

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, FEBRUARY 7, 2017
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 JUNE 14, 2016.
2. SPECIAL CAUCUS MEETING HELD ON JULY 19, 2016.
3. SPECIAL COUNCIL MEETING HELD ON JULY 19, 2016.
4. EXCERPTS FROM THE SPECIAL COUNCIL MEETING HELD ON JANUARY 3, 2017 - PER LAW DIRECTOR'S MEMO REQUEST DATED FEBRUARY 1, 2017

NOTE: EXECUTIVE SESSION - COUNCIL OFFICE PERSONNEL

D. REPORTS OF STANDING COMMITTEES:

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

E. REPORTS OF SPECIAL COMMITTEES:

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

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):**

VERBAL APPROVAL:

1. INVESTIGATION OF COUNCIL OFFICE OPERATIONS
2. CITIZEN OF THE YEAR COMMITTEE - CHAIRMAN, COUNCILMAN SCOTT
3. COUNCIL OFFICE PERSONNEL - (PENDING EXECUTIVE SESSION)

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. 10067-2017, AMENDING SECTION 1805.01(2) (A) and (B) OF THE BROOK PARK CODIFIED ORDINANCES COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

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

2. ORDINANCE NO. 10068-2017, AMENDING SECITON 1809.01 (i) (2) OF THE BROOK PARK CODIFIED ORDINANCES RETURN AND PAYMENT OF TAX AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne
3. RESOLUTION NO. 2-2017, HONORING MARIO LEANZA FOR HIS 45 YEARS OF SERVICE AT BROOKGATE AS LEANZA'S QUALITY SHOE SERVICE AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, Mayor Coyne, Councilmembers Scott, Mencini, and Burgio

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 10026-2016, AMENDING SECTION 121.01 (a) AND (b) OF THE BROOK PARK CODIFIED ORDINANCES, RELATING TO THE PRESIDENT OF COUNCIL AND MEMBERS OF COUNCIL AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer
2. ORDINANCE NO. 10052-2016, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A JOB RETENTION & BUSINESS EXPANSION GRANT TO DRABIK MANUFACTURING, INC., 15601 COMMERCE PARK DRIVE
3. ORDINANCE NO. 10064-2016, AMENDING CHAPTER 153.06 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne
4. RESOLUTION NO. 40-2016, HONORING THE CLEVELAND INDIANS 2016 AMERICAN LEAGUE CHAMPIONS AND DECLARING AN EMERGENCY. Introduced by Councilman Salvatore, Councilmembers Troyer, Mencini, Powers, Scott, Burgio, McCormick, Council President Astorino

P. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

Q. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF FEBRUARY 7, 2017**

FIRST READING:

Res. No. 2-2017 A RESOLUTION HONORING MARIO LEANZA FOR HIS 45 YEARS OF SERVICE AT BROOKGATGE AS LEANZA'S QUALITY SHOE SERVICE, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution commending Mario Leanza for his many years of service and devotion to the residents of Brook Park.

Ord. No. 10067-2017 AN ORDINANCE AMENDING SECTION 1805.01(2)(A)(B) OF THE BROOK PARK CODIFIED ORDINANCES COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending our codified ordinances section 1805.01(2)(A)(B) changing the verbiage to read last day of the month.

Ord. No. 10068-2017 AN ORDINANCE AMENDING 1809.01(i)(2) OF THE BROOK PARK CODIFIED ORDINANCES RETURN AND PAYMENT OF TAX, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending our codified ordinances section 1809.01(i)(2) changing the verbiage to read payment to be considered shall be on the date of timestamp assigned by electronic system receiving that payment.

SECOND READING:

Ord. No. 10026-2016 AN ORDINANCE AMENDING SECTION 121.01(a) AND (b) OF THE BROOK PARK CODIFIED ORDINANCES, RELATING TO THE PRESIDENT OF COUNCIL AND MEMBERS OF COUNCIL, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending section 121.01(a) and (b) where the salary of the President of Council and Council is reduced.

Ord. No. 10052-2016 AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A JOB RETENTION & BUSINESS EXPANSION GRANT TO DRABIK MANUFACTURING, INC., 15601 COMMERCE PARK DRIVE.

SYNOPSIS: An ordinance granting a job retention, creation and economic development assistance grant to Drabik Manufacturing, Inc., in the amount of \$50,000.00.

Ord. No. 10064-2016 AN ORDINANCE AMENDING CHAPTER 153.06 OF THE
BROOK PARK CODIFIED ORDINANCES ENTITLED
'PAYMENT OF HOSPITALIZATION BENEFITS,' AND
DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending section
153.06 of our codified ordinances to amend the
age of hospitalization benefits to 65 and
include all employees who have retired after
2012 with 10 years of service.

THIRD READING:

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.

PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
January 31, 2017

REVISED 9/10/97
 C. 9/23/97
 1st R 10/7/97
 2nd R _____
 3rd R _____
 B/C _____

CITY OF BROOK PARK, OHIO

Resolution No. 41-1997
 Introduced By: COUNCILMAN SALVATORE & COUNCILMAN PATTEN & COUNCILMEN BERNATH, WALSH, MCNEELEY, SPINA & MAYOR COYNE

**A RESOLUTION
 TO PROMOTE CITIZENSHIP WITHIN THE CITY OF BROOK PARK,
 AND DECLARING AN EMERGENCY**

WHEREAS, Council and the Mayor wish to establish a Program within our City to promote Citizenship; and

WHEREAS, Council and the Mayor will establish a committee to provide a selection process in which to nominate individuals to be considered as Citizen of the Year in our City. (See Attachment A).

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

SECTION 1: The Mayor and Council of the City of Brook Park personally and collectively, and on behalf of the government and citizens of the City want to express deep appreciation and gratitude to a specific individual for their outstanding service to our community and recognize them as a "Citizen of the Year in Brook Park."

SECTION 2: The Mayor and Council hereby resolve to establish a committee and bylaws to provide a selection process in which to nominate a citizen of the year within our City.

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 for the further reason to honor a special individual as Citizen of the Year in Brook Park; therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: October 7, 1997

[Signature]
 PRESIDENT OF COUNCIL

ATTEST: Michelle Blasak
 CLERK OF COUNCIL (CLERK-REM)

APPROVED: [Signature]
 MAYOR
10/8/97
 DATE

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

DIRECTOR OF LAW

M. Blasak, Asst. Clerk of the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by ordinance 4838-1975, passed on August 12, 1975, location City Hall, 6161 Engle Road Police Station, 17401 Holland Road, #1 Fire Station, 5590 Smith Road, #2 Fire Station, 22500 Hinkle Road, #3 Fire Station, 17401 Holland Road, Brook Park Library, 6155 Eagle Road, for a period of fifteen days commencing October 8, 1997
Michelle Blasak
 Asst. Clerk of Council

CERTIFICATE
M. Blasak, Asst. Clerk of Council, of The City of Brook Park, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance/Resolution No. 41-1997 passed on the 7th day of October, 1997 by said Council.
Michelle Blasak
 Asst. Clerk of Council

Resolution No. 41-1997
Attachment A

CITY OF BROOK PARK CITIZEN OF THE YEAR COMMITTEE

1. There will be eight (8) voting members, one appointment per Council person.
2. The Chairman will be an elected Member of Council and appointed by Council for this position.
3. The committee will meet quarterly or as needed or by a call of the Chairman to review all letters of nomination, etc., received.
4. The Chairman will not vote unless in the event of a tie but will preside over all meetings under the guidelines of Robert's Rules of Order.
5. Duties of the committee are as follows:
 - a. To review and select the citizen of the year for the City of Brook Park.
 - b. The criteria used in this process are to be set by the committee at its Organizational meeting.
6. The winner of the Citizen of the Year shall be turned over to the Best of Brook Park Committee to be part of the festivities set forth by the Mayor and shall serve as the Grand Marshal of the Home Days Parade.

Amended 2/2/10 Council
Amended 6/17/14 Council
Amended 7/1/14 Sp. Council

P/C 12/20/16 Finance
Cau 1/24/17
1st R 2/7/17
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10067-2017

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE
AMENDING SECTION 1805.01(2) (A) and (B)
OF THE BROOK PARK CODIFIED ORDINANCES
COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES,
AND DECLARING AN EMERGENCY

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

SECTION 1: Section 1805.01(2) (A) and (B) of the Brook Park Codified Ordinances, as enacted by Ordinance No. 9984-2015 passed December 15, 2015, and reading as follows:

1805.01 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES.

(2) In addition to withholding the amounts required under division (a)(1) of this section, an employer, agent of an employer, or other payer may also deduct and withhold, on the request of an employee, taxes for the municipal corporation in which the employee is a resident.

(b) (1) An employer, agent of an employer, or other payer is required to remit to the Tax Director of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer, along with any report required by the Tax Director to accompany such payment, according to the following schedule:

A. Any employer, agent of an employer, or other payer not required to make payments under division (b)(1)B. of this section or taxes required to be deducted and withheld shall make quarterly payments to the Tax Director not later than the fifteenth day of the month following the end of each calendar quarter.

B. Taxes required to be deducted and withheld are required to be remitted monthly to the Tax Director if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars (\$2,399.00), or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars

(\$200.00). Payment under division (b)(1)B. of this section shall be made so that the payment is received by the Tax Director not later than fifteen days after the last day of each month.

is hereby amended to read as follows:

1805.01 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES.

(2) In addition to withholding the amounts required under division (a)(1) of this section, an employer, agent of an employer, or other payer may also deduct and withhold, on the request of an employee, taxes for the municipal corporation in which the employee is a resident.

(b) (1) An employer, agent of an employer, or other payer is required to remit to the Tax Director of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer, along with any report required by the Tax Director to accompany such payment, according to the following schedule:

A. Any employer, agent of an employer, or other payer not required to make payments under division (b)(1)B. of this section or taxes required to be deducted and withheld shall make quarterly payments to the Tax Director not later than the last day of the month following the last of each calendar quarter.

B. Taxes required to be deducted and withheld are required to be remitted monthly to the Tax Director if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars (\$2,399.00), or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars (\$200.00). Payments under division (b)(1)B. of this section shall be made so that the payment is received by the Tax Director not later than fifteen days after the last day of each month.

SECTION 2: Former Section 1805.01(2)(A) and (B) the Brook Park Codified Ordinances as enacted by Ordinance No. 9984-2015, passed December 15, 2015, is hereby repealed.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meeting 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 amend 1805.01(2)(A) and (B); therefore, this

Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

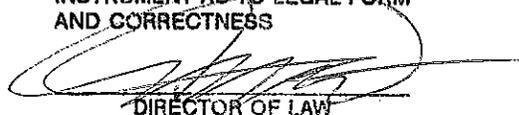
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW

P/C 12/20/16 Finance
Cau 1/24/17
1st R 2/7/17
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10068-2017

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE
AMENDING SECTION 1809.01 (i) (2)
OF THE BROOK PARK CODIFIED ORDINANCES
RETURN AND PAYMENT OF TAX,
AND DECLARING AN EMERGENCY

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

SECTION 1: Section 1809.01(i) (2) of the Brook Park Codified Ordinances, as enacted by Ordinance No. 9984-2015 passed December 15, 2015, and reading as follows:

RETURN AND PAYMENT OF TAX.

i) This division shall not apply to payments required to be made under Section 1805.01(b) (1)B.

(1) The date of the postmark on the cover of any report, claim, statement, or other document required to be filed, or any payment required to be made, to or with the Tax Director or Municipality, will be deemed the date of delivery or payment. "The date of postmark" means, in the event there is more than one date on the cover, the earliest date imprinted on the cover by the postal service.

(2) If a payment is required to be made by electronic funds transfer, the payment is considered to be made when the payment is credited to an account designated by the Tax Director for the receipt of tax payments, except that, when a payment made by electronic funds transfer is delayed due to circumstances not under the control of the taxpayer, the payment is considered to be made when the taxpayer submitted the payment. For purposes of this section, "submitted the payment" means the date which the taxpayer has designated for the delivery of payment, which may or may not be the same date as the date the payment was initiated by the taxpayer.

is hereby amended to read as follows:

RETURN AND PAYMENT OF TAX.

(h) (3) The date of the postmark on the cover of any report, claim, statement, or other document required to be filed, or any payment required to be made, to or with the Tax Director or Municipality, will be deemed the date of delivery or payment.

"The date of postmark" means, in the event there is more than one date on the cover, the earliest date imprinted on the cover by the postal service.

(4) If a payment is required to be made by electronic funds transfer, the payment shall be considered to be made on the date of the timestamp assigned by the first electronic system receiving that payment.

SECTION 2: Former Section 1809.01(i)(2) of the Brook Park Codified Ordinances as enacted by Ordinance No. 9984-2015, passed December 15, 2015, is hereby repealed.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meeting 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 amend 1809.01(i)(2); therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

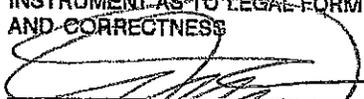
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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


DIRECTOR OF LAW

P/C 12/20/16 Legislative

Cau 1/24/17

1st R 2/7/17

2nd R

3rd R

B/C

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 2-2017

INTRODUCED BY: COUNCILMAN SALVATORE, MAYOR COYNE, COUNCILMEN
SCOTT, MENCINI, AND BURGIO

A RESOLUTION
HONORING MARIO LEANZA,
FOR HIS 45 YEARS OF SERVICE
AT BROOKGATE AS LEANZA'S QUALITY SHOE SERVICE,
AND DECLARING AN EMERGENCY

WHEREAS, Mario Leanza was born on November 24, 1946 and came to the United States in September of 1965; and

WHEREAS, Mario Leanza worked at Joseph & Feiss, Modern Tool and Dye while helping and learning the trade of Cobbler from his father Amelio; and

WHEREAS, Mario Leanza decided to go into the cobbler business fulltime in 1969; and

WHEREAS, Mario Leanza worked at the shoe repair stores at Parmatown, Bay Village and came to D.O. Summers which name was changed to Pat's Cleaners in Brookgate about 45 years; and

WHEREAS, Mario Leanza loved working with the residents of Brook Park, the Mayor's office and all Brook Park offices, the Safety Forces of Brook Park, Middleburg Heights, Parma, Parma Hts., Berea and Cleveland as well as the Special Forces and the many friends; and

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 commend Mario Leanza for his many years of service and devotion to the residents of Brook Park.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution Mario Leanza.

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 the further reason to honor Mario Leanza for all his service and devotion; therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

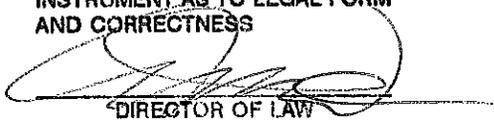
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW

P/C 10/21/14 Finance
Cau 5/5/15 amended
1st R 6/21/16
2nd R 10/4/16
3rd R 1/17/17
B/C 5/19/15 Caucus
Caucus 5/19/15
Caucus 2/23/16
B/C 2/23/16 Caucus
Cau 6/14/16
Cau 10/4/16 - tabled 90 days
Cau 1/24/17 - amended
3rd R 2/7/17

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10026-2016

INTRODUCED BY: COUNCILMAN TROYER

AN ORDINANCE
AMENDING SECTION 121.01(a) and (b)
OF THE BROOK PARK CODIFIED ORDINANCES, RELATING
TO THE PRESIDENT OF COUNCIL AND MEMBERS OF COUNCIL,
AND DECLARING AN EMERGENCY.

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

SECTION 1: Section 121.01(a) and (b) of the Brook Park Codified Ordinances, passed by Ordinance No. 8346-1997, passed May 20, 1997; Ordinance No. 8708-2000, passed February 6, 2001; Ordinance 9000-2003, passed June 17, 2003; Ordinance No. 9581-2009, passed May 19, 2009, and reading as follows:

COUNCIL SALARY

121.01(a) The salary of the President of Council for one year commencing January 1, 2010, until duly changed, is hereby fixed at fifteen thousand seven hundred thirty-five dollars (15,735) per annum, payable in monthly installments. The salary of the President of Council for one year commencing January 1, 2011, until duly changed, is hereby fixed at fifteen thousand seven hundred thirty-five dollars (\$15,735) per annum, payable in monthly installments. The salary of the President of Council for one year commencing January 1, 2012, until duly changed, is hereby fixed at sixteen thousand two hundred seven dollars (\$16,207) per annum payable in monthly installments. The salary of the President of Council for one year commencing January 1, 2013 until duly changed, is hereby fixed at sixteen thousand six hundred ninety-three dollars (\$16,693)per annum, payable in monthly installments.

is hereby amended to read:

121.01(a) The salary of the President of Council commencing January 1, 2018 until duly changed is hereby fixed at \$12,500.00 per annum payable in monthly installments.

121.01 (b) The salary of the members of Council for one year commencing January 1, 2010, until duly changed, is hereby fixed at fourteen thousand four hundred forty-six dollars (\$14,446) per annum, payable in monthly installments. The salary of the members of Council for one year commencing January 1, 2011, until duly changed, is hereby fixed at fourteen thousand four hundred forty-six dollars (\$14,446) per annum, payable in monthly installments. The salary of the members of Council for one year commencing January 1, 2012, until duly changed, is hereby fixed at fourteen thousand eight hundred seventy-nine dollars (\$14,879) per annum, payable in monthly installments. The salary of the members of Council for one year commencing January 1, 2013, until duly changed, is hereby fixed at fifteen thousand three hundred twenty-five dollars (\$15,325) per annum, payable in monthly installments.

is hereby amended to read:

121.01 (b) The salary of the members of Council for one year commencing January 1, 2018, until duly changed, is hereby fixed at twelve thousand five hundred dollars (\$12,500) per annum, payable in monthly installments.

SECTION 2: Former Section 121.01(a) and (b) of the Brook Park Codified Ordinances, as passed by passed by Ordinance No. 8346-1997, passed May 20, 1997; Ordinance No. 8708-2000, passed February 6, 2001; Ordinance 9000-2003, passed June 17, 2003; Ordinance No. 9581-2009, passed May 19, 2009, is hereby expressly repealed.

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

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare of said City, and for the further reason to amend Section 121.01(a) and (b) of the Brook Park Codified Ordinances; therefore this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

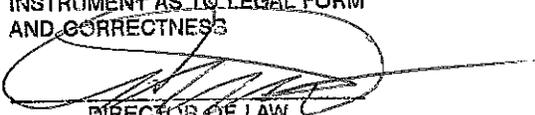
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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


DIRECTOR OF LAW

P/C 5/17/16 Finance
Cau 10/25/16 - amended
1st R 11/1/16
2nd R 11/15/16
3rd R 2/7/17
B/C 11/22/16
Cau 11/22/16
Cau 1/24/17 - amended

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10052-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE AUTHORIZING
THE CITY OF BROOK PARK TO PROVIDE A JOB RETENTION & BUSINESS
EXPANSION GRANT TO DRABIK MANUFACTURING, INC.,
15601 COMMERCE PARK DRIVE.

WHEREAS, Drabik Manufacturing (Drabik) is a successful family owned machine shop that has been employing and training skilled machinists for over 50 years in northeast Ohio;

WHEREAS, Drabik has been a consistent employer of machinists in Brook Park manufacturing high-precision, complex machined parts for machine tool builders, foundries, steel mills, rail roads, automotive, medical and high tech customers in Ohio and throughout the eastern seaboard since 1993;

WHEREAS, Drabik has invested over \$1.2 Million Dollars in plant and equipment in Brook Park at its 15601 Commerce Park Drive facility since 1990;

WHEREAS, Drabik has generated over \$500,000.00 in payroll in Brook Park over the past ten years;

WHEREAS, Drabik has maintained an average payroll of at least \$500,000.00 per annum since the economic recession that commenced in 2008;

WHEREAS, Drabik employs nine(9) full time and one part time employees and has maintained an average payroll of \$500,000.00 over the past ten (10)years;

WHEREAS, in order to maintain its current payroll, remain competitive, create jobs and expand its business services portfolio within the city, Drabik seeks an economic development grant to assist in the financing of new equipment, specifically, an advanced four-axis Harding V1000 VMC CNC machine that will allow them to manufacture larger more complex machined parts, thereby expanding their manufacturing capabilities.

WHEREAS, the Harding V1000 VMC will cost \$107,523.

WHEREAS, Drabik has secured five year financing from U.S. Bank to acquire the Harding V1000 VMC machine;

WHEREAS, Drabik anticipates employing between 9-12 persons with living wages at an estimated payroll of at least \$500,000.00 per annum and believes the new equipment will allow it add at least two additional full time employees;

WHEREAS, Drabik is located within the City's Enterprise and Target Improvement Zone;

WHEREAS, the City of Brook Park encourages the development of business within the City's Enterprise and Target Improvement Zones; and

WHEREAS, Drabik is desirous of expanding its business capacity and acquiring equipment which will maintain current employment and create up to two (2) new employment opportunities within the City of Brook Park, provided that appropriate business expansion, retention and development incentives are available from the City; and

WHEREAS, Financial assistance from the City of Brook Park is necessary to protect Drabik's ability to maintain its payroll and manufacturing capabilities in the city of Brook Park;

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing Drabik job retention and job/business expansion incentives to promote economic activity within the City consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution to create or preserve jobs and employment opportunities, to eradicate and mitigate blight within the City, and to improve the economic welfare of the people of the State; and

WHEREAS, the Mayor of the City of Brook Park has investigated the request of Drabik for job creation, retention and economic development grant assistance and recommends the same to the City Council on the basis that Drabik is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City of Brook Park;

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

SECTION 1: This Council agrees to provide a job retention, creation and economic development assistance grant to Drabik Manufacturing, Inc. to be applied exclusively to the purchase of (1) Harding V1000 VMC CNC machine for installation and operation at 15601 Commerce Park Drive, Brook Park in an amount of \$50,000.00, provided that Drabik utilizes best efforts to add two (2) full time employees to its payroll and provided the Drabik maintains its base payroll at 2015 levels throughout the useful life of the machine (fifteen (15) years).

SECTION 2: The Mayor is authorized to enter into a Job Creation, Retention & Economic Development Grant agreement with Drabik Manufacturing in the amount of \$50,000.00 provided Drabik agrees to maintain its 2015 payroll levels for the useful life of the equipment and uses its best efforts to expand its payroll by two (2) full time positions.

SECTION 3: The money needed for the aforesaid transaction shall be paid to Drabik Manufacturing, Inc., from funds appropriated for brownfield redevelopment and economic development to Drabik Manufacturing after the delivery and installation of the equipment at 15601 Commerce Park Drive, Brook Park and said funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by Drabik Manufacturing, Inc., in furtherance of the purchase and acquisition of the aforesaid machine and equipment.

SECTION 4: The machine and equipment to be acquired by Drabik Manufacturing shall be operated solely at 15601 Commerce Park Drive, Brook Park and shall not be sold, dismantled or otherwise removed during the useful life (fifteen (15) years) of the aforesaid machine and equipment.

SECTION 5: The City of Brook Park shall maintain an equitable interest in the ownership of the machine and equipment to be acquired by Drabik Manufacturing which interest shall expire upon the expiration of the covenants set forth in Section 3 herein;

SECTION 6: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Sections 121.22 of the Ohio Revised Code.

SECTION 7: This Ordinance shall take effect at the earliest time allowed by law.

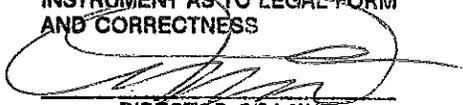
PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

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



DIRECTOR OF LAW

DATE

**JOB CREATION, RETENTION & ECONOMIC DEVELOPMENT GRANT AGREEMENT
CITY OF BROOK PARK, OHIO**

WHEREAS, Drabik Manufacturing (Drabik) is a successful family owned machine shop that has been employing and training skilled machinists for over 50 years in northeast Ohio;

WHEREAS, Drabik has been a consistent employer of machinists in Brook Park manufacturing high-precision, complex machined parts for machine tool builders, foundries, steel mills, rail roads, automotive, medical and high tech customers in Ohio and throughout the eastern seaboard since 1993;

WHEREAS, Drabik has invested over \$1.2 Million Dollars in plant and equipment in Brook Park at its 15601 Commerce Park Drive facility since 1990;

WHEREAS, Drabik has generated over \$500,000.00 in payroll in Brook Park over the past ten years;

WHEREAS, Drabik has maintained an average payroll of at least \$500,000.00 per annum since the economic recession that commenced in 2008;

WHEREAS, Drabik employs nine(9) full time and one part time employees and has maintained an average payroll of \$500,000.00 over the past ten (10)years;

WHEREAS, in order to maintain its current payroll, remain competitive, create jobs and expand its business services portfolio within the city, Drabik seeks an economic development grant to assist in the financing of new equipment, specifically, an advanced four-axis Harding V1000 VMC CNC machine that will allow them to manufacture larger more complex machined parts, thereby expanding their manufacturing capabilities.

WHEREAS, the Harding V1000 VMC costs \$107,523.

WHEREAS, Drabik has secured five year financing from U.S. Bank to acquire the Harding V1000 VMC machine;

WHEREAS, Drabik anticipates employing between 9-12 persons with living wages at an estimated payroll of at least \$500,000.00 per annum and believes the new equipment will allow it to add at least two additional full time employees;

WHEREAS, Drabik is located within the City's Enterprise and Target Improvement Zone;

WHEREAS, the City of Brook Park encourages the development of business within the City's Enterprise and Target Improvement Zones; and

WHEREAS, Drabik is desirous of expanding its business capacity and acquiring equipment which will maintain current employment and create up to two (2) new employment opportunities within the City of Brook Park, provided that appropriate business expansion, retention and development incentives are available from the City; and

WHEREAS, Financial assistance from the City of Brook Park is necessary to protect Drabik's ability to maintain its payroll and manufacturing capabilities in the city of Brook Park;

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing Drabik job retention and job/business expansion incentives to promote economic activity within the City consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution to create or preserve jobs and employment opportunities, to eradicate and mitigate blight within the City, and to improve the economic welfare of the people of the State; and

WHEREAS, the Mayor of the City of Brook Park has investigated the request of Drabik for job creation, retention and economic development grant assistance and recommends the same to the City Council on the basis that Drabik is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City of Brook Park;

WHEREAS, the Brook Park City Council Ord. No. 10052-2016 authorizes the Mayor to enter into a Job Creation, Retention & Economic Development Grant Agreement with Drabik Manufacturing Inc.;

NOW THEREFORE, in consideration of the foregoing, and in reliance upon the mutual covenants, promises and agreements contained herein, the City of Brook Park, Ohio (herein "Grantor") and Drabik Manufacturing Inc. herein "Grantees"), agree as follows:

SECTION 1: The Grantor shall provide a job retention, creation and economic development assistance grant to Grantees in the amount of \$50,000.00 (US) to be applied exclusively to the purchase of (1) four-axis Harding V1000 VMC CNC machine for installation and operation at 15601 Brook Park;

SECTION 2: Grantees agree to maintain its base payroll in the City of Brook Park at 2015 levels (\$500,000.00 per annum)

throughout the useful life of the machine and to use best efforts to expand its payroll by two (2) employees in 2017.

SECTION 3: Grantees agree to execute a cognovit note in favor of Grantor that provides for the pro rata repayment of the grant in the event Grantee fails to meet the payroll, job creation and investment guarantees set forth herein;

SECTION 4: Grantees agree that the grant money shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by Grantees in furtherance of the purchase of the aforesaid machine and equipment upon the delivery and installation of the equipment at 15601 Commerce Park, Brook Park.

SECTION 5: Grantees agree that the machine and equipment to be acquired shall be operated solely at 15601 Commerce Park, Brook Park and shall not be sold, dismantled or otherwise removed during the useful life (fifteen (15) years) of the aforesaid machine and equipment.

SECTION 6: Grantees agree that Grantor shall maintain an equitable interest in the ownership of the machine and equipment to be acquired by Grantee which interest shall expire upon the expiration of the covenants set forth in Section 2 herein;

SECTION 7: This Agreement is the complete agreement of the parties concerning the subject matter hereof and supersedes any prior such agreements with respect to further disclosures on such subject matter; may not be amended or in any manner modified except in a writing signed by Grantor and Grantee, and shall be governed and construed in accordance with the laws of the State of Ohio. If any provision of this Agreement is found to be unenforceable, the remainder shall be enforced as fully as possible and the unenforceable provision shall be deemed modified to limited extent required to permit its enforcement in a manner most closely representing the intention of the parties as expressed herein;

SECTION 8: Any breach of the minimum payroll guaranty by Grantees shall entitle Grantor to a pro rata recovery of the grant over the useful life (15 years) of the equipment for which this grant is authorized.

SECTION 9: This Agreement shall be binding on the parties hereto and their agents, servants, representatives, assigns, heirs, employees, officers, directors and successors. This Agreement can not be assigned, delegated, pledged or transferred with the prior written agreement of the Grantor.

SECTION 10: A waiver, whether specific or general, of any of the terms and conditions of this Agreement by Grantor shall not constitute a waiver of any other term or condition hereof. Grantor reserves the right to reinstate any such waiver with notice to Grantee.

SECTION 11: Any person executing this Agreement on behalf of the Grantor or Grantees agrees and covenants that he/she has obtained the requisite approval to bind such entity, and that such entity is bound by the execution of this Agreement by the person(s) executing the Agreement.

Grantor:
CITY OF BROOK PARK, OHIO

Date:

BY: Thomas J. Coyne, Mayor

Grantee:
Drabik Manufacturing, Inc.

Date:

BY: James R. Drabik, CEO.

Approved as to legal form
And correctness.

Carol Dillon Horvath
Director of Law

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10064-2016

INTRODUCED BY: MAYOR COYNE

P/C 12/6/16 Legislative
Cau 12/13/16
1st R 12/20/16
2nd R 1/3/17
3rd R 1/17/17 moved to
B/C
3rd R 2/7/17

AN ORDINANCE
AMENDING CHAPTER 153.06
OF THE BROOK PARK CODIFIED ORDINANCES
ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS,'
AND DECLARING AN EMERGENCY

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

SECTION 1: Section 153.06 of the Brook Park Codified Ordinances, as enacted by Ordinance No.8225-1996, passed June 18, 1996, and reading as follows:

153.06 PAYMENT OF HOSPITALIZATION BENEFITS.

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan. The City shall not pay hospitalization benefits for employees who retire. However, the City shall pay a retired employee's spouse's premium through the PERS program twice a year, provided that such spouse does not hold a job where hospitalization or similar benefits are paid, and provided, further, that the retiring employee has had ten years of continuous employment with the City prior to retirement. If paid by another company, such spouse is not entitled to hospitalization, nor shall hospitalization be paid by the City. Prescription drug coverage shall be paid by the City for all retired employees.

(b) On behalf of a full-time deceased employee, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former

employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City who is not a member of a bargaining unit represented by a union or employee organization may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

is hereby amended to read:

153.06 PAYMENT OF HOSPITALIZATION BENEFITS.

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan.

(b) On behalf of a full-time retired or deceased employee with 10 or more continuous years of service, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

(f) Retired employees, or their surviving spouses who have had not less than 10 years of consecutive service with the City of Brook Park prior to their retirement, shall be eligible for a Medicare Part B supplement to match the O.P.E.R.S. and Police and Fire Pension fund Medicare Part B reimbursement. The amount of the supplement shall be \$1,200 annually. To be eligible, retirees or surviving spouses must be:

1. Be 65 years of age or older
2. Ceases to participate in state pension offered healthcare
3. Elects to or is mandated into an alternate plan (Medicare or other supplemental insurance)
4. Retiree or surviving spouse must show proof of participation in supplemental plan.

SECTION 2: Former Section 153.06 of the Brook Park Codified Ordinances as enacted by Ordinance No.8225-1996, passed June 18, 1996, is hereby expressly repealed.

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

SECTION: 4 This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Section 153.06 of the Brook Park Codified Ordinances; 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

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10064-2016

INTRODUCED BY: MAYOR COYNE

P/C 12/6/16 Legislative
Cau 12/13/16
1st R 12/20/16
2nd R 1/3/17
3rd R 1/17/17 moved to
B/C
3rd R 2/7/17

AN ORDINANCE
AMENDING CHAPTER 153.06
OF THE BROOK PARK CODIFIED ORDINANCES
ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS,'
AND DECLARING AN EMERGENCY

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

SECTION 1: Section 153.06 of the Brook Park Codified Ordinances, as enacted by Ordinance No.8225-1996, passed June 18, 1996, and reading as follows:

153.06 PAYMENT OF HOSPITALIZATION BENEFITS.

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan. The City shall not pay hospitalization benefits for employees who retire. However, the City shall pay a retired employee's spouse's premium through the PERS program twice a year, provided that such spouse does not hold a job where hospitalization or similar benefits are paid, and provided, further, that the retiring employee has had ten years of continuous employment with the City prior to retirement. If paid by another company, such spouse is not entitled to hospitalization, nor shall hospitalization be paid by the City. Prescription drug coverage shall be paid by the City for all retired employees.

(b) On behalf of a full-time deceased employee, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former

employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City who is not a member of a bargaining unit represented by a union or employee organization may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

is hereby amended to read:

153.06 PAYMENT OF HOSPITALIZATION BENEFITS.

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan.

(b) On behalf of a full-time retired or deceased employee with 10 or more continuous years of service, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

(f) Retired employees, or their surviving spouses who have had not less than 10 years of consecutive service with the City of Brook Park prior to their retirement, shall be eligible for a Medicare Part B supplement to match the O.P.E.R.S. and Police and Fire Pension fund Medicare Part B reimbursement. The amount of the supplement shall be \$1,200 annually. To be eligible, retirees or surviving spouses must be:

1. Be 65 years of age or older
2. Ceases to participate in state pension offered healthcare
3. Elects to or is mandated into an alternate plan (Medicare or other supplemental insurance)
4. Retiree or surviving spouse must show proof of participation in supplemental plan.

SECTION 2: Former Section 153.06 of the Brook Park Codified Ordinances as enacted by Ordinance No.8225-1996, passed June 18, 1996, is hereby expressly repealed.

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

SECTION: 4 This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Section 153.06 of the Brook Park Codified Ordinances; 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

P/C 11/15/16 Legislative
Cau 11/22/16
1st R 12/6/16
2nd R 12/20/16
3rd R 1/17/17 removed
B/C
3rd R 2/7/17

CITY OF BROOK PARK, OHIO

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.

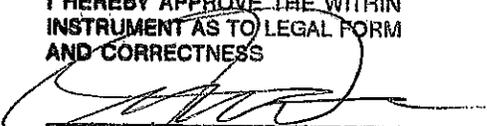
PASSED: _____

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