

NOTICE  
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

JULY 26, 2023

TO: COUNCILMEMBERS TROYER, MENCINI, ROBERTS, SCOTT, COYNE, POINDEXTER,  
SALVATORE, COUNCIL PRESIDENT VECCHIO, AND MAYOR ORCUTT, LAW  
DIRECTOR HORVATH, AND INTERIM FINANCE DIRECTOR MAYKUT

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

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

\_\_\_XXX\_\_\_ CAUCUS MEETING

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

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

Such special meeting will accordingly be held on Thursday the 27<sup>th</sup> day of July, 2023 AT 5:00P.M. at the place of holding regular meetings. (\*Refer to Rules of Council, No. 4, if applicable.)

**ROLL CALL OF MEMBERS:**

**PLEDGE OF ALLEGIANCE:**

**DISCUSSION:**

1. A RESOLUTION SUBMITTING THE QUESTION OF RENEWAL OF THE .30 MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE BENEFIT OF BROOK PARK TO SUPPORT SOUTHWEST GENERAL HEALTH CENTER, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
2. AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S TWO HUSTLER TRIMSTAR 48 INCH MOWERS, AND PURCHASE A NEW 72 INCH HUSTLER SUPER-Z HYPERDRIVE MOWER AND FLEX FORKS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**LEGISLATIVE COMMITTEE CHAIRWOMAN COYNE:**

1. AN ORDINANCE AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A DEMOTLITION GRANT TO G.G. BROOKPARK 2023, LLC FOR THE DEMOLITION OF 15150 SNOW ROAD, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**ADJOURNMENT**



MAYOR

  
CLERK OF COUNCIL

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION SUBMITTING THE QUESTION OF RENEWAL OF THE .30 MILL TAX LEVY FOR THE PURPOSE OF PROVIDING FOR THE BENEFIT OF BROOK PARK TO SUPPORT SOUTHWEST GENERAL HEALTH CENTER, AND DECLARING AN EMERGENCY.

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

SECTION 1. That the amount of taxes which may be raised within the ten (10) mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City of Brook Park. The County Fiscal Officer certified to the City, pursuant Ohio Revised Code Sections 5705.03 and 5705.191 the total current tax valuation of the subdivision, and the dollar amount of the revenue that would be generated by a specified number of mills.

SECTION 2. The renewal levy rate shall be .30 mills for each one dollar (\$1.00) of taxable value, same as the current rate, which amounts to \$9.00 for each \$100,000.00 of the County Fiscal Officer's appraised value and the County Fiscal Officer estimates it will collect \$112,600.00 annually. Said renewal levy rate shall be levied upon the entire territory or the City, which is located in the County of Cuyahoga, for a period of five years, commencing in tax year 2024 first collection in calendar year 2025. The question of the renewal of said levy shall appear on the ballot of the November 7, 2023 election. The ballot measure shall be submitted to the entire territory of the City, and held at the regular place of voting in said City established by the Cuyahoga County Board of Elections or otherwise, within the time provided by law and shall be conducted, canvassed and certified in the manner provided by law.

SECTION 3. That the question of such renewal tax levy shall be submitted to the electors of said City at the general election to be held on Tuesday, November 7, 2023, the purpose of said levy is for the support of Southwest General Health Center. A majority

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affirmative vote is required for passage.

**SECTION 4.** That the Clerk be and is hereby authorized and directed to certify this Resolution to the Board of Elections of Cuyahoga County, Ohio, on or before August 9, 2023, in order that said Board may arrange for the submission of such levy to the electors of said City on the aforesaid date to wit: November 7, 2023, upon notice thereof duly published in a newspaper of general circulation in said City and upon ballots substantially in the following form:

**PROPOSED TAX LEVY (RENEWAL)  
BROOK PARK**

**A majority affirmative vote is necessary for passage**

A RENEWAL OF A TAX FOR THE BENEFIT OF BROOK PARK FOR THE PURPOSE OF SUPPORT OF SOUTHWEST GENERAL HEALTH CENTER, THAT THE COUNTY FISCAL OFFICER ESTIMATES WILL COLLECT \$112,600.00 ANNUALLY, AT A RATE NOT EXCEEDING .30 MILLS FOR EACH \$1 OF TAXABLE VALUE, WHICH AMOUNTS TO \$9.00 FOR EACH \$100,000 OF THE COUNTY FISCAL OFFICER'S APPRAISED VALUE, FOR FIVE YEARS, COMMENCING IN 2024, FIRST DUE IN CALENDAR YEAR 2025.

\_\_\_\_\_ For the tax levy  
\_\_\_\_\_ Against the tax levy

**SECTION 5.** That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public in compliance with all legal requirements.

**SECTION 6.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that a certified copy must be submitted to the Cuyahoga County, Ohio, Board of Elections on or before August 9, 2023; 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 LAW

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S TWO HUSTLER TRIMSTAR  
48 INCH MOWERS, AND PURCHASE A NEW 72 INCH HUSTLER SUPER-Z  
HYPERDRIVE MOWER AND FLEX FORKS 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 two  
Hustler Trimstar 48 inch mowers.

SECTION 2: The trade-in value of each of the mowers is  
\$1,750.00 and the quote for the trade in allowance is attached hereto  
and incorporated herein as Exhibit "A".

SECTION 3: The Mayor is hereby authorized to enter into a  
contract with Baker Vehicle Systems, though Sourcewell contract  
#031121-HTE for a new Hustler Super Z HyperDrive mower for a price  
not to exceed \$14,416.00, and flex forks for \$419.00 as further  
illustrated in Exhibit "A".

SECTION 4: The money needed for the aforesaid transaction shall  
be paid from fund 401-342 (Capital), and shall not exceed \$11,335.00  
(\$14,835.00 less \$3,500.00 trade-in).

SECTION 5: 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 6: 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

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Mayor to trade in two mowers, and purchase a new mower and flex forks, 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  
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AND CORRECTNESS.

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

30C



DATE: 7-14-23

PRICE QUOTE BY:

COMPANY: Baker

DATE:

ADDRESS: Vehicles

ORDERED BY: Jol Pineda

P.O.#

PHONE NO.

AREA WHERE PRODUCT USED:

VENDOR 2:

Capital 342 Parks

VENDOR 3:

Sourcewell Contract # 031121-HTE

AMOUNT	DESCRIPTION	DEPT.	PRICE EA.	TOTAL
1	Hustler Super Z Mower			14216 <sup>00</sup>
	72" cut			
1	Flex Forks			419 <sup>00</sup>
	Trade in Units ↓			
1	Hustler Trimmer 48" cut			1750 <sup>00</sup>
1	Hustler Trimmer 48" cut			1750 <sup>00</sup>
				\$11335 <sup>00</sup>
Note: legislation needed for (2) trade ins.  see attached quote				

# QUOTATION

## BAKER VEHICLE SYSTEMS INC

9035 Freeway Drive • Macedonia, OH 44056  
Phone: 330-467-2250 • Fax: 330-467-8308  
Serving Golf, Turf & Industry since 1940

TO: City of Brook Park  
6161 Engle Rd  
Brook Park, OH 44142

DATE: 3/14/2023

ATTN: John Pensis

Prices quoted are those in effect at the time of quotation. This quotation is subject to acceptance within 15 days.

SALESPERSON	F.O.B	DELIVERY	PAYMENT TERMS
Jeff Baker	Delivered	4-8 Weeks	Net 30

QTY.	ITEM	DESCRIPTION	PRICE	EXTENDED
1	943019	Hustler Super-Z Hyperdrive, Kawasaki FX1000 (35 hp), 72" Side Discharge Mowing Deck	\$14,416.00	\$14,416.00
1	606696	Flex Forks	\$419.00	\$419.00
		Trade in Units: Serial # 12042685		
	Model # 930936	Hustler Trimstar 48" (471 Hours) Asset # Missing	-\$1,750.00	
	Model # 927426	Hustler Trimstar 48" (297 Hours) Asset # 10788	-\$1,750.00	
		Serial # 0711827		

### SPECIAL NOTES:

SUBTOTAL	\$14,835.00
TAX RATE	
SALES TAX	\$0.00
TRADE-IN ALLOWANCE	(\$3,500.00)
TOTAL	\$11,335.00

BY: Jeff Baker

To accept this quotation, sign here and return: \_\_\_\_\_ Date: \_\_\_\_\_



P/C 6-20-23 legislative  
CA SP. 7-27-23  
1st R  
2nd R  
3rd R  
B/C

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE CITY OF BROOK PARK TO PROVIDE A DEMOLITION GRANT  
TO G.G. BROOKPARK 2023, LLC FOR THE DEMOLITION OF 15150 SNOW  
ROAD, AND DECLARING AN EMERGENCY

WHEREAS, 15150 Snow Road (herein "the Property") is wholly  
owned by CrossAmerica Partners LP; and

WHEREAS, the property is located in the center of town at one  
of the busiest intersections in the City making this a most  
desirable and attractive investment for Brook Park; and

WHEREAS, the property has been vacant and underutilized for  
several years; and

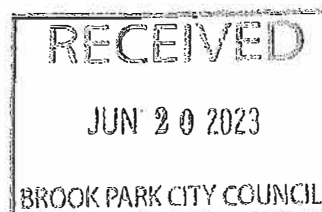
WHEREAS, the building at the Property is economically  
unviable, obsolete, dilapidated, blighted, and in substantial  
disrepair sufficient to create negative and economic pressure and  
influence upon the surrounding community;

WHEREAS, G.G. Brookpark 2023, LLC desires to purchase and  
develop the Property to attract and justify new investment and  
improvements upon the Property;

WHEREAS, G.G. Brookpark 2023, LLC desires to enter into a  
contract to demolish the existing obsolete and dilapidated building  
and make improvements upon the Property;

WHEREAS, the City of Brook Park encourages the development of  
real Property and the acquisition of personal Property; and

WHEREAS, G.G. Brookpark 2023, LLC is desirous of undertaking a  
project which will create employment opportunities within the City  
of Brook Park, provided that the appropriate development incentives  
are available from the City to support the economic viability of  
the Project; and



**WHEREAS**, financial assistance from the City of Brook Park is necessary to secure the investment of G.G. Brookpark 2023, LLC's project; and

**WHEREAS**, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing G.G. Brookpark 2023, LLC with incentives available for the development of the Property consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution to create or preserve jobs and employment opportunities, to eradicate and mitigate blight within the City, and to improve the economic welfare of the people of the State; and

**WHEREAS**, the Mayor of the City of Brook Park has investigated the request of G.G. Brookpark 2023, LLC for demolition grant assistance and recommends the same to the City Council on the basis that G.G. Brookpark 2023, LLC is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City of Brook Park; and

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

**SECTION 1:** This Council agrees to provide a demolition grant to G.G. Brookpark 2023, LLC to be applied exclusively to the immediate demolition of the current building and improvements on the Property located at PPN #344-13-022 in the amount of \$50,000.00.

**SECTION 2:** The money needed for the aforesaid transaction shall be paid by the City from the Economic Development Fund #243. Payments will be as follows: fifty percent (50%) upon completion of the demolition of the building currently situated upon the Property, and fifty percent (50%) upon issuance of an occupancy permit for a new structure. Said demolition funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by G.G. Brookpark 2023, LLC in furtherance of the demolition.

**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 provide a grant to G.G. Brookpark 2023, LLC; therefore this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

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


\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

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

\_\_\_\_\_  
DATE

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AND CORRECTNESS.

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