REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, DECEMBER 18, 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 NOVEMBER 20, 2018.
2. REGULAR COUNCIL MEETING HELD ON NOVEMBER 20, 2018.
3. CAUCUS PRIOR TO MEETING HELD ON DECEMBER 4, 2018.
4. REGULAR COUNCIL MEETING HELD ON DECEMBER 4, 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):

1. PAYMENT TO BOXCAST ($2,400) FOR LIVESTREAMING OF CAUCUS AND COUNCIL MEETINGS.

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. 11051-2018, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF CITY RADIOS AND APPURTENANCES, IN ORDER TO REPLACE OBSOLETE RADIOS AND UPGRADE THE CITY'S RADIO COMMUNICATION SYSTEM, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

2. ORDINANCE NO. 11052-2018, AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEREA SCHOOL DISTRICT FOR EXCHANGE OF APPROXIMATELY 18 ACRES OF LAND KNOWN AS BROOK PARK MEMORIAL (P.P.N. 343-17-001) AND 10 ACRES OF LAND KNOWN AS BROOKVIEW ELEMENTARY (P.P.N. 344-15-008, 344-20-086 AND 344-15-178) FOR A LEASEHOLD OF A BASEBALL FIELD LOCATED AT 16900 HOLLAND ROAD AND OTHER CONSIDERATION, PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

3. ORDINANCE NO. 11053-2018, AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH BEREA CITY SCHOOL DISTRICT OF A BASEBALL FIELD LOCATED AT 16900 HOLLAND ROAD, PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

4. ORDINANCE NO. 11054-2018, AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A GRANT TO HARDFACE TECHNOLOGIES BY POSTLE INDUSTRIES FOR A BUILDING EXPANSION LOCATED AT 5440 AND 5500 WEST 164TH STREET, BROOK PARK, OHIO. Introduced by Mayor Gammella.

5. ORDINANCE NO. 11055-2018, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF (+ -) 3.303 ACRES OF LAND LOCATED AT 16400 AND 16500 BROOKPARK ROAD, PERMANENT PARCEL NOS. 344-30-008 AND 344-30-009 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO. 11047-2018, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF PROPERTY LOCATED AT 6363 LOCKAVEN DRIVE, PERMANENT PARCEL NUMBER 343-27-018, AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

2. ORDINANCE NO. 11048-2018, AMENDING ORDINANCE NO. 11023-2018, THE APPROPRIATION ORDINANCE, FOR THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS: CONT.

3. ORDINANCE NO. 11049-2018, TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR THREE MONTHS ENDING ON MARCH 31, 2019 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

4. ORDINANCE NO. 11050-2018, AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS TO THE SPECIFIED ACCOUNT. Introduced by Mayor Gammella.

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF DECEMBER 18, 2018

FIRST READING:

Ord. No. 11051-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF CITY RADIOS AND APPURTENCES, IN ORDER TO REPLACE OBSOLETE RADIOS AND UPGRADE THE CITY'S RADIO COMMUNICATIONS SYSTEM, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance authorizing the mayor to enter into a contract with Motorola Solutions, Inc., for the purchase of City radios to remain compatible with the Southwest COG system.

Ord. No. 11052-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEREA SCHOOL DISTRICT FOR EXCHANGE OF APPROXIMATELY 18 ACRES OF LAND KNOWN AS BROOK PARK MEMORIAL (P.P.N. 343-17-001) AND 10 ACRES OF LAND KNOWN AS BROOKVIEW ELEMENTARY (P.P.N. 344-15-008, 344-20-086 AND 344-15-178) FOR A LEASEHOLD OF A BASEBALL FIELD LOCATED AT 16900 HOLLAND ROAD AND OTHER CONSIDERATION, PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the Mayor to enter into a Memorandum of Understanding with the Berea School District for exchange of property of Brook Park Memorial and Brookview Elementary for a leasehold of our baseball field located at 16900 Holland Road.

Ord. No. 11053-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH BEREA CITY SCHOOL DISTRICT OF A BASEBALL FIELD LOCATED AT 16900 HOLLAND ROAD PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGECY.

SYNOPSIS: An ordinance authorizing the Mayor to negotiate and enter into a lease agreement with the Berea City School District for a baseball field located at 16900 Holland Road for the District's use of OHSAA varsity competition.

Ord. No. 11054-2018 AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A GRANT TO HARDFACE TECHNOLOGIES BY POSTLE INDUSTRIES FOR A BUILDING EXPANSION LOCATED AT 5440 AND 5500 WEST 164TH STREET, BROOK PARK, OHIO.

SYNOPSIS: An ordinance authorizing the City to provide a building expansion grant to Hardface Technologies by Postle Industries to be applied exclusively for the building expansion and connection of two buildings at 5440 West 164th and 5500 West 164th Street.

Ord. No. 11055-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF (+-) 3.03 ACRES OF LAND LOCATED AT 16400 AND 16500 BROOKPARK ROAD, PERMANENT PARCEL NOS. 344-30-008 AND 344-30-009, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the Mayor to negotiate an agreement with Brad Hutchinson of Company Wrench for the sale of property to further the economic best interests of the City.

SECOND READING:

Ord. No. 11047-2018 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF PROPERTY LOCATED AT 6363 LOCKHAVEN DRIVE PERMANENT PARCEL NO. 343-27-018, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the mayor to negotiate and enter into a contract for the sale of property located at 6363 Lockhaven Drive to Angelo Castelli to further the economic best interests of the City.

Ord. No. 11048-2018 AN ORDINANCE AMENDING ORDINANCE NO. 11023-2018 THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance amending our appropriation ordinance to reflect adjustments for the budget of the City.

Ord. No. 11049-2018 AN ORDINANCE TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR THE THREE MONTHS ENDING ON MARCH 31, 2019, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance to provide current expenses and expenditures for the City of Brook Park for the first quarter of the fiscal year ending March 31, 2019

Ord. No. 11050-2018 AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS TO THE SPECIFIED ACCOUNT.

SYNOPSIS: An ordinance that authorizes the transfer of funds.

PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
December 13, 2018

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

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11051-2018

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF CITY RADIOS AND APPURTENCES, IN ORDER TO REPLACE OBSOLETE RADIOS AND UPGRADE THE CITY'S RADIO COMMUNICATIONS SYSTEM, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY

WHEREAS, Council by and through Ordinance No.9203-2005 authorized the Mayor to enter into an agreement for the City of Brook Park to join a Southwest Regional Communications Network Council of Governments ("Southwest COG"), in order to foster cooperation between the various cities that are members of such Council of Governments, to establish, own, operate and administer a regional communications network for public safety and public service purposes; and

WHEREAS, the member communities of the Southwest COG are now collectively faced with the costly challenge of needing to replace a large number of radios that are obsolete, no longer manufactured, and have no replacement parts that are being made available; and

WHEREAS, as a member of the Southwest COG, the City of Brook Park must now participate in replacing and upgrading the City's obsolete mobile radios in order to remain compatible with the Southwest COG system; and

WHEREAS, the Ohio Department of Administrative Services awarded a State Term telecommunications contract (Contract No. 573077-0-1, Index No. STS-073) to Motorola Solutions, Inc.; and

WHEREAS, in order to ensure continuity and functional interoperability with the existing system, it is critical to replace and upgrade such radios and appurtenances with Motorola radio; and

WHEREAS, said vendor has agreed to provide such new radios, and appurtenances to the City at a cost below State Term contract pricing.

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

SECTION 1: The Mayor is hereby authorized as set out in Article VII, Section 7.03 of the Charter, that there is an immediate and present emergency in the operation of the City of Brook Park, in that it is immediately necessary to enter into a contract, without public bidding with MOTOROLA SOLUTIONS, INC. for the replacement of obsolete equipment, and purchase of upgraded radios, and appurtenances for the City in order to continue to meet the operational needs of the City on a prompt basis and to ensure the public health and welfare.

SECTION 2: The money needed for the reasons aforesaid, this Council approves and authorizes the Mayor to enter into a contract with MOTOROLA SOLUTIONS, INC., without public bidding, in an amount not to Exceed $140,616.37 for the purchase of upgraded radios, and appurtenances, all as more fully set forth in the proposal attached hereto as Exhibit A and incorporated herein by reference, and as to be reflected in a contract to be in a form approved by the Law Director

SECTION 3: That the funds for the purpose of this Ordinance have been appropriated and shall be paid from the General Fund No. 401, Capital.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 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 that Council deems it necessary for the Mayor to enter into said agreement without undue delay; 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: _____

_____
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

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

_____
DIRECTOR OF LAW

_____
DATE

P/C
Caucus 12/11/18
1st R 12/18/18
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CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11052-2018

INTRODUCED BY: **MAYOR GAMMELLA**

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEREA SCHOOL DISTRICT FOR EXCHANGE OF APPROXIMATELY 18 ACRES OF LAND KNOWN AS BROOK PARK MEMORIAL (P.P.N. 343-17-001) AND 10 ACRES OF LAND KNOWN AS BROOKVIEW ELEMENTARY (P.P.N. 344-15-008, 344-20-086 AND 344-15-178) FOR A LEASEHOLD OF A BASEBALL FIELD LOCATED AT 16900 HOLLAND ROAD AND OTHER CONSIDERATION, PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park (the City) is the owner of a baseball field located at 16900 Holland Road which is suitable for OHSAA varsity competition and,

WHEREAS, Berea City School District is the owner of two properties knows as Brook Park Memorial ("Memorial on approximately 18 acres) and Brookview Elementary ("Elementary" on approximately 10 acres)and consisting of the land and all improvements, rights, privileges and easements belonging to or in any way appertaining thereto (collectively "the District's Premises"), and

WHEREAS, The District is developing a new elementary school in Brook Park consisting of a new 100,000 square foot elementary on its property that will serve the District's students, and

WHEREAS, City and District want to memorialize a School Resource Officer (SRO) program and,

WHEREAS, City and District have agreed to exchange the Memorial and Elementary for a leasehold interest in the Baseball Field, waiver of building permit fees and certain allocation of expenses associated with the SRO, pursuant to Ohio Revised Code

Sections 3313.40 and 3313.41, subject to the terms and conditions hereinafter set forth in the attached Memorandum of Understanding, and,

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

SECTION 1: The Mayor is hereby authorized to enter into a Memorandum of Understand with the Berea School District, for the exchange of approximately 18 acres of land known as Brook Park Memorial, and 10 acres of land known as Brookview Elementary for a leasehold of a baseball field located at 16900 Holland Drive and other consideration pursuant to ORC 3113.04 and ORC 3113.41 as described in the attached Memorandum of Understanding, a copy of which is attached hereto as Exhibit "A".

SECTION 2: The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance/Taxation is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance/Taxation is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

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 to authorize the Mayor to enter into a Memorandum of Understanding with the School District for the exchange of land pursuant to ORC 3113.04 and ORC 3113.41; 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

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (this "Agreement"), dated as of January 1, 2019 is made between the **Berea City School District** (hereinafter collectively called "District"), and the **City of Brook Park** (hereinafter called "City" and together, with the District "the Parties").

Recitals:

A. City is the owner of a baseball field located at 16900 Holland Road which is suitable for OHSAA varsity competition.

B. District is the owner of two properties knows as Brook Park Memorial ("Memorial on approximately 18 acres) and Brookview Elementary ("Elementary" on approximately 10 acres) as described on **Exhibits A** and **Exhibit B to be attached hereto**, and incorporated by reference) and consisting of the land and all improvements, rights, privileges and easements belonging to or in any way appertaining thereto (collectively "the District's Premises").

C. District is developing a new elementary school in Brook Park consisting of a new 100,000 square foot elementary on its property that will serve the District's students (the Project). The District's varsity baseball filed was taken out of services as part of the District's ongoing construction projects.

D. City and District want to memorialize the School Resource Officer (SRO) program as described herein and on **Exhibit C** attached hereto.

E. City and District have agreed to exchange the Memorial and Elementary for a leasehold interest in the Baseball Field, waiver of building permit fees and certain allocation of expenses associated with the SRO, pursuant to Ohio Revised Code Sections 3313.40 and 3313.41, subject to the terms and conditions hereinafter set forth and to be developed in a subsequent real estate purchase agreement.

NOW, THEREFORE, the City and District agree as follows:

1. **Baseball Field.** The City agrees to lease to the District the Baseball Field for a period of 50 years as described in **Exhibit D**. The District's leasehold shall be exclusive during the baseball season. The District shall have a license to use driveways, parking lots and restrooms facilities as needed and to facilitate the use of the baseball field. The City will provide a location for storage of maintenance equipment, bases and other related equipment. The District may make improvements to the Baseball Field as described in **Exhibit E**.

The City will reimburse the District for those Exhibit E improvements as described in the Lease.

2. **Memorial and the Elementary Schools**. The District will transfer to the City via quitclaim deeds the Memorial and Elementary Schools. The District shall retain the right to use the Schools until they are no longer needed for School District purposes. In all events, the two schools will be transferred no later than 90 days after the new Brook Park Elementary School opens. The District may remove from the Memorial and Elementary Schools technology and educational materials and equipment.

EXHIBIT
A

3. **Permit Fees.** The City agrees to waive all permit or building fees for the construction of a new Elementary School to be located at the site of Ford Middle School.

4. **Conveyance.** All conveyances will be by quitclaim deed (the "Deed"), free and clear from all liens and encumbrances, except the following (collectively, the "Permitted Exceptions") (i) all real estate taxes and assessments, both general and special ("Taxes"), not yet due and payable; (ii) any title and survey exceptions which are not objected to by the City or which are objected to by the City, but which the District does not agree to cure or is not required to cure pursuant to the purchase agreement; (iii) zoning and building ordinances; (iv) those matters mutually agreed upon by District and City as set forth in the purchase agreement; when and if closing occurs, good, marketable, indefeasible, fee simple title to the Premises.

5. **Condition of the Premises**. The District Premises shall be delivered free of all trash, debris, and parties in possession to the City at Closing.

6. **School Resource Officer**. The City shall pay 100% of the costs of a School Resource Officer until the end of calendar 2025. Beginning in 2026, the Parties shall share the costs of the SRO. The parties shall execute a SRO Agreement in the form of Exhibit C.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date above first written.

For Berea City School District ("District")

By: _____

Its: Superintendent of Schools

For City of Brook Park ("City")

By: _____
Its: Mayor

P/C 12/11/18 Finance
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B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11053-2018

INTRODUCED BY: **MAYOR GAMMELLA**

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH BEREA CITY SCHOOL DISTRICT OF A BASEBALL FIELD LOCATED AT 16900 HOLLAND ROAD PURSUANT TO ORC 3113.04 AND ORC 3113.41 AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park (the City) is the owner of a baseball field located at 16900 Holland Road which is suitable for OHSAA varsity competition and,

WHEREAS, Berea City School District is the owner of two properties knows as Brook Park Memorial ("Memorial on approximately 18 acres) and Brookview Elementary ("Elementary" on approximately 10 acres)and consisting of the land and all improvements, rights, privileges and easements belonging to or in any way appertaining thereto (collectively "the District's Premises"), and

WHEREAS, City and District have agreed to exchange the Memorial and Elementary for a leasehold interest in the Baseball Field, waiver of building permit fees and certain allocation of expenses associated with the SRO, pursuant to Ohio Revised Code Sections 3313.40 and 3313.41, and,

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

SECTION 1: The Mayor is hereby authorized to negotiate and enter into a lease for a baseball field located at 16900 Holland Drive for the District's use for OHSAA varsity competition, a copy of which is attached hereto as Exhibit "A".

SECTION 2: The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance/Taxation is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance/Taxation is hereby

further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

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 to authorize the Mayor to enter into a Lease Agreement with the School District for the exchange of land pursuant to ORC 3113.04 and ORC 3113.41; 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

DIRECTOR OF LAW

_____
DATE

P/C 12/11/18 Finance
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CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11654-20B

INTRODUCED BY: **MAYOR GAMMELLA**

AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A GRANT TO HARDFACE TECHNOLOGIES BY POSTLE INDUSTRIES FOR A BUILDING EXPANSION LOCATED AT 5440 AND 5500 WEST 164TH STREET, BROOK PARK, OHIO

WHEREAS, Postle Industries is a family owned business that has operated since 1969 when John Postle formed a welding distributor entity out of his home; and

WHEREAS, Postle Industries moved in the early 1990's to West 161st and in the late 1990's to Sheldon Road and then again in 2007 to West 164th Street when John's two sons took over the company; and

WHEREAS, Postle projects that their sales will grow from the $7 million in 2016 to $15.0 million in 2018 to $23.0 million in 2021 and increase employees to 57, with a Brook Park payroll from $1.3 million in 2016 to an expected $2.4 million in 2022; and

WHEREAS, Postle Industries developed a premier hardbanding product, and is currently selling their products at an annual revenue level of more than $15.0 Million with 43 employees of which 34 work out of Brook Park; and

WHEREAS, Postle Industries needs a $10,000.00 grant for a building expansion, creating access between two buildings and movement of material; and

WHEREAS, the estimated cost of the 20 foot long driveway and the installation of two (2) garage doors is $75,000.00; and

WHEREAS, financial assistance from the City of Brook Park is necessary to secure Postle Industries proposed investment and expansion within the city; and

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing 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 Hardface Technologies by Postle Industries for building expansion and recommends the same to the City Council on the basis that Postle Industries are 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 building expansion grant to Hardface Technologies by Postle Industries to be applied exclusively for the building expansion and connection of two buildings at 5440 West 164th Street and 5500 West 164th Street, Brook Park, Ohio 44142.

SECTION 2: The money needed for the aforesaid building expansion creating access between two buildings, installing garage doors and a 20 foot driveway, shall be paid by the City from funds appropriated for Postle Industries, upon the completion of the improvements currently situated upon 5440 West 164th and 5500 West 164th Street, Brook Park, Ohio, said funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by Postle Industries in furtherance of the building expansion.

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 is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to provide grant for the building expansion;

therefore provided this ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: _____

_____
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

_____
DATE

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

_____
DIRECTOR OF LAW

P/C 12/4/18 Finance
Caucus 12/11/18
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3rd R
B/C
Caucus Prior 12/4/18

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11055-2018

INTRODUCED BY: **MAYOR GAMMELLA**

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF (+-) 3.303 ACRES OF LAND LOCATED AT 16400 AND 16500 BROOKPARK ROAD, PERMANENT PARCEL NOS. 344-30-008 AND 344-30-009, AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park has owned Permanent Parcel Nos. 344-30-008 since January 2000 and 344-30-009 since April, 2001; and

WHEREAS, the "Property" has been non-productive and vacant since the City acquired ownership; and

WHEREAS, the City of Brook Park is desirous of selling parcels of property located on/at 16400 and 16500 Brookpark Road, comprising the totality of Permanent Parcel Nos. 344-30-008 and 344-30-009 (herein the "Property") to foster development and employment on these parcels to further and advance the economic interests of the City; and

WHEREAS, Brad Hutchinson of Company Wrench, has executed a Letter of Intent to Purchase the Property from the City of Brook Park to construct a 10,000 square foot office, sales/leasing, and maintenance facility; and

WHEREAS, the Wrench Company is Ohio based company focusing on the sales, rental, parts, service and manufacturing of construction and demolition equipment and operates nine (9) locations around the county and generates approximately $80,000,000 in annual revenue; and

WHEREAS, the Wrench Company will provide 7-10 new full-time positions in the City at an initial payroll of at least $375,000; and

WHEREAS, the City Council and Mayor request that a right of first offer (ROFO) clause is to be inserted within the purchase and sale agreement ensuring that in the event of a contemplated future sale of the subject property (PPN: 344-30-008 and 344-30-009) buyer shall first offer the property for sale to the City of Brook Park before offering the property for sale on the open market. The property shall be offered for sale at then Full Market Value (FMV), and City shall have ten (10) business days to respond; and

WHEREAS, the City Council and Mayor, request that a performance clause be inserted into the sales contract stating that the buyer shall begin construction of the Wrench Company located at 16400 and 16500 Brookpark Road, PPN: 344-30-008 and 344-30-009, within 6 months of the purchase of the afore mentioned property. If the Wrench Company does not begin construction within 12 months of land purchase, after the 12 months the City of Brook Park reserves the right to purchase the property from the buyer at the approximate amount of $550,000.00, based on the original sale net proceeds, with the seller paying all closing costs;

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

SECTION 1: The Mayor is hereby authorized to negotiate and enter into contract for the sale of the Property to further the economic best interests of the City.

SECTION 2: The City of Brook Park shall sell said property for the sum of $550,000.00 with the sale proceeds to be determined at time of closing.

SECTION 3: The proceeds from the sale of the Property shall be used and earmarked to further economic development of jobs and business within the City and shall be placed into the Economic Development Fund No. 243 of the City for said purposes;

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to authorize the Mayor to negotiate and enter into a contract for the sale of Permanent Parcel Nos 344-30-008 and 344-

30-009; 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

_____
DIRECTOR OF LAW

_____
DATE

P/C
Caucus
1st R 12/4/18
2nd R 12/18/18
3rd R
B/C
Caucus Prior 11/20/18
Caucus Prior 12/4/18

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11047-2018

INTRODUCED BY: **MAYOR GAMMELLA**

AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SALE OF PROPERTY LOCATED AT 6363 LOCKHAVEN DRIVE PERMANENT PARCEL NO. 343-27-018, AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park had acquired Permanent Parcel No. 343-27-018 on August 22, 2016, from the Cuyahoga County Sheriff's Office for the Brook Park Land Reutilization Program; and

WHEREAS, the City of Brook Park is desirous of selling this parcel of property located at 6363 Lockhaven Drive, Permanent Parcel No. 343-27-018 (herein the "Property") to Angelo Castelli who currently lives at 14027 Holland Road, Brook Park, Ohio; and

WHEREAS, the "Property" has been vacant for several years and the home was razed on April 7, 2016; and

WHEREAS, our Economic Commissioner has received an offer to purchase this property from Angelo Castelli for $15,000 plus buyer closing costs. Angelo Castelli plans to build a ranch style home for himself; and

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

SECTION 1: The Mayor is hereby authorized to negotiate and enter into contract for the sale of the Property located at 6363 Lockhaven Drive, Brook Park, Ohio to further the economic best interests of the City.

SECTION 2: The City of Brook Park shall sell said property for the sum of $15,000 plus buyer closing costs, with the sale proceeds to be determined at time of closing.

SECTION 3: The proceeds from the sale of the Property shall be used and earmarked to further economic development of jobs and business within the City and shall be placed into the Economic Development Fund No. 243 of the City for said purposes;

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to authorize the Mayor to negotiate and enter into a contract for the sale of Permanent Parcel No. 343-27-018; 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

_____
DIRECTOR OF LAW

_____
DATE

P/C 12/4/18 Finance Caucus
1st R 12/4/18
2nd R 12/18/18
3rd R
B/C
Caucus Prior 12/4/18

ORDINANCE NO. 11048-2018

INTRODUCED BY Mayor Gammella

AN ORDINANCE AMENDING ORDINANCE NO. 11023-2018 , THE APPROPRIATION ORDINANCE FOR THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY.

WHEREAS, the amounts appropriated for certain items of expense for 2018 are proving to be insufficient while surpluses are developing in certain other appropriations.

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

SECTION 1: That Ordinance No. 11023-2018, passed May 1, 2018, the Appropriation Ordinance for the City of Brook Park, be amended to reflect the following adjustments:

FUND	DEPARTMENT	TRANS-ACTION	DESCRIPTION	PRESENT APPROPRIATION	ADJUSTED AMOUNT	ADJUSTED APPROPRIATION
100 GENERAL FUND						
	110 Council	521	Communications	8,610.00	800.00	9,410.00
		523	Professional Services	2,600.00	1,330.00	3,930.00
		527	Miscellaneous Expenses	565.00	750.00	1,315.00
		529	Contracts	6,007.89	2,500.00	8,507.89
	111 Clerk of Council	513	Part-Time Salaries	18,950.00	(18,900.00)	50.00
		521	Communications	2,050.00	200.00	2,250.00
	325 Community Development	525	Travel & Education	455.00	2,896.24	3,351.24
	341 Recreation Center	520	Utilities	121,185.00	5,000.00	126,185.00
		521	Communications	17,474.00	1,480.00	18,954.00
		524	Repair & Maintenance	17,285.14	2,000.00	19,285.14
		527	Miscellaneous Expenses	7,130.51	4,000.00	11,130.51
	343 Public Recreation	523	Professional Services	25,136.00	2,000.00	27,136.00
	345 Home Days Celebration	512	Overtime	16,400.00	3,643.66	20,043.66
		519	Fringe Benefits	1,224.09	751.13	1,975.22
		522	Equipment Rental	1,400.00	(440.00)	960.00
		523	Professional Services	39,633.00	(833.00)	38,800.00
		524	Repair & Maintenance	1,500.00	(1,076.52)	423.48
	407 Safety Town	527	Miscellaneous Expenses	250.00	689.24	939.24
	410 Safety Director	511	Regular Salaries	72,765.46	(62,444.04)	10,321.42
		519	Fringe Benefits	19,053.68	(18,637.05)	416.63
	411 Safety Building	524	Repair & Maintenance	4,042.88	1,100.00	5,142.88
		529	Contracts	489,098.80	472,448.45	961,547.25
	413 Fire Department	511	Regular Salaries	2,746,897.37	5,000.00	2,751,897.37
		512	Overtime	428,048.32	38,000.00	466,048.32
		519	Fringe Benefits	474,218.70	1,323.50	475,542.20
		521	Communications	27,727.89	2,250.00	29,977.89
		524	Repair & Maintenance	45,429.46	3,000.00	48,429.46
		527	Miscellaneous Expenses	32,278.05	5,000.00	37,278.05
		529	Contracts	71,490.04	4,000.00	75,490.04
	414 Disaster Service	511	Regular Salaries	8,451.68	750.00	9,201.68
		512	Overtime	48.32	400.00	448.32
		519	Fringe Benefits	1,313.25	190.88	1,504.13
		524	Repair & Maintenance	5,060.00	(4,000.00)	1,060.00
		527	Miscellaneous Expenses	6,250.00	(2,000.00)	4,250.00
	415 Building Department	523	Professional Services	28,705.00	6,960.00	35,665.00
	419 Animal Warden	513	Part-Time Salaries	26,875.00	900.00	27,775.00
		519	Fringe Benefits	17,389.69	100.00	17,489.69
	420 Service Director	511	Regular Salaries	100,687.70	(7,000.00)	93,687.70
		521	Communications	10,955.00	1,000.00	11,955.00
		527	Miscellaneous Expenses	961.50	500.00	1,461.50
	422 Service Building	524	Repair & Maintenance	25,626.94	10,000.00	35,626.94
		527	Miscellaneous Expenses	30,225.83	25,000.00	55,225.83
	423 Sanitation	527	Miscellaneous Expenses	491,510.11	63,000.00	554,510.11
	427 Trees & Tree Lawns	512	Overtime	4,100.00	500.00	4,600.00
		519	Fringe Benefits	35,419.60	77.25	35,496.85
		524	Repair & Maintenance	7,270.88	2,000.00	9,270.88
	432 Snow Removal	512	Overtime	100,000.00	7,000.00	107,000.00
		519	Fringe Benefits	15,450.00	1,081.50	16,531.50
		527	Miscellaneous Expenses	263,988.03	50,000.00	313,988.03

FUND	DEPARTMENT	TRANS-ACTION	DESCRIPTION	PRESENT APPROPRIATION	ADJUSTED AMOUNT	ADJUSTED APPROPRIATION
	433 Street Lighting	520	Utilities	422,370.00	(14,787.11)	407,582.89
	434 Traffic Lights	529	Contracts	60,890.18	6,000.00	66,890.18
	641 Office of Aging	513	Part-Time Salaries	27,700.00	3,000.00	30,700.00
		519	Fringe Benefits	4,279.65	565.00	4,844.65
		524	Repair & Maintenance	2,216.00	(1,500.00)	716.00
	825 Worker's Compensation	519	Fringe Benefits	324,022.00	271,000.00	595,022.00
	826 Unemployment Compensation	519	Fringe Benefits	35,000.00	(10,000.00)	25,000.00
	831 Auditor & Treasurer Fees	523	Professional Services	55,000.00	(25,000.00)	30,000.00
	840 Insurance & Bonding	527	Miscellaneous Expenses	292,128.00	(12,219.00)	279,909.00
	850 County Board of Health	523	Professional Services	79,153.00	3,842.00	82,995.00
	874 Misc. Executive	523	Professional Services	141,299.50	(50,000.00)	91,299.50
		529	Contracts	205,445.00	(43,000.00)	162,445.00
	879 Contingency	529	Contracts	0.00	25,000.00	25,000.00
	880 Transfers & Refunds	571	Transfers	2,403,930.09	132,807.87	2,536,737.96
				9,932,628.23	900,000.00	10,832,628.23
210 CITY INCOME TAX FUND						
	440 Tax Department	571	Transfers	18,367,323.98	368,586.00	18,735,909.98
241 STATE HIGHWAY IMP. FUND						
	425 Street Paving & Repair	512	Overtime	0.00	135.29	135.29
		519	Fringe Benefits	0.00	20.90	20.90
		524	Repair & Maintenance	57,608.34	(156.19)	57,452.15
				57,608.34	0.00	57,608.34
243 ECONOMIC DEVELPOMENT FUND						
	325 Community Development	529	Contracts	426,413.72	(480.00)	425,933.72
		574	Refunds	0.00	480.00	480.00
				426,413.72	0.00	426,413.72
245 CDBG FUND						
	325 Community Development	527	Miscellaneous Expenses	0.00	291.20	291.20
		552	Equipment	0.00	112,602.00	112,602.00
				0.00	112,893.20	112,893.20
250 SPECIAL RECREATION FUND						
	343 Public Recreation	522	Equipment Rental	10,098.75	10,000.00	20,098.75
		527	Miscellaneous Expenses	66,699.62	2,500.00	69,199.62
		529	Contracts	1,250.00	11,925.00	13,175.00
		552	Equipment	12,000.00	1,575.00	13,575.00
				90,048.37	26,000.00	116,048.37
264 WATER PARK FUND						
	342 Parks & Playgrounds	513	Part-Time Salaries	40,000.00	7,770.12	47,770.12
		519	Fringe Benefits	6,180.00	1,238.12	7,418.12
		520	Utilities	10,050.00	(1,150.00)	8,900.00
		524	Repair & Maintenance	4,867.76	(1,920.97)	2,946.79
		526	Office Supplies	129.03	(129.03)	0.00
		527	Miscellaneous Expenses	4,878.21	(850.74)	4,027.47
		574	Refunds	100.00	342.50	442.50
				66,205.00	5,300.00	71,505.00
310 GENERAL BOND RETIREMENT FUND						
	872 Debt Service	523	Professional Services	0.00	3,750.00	3,750.00
401 CAPITAL IMPROVEMENT FUND						
	110 Council	552	Equipment	105,346.16	1,230.31	106,576.47
	210 Mayor's Court	552	Equipment	0.00	3,086.08	3,086.08
	400 Mayor's Office	552	Equipment	6,412.92	0.20	6,413.12
	402 Human Resources	552	Equipment	0.00	209.91	209.91
	409 Mechanics	552	Equipment	10,318.00	734.94	11,052.94
	411 Safety Building	551	Land/Building Improvements	110,638.00	70,000.00	180,638.00
	422 Service Building	552	Equipment	3,982.56	1,273.38	5,255.94
	423 Sanitation	552	Equipment	365,868.54	(45,000.00)	320,868.54
	427 Trees & Tree Lawns	552	Equipment	0.00	469.01	469.01
	429 Sewers & Drains	551	Land/Building Improvements	101,664.59	1,877.41	103,542.00
	700 General Gov't. Lands & Bldgs.	552	Equipment	190,709.76	(33,881.24)	156,828.52
				894,940.53	0.00	894,940.53
517 SOUND INSULATION FUND						
	325 Community Development	523	Professional Services	213,211.50	11,000.00	224,211.50
541 W. 150TH PHASE IV FUND						
	429 Sewers & Drains	523	Professional Services	20,080.86	(18,480.00)	1,600.86
		529	Contracts	3,500.00	(3,500.00)	0.00
		553	Construction Contracts	68,915.70	(68,915.70)	0.00
		571	Transfers	0.00	180,385.98	180,385.98
				92,496.56	89,490.28	181,986.84

FUND	DEPARTMENT	TRANS-ACTION	DESCRIPTION	PRESENT APPROPRIATION	ADJUSTED AMOUNT	ADJUSTED APPROPRIATION
542 2016 STREET IMPROVEMENTS FUND						
	425 Street Paving & Repair	523	Professional Services	11,980.20	(4,990.00)	6,990.20
		529	Contracts	2,403.00	(2,403.00)	0.00
		553	Construction Contracts	153,190.74	(128,213.99)	24,976.75
		571	Transfers	0.00	148,159.99	148,159.99
				167,573.94	12,553.00	180,126.94
713 S.W.G.H. FUND						
	851 Health & Welfare	529	Contracts	98,750.89	3,545.55	102,296.44
716 BUILDING STANDARDS BOARD FUND						
	415 Building Department	574	Refunds	6,036.55	1,343.55	7,380.10
717 UNCLAIMED MONIES FUND						
	874 Misc. Executive	529	Contracts	0.00	20,205.87	20,205.87
				Total Changes	1,554,667.45	

SECTION 2: Those portions of Ordinance No. 11023-2018, passed May 1, 2018, which are inconsistent with the provisions adopted herein, are hereby expressly repealed.

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

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the municipality and the inhabitants thereof. Such emergency existing for the further reason that funds must be immediately appropriated to the designated accounts to meet existing financial obligations of the City. Therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

_____
President of Council

ATTEST: _____
Clerk of Council

Approved: _____
Mayor

Date: _____

SECTION 8: THAT THERE BE APPROPRIATED FROM THE SPECIAL ASSESSMENT BOND RETIREMENT FUND THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
920	SPECIAL ASSESSMENT BOND RET. FUND							
	871	DEBT RETIREMENT						0.00
	872	DEBT SERVICE						0.00
			0.00	0.00	0.00	0.00	0.00	0.00

SECTION 9: THAT THERE BE APPROPRIATED FROM THE MEDICAL BENEFITS FUND THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
690	MEDICAL BENEFITS FUND							
	840	INSURANCE	461,166.00					461,166.00
			461,166.00	0.00	0.00	0.00	0.00	461,166.00

SECTION 10: THAT THERE BE APPROPRIATED FROM THE RETIREES' ACCRUED BENEFITS FUND THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
691	RETIREES' ACCRUED BENEFITS FUND							
	650	RETIREES	150,000.00					150,000.00
			150,000.00	0.00	0.00	0.00	0.00	150,000.00
			4,634,081.49	1,672,809.57	2,173,398.00	71,757.41	5,650,450.00	14,202,496.47

SECTION 11: 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 12: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. Such necessity exists by reason of the fact that funds must be made available and be appropriated to provide for the current expenses and payments thereof for the first three months of the fiscal year ending March 31, 2019. Therefore, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED _____

_____
PRESIDENT OF COUNCIL

ATTEST _____

APPROVED _____
MAYOR

DATE _____

P/C 12/4/18 Finance Caucus
1st R 12/4/18
2nd R 12/18/18
3rd R
B/C
Caucus Prior 12/4/18

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11050-2018

INTRODUCED BY: **MAYOR GAMMELLA**

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

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

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

FROM	TO	AMOUNT
401 Capital Imp. Fund	545 (2018-2019) Street Imp. Fund	$935,000.00
401 Capital Imp. Fund	310 General Bond Relief Fund	$872,215.48
541 W. 150th Sewer Imp. Phase IV Fund	100 General Fund	$ 50,435.92
541 W. 150th Sewer Imp. Phase IV Fund	401 Capital Imp. Fund	$129,950.06
542 (2016) Street Imp. Fund	100 General Fund	$ 70,376.00
542 (2016) Street Imp. Fund	401 Capital Imp. Fund	$ 77,783.99

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

SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to authorize the transfer of funds; 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

SECTION 5: THAT THERE BE APPROPRIATED FROM THE CAPITAL IMPROVEMENT FUND THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
401		CAPITAL IMPROVEMENT FUND						
	110	COUNCIL			1,000.00			1,000.00
	210	MAYOR'S COURT						0.00
	341	RECREATION CENTER			2,000.00			2,000.00
	342	PARKS & PLAYGROUNDS						0.00
	343	PUBLIC RECREATION						0.00
	400	MAYOR'S OFFICE			1,500.00			1,500.00
	402	HUMAN RESOURCES						0.00
	409	MECHANICS			5,000.00			5,000.00
	410	SAFETY DIRECTOR						0.00
	411	SAFETY BUILDING			35,000.00			35,000.00
	412	POLICE DEPARTMENT			60,000.00			60,000.00
	413	FIRE DEPARTMENT			155,000.00			155,000.00
	415	BUILDING DEPARTMENT			5,000.00			5,000.00
	419	ANIMAL WARDEN						0.00
	422	SERVICE BUILDING			1,000.00			1,000.00
	423	SANITATION			1,000.00			1,000.00
	424	STREET CLEANING						0.00
	425	STREET PAVING & REPAIR						0.00
	426	TRAFFIC SIGNS						0.00
	427	TREES & TREE LAWNS						0.00
	428	PUBLIC PROPERTIES						0.00
	429	SEWERS & DRAINS			100,000.00			100,000.00
	432	SNOW REMOVAL			50,000.00			50,000.00
	433	STREET LIGHTING						0.00
	434	TRAFFIC LIGHTS						0.00
	440	TAX DEPARTMENT			250.00			250.00
	500	LEGAL DEPARTMENT			1,500.00			1,500.00
	610	FINANCE DEPARTMENT			1,500.00			1,500.00
	700	GEN. GOV'T. LANDS & BLDGS.			50,000.00			50,000.00
	880	TRANSFERS & REFUNDS					1,000,000.00	1,000,000.00
			0.00	0.00	469,750.00	0.00	1,000,000.00	1,469,750.00

SECTION 6: THAT THERE BE APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUNDS THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
517		SOUND INSULATION PROGRAM FUND						
	325	COMMUNITY DEVELOPMENT		75,000.00				75,000.00
540		SNOW RD. RESURFACING FUND						
	425	STREET PAVING & REPAIR		11,757.52				11,757.52
543		2017 STREET IMPROVEMENTS FUND						
	425	STREET PAVING & REPAIR		5,494.00	132,601.00			138,095.00
545		2018/2019 STREET IMPROVEMENTS FUND						
	425	STREET PAVING & REPAIR		177,555.00	1,569,297.00			1,746,852.00
			0.00	269,806.52	1,701,898.00	0.00	0.00	1,971,704.52

SECTION 7: THAT THERE BE APPROPRIATED FROM THE PAYROLL AND PUBLIC TRUST FUNDS THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
711		POLICE PENSION FUND						
	412	POLICE DEPARTMENT	182,200.00					182,200.00
712		FIRE PENSION FUND						
	413	FIRE DEPARTMENT	252,250.00					252,250.00
713		SOUTHWEST GENERAL HOSPITAL FUND						
	851	HEALTH & WELFARE		50,000.00				50,000.00
714		CASH BONDS HELD FUND						
	874	MISC. EXECUTIVE		50,000.00				50,000.00
716		BUILDING STANDARDS BOARD FUND						
	415	BUILDING DEPARTMENT		3,500.00				-3,500.00
717		UNCLAIMED MONIES FUND						
	874	MISC. EXECUTIVE						0.00
753-777		PAYROLL ACCOUNTS		31,500.00				31,500.00
			434,450.00	135,000.00	0.00	0.00	0.00	569,450.00

P/C 12/4/18 Finance Caucus
1st R 12/4/18
2nd R 12/18/18
3rd R
B/C
Caucus Prior 12/4/18

ORDINANCE NO. 110-2018

INTRODUCED BY MAYOR GAMMELLA

AN ORDINANCE TO PROVIDE FOR THE TEMPORARY APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR THE THREE MONTHS ENDING ON MARCH 31, 2019, AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary for the Council of the City of Brook Park, State of Ohio, to appropriate funds available to meet current expenses of the said City for a three month period ending March 31, 2019.

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

SECTION 1: That to provide for the current expenses and other expenditures of the City of Brook Park, Ohio for the first quarter of the fiscal year ending March 31, 2019, there be appropriated the total of $14,202,496.47 as shown in Sections 2 thru 10 of this Ordinance.

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

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
100	GENERAL FUND							
	110	COUNCIL	40,314.51	4,775.05				45,089.56
	111	CLERK OF COUNCIL	18,038.26	595.00				18,633.26
	210	MAYOR'S COURT	37,704.16	5,763.00				43,467.16
	211	MUNICIPAL COURT						0.00
	320	PLANNING COMMISSION	1,750.00					1,750.00
	325	COMMUNITY DEVELOPMENT	28,462.50	500.00				28,962.50
	330	CIVIL SERVICE COMMISSION	6,462.72	5,000.00				11,462.72
	335	BOARD OF ZONING APPEALS	2,100.00					2,100.00
	340	RECREATION COMMISSION	1,750.00					1,750.00
	341	RECREATION CENTER	127,940.49	56,865.00			100.00	184,905.49
	342	PARKS & PLAYGROUNDS	40,158.00	13,770.00				53,928.00
	343	PUBLIC RECREATION	9,843.00	11,730.00				21,573.00
	345	HOME DAYS CELEBRATION		500.00				500.00
	351	CHARTER REVIEW COMMISSION		500.00				500.00
	400	MAYOR'S OFFICE	74,675.00	12,500.00				87,175.00
	402	HUMAN RESOURCES	24,840.00	4,275.00				29,115.00
	405	CORRECTIONAL FACILITY	46,410.00	8,150.00				54,560.00
	407	SAFETY TOWN						0.00
	409	MECHANICS	146,452.50	1,000.00				147,452.50
	410	SAFETY DIRECTOR						0.00
	411	SAFETY BUILDING	14,080.60	130,000.00				144,080.60
	412	POLICE DEPARTMENT	895,000.00	75,000.00				970,000.00
	413	FIRE DEPARTMENT	925,000.00	55,000.00				980,000.00
	414	DISASTER SERVICE		1,525.00				1,525.00
	415	BUILDING DEPARTMENT	114,885.00	3,750.00			100.00	118,735.00
	418	SCHOOL GUARDS	19,380.00					19,380.00
	419	ANIMAL WARDEN	24,600.00	6,000.00				30,600.00
	420	SERVICE DIRECTOR	30,791.25	3,000.00				33,791.25
	421	ENGINEERING		12,000.00				12,000.00
	422	SERVICE BUILDING	21,476.25	49,200.00				70,676.25
	423	SANITATION	118,507.50	94,000.00				212,507.50
	424	STREET CLEANING	20,958.75	125.00				21,083.75
	426	TRAFFIC SIGNS	18,630.00	250.00				18,880.00
	427	TREES & TREE LAWNS	40,365.00	3,500.00				43,865.00
	428	PUBLIC PROPERTIES	80,730.00	3,200.00				83,930.00
	429	SEWERS & DRAINS	165,600.00	27,500.00				193,100.00
	432	SNOW REMOVAL	102,000.00	125,000.00				227,000.00
	433	STREET LIGHTING		100,000.00				100,000.00
	434	TRAFFIC LIGHTS		18,000.00				18,000.00
	500	LEGAL DEPARTMENT	62,830.00	200.00				63,030.00
	610	FINANCE DEPARTMENT	94,502.50	31,800.00				126,302.50
	630	TAX REVIEW BOARD						0.00
	641	OFFICE OF AGING	7,650.00	600.00				8,250.00
	650	RETIREES	15,000.00					15,000.00
	700	GEN. GOV'T. LANDS & BLDGS.		52,000.00				52,000.00
	821	P.E.R.S.						0.00
	825	WORKERS' COMPENSATION						0.00
	826	UNEMPLOYMENT COMP.	250.00					250.00
	830	ELECTIONS						0.00
	831	AUDITOR & TREAS. FEES		7,000.00				7,000.00
	832	SALE OF DELINQ. LANDS						0.00
	834	COLLECTOR FEES						0.00
	840	INSURANCE & BONDING		1,000.00				1,000.00
	850	COUNTY BOARD OF HEALTH						0.00
	874	MISC. EXECUTIVE		75,000.00				75,000.00
	876	CITIZEN OF THE YEAR						0.00
	877	PROPERTY TAX REIMBURSEMENT						0.00
	879	CONTINGENCY						0.00
	880	TRANSFERS, REFUNDS & OTHER					300,000.00	300,000.00
			3,379,137.99	1,000,573.05	0.00	0.00	300,200.00	4,679,911.04

SECTION 3: THAT THERE BE APPROPRIATED FROM THE SPECIAL REVENUE FUNDS
THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
210	CITY INCOME TAX FUND							
	440	TAX DEPARTMENT	64,687.50	28,500.00			4,350,000.00	4,443,187.50
211	CITY INCOME TAX OPERATIONAL CASH FUND							
	440	TAX DEPARTMENT		100.00				100.00
215	ADMISSIONS TAX FUND							
	440	TAX DEPARTMENT	6,885.00	3,750.00				10,635.00
220	HOTEL, MOTEL TAX FUND							
	440	TAX DEPARTMENT						0.00
240	STREET C.M. & REPAIR FUND							
	425	STREET PAVING & REPAIR	137,655.00	15,000.00				152,655.00
241	STATE HWY. IMPROVEMENT FUND							
	425	STREET PAVING & REPAIR		5,000.00				5,000.00
242	PERMISSIVE TAX FUND							
	425	STREET PAVING & REPAIR		10,000.00				10,000.00
243	ECONOMIC DEVELOPMENT FUND							
	325	COMMUNITY DEVELOPMENT		130,000.00				130,000.00
244	BROOKPARK ROAD CORRIDOR FUND							
	325	COMMUNITY DEVELOPMENT						0.00
245	CDBG FUND							
	325	COMMUNITY DEVELOPMENT		30,000.00				30,000.00
250	SPECIAL RECREATION FUND							
	343	PUBLIC RECREATION		20,000.00	750.00		250.00	21,000.00
251	KENNEDY PARK CONCESSION FUND							
	342	PARKS & PLAYGROUNDS						0.00
254	CONCESSION STAND PETTY CASH FUND							
	343	PUBLIC RECREATION		1,480.00				1,480.00
255	RECREATION CENTER CONCESSION FUND							
	342	PARKS AND PLAYGROUNDS						0.00
261	HUFSEY/FORBES CONCESSION FUND							
	342	PARKS & PLAYGROUNDS						0.00
262	AMERICAN LEGION CONCESSION FUND							
	342	PARKS & PLAYGROUNDS						0.00
263	WEDO PARK CONCESSION FUND							
	342	PARKS & PLAYGROUNDS						0.00
264	WATER PARK FUND							
	342	PARKS & PLAYGROUNDS		1,000.00				1,000.00
265	PLANT LANE CONCESSION FUND							
	342	PARKS & PLAYGROUNDS						0.00
266	FURTHERANCE OF JUSTICE FUND							
	412	POLICE DEPARTMENT						0.00
270	LAW ENFORCEMENT FUND							
	412	POLICE DEPARTMENT		1,000.00	1,000.00			2,000.00
271	DWI ENFORCEMENT & EDUCATION FUND							
	412	POLICE DEPARTMENT		500.00				500.00
272	FEDERAL FORFEITURE FUND							
	412	POLICE DEPARTMENT		10,000.00				10,000.00
273	COMMUNITY DIVERSION PROGRAM FUND							
	412	POLICE DEPARTMENT	100.00	100.00				200.00
275	CONTINUING TRAINING PROGRAM FUND							
	412	POLICE DEPARTMENT		1,000.00				1,000.00
280	FEMA FUND							
	700	GEN. GOV'T. LANDS & BLDGS.						0.00
290	INSURANCE FUND							
	840	INSURANCE & BONDING		10,000.00				10,000.00
			209,327.50	267,430.00	1,750.00	0.00	4,350,250.00	4,828,757.50

SECTION 4: THAT THERE BE APPROPRIATED FROM THE DEBT SERVICE FUND
THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999 PERSONAL SERVICES	52000-52999 OPERATIONS	55000-55999 CAPITAL OUTLAY	56000-56999 DEBT SERVICE	57000-57999 TRANSFERS & REFUNDS	TOTAL APPROPRIATIONS
310	GENERAL BOND RETIREMENT FUND							
	871	DEBT RETIREMENT				71,757.41		71,757.41
	872	DEBT SERVICE						0.00
			0.00	0.00	0.00	71,757.41	0.00	71,757.41