

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, SEPTEMBER 3, 2019  
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 AUGUST 20, 2019.
2. REGULAR COUNCIL MEETING HELD ON AUGUST 20, 2019.

**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:**

**F. REPORTS OF BOARDS AND COMMISSIONS:**

**G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**

1. A PROCLAMATION HONORING THE 2019 BOYS 11-12 YEAR-OLD 'AA' LEAGUE BASEBALL TOURNAMENT CHAMPIONS 'COUNCILMAN SCOTT'.
2. A PROCLAMATION HONORING THE 2019 BOYS 13-14 YEAR-OLD 'AAA' LEAGUE BASEBALL TOURNAMENT CHAMPIONS 'BROOKGATE BARBER SHOP'.
3. A PROCLAMATION HONORING THE 2019 BOYS 13-14 YEAR-OLD 'AAA' BASEBALL LEAGUE CHAMPIONS 'COUNCILMAN ORCUTT'.

**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:**

1. SENATOR, NICKI ANTONIO UPDATE.
2. BROOK PARK LIBRARY BRANCH MANAGER, SHAYNA MUCKERHEIDE.

**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. 11109-2019, PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE IX, SECTION 9.04 OF THE CHARTER OF THE CITY OF BROOK PARK, OHIO AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

**O. THIRD READING OF ORDINANCES AND RESOLUTIONS:**

**P. ADJOURNMENT:**

**SYNOPSIS OF ORDINANCES**  
**FOR THE COUNCIL MEETING OF SEPTEMBER 3, 2019**

**FIRST READING:**

Ord No. 11109-2019 AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE IX, SECTION 9.04 OF THE CHARTER OF THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance authorizing and directing the submission to a vote of electors that Article IX, Section 9.04 be amended to include qualifications for Division Heads within the Service Department.

PREPARED BY THE BROOK PARK LEGAL DEPARTMENT  
August 29, 2019

CITY OF BROOK PARK, OHIO

P/C  
CA Primo 8-20-19  
1st R 8-20-19  
2nd R 9-3-19  
3rd R \_\_\_\_\_  
P/C \_\_\_\_\_

ORDINANCE NO: 11109-2019

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE  
PROVIDING FOR THE SUBMISSION TO THE ELECTORATE  
OF AN AMENDMENT TO ARTICLE IX, SECTION 9.04  
OF THE CHARTER OF THE CITY OF BROOK PARK, OHIO,  
AND DECLARING AN EMERGENCY.

BE IT ORDAINED, by the Council of the City of Brook Park, County of Cuyahoga, State of Ohio, with not less than five of its members concurring that:

SECTION 1: Pursuant to Article X, Section 4 of the Ohio Constitution and Article XVI, Section 16.01 of the Charter of the City of Brook Park, Ohio hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the City, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2019, the question of the creation of Article IX, Section 9.04; of the Charter of the City of Brook Park, Ohio, the respective text to be set forth herein (additions bolded and deletions stricken):

**SECTION. 9.04 Appointment of Division Heads**

The Director of Public Service shall appoint the heads of the Divisions established in Section 9.03 of this charter, except the Division of Engineering, which Division head shall be appointed by the Mayor, **and shall have the qualifications as may be set forth in the city ordinances.** Such appointees shall serve at the pleasure of the appointing authorities.

be submitted to a vote of the qualified electors of the City at the General Election to be held on Tuesday, November 5, 2019, at the regular places of voting in the City between the hours of 6:30 A.M. and 7:30 P.M.

SECTION 2: The ballots for said election shall, at the top thereof, be entitled "PROPOSED CHARTER AMENDMENT," and the questions to be submitted on said ballot shall be in words following:

"Shall Article IX Section 9.04, be amended to include qualifications for Division Heads within the Service Department as may be set forth in the City Ordinances?"

Under said wording shall appear the words "Yes" and "No," and each voter shall indicate his vote by following the proper voting procedure for the voting instrument provided on that occasion.

**SECTION 3:** Public notice of the time and place of holding such election shall be given by publication of notice thereof at least ten (10) days prior to the day of such election, in a newspaper published and of general circulation in the City.

**SECTION 4:** The Clerk of Council be and is hereby directed to mail a copy of the above proposed Charter Amendments to each elector whose name appears upon the registration books of the last regular election held in the City, at least thirty (30) days before the date of such election, and to certify a copy of this Ordinance to the Board of Elections in Cuyahoga County.

**SECTION 5:** To pay the cost of printing and mailing said copies of said proposed Charter Amendments and of publishing said notice, there be and hereby appropriated from the general fund such sum of money as may be needed.

**SECTION 6:** 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 7:** 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 there is an immediate need to submit this Ordinance to the Cuyahoga Board of Elections for it to be placed on the November 5, 2019 ballot; 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: \_\_\_\_\_

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

MAYOR

Clerk of Council

\_\_\_\_\_  
DATE

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