ITEMS TO BE CONSIDERED OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO TO BE HELD ON TUESDAY, OCTOBER 5, 2021 7:00 P.M.

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

III. DISCUSSION:

- 1. A RESOLUTION DESIGNATING THE MONTH OF OCTOBER AS BREAST CANCER AWARENESS MONTH IN THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY. Introduced by Councilman as a Whole PER COUNCIL PRESIDENT VECCHIO.
- 2. AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR TREE INVENTORY SERVICES AND TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER TO PROVIDE TREE INVENTORY SERVICES AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella PER COUNCIL PRESIDENT VECCHIO. **In attendance:** Economic Development Commissioner Adams.
- 3. AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR TREE ARBORIST PLANTING SERVICES AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella PER COUNCIL PRESIDENT VECCHIO. **In attendance:** Economic Development Commissioner Adams.

IV. FINANCE COMMITTEE - CHAIRMAN, SCOTT:

1. AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY, OHIO, FOR CHARGES FOR THE SERVICES OF THE CITY OF BROOK PARK, OHIO, FOR CUTTING WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN, AND AUTHORIZING SAID CHARGES TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURSUANT TO SECTION 731.54 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

V. LEGISLATIVE COMMITTEE - CHAIRMAN, MENCINI:

1. A RESOLUTION APPROVING THE CITY OF BROOK PARK'S NOTICE TO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) TO ELECT NOPEC'S GREEN COMMUNITY CHOICE PROGRAM FOR THE CITY'S ELECTRICTY AGGREGATION PROGRAM STARTING JANUARY, 2023 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

VI. SERVICE COMMITTEE - CHAIRMAN, SALVATORE:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S VERMEER STUMP CUTTER AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.

VII. ADJOURNMENT:

Posted: 10/1/21

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CITY	OF	BROOK	PARK,	OHIO	B/C

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INTRODUCED BY: COUNCILMAN SALVATORE, MAYOR GAMMELLA, COUNCIL PRESIDENT VECCHIO, COUNCILMEMBERS TROYER, MENCINI, ORCUTT, SCOTT, SCHMUCK, SCOTT, AND POINDEXTER

A RESOLUTION

DESIGNATING THE MONTH OF OCTOBER AS BREAST CANCER AWARENESS IN THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, breast cancer is the most common cancer in women in the United States and second leading cause of death in women; and

WHEREAS, Councilman Salvatore has been bringing breast cancer legislation forward since 2016, and through his efforts:

- Southwest Hospital joined with the City of Brook Park for breast cancer awareness.
- The City of Middleburg Heights has joined with the City of Brook Park for breast cancer awareness.
- In 2019, Southwest General CEO, William Young and Melanie Zablotny from Southwest Breast Center made a presentation at the October 1st Council meeting.
- City of Brook Park employees were provided with tshirts to wear on Fridays to promote breast cancer awareness in October.
- The Cities of Berea and Strongsville joined Brook Park and Southwest General in support of breast cancer awareness.
- The City of Brook Park's gazebo is lit in pink during the month of October.

WHEREAS, the City of Brook Park hereby designates the month of October, and every October thereafter, as Breast Cancer Awareness Month in the City of Brook Park; and

WHEREAS, the City along with Southwest General Health Center is reminding and urging women to schedule a mammogram screening; and

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

SECTION 1: That this Council does hereby designate the month of October as Breast Cancer Awareness Month in Brook Park and will show our support in lighting up our pavilion with pink lights and wearing pink on Fridays.

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

SECTION 3: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to show support for breast cancer awareness, 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:		PRESIDEN'	r of council
ATTEST:	CLERK OF COUNCIL	APPROVED:	MAYOR
		g: r r	DATE

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

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AN ORDINANCE AUTHORIZING THE AUTHORIZING
THE MAYOR TO ADVERTISE FOR BIDS FOR TREE ARBORIST PLANTING
SERVICES, AND FURTHER AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH THE LOWEST AND/OR BEST BIDDER, AND DECLARING AN
EMERGENCY

WHEREAS, the City of Brook Park applied for a grant with the county of Cuyahoga for a Healthy Tree Canopy Program and was awarded a grant in the amount of \$50,000.00; and

WHEREAS, said grant has been approved for the Brook Park Urban Forestry Management and City Center Tree Plan.

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

<u>SECTION 1</u>: The Mayor is hereby authorized to advertise for bids for tree arborist planting services, and the Mayor is further authorized to enter into a contract with the lowest and/or best bidder for said contract.

SECTION 2: The money needed for the aforesaid transaction shall be paid equally from Fund No. 243, Economic Development Fund; in the total amount 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 for the further reason to authorize the Mayor to advertise for bids for tree arborist planting services and to enter into a contract with the lowest and/or best bidder for said services; 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:		C	-	PRESIDENT	OF	COUNCIL	
ATTEST:_	Clerk	of Council	APPRO	OVED:		MAYOR	
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INTRODUCED	BY:	MAYOR	GAMMELLA

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AN ORDINANCE

AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR TREE INVENTORY SERVICES, AND TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND/OR BEST BIDDER TO PROVIDE THE TREE INVENTORY SERVICES, AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park applied for a Grant with the County of Cuyahoga for a Healthy Tree Canopy Program and was awarded a grant in the amount of \$50,000; and

WHEREAS, said grant has been approved for the Brook Park Urban Forestry Management and City Center Tree Plan; and

- NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:
- SECTION 1: The Mayor is hereby authorized by the City of Brook Park to advertise for bids for tree inventory services, and the Mayor is further authorized to enter into a contract with the lowest and/or best bidder for tree inventory services.
- **SECTION 2:** The money needed for the aforesaid transaction shall be paid equally from Fund No. 243, Economic Development Fund; 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 for the further reason to authorize the Mayor to advertise for bids for three inventory services, and to enter into a contract with the lowest and/or best bidder; 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	
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Ordinance	No.	

Introduced by: MAYOR GAMMELLA

AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY, OHIO, FOR CHARGES FOR THE SERVICES OF THE CITY OF BROOK PARK, OHIO FOR CUTTING WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN, AND AUTHORIZING SAID CHARGES TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURUANT TO SECTION 731.54 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, in accordance with upon written information that noxious weeds were growing on the following parcels of land with the City of Brook Park:

PERMANENT PARCEL NO.	LOCATION
343-28-050	6490 Edgehurst Drive
344-15-075	5774 Michael Drive
343-21-235	15604 Rademaker Blvd.
344-27-011	14029 Park Drive
343-29-068	6386 Sandfield Drive
343-31-098	6330 Stonerest Drive

and that said weeds were about to spread or mature seeds, the Council of the City of Brook Park, Ohio has heretofore authorized the Building Commissioner to notify said owners by written notice that said weeds were to be cut within forty-eight (48) hours after receipt thereof; and

WHEREAS, the Building Commissioner has caused written notices to be sent to the aforesaid property owners by posting a notice on the

property and/or by ordinary mail, notifying said owners to cut said weeds; and

WHEREAS, said owners failed to comply with said notices within the time allotted herein and the Council of this City authorized the Service Director to cause said weeds to be cut and destroyed; and

WHEREAS, said weeds were cut by said City on the aforesaid parcels of land; and

WHEREAS, the City expended the sum hereinafter set forth necessary labor and equipment or contracted for cutting and destroying said weeds; and

WHEREAS, the City has complied with the requirements of Section 731.51 to 731.53 of the Ohio Revised Code.

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

SECTION 1: That the Director of Finance for the City of Brook Park is hereby authorized to pay the total of the sums of money hereinafter set forth out of funds not otherwise appropriated to cover the cost and expenses of cutting noxious weeds on the parcels and land herein defined.

SECTION 2: That, in accordance with Section 731.54 of the Ohio Revised Code, the Council of the City of Brook Park, Ohio hereby makes and this ordinance shall be considered as its written return to the Fiscal Officer of Cuyahoga County, Ohio, of its actions under Section 731.54 to and including Section 731.53 if the Ohio Revised Code.

SECTION 3: That copies of the statements of charges of the services of the City of Brook Park, and the amounts paid for performing such labor, including overhead, for cutting weeds on the respective parcels of land described herein, are attached hereto, marked Exhibit "A", and considered a part hereof as if rewritten herein.

<u>SECTION 4</u>: That the description of the premises on which said weeds were cut are as heretofore set forth in the preamble hereof, and the respective charges for said services on the following permanent parcels are as follows:

PERMANENT PARCEL NO.	CHARGES
343-28-050	\$1,500.00
344-15-075	\$600.00

343-21-235	\$1,500.00
344-27-011	\$1,200.00
343-29-068	\$1,200.00
343-31-098	\$1,200.00

SECTION 5: That, in accordance with Section 731.54 of the Ohio Revised Code, the Fiscal Officer of Cuyahoga County, Ohio be and is hereby directed to enter the aforesaid charges upon the tax duplicate of the hereinbefore described parcels of land as liens upon said parcels of land, and such items shall be collected as other taxes and returned to the City of Brook

SECTION 6: The Clerk of Council is hereby authorized to furnish a certified copy of this Ordinance to the Fiscal Officer of Cuyahoga County.

SECTION 7: It is found and determined that all formal actions of this Council concerning and relating to 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 8: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that it is immediately necessary to certify this amount to the County Fiscal Officer for collection before the deadline for the benefit of the residents of the City of Brock Park; provided that 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 Coun	ROVED:	MAYOR
		-	DATE

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

DIRECTOR OF LAW

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EXHIBIT "A"

City of Brook Park 6161 Engle Road Brook Park, Ohio 44142

September 14, 2021

6490 Edgehurst Drive Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's Permanent Parcel No. 343-28-050

BALANCE: \$1,500.00

Grass and Weeds Cut - 5/6/2021, 5/19/2021, 6/3/2021, 6/15/2021, 6/28/2021

5774 Michael Drive Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's Permanent Parcel No. 344-5-075

BALANCE: \$600.00

Grass and Weeds Cut - 6/15/2021, 6/28/2021

15604 Rademaker Blvd. Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's Permanent Parcel No. 343-21-235

BALANCE: \$1,500.00

Grass and Weeds Cut - 5/6/2021, 5/19/2021, 6/2/2021, 6/15/2021, 6/28/2021

14029 Park Drive Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's Permanent Parcel No. 344-27-011

BALANCE: \$1,200.00

Grass and Weeds Cut -5/17/2021, 6/2/2021, 6/16/2021, 6/28/2021

6386 Sandfield Drive Brook Park, Ohio 44142

> Weed cutting cost on Cuyahoga County Fiscal Officer's Permanent Parcel No. 343-29-068

BALANCE: \$1,200.00

Grass and Weeds Cut-5/9/2021, 6/3/2021, 6/15/2021, 6/28/2021

6330 Stonecrest Drive Brook Park, Ohio 44142 Permanent Parcel No. 343-31-098

BALANCE: \$1,200.00

Grass and Weeds Cut-5/19/2021, 6/2/2021, 6/15/2021, 6/28/2021

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A RESOLUTION

APPROVING THE CITY OF BROOK PARK'S NOTICE TO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL ("NOPEC") TO ELECT NOPEC'S GREEN COMMUNITY CHOICE PROGRAM FOR THE CITY'S ELECTRICITY AGGREGATION PROGRAM STARTING JANUARY 2023, AND DECLARING AN EMERGENCY

WHEREAS, the City of Brook Park, County of Cuyahoga, Ohio is a member of the Northeast Ohio Public Energy Council ("NOPEC") and participates in NOPEC's electricity aggregation program ("Aggregation Program"); and

WHEREAS, the City has adopted or may be considering adopting a sustainability plan, a part of which includes or may include increasing the renewable content of the electricity consumed in the City; and

WHEREAS, NOPEC has developed a new green program offering for its member communities with a 100% renewable energy content standard default electricity aggregation product, that includes Renewable Energy Credits ("RECs") for 100% of the customer's energy usage, to any current or new NOPEC member community that selects this program for the upcoming three (3) year NOPEC electric aggregation term (from the January 2023 until January 2026 utility meter reads) ("Green Community Choice Program"); and

WHEREAS, the Green Community Choice Program will include the additional cost of 100% of RECs for 100% of the City's eligible customers' energy usage; and

WHEREAS, the additional cost for the REC content included in the Green Community Choice Program price will be no higher than .425 cents/kWh or about \$3.55/month for the average residential household over the term of program; and

WHEREAS, the City's eligible customers will have the option to opt-in to the standard NOPEC default product not containing additional RECs at the lower Standard Program price or choose another NOPEC product offering; and

WHEREAS, the NOPEC Green Community Choice Program offering requires that a member community notify NOPEC in writing on or before December 31, 2021, of its election to choose the Green Community Choice Program (100% REC standard default electricity aggregation product) for the upcoming three (3) year NOPEC Aggregation Program term with legislation adopted by the legislative authority of the community making the election.

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

SECTION 1: This Council hereby approves the City's election to participate in NOPEC's Green Community Choice Program for the upcoming three (3) year NOPEC Aggregation Program term (from the January 2023 through January 2026 utility meter reads). This Council hereby authorizes and ratifies all actions of the Mayor in connection with the execution of the City's election to notify NOPEC to participate in NOPEC's Green Community Choice Program.

SECTION 2: This Council hereby acknowledges that the City's election to participate in NOPEC's Green Community Choice Program for the coming three (3) year NOPEC Aggregation Program term (from the January 2023 until the January 2026 utility meter read(s) is binding and irrevocable for such three (3) year Aggregation Program term.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in open meetings 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 the City's Charter and Codified Ordinances and 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 to approve this notice; 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:	· · · · · · · · · · · · · · · · · · ·			Ē	PRESI	DENT	OF	COUNCIL	
ATTEST:	CLERK	OF	COUNCIL	APPROV	ÆD:		MZ	AYOR	
								DATE	

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DIRECTOR OP LAW

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INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE

AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S VERMEER STUMP CUTTER,
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 Mayor is hereby authorized to trade-in a Vermeer SC802 Stump Cutter.

 $\underline{\text{ECTION 2}}$: The trade-in value of the Stump Cutter is \$4,500.00 and the quote for the trade in allowance is attached hereto and incorporated herein as Exhibit "A".

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 trade in a stump cutter, 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.

LW22FD:						PRESI	DENT	OF	COUNCIL	
ATTEST:_	CLERK	OF	COUNCIL		APPRO	VED: _			MAYOR	
									DATE	

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

DIRECTOR OF LAW



EQUIPPED TO DO MORE.



Quote

9/7/2021

Address

2389 Medina Rd

Reference Number R-00006791

Medina, OH 44256

Expiration Date

12/31/2021

Prepared By

Ben Crawford

Email

ben.crawford@vermeerallroads.com

Bill To Name

City of Brook Park

Ship To

19065 Holland Rd

Bill To

19065 Holland Rd

Brookpark, OH 44142-1323

Brookpark, OH 44142-1323

Michigal Name -	Producti Details:	Quantily	Sales Price	प्राविद्याभिगेतः
1995 665B Stump Cutter	Equipment trade-in Make: Model: ViN:	1.00	(\$4,500.00)	(\$4,500,00)
SC802 74hp diesel Stump Cutter (STS Pricing Schedule #800311 Index # STS515)	Vermeer - SC802 Stump Cutter 74HP Deutz TD2,9 tier 4 final turbocharged diesel engine stump grinder includes: manual control valve with swing-out control station; operator presence system; SmartSweep control system; gearbox cutter drive; rubber curtains; rubber torsion suspension; pintle hitch; double safety chains; electric brakes with break away switch; 6-bolt 10X16.5 flotation LRE tires; multifunction display (MFD); and reflectors; includes tail, stop, turn, side marker, license lights, grommets and all hardware; Vermeer cutting system (VCS). - TELEMATICS Includes telematics hardware and 3 years cellular service.	1.00	\$52,482.00	\$52,482.00

Subtotal \$47,982,00 Total Price \$47,982.00 \$47,982.00 Grand Total

Signature:		
Signature		