

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, OCTOBER 1, 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 SEPTEMBER 3, 2019.
2. REGULAR COUNCIL MEETING HELD ON SEPTEMBER 3, 2019.
3. SPECIAL COUNCIL MEETING HELD ON SEPTEMBER 11, 2019.
4. CAUCUS PRIOR TO MEETING HELD ON SEPTEMBER 17, 2019.
5. REGULAR COUNCIL MEETING HELD ON SEPTEMBER 17, 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:

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. 30-2019, GRANTING A CONDITIONAL USE PERMIT AT 16079 BROOKPARK ROAD LOCATED IN THE U7-B DISTRICT TO OPERATE AN AUTOMOBILE CUSTOMIZATION FACILITY AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. RESOLUTION NO. 27-2019, GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN AIRPORT PARKING FACILITY AT 5775 ENGLE ROAD IN THE U-3A ZONE AND DECLARING AN EMERGENCY. Introduced by Council as a Whole.

P. ADJOURNMENT:

**SYNOPSIS OF RESOLUTIONS
FOR THE COUNCIL MEETING OF OCTOBER 1, 2019**

FIRST READING:

Res. No. 30-2019

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT AT 16079 BROOKPARK ROAD LOCATED IN THE U7-B DISTRICT TO OPERATE AN AUTOMOBILE CUSTOMIZATION FACILITY, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution granting a conditional use permit for an automobile customization facility in a U7-B District provided that specific conditions are met.

THIRD READING:

Res. No. 27-2019

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OPERATE AN AIRPORT PARKING FACILITY AT 5775 ENGLE ROAD IN THE U3-A ZONE, AND DECLARING AN EMERGENCY.

SYNOPSIS: A resolution granting a conditional use permit to operate an airport parking facility in the U3-A Zone for approximately 149 spaces.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
September 25, 2019**

CITY OF BROOK PARK, OHIO

P/C
CA PRICE 9-17-19
1st R 10-1-19
2nd R
3rd R
B/C

Resolution No. 30-2019

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION
GRANTING A CONDITIONAL USE PERMIT AT
16079 BROOKPARK ROAD LOCATED IN THE U7-B DISTRICT
TO OPERATE AN AUTOMOBILE CUSTOMIZATION FACILITY
AND DECLARING AN EMERGENCY

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

WHEREAS, the conditional use requested is to operate an automobile customization facility located in the U7-B District at Road Quake; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on September 9, 2019 to 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.

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 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. Purchase of the property by the Applicant to be completed.
- B. Asphalt parking area to be properly repaired, re-surfaced and striped.
- C. 42" black ornamental fencing to be installed along frontage (Final landscape & fence details to be established between the Applicant and Building Commissioner due to line of site concern).
- D. Compliance with these conditions to be met within six (6) months of property transfer.

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 a conditional use permit in a U7-B District to operate an automobile customization facility; 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

DATE

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



DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

P/C
CA PRIC 8-20-19
1st R 9-3-19
2nd R 9-11-19 SP. COLL
3rd R 9-17-19-amended
S/C
COUNCIL PRIC 9-3-19
3RD R 10-1-19

Resolution No. 27-2019

Introduced By: COUNCIL MEMBERS ORCUTT, BURGIO, SCOTT, STEMM, POINDEXTER, MENCINI, COUNCIL PRESIDENT VECCHIO AND MAYOR GAMMELLA

A RESOLUTION
GRANTING A CONDITIONAL USE PERMIT TO OPERATE
AN AIRPORT PARKING FACILITY AT 5775 ENGLE ROAD
IN THE U3-A ZONE,
AND DECLARING AN EMERGENCY

WHEREAS, Jeff Gobel and Mike Gobel filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested is to operate an airport parking facility at 5775 Engle Road, in a U3-A Zone; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on August 5, 2019, to 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.

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 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. Asphalt parking area to be properly repaired, re-surfaced, stripped with 9' x 20' approximately 149 spaces and numbered.
- B. Site landscape to be properly maintained and improvements added.
- C. Site lighting to be repaired/added and operational.
- D. Compliance with City Engineer's comments, dated 7/31/19 (copy provided to applicant at meeting).
- E. Existing pole sign on premises only to be used for on-site business signage.
- F. Sub-leasing prohibited.
- G. Conditional Use Permit is non-transferable.

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 a conditional use permit to operate an airport parking facility; 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: _____



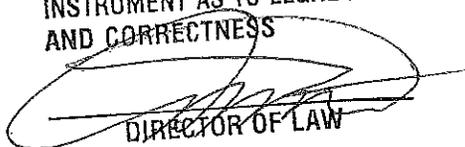
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

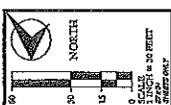
APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW

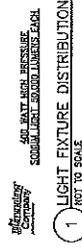
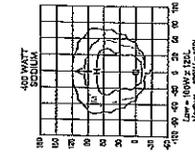


LANDSCAPE NOTES

1. CONTRACTOR IS RESPONSIBLE FOR PERMITS AND OBTAINING ALL PLANT MATERIAL SPECIFICATIONS ON THE PLANS. ANY PLANT MATERIAL SUBSTITUTIONS TO BE MADE MUST BE APPROVED BY LANDSCAPE ARCHITECT OR OTHER PRIOR TO INSTALLATION.
2. CONTRACTOR TO PROVIDE DOUBLE SHROUDED MESH PER SYSTEMS ARE SPECIFIED. ALL PLANTS ARE TO BE PLANTED IN A MANNER WHICH WILL BE APPROVED BY THE CITY OF BROOKPARK. ALL PLANTS ARE TO BE PLANTED IN A MANNER WHICH WILL BE APPROVED BY THE CITY OF BROOKPARK. ALL PLANTS ARE TO BE PLANTED IN A MANNER WHICH WILL BE APPROVED BY THE CITY OF BROOKPARK.
3. ONCE FINAL GRADE IS ESTABLISHED, ALL PLANTING AREAS SHALL RECEIVE 4" OF TOPSOIL AND 4" OF MULCH. ALL PLANTING AREAS SHALL RECEIVE 4" OF TOPSOIL AND 4" OF MULCH. ALL PLANTING AREAS SHALL RECEIVE 4" OF TOPSOIL AND 4" OF MULCH.
4. PLANTING OF PLANTING MATERIALS SHALL NOT AFFECT THE EXISTING UTILITY LINES OR NEAR SHALLS OR CROSSINGS. ALL PLANTING MATERIALS SHALL BE PLANTED IN A MANNER WHICH WILL BE APPROVED BY THE CITY OF BROOKPARK.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING ALL PLANT MATERIALS DURING THE CONSTRUCTION PERIOD. ALL PLANTING MATERIALS SHALL BE WATERED DURING THE CONSTRUCTION PERIOD.
6. ALL MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
12. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL PROPOSED UTILITY LOCATIONS AND LOCATING ALL EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL PROPOSED UTILITY LOCATIONS AND LOCATING ALL EXISTING UTILITIES.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND OBTAINING ALL NECESSARY PERMITS AND OBTAINING ALL NECESSARY PERMITS.
14. VERIFY A THE PROPOSED PLANTING SPECIFICATIONS AS PROVIDED OR APPROVED SIMILAR TO TREE, SHRUB, AND ORNAMENTAL AREAS IN ACCORDANCE WITH MANUFACTURER'S WRITTEN RECOMMENDATIONS. DO NOT APPLY TO THESE AREAS.

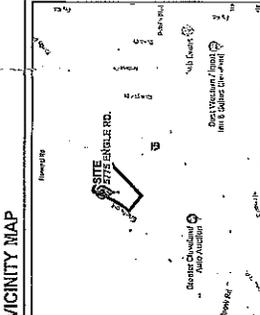
KEY NOTES

1. 4" NO SLOD WHITE TRANSPARENT STIPING @ 4"
2. 4" NO SLOD WHITE PAVING STRIPE (TYP.)
3. EXISTING LANDSCAPE ALONG SINGLE ROAD FRONTAGE TO BE REMOVED AT FINISHED GRADE. REPLACE WITH PLANTS AND MULCH AS SHOWN ON THE PLAN, AND PER THE LANDSCAPE NOTES.
4. NEW PARKING LOT LIGHT FIXTURE - 400 WATT HIGH PRESSURE LIGHT (HPL), SEE DET. 1 THIS SET.



PRELIMINARY PLAN NOTES

CONTRACTOR IS RESPONSIBLE TO MEET THE CITY OF BROOKPARK REQUIREMENTS IN ADDITION TO THE OHIO EPA (WHEN APPLICABLE), ANY APPLICABLE STATE AND FEDERAL REGULATIONS. ANY APPLICABLE STATE AND FEDERAL REGULATIONS. ANY APPLICABLE STATE AND FEDERAL REGULATIONS.

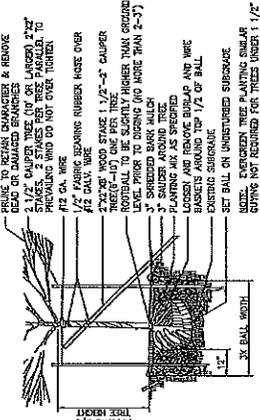


PLANT LIST - SUMMARY TABLE

KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	SPACING	QTY.
TREES	GLEDITSIA TRIACANTHOS 'SUNBURST'	SUNBURST HONEY LOCUST	3-1/2" CAL.	8-68	AS SHOWN	6
SHRUBS	IRVINGIA PASTORISIMICA	BAYBERRY	36" HL.	60" O.C.	41	

LAWN SEED MIX

SEED TYPE	PERCENT
BERMUDA	25%
PERENNIAL RYEGRASS	25%
STELLAR GRASS	25%
PERENNIAL RYEGRASS	25%



REV. NO.	DATE	CITY SUBMITTAL	DESCRIPTION
1	02/09/19		
2	07/17/19		

APPROX. 2/3
 12" CAL. WIRE
 3" DIA. TRUNK
 1/2" FABRIC BURLAP
 SET BALL ON UNDISTURBED SUBGRADE
 BASKETS AROUND TOP 1/2 OF BALL
 REMOVE BURLAP AND WIRE
 SET BALL ON UNDISTURBED SUBGRADE
 BASKETS AROUND TOP 1/2 OF BALL
 REMOVE BURLAP AND WIRE
 SET BALL ON UNDISTURBED SUBGRADE
 BASKETS AROUND TOP 1/2 OF BALL
 REMOVE BURLAP AND WIRE

EXHIBIT A