

**NOTES:**

1. Due to the COVID-19 pandemic all upcoming Regular or Special meetings; Governor DeWine's directive for meetings and social distancing will strictly be enforced.
2. The public is encouraged to email comments related to agenda items or general communications to the Clerk of Council, Michelle Blazak, email address by 4:30 p.m. the day of said meeting. All emails received will be shared with all elected officials and either read at said meeting or attached to the minutes' journal.

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, JUNE 2, 2020**

**A. ROLL CALL OF MEMBERS:**

**B. PLEDGE OF ALLEGIANCE:**

**C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**

1. EMERGENCY SPECIAL COUNCIL MEETING HELD ON APRIL 14, 2020.
2. CAUCUS PRIOR TO COUNCIL MEETING HELD ON APRIL 21, 2020.
3. REGULAR COUNCIL MEETING HELD ON APRIL 21, 2020.
4. CAUCUS PRIOR TO COUNCIL MEETING HELD ON APRIL 28, 2020.
5. REGULAR COUNCIL MEETING HELD ON APRIL 28, 2020.
6. REGULAR COUNCIL MEETING HELD ON MAY 5, 2020.

**D. REPORTS OF STANDING COMMITTEES:**

Aviation & Environmental Committee - Chairwoman, Schmuck  
Finance Committee - Chairman, Scott  
Legislative Committee - Chairman, Mencini  
Parks & Recreation Committee - Chairman, Poindexter  
Planning Committee - Chairman, Orcutt  
Safety Committee - Chairman Troyer  
Service Committee - Chairman, Salvatore  
Board of Zoning Appeals - Chairman, Mencini

**E. REPORTS OF SPECIAL COMMITTEES:**

Southwest General Health Center - Trustee, Orcutt  
Berea Board of Education Representative, Mencini  
Technology and Innovation Council Representative - Poindexter

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

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

**H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:**

**I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**

**J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

1. CORRESPONDENCE RECEIVED FROM RESIDENT

**K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:**

**L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:**

**M. INTRODUCTION OF ORDINANCES AND RESOLUTIONS: FIRST READING:**

**N. SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. ORDINANCE NO. 11151-2020, ENACTING SECTION 505.23 OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED 'MANAGEMENT OF CAT POPULATION; PERMITTED ACTS' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

**N. INTRODUCTION OF ORDINANCES AND RESOLUTIONS: CONT.**

2. ORDINANCE NO. 11152-2020, AMENDING SECTION 1313.03 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'COMMERCIAL BUILDING PERMIT FEES' AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

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

**P. ADJOURNMENT:**

110 4-21-20 LEGISLATIVE  
CA 5-12-20 Amended  
1st R 5-19-20  
2nd R 6-2-20  
3rd R \_\_\_\_\_  
I/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11151-2020

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE

ENACTING SECTION 505.23 OF THE GENERAL OFFENSES CODE OF THE CITY OF BROOK PARK ENTITLED "MANAGEMENT OF CAT POPULATION; PERMITTED ACTS", AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Brook Park has determined that a process of trapping, sterilizing, vaccinating for rabies, ear-tipping and returning cats to their original location is an effective and humane way to manage the population of cats within the City of Brook Park; and

WHEREAS, the Council has determined that this process, known as Trap-Neuter-Return, is the preferred approach for managing the cat population, and that Trap-Neuter-Return shall be the prioritized disposition for any impounded community cats.

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

SECTION 1: Section 505.23 of the Brook Park Codified Ordinances, entitled 'Management of Cat Population; Permitted Acts' is hereby enacted to read as follows:

**505.23 Management of Cat Population; Permitted Acts.**

- (a) Definitions. For purposes of this Section, the following terms shall have the following meanings:
  1. "Community Cat" is a member of the domestic species *Felis Catus* and shall mean a free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are not wildlife.
  2. "Community Cat Caregiver" shall mean a person who, in accordance with and pursuant to a policy of Trap-Neuter-Return, provides care, which may include shelter or medical care to a community cat, while not

being considered the owner, harbinger, controller or keeper of a community cat.

3. "Eartipping" shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.
4. "Trap-Neuter-Return" shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, and returning community cats to their original location.

(b) Permitted Acts. The following actions shall be permitted in Brook Park as part of Trap-Neuter-Return:

1. Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and eartipping community cats, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, where applicable.
2. An eartipped cat received by local shelters will be returned to the location where trapped unless veterinary care is required. A trapped eartipped cat will be released on site unless veterinary care is required.
3. Community cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning eartipped community cats to their original locations.
4. A person who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.
5. Trap-Neuter-Return shall be the preferred disposition for impounded community cats. Animal control and the local shelter are authorized and encouraged to conduct Trap-Neuter-Return or to direct impounded community cats to a Trap-Neuter-Return program.

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

**SECTION 3:** This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for further reason that Council desire to enact Section 505.23, therefore, provided this ordinance receives the affirmative vote of at least (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

P/C 4/21/20 Legislative  
Cau P/10/2 3-14-20  
1<sup>st</sup> R 5-19-20  
2<sup>nd</sup> R 6-2-20  
3<sup>rd</sup> R  
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 1115.7 2020

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE  
AMENDING SECTION 1313.03  
OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED  
COMMERCIAL BUILDING PERMIT FEES,  
AND DECLARING AN EMERGENCY.

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

SECTION 1: Chapter 1313.03 of the Codified Ordinances of the City of Brook Park is hereby amended to read as follows:

1313.03 COMMERCIAL BUILDING PERMIT FEES.

- (a) General Commercial Building Fees.
- (1) Contractor's registration fee \$ 125.00
  - (2) New Construction 1% of Valuation (Affidavit Required)
    - A. ~~Base fee \$300.00~~
    - B. ~~Plus for every \$1,000.00 valuation floor area or fraction thereof 5.00~~
    - C. ~~Maximum fee 100,000.00~~
  - (3) Additions, alternations and repairs
    - A. Base Fee 400.00 500.00
    - B. Plus a fee per 100 sq. ft. of floor area Affected by project 10.00
    - D. ~~Maximum fee 100,000.00~~
  - (4) Site development fee
    - A. Base fee 500.00
    - B. Plus a fee per 500 sq. ft. of site work 10.00  
(Site development includes storm and sanitary piping, underground drains and catch basins)
  - (5) Demolition
    - A. Base fee per structure or unit 500.00
    - B. Plus a fee for each 100 sq. ft. of floor area or fraction thereof 6.00

(6)	Moving structures		
	A. Base fee		1,000.00
	B. Plus fee per 100 sq. ft of Floor area or fraction thereof		25.00
(7)	<del>Concrete asphalt paving sidewalk driveways, new and replacement</del> <b>Parking Lot/Sidewalk/Apron/Dock-Asphalt/Concrete</b>		
	A. Base Fee	<del>200.00</del>	400.00
	B. Plus fee per 1000 sq. ft.	<del>4.00</del>	8.00
(8)	Wireless telecommunication antenna and towers		
	A. New wireless communication tower and facility		2,000.00
	B. New wireless communication antenna		500.00
	C. Co-location of wireless communication antenna on existing tower or building		500.00
	D. Annual inspection fee		1,000.00
(9)	Billboards		
	A. Per sign face		1,500.00
	B. <del>Annual inspection per sign face</del> <b>1,000.00 maintenance fee</b>		
	(1) Static Billboard, per sign face		62.00
	(2) Digital billboard, per sign face		113.00
(10)	Signage		
	A. Base fee		50.00
	B. Plus a fee per square foot		2.00
(11)	Bond/Obstruction deposit		1,000.00
(12)	Engineer review processing fee	<del>100.00</del>	200.00
(13)	<b>Plan review administrative fee</b>		200.00
(14)	<b>License agreement administrative fee</b>		500.00
(15)	Miscellaneous <b>commercial</b> fees		
	A. Awnings		100.00
	B. Decks		100.00
	C. Doors		100.00
	D. Plus a fee per door opening		5.00
	E. Elevator		200.00
	F. Fences		100.00
	G. Gutters		100.00
	H. Insulation - up to 12,000 square feet		100.00
	I. Insulation - 12,000 square feet and and above		200.00
	J. Miscellaneous repairs		100.00
	K. Occupancy inspection		100.00
	L. Rain barrels		25.00
	M. <b>Roof</b>		
	(1) Base fee		400.00

	(2) Plus a fee per 100 sq. ft. of floor area affected by project	10.00
N.	Wind turbine-for first \$1,000 of Valuation	200.00
	Plus 2% of any amount in excess of \$1,000 of valuation	
O.	Temporary/construction office trailer, Per trailer (per 60 day period)	75.00
P.	Zoning conformance letter	100.00

- (16) Re-inspection. When an inspection is requested and made and the work is incomplete or not in Code compliance, a fee of fifty dollars (\$50.00) shall be charged for each re-inspection
- (17) Change in plans. When major revisions are made after original permits have been issued an additional fee of 50% of original permit shall be collected.
- (18) Beginning work without permit - double fee.
- (19) For the purpose of calculating permit fees, square footage shall be rounded off to the next highest 100 or 100,000 square feet.
- (20) A 3% State Assessment Fee shall be added to commercial permit fees.

(b) Fees for Electrical Permits Issued for Commercial or Industrial Projects.

(1)	Contractor's registration fee	125.00
(2)	<b>New Construction 1% of Valuation (Affidavit Required)</b> <del>additions, alterations and repairs</del>	
(3)	<b>Additions, alterations and repairs</b>	
	(A) Job size up to 5,000 sq. ft.	150.00 plus
		10.00 per 100 sq. ft.
	(B) Job size over 5,000 to 100,000 sq. ft.	250.00 plus
		8.00 per 100 sq. ft.
	(C) Job size over 100,000 sq. ft.	400.00 plus
		4.00 per 100 sq. ft.
(4)	Warehouse or parking garage	150.00 plus
		2.00 per 100 sq. ft.
(5)	Outside pole lighting - per pole	60.00
(6)	Low voltage wiring fire alarm, security, speakers, coaxial cable, communications, temperature control, etc.	
A.	Job size up to 20,000 sq. ft.	200.00

	B.	Job size over 20,000 sq. ft	325.00
	C.	Plus fee per 100 sq. ft. gross floor area	4.00
(7)	A.	Electric signs up to 100 sq. ft.	100.00
	B.	Electric signs over 100 to 500 sq. ft.	200.00
	C.	Electric signs over 500 sq. ft.	400.00
(8)		Panels or distribution centers	
	A.	Up to 200 amps	125.00
	B.	201 to 400 amps	200.00
	C.	Over 400 amps	250.00
(9)		Motors	
	A.	Up to 15 H.P.	50.00
	B.	16 H.P. to 100 H.P.	90.00
	C.	Over 100 H.P.	120.00
(10)		Transformers and generators	
	A.	Up to 30 K.V.A.	80.00
	B.	31 to 75 K.V.A.	120.00
	C.	Over 75 K.V.A.	150.00
(11)		Wind energy facility	
	A.	First \$1,000.00 valuation	200.00
	B.	Plus a fee of 2% for any amount in excess of \$1,000.00 valuation	
(12)		Miscellaneous	
	A.	Equipment, machines, cranes, temporary wiring, etc.	60.00 each
(13)		For commercial or industrial jobs add 3% State Assessment Fee.	
(14)		For the purpose of calculating permit fees, square footage shall be rounded off to the next highest 100 or 100,000 square feet.	
(15)		Notwithstanding the provisions of divisions (a) and (b) of this section, the requirement of electrical permits and fees for installations required of CATV and satellite dish franchises pursuant to Chapter 701 of these Codified Ordinances shall be satisfied by the granting of a single electrical permit, for which the fee shall be two thousand dollars (\$2,000).	
(16)		Beginning work without a permit - double fee.	
(17)		Re-inspection. When an inspection is requested and made and the work is incomplete or not in Code compliance, a fee of fifty dollars (\$50.00) shall be charged for each re-inspection.	
(c)		<u>Commercial Plumbing Permit Fees.</u>	
	(1)	Contractor's registration fee	125.00
	(2)	<del>New construction/Alterations/Repairs-sewer permit and</del>	

connection 1% of Valuation (Affidavit Required)

A. Drain tile and sewers up to 200 ft. ~~150.00~~

B. Each additional 100 ft. or fraction thereof ~~30.00~~

~~(3) Plumbing permit fees new construction~~

~~A. 0-5,000 sq. ft. (gross floor area) \$350.00 plus 6.00 per 100 sq. ft.~~

~~B. Over 5,000 to 100,000 sq. ft. (gross floor area) \$350.00 plus 6.00 per 100 sq. ft.~~

~~C. Over 100,000 sq. ft. (gross floor area) \$500.00 plus 4.00 per 100 sq. ft.~~

~~D. Warehouse or parking garage \$240.00 plus 4.00 per 100 sq. ft.~~

(3) Additions, alterations and repairs

A. Base fee 200.00

B. Plus a fee per 100 sq. ft. of gross floor area or fraction thereof (area to be worked in) 5.00

~~C. Miscellaneous permit - fixtures or less 75.00~~

(4) Sewer permit and connection

A. Drain tile and sewers up to 200 sq. ft. 150.00

B. Plus a fee per 100 sq. ft. or fraction thereof 30.00

(5) Sprinkler systems

A. Base fee 250.00

B. Plus fee per sprinkler head (each) 5.00

(6) Sewer Tie In

A. Sanitary 2,000.00

B. Storm 2,000.00

(7) Miscellaneous permits 100.00

(8) A 3% State Assessment Fee shall be added to commercial/industrial permit fees.

(9) For the purpose of calculating permit fees, square footage shall be rounded off to the next highest 100 or 100,000 square feet.

(10) Re-inspection. When an inspection is requested and the work is incomplete or not in Code compliance, a fee of fifty dollars (\$50.00) shall be charge for each re-inspection.

(11) Change in plans. When major revisions are made after original permits have been issued, an additional fee of 50% of original permit shall be collected.

(12) Beginning work without a permit - double fee.

(d) Commercial Heating, Ventilating, Air Conditioning and Refrigeration.

All HVAC contractors working in the City need a contractor's registration.

(1) Contractor's registration \$125.00

(2) New construction **1% of Valuation (Affidavit Required)**

~~A. 0-5,000 sq. ft. (gross floor area) 200.00 plus 5.00 per 100 sq. ft.~~

~~B. Over 5,000 to 100,000 sq. ft. (gross floor area) 300.00 plus 5.00 per 100.00 sq. ft.~~

~~C. Over 100,00 sq. ft. (gross floor area) 500.00 plus 3.00 per 100 sq. ft.~~

~~D. Warehouse or parking garage 250.00 plus 3.00 per 100 sq. ft.~~

(3) Additions, alterations or repairs

A. Base fee 200.00 **250.00**

B. Plus a fee per 100 sq. ft. 3.00 **7.00**

**C. Plus an additional fee per fixture cost**

(4) Installation of individual equipment or items

A. Base fee 200.00

B. Warm air furnace and boiler (including solar energy)

1. Up to and including 150,000 BTUH Input 30.00

2. Over 150,000 BTUH input 40.00

3. Plus a fee for each 100,000 BTUH at the rate of \$10.00

C. New air conditioning unit

1. Up to and including 3 ton capacity 30.00

2. Up to and including 6 ton capacity 40.00

3. Up to and including 10 ton capacity 50.00

4. 10 ton capacity and over 70.00

D. Gas or electric infrared units

1. Up to and including 50,000 BTUH ~~12.00~~ **20.00** Input

2. Over 50,000 BTUH input capacity ~~15.00~~ **30.00**

3. Plus a fee for each additional 10,000 BTUH input or fraction thereof 5.00

E. Installation of related equipment

~~1. Back flow devices 50.00~~

**1. Back flow devices**

**[i] 1 inch 50.00**

**[ii] 2 inch 100.00**

	[iii]Over 2 inches	250.00
2.	Solid fuel appliances and stoves	100.00
3.	Commercial cook-line hood	100.00
4.	Hood fire suppression system	100.00
5.	Air cleaner	50.00
6.	Fire dampers	50.00
7.	Chimneys	100.00
8.	Masonry Chimneys	100.00

~~E. A 3% State Assessment Fee shall be added to commercial permits.~~

F. A 3% State Assessment Fee shall be added to commercial/industrial permit fees.

G. For the purpose of calculating permit fees, square footage shall be rounded off to the next highest 100 or 100,000 square feet.

H. Re-inspection. When an inspection is requested and made and the work is incomplete or not in Code compliance, a fee of fifty dollars (\$50.00) shall be charged for each re-inspection.

I. Change in plans. When major revisions are made are original permits have been issued an additional fee of 50% of original permit shall be collected.

J. Beginning work without a permit-double fee.

**SECTION 2:** Former Section 1313.03 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 8890-2002, passed April 16, 2002, Ordinance No. 9151-2004 passed November 16, 2004, Ordinance No. 9161-2004 passed December 21, 2004, Ordinance No. 9544-2008, passed December 16, 2008, Ordinance 9605-2009, passed August 18, 2009, and Ordinance 9952-2015, passed January 6, 2015 are hereby expressly repealed.

**SECTION 3:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 of repealing section 1313.08 of the Brook Park Codified Ordinances; 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.

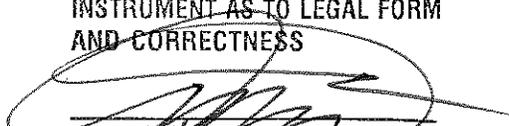
PASSED: \_\_\_\_\_

\_\_\_\_\_  
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