

**REGULAR COUNCIL MEETING  
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO  
TO BE HELD ON TUESDAY, NOVEMBER 19, 2024  
7:30 P.M.**

- A. ROLL CALL OF MEMBERS**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS:**
- D. REPORTS OF STANDING COMMITTEES:**
  - Aviation & Environmental Committee - Dufour
  - Board of Zoning Appeals - Mencini
  - Finance Committee - Scott
  - Legislative Committee - Scott
  - Parks & Recreation Committee - McCorkle
  - Planning Committee - Poindexter
  - Safety Committee - Troyer
  - Service Committee - Roberts
- E. REPORTS OF SPECIAL COMMITTEES:**
  - Southwest General Health Center Trustee - Mencini
  - Berea Board of Education Representative - McCorkle
  - Technology & Innovation Council Representative - Dufour
- F. REPORTS OF BOARDS AND COMMISSIONS:**
- G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION:**
- H. REPORTS AND COMMUNICATIONS FROM THE MAYOR:**
- I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS, AND OTHER PUBLIC OFFICIALS:**
- J. OTHER COMMUNICATIONS AND PETITIONS, AND VERBAL APPROVAL: (INTRODUCTION OF NEW LEGISLATION):**

**K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS:****L. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER:****M. ORDINANCES AND RESOLUTIONS FIRST READING**

## 1. Ord. No. 11443-2024

AN ORDINANCE AMENDING SECTION 1311.06(a) OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED 'SURETY BOND AND INSURANCE REQUIRED', AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

## 2. Ord. No. 11444-2024

AN ORDINANCE AMENDING ORDINANCES NO. 11390-2024 AND 11427-2024, THE APPROPRIATION ORDINANCES FOR THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

## 3. Res. No. 20-2024

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

## 4. Res. No. 21-2024

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OPERATE A SENIOR MEDICAL CARE FACILITY AT 15149 SNOW ROAD LOCATED IN THE U-3A ZONING DISTRICT, ORDINANCE 1121.23(C)(1), AND DECLARING AN EMERGENCY. Introduced by Council As A Whole.

## 5. Res. No. 22-2024

A RESOLUTION GRANTING THE LOT CONSOLIDATION OF 4 PARCELS AT 14100 SNOW ROAD, AND O WESTBROOK DRIVE; PPN'S: 344-15-178, 344-29-086, 344-15-008. AND 344-15-009, LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY. Introduced by Council As A Whole.

## 6. Res. No. 23-2024

A RESOLUTION GRANTING THE LOT CONSOLIDATION OF 9 PARCELS AT 0 PEMBERTON DRIVE AND 0 VAN WERT AVENUE, PPN'S: 344-34-077, 344-29-078, 344-29-079, 344-29-080, 344-29-081, 344-29-082, 344-29-083, 344-029-084 AND 344-29-085, LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY. Introduced by Council As A Whole.

**N. SECOND READING OF ORDINANCES AND RESOLUTIONS:**

1. Ord. No. 11438-2024

AN ORDINANCE AMENDING SECTION 1323.02 OF THE BROOK PARK CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

**O. THIRD READING OF ORDINANCES AND RESOLUTIONS:**

**P. ADJOURNMENT:**

**SYNOPSIS OF ORDINANCES AND RESOLUTIONS  
FOR THE COUNCIL MEETING OF NOVEMBER 19, 2024**

**FIRST READING:**

Ord. No. 11443-2024 AN ORDINANCE AMENDING SECTION 1311.06(a) OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED 'SURETY BOND AND INSURANCE REQUIRED', AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance changing the bond for contractors who work in the City to reflect rising costs of construction.

Ord. No. 11444-2024 AN ORDINANCE AMENDING ORDINANCES NO. 11390-2024 AND 11427-2024, THE APPROPRIATION ORDINANCES FOR THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance amending the appropriation ordinances to adjust for expenses.

Res. No. 20-2024 A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

SYNOPSIS: A yearly resolution to the County Fiscal Officer for the advance of tax levy revenues.

Res. No. 21-2024 A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OPERATE A SENIOR MEDICAL CARE FACILITY AT 15149 SNOW ROAD LOCATED IN THE U-3A ZONING DISTRICT, ORDINANCE 1121.23(C) (1), AND DECLARING AN EMERGENCY

SYNOPSIS: A resolution to grant a conditional use permit to allow a senior medical care facility to operate in a U-3A zoning district.

Res. No. 22-2024 A RESOLUTION GRANTING THE LOT CONSOLIDATION OF 4 PARCELS AT 14100 SNOW ROAD, AND 0 WESTBROOK DRIVE; PPN'S: 344-15-178, 344-29-086, 344-15-008. AND 344-15-009, LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY

SYNOPSIS: A resolution granting a lot consolidation for parcels on Snow and Westbrook Drive in the U2-A6 zoning district.

Res. No. 23-2024 A RESOLUTION GRANTING THE LOT CONSOLIDATION OF 9 PARCELS AT 0 PEMBERTON DRIVE AND 0 VAN WERT AVENUE, PPN'S: 344-34-077, 344-29-078, 344-29-079, 344-29-080, 344-29-081, 344-29-082, 344-29-083, 344-029-084 AND 344-29-085, LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY

SYNOPSIS: A resolution granting a lot consolidation of 9 parcels on Pemberton Drive and Van Wert Avenue in the U2-

A6 zoning district.

**SECOND READING:**

Ord. No. 11438-2024 AN ORDINANCE AMENDING SECTION 1323.02 OF THE BROOK PARK CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

SYNOPSIS: An ordinance amending section 1323.02 to allow the Building Commissioner to revoke the certificate of Occupancy under certain circumstances.

**PREPARED BY THE BROOK PARK LEGAL DEPARTMENT  
November 14, 2024**

CITY OF BROOK PARK, OHIO

10-1-24 Finance  
11-12-24  
11-19-24

ORDINANCE NO: 1443-2024

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE  
AMENDING SECTION 1311.06(a)  
OF THE BROOK PARK CODIFIED ORDINANCES, ENTITLED  
'SURETY BOND AND INSURANCE REQUIRED',  
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 1311.06(a) of the Brook Park Codified Ordinances, passed by Ordinance No. 1854-1958, October 7, 1958, Ordinance No. 6025-1981, August 18, 1981, Ordinance No. 8611-1999, passed November 16, 1999, and reading as follows:

**1311.06 SURETY BOND AND INSURANCE REQUIRED.**

(a) Prior to the issuance of a registration, the Building Commissioner shall require an applicant to furnish a surety bond, to be approved as to form by the Director of Law and as to sufficiency by the Mayor, guaranteeing full and faithful compliance by the applicant with all the provisions and regulations of the City Building Code, and binding the surety thereon to correct or abate any violations of the City Building Code whenever the applicant named as principal on such bond refuses, neglects or fails to correct or abate such violation within a reasonable time limit as set by the Building Commissioner. The bond shall indemnify the City and all other persons from injuries or damages arising by reason of the applicant's negligence or failure to properly perform any work undertaken pursuant to such license. The bond for all contractors shall be in the penal sum of ~~twenty-five thousand dollars (\$25,000)~~ **forty thousand dollars (\$40,000.00)**.

SECTION 2: Former Section 1311.06(a) of the Brook Park Codified Ordinances, as enacted by Ordinance No. 1854-1958, passed October 7, 1958, Ordinance No. 6025-1981, passed August 18, 1981, Ordinance No. 8611-1999, passed November 16, 1999 are 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 public peace, health, safety and welfare of said City, and for the further reason to amend Section 1311.06(a) 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.

  
\_\_\_\_\_  
Asst. DIRECTOR OF LAW

PIC 11/16/24 Finance  
CA 11/12/24  
1st R 11/19/24  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

CITY OF BROOK PARK, OHIO

Ordinance No. 11444-2024

Introduced By: MAYOR ORCUTT

AN ORDINANCE TO AMENDING ORDINANCES NO. 11390-2024 AND 11427-2024, THE APPROPRIATION ORDINANCES FOR THE CITY OF BROOK PARK, STATE OF OHIO, FOR FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY

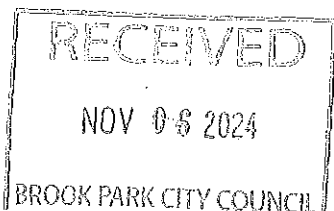
WHEREAS, the amounts appropriated for certain items of expense are proving to be insufficient while surpluses are developing in certain other appropriations for the fiscal year ending December 31, 2024.

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

SECTION 1: That to provide for the current expenses and other expenditures of the City of Brook Park, Ohio for the fiscal year ending December 31, 2024, there be adjusted appropriations in the total of \$1,335,133.80 as shown in Sections 2 thru 5 of this ordinance.

SECTION 2: Those portions of Ordinance No. 11390-2024 passed March 20, 2024 and Ordinance No. 11427-2024 passed September 3, 2024 which are inconsistent with the provisions adopted herein, are expressly repealed. The attached Exhibit "A" provides detail of adjusted appropriations for fiscal year ending December 31, 2024.

SECTION 3: A copy of this Ordinance shall be submitted by the Director of Finance to the Fiscal Officer of Cuyahoga County, Ohio and upon certification by said Fiscal Officer as required by law, the Director of Finance of this City is hereby authorized to draw his warrants upon the City Finance Department for payment of any certification and vouchers therefore approved by the proper officers authorized by law to approve the same, or an Ordinance of the Council to make such expenditures; provided, however, that no warrants shall be drawn or paid for salaries or wages except to





persons employed by authority of and in accordance with the law or the Ordinance of this Council.

**SECTION 4:** 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 5:** 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 the fact that funds must be made available and be appropriated to provide for the current expenses and payments thereof for the fiscal year ending December 31, 2024; 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  
2024 Amended Budget Ordinance

SECTION 2

EXHIBIT A

		Original Appropriations	Amended #3	TOTALS
Description		Ord. 11390-2024 3/20/2024	Ord. xxxxx-xxxx 11/6/2024	YEAR END 2024
<b>100 GENERAL FUND</b>				
<b>345 HOME DAYS CELEBRATION</b>				
51000-51999	PERSONAL SERVICES	34,076.94	2,000.00	36,076.94
	TOTAL HOME DAYS CELEBRATION	85,576.94	2,000.00	87,576.94
<b>412 POLICE DEPARTMENT</b>				
51000-51999	PERSONAL SERVICES	4,914,049.20	146,352.00	5,060,401.20
	TOTAL POLICE DEPARTMENT	5,271,826.72	146,352.00	5,418,178.72
<b>414 DISASTER SERVICE</b>				
51000-51999	PERSONAL SERVICES	6,001.95	4,400.00	10,401.95
	TOTAL DISASTER SERVICE	17,699.95	4,400.00	22,099.95
<b>426 TRAFFIC SIGNS</b>				
52000-52999	OPERATIONS	8,791.03	1,000.00	9,791.03
	TOTAL TRAFFIC SIGNS	95,346.61	1,000.00	96,346.61
<b>427 TREES &amp; TREE LAWNS</b>				
52000-52999	OPERATIONS	8,850.00	10,250.00	19,100.00
	TOTAL TREES & TREE LAWNS	210,727.76	10,250.00	220,977.76
<b>TOTAL GENERAL FUND</b>		<b>32,317,388.58</b>	<b>164,002.00</b>	<b>32,481,390.58</b>
<b>SPECIAL REVENUE FUNDS:</b>				
<b>282 AMERICAN RESCUE PLAN ACT FUND</b>				
<b>700 GENERAL GOV'T. LANDS &amp; BLDGS.</b>				
52000-52999	OPERATIONS	89,569.06	(8,500.00)	81,069.06
56000-55999	CAPITAL OUTLAY	1,751,586.13	8,500.00	1,760,086.13
	TOTAL AMERICAN RESCUE PLAN ACT FUND	1,841,156.09	-	1,841,156.09
<b>290 INSURANCE FUND</b>				
<b>640 EMERGENCY DISASTER RECOVERY</b>				
52000-52999	OPERATIONS	0.00	250,000.00	250,000.00
<b>TOTAL SPECIAL REVENUE FUNDS</b>		<b>32,354,566.61</b>	<b>250,000.00</b>	<b>32,604,566.61</b>
<b>CAPITAL IMPROVEMENT FUND:</b>				
<b>401 CAPITAL IMPROVEMENT FUND 55000-55999 CAPITAL</b>				
210	MAYOR'S COURT	1,455.52	1,500.00	2,955.52
342	PARKS & PLAYGROUNDS	406,759.46	89,335.19	496,094.65
412	POLICE DEPARTMENT	550,610.72	(104,883.09)	445,727.63
413	FIRE DEPARTMENT	404,095.18	104,883.09	508,978.27
500	LEGAL DEPARTMENT	4,400.00	1,000.00	5,400.00
700	GENERAL GOV'T. LANDS & BLDGS.	21,145.21	10,124.00	31,269.21
	TOTAL CAPITAL IMPROVEMENT FUND	6,195,180.07	101,959.19	6,297,139.26
<b>CAPITAL CONSTRUCTION FUND:</b>				
<b>459 SEWER IMPROVEMENTS FUND</b>				
<b>880 TRANSFERS &amp; REFUNDS</b>				
57000-57999	TRANSFERS & REFUNDS	0.00	200,000.00	200,000.00
	TOTAL SEWER IMPROVEMENTS FUND	757,388.06	200,000.00	957,388.06
<b>551 2024 STREET IMPROVEMENTS FUND</b>				
<b>426 STREET PAVING AND REPAIR</b>				
55000-55999	CAPITAL OUTLAY	1,997,051.21	617,709.34	2,614,760.55
	TOTAL 2024 STREET IMPROVEMENTS FUND	2,088,991.51	617,709.34	2,706,700.85
<b>TOTAL CAPITAL CONSTRUCTION FUNDS</b>		<b>5,380,265.78</b>	<b>817,709.34</b>	<b>6,197,975.12</b>
<b>SPECIAL REVENUE AND AGENCY FUNDS</b>				
<b>713 S.W.G.H. FUND</b>				
<b>851 HEALTH &amp; WELFARE</b>				
52000-52999	OPERATIONS	109,462.00	1,463.27	110,955.27
<b>TOTAL SPECIAL REVENUE AND AGENCY FUNDS</b>		<b>3,016,726.01</b>	<b>1,463.27</b>	<b>3,018,189.28</b>
<b>TOTAL APPROPRIATIONS</b>		<b>82,905,057.71</b>	<b>1,335,133.80</b>	<b>84,240,191.51</b>

CITY OF BROOK PARK, OHIO

PIC 11/6/24 Finance  
CA 11/12/24  
1st R 11/19/24  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
D/C \_\_\_\_\_

RESOLUTION NO. 20-2024

INTRODUCED BY: MAYOR ORCUTT

**A RESOLUTION  
REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE  
TAX REVENUES FROM THE PROCEEDS OF TAX LEVIES  
PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 321.34 of the Ohio Revised Code provides that any money in the County Treasury to the account of the City of Brook Park, and lawfully applicable to the purpose of the current fiscal year, may be drawn upon by request of the City; and

**WHEREAS**, the City's Finance Director has recommended that the City be authorized to receive advances of real property tax revenues and special assessment revenues collected in 2025, as reflected in the attached tax advance schedule from the Finance Director, attached hereto and incorporated herein as Exhibit "A".

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

**SECTION 1:** The Cuyahoga County Fiscal Officer be and is hereby requested to draw these warrants, and the Treasurer of said County be and is hereby requested to pay the City of Brook Park any money in the County Treasury to the account of the City of Brook Park and lawfully applicable to the purpose of the fiscal year, including all amounts to be distributed for real property advances and special assessment funds, specifically fund numbers M321798A and M521799.

**SECTION 2:** The Clerk of Council is hereby authorized to furnish a certified copy of this Resolution to the Cuyahoga County Budget Commission, 2079 East Ninth Street, Cleveland, OH 44115.

**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 further reason that it is necessary to provide for the payment to the City of taxes collected by the County at the earliest possible time; therefore, this Resolution shall take effect and be in force from and after the earliest time allowed by law.

RECEIVED  
OCT 31 2024

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

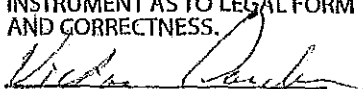
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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

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

\_\_\_\_\_  
DATE

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

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



**Cuyahoga County Budget Commission**

**Real Property  
Tax Advance Schedule**

**Calendar Year 2025  
UPDATED AS OF 10/20/2024**

<b><u>1st Half Collection Closing Date</u></b>	<b><u>2/20/2025</u></b>
<b>First Half Advance #1 Deposit Date</b>	<b>1/15/2025</b>
<b>First Half Advance #2 Deposit Date</b>	<b>2/14/2025</b>
<b>1st Half Settlement Deposit Date</b>	<b>3/14/2025</b>
<b><u>2nd Half Collection Closing Date</u></b>	<b><u>7/17/2025</u></b>
<b>Last Half Advance Deposit Date</b>	<b>7/15/2025</b>
<b>2nd Half Settlement Deposit Date</b>	<b>8/15/2025</b>

**IMPORTANT:**

**Taxing authorities wishing to receive tax advances in 2025 must  
submit a resolution to the County Budget Commission by  
12/31/2024.**

CITY OF BROOK PARK, OHIO

P/C \_\_\_\_\_  
CA 11/12/24 \_\_\_\_\_  
1st R 11/19/24 \_\_\_\_\_  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
4th R \_\_\_\_\_

Resolution No. 21-2024

Introduced By: COUNCIL AS A WHOLE

A RESOLUTION  
GRANTING A CONDITIONAL USE PERMIT TO OPERATE A SENIOR MEDICAL  
CARE FACILITY AT 15149 SNOW ROAD LOCATED IN THE U-3A ZONING  
DISTRICT, ORDINANCE 1121.23 (c) (1)  
AND DECLARING AN EMERGENCY

WHEREAS, the conditional use requested is to operate a senior medical care facility at 15149 Snow Road located in the U-3A Zoning District, Ordinance 1121.23(c) (1) and

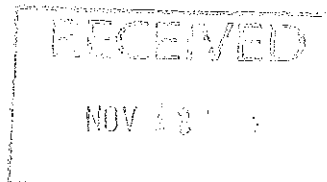
WHEREAS, the request for a conditional use permit was presented at a public hearing on November 5, 2024 to the Brook Park Planning Commission, which referred this matter to Council for approval and recommended the waiver of requirements set forth in Section 1121.36(c) of the Brook Park Codified Ordinances.

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

SECTION 1: The Council of the City of Brook Park finds that the proposed conditional use permit requested is appropriate in the location for which it is proposed and grants a conditional use permit to operate a senior medical care facility at 15149 Snow Road, Brook Park, Ohio, located in the U-3A Zoning District, Ordinance 1121.23(c) (1).

SECTION 2: 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 3: 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 purpose of granting a conditional use permit in a U-3A Zoning District to operate a senior medical care facility; therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.



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

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

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

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

\_\_\_\_\_  
DATE

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

*Victoria Chang*  
\_\_\_\_\_  
DIRECTOR OF LAW

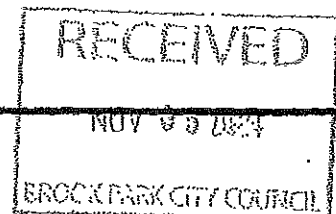
# MEMO

	Carol Johnson, Clerk of Council w/ Enclosures
cc:	Mayor Orcutt Carol Horvath, Law Director brookparksalvatore@gmail.com troyerbpcouncil@gmail.com jamesmencini@yahoo.com sroberts@cityofbrookpark.com rscott@cityofbrookpark.com tdufour@cityofbrookpark.com bpoindexter@cityofbrookpark.com dmccorkle@cityofbrookpark.com w/out Enclosures
FROM:	Carol Dell, Secretary BZA & Planning Commission Secretary
DATE:	November 5, 2024
	Planning Commission Recommendation

The Brook Park Planning Commission met on November 4, 2024, regarding approval for a Conditional Use Permit. By vote of 6-0, the Planning Commission voted to recommend approval of a Conditional Use Permit, for the following:

- Request a Conditional Use Permit to operate a senior medical care facility at 15149 Snow Road I Located in the U-3A Zoning District I Ordinance 1121.23(c)(1)  
Planning Commission 's recommendation for this project must beforwarded to City Councilfor final action

The Planning Commission herein submits its recommendation to City Council that they, by Resolution prepared and approved by the Law Department, Affirm or Deny the Vote of the Planning Commission at the next regularly scheduled meeting.





See Attached Engineer's comments, Building Commissioner's comments, Fire Prevention Officer's comments, and the 2024 Planning Commission Application.

If additional information is required, please feel free to contact me.

PAGE 2

November 5, 2024

AGENT:

Meghann Mingle (Permitting)  
Seth Dickey (ArchWellHealth)  
2261 Market Street  
Suite #10301  
San Francisco, CA 94114  
meghann@permitflow.com  
Seth.Dickey@archwellhealth.com

PROPERTY OWNER:

RITEOH, LLC  
1608 E Broward Boulevard  
Ft. Lauderdale, FL 33301  
Pwk1653@gmail.com

Thank you, eau-  
cc Dell

Secretary, City of Brook Park Planning Commission  
Building Department 216/433-7412 (cdell@cityofbrookpark.com)

BROOK PARK PLANNING COMMISSION

The Brook Park Planning Commission met on November 4, 2024, regarding approval for a Conditional Use Permit. By a vote of 6-0, the Planning Commission voted to recommend approval of a Conditional Use Permit for the following:

- Request a Conditional Use Permit to operate a senior medical care facility at 15149 Snow Road I Located in the U-3A Zoning District I Ordinance 1121.23(c)(1)

Planning Commission 's recommendation for this project must beforwarded to City Councilfor final action

The Planning Commission herein submits its recommendation to City Council that they, by resolution prepared and approved by the Law Department, Affirm or Deny the Vote of the Planning Commission at the next regularly scheduled meeting.

Carol A. Dell

Secretary, Planning Commission

11-5-24

Date

CITY OF BROOK PARK, OHIO

PIC 11/6/24 Planning  
CA Addendum 11/12/24  
1st R 11/19/24  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_

RESOLUTION NO: 22-2024

INTRODUCED BY: COUNCIL AS A WHOLE

**A RESOLUTION GRANTING THE LOT CONSOLIDATION OF 4 PARCELS AT 14100 SNOW ROAD, AND 0 WESTBROOK DRIVE; PPN'S: 344-15-178, 344-29-086, 344-15-008, AND 344-15-009, LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY**

WHEREAS, on October 7, 2024, the Planning Commission approved and referred to Council a request for lot consolidation 4 Parcels 14100 Snow Road, and 0 Westbrook Drive; PPN'S: 344-15-178, 344-29-086, 344-15-008, and 344-15-009, located in the U2-A6 Zoning District.

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

**SECTION 1:** The request for lot consolidation of, 4 Parcels located at 14100 Snow Road, and 0 Westbrook Drive; PPN'S: 344-15-178, 344-29-086, 344-15-008, and 344-15-009, located in the U2-A6 Zoning District approved by the Planning Commission on October 7, 2024, is hereby approved by the Council of the City of Brook Park and is further shown in Exhibit "A".

**SECTION 2:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of 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 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 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 approve this lot consolidation; 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;

RECEIVED  
OCT 17 2024

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

# MEMO

TO:	Carol Johnson, Clerk of Council w/Enclosures
CC:	Mayor Orcutt Carol Horvath, Law Director brookparksalvatore@gmail.com troyerbpcouncil@gmail.com jamesmencini@yahoo.com sroberts@cityofbrookpark.com rscott@cityofbrookpark.com tdufour@cityofbrookpark.com bpindexter@cityofbrookpark.com dmccorkle@cityofbrookpark.com w/out Enclosures
FROM:	Carol Dell, Secretary BZA & Planning Commission Secretary
DATE:	October 9, 2024
RE:	Planning Commission Recommendation



The Brook Park Planning Commission met on October 7, 20024, regarding approval for a lot consolidation. By vote of 6-0, the Planning Commission voted to recommend approval of a lot consolidation, for the following:

- Request approval for a lot consolidation of 9 Parcels at 0 Pemberton Drive and 0 Van Wert Avenue; PPN'S: 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; and 344-29-085 | Located in the U2-A6 Zoning District  
*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

And

- Request approval for a lot consolidation of 4 Parcels at 14100 Snow Road, 0 Snow Road, 14107 Snow Road, and 0 Westbrook drive; PPN'S: 344-15-178; 344-29-086; 344-15-008; and 344-15-009 | Located in the U2-A6 Zoning District  
*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

Page 2  
October 9, 2024

The Planning Commission herein submits its recommendation to City Council that they, by Resolution prepared and approved by the Law Department, Affirm or Deny the Vote of the Planning Commission at the next regularly scheduled meeting.

See Attached Engineer's comments, Building Commissioner's comments, and 2024 Planning Commission Application.

If additional information is required, please feel free to contact me.

**PROPERTY OWNER:**

GreyFoxBrookPark, LLC  
ATTN: FREW COOK  
6161 Oak Tree Boulevard – South  
Suite #250  
Independence, Ohio 44131  
drewcook@greyfoxcapital.net

Thank you,  
Carol Dell  
Secretary, City of Brook Park Planning Commission  
Building Department 216/433-7412 (cdell@cityofbrookpark.com)

**BROOK PARK PLANNING COMMISSION**

The Brook Park Planning Commission met on October 7, 2024, regarding approval for a lot consolidation. By a vote of 6-0, the Planning Commission voted to recommend approval of the proposed lot consolidation for the following:

- Request approval for a lot consolidation of 9 Parcels at 0 Pemberton Drive and 0 Van Wert Avenue; PPN'S: 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; and 344-29-085 | Located in the U2-A6 Zoning District

*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

And

- Request approval for a lot consolidation of 4 Parcels at 14100 Snow Road, 0 Snow Road, 14107 Snow Road, and 0 Westbrook drive; PPN'S: 344-15-178; 344-29-086; 344-15-008; and 344-15-009 | Located in the U2-A6 Zoning District

*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

The Planning Commission herein submits its recommendation to City Council that they, by resolution prepared and approved by the Law Department, Affirm or Deny the Vote of the Planning Commission at the next regularly scheduled meeting.

\_\_\_\_\_  
Secretary, Planning Commission

\_\_\_\_\_  
Date

CITY OF BROOK PARK, OHIO

P/C 11/12/24 Planning  
CA Addendum 11/12/24  
1st R 11/19/24  
2nd R \_\_\_\_\_  
3rd R \_\_\_\_\_  
3C \_\_\_\_\_

RESOLUTION NO: 23-2024

INTRODUCED BY: COUNCIL AS A WHOLE

A RESOLUTION GRANTING THE LOT CONSOLIDATION OF 9 PARCELS AT 0 PEMBERTON DRIVE AND 0 VAN WERT AVENUE, PPN'S: 344-34-077, 344-29-078, 344-29-079, 344-29-080, 344-29-081, 344-29-082, 344-29-083, 344-29-084 AND 344-29-085, LOCATED IN THE U2-A6 ZONING DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, on October 7, 2024, the Planning Commission approved and referred to Council a request for lot consolidation of 9 parcels at 0 Pemberton Drive and 0 Van Wert Avenue; PPN'S: 344-34-077, 344-29-078, 344-29-079, 344-29-080, 344-29-081, 344-29-082, 344-29-083, 344-29-084 and 344-29-085, located in the U2-A6 Zoning District.

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

SECTION 1: The request for lot consolidation of 9 parcels at 0 Pemberton Drive and 0 Van Wert Avenue; PPN'S: 344-34-077, 344-29-078, 344-29-079, 344-29-080, 344-29-081, 344-29-082, 344-29-083, 344-29-084 and 344-29-085, located in the U2-A6 Zoning District approved by the Planning Commission on October 7, 2024, is hereby approved by the Council of the City of Brook Park and is further shown in Exhibit "A".

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of 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 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 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 approve this lot consolidation; therefore, provided this Resolution receives the affirmative vote of at least

RECEIVED  
OCT 17 2024



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: \_\_\_\_\_

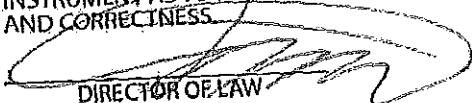
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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

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

\_\_\_\_\_  
DATE

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

  
DIRECTOR OF LAW

# MEMO



TO:	Carol Johnson, Clerk of Council w/Enclosures
CC:	Mayor Orcutt Carol Horvath, Law Director brookparksalvatore@gmail.com troyerbpcouncil@gmail.com jamesmencini@yahoo.com sroberts@cityofbrookpark.com rscott@cityofbrookpark.com tdufour@cityofbrookpark.com bpointexter@cityofbrookpark.com dmccorkle@cityofbrookpark.com w/out Enclosures
FROM:	Carol Dell, Secretary BZA & Planning Commission Secretary
DATE:	October 9, 2024
RE:	Planning Commission Recommendation

The Brook Park Planning Commission met on October 7, 20024, regarding approval for a lot consolidation. By vote of 6-0, the Planning Commission voted to recommend approval of a lot consolidation, for the following:

- Request approval for a lot consolidation of 9 Parcels at 0 Pemberton Drive and 0 Van Wert Avenue; PPN'S: 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; and 344-29-085 | Located in the U2-A6 Zoning District  
*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

And

- Request approval for a lot consolidation of 4 Parcels at 14100 Snow Road, 0 Snow Road, 14107 Snow Road, and 0 Westbrook drive; PPN'S: 344-15-178; 344-29-086; 344-15-008; and 344-15-009 | Located in the U2-A6 Zoning District  
*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

Page 2  
October 9, 2024

The Planning Commission herein submits its recommendation to City Council that they, by Resolution prepared and approved by the Law Department, Affirm or Deny the Vote of the Planning Commission at the next regularly scheduled meeting.

See Attached Engineer's comments, Building Commissioner's comments, and 2024 Planning Commission Application.

If additional information is required, please feel free to contact me.

**PROPERTY OWNER:**

GreyFoxBrookPark, LLC  
ATTN: FREW COOK  
6161 Oak Tree Boulevard – South  
Suite #250  
Independence, Ohio 44131  
drewcook@greyfoxcapital.net

Thank you,  
Carol Dell  
Secretary, City of Brook Park Planning Commission  
Building Department 216/433-7412 (cdell@cityofbrookpark.com)

**BROOK PARK PLANNING COMMISSION**

The Brook Park Planning Commission met on October 7, 2024, regarding approval for a lot consolidation. By a vote of 6-0, the Planning Commission voted to recommend approval of the proposed lot consolidation for the following:

- Request approval for a lot consolidation of 9 Parcels at 0 Pemberton Drive and 0 Van Wert Avenue; PPN'S: 344-29-077; 344-29-078; 344-29-079; 344-29-080; 344-29-081; 344-29-082; 344-29-083; 344-29-084; and 344-29-085 | Located in the U2-A6 Zoning District

*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

And

- Request approval for a lot consolidation of 4 Parcels at 14100 Snow Road, 0 Snow Road, 14107 Snow Road, and 0 Westbrook drive; PPN'S: 344-15-178; 344-29-086; 344-15-008; and 344-15-009 | Located in the U2-A6 Zoning District

*Planning Commission's recommendation for this project must be forwarded to City Council for final action*

The Planning Commission herein submits its recommendation to City Council that they, by resolution prepared and approved by the Law Department, Affirm or Deny the Vote of the Planning Commission at the next regularly scheduled meeting.

\_\_\_\_\_  
Secretary, Planning Commission

\_\_\_\_\_  
Date

CITY OF BROOK PARK, OHIO

PIC 10-7-24 Legislative  
CA 10-8-24 11-12-24  
TICK 10-15-24  
ZONER 11-19-24  
SAR \_\_\_\_\_  
P/C \_\_\_\_\_

ORDINANCE NO: 1438-2021

INTRODUCED BY: MAYOR ORCUTT

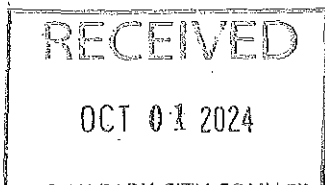
AN ORDINANCE  
AMENDING SECTION 1323.02  
OF THE BROOK PARK CODIFIED ORDINANCES,  
AND DECLARING AN EMERGENCY.

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

SECTION 1: Section 1323.02 passed by Ordinance No. 2305-1963, March 19, 1963 and Ordinance No. 9555-2009, January 20, 2009 of the Brook Park Codified Ordinances, and reading as follows:

**1323.02 ISSUANCE OF OCCUPANCE CERTIFICATE.**

- (a) A Certificate of Occupancy shall be issued, to an applicant, after any building has received its final inspection as defined by the City Building Code, if such building is found to have been constructed or altered in accordance with the plans and specifications therefor, the provisions of the Ohio and City Building Codes, all other applicable City ordinances and the rules and regulations of the Department of Public Service.
- (b) No person shall occupy a building unless a Certificate has been issued, or occupy any building for which a Certificate has been denied or revoked. The final inspection herein referred to shall be made and the Certificate shall be issued or denied within three days after the Director of Public Service has been notified of the completion of the building, provided the building is open for inspection.
- (c) Revocation of Certificate of Occupancy. The Building Commissioner may revoke a certificate of occupancy if any false statement is made by



the applicant in connection with the issuance of such certificate, or for noncompliance of the Building Code(s) or if the owner, agent or person in charge of a building refuses to comply with the Ohio Building Code or any of the Brook Park Codified Ordinances.

**SECTION 2:** Former Section 1323.02 of the Brook Park Codified Ordinances, as enacted by Ordinance No. 2305-1963, passed March 19, 1963, and Ordinance No. 9555-2009, passed January 20, 2009 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 public peace, health, safety and welfare of said City, and for the further reason to amend section 1323.02, of the Brook Park Codified Ordinances; 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