

**REGULAR COUNCIL MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, APRIL 16, 2024
7:30 P.M.**

A. ROLL CALL OF MEMBERS

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. CAUCUS PRIOR TO MEETING HELD ON MARCH 20, 2024.
2. REGULAR COUNCIL MEETING HELD ON MARCH 20, 2024.
3. SPECIAL CAUCUS MEETING HELD ON MARCH 26, 2024.

D. REPORTS OF STANDING COMMITTEES:

Aviation & Environmental Committee - Dufour
Board of Zoning Appeals - Mencini
Finance Committee - Scott
Legislative Committee - Scott
Parks & Recreation Committee - McCorkle
Planning Committee - Poindexter
Safety Committee - Troyer
Service Committee - Roberts

E. REPORTS OF SPECIAL COMMITTEES:

Southwest General Health Center Trustee - Mencini
Berea Board of Education Representative - McCorkle
Technology & Innovation Council Representative -Dufour

F. REPORTS OF BOARDS AND COMMISSIONS:

G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:

H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:

**I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS,
COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**

J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):

K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:

L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:

M. ORDINANCES AND RESOLUTIONS FIRST READING

1. ORDINANCE NO.11404-2024

AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO COMPLETE THE FINAL DESIGN AND PREPARE CONSTRUCTION DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS FOR THE WENGLER DRIVE DETENTION BASIN PROJECT AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

2. ORDINANCE NO.11405-2024

AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S 2013 MACK LABRIE AUTOMATED SIDE LOADER, AND TO PURCHASE A NEW 37 CUBIC YARD LABRIE AUTOMATED SIDE LOADER, WITH HEAVY DUTY ARM; MOUNTED ON A NEW 2024 MACK-MR (LOW ENTRY) DUAL STEERING CAB AND CHASSIS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

1. ORDINANCE NO.11392-2024

AN ORDINANCE APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; AND 344-029-085 FROM U1-A5 TO U2-A6. Introduced by The COUNCIL AS A WHOLE.

2. ORDINANCE NO.11393-2024

AN ORDINANCE APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-15-178; 344-29-086; 344-15-008 AND 344-15-009; FROM U1-A5, U3-B TO U2-A-6. Introduced by The COUNCIL AS A WHOLE.

3. ORDINANCE NO.11397-2024

AN ORDINANCE AMENDING SECTION 937.02(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'QUALIFICATIONS,' AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

P. ADJOURNMENT:

**SYNOPSIS OF A RESOLUTION
FOR THE COUNCIL MEETING OF APRIL 16, 2024**

FIRST READING:

Ord. No. 11404-2024 AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO COMPLETE THE FINAL DESIGN AND PREPARE CONSTRUCTION DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS FOR THE WENGLER DRIVE DETENTION BASIN PROJECT AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance authorizing the Consulting Engineer and the Mayor to prepare the final design documents and bids for the Wengler Detention Basin.

Ord. No. 11405-2024 AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S 2013 MACK LABRIE AUTOMATED SIDE LOADER AND TO PURCHASE A NEW 37 CUBIC YARD LABRIE AUTOMATED SIDE LOADER, WITH HEAVY DUTY ARM; MOUNTED ON A NEW 2024 MACK-MR (LOW ENTRY) DUAL STEERING CAB AND CHASSIS, AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance authorizing the Mayor to trade in a 2013 garbage truck for credit on a new garbage truck.

SECOND READING:

Ord. No. 11392-2024 AN ORDINANCE APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; AND 344-029-085 FROM U1-A5 TO U2-A6.

SYNOPSIS: An ordinance approving the rezoning from a former school to residential zoning.

Ord. No. 11393-2024 AN ORDINANCE APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-15-178; 344-29-086; 344-15-008 AND 344-15-009; FROM U1-A5, U3-B TO U2-A-6.

SYNOPSIS: An ordinance approving the rezoning from former school to residential zoning and office building zoning.

Ord. 11397-2024 AN ORDINANCE AMENDING SECTION 937.02(a) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED "QUALIFICATIONS" AND DECLARING AN EMERGENCY.

SYNOPSIS: An ordinance setting forth the cut off ages for seniors in snow and grass programs.

CITY OF BROOK PARK, OHIO

P/C 4/2/24 Service
CA 4/9/24
1st R 4/16/24
2nd R _____
3rd R _____
B/C _____

ORDINANCE NO. 11404-2024

INTRODUCED BY: MAYOR ORCUTT

**AN ORDINANCE
AUTHORIZING THE CONSULTING ENGINEER TO COMPLETE
THE FINAL DESIGN AND PREPARE CONSTRUCTION
DOCUMENTS AND THE MAYOR TO ADVERTISE FOR BIDS FOR
THE WENGLER DRIVE DETENTION BASIN PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, the Wengler Drive Detention Basin has been identified as a Project to help manage storm water runoff within the City of Brook Park;

WHEREAS, the City desires to have the final design and construction documents prepared for the Wengler Drive Detention Basin.

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

SECTION 1: The Consulting Engineer is hereby authorized to prepare plans and specifications and the Mayor is authorized to advertise for bids for the Wengler Drive Detention Basin Project.

SECTION 2: The Mayor on behalf of the City of Brook Park is hereby authorized to contract for professional services for the Wengler Drive Detention Basin Project. Payment for the aforementioned services shall be in accordance with the Exhibit "A" attached hereto.

SECTION 3: The money needed to complete the aforesaid transaction shall be paid from the Sewer Improvements Fund No. 459, theretofore appropriated or to be appropriated for said purpose.

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 Section 121.22 of the Ohio Revised Code.

SECTION 5: 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 final design and preparation of construction documents for the Wengler Drive Detention Basin 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.

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

March 29, 2024

Edward Orcutt, Mayor
City of Brook Park
6161 Engle Road
Brook Park, Ohio 44142



Re: City of Brook Park
Wengler Drive Detention Basin
Final Design and Construction Documents
Project Description and Scope of Work

Dear Mayor Orcutt,

Included below is Euthenics, Inc.'s project description and scope of work for the necessary engineering design services for the above referenced project. This letter provides information in regard to the following:

- Project Background and Purpose
- Project Description
- Scope of Services
- Detailed Fee Proposal (Attachment 1)

Project Background: Several areas within the City of Brook Park experience flooding on regular basis. Prior studies and inventory of actual flooding events have identified these areas. Preliminary analysis from prior studies indicates that creating a storm water detention basin in the former Wengler Park will help to alleviate flooding. A detention basin will also benefit property owners downstream (to the north) by reducing peak stormwater runoff from the area tributary to the basin.

Purpose: The purpose of the project is to construct a stormwater detention basin to reduce peak flow during rain events and reduce flooding.

Project Description: The project will construct a detention basin in the area that is formerly known as Wengler Park and is situated on two vacant parcels of land (Cuyahoga County PPN 343-14-190 and 343-14-151) owned by the City of Brook Park.

To maximize the flooding reduction effectiveness and benefits of the project, the detention basin will be as large as possible and will therefore encompass most of the two parcels. Additional flooding reduction benefit may be realized by out letting a portion of the Wengler Drive storm sewer system directly into the basin, however this design will be evaluated/completed in the future and is *not* part of this Project. The existing structures (homes and garages) along the westerly side of Wengler Drive are closely spaced and an adequate corridor to install the relief sewer does not currently exist. In all likelihood, a parcel

along the westerly side of Wengler Drive will need to be acquired and the structures demolished to allow for the installation of this sewer. This work could be completed at a later date.

There are no site amenities anticipated at this basin except for a limited number of landscaping/ornamental trees.

Scope of Services: The following is a list of anticipated scope items:

- 1) *Survey* - Topographic and boundary survey of both parcels. Offsite survey will include obtaining the location and inverts of the existing storm sewers along I-71 and Wengler Drive (sewer within the street and rear yards). The detention basin will outlet to the existing conduit draining to Wengler Drive.
- 2) *Base Mapping* - Survey data will be reduced to create a Civil 3D basemap. Existing topographic features will be shown and identified. A digital terrain model suitable to generate 1' contours will be created. Property lines will be depicted from records deeds, subdivision plats and I-71 Right-of-Way Plats/Plans. Research of County Records will be performed to obtain existing easement documents. Locations of exiting easements will be shown, and the Grantee identified on the drawings. Existing utilities will be plotted based on field observable features and record plan information.
- 3) *Geotechnical Exploration* - Soil borings will be obtained to determine the existing subsurface material. This information will be used to both facilitate the design of the retention basin and provide the contractor with the anticipated material through which the excavation will occur.
- 4) *Title Reports* - Preparation of Title Reports for PPNs 343-14-151 and 343-14-190.
- 5) *Review of Existing Information* - Existing plans and prior studies will be obtained and reviewed.
- 6) *Hydrologic and Hydraulic Analysis and Calculations* - The existing drainage area to the detention basin will be verified based on the field survey. Time of concentrations and runoff curve numbers will also be verified. Flood routing for various storms will be routed through the basin based on the proposed grading plan prepared as part of the construction drawings.
- 7) *Construction Plans and Documents* - The following is a list of anticipated drawings and documents:
 - a) Title Sheet (1 Sheet)
 - b) General Notes (2 Sheets)
 - c) Existing Conditions Plan (1 Sheet)
 - d) Overall Layout Plan (1 Sheet)
 - e) Storm Water Pollution Prevention Plan (SWPPP) (1 Sheet)
 - f) SWPPP Notes and Details (7 Sheets)
 - g) Grading Plan (2 Sheets)
 - h) Geometric Plan with Coordinate Layout of Detention Basin and Inlet/Outlet Structures
 - i) Detention Basin Details (Outlet Control Structure, etc.)
 - j) Storm Sewer Profiles (Detention Basin Inlet and Outlet Sewers)
 - k) Miscellaneous Details (3 Sheets)
 - l) Estimated Quantities
 - m) Bid Book and Specifications Manual

- n) Preliminary and final cost estimate
- 8) *Update NEORS D Hydraulic Model* - Update portion of NEORS D SWMM model to account for new retention basin. NOT IN SCOPE (update by NEORS D)
- 9) *Environmental Permits* - Prepare Ohio EPA Notice of Intent (NOI) Permit. Environmental studies and permitting beyond the NOI are not anticipated and therefore not included in this scope of this proposal.
- 10) *Project Management/Coordination for Design and Permitting* - Coordinate with local stakeholders including utilities, City of Brook Park, NEORS D, Ohio EPA, etc.
- 11) *Bidding Services* - Prepare bid documents and legal notice, respond to pre-bid questions, issue addendum, contract award recommendation letter.
- 12) *Construction Inspection and Administration* - NOT IN SCOPE
- 13) *As-Built Survey* - NOT IN SCOPE
- 14) *As-Built Analysis of the Retention Basin* - NOT IN SCOPE

Written authorization to proceed with any additional services will be obtained prior to commencing with any work that is not included in the Items as described herein. The fees shown in the Proposal (Attachment 1) will be held for work in progress through the end of 2024.

Geotechnical and Title Reports will be submitted to the City for approval prior to commencement of any other work tasks. Written authorization from the City will be requested to proceed with services beyond the Geotechnical Report and Title Report.

If additional work or work of significantly increased complexity, clearly not contemplated in the original scope of services, is required, or if Euthenics, Inc. is required to abandon or perform or re-perform approved work, supplemental or modification agreements shall be negotiated providing for the cost and suitable profit for such work. If this Agreement is terminated during performance of the work, Euthenics, Inc. shall be paid for services rendered to the date of termination.

We appreciate the opportunity to provide this proposal and look forward to working with you on this project. Please call if you have any questions or need additional information.

Very Truly Yours,
EUTHENICS, INC.



Edward R. Piatak, P.E.
Consulting City Engineer

Encls.

F:\Jobs\187\202402 - Wengler Basin\Admin\Design - Scope and Fee\Wengler Basin Letter - 03 29 2024.docx

Project: Wengler Drive Detention Basin

Location: Brook Park, Ohio

From: Euthenics, Inc.

Date: March 29, 2024

"Attachment 1"

Engineering and Surveying Proposal

Item		Direct Exp.	Total MH/CH	Total Fees
1.00	Topographic, Boundary, and Utility Survey			
1.01	Research existing utility data / OUPS call and documentation		4	\$488.00
1.02	Set Project Control		6	\$980.00
1.03	Set Benchmarks and Secondary Control		4	\$660.00
1.04	Locate Existing Road R/W Monuments (Shelby Dr. & Wengler Dr.)		6	\$980.00
1.05	Field Locate Existing Utilities		4	\$660.00
1.06	Boundary Survey-Field Locate Property Pins		8	\$1,310.00
1.07	Survey inverts of ex. storm sewers (Wengler, Shelby, Robert)		10	\$1,640.00
1.08	Topographic Survey (3.3 Ac.)		22	\$3,610.00
1.09	Supervision		4	\$660.00
1.10	Direct Project Expenses	\$50.00		\$50.00
	Total = \$11,038.00	\$50.00	68	\$11,038.00
2.00	AutoCAD Civil 3D Basemap			
2.01	Review existing deeds & plats (from Title Report, by others)		2	\$320.00
2.02	Reduce Survey Data and Create 3D Basemap		4	\$488.00
2.03	Plot Ex. Underground Utilities on Basemap based on Record Plans		2	\$244.00
2.04	Plot Property Lines and adjacent Subdivision Sublots in Basemap		8	\$1,128.00
2.05	Supervision		2	\$330.00
2.06	Direct Project Expenses	\$0.00		\$0.00
	Total = \$2,510.00	\$0.00	18	\$2,510.00
3.00	Review of Existing Plans and Prior Studies			
3.01	Review of Existing Plans and Prior Studies		4	\$660.00
	Total = \$660.00	\$0.00	4	\$660.00
4.00	Preliminary & Final Civil/Site Improvement Plans & Cost Estimate			
4.01	Title Sheet with Location Map		12	\$1,576.00
4.02	General Notes (Estimate 2 Sheets)		24	\$3,124.00
4.03	Existing Conditions Plan (1 Sheet @ 1"= 30')		18	\$2,364.00
4.04	Site Demolition Plan (1 Sheet @ 1"= 30')		0	\$0.00
4.05	Overall Layout Plan (1 Sheet @ 1"= 40')		24	\$3,210.00
4.06	Storm Water Pollution Prevention Plan (SWPPP) (1 Sheet @ 1"= 30')		24	\$3,152.00
4.07	SWPPP Notes and Details		32	\$4,214.00
4.08	Grading Plan (2 Sheets @ 1"= 20')		40	\$5,276.00
4.09	Geometric Plan with Coordinate Layout of Detention Basin and Inlet/Outlet Structures (1 Sheet @ 1"= 30')		26	\$3,424.00
4.10	Site Utilities Plan including relocations		0	\$0.00
4.11	Detention Basin Details		32	\$4,156.00
4.12	Storm Sewer Profiles/Details (Detention Basin Inlet and Outlet Sewers)		36	\$4,672.00
4.13	Miscellaneous Details (Utilities, Pavement/Drive, Fence, etc...)		16	\$2,092.00
4.14	Estimated Quantities & Cost Estimates		16	\$2,292.00
4.15	Bid Book and Specifications Manual		46	\$6,488.00
4.16	Supervision		10	\$1,650.00
4.17	Direct Project Expenses - Printing, Mileage, etc.	\$100.00		\$100.00
	Total = \$47,790.00	\$100.00	356	\$47,790.00

Project: Wengler Drive Detention Basin

Location: Brook Park, Ohio

From: Euthenics, Inc.

Date: March 29, 2024

"Attachment 1"

Engineering and Surveying Proposal

		Direct Exp.	Total MH/CH	Total Fees
5.00	Hydrologic and Hydraulic Analysis and Calculations			
5.01	Verify Existing Drainage Area Tributary to Detention Basin based on results of Field Survey		6	\$816.00
5.02	Calculate Time of Concentration and Runoff Curve Numbers		6	\$816.00
5.03	Calculate Elevation versus Storage Capacity of Retention Basin		4	\$544.00
5.04	HydroCAD Analysis for Q1 through Q100 Storm Events		14	\$1,904.00
5.05	Hydraulic Calculations to Determine Outlet Control Structure Geometry		6	\$816.00
5.06	Hydraulic Calculations to Size New Storm Sewers Into/Out-of Retention Basin		0	\$0.00
5.07	Retention Basin Design Report		22	\$3,108.00
5.08	Supervision		4	\$660.00
5.09	Direct Project Expenses - Printing, Mileage, etc.	\$50.00		\$50.00
	Total = \$8,714.00	\$50.00	62	\$8,714.00
6.00	Environmental Permits			
6.01	Prepare and Submit Ohio EPA Notice of Intent (NOI) Permit Environmental Studies and permitting beyond the NOI are not anticipated and not in scope		8	\$1,088.00
6.02	Direct Project Expenses - Printing, Mileage, etc.	\$0.00		\$0.00
	Total = \$1,088.00	\$0.00	8	\$1,088.00
7.00	Project Management/Coordination for Design and Permitting			
7.01	Project Management/Coordination for Design and Permitting		4	\$660.00
7.02	NEORS - Updates/Coordination/Approvals		4	\$660.00
7.03	Direct Project Expenses	\$0.00		\$0.00
	Total = \$1,320.00	\$0.00	8	\$1,320.00
8.00	Bidding Phase Services			
8.01	Bidding - Contractor Questions and Issue Addendum		36	\$5,360.00
8.02	Bid Opening, Tally, Analysis and Recommendation		14	\$2,078.00
8.03	Direct Project Expenses	\$50.00		\$50.00
	Total = \$7,488.00	\$50.00	50	\$7,488.00
9.00	Title Research (TBD)			
9.01	Title Report and Project Management (PPN 343-14-151 & 343-14-190)	\$3,120.00		\$3,120.00
	Total = \$3,120.00	\$3,120.00		\$3,120.00
10.00	Geotechnical Report (TBD)			
10.01	Soil Borings and Environmental Field Screening	\$9,350.00		\$9,350.00
	Total = \$9,350.00	\$9,350.00		\$9,350.00
11.00	Wetland Determination (TBD)			
11.01	Wetland Screening/Report	\$4,200.00		\$4,200.00
	Total = \$4,200.00	\$4,200.00		\$4,200.00

Project: Wengler Drive Detention Basin

Location: Brook Park, Ohio

From: Euthenics, Inc.

"Attachment 1"

Date: March 29, 2024

Engineering and Surveying Proposal

		Direct Exp.	Total MH/CH	Total Fees
SUMMARY				
<u>Task</u>	<u>Description</u>	<u>Fee</u>	<u>MH/CH</u>	
1.00	Topographic, Boundary, and Utility Survey	\$11,038.00	68	
2.00	AutoCAD Civil 3D Basemap	\$2,510.00	18	
3.00	Review of Existing Plans and Prior Studies	\$660.00	4	
4.00	Preliminary & Final Civil/Site Improvement Plans & Cost Estimate	\$47,790.00	366	
5.00	Hydrologic and Hydraulic Analysis and Calculations	\$8,714.00	62	
6.00	Environmental Permits	\$1,088.00	8	
7.00	Project Management/Coordination for Design and Permitting	\$1,320.00	8	
8.00	Bidding Phase Services	\$7,488.00	50	
Sub-Total (Euthenics) =		\$80,608.00	574	
9.00	Title Research (TBD)	\$3,120.00		
10.00	Geotechnical Report (TBD)	\$9,350.00		
11.00	Wetland Determination (TBD)	\$4,200.00		
	NOI Permit (Ohio EPA)	\$200.00		
	Advertising (Plain Dealer)	\$1,500.00		
Grand Total =		\$98,978.00		

NOTE: Construction Phase Services are not included in this Scope of Work

CITY OF BROOK PARK, OHIO

PIC 4/2/24 Service
CA 4/9/24
1st R 4/16/24
2nd R _____
3rd R _____
C.C. _____

ORDINANCE NO: 11405-2024

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE AUTHORIZING THE MAYOR TO TRADE-IN THE CITY'S 2013 MACK LABRIE AUTOMATED SIDE LOADER, AND TO PURCHASE A NEW 37 CUBIC YARD LABRIE AUTOMATED SIDE LOADER, WITH HEAVY DUTY ARM; MOUNTED ON A NEW 2024 MACK-MR (LOW ENTRY) DUAL STEERING CAB AND CHASSIS, AND DECLARING AN EMERGENCY

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

SECTION 1: The Mayor is hereby authorized to trade-in a 2013 Mack Labrie Automated Side Loader, Serial #1M2AU04C9DM007424.

SECTION 2: Best Equipment Company did a professional survey/evaluation of the 2013 Mack Labrie Automated Side Loader and they are offering \$50,000.00 towards the purchase of a new 37 Cubic Yard Labrie Automated Side Loader, with heavy duty arm; mounted on a new 2024 Mack-MR (low entry) dual steering cab and chassis.

SECTION 3: The Mayor is hereby authorized to purchase a new 37 Cubic Yard Labrie Automated Side Loader, with heavy duty arm; mounted on a new 2024 Mack-MR (low entry) dual steering cab and chassis for a total price of \$403,650.00, less the trade-in of the 2013 Mack Labrie Automated Side Loader for \$50,000.00 for a total of \$353,650.00, the contract for this transaction is attached hereto as Exhibit "A".

SECTION 4: The money needed for this aforesaid transaction shall be paid from Fund 401, and shall not exceed \$353,650.00. The amount of \$200,000.00 from the Ohio Environmental Protection Agency 2024 Recycle Ohio Grant will be used as a reimbursement to Fund 401 after purchase. This purchase will be made under Sourcewell Contract #060920-NAF.

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 Sections 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 public peace, health, safety and welfare of said City, and authorizing the Mayor to purchase a 37 Cubic Yard Labrie Automated Side Loader, with heavy duty arm; mounted on a new 2024 Mack-MR (low entry) dual steering cab and chassis and trade-in our 2013 Mack Labrie Automated Side Loader, 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: _____

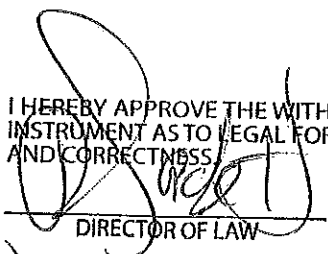
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW



BEST

EQUIPMENT CO.

SALES | SERVICE | PARTS

Sales Proposal

for Brook Park, OH

PREPARED ESPECIALLY FOR

John Pensis
Brook Park, OH

PREPARED BY

Joe Aquilino
Northeastern Ohio Sales
Best Equipment Company, Inc.

Equipment and Pricing

PREPARED ESPECIALLY FOR:	PREPARED BY:
John Pensis jpensis@cityofbrookpark.com Brook Park, OH	Joe Aquilino joeaquilino@bestequipmentco.com Best Equipment Company, Inc.
PROCUREMENT	PAYMENT TERMS
Sourcewell Contract # 060920-NAF	Invoice

PRODUCT	PRICE	QTY	SUBTOTAL
New 37 Cubic Yard Labrie Automated Side Loader, with Heavy Duty Arm; Mounted on New 2024 Mack-MR (low entry) Dual Steering Cab & Chassis Specifications Attached Including: Extended Warranty Engine Plan #2-5 Years Extended Warranty Engine Emission 5 Years Extended Warranty Allison Transmission 5 Years <u>Unit Includes All Standard & Previous Selected Body Options</u> Including: Full Width Crusher panel with in-cab switch Non moveable single arm joystick Multiplex System Dual Chelsea PTO continuous drive pump off transmission Body control valve-electric over hydraulic Hopper Hardox Liner Work lights in hopper and curb side post Heated Triple Clarion cameras, mounted in hopper, on curbside and on Tailgate with color monitor in cab-Monitor center mounted near windshield Extra-large decal on tailgate Grab pack with multi-cycle packing ram LED lights: stop, turn, tail, back-up and rear amber alternating flashing,	\$407,192.00	1	\$407,192.00

located above tailgate
Beacon style strobe
Multi-cycle for packing blade
Sliding hopper access step
Broom & Shovel including Hoe, body mounted
Spill shield installed behind grabber
Hydraulic pressure gauge on main valve, with quick coupler
Wear strips in hopper floor railings 1/4" Hardox 450
Anti-sails and rear mud flaps
4 feet 1/8" Hardox 450 liner at front of body
White body paint to match cab and chassis

Groeneveld Auto Lube	\$8,942.00	1	\$8,942.00
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Installation of a Groeneveld Automated Greasing System
60cc pump
Auto low grease lever shutoff with light
Labrie Body and Right Arm
Installation of system
EPO Pail of Grease-35. Lb. 5 gal.
Groeneveld Beka Fuel Surcharge

Subtotal	\$416,134.00
Sourcewell Discount	-\$12,484.00
#A1 Trade-In Discount	-\$50,000.00
Total	\$353,650.00

NOTES

Pricing Includes All Sourcewell (previously NJPA), Discounts
Sourcewell (previously NJPA), Contract Number #: 060920-NAF
City of Brookpark, Ohio is Tax Exempt

CITY OF BROOK PARK, OHIO

D/C
3-20-24
SdA
BC

ORDINANCE NO: 11392-2024

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE

APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; AND 344-029-085 FROM U1-A5 TO U2-A6.

WHEREAS, the Ohio Constitution, the General Laws of the State of Ohio, and the Charter of the City of Brook Park vest the City of Brook Park with the power to amend or change such zones, districts, restrictions and regulations from time to time in the interest of the public health, safety, convenience, comfort, prosperity and general welfare; and

WHEREAS, on March 4, 2024 the Planning Commission issued a recommendation to rezone permanent parcel numbers 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084 and 344-29-085 from U1-A5 to U2-A6, pursuant Charter Section 11.03(b) and this Council finds their recommendation well taken.

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

SECTION 1: Permanent Parcel numbers 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084 and 344-29-085 will be rezoned from U1-A5 zoning to U2-A6 zoning, a description of the site plan/pictures and a listing of interior and exterior improvements is on file at the Clerk of Council Office.

SECTION 2: The Engineer of the City of Brook Park shall amend the Zoning Map of the City upon passage of this Ordinance.

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.

RECEIVED
MAR 14 2024
BROOK PARK CITY COUNCIL

SECTION 4: This Ordinance is hereby necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reasons to amend a certain parcel of property within our City; 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

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

[Handwritten Signature]

DIRECTOR OF LAW

1358

CITY OF BROOK PARK, OHIO

PIC _____
CA _____
3-20-24 _____
3rd _____
BIC _____

ORDINANCE NO: 11393-2024

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE

APPROVING THE REZONING OF PERMANENT PARCEL NUMBERS 344-15-178; 344-29-086; 344-15-008 AND 344-15-009 FROM U1-A5, U3-B TO U2-A6.

WHEREAS, the Ohio Constitution, the General Laws of the State of Ohio, and the Charter of the City of Brook Park vest the City of Brook Park with the power to amend or change such zones, districts, restrictions and regulations from time to time in the interest of the public health, safety, convenience, comfort, prosperity and general welfare; and

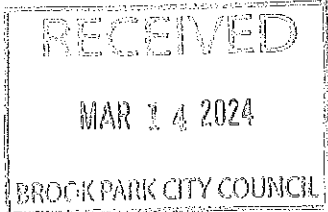
WHEREAS, on March 4, 2024 the Planning Commission issued a recommendation to rezone permanent parcel numbers 344-15-178; 344-29-086; 344-15-008 and 344-15-009 from U1-A5, U3-B to U2-A6, pursuant to Charter Section 11.03(a) and this Council finds their recommendation well taken.

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

SECTION 1: Permanent Parcel numbers 344-15-178; 344-29-086; 344-15-008 and 344-15-009 will be rezoned from U1-A5, U3-B zoning to U2-A6 zoning, a description of the site plan/pictures and a listing of interior and exterior improvements is on file at the Clerk of Council Office.

SECTION 2: The Engineer of the City of Brook Park shall amend the Zoning Map of the City upon passage of this Ordinance.

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 necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reasons to amend a certain parcel of property within our City; 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

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

[Signature]

DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11397-2024

INTRODUCED BY: MAYOR ORCUTT

P/C	<u>3/20/24</u>	<u>legislative</u>
SPCA	<u>3/20/24</u>	
1st R	<u>4/2/24</u>	
2nd R	<u>4/16/24</u>	
3rd R		
B/C		

AN ORDINANCE
 AMENDING SECTION 937.02(a)
 OF THE BROOK PARK CODIFIED ORDINANCES
 ENTITLED 'QUALIFICATIONS,'
 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 937.02(a) of the Brook Park Codified Ordinances as enacted by Ordinance No. 8596-1999, passed October 19, 1999, and amended by Ordinance No. 9972-2015, passed September 22, 2015 reading as follows:

937.02 QUALIFICATIONS.

Each registrant shall be a senior citizen who satisfies all of the following:

- (a) Is at least seventy (70) years of age;

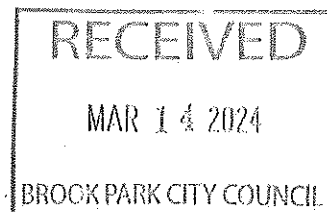
hereby amended to read:

937.02 QUALIFICATIONS.

Each registrant shall be a senior citizen who satisfies all of the following:

- (a) Is at least seventy (70) years of age by April 30th for grass cutting and November 14th for snow removal;

SECTION 2: Section 937.02(a) of the Brook Park Codified Ordinances as enacted by Ordinance No. 8596-1999, passed October 19, 1999, and amended by Ordinance No. 9972-2015, passed September 22, 2015 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 937.02(a) the Brook Park Codified Ordinances; therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: _____

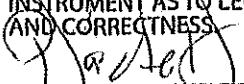
PRESIDENT OF COUNCIL

ATTEST: _____
Clerk of Council

APPROVED: _____
MAYOR

DATE

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



DIRECTOR OF LAW

Act.