ITEMS TO BE CONSIDERED AT THE CAUCUS PRIOR TO THE COUNCIL MEETING TO BE HELD ON TUESDAY, JULY 19, 2022 7:00 P.M.

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

III. DISCUSSION:

1. MEDICAL MARIJAUNA

NOTE: Speakers John Pardee and Don Attie representatives from Ohio Rights Group specializing in Medical Marijuana. -PER COUNCIL PRESIDENT VECCHIO.

- SOUTHWEST GENERAL ORGANIZATION LIST Deadline: August 31, 2022- PER COUNCIL PRESIDENT VECCHIO.
- 3. LIBRARY LEASE- PER COUNCIL PRESIDENT VECCHIO.
- 4. A RESOLUTION AUTHORIZING THE CITY OF BROOK PARK TO APPLY FOR A GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCE AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt. PER COUNCIL PRESIDENT VECCHIO.

IV. LEGISLATIVE COMMITTEE - COUNCILMAN, COYNE

- 1. A RESOLUTION OPPOSING HOUSE BILL 563, WHICH IF PASSED, WILL PROHIBIT A MUNICIPAL CORPORATION FROM ADOPTING OR ENFORCING ANY REGULATION OR RESTRICTION THAT PROHIBITS SHORT-TERM RENTAL PROPERTIES OR REGULATES THE NUMBER, DURATION OR FREQUENCY OR RENTAL PERIODS FOR SHORT-TERM RENTAL PROPERTIES, AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.
- 2. A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS, ON VAPE AND SMOKE ESTABLISHMENTS OR SHOPS WITHIN THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
- 3. AN ORDINANCE AMENDING BROOK PARK CODIFIED ORDINANCE 2786-1967, AND DECLARING AN EMERGRNCY. Introduced by Mayor Orcutt.

LEGISLATIVE COMMITTEE - COUNCILMAN, COYNE cont.

4. A RESOLUTION APPROVING THE CITY OF BROOK PARK'S INTERNSHIP POLICY, AUTHORIZING THE MAYOR TO EXECUTE SUCH DOCUMENTS WITH UNIVERSITIES AND OTHER INSTITUTION OF HIGHER LEARNING AS MY BE NEEDED TO FORMALIZE THE CITY'S INTERNSHIP PROGRAM WITH INTITUTIONS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

5. AN ORDINANCE AMENDING SECTION 333.03(j) (3) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'MAXIMUM SPEED LIMITS; ASSURED CLEAR DISTANCE AHEAD.' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

V. PLANNING COMMITTEE - COUNCILMAN, TROYER:

1. A RESOLUTION GRANTING APPROVAL FOR A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL TO CONSTRUCT A NEW FULL-SEVICE CAR WASH FACILITY AT 5764 WEST 130TH STREET LOCATED IN THE U4-A3 ZONE, AND DECLARING AN EMERGENCY. Introduce by Council As A Whole.

VI. <u>SAFETY COMMITTEE - COUNCILMAN, ROBERTS:</u>

 A RESOLUTION OPPOSING OHIO'S NEW CONCEALED CARRY HANDGUN LAW, AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini.

NOTE: EXECUTIVE SESSION CALLED BY MAYOR ORCUTT.

REASON: SALE OF PROPERTY

V. ADJOURNMENT

Posted: 7/15/22

Brook Park

Organizaiton			Organization Contact	Organization				
City	Туре	Organization Name	First Name	Contact Last Name	Organization Address	City	State	Zip
Brook Park	Civic	Auxiliary Police	Jim	Nobili	17401 Holland Road	Brook Park	Ohio	44142
Brook Park	Civic	Alternate Auxiliary Police	Michael	Plechaty	17401 Holland Road	Brook Park	Ohio	44142
		Beautification and Pride						
Brook Park	Civic	Committee	Laura	Pauley	17102 Sandhurst Drive	Brook Park	Ohio	44142
Brook Park	Civic	Brook Park Boosters	Joe	Holesovsky	17400 Holland Road	Brook Park	Ohio	44142
Brook Park	Civic	Family Nar-Anon	Kathi	Stautihar	6288 Saylor Drive	Brook Park	Ohio	44142
Brook Park	Civic	Neighborhood Watch	Becky	Conroy	16351 Pike Blvd.	Brook Park	Ohio	44142
Brook Park	Civic	Office on Aging	Joan	Corrigan	17400 Holland Road	Brook Park	Ohio	44142
Brook Park	Civic	Police Association	George	Kosakowski	17401 Holland Road	Brook Park	Ohio	44142
Brook Park	Civic	Tri-City Soccer Association	Craig	Schultz	1271 Bonnieview Avenue	Lakewood	Ohio	44107
Brook Park	Civic	Chamber of Commerce	Paul	Marnecheck	6161 Engle Road	Brook Park	Ohio	44142
Brook Park	Civic	Brook Park Administration	Edward	Orcutt	6161 Engle Road	Brook Park	Ohio	44142
Brook Park	Civic	Brook Park City Council	Edward	Orcutt	6161 Engle Road	Brook Park	Ohio	44142
Brook Park	Civic	Alternate City Council	Michael	Vecchio	6161 Engle Road	Brook Park	Ohio	44142
Brook Park	Civic	Democratic Club	Tony	D'Amico	6145 Michael Drive	Brook Park	Ohio	44142
Brook Park	Civic	Firefighters Association	Matt	Wright	17401 Holland Road	Brook Park	Ohio	44142
Brook Park	Civic	Friends of the Library	Cynthia	Halabica	5856 West 130th Street	Brook Park	Ohio	44142
Brook Park	Civic	Rangerettes	Heather	Gazvoda	24174 Maria Lane	North Olmsted	Ohio	44070
Brook Park	Civic	Republican Club	Richard	Perry, Jr.	5749 Pemberton Drive	Brook Park	Ohio	44142
Brook Park	Civic	Help Thy Neighbor	Tom	Troyer	18352 Kalvin Drive	Brook Park	Ohio	44142
Brook Park	Civic	Brook Park Elementary	Melissa	Trapnell Knight	17001 Holland Road	Brook Park	Ohio	44142
	323	Brook Park Botanical Garden						
Brook Park	Civic	Club	Patti	Astorino	6258 Engle Road	Brook Park	Ohio	44142
Brook Park	Civic	Audrey's Outreach	Margie	Jay	6321 Stonecrest Drive	Brook Park	Ohio	44142
Brook Park	Civic	Alternate Audrey's Outreach	Bill	Jay	6321 Stonecrest Drive	Brook Park	Ohio	44142
Brook Park	Civic	Khloe's Club	Jim	Mencini	6161 Engle Road	Brook Park	Ohio	44142
		American Legion Auxiliary					-	11212
Brook Park	Fraternal	#610	Patricia	Miazga	19944 Sheldon Road	Brook Park	Ohio	44142
Brook Park	Fraternal	American Legion Post #610	James	Dombrose	19944 Sheldon Road	Brook Park	Ohio	44142
Brook Park	Religious	Abrams Creek Baptist Church	Pastor James	Beight	18864 Sheldon Road	Brook Park	Ohio	44142
		Brook Park Community						
Brook Park	Religious	Church	Pastor Chibuzo	Petty	16845 Holland Road	Brook Park	Ohio	44142
Brook Park	Religious	Holy Name Society	Rich	Solich	14344 Fayette Blvd.	Brook Park	Ohio	44142
Brook Park	Religious	Mary Queen of Apostles	Father James	Stenger	6455 Engle Road	Brook Park	Ohio	44142
Brook Park	Religious	Redeemer Lutheran Church	Scott	Kreidler	6151 Smith Road	Brook Park	Ohio	44142
Brook Park	Religious	United Methodist Church	Pastor Sue	Tamalio	6220 Smith Road	Brook Park	Ohio	44142
Brook Park	Religious	United Methodist Church	Sylvia	Hines	6220 Smith Road	Brook Park	Ohio	44142

RESOLUTION	NO.	-	
INTRODUCED	BY:	MAYOR	ORCUTT

A RESOLUTION AUTHORIZING THE CITY OF BROOK PARK TO APPLY FOR A GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio, Department Natural Resources, administers financial assistance for public recreation purposes, through the State of Ohio NatureWorks grant program; and

WHEREAS, the City of Brook Park desires financial assistance under the NatureWorks Grant Program, to replace a pavilion on the City's Central Park Campus;

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

SECTION 1: That Council approves filing this application for financial assistance and that the Mayor and or his representative is authorized and directed to file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.

SECTION 2: That the City of Brook Park does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks Grant Program.

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 further reason to authorize the Mayor or his representative apply to receive financial assistance under the Natureworks Grant Program; therefore, this Resolution shall take effect and be in force immediately from and after

PASSED:

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

APPROVED:

MAYOR

DATE

its passage and approval by the Mayor.

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

DIRECTO S AV

NATUREWORKS 28th ROUND APPLICATION



All applications must be <u>postmarked</u> by July 15th, 2022 There are no exceptions.

NatureWorks is a State funded grant program that provides up to 75 percent of project cost assistance to Ohio municipalities, counties, townships, joint recreation districts, park districts and conservancy districts for acquisition or development of public outdoor recreation areas. All grant payments are made on a reimbursement basis; project sponsors must have adequate funds to finance the grant project prior to receiving reimbursement.

- The Nature Works application postmark deadline is July 15th, 2022.
- The proposed project scope must be either development or acquisition, not both.
- Only one park per application please.
- County funding allocations for NatureWorks Round 28 are listed on page 34. You may apply for any amount up to the maximum amount for your county (county location of proposed project).
- Nature Works recommendation announcements are planned for **autumn 2022**. Various factors can cause delays. Please check the ODNR website @ https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/safety-conservation/about-ODNR/real-estate/land-water-grants/natureworks for updates.
- Mail one paper copy of your application to ODNR by July 15th, 2022 (postmark deadline). We recommend applications be mailed with a return/tracking receipt. Do not submit applications in metal ring binders. Please keep a copy of your completed application for your records.

Send your application to:

NatureWorks

Office of Real Estate

Ohio Department of Natural Resources

2045 Morse Rd., E-2 Columbus, Ohio 43229

- If you would like to receive this application in Microsoft WORD, send a blank email to dolores.burlison@dnr.ohio.gov, and enter 'NatureWorks WORD' in the email subject line.
- If you have questions about the application or would like to discuss your project proposal, please call or email Tim Robinson, Recreation Services Administrator @ 614-265-6528, timethy.robinson@dnr.ohio.gov

The Ohio Parks and Natural Resources Fund (State Issue #1) was passed by voters on November 3, 1993. Additional legislations authorized the creation of the NatureWorks program. Issue 1 "AUTHORIZED THE STATE OF OHIO TO ISSUE BONDS, WHICH WILL BE RETIRED FROM GENERAL STATE REVENUES, TO FINANCE CAPITAL IMPROVEMENTS FOR STATE AND LOCAL PARKS AND RECREATION AREAS AND TO PRESERVE OHIO'S NATURAL AREAS AND HABITATS..." and ... "PERMITS THE STATE TO MAKE GRANTS AND ASSIST LOCAL GOVERNMENTS WITH CAPITAL IMPROVEMENTS PROJECTS RELATED TO NATURAL RESOURCES. . . "Ohio Revised Code reference: 1557.06 http://codes.ohio.gov/orc/1557.06

The Ohio Department of Natural Resources (ODNR) is the designated state agency directly responsible for program administration and coordination. ODNR policies pertaining to the submission of local applications are subject to periodic review and change as prevailing conditions or situations may warrant.

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INTRODUCED BY: COUNCILMAN MENCINI

A RESOLUTION OPPOSING HOUSE BILL 563, WHICH, IF PASSED, WILL PROHIBIT A MUNICIPAL CORPORATION FROM ADOPTING OR ENFORCING ANY REGULATION OR RESTRICTION THAT PROHIBITS SHORT-TERM RENTAL PROPERTIES OR REGULATES THE NUMBER, DURATION OR FREQUENCY OR RENTAL PERIODS FOR SHORT-TERM RENTAL PROPERTIES, AND DECLARING AN EMERGENCY

WHEREAS, H.B. 563, if passed, will prohibit a municipal corporation from adopting or enforcing any regulation or restriction that prohibits short-term rental properties or regulates the number, duration or frequency of rental periods for short-term rental properties; and

WHEREAS, H.B. 563 conflicts with Article XVIII, Section 3, of the Ohio Constitution, which states that: "Municipalities shall have the authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with the general laws"; and

WHEREAS, H.B. 563 is another attempt by members of the General Assembly to preempt the Home Rule authority; and

WHEREAS, even the Ohio Legislative Service Commission recognizes the H.B. 563 may raise constitutional concerns, as evidenced by the following comment in their analysis of the bill: "The bill may raise an issue under the Ohio Constitution Home Rule Amendment"; and

WHEREAS, H.B. 563 will prohibit cities from creating necessary regulations that protect the health, safety and best interests of the residents in each municipality in Ohio, including Brook Park; and

WHEREAS, the preservation of local control in Ohio is critical because what works for large urban cities and its suburbs do not always work for Ohio's small rural villages; and

WHEREAS, Home Rule Authority, as established in the Ohio Constitution, grants the residents of municipalities a voice in deciding what is best for the community they call home; and

WHEREAS, H.B. 563 is a clear preemption of that constitutional authority.

NOW, THEREFORE, BE IT HEREBY RESOLVED by HON. MAYOR ORCUTT and COUNCIL OF BROOK PARK, OHIO, two-thirds (%) or more of the members elected thereto concurring:

Section 1: That the government of Brook Park continuously incorporated for past SIXTY YEARS, urges the Ohio General Assembly not to support nor enact Sub. House Bill 563.

Section 2: That a duly executed and inscribed copy of this RESOLUTION shall be made a part of the official

record of the Council and Mayor of Brook park in order that due notice of its adoption shall be given to the residents of this community, Governor Hon. Mike DeWine, Representative Hon. Bride Rose sweeney and Senator Hon. Nickie J. antonio.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this RESOLUTION were adopted in an open meeting of the 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 §121.22 of the Revised Code of the State of Ohio.

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 oppose House Bill 563, which would prohibit regulation of short-term rental properties but municipalities; therefore, provided this Resolution 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

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

DIRECTOR OF LAVI

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RESOLUTION NO:

INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED TWELVE (12) MONTHS, ON VAPE AND SMOKE ESTABLISHMENTS OR SHOPS WITHIN THE CITY OF BROOK PARK, AND DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, including restricting areas used for business and trade; and

WHEREAS, this Council desires to issue a moratorium, for a temporary period of time, not to exceed twelve (12) months from the date of passage of this Resolution, while it undertakes a review and/or study of the Ordinances of the City of Brook Park, including zoning, building, and business regulation sections of the Brook Park Codified Ordinances; and

WHEREAS, this Council will be able to enact reasonable regulations to protect the health, safety, welfare, peace, and comfort of the citizens of the City of Brook Park more effectively if a moratorium is in place.

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

SECTION 1: Council hereby approves a temporary moratorium, not to exceed twelve (12) months, of the granting of any permits allowing vape and smoke establishments or shops with the City of Brook Park.



SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of 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 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 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 this measure is necessary in order to establish this temporary moratorium as soon as possible, and 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:		PRESI	DENT OF COUNCIL	
ATTEST:	Clerk of Council	APPROVED:	MAYOR	
		a	DATE	

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

DIRECTOR OF LAW

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ORDINANCE NO:

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE AMENDING BROOK PARK CODIFIED ORDINANCE 2786-1967,
AN DECLARING AND EMERGENCY

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

SECTION 1: Section 131.07 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 2786-1967, passed September 6, 1967, and reading as follows:

POSITION

There is hereby created the position of C.O.E. Assistant Office Clerk for the City. Compensation for such position shall be at the rate of \$1.50 per hour minimum and \$2.00 per hour maximum.

Is hereby amended to read:

There is hereby created the position of Assistant Office Clerk for the City. Compensation for such position shall be at the rate of \$10.43 per hour minimum and \$24.91 per hour maximum.

SECTION 2: Section 131.07 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 2786-1967, passed September 6, 1967, and reading as follows:

DUTIES

The duties of the C.O.E. Assistant Office Clerk shall be these as assigned by the Mayor and said clerk shall serve at the pleasure of the Mayor.



Is hereby amended to read:

The duties of the Assistant Office Clerk shall be these as assigned by the Mayor and said clerk shall serve at the pleasure of the Mayor.

SECTION 3: Former Section 131.07 of the Brook Park Codified Ordinances as enacted by Ordinance No. 2786-1967 passed September 6, 1967 is hereby expressly repealed.

SECTION 4: 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 Sections 121.22 of the Ohio Revised Code.

SECTION 5: 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 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 LAVI

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INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION APPROVING THE CITY OF BROOK PARK'S INTERNSHIP POLICY, AUTHORIZING THE MAYOR TO EXECUTE SUCH DOCUMENTS WITH UNIVERSITIES AND OTHER INSTITUTION OF HIGHER LEARNING AS MAY BE NEEDED TO FORMALIZE THE CITY'S INTERNSHIP PROGRAM WITH THE INSTITUTIONS, AND DECLARING AN EMERGENCY

WHEREAS, the Administration for the City of Brook Park (the "City") desires to create an internship program in and for the City, involving students working and learning from the Administration (the "Internship Program"); and

WHEREAS, as part of that effort, the City of Brook Park will create and review policies underlying the Internship Program and to work with institutions of higher learning to formalize the City's Internship Program so as to create the conditions for program participants to receive college credit for successfully completing the Internship Program; and

WHEREAS, in response, staff has prepared, proposed, and recommended for approval the Internship Program policies, in the form attached hereto as Exhibit "A", which are incorporated herein and made a part hereof by this reference; and

WHEREAS, staff has also been working with institutions of higher learning to formalize an initial version of the Internship Program. The student would gain practical experience through the creation of an Internship Program.

WHEREAS, The Intern will work under the supervision of the Department Head and will not receive any compensation, will need to conform to all Brook Park employee rules and regulations as outlined in the Personnel Policy Manual and the attached proposed policy (Exhibit "A").

JUN 2 1 2022
BROOK PARK CITY COUNCIL

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

SECTION 1: The Council of the City of Brook Park approves the proposed Internship Program project for the City of Brook Park's Departmental Heads.

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of 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 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 Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the municipality and inhabitants thereof, and for the further reason of granting approval for the Internship Program, therefore, provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:		PRESIDENT OF COUNCIL	-
ATTEST:	Clerk of Council	APPROVED: MAYOR	
		DATE	

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

DIRECTOR OF LAW

INTERNSHIP PROGRAM POLICIES

I. Introduction:

The City of Brook Park recognizes the value of hands on experience that an internship program provides to students ready to break out into their field of study. The City's goal is to provide a meaningful experience to enrich the student's growth.

II. Scope:

To establish a program for student interns, the City of Brook Park makes a commitment to train students in their area of interest to the extent possible. Similarly, the intern commits to assist the City in projects, while gaining hands on experience and exposure to their field of study.

III. Purpose:

The purpose of this policy is to establish a guideline for Department Heads and Interns on the standard processes of engaging in an internship program.

IV. Definitions:

Intern - An intern is a student seeking supervised practical training in their field of study to gain experience.

Internship - An unpaid program in which the student makes a commitment to the City of Brook Park to assist in projects and daily work activities in their occupational field. Likewise, the City of Brook Park commits to providing hands on practical training to the intern to gain experience which will prepare the intern for future, gainful employment.

Academic Institution – An accredited college, university, or technical education program at which the Intern is currently enrolled.

Supervisor - The department head or his/her designee, a person of authority who will be responsible for the supervision and training of the intern.

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JUN 2 1 2022

6161 Engle Road Brook Park, Ohio 44142 P (216) 433-1300 • F (216) 433-1511 BROOK PARK CITY COUNCIL

EXHIBIT



City of Brook Park City Hall

V. <u>Supervisor's Eligibility:</u>

A supervisor's eligibility to receive an intern is contingent on availability of space and equipment and ability to follow procedures and guidelines as set forth by this policy by signing for and acknowledging below.

VI. <u>Intern Eligibility</u>:

Interns shall be at least eighteen years of age.

A student eligible for an unpaid internship must provide proof of the following:

- Current enrollment in an academic institution, such as course schedule.
- Proof which displays credits will be given by the academic institution for the internship participation.

A former employee who resigned from the City in good standing is eligible to participate in the City's internship program. The City defines "good standing" as an employee who provided at two-weeks advanced notice of his or her resignation and has not received any corrective action or other formal discipline, a performance improvement plan or unsatisfactory performance evaluation during their employment (for employees employed between 90 days and 12 months) or within the previous 12-month period (for employees employed 1 year or longer). A former employee who was not in good standing at the time of resignation or who was terminated from employment is not eligible to participate in the internship program.

VII. Procedure:

The Supervisor requesting an intern must request an internship via email addressed to the Mayor with expected approximate length of time of internship (customarily one semester long or three months) along with a signed copy of this policy and obtain approval from the Mayor. The requisition will be sent for processing from the Mayor to the Human Resources Department for Intern recruitment and selection. Once an intern is selected by the Human Resources Department, the intern must fill out an Application for Internship with Human Resources and provide proof of enrollment from the Accredited Academic Institution; i.e., a schedule and documents showing that they will receive credit for the internship. Once all applicable paperwork is submitted by the intern, and all personal and professional reference checks and background checks are successfully completed, the paperwork is submitted by the Human Resources Department to the Mayor for final review and approval.



City of Brook Park City Hall

Once the intern is approved by the Mayor, the Human Resources Department will call the intern to report to orientation and to begin their internship. Under no circumstances is an intern to begin his/her internship at the City before completion of a background check, or before final approval is obtained by the Mayor or before an orientation is conducted by the Human Resources Department.

At orientation, the intern will receive and sign for the policies and procedures applicable to him/her as an intern as determined by Human Resources.

The intern is required to check in and out daily with the Supervisor or his/her designee. The intern's daily time must be recorded on the weekly log sheet along with a synopsis of the tasks performed. The weekly log sheet must be turned in to the Human Resource Commissioner or his/her designee on the last day the intern reports for the week.

VIII. Policy Guidelines:

The intern must make a commitment to the respective department on reliability and dependability, and must fulfill all responsibilities and obligations of the internship until said internship has ended.

The intern must uphold all policies and procedures and abide by the code of conduct as set forth by the Human Resources Department, the Personnel Policy Manual, and Employee Handbook.

Interns shall remain in the supervision of their direct supervisor or in the assigned designated area and refrain from entering restricted areas.

The direct supervisor must directly supervise, account for, oversee and train the intern. The intern must perform under direct supervision of the supervisor at all times.

Interns are not employees; thus an intern cannot request information directly from staff members. All requests for information needed to perform tasks must be submitted through the intern's supervisor.

At the time an internship has ended, the Supervisor is responsible to provide feedback to the intern on their performance.

City of Brook Park City Hall

Edward A. Orcutt, Mayor

IX. Post Internship:

At the end of the internship, the intern's supervisor must complete the Internship Performance Feedback form and provide a copy to the intern. The intern must be directed to the Human Resources Department. The intern must submit a copy of the Internship Performance Feedback form to the Supervisor. The forms will be supplied by the College or University.

X. Disclaimer:

This policy is a summary of general policies and procedures as it relates to internship opportunities with the City of Brook Park and in no way constitutes an offer of employment or contract/guarantee for future employment. In addition, the intern acknowledges that he/she serves at the pleasure of the Mayor, and the internship can be terminated by either party, at any time, without or without reason or prior notice. All internship opportunities with the City of Brook Park are unpaid.

Name (Please Print):	
Signature	Date

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INTRODUCED BY: MAYOR ORCUTT

ORDINANCE NO:

AN ORDINANCE

AMENDING SECTION 333.03(j)(3)

OF THE BROOK PARK CODIFIED ORDINANCES

ENTITLED 'MAXIMUM SPEED LIMITS; ASSURED CLEAR DISTANCE AHEAD.'

AND DECLARING AN EMERGENCY

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

- **SECTION** 1: Section 333.03(j)(3) of the Codified Ordinances of the City of Brook Park is hereby amended to read as follows:
- (3) Notwithstanding division (j)(1) of this section, if the offender operated a motor vehicle in a construction zone where a sign was then posted in accordance with Ohio R.C. 4511.98, and when a violation occurs during hours of actual work within the construction zone, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this division and if the court determines that the offender is an indigent person and unable to pay the fine.
- **SECTION** 2: Former Section 333.03(j)(3) of the Brook Park Codified Ordinances as enacted in accordance with Ohio Revised Code 4511.21(P), is 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 amending Section 333.03(j)(3) of the Brook Park Codified Ordinances; 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 APPLOVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

DIRECTO AND

Kesolution	NO.			-	
Introduced	By:	COUNCIL	AS	A	WHOLE

A RESOLUTION

GRANTING APPROVAL FOR A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL TO CONSTRUCT A NEW FULL-SERVICE CAR WASH FACILITY AT 5764 WEST 130TH STREET LOCATED IN THE U4-A3 ZONE, AND DECLARING AN EMERGENCY

WHEREAS, Sgt. Clean Car Wash, through their agent, Greg Seigert, filed an application for a conditional use permit with the Brook Park Planning Commission; and

WHEREAS, the conditional use requested approval for a conditional use permit and site plan approval to construct a new full-service car was facility at 5764 West 130^{th} Street, located in the U4-A3 Zone; and

WHEREAS, the request for a conditional use permit was presented at a public hearing on June 6, 2022, to the Brook Park Planning Commission, which denied referred this matter to Council, in accordance with Brook Park Charter Section 11.03(c) for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances.

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

SECTION 1: The Council of the City of Brook Park finds that the proposed conditional use permit requested is appropriate in the location for which it is proposed and grants a conditional use permit to operate a Car wash.

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 <u>immediately necessary</u> for the preservation of the public

JUL 1 4 2022

peace, health, safety and welfare of said City, and for the further purpose of granting a conditional use permit for operating a car wash facility; therefore, 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 LAVI



PLANNING COMMISSION - AGENDA

[Council Chambers - 17400 Holland Road - Inside the John A. Polonye Community Center]

Monday, June 6, 2022

(At the Conclusion of the 7:00 PM Board of Zoning Appeals Meeting)

- A. ROLL CALL OF MEMBERS
- B. APPROVAL OF MINUTES: MAY 2, 2022
- C. REPORTS AND COMMUNICATIONS
- D. NEW BUSINESS
 - Request approval to construct a new 20' x 60' billboard for Park 'N Fly at 19000 Snow Road | Located in a U5-B Zone |
 Agent: Brian Matura, President of FastSigns
 If approved, request must be forwarded to City Council for final action]

 - 3. Request the following approvals to operate a medical center for Spry Senior at 14770 Snow Road | Located in the U3-A5 Zone | Agent: Janice L. Cole, Architect -- Makovich & Pusti Architects
 - A. Request approval for exterior renovation plan
 - B. Request approval to install the following signs:
 - 1) Wall Sign 16.88 SF
 - 2) Monument Sign 20 SF Double Sided (10 SF per side)



E. TABLED ITEMS

1. Request approval of the proposed lot split plat for 14070 & 14080 Brookpark Road PPN. 344-31-003 to create new Parcel "A" and Parcel "B" [Located in the U7-B Zone [TABLED 05/02/2022]

Agent: Steven J. Metcalf of Neff and Associates

[If approved, request must be forwarded to City Council for final action]

- I. A statement explaining how the proposed conditional use will not cause substantial injury to the value, use or enjoyment of other property in the vicinity of the proposed use;
- J. A statement explaining how the proposed conditional use at the proposed location will be compatible with and not injurious to the use and enjoyment of neighboring property, and will not significantly diminish or impair property values within the vicinity; and
- K. Any other material and/or information as may be required by the Planning Commission or Council to fulfill the purposes of this section of the Zoning Ordinance and to ensure that the application is in compliance generally with the ordinances of Brook Park.
- (2) Copies of the application shall be distributed by the Planning Commission to the Departments of Public Safety and Public Service.

(Ord. 7861-1993. Passed 10-19-93.)

1121.341 PUBLIC HEARING ON CONDITIONAL USE PERMIT APPLICATIONS.

- (a) A public hearing shall be held by the Planning Commission within forty-five (45) days following acceptance of a complete application and after the notice required by law has been provided. Not later than ten (10) days prior to the date set for the hearing on the application, each department to which the application has been referred shall file a written report thereon with the Planning Commission setting forth the recommendations for changes in the proposed use as submitted and the conditions for approval, if any, necessary to bring such proposed use into compliance with any applicable ordinance or regulation or to eliminate adverse effects of the proposed use on those aspects of the public health, safety, convenience, comfort, prosperity and general welfare of Brook Park for which such department has responsibility.
- (b) Within thirty (30) days following the public hearing on the application, unless an extension of this time is agreed to by the applicant, the Planning Commission shall submit to Council, its recommendation either to grant the application for a conditional use permit, grant it subject to conditions, or deny it. The failure of the Planning Commission to act within the time period shall constitute a recommendation by it that the application be approved.
- (c) At its next regularly scheduled meeting, Council shall grant the application for a conditional use permit, grant it subject to conditions, or deny it. Council may, in approving the application for a conditional use permit, impose such restrictions and conditions on such approval, the proposed use, and the premises to be developed or used pursuant to such approval, as it determines are required by the general purposes, goals, and objectives of the City of Brook Park Master Plan and this Zoning Ordinance to prevent or appropriately mitigate such adverse impacts of the proposed use as the Council determines necessary to protect the public health, safety, convenience, comfort, prosperity and general welfare. All conditions imposed upon any conditional use approval, with the exception of conditions made applicable to such approval by the terms of this Zoning Ordinance, shall be set forth expressly in the resolution granting the conditional use permit.
- (d) In the event that a permit for a conditional use is granted by the Council subject to conditions, the grantee shall, in writing within ten (10) days following such Council action, acknowledge such approval and unconditionally accept and agree to such conditions.

(Ord. 7865-1993, Passed 10-19-93,)

1121,342 STANDARDS FOR CONDITIONAL USE PERMITS.

(a) Conditional Use Standards. No application for a conditional use permit shall be approved by Council or recommended for approval by the Planning Commission unless Council, or the Commission, as applicable, specifically finds the proposed conditional use (subject to such restrictions and conditions as are within the respective discretion of the Planning Commission to recommend or Council to impose) appropriate in the location for which it is proposed based upon the following criteria:





То:	Carol Johnson, Clerk of Council
Cc;	Mayor Orcutt Carol Horvath, Law Director
From:	Carol Dell, Planning Commission Secretary
Date:	07/06/2022
Re:	Planning Commission Recommendation

The following request was denied at the Monday, June 6, 2022 Planning Commission meeting and should be forwarded to City Council for final action. If I can be of any further assistance, please do not hesitate to contact me.

 Request approval for a Conditional Use Permit and Site Plan approval to construct a new full-service car wash facility for Sgt. Clean Car Wash at 5764 West 130th Street | Located In the U4-A3- Zone| Agent: Greg Seigert, Architect – Sgt. Clean Car AWash

AGENT INFORMATION:

Greg Seifert 3673 Massillon Road Uniontown, Ohio 44685

Office: 440-281-7999

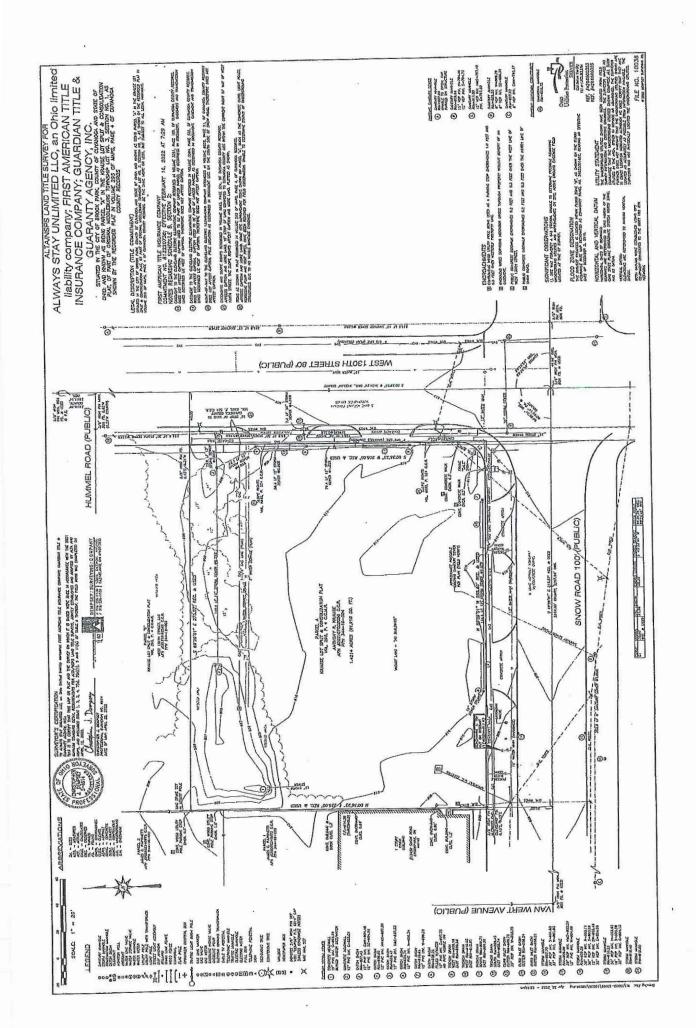
Email: gregseifert@sgtclean.com

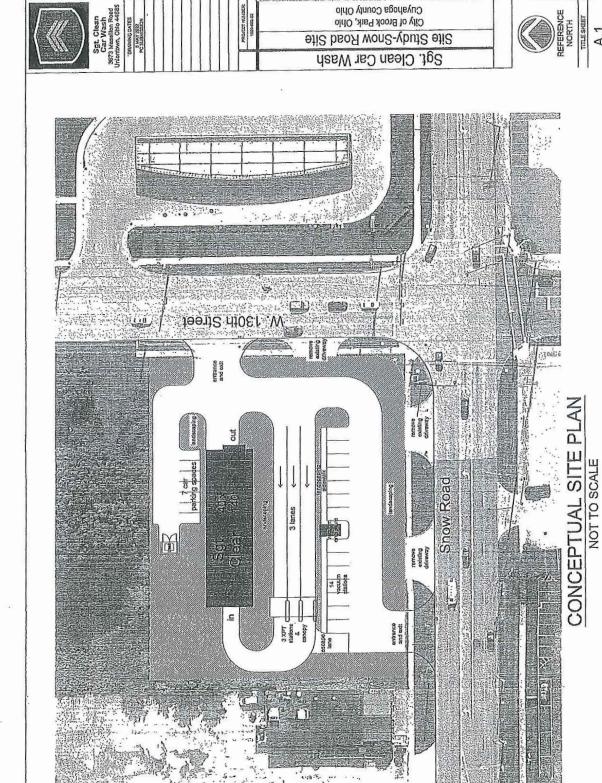
Thank you,

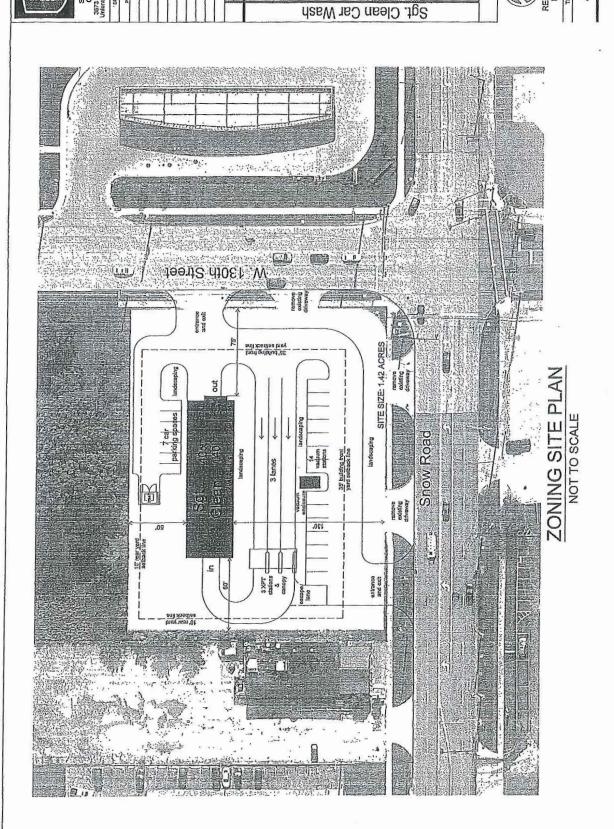
Carol Dell City of Brook Park Building Department

Office: 216.433.7412 | Ext. 4235 Email: cdell@cityofbrookpark.com

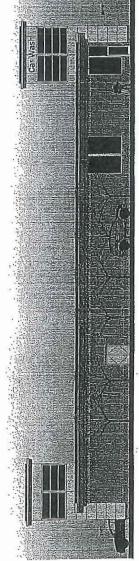




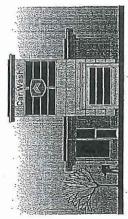




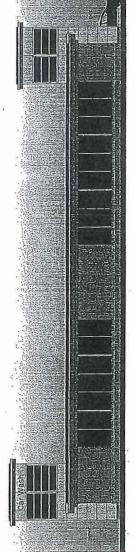
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Equipment Side Elevation

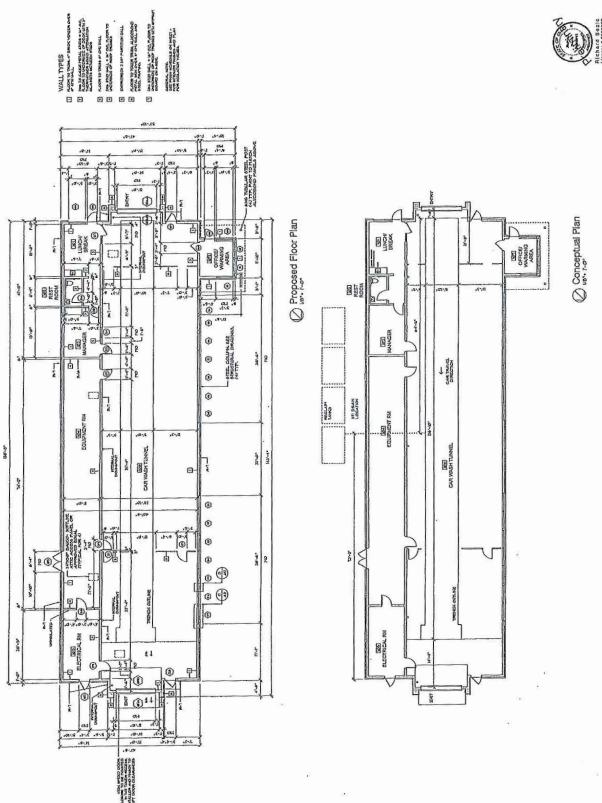


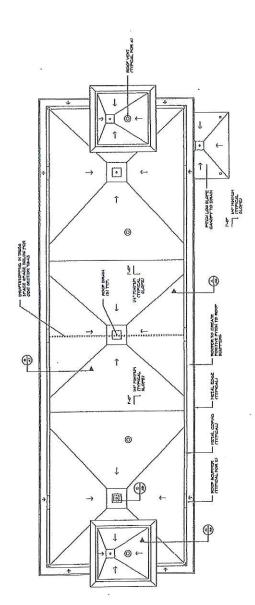


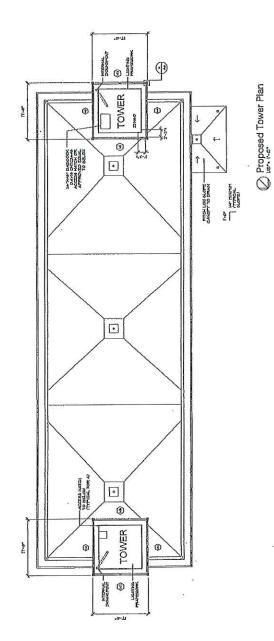


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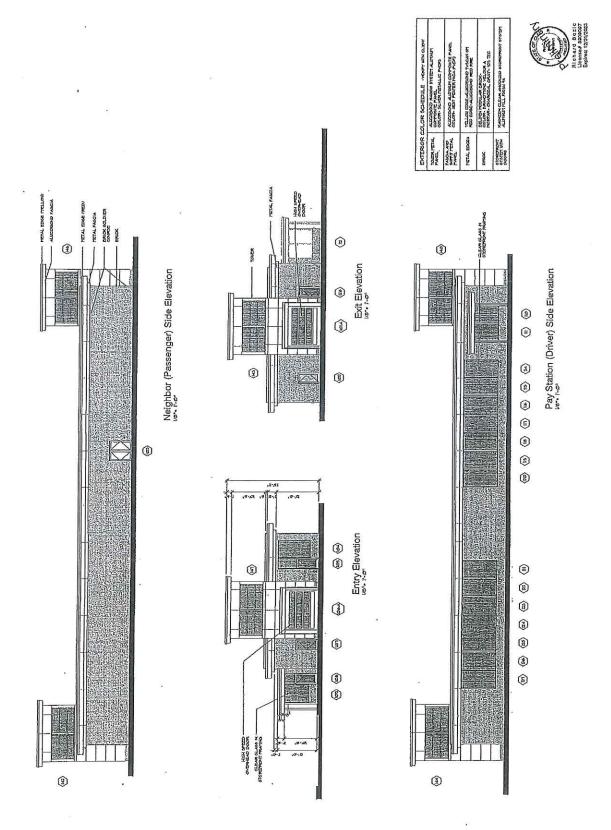




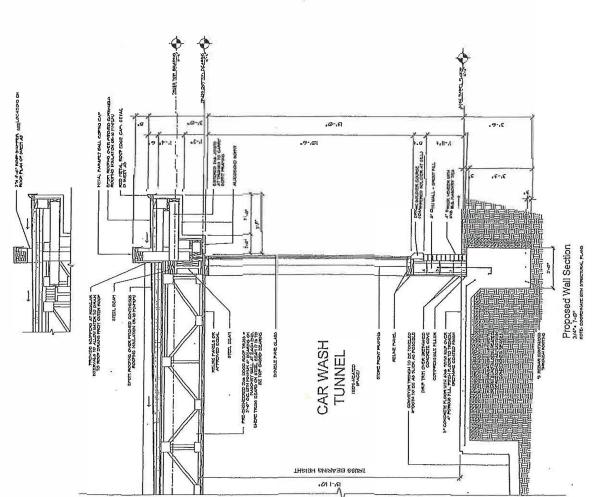


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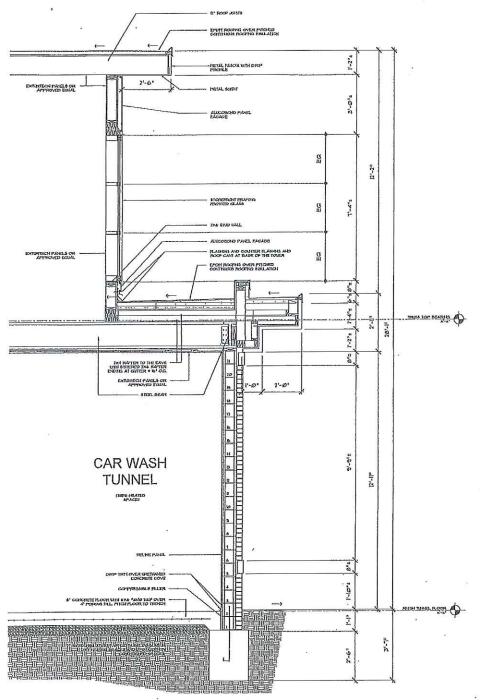
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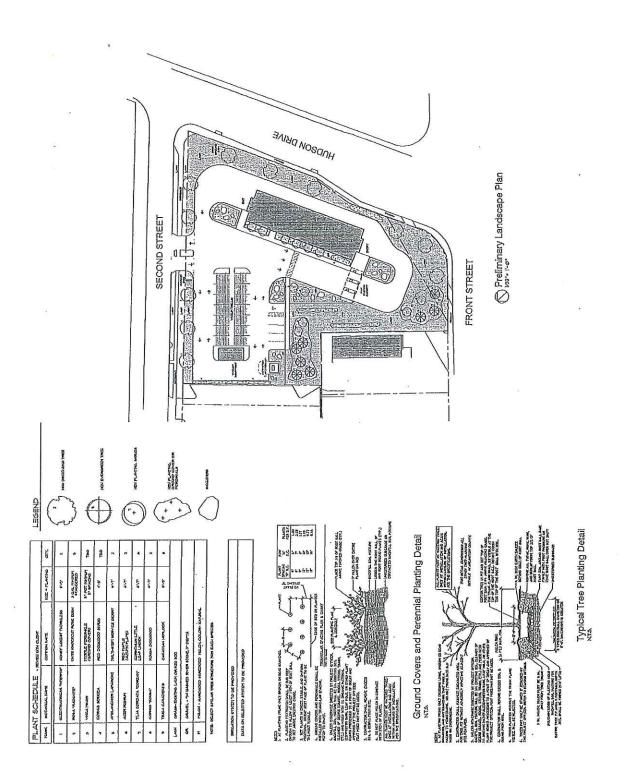


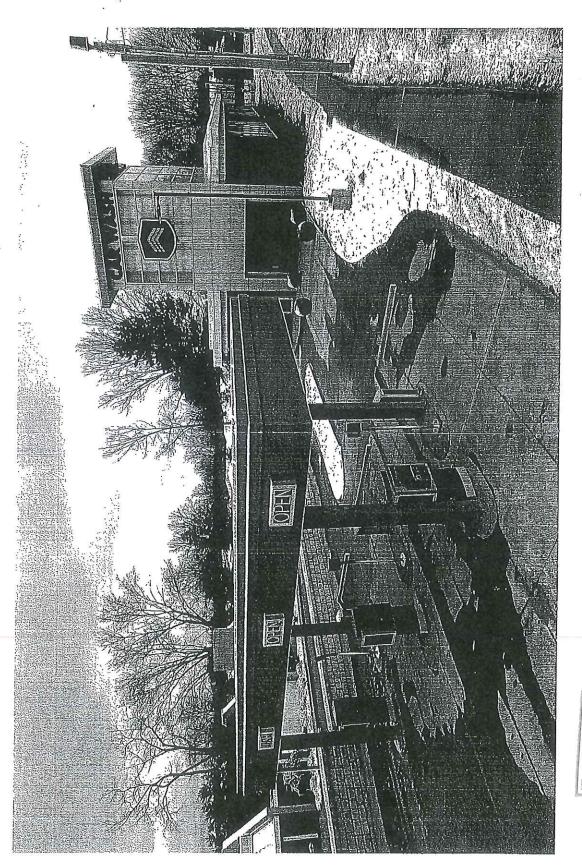
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Tower Wall Section





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RESOLUTION	NO.	

INTRODUCED BY: COUNCILMAN MENCINI

A RESOLUTION OPPOSING OHIO'S NEW CONCEALED CARRY HANDGUN LAW, AND DECLARING AN EMERGENCY

WHEREAS, Senate Bill 215, passed by the Ohio General Assembly and signed by Governor DeWine, will take effect on June 13, 2022, allowing Ohioans 21 years and older to carry concealed handguns without a license and the necessary safety training; and

WHEREAS, this bill also eliminates the requirement for a concealed handgun carrier to notify a police officer that they are armed when stopped, unless asked by the officer; and

WHEREAS, current Ohio law requires a license to carry a concealed handgun across Ohio that includes eight hours of necessary safety and firing training, which will not be optional; and

WHEREAS, this bill was passed and signed over objections from law enforcement groups, including the Fraternal Order of Police of Ohio, county sheriffs, Ohio Mayors Alliance, and Community Leaders, emphasizing the danger that taking away licensing and training requirements poses to law enforcement officers and communities; and

WHEREAS, gun violence is considered to be one of the major threats to public health and safety in communities across the county and Ohio; and

WHEREAS, according to the Centers for Disease Control and Prevention, the rate for firearm deaths in the State of Ohio was 15.2 per 100,000 in 2020, which exceeded the national rate of 12.0; and

WHEREAS, urban centers and suburbs are deeply affected by violent crème involving firearms; and

WHEREAS, the State of Ohio deregulation of handguns will increase gun ownership and proliferation of unregulated guns in our community.

JUN 08:

BROOK PARK CITY COUNCIL

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

SECTION 1: The Council strongly opposes the Ohio General Assembly's passage and Governor DeWine's signing into law Senate Bill 215, that puts Ohio citizens at risk by allowing qualifying adults to carry concealed handguns without a license and necessary safety training; and urging the Ohio General Assembly to repeal this law.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the Ohio General Assembly, members of the Northeast Ohio Legislative Delegation, and Governor Mike DeWine.

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 to oppose Ohio's new concealed carry handgun law; 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:		APPROVED:	
	CLERK OF COUNCIL		MAYOR
			DATE

HEREBY APPROVE THE WITHIN ASTRUMENT AS TO LEGAL FORM AND CORRECTNESS

DIBECTUTIOF LAVIC