

P/C 2/19/19 Legislative  
Caucus Prior 3/5/19  
1<sup>st</sup> R 3/5/19  
2<sup>nd</sup> R  
3<sup>rd</sup> R  
B/C

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11066-2019

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE AMENDING ORDINANCE NO. 10094-2017, AUTHORIZING THE MAYOR TO ACCEPT ADDITIONAL FUNDS UP TO \$248,000.00 IN ENVIRONMENTAL GRANT FUNDS FROM THE STATE OF OHIO DEPARTMENT OF DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT AND/OR THE STATE OF OHIO BUREAU OF UNDERGROUND STORAGE TANK REMOVAL (BUSTR) TO PERFORM AN ENVIRONMENTAL IMPACT STUDY AND/OR TO FACILITATE AND ADMINISTER THE ENVIRONMENTAL REMEDIATION OF THE PROPERTY KNOWN AS 6286 ENGLE RD., PPN 342-09-011 AND TO TAKE ALL FURTHER NECESSARY ACTION TO REMEDIATE THE PROPERTY AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 10094-2017, passed August 15, 2017 authorized the Mayor to accept funds up to \$99,943.42 in environmental grant funds from the State of Ohio;

WHEREAS, pursuant to Resolution No. 7-2017, passed February 21, 2017 the Mayor applied for grant funds from the State of Ohio to environmentally remediate 6286 Engle Rd, PPN 342-09-011 (herein "the Property").

WHEREAS, the City has been awarded an increase up to \$248,000.00 in grant funds from the State of Ohio to conduct an environmental impact study and to remediate environmental contamination on the Property;

WHEREAS, in order to environmentally remediate the Property, the State of Ohio requires the City to accept up to \$248,000.00 and pay up to the same amount, as necessary, to the contractors engaged directly in the environmental remediation of the Property and to facilitate the remediation of the Property.

WHEREAS, the owner of the Property, MNA Properties, Inc. by and through the Mary N. Abdallah Revocable Trust, Mary N. Abdallah Trustee (herein Owner) has agreed to indemnify and hold the City harmless for all sums in excess of \$248,000.00 that may be incurred or arise out of the environmental remediation of the Property;

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

