

**REGULAR CAUCUS MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, OCTOBER 10, 2023  
7:00 P.M.**

**I. ROLL CALL OF MEMBERS:**

**II. PLEDGE OF ALLEGIANCE:**

**III. APPROVAL OF MINUTES OF PRECEDING MEETINGS**

REGULAR CAUCUS MEETING MINUTES HELD ON SEPTEMBER 12, 2023.

**IV. DISCUSSION:**

1. ORDINANCE NO. 10049-2016

AN ORDINANCE AMENDING SECTION 123.01 OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED 'POSTING PLACES,' AND DECLARING AND EMERGENCY, Introduced by Council President (former) Astorino. - PER COUNCIL PRESIDENT VECCHIO.

2. DEPARTMENT OF LIQUOR CONTROL-MACS CONVENIENCE STORES LLC  
DBA CIRCLE K, 20850 SHELDON RD. BROOK PARK, OH 44142, **C NEW  
5405419-5331 POSTMARK DATE: 10/30/23.-** PER COUNCIL  
PRESIDENT VECCHIO.

**V. FINANCE COMMITTEE- CHAIRMAN, SCOTT**

1. A RESOLUTION SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE 2024 CUYAHOGA COUNTY MUNICIPAL GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR IMPROVEMENTS TO BROOK PARK CENTRAL PARK AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.
2. A RESOLUTION SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE 2024 CUYAHOGA COUNTY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR IMPROVEMENTS TO BROOK PARK CENTRAL PARK AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**VI. LEGISLATIVE COMMITTEE- CHAIRWOMAN, COYNE**

1. AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1122 OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED "SHORT TERM LEASES", AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

2. AN ORDINANCE AUTHORIZING THE MAYOR AS THE LOCAL PUBLIC AUTHORITY, TO GIVE CONSENT, ON BEHALF OF THE CITY OF BROOK PARK, TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR REPLACING THE SUPERSTRUCTURE OF THE BEREA FREEWAY (SR-237) BRIDGE (BRIDGE SFN 1810286) OVER SNOW ROAD, IN THE CITY OF BROOK PARK (PID 114522), AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**VII. SAFETY COMMITTEE- CHAIRMAN, ROBERTS**

1. A RESOLUTION EXPRESSING THANKS TO THE DONORS FOR OUR NEW K9 UNIT FOR THE BROOK PARK POLICE DEPARTMENT, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**VIII. SERVICE COMMITTEE- CHAIRMAN, POINDEXTER**

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO CONVERT LIGHT FIXTURES TO LED, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt and Councilman Poindexter.

**ADJOURNMENT**

**POSTED 10/06/2023**

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10049-2016

INTRODUCED BY: COUNCIL PRESIDENT ASTORINO

P/C \_\_\_\_\_  
CA 10-25-16 - amended  
1st R 11/1/16 amended  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

AN ORDINANCE  
AMENDING SECTION 123.01  
OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED  
'POSTING PLACES,'  
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 123.01 of the Brook Park Codified Ordinances, passed by Ordinance No. 4338-1975, passed August 12, 1975; Resolution No. 33-1960, passed November 1, 1960; and Ordinance No. 6228-1982, passed November 1, 1982 and reading as follows:

**123.01 POSTING PLACES.**

(a) The following locations in the City are hereby determined to be the six most public places and are hereby designated as the posting places for all resolutions, ordinances, notices and other matters required by law or ordinance to be published:

- (1) City Hall 6161 Engle Road
- (2) Police Station 17401 Holland Road
- (3) Fire Station No. 1 5590 Smith Road
- (4) Fire Station No. 2 22530 Ruple Road
- (5) Fire Station No. 3 17401 Holland Road
- (6) Brook Park Library 6155 Engle Road

(b) The Council Clerk is hereby directed to post all ordinances, resolutions, notices, proclamations, statements, orders and reports required by law or ordinance to be published at the aforesaid locations in the City.

(c) Agenda.

(1) The Clerk of Council is hereby directed to post a copy of the agenda for all regular Council Meetings, seventy-two hours prior to a scheduled meeting, at the six most public places in the City as designated in subsection (a) hereof; and

(2) The Clerk of Council is directed to provide the local cable television company with a copy of the agenda for all

regular Council Meetings, seventy-two hours prior to a scheduled meeting.

is hereby amended to read:

**123.01 POSTING PLACES.**

(a) The following locations in the City are hereby determined to be the six most public places and are hereby designated as the posting places for all resolutions, ordinances, notices and other matters required by law or ordinance to be published:

- (1) City Hall, 6161 Engle Road
- (2) Police Station, 17401 Holland Road
- (3) John A. Polonye Community Center, 17400 Holland Road
- (4) Fire Station, 17401 Holland Road
- (5) Brook Park Library, 6155 Engle Road
- (6) Fire Station, 22530 Ruple Road

(b) The Council Clerk is hereby directed to post all ordinances, resolutions, notices, proclamations, statements, orders and reports required by law or ordinance to be published at the aforesaid locations in the City and on the City Council's website.

(c) Agenda.

(1) The Clerk of Council is hereby directed to post a copy of the agenda for all regular Council Meetings, seventy-two hours prior to a scheduled meeting, at the six most public places in the City as designated in subsection (a) and on City Council's website.

**SECTION 2:** Former Section 123.01 of the Brook Park Codified Ordinances, as passed by passed, Ordinance No. 4338-1975, passed August 12, 1975; Resolution No. 33-1960, passed November 1, 1960; and Ordinance No. 6228-1982, passed November 1, 1982 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 public peace, health, safety and welfare of said City, and for

the further reason to amend Section 123.01 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 passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: November 1, 2016

*Jim Costello*  
PRESIDENT OF COUNCIL

ATTEST: *Michelle Blazak* APPROVED: \_\_\_\_\_  
Clerk of Council

*[Signature]*  
MAYOR  
11/02/2016  
DATE

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

*[Signature]*  
DIRECTOR OF LAW

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Powers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 10049-2016

passed on the 1<sup>st</sup> day of November, 2016 by said council.

*Michelle Blazak*  
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing November 3, 2016  
*Michelle Blazak*  
MICHELLE BLAZAK  
Clerk of Council

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-8005  
(614)644-2360 FAX(614)644-3168

TO

54054195331		NEW	MACS CONVENIENCE STORES LLC DBA CIRCLE K 20850 SHELDON RD BROOK PARK OH 44142
PERMIT NUMBER		TYPE	
ISSUE DATE			
09 22 2023			
FILING DATE			
C1 C2		PERMIT CLASSES	
18	110	C	D93023
TAX DISTRICT		RECEIPT NO.	

FROM 09/28/2023

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED 09/28/2023

RESPONSES MUST BE POSTMARKED NO LATER THAN.

10/30/2023

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL

WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C NEW 5405419-5331

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

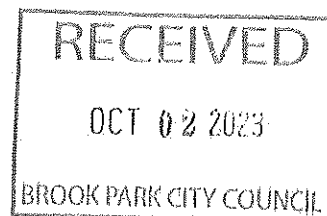
(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BROOK PARK CITY COUNCIL  
6161 ENGLE ROAD  
BROOK PARK OHIO 44142





P/O 10/3/23 Finance  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
CITY \_\_\_\_\_

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE 2024 CUYAHOGA COUNTY MUNICIPAL GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR IMPROVEMENTS TO BROOK PARK CENTRAL PARK AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS, AND DECLARING AN EMERGENCY

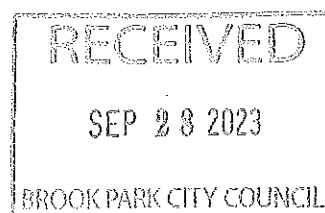
WHEREAS, the Cuyahoga County Department of Development solicited applications for the Municipal Grant Program ("CDBG Muni"), a program that provides grant funding on a competitive basis for a variety of projects to help strengthen cities, encourage regional collaboration, and improve the quality of life for county residents; and

WHEREAS, the City of Brook Park intends to submit an application to the Cuyahoga County Department of Development for 2024 CDBG Muni funding for installation and upgrades for ADA multiuse playground equipment within the Brook Park Central Park Master Plan; and

WHEREAS, such improvements allowing the ability to serve users of all ages and be all-inclusive while promoting a healthy lifestyle and healthy community; and

WHEREAS, the CDBG Muni program provides one hundred percent (100%) reimbursement for project costs in an amount not to exceed One Hundred, Fifty Thousand Dollars (\$150,000.00), requiring the applicant to first expend funds and then request reimbursement from Cuyahoga County; and

WHEREAS, legislation supporting and authorizing the application is required and applications for assistance must be submitted to Cuyahoga County by October 31, 2023.



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

SECTION 1: That the Council of the City of Brook Park, hereby supports the submission of the City's 2024 "CDBG Muni" application for the purposes described in this Resolution; that the Mayor and the Administration are authorized to submit the grant by the October 31, 2023 deadline.

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 for further reason to authorize the Mayor to file an application with the Cuyahoga County Department of Development for a grant; therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.

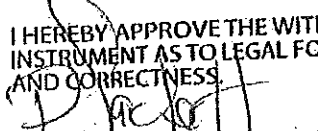
PASSED: \_\_\_\_\_

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

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

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

\_\_\_\_\_  
DATE

I HEREBY APPROVE THE WITHIN  
INSTRUMENT AS TO LEGAL FORM  
AND CORRECTNESS.  
  
\_\_\_\_\_  
DIRECTOR OF LAW

Asst



P/C 10/3/23 Finance  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR ORCUTT

A RESOLUTION SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE 2024 CUYAHOGA COUNTY COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR IMPROVEMENTS TO BROOK PARK CENTRAL PARK AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS, AND DECLARING AN EMERGENCY

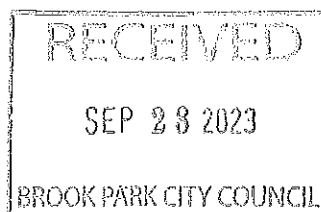
WHEREAS, the Cuyahoga County Department of Development solicited applications for the Community Development Supplemental Grant ("CDSG"), a program that provides grant funding on a competitive basis for a variety of projects to help strengthen cities, encourage regional collaboration, and improve the quality of life for county residents; and

WHEREAS, the City of Brook Park intends to submit an application to the Cuyahoga County Department of Development for 2024 CDSG funding for installation and upgrades for ADA multiuse playground equipment within the Brook Park Central Park Master Plan; and

WHEREAS, such improvements allowing the ability to serve users of all ages and be all-inclusive while promoting a healthy lifestyle and healthy community; and

WHEREAS, the CDSG program provides one hundred percent (100%) reimbursement for project costs in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), requiring the applicant to first expend funds and then request reimbursement from Cuyahoga County; and

WHEREAS, legislation supporting and authorizing the application is required and applications for assistance must be submitted to Cuyahoga County by November 28, 2023.



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

SECTION 1: That the Council of the City of Brook Park, hereby supports the submission of the City's 2024 CDSG application for the purposes described in this Resolution; that the Mayor and the Administration are authorized to submit the grant by the November 28, 2023 deadline.

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 for further reason to authorize the Mayor to file an application with the Cuyahoga County Department of Development for a grant; therefore, this Resolution 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

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

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

P/C 9-5-23 legislative  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

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

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE  
AMENDING CERTAIN SECTIONS OF CHAPTER 1122 OF THE  
BROOK PARK CODIFIED ORDINANCES,  
ENTITLED 'SHORT TERM LEASES', AND DECLARING AN EMERGENCY

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

SECTION 1: Chapter 1122 "Short Term Leases" shall be amended to read "Short Term **Rentals**" and as follows:

**1122.01 PURPOSE; INTENT.**

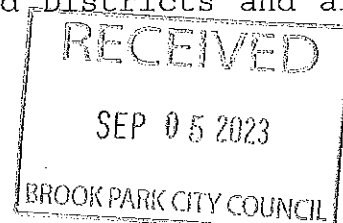
Short Term **Rentals** are unique, semi-commercial operations that adapt a residential environment into a lodging concept, limited in scope and operation. The use is clearly of a commercial nature, but may at times be more in keeping with a residential environment. The purpose of this Chapter is to provide a systematic set of requirements to ensure that such operations, if appropriate for a residential or commercial area, shall not adversely impact adjacent uses as a result of the commercial aspects of the structure and property. Short Term **Rentals** shall be the subordinate to the principal use of a structure as a single-family dwelling. The intent of this Chapter is not to provide an opportunity for the establishment of an intensive commercial lodging business, which would be considered appropriate within an intensive commercial or planned commercial zoning district, but rather in certain locations to provide a limited commercial use in a residential or commercial district.

**1122.02 SHORT TERM RENTAL DEFINED.**

Lease of all or any portion of a residential dwelling unit for dwelling, lodging, sleeping or any other purpose generally associated with a dwelling unit for any period of less than thirty (30) consecutive days shall be considered a Short-Term Rental. Said Rental does not require financial remuneration to the Owner to be considered a Short-Term Rental. A Short-Term Rental may be by oral or written contract.

**1122.03 SHORT TERM RENTALS AS CONDITIONAL USES; PERMIT REQUIRED.**

Short Term **Rentals** are hereby classified as a conditional use which may be permitted in Single Family Zoned Districts and all



Community Business Districts in accordance with the corresponding standards and requirements of the Planning and Zoning Code. A conditional use permit issued pursuant to Chapter 1121 of these Codified Ordinances shall be required in order to allow said permit shall be effective for two (2) years at a biennial cost to be determined by City Council, and said permit shall be automatically voided by operation of law without further notice or hearing upon the sale or transfer of the real property upon which the short term **rentals** is located. In submitting an application for a conditional use permit, and with every re-application, the applicant shall provide to the Planning Commission a floor plan illustrating the proposed operation, a site plan indicating all on-site improvements, if any, and any additional information as required by the Planning Commission. Notification of the request for the conditional use permit shall be given by the Secretary of the Planning Commission to all record title holders of real property lying within 500 feet of the property line of the area requesting the conditional use approval. Said notice shall be first class mail, postage prepaid.

**1122.04 GENERAL DEVELOPMENT STANDARDS.**

The following development standards apply to Short Term **Rentals**.

- (a) Uses Permitted in Single-Family Detached Dwellings. Short Term **Rentals** shall be allowed in any detached structure, or in a garage. Only minimal interior modifications of said single-family dwelling shall be permitted in the original architectural style of the house for safety purposes only. Interior modifications of the size of bedrooms and baths shall be permitted. Each Short Term **Rental** shall be required to have a dining room no smaller than 100 square feet. No more than fifty percent of the house floor area shall be used for such Short Term **Rental** which percent of use shall include bedrooms, guest baths and dining room.
- (b) Occupation of Premises by Owner. The owner of a Short Term **Rental** shall live full-time on the premises. Such owner shall be the record owner of no less than fifty percent interest of the property in question.
- (c) Compliance With Fire Protection Standards; Certificates Required. Certificates of compliance from the Brook Park Fire Department shall be required for approval of a request for a conditional use permit for Short Term **Rentals**. The following fire protection standards shall be continually met during the term of the conditional use permit, and shall be certified to exist by the City Fire Prevention Officer at the inception of the conditional use permit and annually therefor:

- (1) There be a battery-type smoke detector in each guest room;

- (2) There shall be a 110-volt electrical smoke detector per floor protecting the sleeping areas;
  - (3) There shall be one carbon dioxide detector per floor protecting the sleeping areas;
  - (4) There shall be ten pound ABC extinguishers per floor;
  - (5) Electrical work shall conform to current residential standards;
  - (6) There shall be a fire inspection; and
  - (7) No portable heating devices shall be allowed in sleeping rooms.
- (d) Consecutive Nights. Each paying guest may stay at a property designated as a Short Term **Rental** Property for not more than seven (7) consecutive nights at any single visit.
- (e) Kitchen Facilities. Only one kitchen facility shall be permitted per structure for which a conditional use permit is granted to operate a Short Term **Rental**. No cooking facilities of any type shall be permitted in individual guest quarters, and no food shall be served in guest quarters.
- (f) Bathrooms. A minimum of one full bathroom, including tub or shower, toilet and sink, shall be required for every two guest rooms, to be available for the exclusive use of Bed and Breakfast paying guests. No bathroom shall be located in the basement.
- (g) Owner Requirements. The owner must maintain current guest registration records which contain the following information about each guest: the guest's name, address, signature, room assignment and dates of accommodation. The registration records shall be kept on file for three years and upon request by any authorized City official, shall be made available for inspection by such City official during regular business hours or in case of an emergency.
- (h) Nuisance Conditions; Revocation or Suspension of Permits. Short Term **Rentals** shall not be permitted to create or continue a nuisance under either state or local law, and a conditional use permit shall be revoked or suspended by the City whenever the operation endangers, offends or interferes with the safety or rights of others so as to constitute a nuisance.
- (i) Guest Rooms. There shall be no more than three guest rooms within a single-family dwelling that are utilized by Short Term **Rental** customers. A guest room shall contain no less than 100 square feet of living space, not including closets. Guest rooms must be limited to only the first and second floors; no guest room may be located on the third floor, or in the basement.

- (j) Parking. One off-street parking space shall be provided for each guest room. Such off-street parking spaces shall be provided in an existing driveway behind the existing building line or in a garage.
- (k) Signage. One on-premises, flat sign against the dwelling shall be permitted for each Short Term **Rental**, not to exceed three square feet in area. The sign shall not be internally illuminated. No window display or signboard shall be allowed.
- (l) Part-Time Employees. One individual who is a nonresident of the dwelling may be employed in the operation of an owner of the Short Term **Rental** on a part-time basis.
- (m) Security. Outdoor security cameras must be provided. No security lighting shall be permitted which reflects or is directed out of the yard of the owner of the Short Term **Rental**.
- (n) Exits. In addition to the requirements of the Residential Code of Ohio, a minimum of two exits from the bed and breakfast area at the level of exit discharge shall be provided.
- (o) Bed Tax. The bed tax applying to the Short Term **Rentals** shall be the same as that for hotels and motels.
- (p) Allowable Number of Occupants. A maximum of six (6) guests, including minor children, shall be permitted at any one time.
- (q) Location. No Short Term **Rental** shall be permitted within 500 feet of a school or recreational facility.

#### 1122.05 **REQUIRED INFORMATION.**

A resident approved to offer Short Term **Rentals** shall be subject to annual inspection, and inspection at other times upon reasonable notice to the owner. In addition to the requirement set forth in Section 1122.03, above, an application for and, if requested, renewal of, a conditional use permit to engage in the business of Short Term **Rental** establishment shall be accompanied by the following information:

##### **SHORT TERM RENTAL**

- (a) Proof of commercial general liability insurance, with limits of not less than \$300,000.00 per occurrence, for bodily injury and property damage arising in any way from the issuance of the permit. Each policy of insurance shall be used by an insurer authorized to do business in the State of Ohio; and include a provision requiring 30 days advance notice to the City prior to cancellation or lapse of the policy. The owner shall maintain the insurance required under this Section in full force and effect for the duration of the permit period. A single violation of this subsection shall result in revocation of the permit;
- (b) A statement as to whether the owner or any controlling person has ever been convicted in any

- jurisdiction of any felony;
- (c) Proof that the owner has legal title to the property on which the establishment is located;
- (d) A written statement that the establishment shall be the owner's legal primary residence throughout the duration of the license period;
- (e) A copy of an evacuation diagram; and
- (f) A valid certificate of registration in food handling and sanitation by the Department of Health.

**1122.06 PROHIBITED ACTS.**

It shall be unlawful for any person engaged in the business of Short Term **Rentals** to:

- (a) Exceed the scope of the permit, as set forth in this Chapter;
- (b) Allow occupancy of the establishment or any part thereof to exceed one person per 125 feet of floor area, excluding elevators, stairways or other shaft enclosures;
- (c) Rent any sleeping room in the establishment for 7 or more consecutive days to any person other than members of the owner's family as defined in Brook Park Zoning Ordinance;
- (d) Use or permit the use of a hot plate, coffee maker or other cooking device in any sleeping room or bathroom;
- (e) Permit any criminal activity or public nuisance to take place on the premises. If an owner knows or suspects that any criminal activity or public nuisance is taking place on or immediately adjacent to the premises, the owner shall immediately notify the Brook Park Police Department of such fact, and shall cooperate with the Brook Park Police Department in any investigation that may ensue; or
- (f) Knowingly make any false or misleading statement about such person's criminal background in connection with any application submitted pursuant to this Chapter. A single violation of this subsection shall result in permit revocation.

**1122.99 PENALTY.** Whoever violates subsection six of this Chapter is guilty of Wrongful Rental/Use of Residential Property, a misdemeanor of the third degree. A second violation of this Chapter is a misdemeanor of the second degree. Any violation of this Chapter that represents a third or further violation shall be a misdemeanor of the first degree. A separate offense shall be deemed committed each day a violation occurs or continues.

**SECTION 2:** It is found and determined that all formal actions



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

**SECTION 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 further reason that Council desires to amend certain sections of Chapter 1122, therefore, provided this ordinance receives the affirmative vote of at least (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

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

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

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

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

\_\_\_\_\_  
DATE

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

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

CITY OF BROOK PARK, OHIO

P/C 9-19-23 legislative  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE  
AUTHORIZING THE MAYOR AS THE LOCAL PUBLIC AUTHORITY, TO GIVE  
CONSENT, ON BEHALF OF THE CITY OF BROOK PARK, TO  
THE OHIO DEPARTMENT OF TRANSPORTATION  
FOR REPLACING THE SUPERSTRUCTURE OF THE BEREA FREEWAY (SR-237)  
BRIDGE (BRIDGE SFN 1810286) OVER SNOW ROAD, IN THE CITY OF BROOK  
PARK (PID 114522)  
AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio has determined the need for the  
described project: Replace the superstructure of the Berea Freeway  
(SR-237) bridge (Bridge SFN 1810286) over Snow Road in the City of  
Brook Park.

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

SECTION 1: Project Description: Replace the superstructure of  
the Berea Freeway (SR-237) bridge (Bridge SFN 1810286) over Snow  
Road in the City of Brook Park.

SECTION 2: Consent Statement: Being in the public interest,  
the City of Brook Park gives consent to the Director of  
Transportation to complete the above described project as detailed  
in the LPA-ODOT-Let Agreement entered into between the parties, if  
applicable.

SECTION 3: Cooperation Statement: The City of Brook Park shall  
cooperate with the Director of Transportation in the development  
and construction of the above described project and shall enter  
into a LPA Federal ODOT Let Project Agreement, if applicable, as  
well as any other agreements necessary to develop and construct  
the Project. The State shall assume and bear 100% of all of the  
costs of the improvement. The City of Brook Park agrees to pay  
100% of the cost of those features requested by the City of Brook  
Park which are determined by the State and Federal Highway  
Administration to be unnecessary for the Project.

SECTION 4: Authority to Sign: The City of Brook Park hereby  
authorizes the Mayor of said City of Brook Park to enter into and  
execute contracts with the Director of Transportation which are  
necessary to develop plans for and to complete the above-described

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SEP 14 2023

project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project. Upon request of ODOT, the Mayor is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Brook Park to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

**SECTION 5: Utilities and Right-of-Way Statement:** The City of Brook Park agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with the current State and Federal regulations. The City of Brook Park also understands that right-of-way costs include eligible utility costs. The City of Brook Park agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and ODOT Utilities Manual..

**SECTION 6: Maintenance:** Upon completion of the Project, and unless otherwise agreed, the City of Brook Park shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provision, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 7:** 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 8:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of said City, and for the further reason that City Council deems it necessary to proceed with the 237 Bridge Project as soon as possible, 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 from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law. The Clerk of Council is hereby directed to send a certified copy of this ordinance to the State of Ohio, Director of Transportation.

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

FIG 8-22-23 Safety  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

**CITY OF BROOK PARK, OHIO**

**RESOLUTION NO: \_\_\_\_\_**

**INTRODUCED BY: MAYOR ORCUTT**

**A RESOLUTION**

**EXPRESSING THANKS TO THE DONORS FOR OUR NEW K9 UNIT FOR THE BROOK PARK POLICE DEPARTMENT, AND DECLARING AN EMERGENCY**

**WHEREAS,** the Danny Ripepi Memorial Foundation, SRT K9 Unit Foundation, Ed Ripepi, Excel K-9, Brady's K9 Fund, Blue Line Unlimited, and VCA Midpark Animal Hospital generously donated funds to restart our Brook Park Police K9 Unit; and

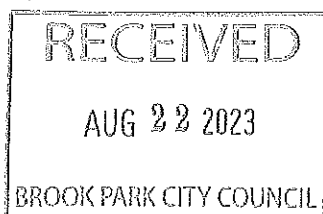
**WHEREAS,** SRT K9 Unit, owned by Ed Ripepi of Ripepi Funeral Homes, is an organization made of handler and dog teams. SRT K9 Unit is dedicated to search, rescue and recovery. SRT K9 Unit donated Odin (our new Police Officer canine) and the cage for the car; and

**WHEREAS,** Excel K-9 is committed to the community, making it safer and more secure. Excel K-9 believes in being a valued neighbor in the community. Excel K-9 educates students in schools on a volunteer basis and works with other community-based organizations to give back. Excel K-9 conducted all the training and certification of the dog and the handler; and

**WHEREAS,** Brady's K9 Fund provides lightweight ballistic vests to working K9s. They have provided hundreds of live-saving ballistic vests to dogs across the county. Brady's K9 Fund provided the vest, the hot and pop, as well as coordinating services with the other agencies; and

**WHEREAS,** Blue Line Unlimited provides assistance to first responders and their families in the way of benefits, training, education and equipment. Blue Line Unlimited donated \$2,000.00 to use for K9 training and equipment; and

**WHEREAS,** VCA Midpark Animal Hospital is a hometown veterinary clinic in Brook Park that is made up of dedicated individuals whose mission is to help pets live long and healthy lives. VCA Midpark Animal Hospital is providing veterinarian services for Odin at a discounted rate; and



WHEREAS, the Mayor and this Council wish to sincerely thank all of these donors for their contributions; the K9 Unit will help keep our City safe and provide valuable law enforcement help for our officers out in the field.

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 hereby directs the Clerk of Council to send a copy of this Resolution to each of the donors.

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

SECTION 3: This 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 purpose of thanking the donors for providing funds for our K9 Unit; 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

CITY OF BROOK PARK, OHIO

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

INTRODUCED BY: MAYOR ORCUTT AND COUNCILMAN POINDEXTER

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO CONVERT LIGHT  
FIXTURES TO LED, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to amended Ordinance No. 11358-2023, \$360,000.00 was designated to be used for citywide LED street lighting; and

WHEREAS, the remaining lights in the City will be converted to LED lights at a cost not exceeding the amount of \$360,000.00.

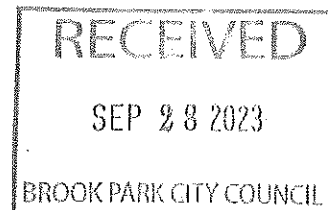
NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: The Mayor is hereby authorized to enter into a contract with First Energy which is attached as Exhibit "A" for the replacement light fixtures.

SECTION 2: The City of Brook Park will pay First Energy from Fund No. 243.

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 further reason that Council desires to authorize the LED conversion, therefore, provided this ordinance receives the affirmative vote of at least (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.





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

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

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

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

\_\_\_\_\_  
DATE

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

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

# STREETLIGHT REQUEST FORM

Three Options: EMAIL TO: CEIEngineering@firstenergycorp.com (preferred)

MAIL TO: The Illuminating Company Attn: Design Unit, 6896 Miller Rd. Suite 101, Brecksville, OH 44141-3299

CONTACT: CEI External Affairs with questions.

WR# \_\_\_\_\_

For Internal Use Only

The Illuminating Company File Number

MUNICIPALITY

ADDRESS

PHONE

City of Brook Park 6161 Eagle Rd. 216-433-7191

LOCATION OF SERVICE REQUESTED

STREET ADDRESS

PHYSICAL LOCATION (POLE NUMBER, SUBLOT, ETC.)

All remaining street lights that need to be converted throughout the City

SYSTEM DESIGN & USAGE

Overhead  
☒ Wood Poles  
☐ Steel Poles

Underground  
☐ Fiberglass Poles  
☐ Steel Poles  
☐ Post Top

☐ Traffic Signal Equipment

NUMBER/TYPE OF LIGHTS

☐ HP Sodium  
 Number: \_\_\_\_\_  
 Style: \_\_\_\_\_  
 Wattage: \_\_\_\_\_

☐ HP Sodium  
 Number: \_\_\_\_\_  
 Style: \_\_\_\_\_  
 Wattage: \_\_\_\_\_

☒ LED  
 Number: Approx. 1,450  
 Style: As recommended  
 Wattage: \_\_\_\_\_

PROJECT TYPE

☐ Relocation  
☐ Overhead  
☐ Underground

☐ Shielding  
☐ Removal

☒ Conversion to LED  
☐ New

☐ Overhead  
☐ Underground  
☐ Pole & Streetlight  
☐ Streetlight Only

COMMENTS:

The City of Brook Park would like to replace all remaining first energy maintained street lights to LED

MUNICIPAL CONTACT PERSON (Please print or type)

Name: Brian Beyer  
 Title: Director of Public Service  
 Phone: 216-433-7191  
 Email: bbeyer@cityofbrookpark.org

NOTE: Attach additional information as needed

REV 2/25/20

EXHIBIT

"A"

the Illuminating Company  
 A FirstEnergy Company