person, family or property of any individual who complains of or witnesses a violation of the nuisance party regulations for this purpose of intimidating or retaliating against that person for the exercise of the right to complain or testify to a violation of this Code.

(e) Penalty. Whoever violates this section is guilty of an unclassified offense, punishable by a fine of at least \$500.00 and not exceeding \$1,000.00 and up to (30) days in jail. For a second offense committed within twelve months after the commission of the first offense, the person shall be guilty of misdemeanor offense, punishable by a fine of at least \$750.00 and not exceeding \$1,000.00.

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 to enact Section 509.15 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

P/C 10-4-16 SAFETY
CA 10-11-16
1st R _____
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: _____

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE

AUTHORIZING THE SAFETY DIRECTOR TO PREPARE SPECIFICATIONS
FOR POLICE AUTO CAMERAS AND VIDEO WITH SOUND RECORDERS,
AND FURTHER AUTHORIZING THE MAYOR TO SEEK SUCH PROPOSALS,
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 Director of Public Safety is hereby authorized
to prepare specifications for the purchase of police auto cameras
and video sound recorders.

SECTION 2: The Mayor is hereby authorized to seek proposals
for police auto cameras and video with sound recorders to be
installed in police vehicles.

SECTION 3: The money needed for the aforesaid transaction
shall be paid from the federal forfeiture fund 272 and the capital
improvement fund 401 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 immediately necessary for the preservation of the
public peace, health, safety and welfare of said City, and for the
further reason to seek proposals for police auto cameras and video

with sound recorders; provided that 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**


DIRECTOR OF LAW

DATE