

**ITEMS TO BE CONSIDERED  
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING  
TO BE HELD ON TUESDAY, JUNE 4, 2024  
7:00 P.M.**

**I. ROLL CALL OF MEMBERS:**

**II. PLEDGE OF ALLEGIANCE:**

**III. DISCUSSION:**

1. ALTERNATIVE TAX BUDGET

**IV. LEGISLATIVE COMMITTEE – CHAIRMAN, SCOTT:**

1. A RESOLUTION HONORING REVEREND JAMES STENGER, PASTOR OF MARY QUEEN OF THE APOSTLES PARISH AND DECLARING AN EMERGENCY. Introduced by Councilman Mencini, C/W, and Mayor Orcutt.
2. AN ORDINANCE AMENDING SECTION 101.08(d) OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED "CHARGES FOR SERVICE REQUESTS; COPIES OF CITY RECORDS," AND DECLARING AN EMERGENCY. Introduced by Councilman Dufour.
3. AN ORDINANCE ENACTING NEW SECTION 351.20 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PARKING IN ELECTRIC MOTOR VEHICLE CHARGING STATIONS,' AND DECLARING AN EMERGENCY. Introduced by Councilman Dufour.

**V. SERVICE COMMITTEE – CHAIRMAN, ROBERTS:**

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GARLAND/DBS, INC. FOR THE BROOK PARK NATATORIUM ROOF AND WALLS REPAIR PROJECT (CT 202408), AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.  
**TIM HOLLO WILL BE ATTENDANCE WITH A PRESENTATION.**
2. AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND SPECIFICATIONS, AND THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER INTO A CONTRACT(S) WITH THE LOWEST AND/OR BEST BIDDER FOR THE HOLLAND ROAD PAVEMENT REPAIRS PROJECT (CT 202401), AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**VI. ADJOURNMENT:**

## ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit City of Brook Park

For the Fiscal Year Commencing January 1, 2025

Fiscal Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

# COUNTY OF CUYAHOGA

### Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

### Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

### County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

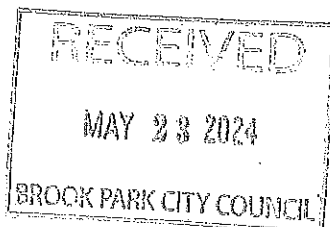
Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

### County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

### Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.



# DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)  
 (List All Levies Of The Taxing Authority)

SCHEDULE 1

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Of Commission
General Fund	General						3.85	\$2,414,718.00
Police Pension Fund	Police Pension						0.30	\$188,160.00
Fire Pension Fund	Fire Pension						0.30	\$188,160.00
Debt Service Fund	Debt Service						0.00	\$0.00
SWGHI Fund	Southwest Hospital	11/7/2023	Renewal	Five	2024/2028	2025/2029	0.30	\$131,469.00
Totals								\$2,922,507.00

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

## SCHEDULE 2

I	II	III	IV	V	VI	VII
Fund BY Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Resources Available for Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
General Fund	10,505,634.44	2,891,718.00	23,000,000.00	36,397,352.44	29,000,000.00	7,397,352.44
City Income Tax Fund	100.00		24,317,351.00	24,317,451.00	24,317,351.00	100.00
Admissions Tax Fund	1,010,858.45		110,000.00	1,120,858.45	45,000.00	1,075,858.45
Hotel, Motel Tax Fund	1,393,775.26		130,000.00	1,523,775.26		1,523,775.26
Street Construction, Maint. & Repair Fund	1,001,747.67		1,200,000.00	2,201,747.67	1,350,000.00	851,747.67
State Highway Improvement Fund	1,301,789.45		135,000.00	1,436,789.45	45,000.00	1,391,789.45
Permissive Tax Fund	337,914.11		60,000.00	397,914.11	150,000.00	247,914.11
Economic Development Fund	987,506.48		750,000.00	1,737,506.48	1,250,000.00	487,506.48
Brookpark Road Corridor Fund	57,835.41			57,835.41		57,835.41
CDBG Fund	36,290.03			36,290.03		36,290.03
Special Recreation Fund	350,086.08		155,000.00	505,086.08	135,000.00	370,086.08
Concession Stand Funds	42,579.74		125,000.00	167,579.74	130,000.00	37,579.74
Furtherance of Justice Fund	0.00			0.00		0.00
Law Enforcement Fund	95,325.89		1,500.00	96,825.89	20,000.00	76,825.89
DWI Enforcement & Education Fund	31,435.29		1,000.00	32,435.29	1,500.00	30,935.29
Federal Forfeiture Fund	54,098.75		3,500.00	57,598.75	20,000.00	37,598.75
Community Diversion Program Fund	15,767.87			15,767.87	3,500.00	12,267.87
Continuing Training Program Fund	72,901.38			72,901.38	2,000.00	70,901.38

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

## SCHEDULE 2

I	II	III	IV	V	VI	VII
Fund BY Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Resources Available for Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
Opioid Settlement	33,569.91		15,000.00	48,569.91	10,000.00	38,569.91
Fema Fund	54,663.00			54,663.00		54,663.00
American Rescue Plan Act Fund	0.00		0.00	0.00	0.00	0.00
Insurance Fund	1,135,590.82		75,000.00	1,210,590.82	125,000.00	1,085,590.82
General Bond Retirement Fund	1,302,993.40		1,005,262.96	2,308,256.36	1,005,522.86	1,302,732.90
Capital Improvement Fund	626,963.22		3,932,683.00	4,559,646.22	4,200,000.00	359,646.22
Construction Funds	2,745,862.66		2,200,000.00	4,945,862.66	4,900,000.00	45,862.66
Medical Benefits Fund	2,800,768.24		2,650,000.00	5,450,768.24	2,700,000.00	2,750,768.24
Retiree Accrued Benefits Fund	214,036.24		500,000.00	714,036.24	700,000.00	14,036.24
Police Pension Fund	178,562.54	188,160.00	700,000.00	1,066,722.54	870,000.00	196,722.54
Fire Pension Fund	215,884.92	188,160.00	640,000.00	1,044,044.92	840,000.00	204,044.92
Southwest General Hospital Fund	0.00	131,469.00		131,469.00	131,469.00	0.00
Cash Bonds Held Fund	0.00		125,000.00	125,000.00	125,000.00	0.00
Building Standards Fund	0.00		11,000.00	11,000.00	11,000.00	0.00
Unclaimed Monies Fund	8,462.00			8,462.00		8,462.00
Payroll Account Funds	0.00		195,000.00	195,000.00	195,000.00	0.00
Special Assessment Bond Retirement Fund	0.00		0.00	0.00	0.00	0.00

# UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)  
 (Do Not Include General Obligation Debt Being Paid By Other Sources)  
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

**SCHEDULE 3**

I Purpose Of Bonds Or Notes	II Date Of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Calendar Year	V Amount Required To Meet Calendar Year Principal & Interest Payments	VI Amount Receivable From Other Sources To Meet Debt Payments
<b>Totals</b>					

# VOTED DEBT OUTSIDE 10 MILL LIMIT

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)

## SCHEDULE 4

I Purpose Of Notes Or Bonds	II Authorized By Voters On MM/DD/YY	III Date Of Issue	IV Final Maturity Date	V Principal Amount Outstanding At The Beginning Of The Calendar Year	VI Amount Required To Meet Calendar Year Principal & Interest Payments	VII Amount Receivable From Other Sources To Meet Debt Payments

**CITY OF BROOK PARK  
2025 TRANSFERS**

FROM	AMOUNT	TO
100 General Fund	250,000.00	243 Economic Development Fund
	50,000.00	264 Water Park Fund
	251,857.61	310 General Bond Retirement Fund
	1,200,000.00	551 2024 Street Improvement Fund
	500,000.00	691 Retirees' Accrued Benefit Fund
	700,000.00	711 Police Pension Fund
	640,000.00	712 Fire Pension Fund
SubTotal	3,591,857.61	
 210 City Income Tax Fund	 19,764,668.00	100 General Fund
	3,582,683.00	401 Capital Improvement Fund
SubTotal	23,347,351.00	
 215 Admissions Tax Fund	 0.00	100 General Fund
 220 Hotel, Motel Tax Fund	 0.00	100 General Fund
 401 Capital Improvement Fund	 753,404.75	310 General Bond Retirement Fund
	1,000,000.00	551 2024 Street Improvements Fund
SubTotal	1,753,404.75	
 <b>Total All Transfers</b>	 <b>28,692,613.36</b>	



*legislation*

P/C 5/14/24  
CA 5/14/24  
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2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
E/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY: COUNCILMAN MENCINI, *C/W, and Mayor Orcutt*

A RESOLUTION  
HONORING REVEREND JAMES STENGER,  
PASTOR OF MARY QUEEN OF THE APOSTLES PARISH  
AND DECLARING AN EMERGENCY

WHEREEAS, Father Jim was named Pastor of St. Peter the Apostle Parish in 2002, named Administrator of Assumption of Mary in 2009 and named Pastor of Mary Queen of the Apostles Parish in 2010; and

WHEREAS, Father Jim has worked with the City of Brook Park and Tri-C/Titan Community Soccer Association to provide fields on parish grounds for youth soccer programs; and

WHEREAS, Father Jim has helped provide additional parking for the City of Brook Park's annual Home Day's celebration on parish grounds; and

WHEREAS, Father Jim has started many new groups and ministries under his leadership, including, but not limited to:

- Knights of Columbus, Knights of Columbus/Ladies Auxiliary
- Queen's Cooks, Ministry of Consolation
- Bereavement Support, Intercessory Prayer/Holy Hour
- Ministry of Hope, Ministry of Praise & Mercy
- Sharing Tree Collection, Cl. Mother Rosary Makers
- Charity in Action, Prayer Crafters, St. Peter's Angels
- Healing Prayer Ministry, KEYS, Bible Study, Youth Band
- Rockers, Children's Liturgy of the Word
- St. James Ministry, ChristLife Evangelization Series
- Evangelization Team, Mary's Seniors
- Parish Gardeners, Parish Picnic Planners
- Ministry of MOMS, Sharing Women of Faith

WHEREAS, Father Jim served as pastor for both St. Peter the Apostle and Assumption of Mary parishes through the merger transition process and the Bishop (at the time) Lennon, praised Father Jim saying it was the best example of a merger within the Diocese of Cleveland; and

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

SECTION 1: The Mayor and Council wish to honor and commend Father Jim for his involvement and commitment to the City of Brook Park and all his volunteering and devotion to the citizens of Brook Park.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to Father James Stenger and we all wish him the very best at his new parish the Divine Word in Kirtland.

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 the further reason to honor Father James Stenger for his many years of service to the parishioners in the City of Brook Park; therefore, provided this Resolution 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: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DIRECTOR OF LAW

*Legislative*  
 P/C 4/10/24  
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 S/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

ORDINANCE NO: \_\_\_\_\_

INTRODUCED BY: COUNCILMAN DUFOUR

**AN ORDINANCE  
 AMENDING SECTION 101.08(d) OF THE BROOK PARK CODIFIED ORDINANCES  
 ENTITLED "CHARGES FOR SERVICE REQUESTS; COPIES OF CITY RECORDS,"  
 AND DECLARING AN EMERGENCY**

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

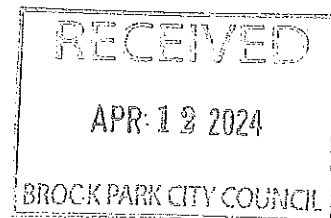
**SECTION 1:** Section 101.08(d) of the Brook Park Codified Ordinances, as amended by Ordinance No 8534-1999, passed April 6, 1999; Ordinance No. 9167-2005, passed January 18, 2005; Ordinance No. 9646-2010, passed May 5, 2010 and Ordinance No. 11038-2018, passed September 18, 2018, reading as follows:

**101.08 CHARGES FOR SERVICE REQUESTS; COPIES OF CITY RECORDS.**

The Finance Director is hereby authorized and directed to levy and receive from the various departments of the City the following charges for service requests and copies of City records:

(a) Zoning Maps	\$4.50	
(b) Precinct maps	3.00	
(c) Video tapes (per tape)	10.00	
(d) CD (per disc)	1.00	
(e) All other records (per page black/white)	.05	per page
(f) All other records (per page color)	.25	per page
(g) All other documents (per page black/white)	.10	
(h) All other documents (per page color)	.25	
(i) Photograph (per copy)	10.00	
(j) Postage	Current USPS rates	
(k) Business envelope (per envelope)	.05	
(l) Bulk envelope (per envelope)	.10	
(m) CD packaging (per cd)	.05	
(n) USB/Flash drive (per drive)	5.00	

Is hereby amended to read:



(a) Zoning Maps	\$4.50	
(b) Precinct maps	3.00	
<del>(c)</del> Video tapes per tapes	<del>10.00</del>	
<del>(d)</del> <b>(c)</b> CD (per disc)	1.00	
<del>(e)</del> <b>(d)</b> All other records (per page black/white)	.05	per page
<del>(f)</del> <b>(e)</b> All other records (per page color)	.25	per page
<del>(g)</del> <b>(f)</b> All other documents (per page black/white)	.10	
<del>(h)</del> <b>(g)</b> All other documents (per page color)	.25	
<del>(i)</del> <b>(h)</b> Photograph (per copy)	10.00	
<del>(j)</del> <b>(i)</b> Postage	Current USPS rates	
<del>(k)</del> <b>(j)</b> Business envelope (per envelope)	.05	
<del>(l)</del> <b>(k)</b> Bulk envelope (per envelope)	.10	
<del>(m)</del> <b>(l)</b> CD packaging (per cd)	.05	
<del>(n)</del> <b>(m)</b> USB/Flash drive (per drive)	5.00	

**Section 2:** Section 101.08(d) of the Brook Park Codified as amended by Ordinance No. 8534-1999, passed April 6, 1999; Ordinance 9167-2005, passed January 18, 2005; Ordinance No. 9646-2010, passed May 5, 2010 and Ordinance No. 11038-2018, passed September 18, 2018 is hereby expressly repealed.

**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 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 of amending Section 101.08(d) of the Brook Park Codified Ordinances to charge the correct amount for copies; therefore, provided this ordinance 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: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

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

  
DIRECTOR OF LAW

CITY OF BROOK PARK, OHIO

P/C 5/21/24 Legislative  
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3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

ORDINANCE NO: \_\_\_\_\_

INTRODUCED BY: COUNCILMAN DUFOUR

AN ORDINANCE  
ENACTING NEW SECTION 351.20  
OF THE BROOK PARK CODIFIED ORDINANCES  
ENTITLED 'PARKING IN ELECTRIC MOTOR VEHICLE CHARGING STATIONS,'  
AND DECLARING AN EMERGENCY

WHEREAS, clear regulations and signage regarding the use of Electric Vehicle (EV) charging stations minimize potential conflicts with other motorists and support convenience for EV drivers; and

WHEREAS, establishing an ordinance for misuse of electric vehicle charging stations deters non-EV vehicles from occupying those spaces and ensures charging accessibility for EV drivers; and

WHEREAS, encouraging the appropriate use of electric vehicle charging stations can expand the network of charging options for residents and visitors; and

WHEREAS, the availability of public EV charging stations can attract businesses and visitors who support and utilize electric vehicles, benefiting the local economy.

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

SECTION 1: New Section 351.20 of the Codified Ordinances of the City of Brook Park is hereby enacted to read as follows:

**351.20 Parking in Electric Motor Vehicle Charging Stations.**

a. Definitions.

1. "Electric vehicle" means a battery-powered electric vehicle operated solely by electric or a plug-in hybrid electric vehicle that operates on electricity and gasoline and has a battery that can be recharged from an external source.

2. "Electric vehicle charging station" means a public or private space that is served by equipment that is used to charge a battery or other energy storage device of an electric vehicle. This included any such space on any private or public off-street parking facility.

b. Signage.

RECEIVED  
MAY 20 2024

1. For the purposes of this section "official sign" means a sign identifying a parking space for electric motor vehicle charging that cites this section and that clearly displays the penalties for violating this section.

2. The owner of public or private property may install official signs that identify a parking space as a dedicated charging station. The installation operates as a waiver of any objection the owner may assert concerning the enforcement of this section by a peace officer. A peace officer may enforce this section on private property.

c. Restrictions.

1. A person shall not park a motor vehicle with a parking space designated for charging a plug-in electric motor vehicle unless the motor vehicle is a plug-in electric motor vehicle.

2. Except as provided in subsection (3) of this section, a person shall not park a plug-in electric motor vehicle in a parking space with a dedicated charging connector for the parking space unless the person is parked in the charging station for the purpose of charging the plug-in electric motor vehicle

3. A plug-in electric motor vehicle is rebuttably presumed to not be charging if the motor vehicle is:

A. Parked in a charging station parking space with a dedicated charging connector for the space; and

B. Not continuously and electrically connected to the charger for longer than thirty minutes.

4. It shall not be a defense to a charge under this section that the sign or notice posted at the electric vehicle charging station or the designated parking space does not comply with all applicable rules, regulations, or ordinances, if a reasonable person would be made aware by the sign or notice on or near the parking space that the space is reserved for the charging of electric vehicles.

d. Exceptions.

1. A person may park a plug-in electric motor vehicle at a charging station after the motor vehicle is fully charged in a parking lot:

A. That serves a lodging business if the person is a client of the lodging business and has parked the plug-in electric motor vehicle in the lot to charge overnight;

B. That serves an airport if the person is a client of the airport and has parked the plug-in electric motor vehicle in the lot to charge when traveling; or

C. Between the hours of 11:00 p.m. and 5:00 a.m.

2. The exception in subsection (d)(1) of this section is an affirmative defense to a violation of subsection (c) of this section.

e. Penalty.

1. Whoever violates this section is guilty of a misdemeanor of the third degree.

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 of enacting Section 351.20 of the Brook Park Codified Ordinances; 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: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

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

  
DIRECTOR OF LAW



CITY OF BROOK PARK, OHIO

P/C 5/21/24 Service  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
S/C \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY: MAYOR ORCUTT

**AN ORDINANCE  
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH  
GARLAND/DBS, INC. FOR THE BROOK PARK NATATORIUM ROOF  
AND WALLS REPAIR PROJECT (CT 202408),  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Equalis Group is a cooperative purchasing organization that provides contracts competitively solicited by public agencies for an array of products and services;

**WHEREAS**, all Equalis Master Agreements are established through rigorous and transparent competitive solicitations conducted in accordance with public procurement guidelines to ensure member compliance;

**WHEREAS**, the Cooperative Council of Governments (CCOG), an Equalis Group Lead Public Agency, issued RFP #COG-2133 for Roofing Products & Services in Ohio on 5/20/2022 and subsequently entered into Contract #COG-2133A with Garland/DBS, Inc.;

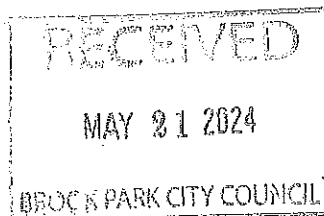
**WHEREAS**, the City of Brook Park is a registered member of the Equalis Group thus facilitating the piggybacking of competitively bid construction contracts by the regional council of governments (with other conditions being satisfied);

**WHEREAS**, the City of Brook Park has received a proposal from Garland/DBS, Inc. to make the necessary repairs to the Natatorium exterior walls and replace the Natatorium roof;

**WHEREAS**, the Council of the City of Brook Park desires to complete the Natatorium Roof and Walls Repairs Project.

**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 to enter into a contract with Garland/DBS, Inc. for the work related to the Natatorium Roof and Walls Repair Project and in accordance with Attachment "A" for an amount estimated not to exceed \$1,839,258.40.



**SECTION 2:** The Mayor on behalf of the City of Brook Park is hereby authorized to contract with the Consulting City Engineer (Euthenics, Inc.) for Services referenced and in accordance with Attachment "B".

**SECTION 3:** The money needed to complete the aforesaid transaction shall be paid from the Natatorium Improvement Fund No. 552 and American Rescue Plan Act Fund (ARPA) Fund No. 282, theretofore appropriated or to be appropriated for said purpose.

**SECTION 4:** 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 5:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of said City, and for the further reason that City Council deems it necessary to proceed with the Natatorium Roof and Walls Project as soon as possible, 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 from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

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

  
DIRECTOR OF LAW



Garland/DBS, Inc.  
3800 East 91<sup>st</sup> Street  
Cleveland, OH 44105  
Phone: (800) 762-8225  
Fax: (216) 883-2055



**ROOFING MATERIAL AND SERVICES PROPOSAL**

City of Brook Park  
Recreation Center  
17400 Holland Rd  
Brook Park, Ohio 44142

Date Submitted: 05/20/2024  
Proposal #: 91-OH-240042  
RFP # COG-2133

**OHIO General Contractor License #: NOT REQUIRED**

Purchase orders to be made out to: Garland/DBS, Inc.

**Please Note:** The following budget/estimate is being provided according to the pricing established under the Master Cooperative Purchasing Agreement with Cooperative Council of Governments and Equalis Group. Garland/DBS, Inc. administered a competitive solicitation for obtaining localized pricing.

**Scope of Work:**

1. Comply with all OSHA and the City of Brook Park's regulations.
2. Lay out a tarp under and properly caution tape the day's work area.
3. Properly protect the surrounding PUF roof. The PUF roof system is currently under warranty provided by West Roofing. They must be hired to perform any repairs.
4. Tear off all roofing materials to the roof deck. No core cuts were taken. Per the provided documents the core cut = tapered 3" x 6" nominal laminated wood deck + red rosin paper + 2" ISO + standing seam.
5. Replace the first two planks parallel to the edge along the north and south wall. Match the existing.
6. Prime the roof deck and all substrates that will receive the vapor barrier at the rate of .5 gallons per 100 square feet.
7. Fill all gaps, voids, etc. with closed cell spray foam.
8. Install a peel and stick vapor barrier over the entire roof surface. Extend the vapor barrier over the roof edges. The adhesive on vapor barrier is pressure-activated, press the material firmly into place using 75 lb. (34 kg) linoleum roller or equivalent to ensure a strong seal.
9. Adhere 2 layers of 2.6" ISO insulation using approved adhesive.
10. Adhere a ½" gypsum board using approved adhesive.
11. Install a modified base and cap sheet using cold adhesive.
12. Install a 22-gauge, 8" flange back gutter set a 1/2" lower than the finished roof surface. Reinforce all of the seams with a peel and stick PVC membrane.

13. Apply two (2) coats of the gray coating. After properly preparing the surface, apply one coat at the rate of 1 gallon per 100 square feet and back-roll. Allow first coat to cure for a minimum of 8 hours at before application of top coat. Apply the second coat in a crosshatch pattern at the rate of 1 gallon per 100 square feet and back-roll.
14. Install new ANSI-Spri, 22-gauge metal edge throughout.

- The contractor will provide a 3-year, leak free workmanship warranty.

- The Garland Company will issue a 40-year warranty.

**Scope of Work: Masonry Work**

1. Retuckpoint the inside and outside of the parapet walls 100%. This includes the coping joints
2. Install a reinforcing ledger board below the roof deck that ties into the wall. This will secure
3. the parapet wall to the roof. Install a 2-ply flashing system per the provided detail. This
4. includes new wood nailer and metal coping.
  - a. North Wall: 100%
  - b. West Wall: 100%
  - c. East Wall: 50%
  - d. South Wall Including the: 50%
5. Remove and replace all vertical control joints.
6. Install a new brick cladding over the 2 areas of the west facing wall. The metal needs to be removed from the south portion. It has fallen from the north portion.
7. Properly clean all exterior walls 100% and apply the specified breathable sealer.
8. Repair the inside masonry area where the block was removed to inspect the interior wall.
9. Line-Item Pricing, per 100 square feet: anchor the north facing wall with Helix type fasteners, stainless steel, 8 mm diameter by 8-inches long.
10. NOTES:
  - 1.) The contractor is responsible for all building permits. Garland/DBS will provide the bond.
  - 2.) The lighting and electrical below the roof deck are the responsibility of the owner

**40-Year Option**

<b>Proposal Price Based Upon Market Experience:</b>	<b>\$ 879,981</b>
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**Garland/DBS Price Based Upon Local Market Competition:**

<b>1 Building Technicians</b>	<b>\$ 879,981</b>
2 Industrial First	\$ 936,551
3 AW Farrell and Son	\$ 995,879
4 A-Star	\$ 1,319,099

**Unforeseen Site Conditions:**

Decking Replacement	\$ 17.10	per Sq. Ft.
Decking Replacement Per Square	\$ 1,710.00	100 Sq. Ft.
Decking Replacement Per 10 Square	\$ 17,100.00	1,000 Sq. Ft.
Wood Blocking (Nailer) Replacement	\$ 6.84	per Ln. Ft.

**Add Alternate - Masonry Work**

<b>Proposal Price Based Upon Market Experience:</b>	<b>\$ 464,816</b>
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**Garland/DBS Price Based Upon Local Market Competition:**

<b>1 Cleveland Building Restoration</b>	<b>\$ 464,816</b>
2 Masonry Restoration	\$ 487,148

**Unforeseen Site Conditions:**

Brick Replacement	\$ 85.50 per Brick
Wall Reinforcement with Helix Type Fasteners	\$ 5,163.06 100 Sq. Ft.
Additional Tuck Pointing Beyond Specified Sq. Ft.	\$ 27.36 per Sq. Ft.

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers.

Please Note – The construction industry is experiencing unprecedented global pricing and availability pressures for many key building components. Specifically, the roofing industry is currently experiencing long lead times and significant price increases with roofing insulation and roofing fasteners. Therefore, this proposal can only be held for 30 days. DBS greatly values your business, and we are working diligently with our long-term suppliers to minimize price increases and project delays which could effect your project. Thank you for your understanding and cooperation.

**Clarifications/Exclusions:**

1. Permits are excluded.
2. Plumbing, Mechanical, Electrical work is excluded.
3. Masonry work is excluded.
4. Interior Temporary protection is excluded.
5. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

*Jarod Miller*

Jarod Miller  
Garland/DBS, Inc.  
(216) 430-3606



City of Brook Park  
 Natatorium Roof and Walls Project (CT 202408)



**SCOPE OF WORK, ESTIMATED MANHOUR AND FEE BREAKDOWN**

**Contracting, Administration, Observation, & Testing Services**

SCOPE OF SERVICES	Principal	Project Manager	Project Engineer	Project Observer	Clerical Misc.	Total Hours
<b>Contract Execution Phase</b>						
Cooperative Purchasing Coordination	4	0	0	0	0	4
Contractor Specificaton Review	16	0	12	0	0	28
Contractor Proposal and Quantity Review	16	0	12	0	0	28
Final Proposal/Contract Review, Analysis and Recommendation	18	0	6	0	2	26
<b>Contract Execution Phase</b>	<b>54</b>	<b>0</b>	<b>30</b>	<b>0</b>	<b>2</b>	<b>86</b>
<b>Construction Phase</b>						
Preconstruction Meeting	4	0	4	0	2	10
Shop Drawing Review	4	4	20	0	8	36
Construction Progress Meetings	4	4	8	0	6	22
Daily Project Administration	48	12	30	0	16	106
<i>Project Observation</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>380</i>	<i>0</i>	<i>380</i>
Post Construction Meeting and Final Inspection	4	8	8	0	6	26
Interpret & Provide Clarifications to Contract Documents	16	6	8	0	0	30
As-Built Drawings (Not Applicable)	0	0	0	0	0	0
Process Payment Requests/Review Change Orders	24	0	14	0	2	40
Material Management, Testing & Certification	6	10	0	0	2	18
<b>Construction Phase</b>	<b>110</b>	<b>44</b>	<b>92</b>	<b>380</b>	<b>42</b>	<b>668</b>

**Contract Execution Phase**

Estimated Labor Costs \$12,734.44  
 Estimated Direct Expenses \$0.00  
**Bidding Phase Total = \$12,734.44**

**Construction Phase Administration**

Estimated Labor Costs \$38,614.62  
 Estimated Direct Expenses \$100.00  
**Sub-Total = \$38,714.62**

**Construction Phase Observation**

Estimated Labor Costs \$18,620.00  
 Estimated Direct Expenses \$250.00  
**Sub-Total = \$18,870.00**

**Construction Phase Testing**

Estimated Material Testing \$8,500.00  
**Sub-Total = \$8,500.00**

**Contract Execution Phase and Construction Phase Estimated Total = \$78,819.06**

CITY OF BROOK PARK, OHIO

P/C 5/21/24 Service  
CA \_\_\_\_\_  
1st R \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
S/C \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

INTRODUCED BY: MAYOR ORCUTT

**AN ORDINANCE  
AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS  
AND SPECIFICATIONS, AND THE MAYOR TO ADVERTISE FOR BIDS, AND  
ENTER INTO A CONTRACT(S) WITH THE LOWEST AND/OR BEST BIDDER  
FOR THE HOLLAND ROAD PAVEMENT REPAIRS PROJECT (CT 202401),  
AND DECLARING AN EMERGENCY**

WHEREAS, the Administration submitted an application for Holland Road pavement repairs to the Cuyahoga County Department of Public Works (CCDPW) for consideration in the 2024 County Road 50/50 Program;

WHEREAS, the County selected said application and is willing to contribute 50%, up to a maximum of \$250,000, toward this municipally sponsored project (County ID No. 1361);

WHEREAS, the Council of the City of Brook Park adopted Ordinance 11311-2023 on January 3, 2023, which authorized the Mayor to execute an agreement with the County for said Project;

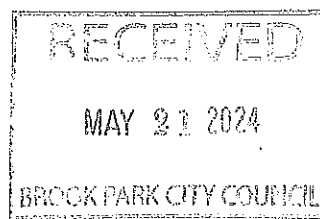
WHEREAS, this Project was included as Item 7 in Exhibit H of the 2024 Appropriations Ordinance No. 11390-2024 adopted on March 20, 2024;

WHEREAS, the Council of the City of Brook Park desires to complete the Holland Road Pavement Repairs Project as described in said CCDPW Application.

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

**SECTION 1:** The Consulting Engineer is hereby authorized to prepare plans and specifications, and the Mayor is authorized to advertise for bids and enter into a contract with the lowest and/or best bidder for said Holland Road Pavement Repairs Project.

**SECTION 2:** The Mayor on behalf of the City of Brook Park is hereby authorized to contract with the Consulting City Engineer (Euthenics, Inc.) for Engineering, Bidding and Construction Administration services for said Project in accordance with Attachment "A".





**SECTION 3:** The money needed to complete the aforesaid transaction shall be paid from the 2024 Streets Improvement Fund No. 551, theretofore appropriated or to be appropriated for said purpose.

**SECTION 4:** 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 5:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of said City, and for the further reason that City Council deems it necessary to proceed with the pavement repairs to Holland Road as soon as possible, 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 from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_


\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

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

  
DIRECTOR OF LAW



**SCOPE OF WORK, ESTIMATED MANHOUR BREAKDOWN, AND FEE ESTIMATE**

**Design Engineering and Plan Development Phase**

Site Visit	=	6	MH
Search Plan Archives for Existing Drawings	=	2	MH
Review Existing Drawings	=	2	MH
Develop Detailed Specifications	=	26	MH
Develop Plan Sheets			
- Title Sheet	=	6	MH
- Develop Basmap (from Aerial Imagery)	=	20	MH
- General Notes	=	18	MH
- Typical Sections and/or Pavement Repair Details	=	24	MH
- Plan Sheets	=	28	MH
- Detour Plan	=	20	MH
- Maintenance of Traffic Notes and Details	=	22	MH
- Standard/Miscellaneous Details	=	20	MH
- SWPPP Plan, Notes and Details (Not Included)	=		MH
Prepare Preliminary Cost Estimate	=	16	MH
Coordination with City of Brook Park, County, Utilities, etc.	=	22	MH
Plan/Specification/Scope of Work Revisions	=	22	MH
Finalize Cost Estimate	=	10	MH
Edit and Prepare Project Manuals/Documents	=	32	MH
<b>Total Manhours</b>	<b>=</b>	<b>296</b>	<b>MH</b>

**Bidding Phase**

Bidding Services	=	10	MH
Respond to Contractor Questions (During Bid Process)	=	18	MH
Coordination	=	20	MH
Analyze Bids/Recommendation	=	8	MH
	<b>=</b>	<b>56</b>	<b>MH</b>

**Construction Administration Phase**

Construction Administration/Management	=	62	MH
Site Visits during Construction	=	28	MH
Review Pay Estimates and Final Quantities	=	30	MH
Prepare and submit reimbursement to County	=	6	MH
<b>Total Manhours</b>	<b>=</b>	<b>126</b>	<b>MH</b>

**Estimated Project Costs**

* Design Engineering and Plan Development Phase	\$38,556.60
* Bidding Phase	\$7,520.40
* Construction Administration Phase	\$19,863.30
Construction Observation (Estimate)	\$16,000.00
Pavement Cores/Concrete Testing (Estimate)	\$3,500.00
Permits, Fees, Inspections, Etc.	TBD
Advertising (Estimate)	\$1,500.00
	\$86,940.30

(\* - Services to be Provided by Euthenics)