

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, DECEMBER 6, 2016  
7:00 P.M.**

**A. ROLL CALL OF MEMBERS**

**B. PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. SPECIAL COUNCIL MEETING & EXECUTIVE SESSION HELD ON MAY 3, 2016
3. REGULAR COUNCIL MEETING HELD ON JUNE 7, 2016.

**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 REQUESTING TO BE READ INTO THE RECORD.

**INTRODUCTION OF NEW LEGISLATION:**

1. AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS TO THE SPECIFIED ACCOUNT. Introduced by Mayor Coyne  
**Note:** (Per Council Rule No. 12)
2. AN ORDINANCE REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Note:** (Per Council Rule No. 12)
3. AN ORDINANCE AMENDING NO. 10038-2016, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Note:** (Per Council Rule No. 12)
4. AN ORDINANCE TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR THE THREE MONTHS ENDING ON MARCH 31, 2017 AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne **Note:** (Per Council Rule No. 12)

**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. 10054-2016, 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 2017 SIDEWALK REPAIR PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne
2. ORDINANCE NO. 10055-2016, AUTHORIZING THE MAYOR TO HIRE INSPECTOR(S) FOR THE 2017 SIDEWALK REPAIR PROGRAM AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne
3. RESOLUTION NO. 39-2016, SUPPORTING THE PASSAGE OF HOUSE BILL 154 WHICH WOULD REQUIRE A MOTOR VEHICLE WHEN PASSING A BICYCLE, THE SAFE PASSING DISTANCE TO THE LEFT IS THREE FEET AND TO ALTER THE PROTOCOL FOR PROCEEDING INTO AN INTERSECTION THAT HAS MALFUNCTIONING TRAFFIC LIGHTS AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, Council Members Troyer, Powers, Scott, Burgio, McCormick, Salvatore and Council President Astorino.
4. RESOLUTION NO. 40-2016, HONORING THE CLEVELAND INDIANS 2016 AMERICAN LEAGUE CHAMPIONS, AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, Council Members Troyer, Mencini, Powers, Scott, Burgio, McCormick and Council President Astorino.

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

1. ORDINANCE NO. 10051-2016, AUTHORIZING THE MAYOR TO ALLOW TRANSFER OF A PARCEL OF PROPERTY LOCATED AT 16513 HUMMEL ROAD AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

P. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Q. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS  
FOR THE COUNCIL MEETING OF DECEMBER 6, 2016**

**FIRST READING:**

Res. No. 39-2016 A RESOLUTION SUPPORTING PASSAGE OF HOUSE BILL 154 WHICH WOULD REQUIRE A MOTOR VEHICLE WHEN PASSING A BICYCLE THE SAFE PASSING DISTANCE TO THE LEFT IS THREE FEET, AND TO ALTER THE PROTOCOL FOR PROCEEDING INTO AN INTERSECTION THAT HAS MALFUNCTIONING TRAFFIC LIGHTS, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution declaring Council's support for passage of House Bill 154 to amend parts of the Ohio Revised Code by requiring motorists to pass a bicycle at a safer distance of three feet to the left and to change the protocol when proceeding into an intersection that has a malfunctioning traffic light.

Res. No. 40-2016 A RESOLUTION HONORING THE CLEVELAND INDIANS 2016 AMERICAN LEAGUE CHAMPIONS, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution declaring the Mayor and Council's wish to recognize honor and thank the 2016 Cleveland Indians for their dedication, strength and perseverance in defeating the Toronto Blue Jays four games to one.

Ord. No. 10054-2016 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 2017 SIDEWALK REPAIR PROGRAM, AND DECLARING AN EMERGENCY.

SYNOPSIS: An Ordinance authorizing the Engineer to prepare bid documents and further authorizing the Mayor to advertise for bids and enter into a contract for the 2017 Sidewalk Repair Project.

Ord. No. 10055-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE INSPECTOR(S) FOR THE 2017 SIDEWALK REPAIR PROGRAM, AND DECLARING AN EMERGENCY.

SYNOPSIS: An Ordinance authorizing the Mayor to hire inspector(s) for the 2017 Sidewalk Repair Program.

**THIRD READING:**

Ord. No. 10051-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ALLOW TRANSFER OF A PARCEL OF PROPERTY LOCATED AT 16513 HUMMEL ROAD AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the transfer of permanent parcel 343-14-030 to Steve Duncan at 16484 Hummel Road for yard expansion only.

PREPARED BY THE BROOK PARK LEGAL DEPARTMENT  
December 1, 2016

CITY OF BROOK PARK, OHIO

P/C \_\_\_\_\_  
CA 11/22/16  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
F/C \_\_\_\_\_

ORDINANCE NO: \_\_\_\_\_

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AUTHORIZING THE FINANCE DIRECTOR TO  
TRANSFER FUNDS TO THE SPECIFIED ACCOUNT

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

SECTION 1: That the Finance Director be and is hereby authorized to transfer funds to the specified accounts as follows:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
401 Capital Imp. Fund	541 W. 150 <sup>th</sup> Ph. IV Fund	\$611,750.73
401 Capital Imp. Fund	542 2016 Street Imp. Fund	\$848,006.00
536 Engle Rd. Street/Sewer Fund	310 Gen. Bond Ret. Fund	\$990,754.10
537 W. 150 <sup>th</sup> Phase III Fund	310 Gen. Bond Ret. Fund	\$ 54,252.43
537 W. 150 <sup>th</sup> Phase III Fund	401 Capital Imp. Fund	\$ 2,890.26
538 2013 Street Imp. Fund	401 Capital Imp. Fund	\$112,200.55
539 2014 Street Imp. Fund	401 Capital Imp. Fund	\$ 62,842.27

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 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

\_\_\_\_\_  
DATE

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

P/C \_\_\_\_\_  
CA 11/22/16  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

Ordinance No. \_\_\_\_\_

Introduced by: MAYOR COYNE

AN ORDINANCE  
REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE  
TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES  
PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE,  
AND DECLARING AN EMERGENCY

**WHEREAS**, Section 321.34 of the Ohio Revised Code provides that any money in the County Treasury to the account of the City of Brook Park, and lawfully applicable to the purpose of the current fiscal year, may be drawn upon by request of the City; and

**WHEREAS**, the City's Finance Director has recommended that the City be authorized to receive advances of real property tax revenues and special assessment revenues to be collected in 2017, as reflected in the attached tax advance schedule.

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

**SECTION 1:** The Cuyahoga County Fiscal Officer be and is hereby requested to draw these warrants, and the Treasurer of said County be and is hereby requested to pay the City of Brook Park any money in the County Treasury to the account of the City of Brook Park and lawfully applicable to the purpose of the fiscal year, including all amounts to be distributed for real property advances and special assessment funds, specifically fund numbers M321798A and M521799.

**SECTION 2:** The Clerk of Council is hereby authorized to furnish a certified copy of this Ordinance to the Cuyahoga County Budget Commission, 2079 East Ninth Street, Cleveland, OH 44115.

**SECTION 3:** It is found and determined that all formal actions of this Council concerning and relating to 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 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 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 for the payment to the City of taxes collected by the County at the earliest possible time; 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

\_\_\_\_\_  
DATE

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

  
\_\_\_\_\_  
DIRECTOR OF LAW

P/C \_\_\_\_\_  
 CA 11/22/16 \_\_\_\_\_  
 1st R \_\_\_\_\_  
 2nd R \_\_\_\_\_  
 3rd R \_\_\_\_\_  
 P/C \_\_\_\_\_

ORDINANCE NO.

INTRODUCED BY Mayor Coyne

AN ORDINANCE AMENDING ORDINANCE NO. 10038-2016, THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY.

WHEREAS, the amounts appropriated for certain items of expense for 2016 are proving to be insufficient while surpluses are developing in certain other appropriations.

NOW, THEREFORE, be it ordained by the Council of the City of Brook Park, Ohio:

SECTION 1: That Ordinance No. 10038-2016, passed November 1, 2016, the Appropriation Ordinance for the City of Brook Park, be amended to reflect the following adjustments:

FUND	DEPARTMENT	TRANS ACTION	DESCRIPTION	PRESENT APPROPRIATION	ADJUSTED AMOUNT	ADJUSTED APPROPRIATION
100 GENERAL FUND						
	110 Council	529	Contracts	20,256.58	(10,000.00)	10,256.58
	111 Clerk of Council	521	Communications	1,800.00	1,250.00	3,050.00
	210 Mayor's Court	529	Contracts	6,080.76	5,000.00	11,080.76
	211 Municipal Court	529	Contracts	5,000.00	(5,000.00)	0.00
	330 Civil Service Commission	529	Contracts	1,000.00	(1,000.00)	0.00
	341 Recreation Center	511	Regular Salaries	269,061.02	14,000.00	283,061.02
		519	Fringe Benefits	111,744.94	2,096.00	113,840.94
	342 Parks & Playgrounds	527	Miscellaneous Expenses	30,613.64	(8,000.00)	22,613.64
	343 Public Recreation	513	Part-Time Salaries	25,920.00	(1,500.00)	24,420.00
	400 Mayor's Office	511	Regular Salaries	204,924.48	(1,700.00)	203,224.48
		519	Fringe Benefits	51,198.72	(3,800.00)	47,398.72
		526	Office Supplies	3,912.26	4,000.00	7,912.26
		527	Miscellaneous Expenses	1,581.43	3,000.00	4,581.43
		529	Contracts	5,950.48	1,700.00	7,650.48
	402 Human Resources	523	Professional Services	7,356.00	1,500.00	8,856.00
		525	Travel & Education	500.00	100.00	600.00
		529	Contracts	2,223.63	500.00	2,723.63
	405 Correctional Facility	519	Fringe Benefits	40,399.89	(15,000.00)	25,399.89
		529	Contracts	10,052.20	3,000.00	13,052.20
	407 Safety Town	527	Miscellaneous Expenses	535.00	(481.01)	53.99
	409 Mechanics	512	Overtime	2,370.00	1,500.00	3,870.00
		519	Fringe Benefits	171,696.52	240.00	171,936.52
	411 Safety Building	511	Regular Salaries	269,519.75	50,000.00	319,519.75
		512	Overtime	35,379.06	15,000.00	50,379.06
		519	Fringe Benefits	90,711.19	10,042.50	100,753.69
		529	Contracts	174,230.00	(50,000.00)	124,230.00
	412 Police Department	511	Regular Salaries	3,098,571.02	6,167.00	3,104,738.02
		512	Overtime	225,000.00	5,600.00	230,600.00
		519	Fringe Benefits	664,582.05	5,315.94	669,897.99
		527	Miscellaneous Expenses	77,435.93	2,144.57	79,580.50
		529	Contracts	86,269.48	2,700.00	88,969.48
	413 Fire Department	527	Miscellaneous Expenses	33,888.73	(5,000.00)	28,888.73
	415 Building Department	513	Part-Time Salaries	20,506.09	(15,000.00)	5,506.09
		523	Professional Services	35,575.00	(10,000.00)	25,575.00
		574	Refunds	1,250.00	(750.00)	500.00

FUND	DEPARTMENT	TRANS. ACTION	DESCRIPTION	PRESENT APPROPRIATION	ADJUSTED AMOUNT	ADJUSTED APPROPRIATION
	418 School Guards	511	Regular Salaries	75,000.00	(5,000.00)	70,000.00
	422 Service Building	520	Utilities	88,947.00	(10,000.00)	78,947.00
	423 Sanitation	527	Miscellaneous Expenses	389,162.78	40,000.00	429,162.78
	427 Trees & Tree Lawns	527	Miscellaneous Expenses	5,976.88	3,250.00	9,226.88
		528	Tools & Minor Equipment	325.00	200.00	525.00
	428 Public Properties	527	Miscellaneous Expenses	7,785.00	2,000.00	9,785.00
	432 Snow Removal	512	Overtime	70,000.00	(5,000.00)	65,000.00
		524	Repair & Maintenance	100,553.87	(5,000.00)	95,553.87
	433 Street Lighting	520	Utilities	446,752.00	(5,000.00)	441,752.00
	641 Office of Aging	513	Part-Time Salaries	20,000.00	1,500.00	21,500.00
		519	Fringe Benefits	3,235.78	232.00	3,467.78
		524	Repair & Maintenance	2,163.28	1,500.00	3,663.28
	650 Retirees	519	Fringe Benefits	325,000.00	(37,000.00)	288,000.00
	700 General Gov't. Lands & Bldgs.	512	Overtime	1,604.47	1,100.00	2,704.47
		519	Fringe Benefits	246.85	170.00	416.85
	825 Workers' Compensation	519	Fringe Benefits	313,313.41	(1,932.60)	311,380.81
	831 Auditor & Treasurer Fees	523	Professional Services	30,000.00	914.47	30,914.47
	840 Insurance & Bonding	527	Miscellaneous Expenses	253,384.11	(2,090.11)	251,294.00
	850 County Board of Health	523	Professional Services	79,061.00	518.00	79,579.00
	874 Misc. Executive	523	Professional Services	173,435.75	30,000.00	203,435.75
		529	Contracts	116,181.72	10,000.00	126,181.72
	879 Contingency	529	Contracts	0.00	22,750.00	22,750.00
	880 Transfers & Refunds	571	Transfers	2,917,949.00	(50,736.76)	2,867,212.24
				11,207,173.75	0.00	11,207,173.75
210 CITY INCOME TAX FUND	440 Tax Department	571	Transfers	19,071,737.36	200,000.00	19,271,737.36
243 ECONOMIC DEVELOPMENT FUND	325 Community Development	527	Miscellaneous Expenses	4,940.00	(1,000.00)	3,940.00
		529	Contracts	644,467.23	(105,000.00)	539,467.23
		553	Construction Contracts	651,800.00	105,000.00	756,800.00
		574	Refunds	60.00	1,000.00	1,060.00
				1,301,267.23	0.00	1,301,267.23
244 BROOKPARK ROAD CORRIDOR FUND	325 Community Development	529	Contracts	0.00	25,000.00	25,000.00
250 SPECIAL RECREATION FUND	343 Public Recreation	524	Repair & Maintenance	5,000.00	(2,500.00)	2,500.00
		574	Refunds	2,200.00	2,500.00	4,700.00
				7,200.00	0.00	7,200.00
537 W. 150TH PHASE III FUND	429 Sewers & Drains	553	Construction Contracts	249,296.87	7,684.15	256,981.02
		571	Transfers	0.00	57,142.69	57,142.69
				249,296.87	64,826.84	314,123.71
538 2013 STREET IMP. FUND	425 Street Paving & Repair	523	Professional Services	3,493.24	(360.00)	3,133.24
		529	Contracts	513.96	(513.96)	0.00
		553	Construction Contracts	521,309.09	(106,195.96)	415,113.13
		571	Transfers	0.00	112,200.55	112,200.55
				525,316.29	5,130.63	530,446.92

FUND	DEPARTMENT	TRANS. ACTION	DESCRIPTION	PRESENT APPROPRIATION	ADJUSTED AMOUNT	ADJUSTED APPROPRIATION
711 POLICE PENSION FUND	412 Police Department	519	Fringe Benefits	657,879.64	(12,761.20)	645,118.44
712 FIRE PENSION FUND	413 Fire Department	519	Fringe Benefits	738,621.95	(15,889.74)	722,732.21
713 S.W.G.H. FUND	851 Health & Welfare	529	Contracts	101,333.00	6,371.96	107,704.96
716 BUILDING STANDARDS BOARD FUND	415 Building Department	574	Refunds	12,342.88	400.00	12,742.88
717 UNCLAIMED MONIES FUND	874 Misc. Executive	529	Contracts	0.00	6,068.24	6,068.24
Total Changes					<u>279,146.73</u>	

SECTION 2: Those portions of Ordinance No. 10038-2016, passed November 1, 2016, which are inconsistent with the provisions adopted herein, are 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 any of its committees that resulted in formal action were 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 the municipality and the inhabitants thereof. Such emergency existing for the further reason that funds must be immediately appropriated to the designated accounts to meet existing financial obligations of the City. Therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

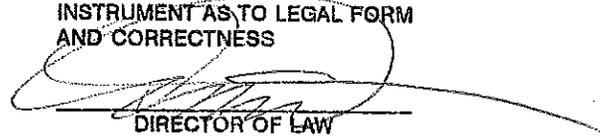
\_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

Approved: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

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

  
\_\_\_\_\_  
DIRECTOR OF LAW

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY MAYOR COYNE

P/C \_\_\_\_\_  
 CA 11/22/16  
 1st R \_\_\_\_\_  
 2nd R \_\_\_\_\_  
 3rd R \_\_\_\_\_  
 B/C \_\_\_\_\_

AN ORDINANCE TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR THE THREE MONTHS ENDING ON MARCH 31, 2017, AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary for the Council of the City of Brook Park, State of Ohio, to appropriate funds available to meet current expenses of the said City for a three month period ending March 31, 2017,

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

SECTION 1: That to provide for the current expenses and other expenditures of the City of Brook Park, Ohio for the first quarter of the fiscal year ending March 31, 2017, there be appropriated the total of \$12,040,831.44 as shown in Sections 2 thru 10 of this Ordinance.

SECTION 2: THAT THERE BE APPROPRIATED FROM THE GENERAL FUND THE FOLLOWING AMOUNTS:

FUND	DEPT	CNTR	DEPARTMENT	(21)	(22)	(23)	(24)	(25)	(26)	(27)	TOTAL
100				PERSONNEL SERVICES	TRAVEL & LODGATION	CONTRACTUAL SERVICES	SUPPLIES & MATERIALS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	APPROPRIATIONS
			110 COUNCIL	37,227.00	500.00	4,000.00	500.00				42,227.00
			111 CLERK OF COUNCIL	20,609.00	500.00	1,100.00	250.00				22,459.00
			210 MAYOR'S COURT	36,750.00	250.00	5,100.00	850.00				42,950.00
			211 MUNICIPAL COURT								0.00
			320 PLANNING COMMISSION	1,735.00							1,735.00
			325 COMMUNITY DEVELOPMENT	27,850.00	250.00	100.00	100.00				28,300.00
			330 CIVIL SERVICE COMMISSION	6,675.00	100.00	100.00	100.00				6,975.00
			335 BOARD OF ZONING APPEALS	1,735.00		250.00					1,985.00
			340 RECREATION COMMISSION	1,735.00							1,735.00
			341 RECREATION CENTER	115,000.00	500.00	48,000.00	7,000.00			750.00	171,250.00
			342 PARKS & PLAYGROUNDS	38,000.00		8,650.00	4,000.00				50,650.00
			343 PUBLIC RECREATION	5,750.00		9,000.00					14,750.00
			345 HOME DAYS CELEBRATION			350.00					350.00
			351 CHARTER REVIEW COMMISSION								0.00
			400 MAYOR'S OFFICE	70,500.00	3,000.00	3,000.00	1,150.00				77,650.00
			402 HUMAN RESOURCES	24,550.00	500.00	2,400.00	250.00				27,700.00
			405 CORRECTIONAL FACILITY	40,000.00			2,000.00				42,000.00
			407 SAFETY TOWN								0.00
			409 MECHANICS	143,500.00	150.00	250.00	750.00				144,650.00
			410 SAFETY DIRECTOR	30,000.00	50.00	100.00	100.00				30,250.00
			411 SAFETY BUILDING	31,000.00	100.00	120,000.00	100.00				151,200.00
			412 POLICE DEPARTMENT	880,000.00	1,000.00	52,000.00	25,000.00				958,000.00
			413 FIRE DEPARTMENT	840,000.00	1,000.00	46,500.00	16,500.00				904,000.00
			414 DISASTER SERVICE			750.00	3,000.00				3,750.00
			415 BUILDING DEPARTMENT	113,000.00	500.00	10,500.00	1,000.00			250.00	125,250.00
			418 SCHOOL GUARDS	19,000.00							19,000.00
			419 ANIMAL WARDEN	21,000.00		3,000.00					24,000.00
			420 SERVICE DIRECTOR	30,000.00		8,250.00	100.00				38,350.00
			421 ENGINEERING			12,000.00					12,000.00
			422 SERVICE BUILDING	23,400.00		40,000.00	5,500.00				68,900.00
			423 SANITATION	120,000.00	50.00	1,500.00	85,000.00				206,550.00
			424 STREET CLEANING	21,700.00	50.00	100.00	100.00				21,950.00
			426 TRAFFIC SIGNS	16,500.00			100.00				16,600.00
			427 TREES & TREE LAWNIS	27,800.00		3,000.00	3,250.00				44,050.00
			428 PUBLIC PROPERTIES	62,000.00		3,000.00	2,500.00				67,500.00
			429 SEWERS & DRAINS	185,000.00		18,000.00	17,000.00				220,000.00
			432 SNOW REMOVAL	50,000.00		100.00	240,000.00				290,100.00
			433 STREET LIGHTING			108,000.00	4,000.00				112,000.00
			434 TRAFFIC LIGHTS			7,250.00					7,250.00
			500 LEGAL DEPARTMENT	62,000.00	100.00	250.00	250.00				62,600.00
			610 FINANCE DEPARTMENT	91,800.00	500.00	17,250.00	2,000.00				111,750.00
			630 TAX REVIEW BOARD								0.00
			641 OFFICE OF AGING	6,650.00		100.00	600.00				7,350.00
			650 RETIREES	10,000.00							10,000.00
			700 GEN. GOV'T. LANDS & BLDGS.			32,500.00	2,500.00				35,000.00
			821 P.E.R.S.								0.00
			823 WORKERS' COMPENSATION	338,625.00							338,625.00
			826 UNEMPLOYMENT COMP.	100.00							100.00
			830 ELECTIONS								0.00
			831 AUDITOR & TREAS. FEES				6,000.00				6,000.00
			832 SALE OF DELINQ. LANDS								0.00
			834 COLLECTOR FEES								0.00
			840 INSURANCE & BONDING								0.00
			850 COUNTY BOARD OF HEALTH								0.00
			874 MISC. EXECUTIVE			30,000.00	25,000.00				55,000.00
			875 CITIZEN OF THE YEAR								0.00
			877 PROPERTY TAX REIMBURSEMENT								0.00
			879 CONTINGENCY								0.00
			880 TRANSFERS, REFUNDS & OTHER			2,450.00				320,000.00	322,450.00
				3,660,382.00	9,100.00	619,900.00	468,650.00	0.00	0.00	321,000.00	4,885,932.00

P/C 11/1/16 Service  
CA 11/15/16  
1st R 12/6/16  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

**CITY OF BROOK PARK, OHIO**

ORDINANCE NO. 10054-2016

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 2017 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 2017 Sidewalk Repair Project.

**SECTION 2:** The Consulting Engineer shall be paid a fee of \$4,100.00 for preparation of the necessary plans, specifications and bid documents, and a lump sum fee of \$8,200.00 for construction administration services.

**SECTION 3:** The money needed for the aforesaid transaction shall be paid from funds theretofore appropriated 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 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

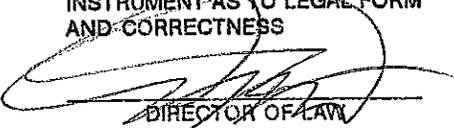
ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

F:\Jobs\1871701 - 2017 Sidewalk Program\2017 Sidewalk Ord.docx

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



\_\_\_\_\_  
DIRECTOR OF LAW

P/C 11/1/16 Service  
CA 11/15/16  
1st R 12/6/16  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

**CITY OF BROOK PARK, OHIO**

ORDINANCE NO. 10055-2016

INTRODUCED BY: MAYOR COYNE

**AN ORDINANCE  
AUTHORIZING THE MAYOR TO HIRE INSPECTOR(S)  
FOR THE 2017 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 Inspector(s) for the 2017 Sidewalk Repair Program. The Inspector(s) shall report to and be directed by the Consulting Engineer.

**SECTION 2:** The Inspector(s) 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 Inspector(s).

**SECTION 3:** The money needed to complete the aforesaid transaction shall be paid from funds theretofore appropriated or to be appropriated 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 of the immediate 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

P/C 11/15/16 Legislative  
CA 11/22/16  
1st R 12/6/16  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 39-2016

INTRODUCED BY: COUNCILMAN MENCINI, COUNCIL MEMBERS TROYER, POWERS, SCOTT BURGIO, McCORMICK, SALVATORE, COUNCIL PRESIDENT ASTORINO

A RESOLUTION  
SUPPORTING THE PASSAGE OF HOUSE BILL 154  
WHICH WOULD REQUIRE A MOTOR VEHICLE WHEN PASSING  
A BICYCLE THE SAFE PASSING DISTANCE TO THE LEFT IS THREE FEET,  
AND TO ALTER THE PROTOCOL FOR PROCEEDING INTO AN INTERSECTION  
THAT HAS MALFUNCTIONING TRAFFIC LIGHTS,  
AND DECLARING AN EMERGENCY

WHEREAS, Ohio House Bill 154 was introduced by Representatives Michael Henne and Michael Sheehy to amend sections of the Ohio Revised Code 4511.132 and 4511.27 to provide that when a motor vehicle passes a bicycle the safe passing distance to the left is three feet, and to alter the protocol for proceeding into an intersection that has malfunctioning traffic lights; and

WHEREAS, the passage of this Bill in the Ohio House and Senate would help improve the safety of bicyclists in Ohio by requiring motorists to pass at a safer distance to the left of three feet and to change the protocol for proceeding into an intersection that has a malfunctioning traffic light; and

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

SECTION 1: This Council does hereby declare its support for passage of House Bill 154 to amend parts of the Ohio Revised Code by requiring motorists to pass at a safer distance to the left of three feet and to change the protocol for proceeding into an intersection that has a malfunctioning traffic light

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the introducer of the Bill, Representative Michael Henne, 77 South High Street, 13<sup>th</sup> Floor, Columbus, OH 43215 and to Representative Michael Sheehy, 77 south High Street, 10<sup>th</sup> Floor, Columbus, OH 43215.

**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 for further reason to support the passage of House Bill 154; therefore, provided this Resolution receives the affirmative vote of at least (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: \_\_\_\_\_

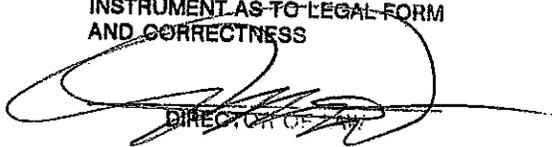
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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

P/C 11/15/16 Legislative  
CA 11/22/16  
1st R 12/6/16  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

RESOLUTION NO. 40-2016

INTRODUCED BY: COUNCILMAN SALVATORE, COUNCIL MEMBERS TROYER, MENCINI,  
POWERS, SCOTT, BURGIO, McCORMICK, COUNCIL PRESIDENT ASTORINO

A RESOLUTION  
HONORING THE CLEVELAND INDIANS  
2016 AMERICAN LEAGUE CHAMPIONS,  
AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park is extremely proud to celebrate and honor the 2016 Cleveland Indians American League Champions; and

WHEREAS, the 2016 Cleveland Indians Team, Cody Allen, Trevor Bauer, Mike Clevinger, Corey Kluber, Jeff Manship, Zach McAllister, Ryan Merritt, Andrew Miller, Dan Otero, Danny Salazar, Bryan Shaw, Josh Tomlin, Yan Gomes, Roberto Perez, Jason Kipnis, Francisco Lindor, Michael Martinez, Mike Napoli, Jose Ramirez, Lonnie Chisenhall, Coco Crisp, Rajai Davis, Brandon Guyer, Tyler Naquin and Carlos Santana and Manager Terry Francona deserve honor, praise and congratulations on winning the American League Championship; and

WHEREAS, the success of the 2016 Cleveland Indians has stimulated the local economy and generated millions of dollars in local economic activity; and

WHEREAS, the 2016 Cleveland Indians put the thrill and excitement back in our hearts in the "CLE" and the "216."

WHEREAS, the Cleveland Indians with their Manager, Terry Francona won their first AL Central title in nine years, set a franchise record with 14 straight wins and owned first place for more than 100 days;

WHEREAS, the Cleveland Indians won the 2016 American League Championship Series (ALCS) against the Toronto Blue Jays for the American League (AL) Pennant and the right to play in the 2016 World Series; and

WHEREAS, the entire 2016 Cleveland Indians Team along with Manager Terry Francona, General Manager Mike Chernoff, and Owners

Larry Dolan and Paul Dolan secured the American League Championship;

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

**SECTION 1:** The Mayor and Council wish to recognize, honor, and thank the 2016 Cleveland Indians for their dedication, strength and perseverance in defeating the Toronto Blue Jays four games to one.

**SECTION 2:** The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the majority owner and chairman Paul Dolan, Progressive Field, 2401 Ontario Street, Cleveland, OH 44115.

**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 for further reason to honor and congratulate the 2016 Cleveland Indians on their 2016 American League Championship; therefore, provided this Resolution receives the affirmative vote of at least (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.

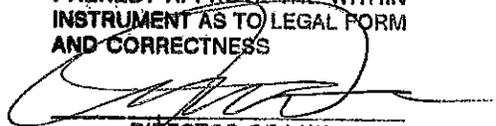
PASSED: \_\_\_\_\_

\_\_\_\_\_  
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

P/C 6/7/16 Finance  
CA 6/14/16  
1st R 11/1/16  
2nd R 11/15/16  
3rd R 12/6/16  
B/C 6/14/16  
Caucus 10-25-16

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10051-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AUTHORIZING THE MAYOR TO  
ALLOW TRANSFER OF A PARCEL OF PROPERTY  
LOCATED AT 16513 HUMMEL ROAD,  
AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park acquired Permanent Parcel No. 343-14-030, located at 16513 Hummel Road from Cuyahoga County's Land Reutilization Program; and

WHEREAS, a resident adjacent to this parcel wants this parcel for yard expansion only;

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

**SECTION 1:** The Mayor is hereby authorized to transfer Permanent Parcel No. 343-14-030 to Steve Duncan at 16485 Hummel Road, for yard expansion only.

**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 to transfer Permanent Parcel No. 343-14-030 for yard expansion only; 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