

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, APRIL 5, 2022
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO MEETING MINUTES HELD ON FEBRUARY 1, 2022.
2. REGULAR COUNCIL MEETING MINUTES HELD ON FEBRUARY 1, 2022.

D. REPORTS OF STANDING COMMITTEES:

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

E. REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee, Mencini
Berea Board of Education Representative, Coyne
Technology & 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):**

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. ORD. NO. 11242-2022

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE DONATION AND TRANSFER OF LAND KNOWN AS PERMANENT PARCEL #344-03-103, AND DECLARING AN EMERGENCY.

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

P. **ADJOURNMENT:**

Posted: 4/1/22

P/C 3-1-22 Legislation
CA 3-8-22
1st R 3-15-22
2nd R 4-5-22
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

Amended 3-11-22
Amended 3-18-22

ORDINANCE NO: 11242-2022

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE MAYOR TO ACCEPT THE DONATION AND TRANSFER OF LAND
KNOWN AS PERMANENT PARCEL NO. 344-03-103,
AND DECLARING AN EMERGENCY

WHEREAS, Margaret W. Young, owner of the property located on West 149th Street, Brook Park, Ohio known as Permanent Parcel No. 344-03-103 has offered to donate and transfer this property to the City of Brook Park; and

WHEREAS, the donation and transfer of this property located on West 149th Street, Brook Park, Ohio known as Permanent Parcel No. 344-03-103 would be beneficial to the City of Brook Park for future economic development; 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 to accept the donation of PPN 344-03-103, a parcel of property which is further described and attached hereto and incorporated herein as if fully rewritten as Exhibit "A".

SECTION 2: The City of Brook Park shall pay \$1.00 for PPN 344-03-103.

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 accept the donation and transfer of property located on West 149th Street, Brook Park, Ohio

RECEIVED

known as Permanent Parcel No. 344-03-103; 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

DATE

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


DIRECTOR OF LAW



Know all Men by these Presents

That Margaret M. Young, the Grantor,

Who claim title by or through instrument, recorded in AFN 201804230455, County Of Cuyahoga Recorder's Office, for the gives good causes and considerations thereunto moving, and especially for The sum of ten dollars or more (\$10.00) Received to my full satisfaction of CITY OF BROOK PARK The Grantee,

Who Tax Mailing Address will be 6161 Engle Road, Brook Park, OH 44142

Do

Give, Grant, Bargain, Sell and Convey unto the said Grantees, the following described premises:

Situated in the City of Brook Park, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 85, and 86 and part of Sublot No. 84 in Block 3 along with one half of a vacated alley in Fairlawn Subdivision of part of Original Middleburgh Township Lot No. 6, Section No. 1 as recorded in Volume 16, Page 26 of Cuyahoga County Map Records.

Beginning at a drill hole set at the northwest corner of said Sublot No. 86 and being at the intersection of the south line of Elm Avenue, 40.00 feet wide, and the east line of West 149th Street, 50.00 feet wide;

Thence South 88°51'00" East along said south line of Elm Avenue, 109.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set at a point in the centerline of a 12 foot wide vacated alley and finding a bent 1/2" iron pin to be south 1.34 feet and east 0.05 feet;

Thence South 03°17'00" West along said centerline of the vacated alley, 65.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set;

Thence North 88°51'00" West and parallel with said south line of Elm Avenue, 109.00 feet to a 5/8" capped iron pin (cap ID Kole & Assoc S-7889) set in said east line of West 149th Street;

Thence North 03°17'00" East along said east line of West 149th Street, 65.00 feet to the point of beginning and containing 0.1625 acres of land (7,080 square feet) as surveyed in November, 2017 by Richard J. Kole, Ohio Surveyor #7889, of R.M. Kole & Associates, Corp., Professional Land Surveyors,

Subject, however, to all legal rights-of-way of previous record.
Basis of bearings: The bearing for the centerline line of West 149th Street (North 03°17'00" East), as shown in the plat recorded in Volume 16, Page 26 of Cuyahoga County Map Records, is the reference meridian for this survey.

PPN 344-03-103

Be the same more or less but subject to all legal highways

To have and to hold the above granted and bargained premises with the appurtenances thereunto belonging, unto the said Grantees.

And the said Grantor, for her and her heirs, executors and administrators, hereby covenant with the said Grantee, that said Grantor, the true and lawful owner of said premises, and well seized of the same in fee simple, and good right and full power to bargain, sell and convey the same in the manner aforesaid, and that the same are free and clear from all encumbrances,

And further, that said Grantor will warrant and defend the same against all claims of all persons whatsoever, except as hereinbefore provided.

And for valuable consideration Do I hereby remise, release and forever quit-claim unto the said Grantee, all right and expectancy of ~~Dower~~ in the above described premises.

In Witness Whereof I have hereunto set my hand, this 2nd day of June, in the year of our Lord Two thousand and twenty-one.

Margaret W. Young
Margaret W. Young

State of Ohio }
Cuyahoga County } ss

Before me, a notary public in and for said County and State, personally appeared the above-named Margaret W. Young

Who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at Brook Park, Ohio this 4th day of June, A.D. 2021

Michelle Blazak
Notary Public, State of Ohio
My Commission Expires:

This instrument prepared by
Margaret W. Young



MICHELLE BLAZAK
Notary Public
State of Ohio
My Comm. Expires
July 20, 2025

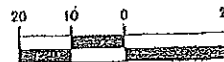
AS-BUILT SURVEY

Know as Parcel 2 in a proposed Lot Split and Consolidation Plat of part of Original Middleburgh Township Lot No. 6, Section No. 1, Now situated in the City of Brook Park, County of Cuyahoga, Ohio.



NORTH

GRAPHIC SCALE



(IN FEET)

1 INCH = 20 FT.

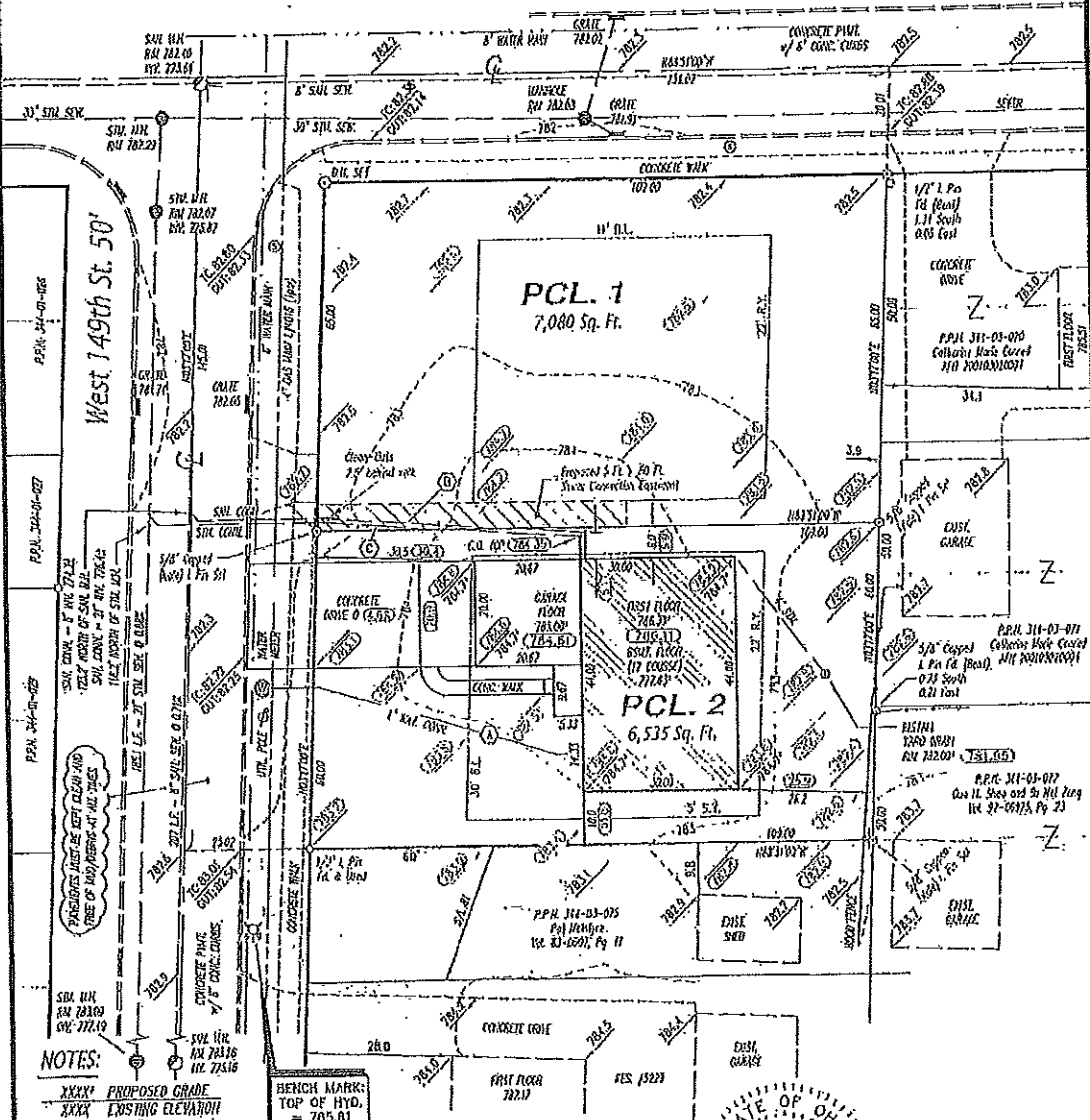
APRIL 27, 2018

JULY 2, 2018

JULY 31, 2019

AS-BUILT SURVEY.

Elm Avenue 40'



NOTES:

- XXXXX PROPOSED GRADE
- XXXXX EXISTING ELEVATION
- XXXXX EX. CONTOUR
- XXXXX PROP. CONTOUR
- ← INDICATES DIRECTION OF SURFACE WATER AFTER FINAL GRADING

BENCH MARK: TOP OF HYDRANT FRONT OF P.P.N. 314-03-075 ELEVATION = 705.81

THIS PLAN FOR SITE PURPOSES ONLY, REFER TO HOUSE PLANS FOR FOUNDATION DETAILS AND DIMENSIONS.

VERIFY MINIMUM SLOPE OF 1% FROM BOTTOM OF FOOTER TO STORM AND SANITARY LATERALS. IF 1% CANNOT BE ACHIEVED, CONTACT DESIGN ENGINEER.

EXISTING CONNECTIONS NOT FOUND IN FIELD. LOCATION PLOTTED FROM AVAILABLE INFORMATION. LOCATIONS AND HAZARDS TO BE VERIFIED IN FIELD BY CONTRACTOR PRIOR TO CONSTRUCTION.

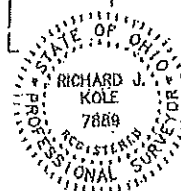
- BUILDER/LANDSCAPER TO MAINTAIN POSITIVE DRAINAGE AWAY FROM HOUSE.
- SUMP PUMP REQUIRED FOR FOOTER DRAIN
- 5/8" CAPPED IRON PIN TO BE SET

AS-BUILT GRADE CERTIFICATION

I HEREBY CERTIFY THAT ACTUAL FIELD OBSERVATIONS OF ELEVATIONS HAVE BEEN MADE UNDER MY SUPERVISION ON JULY 22, 2019 AND THAT THE GRADES SHOWN ACCURATELY REFLECT THE AS-BUILT CONDITIONS OBSERVED.

Richard J. Kule 7/31/19
RICHARD J. KULE, Ohio Surveyor #7889

- 589.5 INDICATES "AS-BUILT" DATA
- 590 INDICATES AS-BUILT CONTOUR LINE



CONNECTIONS:

- (A) = 1" TYPE "K" COPPER
 - (B) = 6" SDR PVC (ASTM D3034) w/ GASKETS, EX. MAN
 - (C) = 6" SDR PVC (ASTM D3034) w/ GASKETS, 18" DIA.
- PREMIUM FILL FOR UTILITY TRENCHES UNDER DRIVE & WALKS.



514 Pike Road - Grand, Ohio 44029
Phone: (440) 353-7107 - Fax: (440) 353-7131
Toll Free: 1-800-368-4001

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS
FOR THE COUNCIL MEETING OF APRIL 5, 2022**

SECOND READING:

Ord. 11242-2022 AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE DONATION
AND TRANSFER OF LAND KNOWN AS PERMANENT PARCEL NO. 344-
03-103, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance authorizing the Mayor to accept
the donation of land known as permanent parcel no. 344-
03-103, located on West 149th Street.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT
April 1, 2022**