

9-1-20 Finance  
 9-8-2020  
 9-15-20

CITY OF BROOK PARK, OHIO

Ordinance No. 11165-2020

Introduced by: MAYOR GAMMELLA

AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY, OHIO, FOR CHARGES FOR THE SERVICES OF THE CITY OF BROOK PARK, OHIO FOR CUTTING WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN, AND AUTHORIZING SAID CHARGES TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURSUANT TO SECTION 731.54 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, in accordance with upon written information that noxious weeds were growing on the following parcels of land within the City of Brook Park:

PERMANENT PARCEL NO.	LOCATION
343-21-140	15498 Bowfin Blvd.
344-27-011	14029 Park Drive
343-21-235	15604 Rademaker Blvd.
344-16-004	5764 West 130 <sup>th</sup> Street
344-18-175	6052 Westbrook Drive
342-09-048	6189 Zehman Drive

and that said weeds were about to spread or mature seeds, the Council of the City of Brook Park, Ohio has heretofore authorized the Building Commissioner to notify said owners by written notice that said weeds were to be cut within forty-eight (48) hours after receipt thereof; and

WHEREAS, the Building Commissioner has caused written notices to be sent to the aforesaid property owners by posting a notice on the

property and/or by ordinary mail, notifying said owners to cut said weeds; and

WHEREAS, said owners failed to comply with said notices within the time allotted herein and the Council of this City authorized the Service Director to cause said weeds to be cut and destroyed; and

WHEREAS, said weeds were cut by said City on the aforesaid parcels of land; and

WHEREAS, the City expended the sum hereinafter set forth necessary labor and equipment or contracted for cutting and destroying said weeds; and

WHEREAS, the City has complied with the requirements of Section 731.51 to 731.53 of the Ohio Revised Code.

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

SECTION 1: That the Director of Finance for the City of Brook Park is hereby authorized to pay the total of the sums of money hereinafter set forth out of funds not otherwise appropriated to cover the cost and expenses of cutting noxious weeds on the parcels and land herein defined.

SECTION 2: That, in accordance with Section 731.54 of the Ohio Revised Code, the Council of the City of Brook Park, Ohio hereby makes and this ordinance shall be considered as its written return to the Fiscal Officer of Cuyahoga County, Ohio, of its actions under Section 731.54 to and including Section 731.53 if the Ohio Revised Code.

SECTION 3: That copies of the statements of charges of the services of the City of Brook Park, and the amounts paid for performing such labor, including overhead, for cutting weeds on the respective parcels of land described herein, are attached hereto, marked Exhibit "A", and considered a part hereof as if rewritten herein.

SECTION 4: That the description of the premises on which said weeds were cut are as heretofore set forth in the preamble hereof, and the respective charges for said services on the following permanent parcels are as follows:

PERMANENT PARCEL NO.	CHARGES
343-21-140	\$600.00
344-27-011	\$1,500.00

343-21-235	\$2,400.00
344-16-004	\$1,200.00
344-18-175	\$3,900.00
342-09-048	\$600.00

**SECTION 5:** That, in accordance with Section 731.54 of the Ohio Revised Code, the Fiscal Officer of Cuyahoga County, Ohio be and is hereby directed to enter the aforesaid charges upon the tax duplicate of the hereinbefore described parcels of land as liens upon said parcels of land, and such items shall be collected as other taxes and returned to the City of Brook

**SECTION 6:** The Clerk of Council is hereby authorized to furnish a certified copy of this Ordinance to the Fiscal Officer of Cuyahoga County.

**SECTION 7:** It is found and determined that all formal actions of this Council concerning and relating to 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 actions 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 immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that it is immediately necessary to certify this amount to the County Fiscal Officer for collection before September 10, 2020, for the benefit of the residents of the City of Brook Park; provided that 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: September 15, 2020 M. P. Vukobratovic  
 PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak APPROVED: [Signature]  
 Clerk of Council MAYOR

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. 11165-2020 passed on the 15th day of September 2020 by said council.

Michelle Blazak  
 Clerk of Council

9/17/2020  
 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 September 17, 2020

	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"/>
Schmuek	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Polindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Michelle Blazak  
 MICHELLE BLAZAK  
 Clerk of Council

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS  
[Signature]  
 DIRECTOR OF LAW

EXHIBIT "A"

City of Brook Park  
6161 Engle Road  
Brook Park, Ohio 44142

September 10, 2020

15498 Bowfin Blvd.  
Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's  
Permanent Parcel No. 343-21-140 BALANCE: \$600.00

Grass and Weeds Cut – 18 June, 1 July, 2020

14029 Park Drive  
Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's  
Permanent Parcel No. 344-27-011 BALANCE: \$1,500.00

Grass and Weeds Cut – 5 May, 4 June, 19 June, 2 July, 24 July, 2020

15604 Rademaker Blvd.  
Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's  
Permanent Parcel No. 343-21-235 BALANCE: \$2,400.00

Grass and Weeds Cut – 5 August, 21 August, 12 September, 27 September, 2018, 22  
May, 4 June, 18 June, 30 June, 2020

5764 West 130<sup>th</sup> Street  
Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's  
Permanent Parcel No. 344-16-004 BALANCE: \$1,200.00

Grass and Weeds Cut 2 June, 15 June, 2 July, 21 July, 2020

6052 Westbrook Drive  
Brook Park, Ohio 44142

Weed cutting cost on Cuyahoga County Fiscal Officer's  
Permanent Parcel No. 344-18-175

BALANCE: \$3,900.00

Grass and Weeds Cut 13  
June, 25 June 10 July, 24 July, 6 August, 20 August, 4 September, 20 September, 1  
October, 16 October 2018, and 31 May, 11 June, 19 June, 2019

6189 Zehman Drive  
Brook Park, Ohio 44142  
Permanent Parcel No. 342-09-048

BALANCE: \$600.00

Grass and Weeds Cut 21 August, 12 September 2019

Very faint, illegible text, possibly a stamp or signature.