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1st R 12/15/15  
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CITY OF BROOK PARK, OHIO

Caucus 12/15/15 amended  
Caucus 1/5/16 - amended

ORDINANCE NO: 9993-2015

INTRODUCED BY: MAYOR COYNE and Council Members Troyer, Mencini, Powers  
Scott, Burgio, McCormick, Salvatore and Council President Astorino

AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF THE BROOK PARK  
HOME MAINTENANCE ASSISTANCE GRANT PROGRAM (HMAP),  
AND DECLARING AN EMERGENCY

WHEREAS, City Council appropriated \$100,000 in the 2015 municipal budget to provide home maintenance assistance to Brook Park residents;

WHEREAS, in order to implement the Home Maintenance Assistance Program (HMAP), the Council authorizes the Mayor to approve and the Finance Director to issue grants and loans in order to implement the HMAP within the City;

WHEREAS, this Council desires to implement rules and regulations to facilitate the prompt and effective management of the BMAP program within the city;

WHEREAS, the City of Brook Park encourages the development and maintenance of real property located within the City, and specifically within the City's LMI (low/moderate income) and Target Improvement Area zones; and

WHEREAS, Financial assistance from the City of Brook Park is necessary to permit residents to effectuate the remediation and repairs to their residential properties and to protect the community from blight and deterioration; and

WHEREAS, the City of Brook Park, having the appropriate authority for the stated type of project, is desirous of providing its residents with assistance and incentives to protect their properties and to prevent deterioration and decay of its residential neighborhoods consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution to eradicate and mitigate blight within the City, and to improve the economic welfare of the people of the State; and

WHEREAS, the Council of the City of Brook Park has investigated the request of the Mayor for authority to implement a HMAP program and concurs that the requested administrative authority will greatly assist homeowners and city officials to

remediate housing stock within the City, improve the living conditions of city residents and improve the economic climate of the City of Brook Park;

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

**SECTION 1:** Notwithstanding any other codified ordinances the Mayor is authorized to approve, and the Finance Director is authorized to issue, Home Maintenance Assistance Program grants and loans to residents of Brook Park in owner occupied dwellings upon the following terms and conditions:

1. The City shall maintain complete records of all grants and loans issued under the HMAP program;
2. All existing building code violations for the property in question shall be corrected as part of and as a condition precedent to the issuance of funds by the City under the HMAP program;
3. The City shall conduct due diligence of all HMAP grant and loan applications to determine whether the applicant falls within the federal income assistance guide lines;
4. Brook Park residents in owner occupied residential housing with documented income below federal income assistance guidelines shall be eligible for grant assistance up to \$5,000 in matching funds for documented repairs and improvement to owner occupied residential structures.
5. Brook Park residents in owner occupied residential housing with documented income above federal income assistance guidelines shall be eligible for loans up to \$5,000 in matching funds for documented repairs and improvements to owner occupied residential structures. Priority shall be given to the lowest income applicant.
6. The use of funds shall be limited to structural and home repair and capital repairs and remodeling improvements (e.g. roofs, windows, furnaces, driveways, insulation and the like) and not for landscaping, sidewalks of a premise.
7. Any loan issued by the City under the HMAP program shall:
  - a. Have a term of not more than five (5) years and shall require the payment of the then current prime rate of interest charged to commercial banks by the Federal Reserve Bank;
  - b. Be secured by lien in the city's favor against the property for the face value of the loan as well as a cognovit note issued in favor of the City by owner(s) of the residential structure to be improved.
  - c. Require monthly repayment of any loan issued on an amortized basis directly to the Director of Finance Department of the City of Brook Park;
  - d. Homeowners receiving loan funds shall pay 50% of the cost of the desired home improvement in advance to a licensed, bonded and insured contractor who is duly registered with the City. Upon completion of the desired home

improvements and inspection, approval and certification of the improvements by the Commissioner of Building and Housing, the Director of Finance shall issue payment to the registered contractor performing the work.

- e. The proposed project must meet all applicable codes and be approved in advance by the Building Commissioner.
- f. Applications will be taken on a first come first serve basis until annually appropriated funds are exhausted.
- g. During the term of the loan applicants must occupy said premises.

**SECTION 2:** The money needed for the aforesaid grants and loans shall be paid by the City from funds appropriated for the Home Maintenance Assistance Program upon the completion of the aforesaid remediation and repair activities and said funds shall be exclusively applied to the costs, expenses and fees arising from and/or incurred by the homeowner in furtherance of the aforesaid home maintenance and improvements.

**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 Sections 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 implement the HMAP; therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

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

PASSED: January 5, 2016 Jim Brown  
PRESIDENT OF COUNCIL

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

**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. 4713-2016

passed on the 5th day of January 2016 by said council.

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 ordinance/resolutions was made by posting true copies at six of the most public places in said city, to-wit: City Hall 6161 Engle Road, Police Station 17401 Highland Road, #1 Fire Station 5500 Smith 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 January 8, 2016  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council