

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 2, 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 MEETING HELD ON SEPTEMBER 4, 2018.
2. REGULAR COUNCIL MEETING HELD ON SEPTEMBER 4, 2018.
3. CAUCUS PRIOR TO MEETING HELD ON SEPTEMBER 18, 2018.
4. REGULAR COUNCIL MEETING HELD ON SEPTEMBER 18, 2018.

D. REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Chairman, Poindexter
Finance Committee - Chairman, Scott
Legislative Committee - Chairman, Mencini
Parks & Recreation Committee - Chairman, Salvatore
Planning Committee - Chairman, Burgio
Safety Committee - Chairman Stemm
Service Committee - Chairman, Orcutt
Board of Zoning Appeals - Chairman, 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):

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11040-2018, ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION' AND DECLARING AN EMERGENCY. Introduced by Council President Vecchio, Council as a Whole and Mayor Gammella.

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF OCTOBER 2, 2018**

SECOND READING:

Ord. No. 11040-2018 AN ORDINANCE ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION,' AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance enacting 533.25 of our codified ordinances making it unlawful for a child-victim sex offender to live within 1,000 feet of a public park, school premises, preschool or child care center and other restrictions.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
September 25, 2018**

P/C 9/11/18 Safety
Caucus 9/11/18
1st R 9/12/18
2nd R 10/2/18
3rd R
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11040-2018

INTRODUCED BY: COUNCIL PRESIDENT VECCHIO, *CLW + MAYOR GANNELLA*

CAUCUS PRIOR 9-15-18

AN ORDINANCE
ENACTING SECTION 533.25 OF THE BROOK PARK CODIFIED ORDINANCES
ENTITLED 'SEX OFFENDER RESIDENCY PROHIBITION'
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 533.25 of the Brook Park Codified Ordinances, entitled 'Sex Offender Residency Prohibition' is hereby enacted to read as follows:

533.25

(a) It is unlawful for a child-victim sex offender who is required to register with the County Sheriff as a sexual offender to reside within one thousand (1,000) feet of a public park, school premises or preschool or commercial child day-care center premises.

(b) It is unlawful for a sex offender who is required to register with the County Sheriff as a sex offender to reside in any residential dwelling unit with another person who is also a sex offender who is required to register with the County Sheriff as a sex offender.

(c) Any person who violates this provision is herein guilty of a misdemeanor of the first degree and shall be punished as provided in Sections 501.99 and 533.99 of the Codified Ordinances.

(d) Nothing in this section shall prevent the Director of Law or Prosecutor from taking action against a person convicted of a sexually oriented offense who is required to register as a sexual offender as provided in Ohio R.C. 2950.034.

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

SECTION 3: This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and to enact Section 533.25 of the Brook Park Codified Ordinances; provided this ordinance 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: _____

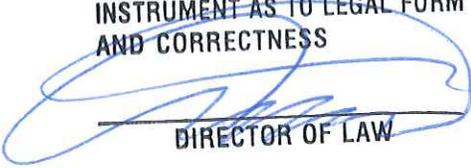
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW