

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, FEBRUARY 6, 2018
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO THE COUNCIL MEETING HELD ON JANUARY 16, 2018
2. REGULAR COUNCIL MEETING HELD ON JANUARY 16, 2018.
3. SPECIAL COUNCIL MEETING HELD ON JANUARY 23, 2018.

D. REPORTS OF STANDING COMMITTEES:

AVIATION & ENVIRONMENTAL (Poindexter)	_____
FINANCE COMMITTEE (Scott)	_____
LEGISLATIVE COMMITTEE (Mencini)	_____
PARKS & RECREATION COMMITTEE (Salvatore)	_____
PLANNING COMMITTEE (Burgio)	_____
SAFETY COMMITTEE (Stemm)	_____
SERVICE COMMITTEE (Orcutt)	_____
BOARD OF ZONING APPEALS (Scott)	_____

E. REPORTS OF SPECIAL COMMITTEES:

SOUTHWEST GENERAL HEALTH CENTER - TRUSTEE (Salvatore)
BEREA BOARD OF EDUCATION COMMITTEE (McDonnell, Poindexter)

F. REPORTS OF BOARDS AND COMMISSIONS:

G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:

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

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

K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

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

1. RESOLUTION NO. 3-2018, HONORING THE POLARIS CAREER CENTER'S CHEF TRAINING CENTER PROGRAM FOR BEING NAMED TO SULLIVAN UNIVERSITY'S ELITE 50 LIST FOR 2018 AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter, Council as a Whole and Mayor Gammella

2. RESOLUTION NO. 5-2018, GRANTING AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO CONSTRUCT AND MAINTAIN A TWO-FAMILY DWELLING AT 6091 SMITH ROAD, LOCATED IN THE U1-A5 ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole

3. ORDINANCE NO. 11014-2018, RETAINING AND EMPLOYING THE LAW FIRM OF MANSOURGAVIN, LPA TO ACT AS CO-COUNSEL WITH THE LAW DIRECTOR IN LABOR RELATIONS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11013-2018, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A DEMOLITION AND PLANT EXPANSION GRANT TO QUES INDUSTRIES, INC., LOCATED AT 5420 WEST 140TH STREET, OHIO
Introduced by Mayor Coyne

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF FEBRUARY 6, 2018**

FIRST READING:

Res. No. 3-2018

A RESOLUTION HONORING THE POLARIS CAREER CENTER'S CHEF TRAINING CENTER PROGRAM FOR BEING NAMED TO SULLIVAN UNIVERSITY'S ELITE 50 LIST FOR 2018, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution honoring and congratulating all the members of Polaris Career Center Chef Training Program and their instructor on being named to the Sullivan University's Elite 50 List for 2018.

Res. No. 5-2018

A RESOLUTION GRANTING AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO CONSTRUCT AND MAINTAIN A TWO FAMILY DWELLING AT 6091 SMITH ROAD, LOCATED IN THE U1-A5 ZONE, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution that grants a conditional use permit to construct and maintain a two family dwelling located at 6091 Smith Road, with specific conditions.

SECOND READING:

Ord. No. 11013-2018

AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A DEMOLITION & PLANT EXPANSION GRANT FOR QUES INDUSTRIES, INC., LOCATED AT 5420 WEST 140TH STREET OHIO.

SYNOPSIS: An ordinance authorizing Ques Industries, Inc., be provided a demolition and plant expansion grant to Ques for demolition of the current buildings and improvements at 5320 West 140th and expansion of its plant and equipment.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
January 29, 2018**

18 JAN 29 PM 12:28:01

CITY OF BROOK PARK, OHIO

P/C _____
CA prior to 1-16-18
1st R 2-6-18
2nd R _____
3rd R _____
R/C _____

RESOLUTION NO. 3-2018

INTRODUCED BY: COUNCILMAN POINDEXTER, *Council as a whole + Mayor Gammella*

**A RESOLUTION
HONORING THE POLARIS CAREER CENTER'S CHEF
TRAINING CENTER PROGRAM FOR BEING NAMED
TO SULLIVAN UNIVERSITY'S ELITE 50 LIST FOR 2018,
AND DECLARING AN EMERGENCY**

WHEREAS, the Polaris Career Center Chef Training Program is instructed by Chris Olszewski; and

WHEREAS, the Polaris Career Center Chef Training Program has been named to Sullivan University's Elite 50 list for 2018; and

WHEREAS, this honors schools from around the country who excel in all areas of culinary, arts, hospitality, and management professions; and

WHEREAS, this recognizes schools that have a strong influence with their community;

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 congratulate all of the members of Polaris Career Center Chef Training Program and their Instructor, Chris Olszewski.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the Polaris Career Center, Attention: Chris Olszewski.

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 Polaris Career Center Chef Training Center Program; 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: _____

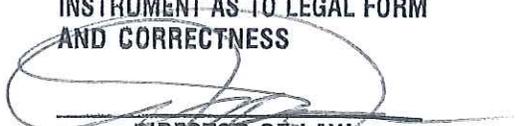
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW

P/C _____
CA 1-23-18
1st R 2-6-18
2nd R _____
3rd R _____
P/C _____

CITY OF BROOK PARK, OHIO

Resolution No. 5-2018

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION
GRANTING AN AMENDMENT TO THE CONDITIONAL USE PERMIT TO
CONSTRUCT AND MAINTAIN A TWO FAMILY DWELLING AT
6091 SMITH ROAD, LOCATED IN THE U1-A5 ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, Ericka Bogdan filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to construct and maintain a two family dwelling at 6091 Smith Road located in the U1-A5 Zone; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on September 11, 2017 before the Brook Park Planning Commission, which referred this matter to Council for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances; and

WHEREAS, an amendment was recommend by our City Engineer for one driveway with a turnaround for a double car garage and was reviewed at the January 8, 2018 Planning Commission meeting and approved, and was forwarded to City Council for approval;

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

SECTION 1: The Council of the City of Brook Park finds that the proposed amended conditional use permit requested is appropriate in the location for which it is proposed and hereby grants the conditional use permit, if the following specific conditions are met:

- A. Install one driveway with turn around and double garage; thereby eliminating the City's previous requirement of a separate driveway for each garage.
- B. Utilizing the existing storm connection and sanitary connection to service the proposed home as recommended by City Engineer.

- C. Proposed basement must be serviced by existing storm connection and sanitary connection.
- D. Variance will be required for size of proposed garages.

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 for the further purpose of granting an amended conditional use permit to construct and maintain a two-family dwelling; therefore provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____
COUNCIL

PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

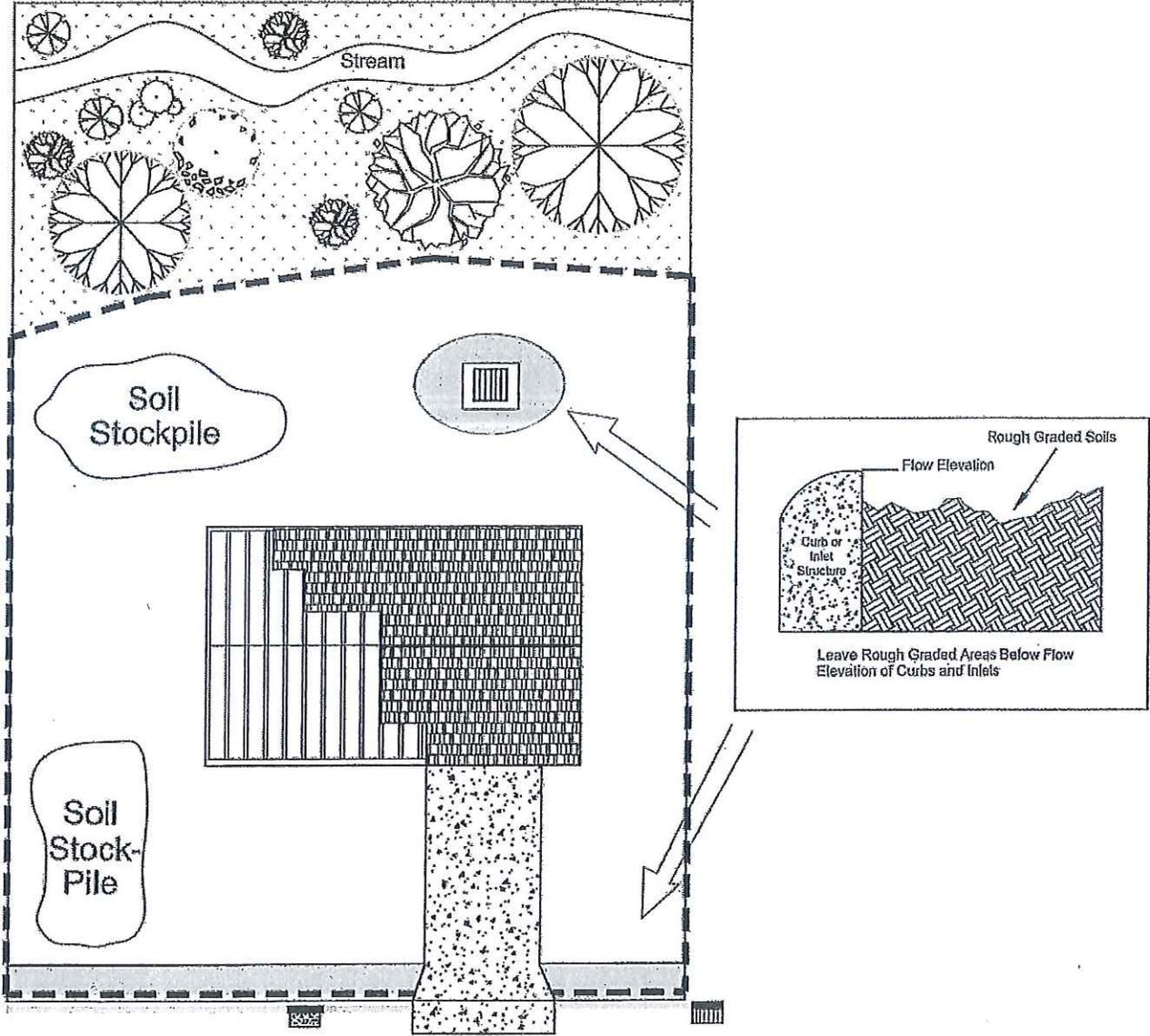
DATE

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



DIRECTOR OF LAW

Specifications
for
Small Construction Site Controls



PLAN VIEW

- Temporary seeding and/or mulch applied to rough graded areas
- Construction Entrance gravel
- Rough grade areas to allow settling below grade elevation
- Storm Drain w/inlet protection
- Storm Drain without inlet protection
- Yard Drain w/ inlet protection
- Silt Fence
- Curb

P/C _____
CA price to 1-16-18
1st R 2-6-18
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11014-2018

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
RETAINING AND EMPLOYING THE
LAW FIRM OF MANSOURGAVIN, LPA TO ACT AS
CO-COUNSEL WITH THE LAW DIRECTOR IN LABOR RELATIONS,
AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park may employ attorneys to provide professional and legal services, acting as co-counsel with the Law Director; and

WHEREAS, the City has specialized issues, requiring specialized, technical and legal assistance employee-related and employee benefits-related matters; and

WHEREAS, the results of these matters will have a very significant fiscal and operational impact on the City; and

WHEREAS, the City has determined that certain technical, professional and legal assistance will enable it to participate more effectively in these matters; and

WHEREAS, James A. Budzik, of MansourGavin will provide such technical, professional and legal assistance and have the necessary skills, experience and abilities to provide such assistance in the field of employee-related and employee benefits-related matters and representation of the City in all matters therein related.

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

SECTION 1: That the law firm of MansourGavin, LPA, is hereby retained to represent the City in all matters concerning employee-related and employee benefits-related, including but not limited to labor negotiations, arbitration, mediation and any other areas consistent with this specific area of law.

SECTION 2: The money needed for the aforesaid transaction shall be paid from the General Fund, No. 100; theretofore, appropriated for said purposes.

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 hire the law firm of MansourGavin, LPA; therefore this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

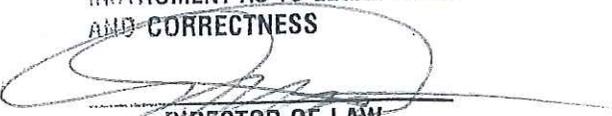
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

DATE



DIRECTOR OF LAW

PIC 12-5-17 Finance
CA 1-9-18
1st R 1-16-18
2nd R 2-6-18
3rd R _____
R/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11013-2018

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE AUTHORIZING
THE CITY OF BROOK PARK TO PROVIDE A DEMOLITION & PLANT
EXPANSION GRANT FOR QUES INDUSTRIES, INC.,
LOCATED AT 5420 WEST 140TH STREET OHIO.

WHEREAS, Ques Industries, Inc. (herein "Ques") is a family owned business that has operated since 1983;

WHEREAS, Ques manufactures chemical water treatment additives for Boiler, Steam, Cooling and Closed Systems as well Microbiological Water Treatment additives for governmental, industrial, commercial and business applications;

WHEREAS, Ques manufactures chemical water additives for Wastewater, Potable and Specialty Water Treatments for industrial, commercial and business applications;

WHEREAS, QUES manufactures solvent degreasers, safety solvents, acid/alkaline, metal, floor, general, automotive and commercial cleaner and degreaser solutions;

WHEREAS, Ques was organized in 1983 and constructed its facilities on West 140th at a cost of \$1.2M in or around 1990;

WHEREAS, Ques currently employees approximately 26 employees in the City of Brook Park;

WHEREAS, Ques expanded its payroll by 5 employees in 2017;

WHEREAS, Ques currently generates a payroll of approximately \$1.5M per annum;

WHEREAS, Ques purchased the former animal hospital located at 5320 West 140th in April of 2015 for \$525,000;

WHEREAS, Ques desires to demolish the buildings, structures and improvements at 5320 West 140th in order to expand its plant and operations at 5420 West 140th by 30,000 - 35,000 sq. ft in 2018;

preparation to facilitate the construction of a new facility is \$30,000;

WHEREAS, the anticipated cost of the new plant is \$3.1M;

WHEREAS, Ques expects to expend an additional \$2-\$5M in new equipment and fixtures for the new plant to expand its manufacturing operations by 100% over the next several business cycles;

WHEREAS, Ques expects, and will use best efforts to add up to 30 new employees to its payroll over the next 5 years as result of its proposed business expansion;

WHEREAS, the property located at 5320 West 140th, Brook Park is currently vacant, under-utilized and non-productive;

WHEREAS, the buildings and improvements at the 5320 West 140th are economically unviable, obsolete, dilapidated and in substantial disrepair sufficient to create a negative economic pressure and influence upon the surrounding community;

WHEREAS, new water treatment and cleaning solvent market opportunities justify Ques' proposed investment in new business and plant expansion at its 5420 West 140th Street facility.

WHEREAS, Ques desires to enter into contracts to demolish all existing structures at 5420 West 140th and commence its plant expansion without delay in 2018; and,

WHEREAS, the City of Brook Park encourages the development of real property and the acquisition of personal property located within the City's Enterprise and Target Improvement Zones; and

WHEREAS, Ques is desirous of undertaking a project which will create employment opportunities within the City of Brook Park, provided that the appropriate development incentives are available from the City to support the economic viability of the Project; and

WHEREAS, Financial assistance from the City of Brook Park is necessary to secure the Ques' proposed investment and expansion within the city;

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing Ques with demolition and construction incentives available for the development of the Property 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 Ques for demolition and plant expansion grant assistance and recommends the same to the City Council on the basis that Ques 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 demolition and plant expansion grant to Ques to be applied exclusively to the immediate demolition of the current buildings and improvements at 5320 West 140th and to the expansion of its plant and equipment at 5420 West 140th in an amount of \$30,000.00.

SECTION 2: The money needed for the aforesaid transaction shall be paid by the City from funds appropriated for Brown field redevelopment and economic development to Ques upon the completion of the demolition of all buildings and improvements currently situated upon 5320 West 140th and said funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by Ques in furtherance of the demolition at 5320 West 140th and the subsequent expansion of its facilities at 5420 West 140th Street, Brook Park, Ohio.

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 Sections 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance shall take effect at the earliest time allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

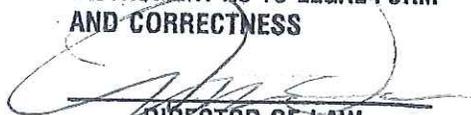
APPROVED:

Clerk of Council

MAYOR

DATE

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AND CORRECTNESS



DIRECTOR OF LAW