

NOTICE  
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

\_\_\_\_ April 7, 2020

TO: COUNCILMEMBERS TROYER, MENCINI, ORCUTT, SCOTT, SCHMUCK, POINDEXTER, SALVATORE, COUNCIL PRESIDENT VECCHIO, MAYOR GAMMELLA, LAW DIRECTOR HORVATH, AND FINANCE DIRECTOR CINGLE

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

\_\_\_\_\_ COUNCIL MEETING

\_\_\_\_ XXX CAUCUS MEETING

\_\_\_\_\_ EXECUTIVE SESSION

\_\_\_\_\_ OTHER (Specify)

Such special meeting will accordingly be held on WEDNESDAY, the 8<sup>TH</sup> day of APRIL, AT 6:30P.M. at the place of holding regular meetings. (\*Refer to Rules of Council, No. 4, if applicable.)

**SUBJECT:**

**ROLL CALL OF MEMBERS**

**PLEDGE OF ALLEGIANCE**

**DISCUSSION:**

SEE ATTACHED SHEET

**ADJOURNMENT**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk of Council

## **DISCUSSION:**

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER BETWEEN FALLSWAY EMERGENCY EQUIPMENT AND THE CITY OF BROOK PARK FOR ADDITIONAL EMERGENCY REPAIRS TO OUR 2002 FIRE TRUCK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
3. AN ORDINANCE AUTHORIZING THE MAYOR TO GIVE CONSENT TO THE STATE OF OHIO, DIRECTOR OF TRANSPORTATION, TO COMPLETE A GUARDRAIL UPGRADE PROJECT IN THE CITY OF BROOK PARK AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
4. AN ORDINANCE TO PROVIDE FOR THE APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2020. Introduced by Mayor Gammella.
5. AN ORDINANCE ENACTING SECTION 131.14 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'ECONOMIC DEVELOPMENT GRANT WRITER' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
6. A RESOLUTION AUTHORIZING THE MAYOR TO PARTICIPATE IN THE ODOT CONTRACT FOR ROAD SALT AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
7. A RESOLUTION TEMPORARILY SUSPENDING COLLECTIVE BARGAINING NEGOTIATIONS AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
8. A RESOLUTION PRCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
9. A RESOLUTION TO CONDUCT COUNCIL MEETINGS REMOTELY WITH PROVISIONS FOR PUBLIC PARTICIPATION AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

SP. P/C  
CA 4-7-2020  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN  
THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS)  
AND THE CITY OF BROOK PARK,  
AND DECLARING AN EMERGENCY

**WHEREAS;** The City of Brook Park entered into a regional Stormwater Management Program Service (SMP Service Agreement) as evidenced by Ordinance No. 10032-2016, passed August 2, 2016 and

**WHEREAS,** as a component of implementing a regional stormwater management program a "Community Cost-Share Account" has been created; and

**WHEREAS,** the Community Cost-Share Account is to provide funding to assist the City of Brook Park with the District approved project; and

**WHEREAS,** the District supports the Community Cost-Share Stormwater MCM #6 Implementation Plan as a Community Cost-Share project proposed by the City of Brook Park; and

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

**SECTION 1:** The Mayor is authorized and directed to execute on behalf of the Municipality a Community Cost-Share Stormwater MCM #6 Implementation Plan by and between the Northeast Ohio Regional Sewer District and the City of Brook Park, set forth in the Agreement attached hereto as Exhibit "1".

**SECTION 2:** The money needed for the aforesaid transaction shall be paid from funds theretofore appropriated for said purposes.

**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 authorizing the Mayor to enter into an Agreement for a Community Cost-Share with Northeast Ohio Regional Sewer District; 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.

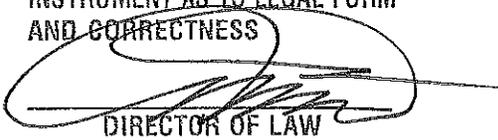
PASSED: \_\_\_\_\_

\_\_\_\_\_  
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

**COMMUNITY COST-SHARE AGREEMENT  
BY AND BETWEEN  
THE NORTHEAST OHIO REGIONAL SEWER DISTRICT  
AND  
CITY OF BROOK PARK**

This Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between the Northeast Ohio Regional Sewer District (District) acting pursuant to Resolution No. 114-13, adopted by the Board of Trustees of the District on May 16, 2013 (Exhibit "A"), and the City of Brook Park (City), acting pursuant to Ordinance/Resolution No. \_\_\_\_\_, adopted on \_\_\_\_\_, 20\_\_\_\_ (Exhibit "B").

**Recitals**

WHEREAS, the District, as a component of implementing a regional stormwater management program, manages a financial account termed the "*Community Cost-Share Account*" that is for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee; and

WHEREAS, the purpose of the Community Cost-Share Account is to provide funding to assist the City with District-approved projects through the Community Cost-Share Program; and

WHEREAS, the Community Cost-Share Program funds are used for construction, operation, and maintenance of the Local Stormwater System or Regional Stormwater System, including administrative costs directly associated with such projects as well as costs related to repair or upgrade; and

WHEREAS, the District supports the Community Cost-Share Stormwater MCM #6 Implementation (the "Project") as a Community Cost-Share project proposed by the City; and

NOW THEREFORE, in consideration of the foregoing, the payment and the mutual promises contained in this Agreement, the parties agree as follows:

**Article 1.0    City Obligations**

- 1.1 The City agrees to perform as follows:
  - 1.1.1 Complete work as detailed in the District approved Community Cost-Share application. (Exhibit "C")
  - 1.1.2 Complete and submit Progress Reports when submitting Request for Payment as needed, or within 30 days of close of the Project, per Section 5.0 of the *Community Cost-Share Program Policy*.
  - 1.1.3 Notify the City's Watershed Team Leader at least 7 business days prior to the start of the Project.



- 1.1.4 Meet with District staff when requested to review the Project status.
- 1.1.5 Submit requests for approval to modify the budget, deadline, deliverables, or other components of the Project to the City's Watershed Team Leader at least 30 business days prior to the desired date of execution of the modification.
- 1.2 Failure to meet any of the requirements listed in Article 1.1 may result in termination of this Agreement and reimbursement of disbursed funds to the District.

**Article 2.0 District's Obligations**

- 2.1 The District agrees to perform as follows:
  - 2.1.1. Allocate \$200,000.00 to the City for the Project from the City's Community Cost-Share Account.
  - 2.1.2. Provide reimbursement of funds up to \$200,000.00 to the City within 60 days of receipt of a complete Request for Payment from the City, detailing costs related to the Project.
  - 2.1.3. Timely review and approval or disapproval of requests to modify the budget, deadline, deliverables, or other components of the Project.
  - 2.1.4. Acknowledge the City in presentations or publications related to the Project.

**Article 3.0 Dispute Resolution**

- 3.01 The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.
- 3.02 The Parties shall first try to resolve the dispute at the level of the designated representatives as follows:

<b>District Representative</b>	<b>City Representative</b>
Watershed Team Leader	Service Director

If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the following level to resolve the dispute:

<b>District Representative</b>	<b>City Representative</b>
Director of Watershed Programs	Mayor

- 3.03 If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The mediator shall review all documents and written statements, in order to accurately and effectively resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after mediator appointment, which meeting shall be attended by at least the respective representatives listed in paragraph 3.02 above. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator equally.
- 3.04 Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by both Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction as per Article 4, Remedies, below.

**Article 4**      **Remedies**

- 4.01 The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counter-claims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law. This Agreement shall be governed by and interpreted according to the law of the State of Ohio.

**Article 5**      **Counterpart Signatures**

- 5.01 This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which counterparts when taken together shall constitute one Agreement.

**Article 6**      **Governing Law**

- 6.01 The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

**Article 7**      **Disclaimer of Joint Venture**

- 7.01 This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

**Article 8**      **Authority to Execute**

8.01 Each person executing this Agreement represents and warrants that it is duly authorized to execute this Agreement by the party on whose behalf it is so executing.

**Article 9**      **Exhibits**

The following exhibits are attached hereto and incorporated herein:

Exhibit "A" – District Resolution

Exhibit "B" – City Ordinance/Resolution

Exhibit "C" – District-Approved Community Cost Share Application

The parties have executed this Agreement on the day and year first above written.

**NORTHEAST OHIO REGIONAL SEWER DISTRICT**

BY: \_\_\_\_\_  
Kyle Dreyfuss-Wells  
Chief Executive Officer

AND

BY: \_\_\_\_\_  
Darnell Brown, President  
Board of Trustees

**CITY OF BROOK PARK**

By: \_\_\_\_\_

Title: \_\_\_\_\_

The Legal Form and Correctness of this  
Instrument is hereby Approved:

**CITY OF BROOK PARK**

\_\_\_\_\_  
Assistant/Director of Law

This Instrument Prepared By:

\_\_\_\_\_  
Katarina K. Waag  
Assistant General Counsel  
Northeast Ohio Regional Sewer District

Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

# CONTRACT NO.

NORTHEAST OHIO REGIONAL SEWER  
DISTRICT

WITH

CITY OF BROOK PARK

FOR

COMMUNITY COST-SHARE PROJECT:

STORMWATER MCM #6 IMPLEMENTATION

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Total Approximate Cost:           \$200,000.00

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The legal form and correctness of the within  
instrument are hereby approved.

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CHIEF LEGAL OFFICER

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Date

## CERTIFICATION

It is hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of the fund free from any obligation or certification now outstanding.

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CHIEF FINANCIAL OFFICER

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Date

**BUDGET CENTER 8100**

## Kate Schmidt

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**From:** Randy Garner  
**Sent:** Monday, February 24, 2020 11:39 AM  
**To:** Kate Schmidt  
**Subject:** Fwd: Community Cost Share Agreement between NEORS and Brook Park -- Stormwater MCM #6 Implementation  
**Attachments:** Brook Park CCS Agreement (SW MCM #6 Implementation) 2020.docx; Exhibit A B C.pdf

Get [Outlook for iOS](#)

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**From:** Katarina Waag <WaagK@neorsd.org>  
**Sent:** Monday, February 24, 2020 10:04:45 AM  
**To:** Randy Garner <rgarner@cityofbrookpark.com>  
**Cc:** Linda Mayer <mayerl@neorsd.org>; Robin White <rwhite@cityofbrookpark.com>; Meiring Borchers <BorchersM@neorsd.org>; Edward Piatak <erpiatak@euthenics-inc.com>  
**Subject:** Community Cost Share Agreement between NEORS and Brook Park -- Stormwater MCM #6 Implementation

Good Morning Randy,

Attached is the Community Cost-Share Agreement for Brook Park's Stormwater MCM #6 Implementation project. Please return a signed copy to me (via email is fine) along with the City's authorizing legislation. Upon receipt of the signed agreement, I will obtain signature by the District and return a fully-executed copy to you for your records.

Please do not hesitate to contact me with any questions.

Sincerely,

Katie



Katarina (Katie) Waag  
Assistant General Counsel

 **Northeast Ohio  
Regional Sewer District**

3900 Euclid Avenue | Cleveland, Ohio 44115 | p: 216.881.6600 x6828

# EXHIBIT A

NORTHEAST OHIO REGIONAL SEWER DISTRICT  
RESOLUTION NO. 114-13

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Authorizing the Executive Director to enter into Regional Stormwater Management Program Community Cost-Share Program Agreements with Member Communities.

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WHEREAS, the Code of Regulations of the Northeast Ohio Regional Sewer District, Title V – Stormwater Management Code Chapter 9 outlines the Community Cost-Share Program developed to provide funds to District Member Communities for construction, operation and maintenance activities of community-specific stormwater management projects; and

WHEREAS, under the Community Cost-Share Program, 25% of the annual collected stormwater revenue from each Member Community will be held by the District in a Community Cost-Share account, whereby Communities, with review and approval by the District, through specific applications outlining the community-specific stormwater work to be performed can access reimbursement of their funds; and

WHEREAS, the District is seeking authority to enter into Regional Stormwater Management Program Community Cost-Share Program Agreements with Member Communities for the purpose of detailing and memorializing responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT:

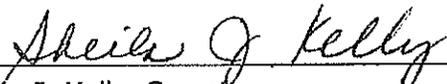
Section 1. That this Board finds that for the reasons stated in the preamble hereof it is in the best interests of the District to enter into Regional Stormwater Management Program Cost-Share Program Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program.

Section 2. That this Board hereby authorizes the Executive Director to enter into Regional Stormwater Management Program Cost-Share Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program under such terms and conditions that are satisfactory to the Director of Law and in the best interests of the District.

Section 3. That this Board authorizes the Executive Director to execute all documents and do all things necessary to effect the terms and conditions of the Stormwater Management Program Direct Billing Agreements with Member Communities.

Section 4. That this Board declares that all formal actions of the Board concerning and relating to the adoption of this resolution and that all deliberations of the Board and any of its committees that resulted in said formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

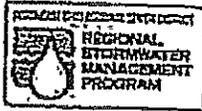
On motion of Mayor Starr seconded by Mr. O'Malley, the foregoing resolution was unanimously adopted on May 16, 2013.

  
\_\_\_\_\_  
Sheila J. Kelly, Secretary  
Board of Trustees  
Northeast Ohio Regional Sewer District

# EXHIBIT B

(Insert Member Community  
Ordinance/Resolution)

# EXHIBIT C



*Community Cost-Share Program  
Application*

**Community Cost-Share Program  
APPLICATION**

Member Community Information

Community: City of Brook Park

Primary Project Contact  
(Name & Title): Mr. Randy Garner  
Service Director

Mailing Address: 19065 Holland Road  
Brook Park Ohio 44142

Phone Number: 216 433 7192

Email: rgarner@cityofbrookpark.com

Project Information

Project Title: Stormwater MCM #8 Implementation

Address or Location of Project: 19065 Holland Road  
Brook Park, Ohio 44142

Project Start Date: APRIL 1, 2020

Project End Date: DECEMBER 31, 2020

Community Cost-Share Fund Request: \$200,000.00

Submission Date: FEBRUARY 18, 2020



*Community Cost-Share Program  
Application*

Project Narrative

**1) Project Summary (1,000 word maximum)**

Describe the Project and include the following information, as applicable:

- Describe the Project and deliverables; provide a map if applicable
- Submit a deliverable worksheet listing tasks and deliverables with start dates and end dates for the significant benchmarks.
- List permitting requirements necessary to initiate and complete project and how the requirements will be met.

The City would like to clean approximately 300 stormwater catch basins and dispose of the approximately 400 cubic yards of material. The City will use BFI Lorain Co Landfill to test and dispose of the solid waste that is removed from the catch basins. The catch basin cleaning will mostly be done during the spring of 2020 and be completed by Dec. 31, 2020

Street Sweep approximately 500 miles of City streets three times during 2019. The City will use City equipment and personnel to complete the work. The City will use BFI Lorain Co Landfill to test and dispose of the solid waste that is removed from the City streets.

No permits will be required to complete the work, the materials will be tested by BFI to make sure it is appropriate for disposal in a solid waste facility and not a hazardous waste facility. The work being performed will also satisfy the City's SWMP under its 2015-2019 MS4 Permit obligations.



*Community Cost-Share Program  
Application*

- 2) **Ability to Provide Long Term Maintenance (500 word maximum)**  
Describe the plans for long-term maintenance, addressing the following questions:
- Who is responsible to provide on-going maintenance for the project and how will maintenance be ensured?
  - Provide documentation of scheduled maintenance and operation for completed stormwater project(s).

The city will maintain the streets and catch basins under its normal maintenance program and under its SWMP.



*Community Cost-Share Program  
Application*

**3) Visibility and Public Outreach: (500 word maximum)**

Public outreach is required if appropriate for your project.

- What audiences will be exposed to this Project (neighbors, students, community groups, general public)?

There is no planned public education and outreach events for this work, but the serva director will update the City Council during normal Council Meetings on the work that is being performed. The meetings are open to the public.



*Community Cost-Share Program  
Application*

**4) Budget Summary (500 words maximum)**

The Budget Summary and Project Budget (see page 3) represent the Community Cost-Share Project components exclusively. Include details on the provider of all services such as design, engineering, construction management and materials including specific material cost, equipment, and hourly rate.

If an engineer's estimate is included with the application, indicate which line items are included in the Community Cost-Share Project application.

The City Service Director will submit cost reimbursement requests as the work is completed. The City will use its standard salary and fringe for employees and will show invoices and canceled checks for other cost such as landfill cost.

The City Service Director estimates the proposed work to cost +, \$200,000.00 and will be performed during 2020.



*Community Cost-Share Program  
Application*

**Vendor Registration**

Prior to submission, ensure that the Member Community is a registered vendor with the District. Vendor Registration can be done by accessing [http://www.nearnet.org/supplier\\_homepage.php](http://www.nearnet.org/supplier_homepage.php) and completing the New Vendor Registration. If unsure of the Member Community vendor status, by initiating the New Vendor Registration a message of active registration will appear if currently registered as a vendor.

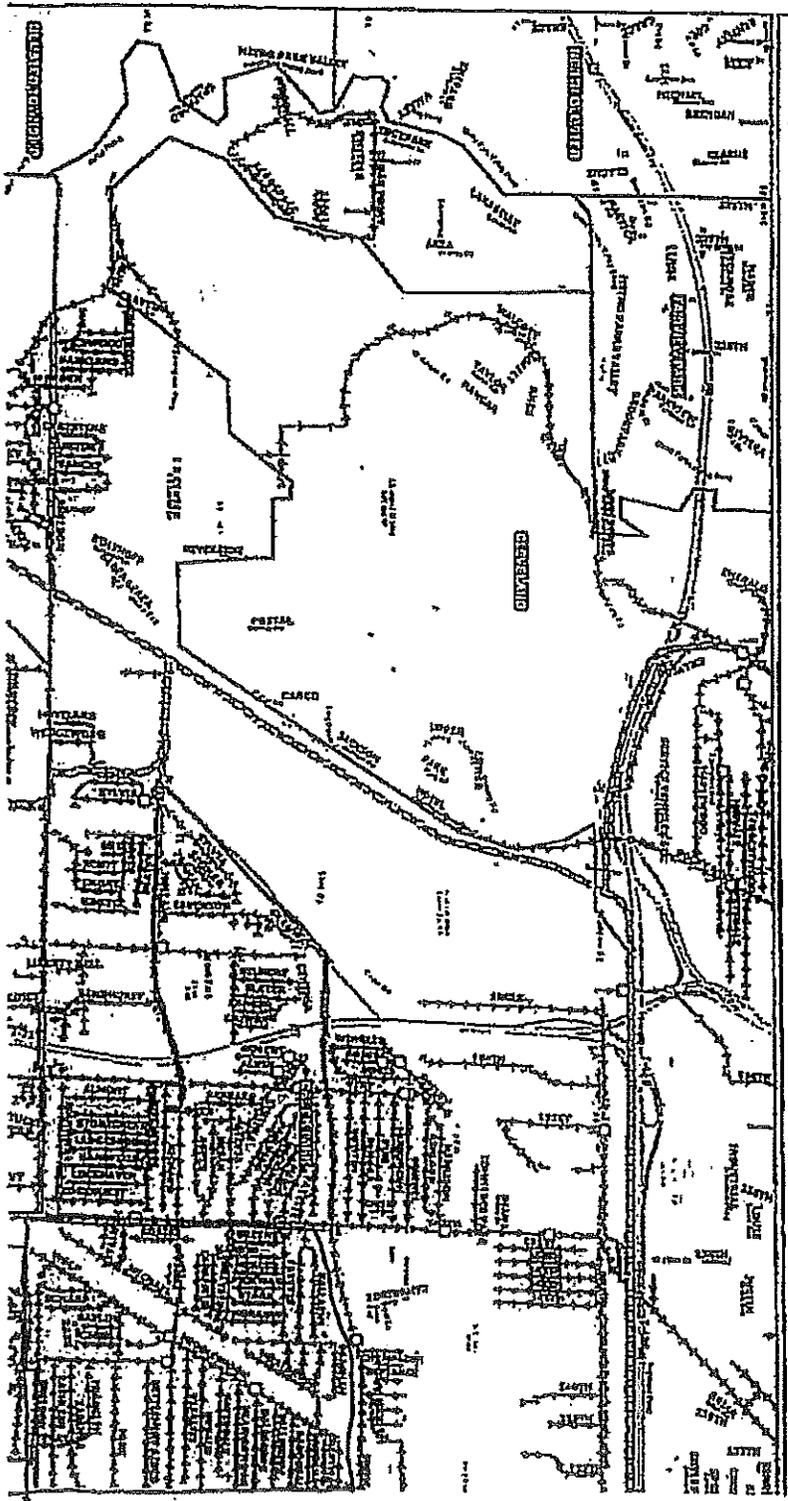
**Project Budget**

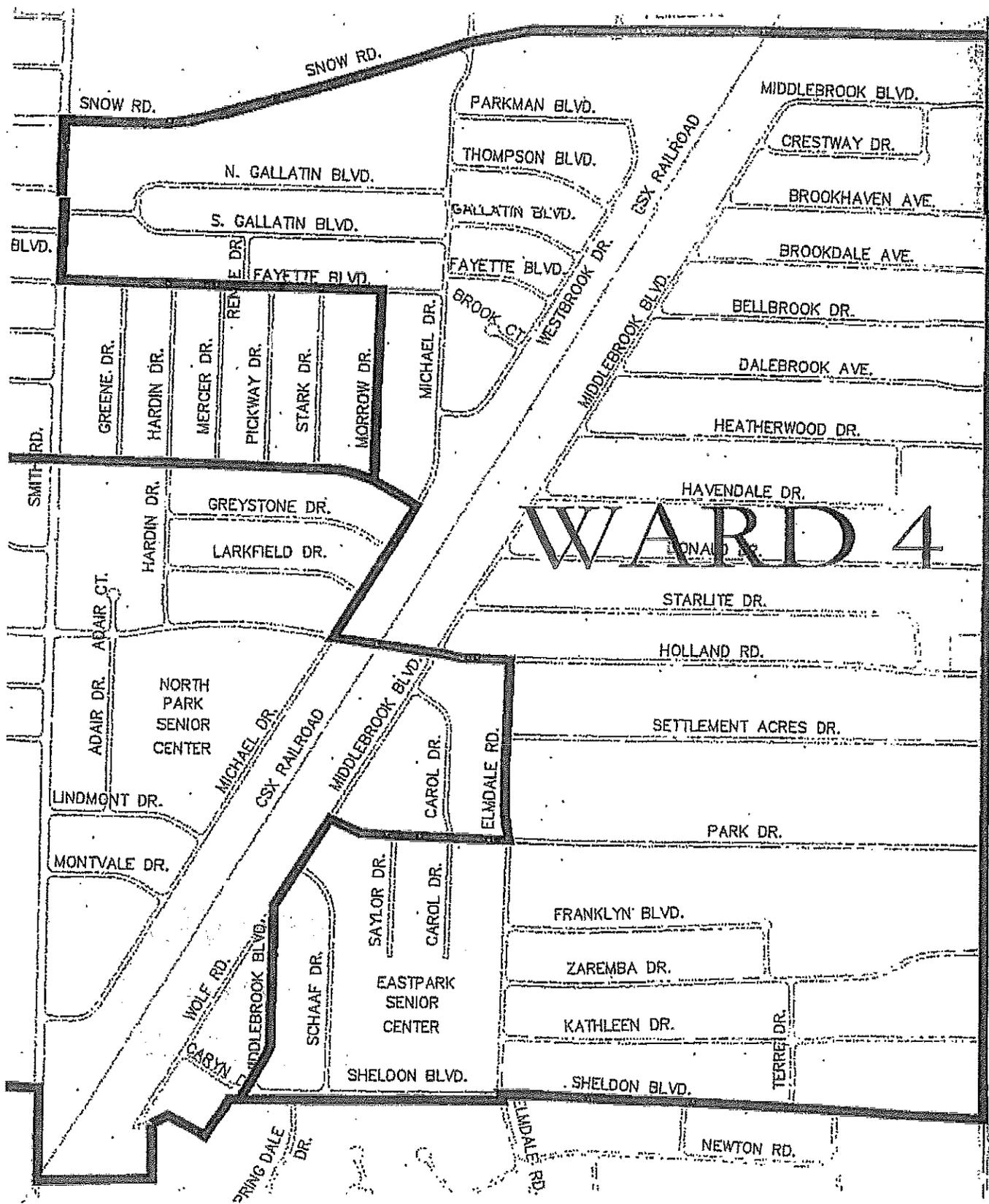
<b>Project Expenses</b>	<b>Community Cost-Share Expense</b>	<b>Line Item Description</b>
Professional Services		
Personnel <i>(Member Community staff only)</i>	155,000.00	Street sweeping and catch basin cleaning work
Subcontract	\$45,000.00	BFJ Lorain CO Landfill to test and dispose of material
Equipment		
Materials		
Other		
<b>TOTAL</b>	<b>\$ 200,000.00</b>	

**Northwest Ohio  
Regional Sewer District**

**Southwest Interceptor - Local Sewer System Evaluation Study**

SEE YELLOW CIRCLES FOR INDICATED INTERCEPTOR AND SANITARY MAINS - 18 INCHES, 24 INCHES, 30 INCHES, 36 INCHES, 42 INCHES, 48 INCHES, 54 INCHES, 60 INCHES, 66 INCHES, 72 INCHES, 78 INCHES, 84 INCHES, 90 INCHES, 96 INCHES, 102 INCHES, 108 INCHES, 114 INCHES, 120 INCHES, 126 INCHES, 132 INCHES, 138 INCHES, 144 INCHES, 150 INCHES, 156 INCHES, 162 INCHES, 168 INCHES, 174 INCHES, 180 INCHES, 186 INCHES, 192 INCHES, 198 INCHES, 204 INCHES, 210 INCHES, 216 INCHES, 222 INCHES, 228 INCHES, 234 INCHES, 240 INCHES, 246 INCHES, 252 INCHES, 258 INCHES, 264 INCHES, 270 INCHES, 276 INCHES, 282 INCHES, 288 INCHES, 294 INCHES, 300 INCHES, 306 INCHES, 312 INCHES, 318 INCHES, 324 INCHES, 330 INCHES, 336 INCHES, 342 INCHES, 348 INCHES, 354 INCHES, 360 INCHES, 366 INCHES, 372 INCHES, 378 INCHES, 384 INCHES, 390 INCHES, 396 INCHES, 402 INCHES, 408 INCHES, 414 INCHES, 420 INCHES, 426 INCHES, 432 INCHES, 438 INCHES, 444 INCHES, 450 INCHES, 456 INCHES, 462 INCHES, 468 INCHES, 474 INCHES, 480 INCHES, 486 INCHES, 492 INCHES, 498 INCHES, 504 INCHES, 510 INCHES, 516 INCHES, 522 INCHES, 528 INCHES, 534 INCHES, 540 INCHES, 546 INCHES, 552 INCHES, 558 INCHES, 564 INCHES, 570 INCHES, 576 INCHES, 582 INCHES, 588 INCHES, 594 INCHES, 600 INCHES, 606 INCHES, 612 INCHES, 618 INCHES, 624 INCHES, 630 INCHES, 636 INCHES, 642 INCHES, 648 INCHES, 654 INCHES, 660 INCHES, 666 INCHES, 672 INCHES, 678 INCHES, 684 INCHES, 690 INCHES, 696 INCHES, 702 INCHES, 708 INCHES, 714 INCHES, 720 INCHES, 726 INCHES, 732 INCHES, 738 INCHES, 744 INCHES, 750 INCHES, 756 INCHES, 762 INCHES, 768 INCHES, 774 INCHES, 780 INCHES, 786 INCHES, 792 INCHES, 798 INCHES, 804 INCHES, 810 INCHES, 816 INCHES, 822 INCHES, 828 INCHES, 834 INCHES, 840 INCHES, 846 INCHES, 852 INCHES, 858 INCHES, 864 INCHES, 870 INCHES, 876 INCHES, 882 INCHES, 888 INCHES, 894 INCHES, 900 INCHES, 906 INCHES, 912 INCHES, 918 INCHES, 924 INCHES, 930 INCHES, 936 INCHES, 942 INCHES, 948 INCHES, 954 INCHES, 960 INCHES, 966 INCHES, 972 INCHES, 978 INCHES, 984 INCHES, 990 INCHES, 996 INCHES, 1000 INCHES.





Reference 2 pages

Special  
Special

P/C 5/3/16  
CA 7/19/16  
1st R 7/19/16  
2nd R 8/2/16 amended  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10032-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AUTHORIZING THE MAYOR  
TO ENTER INTO THE STORMWATER MANAGEMENT PROGRAM  
SERVICE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL  
SEWER DISTRICT FOR IMPLEMENTATION OF ITS REGIONAL  
STORMWATER MANAGEMENT PROGRAM,  
AND DECLARING AN EMERGENCY

WHEREAS, the Northeast Ohio Regional Sewer District (District), pursuant to the authority of Ohio Revised Code Chapter 6119, and Title V of the District's Stormwater Management Code (Title V), is authorized to provide overall Stormwater Management of the Regional Stormwater System, including planning, financing, design, improvement, construction, inspection, monitoring, maintenance, operation, and regulation for the proper handling of stormwater runoff and the development and provision of technical support information and services to Member communities; and; and

WHEREAS, the district has been established as a regional governmental entity mandated to operate and maintain a Regional Stormwater System in the general area encompassing fully or partially the City of Brook Park; and

WHEREAS, flooding is a significant threat to public and private property; streambank erosion is a significant threat to public and private property, water quality, wildlife, and aquatic and terrestrial habitats; and inadequate stormwater management damages the water resources of Northeast Ohio, impairing the ability of these waters to sustain ecological and aquatic systems; and

WHEREAS, there is a manifest need for a watershed-based approach to stormwater management to effectively and efficiently plan, design, construct, and maintain long-term solutions to stormwater problems; and

WHEREAS, to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of Brook Park, a Stormwater Service Agreement between the District and the City of Brook Park is required.

Reference 2 pages



P/C  
SP. CAU 4/7/2020  
1<sup>st</sup> R  
2<sup>nd</sup> R  
3<sup>rd</sup> R  
B/C

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE  
AUTHORIZING THE MAYOR TO ENTER INTO A CHANGE ORDER  
BETWEEN FALLSWAY EMERGENCY EQUIPMENT, AND THE CITY OF BROOK PARK  
FOR ADDITIONAL EMERGENCY REPAIRS TO OUR 2002 FIRE TRUCK,  
AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 11098-2019, passed on June 18, 2019 authorized repair costs to our 2002 Fire Truck in an amount not to exceed \$50,000.00;

WHEREAS, said repairs are now an additional \$2,351.38 more due to rusted and corroded parts on this fire truck; and

WHEREAS, there is a need to have these emergency repairs made as soon as possible; and

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

SECTION 1: The Finance Director is hereby authorized and directed to pay Fallsway Emergency Equipment a total sum of \$52,351.38 as shown in Exhibits A and B (attached hereto).

SECTION 2: That the funds for the purpose of the aforesaid repairs to this 2002 fire truck have been appropriated or are to be appropriated and shall be paid from an amount not to exceed \$52,351.38.

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 enter into a change order with Fallsway Emergency Equipment; 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.

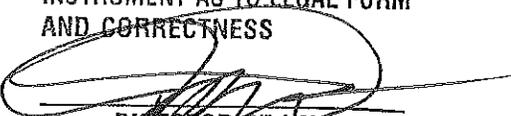
PASSED: \_\_\_\_\_

\_\_\_\_\_  
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



1277 DeValera Ave., P.O. Box 4537  
Akron, Ohio 44310-0537  
330-633-6000  
1-800-458-7941  
FAX 330-633-0834



To: Brook Park Fire Department / Chief Tom Maund

Date: 5/22/2019

Quotation For: Fire Pump and Water Tank Replacement on Engine S-2

2002 Sutphen Rescue Pumper {HS-3648}

Vin #1S9A1HLD221003027

Quote valid for 60 days.

We appreciate the opportunity given to us to quote you the listed job and hope to be favored with your order.

<u>Item</u>	<u>Description</u>	<u>Price</u>
1)	Diagnose and repair the air leak coming from the right side MIV valve. <i>{Note: This is a diagnostic labor charge only and additional labor time and/or parts may be required to properly repair the problem. If additional labor time and/or parts are required, the Customer will be notified and this quote updated to reflect the additional cost to complete the repairs.}</i>	
	Labor: 1.5 hr. (@ \$98.00/hr.)	\$147.00
	Parts: ?	\$
2)	Replace the Water tank -- leaking and NOT repairable. <i>{Note: Considerable amount of labor is involved in this job due to all of the dis-assembly and re-assembly to get to the water tank. Also, once the old tank is removed, the cradle and mounting points will be cleaned and coated before the new tank is installed.}</i>	
	Labor: 68.0 hr. (@ \$98.00/hr.)	\$6,664.00
	Parts: Poly Tank	\$6,279.38
	Misc. hardware	\$250.00
23)	Replace the Fire Pump -- rotted through hole in the lower casting (un-repairable). <i>{Note: There is a considerable amount of labor time involved in this repair due to all of the dis-assembly and re-assembly of all the Body parts, plumbing, and electrical connections involved with the operation of the Pump.}</i>	
	Labor: 80.0 hr. (@ \$98.00/hr.)	\$7,840.00
	Parts: Waterous Pump Assembly	\$19,696.00
	Misc. hardware	\$250.00
4)	Perform an "In Service" pump test per NFPA 1911 standards and requirements for a new Pump, to be tested and placed into active fire fighting service. The new Pump must meet or exceed the designated pumping volume and pressures as set forth by the Manufacturer (Waterous). Document test results and provide the Customer with a full report.	
	Labor: (Special Pricing)	\$350.00
	Parts: (None)	\$0.00

Estimated Total Labor Cost: \$15,001.00  
Estimated Total Parts Cost: \$26,475.38  
Estimated Shop Supplies: \$225.00  
Estimated Shipping Cost: \$1,650.00

\*\*\*\*\*

**Estimated Total Cost: \$43,351.38**

\*\*\*\*\*

*Note: The estimated total cost of the above listed repairs is subject to change due to unknown factors that will not be realized until dis-assembly and inspection of all parts / components is completed for wear and/or damage. If additional labor time and/or parts are needed to properly complete the repairs as required, the Customer will be notified immediately and this estimate updated to reflect the additional labor time and/or parts required to properly complete the repairs.*

All quotations made, orders placed, and repairs "in progress", are subject to changes and/or delays caused by unforeseen circumstances which may be beyond our control. All quotes are prepared with the understanding that all applicable taxes and shipping charges are additional and will be added to the quoted prices. All quotes are for the stated repairs only. Fallsway Equipment Co. reserves the right to amend this quote, with the customer's approval, should additional repairs and/or parts needed, be discovered, or customer requests additional repairs to be completed.

Quotation and/or Proposal Accepted By:

Respectfully Submitted By:

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Chris Salwan  
Cell: (216) 408-2657

Purchase Order Number: \_\_\_\_\_



1277 DeValera Ave., P.O. Box 4537  
 Akron, Ohio 44310-0537  
 330-633-6000  
 1-800-458-7941  
 FAX 330-633-0834



To: Brook Park Fire Department / Chief Tom Maund  
 Date: February 21, 2020  
 Quotation For: Supplement Repairs to the Pump on Engine S-2  
 2002 Sutphen Rescue Pumper {HS-3648}  
 Vin #1S9A1HLD221003027

Quote valid for 60 days.

We appreciate the opportunity given to us to quote you the listed job and hope to be favored with your order.

<u>Item</u>	<u>Description</u>	<u>Price</u>
1)	<b>Supplement for Water Tank Install:</b> Additional repairs and fabrication of support brackets are necessary upon installation the new water tank. It is necessary to cut and dismantle support brackets for the water tank to remove the existing tank. This extra work was unforeseen until dis-assembly due to the hose bed and other cover plating that was hiding the infrastructure of the tank cradle. To remove the existing tank, steel support brackets have to be cut and removed. Upon install of the new tank, new brackets have to be fabricated and welded into place. New plumbing and hardware also installed for all connections to the tank. Also found bad U-joints in the drive shaft to the transfer case so need to install new U-Joints and have the drive shaft balanced.	
	Labor: 0.0 hr. (@ \$98.00/hr.)	\$0.00
	Parts: Gasket material	\$18.00
	Pipe nipple	\$105.48
	Pipe nipple	\$83.92
	2.5" PVC adaptor	\$4.53
	Clamp (4 ea.) (\$12.11/ea.)	\$48.44
	Barbed hose fitting (2 ea.)	
	(\$64.64/ea.)	\$129.28
	Drive shaft repair & balance	\$170.07
	Air fitting	\$6.71
2)	<b>Supplement for Pump Install:</b> Rebuild ALL valves for the Pump before re-installing and assembling the valves and plumbing back into the truck after the Pump body replacement. Also replace any plumbing, fittings, hardware, etc., that is in poor condition upon re-assembly.	
	Labor: 53.0 hr. (@ \$98.00/hr.)	\$5,194.00
	Parts: Elkhart drain valves (11 ea.)	
	(\$61.24/ea.)	\$673.64
	Waterous Primer Motor w/Solenoid	\$359.49
	Akron 1.5" Valve Kit w/Nylon Ball	\$110.93
	Akron 2.5" Valve Kit w/Nylon Ball	
	(2 ea.) (\$142.16/ea.)	\$284.32
	Akron 3" Valve Kit w/Nylon Ball	
	(2 ea.) (\$202.82/ea.)	\$405.64
	Pump Shift Switch	\$183.60

Chris Salwan

Cell: (216) 408-2657

(csalwan@fallsway.com)

Akron 2" Valve Kit w/Nylon Ball	
(3 ea.) (\$140.29/ea.)	\$420.87
Waterous Drain Valve Kit	\$42.25
Misc. SS hardware	\$301.83
Switch (2 ea.) (\$41.00/ea.)	\$82.00

Estimated Total Labor Cost: \$5,194.00  
 Estimated Total Parts Cost: \$3,431.00  
 Shop Supplies & EPA: \$175.00  
 Estimated Shipping Cost: \$200.00

\*\*\*\*\*

**Estimated Total Cost: \$9,000.00**

\*\*\*\*\*

*Note: The estimated total cost of the above listed repairs is subject to change due to unknown factors that will not be realized until dis-assembly and inspection of all parts / components is completed for wear and/or damage. If additional labor time and/or parts are needed to properly complete the repairs as required, the Customer will be notified immediately and this estimate updated to reflect the additional labor time and/or parts required to properly complete the repairs.*

All quotations made, orders placed, and repairs "in progress", are subject to changes and/or delays caused by unforeseen circumstances which may be beyond our control. All quotes are prepared with the understanding that all applicable taxes and shipping charges are additional and will be added to the quoted prices. All quotes are for the stated repairs only. Fallsway Equipment Co. reserves the right to amend this quote, with the customer's approval, should additional repairs and/or parts needed, be discovered, or customer requests additional repairs to be completed.

Quotation and/or Proposal Accepted By:

Respectfully Submitted By:

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Chris Salwan  
Cell: (216) 408-2657

Purchase Order Number: \_\_\_\_\_

FALLSWAY EQUIPMENT CO.  
 10000 FALLSWAY BLVD.  
 CLEVELAND, OH 44130  
 (216) 408-2657  
 FAX (216) 408-2658  
 WWW.FALLSWAYEQUIPMENT.COM

Reference 4 Pages

PIO 6-11-19 Finance  
CA: PRIOR 6-18-19  
1st R 6-18-19  
2nd R  
3rd R  
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11098-2019

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE  
AUTHORIZING AND APPROVING THE MAYOR TO HAVE  
EMERGENCY REPAIRS MADE TO OUR 2002 FIRE TRUCK  
WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY

WHEREAS, Council deems it necessary for the City to enter into a contract with a specialist in order to provide for the emergency repairs to our 2002 Fire Truck; and

WHEREAS, said services are of such a highly specialized nature, requiring the exercise of peculiar skill and aptitude, that said contract is properly deemed excepted from the bidding requirements ordinarily associated with the letting of public contracts; and

WHEREAS, Fallsway Emergency Equipment, 1277 DeValera Avenue, Akron, OH is a sole source provider for repairs to 2002 Fire Truck; and

WHEREAS, said emergency repairs need to be made to replace the fire pump, water tank, MIV valve and labor and miscellaneous parts; and

WHEREAS, the Mayor and City Council is desirous of proceeding to make these necessary emergency repairs to our 2002 Fire Truck;

WHEREAS, in the estimate attached hereto as Exhibit "A" the cost is \$43,351.38. It is noted that the cost is subject to change once it is dis-assembled, and hereby approve an amount not to exceed \$50,000.

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

SECTION 1: That the Mayor is hereby authorized and directed to enter into a contract with Fallsway Emergency Equipment for the emergency repairs needed on our 2002 Fire Truck.

Reference 4 Pages

# Reference

**SECTION 2:** That the funds for the purpose of the aforesaid expenditure have been appropriated or to be appropriated and shall be paid from an amount not to exceed the amount of \$50,000.00

**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 that Council deems it necessary for the Mayor to enter into said contract with Fallsway Emergency Equipment, without undue delay; 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: June 18, 2019

M. P. Kouliko  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR

6/18/19  
DATE

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

Peter Jacki  
Asst. DIRECTOR OF LAW

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing June 18, 2019  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council

CERTIFICATE  
Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 11078-2019 passed on the 18th day of June 2019 by said council.  
Michelle Blazak  
Clerk of Council

Stemm	_____
Mencini	_____
Orcutt	_____
Scott	_____
Burgio	_____
Poindexter	_____
Salvatore	_____

Yea  No  Absent  Excused

# Reference



1277 DeValera Ave., P.O. Box 4537  
Akron, Ohio 44310-0537  
330-633-6000  
1-800-458-7941  
FAX 330-633-0834



To: Brook Park Fire Department / Chief Tom Maund

Date: 5/22/2019

Quotation For: Fire Pump and Water Tank Replacement on Engine S-2

2002 Sutphen Rescue Pumper {HS-3648}  
Vin #1S9A1HLD221003027

Quote valid for 60 days.

We appreciate the opportunity given to us to quote you the listed job and hope to be favored with your order.

<u>Item</u>	<u>Description</u>	<u>Price</u>
1)	Diagnose and repair the air leak coming from the right side MIV valve. {Note: This is a diagnostic labor charge only and additional labor time and/or parts may be required to properly repair the problem. If additional labor time and/or parts are required, the Customer will be notified and this quote updated to reflect the additional cost to complete the repairs.}	
	Labor: 1.5 hr. (@ \$98.00/hr.)	\$147.00
	Parts: ?	\$
2)	Replace the Water tank – leaking and NOT repairable. {Note: Considerable amount of labor is involved in this job due to all of the dis-assembly and re-assembly to get to the water tank. Also, once the old tank is removed, the cradle and mounting points will be cleaned and coated before the new tank is installed.}	
	Labor: 68.0 hr. (@ \$98.00/hr.)	\$6,664.00
	Parts: Poly Tank	\$6,279.38
	Misc. hardware	\$250.00
23)	Replace the Fire Pump – rotted through hole in the lower casting (un-repairable). {Note: There is a considerable amount of labor time involved in this repair due to all of the dis-assembly and re-assembly of all the Body parts, plumbing, and electrical connections involved with the operation of the Pump.}	
	Labor: 80.0 hr. (@ \$98.00/hr.)	\$7,840.00
	Parts: Waterous Pump Assembly	\$19,696.00
	Misc. hardware	\$250.00
4)	Perform an "In Service" pump test per NFPA 1911 standards and requirements for a new Pump, to be tested and placed into active fire fighting service. The new Pump must meet or exceed the designated pumping volume and pressures as set forth by the Manufacturer (Waterous). Document test results and provide the Customer with a full report.	
	Labor: (Special Pricing)	\$350.00
	Parts: (None)	\$0.00

Chris Salwan

Cell: (216) 408-2657

(csalwan@fallsway.com)

# Reference

Estimated Total Labor Cost: \$15,001.00  
Estimated Total Parts Cost: \$26,475.38  
Estimated Shop Supplies: \$225.00  
Estimated Shipping Cost: \$1,650.00

\*\*\*\*\*

**Estimated Total Cost: \$43,351.38**

\*\*\*\*\*

*Note: The estimated total cost of the above listed repairs is subject to change due to unknown factors that will not be realized until dis-assembly and inspection of all parts / components is completed for wear and/or damage. If additional labor time and/or parts are needed to properly complete the repairs as required, the Customer will be notified immediately and this estimate updated to reflect the additional labor time and/or parts required to properly complete the repairs.*

All quotations made, orders placed, and repairs "in progress", are subject to changes and/or delays caused by unforeseen circumstances which may be beyond our control. All quotes are prepared with the understanding that all applicable taxes and shipping charges are additional and will be added to the quoted prices. All quotes are for the stated repairs only. Fallsway Equipment Co. reserves the right to amend this quote, with the customer's approval, should additional repairs and/or parts needed, be discovered, or customer requests additional repairs to be completed.

Quotation and/or Proposal Accepted By:

Respectfully Submitted By:

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Chris Salwan  
Cell: (216) 408-2657

Purchase Order Number: \_\_\_\_\_

Sp. P/C  
CA 4-7-2020  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE

AUTHORIZING THE MAYOR TO GIVE CONSENT TO THE STATE OF OHIO  
DIRECTOR OF TRANSPORTATION TO COMPLETE A GUARDRAIL UPGRADE  
PROJECT IN THE CITY OF BROOK PARK,  
AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park, referred to as the Local  
Public Agency (LPA) desires to upgrade guardrail and treatments  
on Snow Road and on the Berea Freeway; and

WHEREAS, the State of Ohio has determined the need for the  
described project:

**Upgrade guardrail end treatments on Snow Road (CR-87) and on  
Berea Freeway (SR-237) in the City of Brook Park. This work  
is part of a larger ODOT project to upgrade guardrail end  
treatments on National Highway System routes within Cuyahoga  
and Lake counties.**

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

SECTION 1: Consent statement. Being in the public interest,  
the LPA gives consent to the Director of Transportation to complete  
the above described project.

SECTION 2: Cooperation Statement. The LPA shall cooperate  
with the Director of Transportation in the above described project  
as follows:

- a. The entire cost and expense of the construction will be  
provided by the Department. No financial participation  
will be required by the LPA.
- b. The LPA agrees to pay One Hundred Percent (100%) of the  
cost of those features requested by the LPA which are  
determined by the State and Federal Highway  
Administration to be unnecessary for the Project.

SECTION 3: Utilities and Right-of-Way Statement. The LPA  
agrees to acquire and/or make required for the described Project.  
The LPA also understands that right-of-way costs include eligible

utility costs. The LPA agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 4:** Maintenance. Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable State and Federal law, including, but not limited to Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) Maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 5:** Authority to Sign. The Mayor of said City is hereby empowered on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the above described Project.

**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 to authorize the Mayor to give consent to the State of Ohio to complete a guardrail project in the City of Brook Park; 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

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

P/C \_\_\_\_\_  
 SP CA 4-7-2020 \_\_\_\_\_  
 1st R \_\_\_\_\_  
 2nd R \_\_\_\_\_  
 3rd R \_\_\_\_\_  
 B/C \_\_\_\_\_

ORDINANCE NO:

INTRODUCED BY: Mayor Gammella

AN ORDINANCE TO PROVIDE FOR THE APPROPRIATIONS OF THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2020

WHEREAS, it is necessary for the Council of the City of Brook Park, State of Ohio, to appropriate funds to meet current expenses of the said City for the fiscal year ending December 31, 2020.

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 fiscal year ending December 31, 2020, there be appropriated the total of \$61,294,903.99 as shown in Sections 2 thru 9 of this ordinance.

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

FUND	COST CTR	DEPARTMENT	51000-51999	52000-52999	53000-53999	56000-56999	59000-59999	TOTAL
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
100		GENERAL FUND						
	110	COUNCIL	143,121.04	24,978.88				168,099.92
	111	CLERK OF COUNCIL	88,121.07	3,628.00				91,749.07
	210	MAYOR'S COURT	160,425.61	14,446.72				174,872.33
	211	MUNICIPAL COURT						0.00
	330	PLANNING COMMISSION	6,927.00					6,927.00
	325	COMMUNITY DEVELOPMENT	168,840.80	9,125.00				177,965.80
	330	CIVIL SERVICE COMMISSION	28,401.64	11,625.00				40,026.64
	335	BOARD OF ZONING APPEALS	6,927.00					6,927.00
	340	RECREATION COMMISSION	6,927.00					6,927.00
	341	RECREATION CENTER	585,786.90	218,623.41			500.00	804,910.31
	342	PARKS AND PLAYGROUNDS	196,671.44	167,890.03				364,561.47
	343	PUBLIC RECREATION	19,019.25	26,052.00				45,071.25
	345	HOME DAYS CELEBRATION	17,480.00	46,292.34				63,772.34
	350	TECH. AND INNOVATION COMMITTEE	3,463.50	1,000.00				4,463.50
	351	CHARTER REVIEW COMMISSION						0.00
	400	MAYORS OFFICE	354,749.87	23,764.88				378,514.75
	402	HUMAN RESOURCES	104,801.43	12,391.80				117,193.23
	405	CORRECTIONAL FACILITY	228,317.08	66,767.41				295,084.49
	407	SAFETY TOWN		5,000.00				5,000.00
	409	MECHANICS	639,226.82	11,925.15				651,151.97
	410	SAFETY DIRECTOR	84,101.74	400.00				84,501.74
	411	SAFETY BUILDING	62,529.19	619,066.18				681,595.37
	412	POLICE DEPARTMENT	4,428,554.79	261,274.22				4,689,829.01
	413	FIRE DEPARTMENT	3,978,075.84	376,269.39				4,354,345.23
	414	DISASTER SERVICE	18,402.00	9,783.00				28,185.00
	415	BUILDING DEPARTMENT	518,562.74	88,265.00			300.00	607,127.74
	418	SCHOOL GUARDS	91,898.20					91,898.20
	419	ANIMAL WARDEN	105,537.83	24,578.27				130,116.10
	420	SERVICE DIRECTOR	133,085.23	10,997.89				144,083.12
	421	ENGINEERING		48,000.00				48,000.00
	422	SERVICE BUILDING	95,326.88	220,246.80				315,573.68
	423	SANITATION	469,147.79	769,310.51				1,238,458.30
	424	STREET CLEANING	79,404.64	5,000.00				84,404.64
	426	TRAFFIC SIGNS	79,749.39	4,436.76				84,186.15
	427	TREES AND TREE LAWNS	183,771.92	32,925.00				216,696.92
	428	PUBLIC PROPERTIES	323,688.27	13,688.00				337,376.27
	429	SEWER AND DRAINS	715,235.71	169,789.24				885,024.95
	432	SNOW REMOVAL	126,995.00	436,046.01				563,041.01
	433	STREET LIGHTING		392,348.00				392,348.00
	434	TRAFFIC LIGHTS		80,102.16				80,102.16
	500	LEGAL DEPARTMENT	392,053.17	3,035.07				395,088.24
	610	FINANCE DEPARTMENT	500,557.87	88,739.10				589,296.97

FUND	COST CTR	DEPARTMENT	51000-51999	52000-52999	53000-53999	54000-54999	57000-57999	TOTAL APPROPRIATIONS
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
		630 TAX REVIEW BOARD						0.00
		641 OFFICE OF AGING	43,293.75	4,913.79				48,207.54
		650 RETIREES		140,000.00				140,000.00
		700 GENERAL GOVT. LANDS & BLDGS.	1,731.75	165,568.30				167,300.05
		821 P.E.R.S.						0.00
		825 WORKERS' COMPENSATION	306,567.00					306,567.00
		826 UNEMPLOYMENT COMP.	1,000.00					1,000.00
		830 ELECTIONS		12,500.00				12,500.00
		831 AUDITOR & TREAS. FEES		30,000.00				30,000.00
		840 INSURANCE AND BONDING		330,000.00				330,000.00
		850 COUNTY BOARD OF HEALTH		104,705.00				104,705.00
		874 MISC. EXECUTIVE		408,887.51				408,887.51
		880 TRANSFERS, REFUNDS & OTHER		7,450.00			4,224,226.32	4,226,676.32
			15,498,508.15	5,496,835.82	0.00	0.00	4,225,026.32	25,220,370.29

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

FUND	COST CTR	DEPARTMENT	51000-51999	52000-52999	53000-53999	54000-54999	57000-57999	TOTAL APPROPRIATIONS
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
210		CITY INCOME TAX FUND						
	440	TAX DEPARTMENT	301,083.21	64,764.95			20,649,609.03	21,015,457.19
211		CITY TAX OPERATIONAL CASH FUND						
	440	TAX DEPARTMENT		100.00				100.00
215		ADMISSIONS TAX FUND						
	440	TAX DEPARTMENT	31,140.08	5,000.00				36,140.08
220		HOTEL, MOTEL TAX FUND						
	440	TAX DEPARTMENT						0.00
240		STREET C.M. & REPAIR FUND						
	425	STREET PAVING AND REPAIR	526,033.82	255,916.02	848,341.90			1,630,291.74
241		STATE HWY. IMPROVEMENT FUND						
	425	STREET PAVING AND REPAIR	577.25	25,048.21				25,625.46
242		PERMISSIVE TAX FUND						
	425	STREET PAVING AND REPAIR		61,480.00	78,361.21			139,841.21
243		ECONOMIC DEVELOPMENT FUND						
	325	COMMUNITY DEVELOPMENT		852,349.22				852,349.22
244		BROOKPARK ROAD CORRIDOR FUND						
	325	COMMUNITY DEVELOPMENT						0.00
245		CDBG FUND						
	325	COMMUNITY DEVELOPMENT						0.00
250		SPECIAL RECREATION FUND						
	343	PUBLIC RECREATION		230,617.05	8,959.01		1,250.00	240,826.06
251		KENNEDY PARK CONCESSION FUND						
	342	PARKS AND 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	2,886.25	2,587.45				5,473.70
261		HUFSEYFORBES CONCESSION FUND						
	342	PARKS AND PLAYGROUNDS						0.00
262		AMERICAN LEGION CONCESSION FUND						
	342	PARKS AND PLAYGROUNDS						0.00
263		WEDO PARK CONCESSION FUND						
	342	PARKS AND PLAYGROUNDS						0.00
264		WATER PARK FUND						
	342	PARKS AND PLAYGROUNDS	51,952.50	38,859.50			500.00	91,312.00
265		PLANT LANE CONCESSION FUND						
	342	PARKS AND PLAYGROUNDS						0.00
266		FURTHERANCE OF JUSTICE FUND						
	412	POLICE DEPARTMENT						0.00
270		LAW ENFORCEMENT FUND						
	412	POLICE DEPARTMENT		6,600.00	12,500.00			19,100.00
271		DWI ENFORCEMENT & EDUCATION FUND						
	412	POLICE DEPARTMENT		750.00				750.00
272		FEDERAL FORFEITURE FUND						
	412	POLICE DEPARTMENT			10,000.00			10,000.00
273		COMMUNITY DIVERSION PROGRAM FUND						
	412	POLICE DEPARTMENT						0.00
275		CONT. TRAIN. PROGRAM FUND						
	412	POLICE DEPARTMENT						0.00
280		FEMA FUND						
	700	GENERAL GOVT. LANDS & BLDGS.						0.00
290		INSURANCE FUND						
	840	INSURANCE AND BONDING		120,000.00				120,000.00
			913,673.11	1,665,552.40	958,162.12	0.00	20,651,339.03	24,188,746.66

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

			51000-51999	52000-52999	53000-53999	56000-56999	57000-57999	TOTAL
COST			PERSONAL	OPERATIONS	CAPITAL	DEBT	TRANSFERS &	
FUND	CNTR	DEPARTMENT	SERVICES		OUTLAY	SERVICE	REFUNDS	APPROPRIATIONS
310		GENERAL BOND RETIREMENT FUND						
	871	DEBT RETIREMENT				720,830.12		720,830.12
	872	DEBT SERVICE				354,832.50		354,832.50
			0.00	0.00	0.00	1,075,662.62	0.00	1,075,662.62

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

			51000-51999	52000-52999	53000-53999	56000-56999	57000-57999	TOTAL
COST			PERSONAL	OPERATIONS	CAPITAL	DEBT	TRANSFERS &	
FUND	CNTR	DEPARTMENT	SERVICES		OUTLAY	SERVICE	REFUNDS	APPROPRIATIONS
401		CAPITAL IMPROVEMENT FUND						
	110	COUNCIL			24,363.80			24,363.80
	210	MAYOR'S COURT			28,920.11			28,920.11
	341	RECREATION CENTER			53,041.32			53,041.32
	342	PARKS AND PLAYGROUNDS			149,000.00			149,000.00
	400	MAYOR'S OFFICE			2,399.76			2,399.76
	409	MECHANICS			5,000.00			5,000.00
	411	SAFETY BUILDING			124,787.00			124,787.00
	412	POLICE DEPARTMENT			177,831.80			177,831.80
	413	FIRE DEPARTMENT			204,547.29			204,547.29
	415	BUILDING DEPARTMENT			48,000.00			48,000.00
	422	SERVICE BUILDING			17,334.44			17,334.44
	423	SANITATION			139,256.87			139,256.87
	425	STREET C.M. AND REPAIR			5,000.00			5,000.00
	429	SEWERS AND DRAINS			197,379.15			197,379.15
	432	SNOW REMOVAL			85,179.67			85,179.67
	433	STREET LIGHTING			70,000.00			70,000.00
	440	TAX DEPARTMENT			5,000.00			5,000.00
	500	LEGAL DEPARTMENT			5,654.96			5,654.96
	610	FINANCE DEPARTMENT			5,000.00			5,000.00
	641	OFFICE OF AGING			75,000.00			75,000.00
	700	GENERAL GOV'T. LANDS & BLDGS.			168,450.83			168,450.83
	880	TRANSFERS, REFUNDS & OTHER					2,001,308.00	2,001,308.00
			0.00	0.00	1,591,147.00	0.00	2,001,308.00	3,592,455.00

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

FUND	COST CNTR	DEPARTMENT	51000-51999	52000-52999	55000-55999	56000-56999	57000-57999	TOTAL APPROPRIATIONS
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
459		DITCH CLEANING PROGRAM FUND						
	429	SEWER AND DRAINS		45,000.00	175,000.00			220,000.00
517		SOUND INSULATION PROGRAM FUND						
	325	COMMUNITY DEVELOPMENT		30,891.50				30,891.50
521		CAPITAL CONSTRUCTION FUND						
	425	STREET PAVING AND REPAIR						0.00
540		SNOW ROAD RESURFACING FUND						
	425	STREET PAVING AND REPAIR		171,272.43				171,272.43
545		2018/2019 STREET IMPROVEMENTS FUND						
	425	STREET PAVING AND REPAIR		127,583.84	1,301,737.46			1,429,321.30
546		2020 STREET IMPROVEMENTS FUND						
	425	STREET PAVING AND REPAIR		188,694.39	1,110,633.18			1,299,327.57
			0.00	563,442.16	2,586,770.64	0.00	0.00	3,150,212.80

SECTION 7: THAT THERE BE APPROPRIATED FROM THE ADDITIONAL SPECIAL REVENUE FUNDS AND AGENCY FUNDS THE FOLLOWING AMOUNTS:

FUND	COST CNTR	DEPARTMENT	51000-51999	52000-52999	55000-55999	56000-56999	57000-57999	TOTAL APPROPRIATIONS
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
691		RETIRES' ACCRUED BENEFITS FUND						
	650	RETIRES	60,000.00					60,000.00
711		POLICE PENSION FUND						
	412	POLICE DEPARTMENT	704,144.02					704,144.02
712		FIRE PENSION FUND						
	413	FIRE DEPARTMENT	730,713.94					730,713.94
713		SOUTHWEST GENERAL HOSPITAL FUND						
	851	HEALTH & WELFARE		108,685.00				108,685.00
714		CASH BONDS HELD FUND						
	874	MISC. EXECUTIVE		101,688.53				101,688.53
716		BUILDING STANDARDS BOARD FUND						
	415	BUILDING DEPARTMENT				11,670.26		11,670.26
717		UNCLAIMED MONIES FUND						
	874	MISC. EXECUTIVE						0.00
750-777		PAYROLL ACCOUNTS FUND						
	573	EMPLOYEE CONTRIBUTION					92,107.62	92,107.62
			1,494,857.96	210,373.53	0.00	0.00	103,777.88	1,809,009.37

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

FUND	COST CNTR	DEPARTMENT	51000-51999	52000-52999	55000-55999	56000-56999	57000-57999	TOTAL APPROPRIATIONS
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
920		SPECIAL ASSESSMENT B.R.F.						
	871	DEBT RETIREMENT				45,000.00		45,000.00
	872	DEBT SERVICE		1,000.00		11,730.00		12,730.00
			0.00	1,000.00	0.00	56,730.00	0.00	57,730.00

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

FUND	COST CENTER	DEPARTMENT	\$1000-\$1999	\$2000-\$2999	\$3000-\$3999	\$4000-\$4999	\$5000-\$7999	TOTAL APPROPRIATIONS
			PERSONAL SERVICES	OPERATIONS	CAPITAL OUTLAY	DEBT SERVICE	TRANSFERS & REFUNDS	
690		MEDICAL BENEFITS FUND						
	840	INSURANCE AND BONDING	2,200,717.25					2,200,717.25
			2,200,717.25	0.00	0.00	0.00	0.00	2,200,717.25
			<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
			20,107,736.47	7,937,203.91	5,136,079.76	1,132,392.62	26,981,471.23	61,294,903.99

SECTION 10: 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 11: This ordinance is hereby declared to be 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 fiscal year ending December 31, 2020. 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: \_\_\_\_\_

CITY OF BROOK PARK, OHIO

P/C \_\_\_\_\_  
SP CA 4-7-2020  
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3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

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

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE  
ENACTING SECTION 131.14 OF THE  
BROOK PARK CODIFIED ORDINANCES,  
ENTITLED 'ECONOMIC DEVELOPMENT GRANT WRITER,'  
AND DECLARING AN EMERGENCY

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

SECTION 1: The Brook Park Codified Ordinances shall be supplemented by enacting a new section, entitled "Economic Development Grant Writer" is hereby enacted to read as follows:

131.14 Economic Development Grant Writer.

- (a) Establishment. There is hereby established the position of full time Economic Development Grant Writer.
- (b) Duties. Under the general supervision of the Mayor, the Economic Development Grant Writer shall perform the following duties:
  1. Apply for grants as directed by the Mayor and the Economic Development Commissioner.
  2. Review and record all grants applied for and advise Council and the Mayor as to when pertinent legislation is required.
  3. Research all available grants and review with the Mayor or Economic Development Commissioner for approval to apply for said grants.
  4. Keep a record of the status of each and every grant and ensure compliance of grants.
  5. Maintain a calendar of grant application deadlines.

6. Submit annual review of all grants applied for and received or denied to Council.

(c) Compensation. The salary of the Economic Development Grant Writer shall be fixed by Council, and shall be as follows: Fifty Thousand Dollars (\$50,000.00) annually.

(d) Appointment. The Economic Development Grant Writer shall be appointed by the Mayor and serve at the pleasure of the Mayor.

**SECTION 2:** The money needed to complete the aforesaid transaction shall be paid from funds theretofore appropriated or to be appropriated for said purpose.

**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 to bring increased grant monies to the City; therefore, provided that this s 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

I/C \_\_\_\_\_  
CA 4-7-2020  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
I/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: MAYOR GAMMELLA

A RESOLUTION  
AUTHORIZING THE MAYOR  
TO PARTICIPATE IN THE ODOT  
CONTRACT FOR ROAD SALT,  
AND DECLARING AN EMERGENCY.

WHEREAS, the City of Brook Park (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and

d. The Political Subdivision hereby requests through this participation agreement a total of 2,500 tons of Sodium

Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement, it will do so by written, emailed request by no later than Friday, April 19 by 12:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email:

Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE,** be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

**SECTION 1:** The Mayor be, and he hereby is, authorized to participate in the ODOT Road Salt Contract.

**SECTION 2:** That the funds for the purpose of the aforesaid expenditure have been appropriated or to be appropriated and shall be paid from the General Fund/Snow Removal Fund No. 432.

**SECTION 3:** 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 4:** 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 to authorize the Mayor to participate in the ODOT Road Salt Contract; 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

\_\_\_\_\_  
DATE

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

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CA 4-8-2020  
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2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
L/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: MAYOR GAMMELLA

A RESOLUTION

TEMPORARILY SUSPENDING COLLECTIVE BARGAINING NEGOTIATIONS, AND  
DECLARING AN EMERGENCY

WHEREAS, the Centers for Disease Control and Prevention (CDC) considers the novel coronavirus (COVID-19) to be a very serious public health threat with outcomes ranging from mild sickness to severe illness and death; and

WHEREAS, COVID-19 is easily transmissible from person to person and has spread globally to over 177 countries and territories, infected more than 1,289,380 and killed more than 70,590 individuals as of April 7, 2020, according to the World Health Organization; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public Emergency for COVID-19; and

WHEREAS, the World Health Organization (WHO) has declared COVID-19 to be a pandemic; and

WHEREAS, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency and the Cuyahoga County Executive to declare a state of emergency in Cuyahoga County; and

WHEREAS, Governor DeWine has closed schools, day cares, senior centers, restaurants and bars, ordered all non-essential businesses to close, banned gathering of more than 10 people and issued a "Stay-at-Home" order until at least May 1, 2020; and

WHEREAS, because of this on-going emergency, the Mayor and the administration must temporarily suspend collective bargaining negotiations to assess the impact of the health and economic crisis on City operations.

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

SECTION 1: Brook Park City Council has been advised of all City negotiations with all the labor employee organizations.

SECTION 2: City Council has reviewed partial or full tentative agreements with the Fraternal Order of Police, Lodge #15 (Patrol and Detectives), International Association of Firefighters, Local 1141 and Teamsters, Local 436. Those partial and/or full tentative agreements are rejected (Council rejecting all).

SECTION 3: City Council affirms the Commissioner of Human Resources' email to all the City's labor union dated March 18, 2020 to temporarily suspend contract negotiations based upon the current health/economic crisis faced by the City.

SECTION 4: Council directs the Mayor and the administration to continue to assess the impact of the health and economic crisis on City operations and the impact on City collective bargaining negotiations.

SECTION 5: In accordance with the law, the Mayor should recommend negotiations with all the labor unions resume as soon as practical or, if the parties agree to submit to any statutory impasse procedure.

SECTION 6: 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 and Section 121.221 of the Ohio Revised Code.

SECTION 7: 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 reason that collective bargaining negotiations must be temporarily suspended due to the present emergencies; if provided that 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: \_\_\_\_\_

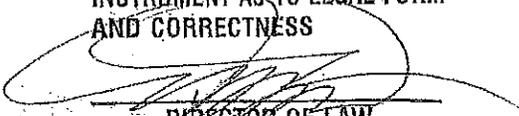
CLERK OF COUNCIL

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

MAYOR

\_\_\_\_\_  
DATE

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

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

SP 170 \_\_\_\_\_  
CA 4-8-2020  
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CITY OF BROOK PARK, OHIO

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: MAYOR GAMMELLA

A RESOLUTION  
PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND DECLARING AN  
EMERGENCY

WHEREAS, the Centers for Disease Control and Prevention (CDC) considers the novel coronavirus (COVID-19) to be a very serious public health threat with outcomes ranging from mild sickness to severe illness and death; and

WHEREAS, COVID-19 is easily transmissible from person to person and has spread globally to over 177 countries and territories, infected more than 1,289,380 and killed more than 70,590 individuals as of April 6, 2020, according to the World Health Organization; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public Emergency for COVID-19; and

WHEREAS, the World Health Organization (WHO) has declared COVID-19 to be a pandemic; and

WHEREAS, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency and the Cuyahoga County Executive to declare a state of emergency in Cuyahoga County; and

WHEREAS, Governor DeWine has closed schools, day cares, senior centers, restaurants and bars, ordered all non-essential businesses to close, banned gatherings of more than ten individuals, and issued a "Stay-at-Home" order until at least May 1, 2020; and

WHEREAS, due to the current threat of the COVID-19 pandemic and in order to deliver services to the residents of Brook Park, including formal open meetings of the City's legislative body, quasi-judicial boards and commissions and other public bodies as well as the delivery of services directly to the public in a face-to-face manner, including safety services, utility services, and inspectional services, the social distancing measures must be implemented in a way that preserves to the greatest possible extent

the City's ability to deliver essential services, in compliance with the law and the City Charter and Ordinances.

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

SECTION 1: This Council finds and determines that the COVID-19 pandemic constitutes an emergency in the City of Brook Park, and that additional efforts to safeguard the health, safety and welfare of the public are required. In making the determinations and findings in this Resolution, it is Council's intention to exercise and avail itself, on behalf of the City of Brook Park, of the fullest extent of its power and authority under Article XVIII, Section 3 of the Ohio Constitution as well as the laws of the State of Ohio, all emergency management efforts including those contained in Section 5502 of the Ohio Revised Code, and the Charter and Ordinances of the City of Brook Park.

SECTION 2: This Council finds and determines that the efforts needed to prepare for, respond to and mitigate the impacts of the COVID-19 pandemic have and will place extraordinary requirements upon the City in its mission to deliver services to residents and advance the public health, safety and welfare.

SECTION 3: This Resolution shall be interpreted broadly so as to qualify for aid or assistance from any available source, including, but not limited to federal, state, regional and local governments or governmental agencies, as well as from private entities.

SECTION 4: This Council finds and determines that the City's ability to effectively respond to and manage the COVID-19 pandemic locally will require disruptions to normal meeting schedules and may impact staffing levels, work schedules, and performance of non-essential functions; that ensuring the City's ability to discharge its essential functions is of critical importance; and that the use of technology and digital communications including virtual and telephonic meetings, remote meeting and work technologies and other advanced communications technologies, including streaming technologies, is encouraged at this time, subject to the approval of the Mayor.

SECTION 5: This Council finds and determines that:

- (a) Council will meet on 4/21/2020 electronically for a regular meeting. All other City Board and Commission meetings are cancelled until further notice;
- (b) The regular schedule of Council meetings under Charter Section 4.05 is hereby suspended until Council determines that the local emergency declared herein has abated.
- (c) Council may, during the period of emergency, hold regular or special meetings via teleconference or other means of remote communications, that the Council Rules will be

suspended and dispensed with at any such meeting; and that during such meetings during this time, no public comment period will be provided, although comments submitted in a signed writing or an email identifying the writer will be noted, may be read and will be included in the journal of proceedings.

**SECTION 6:** This Council finds and determines that in order to meet the challenges and objectives described herein, it will be necessary to provide for the maximum regulatory and operational flexibility permitted by Ohio law and the City's Charter and Ordinances, and that it is necessary to empower and authorize the Mayor to identify the best means and methods to ensure the City's ability to discharge its duties, in consultation with the Department Directors and other key staff and outside consultants, and to take all appropriate actions to discharge such duties within the foregoing parameters, and he is hereby so authorized. The flexibility and authority provided under this Resolution shall continue until Council determines that the current state of emergency has sufficiently abated that such additional measures are no longer necessary.

**SECTION 7:** 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, such emergency being the need to implement COVID-19 infection control and prevention practices as recommended by the WHO, CDC, and the state and local health departments, immediately; if provided that 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.

**SECTION 8:** Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Brook Park.

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

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CA 4-8-2020  
1st R  
2nd R  
3rd R  
1/C

CITY OF BROOK PARK, OHIO

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: COUNCIL PRESIDENT VECCHIO

A RESOLUTION  
TO CONDUCT COUNCIL MEETINGS REMOTELY WITH PROVISIONS FOR PUBLIC PARTICIPATION, AND DECLARING AN EMERGENCY

WHEREAS, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency, order non-essential businesses to close, closed schools and issue a stay-at-home order until at least May 1, 2020, the Ohio Department of Health to severely restrict gathering to not more than ten people and the Cuyahoga County Executive to declare a state of emergency in Cuyahoga County; and

WHEREAS, COVID-19 is easily transmissible from person to person and has spread globally to over 177 countries and territories, infected more than 1,289,380 and killed more than 70,590 individuals as of April 6, 2020, according to the World Health Organization; and

WHEREAS, the above-mentioned states of emergency compel the cancellation of public events, and gatherings, including public meetings, and social distancing; and

WHEREAS, due to the current threat of the COVID-19 pandemic and in order to comply with the states of emergency, and Substitute HB 197, this Council will meet remotely with sufficient provisions for public participation (such as video or telephone communications) until December 1, 2020 or the expiration of the declarations of emergency.

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

SECTION 1: That the Council of the City of Brook Park, shall conduct public meetings remotely with sufficient provisions for public participation (such as video or telephone communications) until December 1, 2020 or the expiration of the declarations of emergency.

SECTION 2: Council may be forced to cancel Council meetings

while the states of emergency are in place, and will give notice to the public and to the media if such action becomes necessary.

SECTION 3: 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 4: 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 reason that the City of Brook Park must comply with the Ohio Department of Health by meeting remotely with sufficient provisions for public participation (video or telephone) and may cancel Council meetings due to the present emergencies; if provided that 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

HEREBY APPROVE THE WITHIN  
INSTRUMENT AS TO LEGAL FORM  
AND CORRECTNESS

  
DIRECTOR OF LAW