

CITY OF BROOK PARK, OHIO

ORDINANCE NO.: 11736-2021

INTRODUCED BY: MAYOR GAMMELLA

P/C
CA 12-14-2021
1st R
2nd R
3rd R
B/C
CAU Prior 12-21-2021

**AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ADVANCE AND
TRANSFER FUNDS TO THE SPECIFIED FUNDS, AND DECLARING AN
EMERGENCY**

WHEREAS, the Auditor for the State of Ohio has requested Council approve the below referenced advances and transfers.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOK
PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1: That the Finance Director be and is hereby authorized to advance and transfer funds to the specified funds as follows:

FROM:	TO:	AMOUNT
100 General Fund (Advance)	245 CDBG Fund	\$150,000.00
210 City Income Tax Fund	100 General Fund	\$17,004,283.58
	401 Capital Improvement Fund	\$2,818,321.79
281 BP Coronavirus Relief Fund	100 General Fund (Advance Repay)	\$64,130.00
401 Capital Improvement Fund	245 CDBG Fund	\$126,258.00
	310 General Bond Retirement Fund	\$790,156.44
	546 2021 Street Improvement Fund	\$850,000.00

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 Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to authorize the Finance Director to advance and transfer funds to specified funds; 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: December 21, 2021

M. J. Mauldin
PRESIDENT OF COUNCIL

ATTEST:

APPROVED:

Michelle Blazak
CLERK OF COUNCIL

M. J. Mauldin
MAYOR

12/21/21
DATE

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. 112312-2021
passed on the 21st day of December
20 21 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 five 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, #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 December 22, 2021
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schmuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Jack
DIRECTOR OF LAW 12/10/21

P/C 11-16-21 Legislative
CA Prior 12-7-21
1st R 12-7-21
2nd R 12-21-21
3rd R

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 21-2021

INTRODUCED BY: COUNCILMAN TROYER *CW, Mayor Dannelle*

A RESOLUTION
IN SUPPORT OF HOUSE BILL 361
TO PROVIDE FOR NEW REQUIREMENTS AND INCREASED PENALTIES FOR
BLOCKED RAILROAD CROSSINGS, AND DECLARING AN EMERGENCY

WHEREAS, House Bill 361 proposes to amend Sections 121.95 and 5589.99 and to enact new section 5589.25 of the Revised Code to establish new requirements and increased penalties that apply to a railroad company that unlawfully blocks a railroad crossing; and

WHEREAS, House Bill 361 would require a railroad company to submit to the Public Utilities Commission of Ohio an incident report each time a train blocks a crossing for more than five (5) minutes to the hindrance of traffic, and

WHEREAS, House Bill 361 proposes a Five Thousand Dollar (\$5000.00) fine for a first violation and Ten Thousand Dollar (\$10,000.00) fine for subsequent violations.

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 expresses its support of House Bill 361 to amend Ohio law imposing new requirements and increased penalties.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the introducer of the bill, Representatives Thomas Hall and Jessica E. Miranda.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for further reason to support the passage of House Bill 361; 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: December 21, 2021

Michael J. Keenan
PRESIDENT OF COUNCIL

ATTEST: *Michelle Blazak*
CLERK OF COUNCIL

APPROVED: *J. A. [Signature]*
MAYOR

12/21/21
DATE

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. 21-2021
passed on the 21st day of December
20 21 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 five 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, #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 December 22, 2021
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schmuck	<u><i>resigned</i></u>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

[Signature]
DIRECTOR OF LAW