

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 17, 2017
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. SPECIAL COUNCIL MEETING HELD ON SEPTEMBER 26, 2017.
2. SPECIAL COUNCIL MEETING HELD ON SEPTEMBER 28, 2017.
3. CAUCUS PRIOR TO THE COUNCIL MEETING HELD ON OCTOBER 3, 2017.
4. REGULAR COUNCIL MEETING HELD ON OCTOBER 3, 2017.

D. REPORTS OF STANDING COMMITTEES:

AVIATION & ENVIRONMENTAL (Powers)	___
FINANCE COMMITTEE (McDonnell)	___
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:

I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:

J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):

K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

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

1. ORDINANCE NO. 11004-2017, AUTHORIZING FABRIZI TRUCKING AND PAVING COMPANY TO COMPLETE STORM SEWER REPAIRS NEAR 14527 FAYETTE BOULEVARD AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

2. ORDINANCE NO. 11005-2017. APPROVING THE LOT CONSOLIDATION OF PERMANENT PARCEL NOS. 344-06-016 AND 344-06-017 LOCATED AT 5420 WEST 140TH STREET IN A U5-C ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole

Note: Exhibit A mentioned in Section 1 of the legislation is on file in the Council office for review.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11002-2017, AMENDING SECTION 1348 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FRONT PORCHES' AND DECLARING AN EMERGENCY. Introduced by Mayor Coyne

2. RESOLUTION NO. 26-2017, DESIGNATING THE MONTH OF OCTOBER, 2017 AS BREAST CANCER AWARENESS IN THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Councilmembers Salvatore, Burgio, Scott, Troyer, McDonnell, Mencini, Council President Astorino and Mayor Coyne.

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF OCTOBER 17, 2017**

FIRST READING:

Ord. No. 11004-2017 AN ORDINANCE AUTHORIZING FABRIZI TRUCKING AND PAVING COMPANY TO COMPLETE STORM SEWER REPAIRS NEAR 14527 FAYETTE BLVD., AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing to pay Fabrizi Trucking and Paving Company, Inc., for repair of the storm sewer near 14527 Fayette Boulevard.

Ord. No. 10005-2017 AN ORDINANCE APPROVING THE LOT CONSOLIDATION OF PERMANENT PARCEL NOS. 344-06-016 AND 344-06-017 LOCATED AT 5420 WEST 140TH STREET IN A U5-C ZONE, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance approving the lot consolidation of two parcels of property located at Ques Industries 5420 West 140th Street and the construction of a building addition.

SECOND READING:

Res. No. 26-2017 A RESOLUTION DESIGNATING THE MONTH OF OCTOBER, 2017 AS BREAST CANCER AWARENESS IN THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution designating the month of October, 2017 as Breast Cancer Awareness month in the City of Brook Park and lighting up the gazebo with pink lights showing our support.

Ord. No. 11002-2017 AN ORDINANCE AMENDING SECTION 1348 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'FRONT PORCHES', AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending Section 1348 of our ordinances to eliminate the need to go to go before the Planning Commission.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
OCTOBER 12, 2017**

P/C 10-3-17 SERVICE
CA 10-10-17
1st R 10-17-17
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO. 11004-2017

INTRODUCED BY: Mayor Coyne

AN ORDINANCE
AUTHORIZING FABRIZI TRUCKING AND PAVING, COMPANY TO COMPLETE
STORM SEWER REPAIRS NEAR 14527 FAYETTE BLVD.
AND DECLARING AN EMERGENCY

WHEREAS, the existing 24" storm sewer in the public right-of-way near 14527 Fayette Blvd. has been compromised and is in need of repair;

WHEREAS, proposals to complete the work were requested from eight contractors and the results are included as Attachment "A";

WHEREAS, Council desires to have the work completed;

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

SECTION 1: Mayor is authorized to pay Fabrizi Trucking and Paving Company, Inc. for the repair work as described in Attachment "B", an estimated fee of \$24,530.00.

SECTION 2: The money needed to complete the aforesaid transaction shall be paid from the Capital Improvement Fund No. 401 theretofore appropriated or to be appropriated for said purpose.

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 of said City, and for the further reason that the City desires to complete this work as soon as possible; 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



MEMO

TO: Mayor Coyne

FROM: Edward R. Piatak, P.E., Consulting City Engineer

DATE: September 21, 2017

SUBJECT: 14527 Fayette Storm Sewer Repair

CC: Service Director Cayet

Mayor Coyne:

As per your request, I've contacted a number of Contractors regarding the repairs needed on the existing storm sewer near 14527 Fayette Blvd. See below for the responses that I have received as of the date of this Memo:

Fabrizi Trucking and Paving	\$24,530.00
H and J Construction	\$24,990.00
Xtreme Excavating	\$25,530.00
Terrace Construction	No Bid
DiGioia-Suburban Excavating	No Bid
Mosko Excavating	No Bid
Strongsville Excavating	No Response
B. + B. F. Construction	No Bid

Please let me know how you like to proceed with having this work completed.

EUTHENICS, INC.

Edward R. Piatak, P.E.
Consulting City Engineer

F:\Jobs\187\Coyne Memo 092117.docx

OFFICERS

R. S. WASOSKY, PE, PS, CEO • A. R. PIATAK, PE, PRESIDENT • D. T. BENDER, PE, SECRETARY • J. L. NEVILLE, PE, TREASURER • E. R. PIATAK, PE, VICE PRESIDENT
ASSOCIATES
R. A. BENDER, PE • M. E. KIMBERLIN, PE, PS • M. M. PILAT, PE • M. R. COSGRIFF, PE • L. A. BAKER, PE • A. J. MALINAK, PE • S. A. HORAN, PS

Attachment "A"

Proposal to replace 24" RCP storm sewer at 14527 Fayette Blvd. in the City of Brook Park.

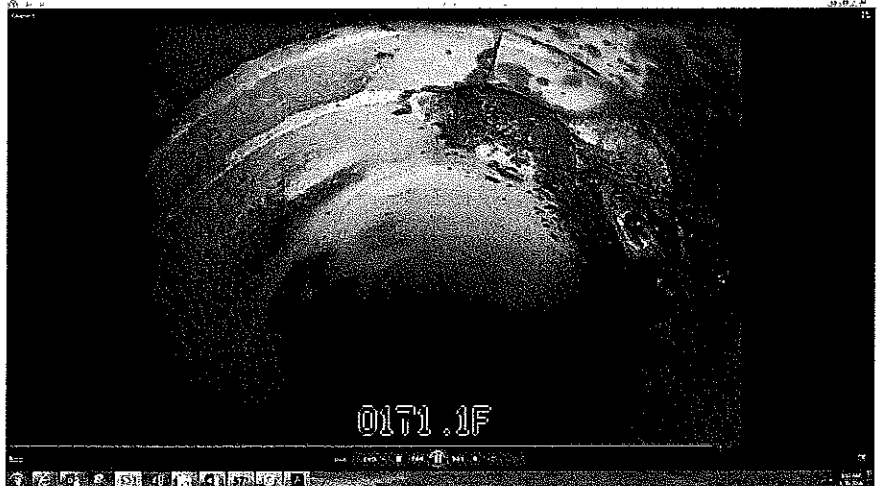
- Work shall include replacement of the existing storm service connection and installation of a new cleanout at the existing R/W line.
- Pavement restoration shall include replacement of approximately 390 sq. ft. of 8" – ODOT 451 Reinforced Concrete Pavement (and curbing) and any damaged sidewalk.
- Trench backfill shall be ODOT 304 (limestone) and paving shall be in accordance with Cuyahoga County Standard Construction Drawing MD-3C (10/08/15).
- A copy of the Brook Park Service Department sewer video can be provided upon request.
- Be advised that the City expects work to begin immediately upon authorization.

Inclusions:

- Mobilization
- Pavement saw cutting
- Excavation
- Traffic control
- Disposal of materials
- 24" C-76 RCP Cl. IV conduit
- 6" PVC SDR 35 conduit
- 6" PVC Cleanout (at R/W line)
- Fernco couplings
- One Kor-N-Tee connector
- Backfill
- 8" Pavement and 4" Sidewalk repairs
- Edge sealing
- Topsoil, seeding and mulching
- Etc...

Exclusions:

- Bond
- Permits
- Inspection Fees
- Sales Tax
- Video Taping
- Construction Staking



Attachment "B"

P/C _____
CA 10-10-17
1st R 10-17-17
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11005-2017

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE
APPROVING THE LOT CONSOLIDATION OF
PERMANENT PARCEL NOS. 344-06-016 and 344-06-017
LOCATED AT 5420 WEST 140TH STREET IN A U5-C ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, on October 2, 2017, the Planning Commission approved and referred to Council a request to consolidate permanent parcel nos. 344-06-016 and 344-06-017 for the construction of a building addition for Ques Industries located at 5420 West 140th Street in a U5-C Zone; and

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

SECTION 1: The consolidation of parcels of the aforementioned property and the building addition is further illustrated in Exhibit "A" and attached hereto and incorporated herein by reference and is hereby authorized and approved by the Council of the City of Brook Park.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that it is Council's desire to approve the consolidation of permanent parcel nos. 344-06-016 and 344-06-017 and the building addition located at 5420 West 140th Street, Ques Industries; 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

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

DATE



DIRECTOR OF LAW

PIC 6/6/17 Legislative
CA 9-26-17
1st R 10-3-17
2nd R 10-17-17
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11002-2017

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE
AMENDING SECTION 1348 OF THE
BROOK PARK CODIFIED ORDINANCES ENTITLED
'FRONT PORCHES,'
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 1348.01(a) of the Brook Park Codified Ordinance, as enacted by Ordinance No. 8567-1999, passed July 13, 1999 and Ordinance No.9442-2008, passed February 5, 2008 and reading as follows:

1348.01 FRONT PORCHES.

(a) Definition. A front porch shall be defined as an open area structure, with or without an approved roof or canopy, located at the front of a house behind the front setback line, with a masonry foundation. A front stoop shall be considered a front porch.

(b) Basic Standards. All new front porch construction, after the effective date of this section, must comply with the following basic standards. Any existing front porch structures not in compliance with this section shall be permitted to remain so long as the structures are in good repair.

(1) Planning Commission approval. All construction plans for front porches must come before the Planning Commission for aesthetic approval prior to receiving a permit. Planning Commission fees shall be waived for:

- A. Replacement of an existing masonry front stoop.
- B. Wheelchair ramps.
- C. ADA lifts and platforms.

(2) Compatibility with house design and color. A front porch shall be enclosed from ground level to porch floor with material compatible to house design and color.

(3) Safeguards. All porch floors above thirty inches from grade shall have safeguards such as handrails, footrails and properly spaced balusters around the perimeter of the porch, including steps.

(4) Building materials. A front porch may be made out of poured concrete cap or stone.

(5) Footers. Front porches must have a continuous frost proof footer. Material above grade must be continuous masonry to match the foundation of the house. Split face block, face brick, and poured concrete are acceptable. Wolmanized wood is prohibited from being used in a footer, pier, or decking.

(c) Prohibited Front Porch Structures. Wolmanized decks are prohibited from being placed in the front of a house. All decks shall be prohibited from being placed in the front of any house.

is hereby amended to read:

1348.01 FRONT PORCHES.

(a) Definition. A front porch shall be defined as an open area structure, with or without an approved roof or canopy, located at the front of a house behind the front setback line, designed to meet the requirement of Section 2,3,4, and 5. A front stoop shall be considered a front porch.

(b) Basic Standards. All new front porch construction, after the effective date of this section, must comply with the following basic standards. Any existing front porch structures not in compliance with this section shall be permitted to remain so long as the structures are in good repair.

1. Front Porch Setback. Any proposed front porch that extends no more than 8 feet from the front building line may encroach into the front setback and is not subject to a variance request.
2. Plan Review Approval. All porches are required to have a formal plan review by the Building Commissioner.
3. Compatibility with House Design and Color. A front porch shall be enclosed from ground level to porch floor with material compatible to house design and color.
4. Safeguards. All porch floors above thirty inches from grade shall have safeguards and such as handrails, foot rails and

properly spaced balusters around the perimeter of the porch, including steps.

5. Building Materials. A front porch shall be made out of poured concrete cap or masonry material.
6. Footers. Front porches must have a continuous frost proof footer. Material above grade must be continuous masonry to match the foundation of the house. Split face block, face brick, and poured concrete are acceptable. Wolmanized wood, synthetic or composite material are prohibited from being used in a footer, pier, or decking.

(c) Prohibited Front Porch Structures. Wolmanized, composite, and synthetic decks are prohibited from being placed in the front of a house. All decks shall be prohibited from being placed in the front of any house with the exception of temporary, handicapped ramps may be constructed with wolmanized wood, composite and synthetic and must be stained or painted to match the house.

SECTION 2: Former Section 1348.01 as enacted by Ordinance No. 8567-1999, passed July 14, 1999, and Ordinance No. 9442-2008, passed February 5, 2008, 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 Sections of 1348.01; 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: _____

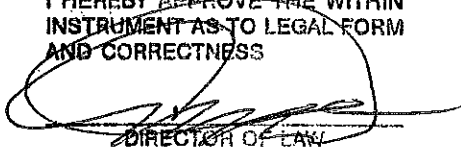
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

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

DATE



DIRECTOR OF LAW

P/C _____
CA PRIOR 10-3-17
1st R 10-3-17
2nd R 10-17-17
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 26-2017

INTRODUCED BY: COUNCILMEN SALVATORE, BURGIO AND SCOTT, TROYER, McDonnell
Mencini, Council President Astorino and MAKECOWLE

A RESOLUTION
DESIGNATING THE MONTH OF OCTOBER, 2017
AS BREAST CANCER AWARENESS IN THE CITY OF BROOK PARK, OHIO,
AND DECLARING AN EMERGENCY

WHEREAS, breast cancer is the most common cancer in women in the United States and second leading cause of death in women; and

WHEREAS, the City of Brook Park hereby designates the month of October, 2017 as Breast Cancer Awareness Month in the City of Brook Park; and

WHEREAS, the City along with Southwest General Health Center is reminding and urging women to schedule a mammogram screening; and

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

SECTION 1: That this Council does hereby designate the month of October, 2017 as Breast Cancer Awareness Month in Brook Park and will show our support in lighting up our pavilion with pink lights.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to show support provided that this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon

its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

I HEREBY APPROVE THE WITHIN
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AND CORRECTNESS

DATE



DIRECTOR OF LAW