

P/C 3-122 Safety
CA 3-8-22
1st R 3-15-22
2nd R _____
3rd R _____
B/C _____
Amended 3-11-22

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11243 ~ 2022

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
GREATER CLEVELAND AUTO AUCTION, PUBLIC AUCTIONEERS,
FOR THE PURPOSE OF AUCTIONING A FORFEITED 2010 MAZDA 4D VEHICLE
AND A 2006 BMW 4D 325 VEHICLE, AND DECLARING AN EMERGENCY

WHEREAS, Greater Cleveland Auto Auction will provide the City of Brook Park with Auction services for two forfeited vehicles; a 2010 Mazda 4 Door car and a 2006 BMW 4 Door 325 car, that were forfeited in OVI cases; and

WHEREAS, Greater Cleveland Auto Auction will charge the City of Brook Park a selling fee of \$100.00 per auctioned vehicle; and

WHEREAS, it is in the best interest of the City of Brook Park that said agreement be entered into;

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 and directed to enter into an agreement with Greater Cleveland Auto Auction, for the purpose of disposing of forfeited vehicles, a list of which is attached hereto and incorporated herein as Exhibit "A" at a public sale.

SECTION 2: The money needed for the aforesaid transaction shall be paid from the Law Enforcement Fund 270, theretofore appropriated for said purpose.

SECTION 3: Proceeds from the sale shall be deposited into Law Enforcement Fund 270.

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

RECEIVED

MAR 11 2022

BROOK PARK CITY COUNCIL

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 for an agreement between Greater Cleveland Auto Auction and the City of Brook Park; 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: 3-15-22

M.H. Kubis
PRESIDENT OF COUNCIL

ATTEST: Carol Johnson
Clerk of Council

APPROVED: E.J. Curt
MAYOR

3-15-22

DATE

CERTIFICATE

Carol Johnson, 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. 11243-2022 passed on the 15 day of March 2022 by said council.

Carol Johnson
Clerk of Council

I, Carol Johnson, 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 3-16-22

Carol Johnson
CAROL JOHNSON
Clerk of Council

	Yea	Nay
Troyer	/	/
Mencini	/	/
Roberts	/	/
Scott	/	/
Coyne	/	/
Poindexter	/	/
Salvatore	/	/

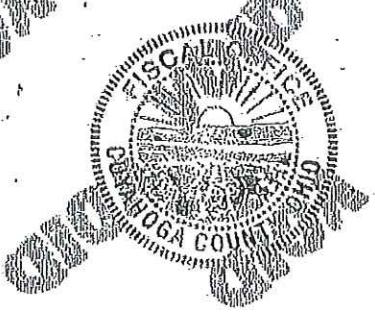
I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

[Signature]
DIRECTOR OF LAW

STATE OF OHIO

CERTIFICATE OF TITLE

ISSUING COUNTY ISSUING TITLE OFFICE # RESIDENT COUNTY	CUYAHOGA 1804 CUYAHOGA	ORIGINAL		TITLE No. 18 1388 7556 ISSUE DATE 02/16/2022
IDENTIFICATION NUMBER 1YVHZ8BH65W37770	YEAR 2010	MAKE MAZD	MAKE DESCRIPTION MAZDA	MODEL DESCRIPTION 4D
MILEAGE 81,255	MILEAGE NOTATION ACTUAL			PURCHASE PRICE \$0.00
CONVERSION				EXEMPT CO
EVIDENCE OH-1810026001				
COMMENTS COURT ORDER				
NOTATION(S)				
OWNER(S) BROOK PARK POLICE DEPARTMENT				
17401 HOLLAND RD BROOK PARK OH 44142				
PREVIOUS OWNER(S) JASON E BRADLEY				
6649 SPRINGDALE DR MIDDLEBURG HTS, OH 44130				



WITNESS MY HAND AND OFFICIAL SEAL THIS 16TH DAY OF FEBRUARY, 2022

%214875558



Michael Chambers

MICHAEL CHAMBERS
FISCAL OFFICER

G PMB PMB

THIS DOCUMENT CONTAINS OHIO WATERMARK WHICH IS VISIBLE WHEN HELD TO LIGHT

OHIO CERTIFICATE OF TITLE

STATE OF OHIO

ISSUING COUNTY CUYAHOGA
ISSUING TITLE OFFICE # 1804
RESIDENT COUNTY CUYAHOGA

TITLE No. 18 1267 1593
ISSUE DATE 06/12/2019

ORIGINAL

IDENTIFICATION NUMBER
WBAVD13568K0745

YEAR
2006

MAKE
BMW

MODEL DESCRIPTION
BMW 325

BODY TYPE
AD

MILEAGE
EXEMPT

MILEAGE NOTATION

PURCHASE PRICE
\$0.00

EXEMPT
CO

CONVERSION

EVIDENCE
OH-8500987415

COMMENTS
COURT ORDER

NOTATION(S)

OWNER(S)
CITY OF BROOK PARK

6161 ENGLE RD
BROOK PARK OH 44142

PREVIOUS OWNER(S)
COURT ORDER

COURT ORDER
COURT ORDER, OH

10/13
2019
REGISTRATION
Vehicles

ERASURES AND ALTERATIONS VOID THIS TITLE

ERASURES AND ALTERATIONS VOID THIS TITLE

WITNESS MY HAND AND OFFICIAL SEAL THIS 12TH DAY OF JUNE 2019

%203526410



%203526410

DENNIS G KENNEDY
FISCAL OFFICER

G
MMH
MMH

This document contains Ohio watermark which is visible when held to light

PETER A. SACKETT
Assistant Law Director & Prosecutor
City of Brook Park OH

February 24, 2022

Martin S. Healy
Asst. Director of Finance
City of Brook Park

RE: Proceeds from sale of vehicles forfeited
in OVI cases.

Dear Mr. Healy:

As we discussed, BPPD has two vehicles which they wish to dispose of by Public Sale. Ohio Revised Code §4503.234, Order of Criminal Forfeiture provides, *inter alia*, as follows:

§4503.234(C)(2): A vehicle ordered criminally forfeited to the state pursuant to this section shall be disposed of as follows:

[T]he vehicle shall be sold, without appraisal, if the value of the vehicle is two thousand dollars or more as determined by publications of the national auto dealer's association, at a public auction to the highest bidder for cash.

Prior to the sale, the prosecuting attorney in the case shall cause a notice of the proposed sale to be given in accordance with law. The court shall cause notice of the sale of the vehicle to be published in a newspaper of general circulation in the county in which the court is located at least seven days prior to the date of the sale.

Mr. Martin S. Healy
Page Two
February 24, 2022

The proceeds of a sale shall be deposited in the – Law Enforcement Trust Fund. ORC §2981.13(C).

If you have any questions, please let me know.

Very truly yours,

Peter A. Sackett
Assistant Director of Law/Prosecutor
Brook Park OH

PAS/ms

cc: Sgt. Tornabene, BPPD