

*NOTICE*  
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

JULY 3, 2019

TO: COUNCIL MEMBERS STEMME, MENCINI, ORCUTT, SCOTT, BURGIO, POINDEXTER,  
SALVATORE, COUNCIL PRESIDENT VECCHIO, MAYOR GAMMELLA, LAW DIRECTOR  
HORVATH, FINANCE DIRECTOR CINGLE

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF COUNCIL  
HAS BEEN CALLED FOR THE PURPOSE OF:

XX COUNCIL MEETING

CAUCUS MEETING

EXECUTIVE SESSION

OTHER (Specify)

Such special meeting will accordingly be held on TUESDAY, the 9<sup>TH</sup> day of JULY, immediately following the Special Caucus meeting at the place of holding regular meetings.

(\*Refer to Rules of Council, No. 4, if applicable.)

**ROLL CALL OF MEMBERS:**

**PLEDGE OF ALLEGIANCE:**

**REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR RESOLUTIONS THAT PERTAIN TO THE AGENDA ONLY:**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):**

SEE ATTACHED SHEET

**ADJOURNMENT:**

  
Mayor

  
Clerk of Council

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS: (FIRST READING):**

1. AN ORDINANCE APPROVING THE LOT CONSOLIDATION OF PERMANENT PARCEL NO.'S PPN 344-30-008 AND PPN 344-30-009 LOCATED AT 16400 BROOKPARK ROAD IN A U7-AE ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.
  
2. AN ORDINANCE APPROVING THE LOT CONSOLIDATION OF PERMANENT PARCEL NOS. 342-19-004, 342-19-003, 343-01-001, 342-15-005, 343-07-001, 343-02-001 AND 342-18-002 LOCATED IN THE U7-B/U5-A ZONES AND THE LOT SPLIT INTO PARCEL 'A' AT 17601 BROOKPARK ROAD LOCATED IN THE U7-B ZONE AND PARCEL 'B' AT 18300 SNOW ROAD LOCATED IN THE U5-A ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.
  
3. AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND BID DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2019 CRACK AND JOINT SEALING PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

P/C 7-2-19 Planning  
SD CA 7-9-19  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: \_\_\_\_\_

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE  
APPROVING THE LOT CONSOLIDATION OF  
PERMANENT PARCEL NOS. 344-30-008 and 344-30-009  
LOCATED AT 16400 BROOKPARK ROAD IN A U7-AE ZONE,  
AND DECLARING AN EMERGENCY

WHEREAS, on July 1, 2019, the Planning Commission approved and referred to Council a request to consolidate permanent parcel nos. 344-30-08 and 344-30-009 for the construction of a new 8,300 square foot building, located at 16400 Brookpark Road in a U7-AE 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. 344-30-008 and 344-30-009, in a U7-AE Zone and the building addition located at 16400 Brookpark Road for Company Wrench; this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

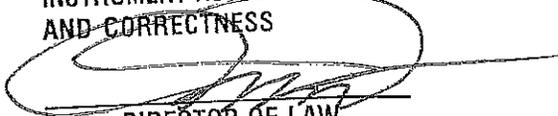
PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_  
MAYOR

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

  
\_\_\_\_\_  
DIRECTOR OF LAW

\_\_\_\_\_  
DATE

**LEGAL DESCRIPTION  
FOR  
PARCEL A  
FOR  
THE MITHOFF COMPANIES, LTD**

**June 11, 2019**

Situated in the City of Brookpark, County of Cuyahoga and State of Ohio and known as being part of Original Brookpark Township Section No. 3 and known as being all of Parcel 1 and all of Parcel 2 in Lot Split and Consolidation Plat as recorded in Volume 336, Page 76 of Cuyahoga County Map Records and further known as being Parcel A in the Consolidation Map for the Mithoff Companies, Ltd as recorded in AFN: \_\_\_\_\_ of Cuyahoga County Map Records, be the same more or less, but subject to all legal highways and containing 3.3044 acres of land.

The basis of bearing being Brookpark Road centerline bearing South 88°30'00" West.

This legal description was written by Mackay Engineering and Surveying Company in June, 2019 under the supervision of Michael Mackay, PS 7344.

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FOR  
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The basis of bearing being Brookpark Road centerline bearing South 88°30'00" West.

This legal description was written by Mackay Engineering and Surveying Company in June, 2019 under the supervision of Michael Mackay, PS 7344.



P/C 7-2-19 Planning  
SPCA 7-9-19  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: \_\_\_\_\_

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE  
APPROVING THE LOT CONSOLIDATION OF  
PERMANENT PARCEL NOS. 342-19-004 342-19-003, 343-01-001,  
342-15-005, 343-07-001, 343-02-001 and 342-18-002  
LOCATED IN THE U7-B/U5-A ZONES AND THE  
LOT SPLIT IN PARCEL "A" AT 17601 BROOKPARK ROAD  
LOCATED IN THE U7-B ZONE AND PARCEL "B" AT  
18300 SNOW ROAD LOCATED IN U5-A ZONE,  
AND DECLARING AN EMERGENCY

WHEREAS, on July 1, 2019, the Planning Commission approved and referred to Council a request to consolidate permanent parcel nos. 342-19-004, 342-19-003, 343-01-001, 342-15-005, 343-07-001, 343-02-001, AND 342-18-002 located in the U7-B/U5-A Zones and the lot split in to Parcel "A" at 17601 Brookpark Road located in the U7-B Zone and Parcel "B" at 18300 Snow Road located in the U5-A Zone.

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 located in the U7-B/U5-A Zones and the lot split in to Parcel A at 17601 Brookpark Road located in the U7-B Zone and Parcel "B" at 18300 Snow Road is further described in Exhibit "A" and illustrated in Exhibit "B" 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. 342-19-004, 342-19-003, 343-01-001, 342-15-005, 343-07-001, 343-02-001, AND 342-18-002 located in the U7-B/U5-A Zones and the lot split in to Parcel "A" at 17601 Brookpark Road located in the U7-B Zone and Parcel "B" at 18300 Snow Road located in the U5-A Zone; 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

RESULTING LEGAL DESCRIPTIONS FOR LOT SPLIT AND CONSOLIDATION PLAT

NORTH PARCEL

BEING A PART OF SECTIONS 10, AND SECTION 11, BOTH IN MIDDLEBURGH TOWNSHIP, NOW IN THE CITY OF BROOK PARK, CUYAHOGA COUNTY, OHIO, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF BROOK PARK ROAD (100 FEET WIDE) WITH THE EASTERLY RIGHT-OF-WAY FOR THE PENN CENTRAL COMPANY RAILROAD, BEING PARALLEL WITH AND 150 FEET SOUTHEASTERLY BY RECTANGULAR MEASURE FROM THE CENTERLINE OF THE WESTBOUND HIGH SPEED MAIN TRACK OF SAID RAILROAD;

THENCE S89°12'22"E 614.78 FEET ALONG SAID CENTERLINE TO A 1" IRON PIN IN A MONUMENT BOX;

THENCE S89°18'40"E 612.38 FEET ALONG SAID CENTERLINE TO THE WEST RIGHT-OF-WAY OF HENRY FORD ROAD (90 FEET WIDE);

THENCE S03°22'09"W 2212.66 FEET ALONG SAID WEST RIGHT-OF-WAY;

THENCE N86°27'20"W 1405.25 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE;

THENCE S03°17'38"W 491.02 FEET PARALLEL WITH AND 15' EAST OF A CHAINLINK FENCE;

THENCE N86°09'46"W 1287.02 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE TO SAID EASTERLY RAILROAD RIGHT-OF-WAY;

THENCE N32°28'35"E 3013.14 FEET ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING, CONTAINING 103.88 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

SOUTH PARCEL

BEING A PART OF SECTIONS 10, AND SECTION 11, BOTH IN MIDDLEBURGH TOWNSHIP, NOW IN THE CITY OF BROOK PARK, CUYAHOGA COUNTY, OHIO, AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF BROOK PARK ROAD (100 FEET WIDE) WITH THE EASTERLY RIGHT-OF-WAY FOR THE PENN CENTRAL COMPANY RAILROAD, BEING PARALLEL WITH AND 150 FEET SOUTHEASTERLY BY RECTANGULAR MEASURE FROM THE CENTERLINE OF THE WESTBOUND HIGH SPEED MAIN TRACK OF SAID RAILROAD;

THENCE S32°28'35"W 3013.14 FEET ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY TO THE TRUE POINT OF BEGINNING;

THENCE S86°09'46"E 1287.02 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE;

THENCE N03°17'38"E 491.02 FEET PARALLEL WITH AND 15' EAST OF A CHAINLINK FENCE;

THENCE S86°27'20"E 1405.26 FEET PARALLEL WITH AND 15' SOUTH OF A CHAINLINK FENCE TO THE WEST RIGHT-OF-WAY OF HENRY FORD ROAD (90 FEET WIDE);

THENCE S03°22'09"W 1574.22 FEET ALONG SAID WEST RIGHT-OF-WAY TO A POINT OF CURVATURE;



THENCE 659.85 FEET ALONG A CURVE TO THE RIGHT ON SAID WEST RIGHT-OF-WAY, HAVING A RADIUS OF 909.93 FEET AND CHORD BEARING AND DISTANCE OF S24°12'30"W 645.48 FEET;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY S44°59'00"W 241.47 FEET TO THE NORTHEASTERLY LINE OF A PARCEL CONVEYED TO THE CLEVELAND ELECTRIC ILLIMINATING COMPANY AS RECORDED IN VOLUME 7429, PAGE 183;

THENCE N50°14'04"W 1294.08 FEET ALONG SAID NORTHEASTERLY LINE (SAID COURSE HAVING A BEARING OF N54°35'59"E AS DESCRIBED IN SAID DEED);

THENCE N86°59'03"W 150.42 FEET TO THE NORTHWEST CORNER OF SAID PARCEL CONVEYED TO THE CLEVELAND ELECTRIC ILLIMINATING COMPANY;

THENCE S50°14'04"E 1406.81 FEET ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL CONVEYED TO THE CLEVELAND ELECTRIC ILLIMINATING COMPANY, TO THE NORTHWESTERLY RIGHT-OF-WAY OF SNOW ROAD AS IT CURRENTLY EXISTS;

THENCE S44°59'00"W 750.41 FEET ALONG SAID SNOW ROAD RIGHT-OF-WAY TO A POINT OF CURVATURE;

THENCE 833.46 FEET ALONG A CURVE TO THE RIGHT ON SAID SNOW ROAD RIGHT OF WAY, HAVING A RADIUS OF 1001.66 FEET AND CHORD BEARING AND DISTANCE OF S68°49'14"W 809.63 FEET;

THENCE N87°20'32"W 1748.98 FEET ALONG SAID SNOW ROAD RIGHT-OF-WAY THE SOUTHWEST CORNER OF A PARCEL CONVEYED TO PARK N FLY OF CLEVELAND, INC AS RECORDED ON DOCUMENT NUMBER 200412070712 AND MONUMENTED WITH A FOUND CAPPED IRON PIN;

THENCE N02°45'43"E 798.52 FEET ALONG THE WEST LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712;

THENCE N87°27'09"W 272.00 FEET ALONG A NORTHERLY LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712;

THENCE N02°32'52"E 132.53 FEET ALONG AN EASTERLY LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712;

THENCE N57°32'08"W 49.77 FEET ALONG A NORTHERLY LINE OF THE PARCEL CONVEYED IN SAID DOCUMENT NUMBER 200412070712 TO SAID EASTERLY RAILROAD RIGHT-OF-WAY;

THENCE N32°28'35"E 2194.59 FEET ALONG SAID EASTERLY RAILROAD RIGHT-OF-WAY TO THE POINT OF BEGINNING, CONTAINING 208.215 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

CITY OF BROOK PARK, OHIO

SP.

P/C 7-2-19 SERVICE  
CA 7-9-19  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE

AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND BID DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT FOR THE 2019 CRACK AND JOINT SEALING PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the Administration submitted crack and joint sealing projects to the Cuyahoga County Department of Public Works for consideration in the 2019 County Road Preventative Maintenance Reimbursement Program;

WHEREAS, the County selected six (6) segments of County Roads in Brook Park for funding;

WHEREAS, the County will process 2019 crack and joint seal material cost reimbursement payments for the six (6) segments of County Roads indicated in their letter dated February 12, 2019 (Exhibit A), in an amount not to exceed \$122,893.65;

WHEREAS, Council desires to complete the 2019 Crack and Joint Sealing Project.

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

SECTION 1: The Consulting Engineer is hereby authorized to prepare plans and documents, and the Mayor is authorized to advertise for bids and enter into a contract with the lowest and best bidder for the 2019 Crack and Joint Sealing Project. The Consulting Engineer shall be paid a lump sum fee of \$15,500.00.

SECTION 2: The Consulting Engineer is hereby authorized to provide to construction management and related construction observation services in connection with the 2019 Crack and Joint Sealing Project, in an amount not to exceed \$7,500.00.

SECTION 3: The money needed to complete the aforesaid transaction shall be paid from the 2018/2019 Street Improvement Fund No. 545, theretofore appropriated or to be appropriated for said purpose.

**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 necessary for the immediate preservation of the public peace, health, safety of said City, and for the further reason that City Council deems it necessary to proceed with the construction of the 2019 Crack and Joint Sealing Project 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 from and after 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



Cuyahoga County  
Together We Thrive

Armond Budish  
Cuyahoga County Executive

February 12, 2019

The Honorable Mayor Michael Gammella  
City of Brook Park  
6161 Engle Road  
Brook Park, Ohio 44142

RE: 2019 County Road Preventative Maintenance Reimbursement Program – Selection Results

Dear Mayor Gammella

*Make*

Thank you for submitting projects for our 2019 preventative maintenance program. The Department of Public Works has completed the review of all projects submitted. The infrastructure need in Cuyahoga County is extensive and budget constraints only allow the County to fund a limited number of projects each year.

We wish to congratulate you on the following projects being selected for funding:

ROAD NAME	C.R. NO.	PROJECT TERMINI	WORK TYPE(S)	MATERIAL COST
Cedar Point Road	193	Corp. Limit (West) to Ruple Parkway	Crack Sealing	\$13,939.20
Cedar Point Road	193	Ruple Parkway to Aerospace Parkway	Crack Sealing	\$25,264.80
Grayton Road	68	Aerospace Parkway to Sheldon Road	Crack Sealing	\$17,532.90
Ruple Parkway	176	Cedar Point Road to Aerospace Parkway	Crack Sealing	\$32,887.80
Sheldon Road	131	Grayton Road to S.R. 237	Crack Sealing	\$21,834.45
Sheldon Road	131	S.R. 237 to Eastland Road	Crack Sealing	\$11,434.50

The County will process 2019 material cost reimbursement payments for the above maintenance projects once invoices are submitted, reviewed and approved by the Department of Public Works. All invoices for the 2019 County Road Preventative Maintenance Reimbursement Program shall be submitted no later than **March 27, 2020**. Your total reimbursable cost for the year 2019 may not exceed \$122,893.65.

This program will continue for at least one more year, per County Council resolution, and you are encouraged to resubmit unsuccessful and/or additional projects for further consideration next year. The hope is that by continuing this effort, together, we will improve the condition of our County's roads.

If you have any questions about specific projects or details of the programs, feel free to call June Gauss, Senior Project Manager, Public Works at (216) 348-3888 or email [jgauss@cuyahogacounty.us](mailto:jgauss@cuyahogacounty.us)

Sincerely,

  
Armond Budish  
County Executive

AB/jlg

cc: CCDPW: M. Dever, D. Marquard, N. English  
City of Brook Park: E. Platak, R. Garner