BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Nicholas Hanek Ward 2	Patricia Hanek At-Large	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Fijabi Julien-Gallam Council Clerk	Michael Abella Jr. Ward 1	Joseph Salzgeber Ward 3	Joseph Delsanter At-Large	Anthony Capretta Ward 4

Administration Representatives

JUNE 25, 2018

1. Prayer and Pledge of Allegiance

2. Roll Call of Members

3. Correspondence

4. Approval of regular Council Meeting Minutes dated June 11, 2018.

   (a) Regular Council Meeting Minutes dated June 11, 2018

5. Mayor's Report:

   (a) Recognition of Officer Lynda Reeves upon her retirement from the Division of Police;

   (b) Recognition of Jeff Neidert upon his retirement from the Brunswick Area Television;

   (c) Recognition of Brunswick Middle Schools Girls Rugby Team - Girls State Championship

   (d) Mayor's Update

6. Clerk of Council's Report

7. Council Committee Reports:

   Economic Development..Mr.Hanek

   (46) Economic Development Committee Meeting Minutes dated June 11, 2018

   Services, Utilities, Technology & Cable.....................................Mr. Salzgeber

   (45) Services Committee Meeting Minutes dated June 11, 2018

   Finance Committee...Mrs. Hanek

   Safety & Environment..Mr.Ousley

   (44) Safety Committee Meeting Minutes dated June 11, 2018

   Planning & Zoning Committee...Mr.Delsanter

   Parks, Recreation & Community Committee...............................Mr. Abella Jr.

   Building & Building Code Committee...Mr. Capretta

(47) Building Code Committee Meeting Minutes dated June 11, 2018

8. Other Boards and Commissions

(a) Committee of the Whole 2018 Goal Setting Meeting Minutes dated April 17, 2018

(b) Committee of the Whole Meeting Minutes dated June 11, 2018

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

RES. NO. 37-18 - An emergency resolution authorizing the City Manager to enter into an agreement with Air Force One for the replacement of the Brunswick Community Recreation & Fitness Center HVAC unit in an amount not to exceed $116,911.00 - **3rd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny)*

b. 2nd Reading(s)

ORD. NO. 41-18 - An ordinance establishing the pay range for the position of part-time Manager of Administrative Services in the Division of Administrative Services - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 43-18 - A resolution authorizing the City Manager to enter into a grant agreement with Firstar Precision Corporation - **2nd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

c. 1st Reading(s)

RES. NO. 45-18 - An emergency resolution authorizing the City Manager to enter into a Memorandum of Understanding and related easement documents with the Brunswick City School District - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Ken Fisher*)

ORD. NO. 46-18 - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 47-18 - An emergency resolution amending Resolution NO. 39-18 by increasing the city's local cost share for the North Carpenter road project to an amount not to exceed $3,256,830.51 - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Matt Jones*)

RES. NO. 48-18 - A emergency resolution authorizing the City Manager to enter into an addendum to the retainer agreement with Keith D. Weiner & Associates Co, LPA. for the collection of past due delinquent accounts. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 49-18 - An emergency resolution authorizing the City Manager to enter into an agreement with Set in Stone Contracting, LLC for the 2018 Catch Basin Repair Program in an amount not to exceed $94,740.00 - **1st Reading** (To be brought from Services, Utilities, Technology & cable Committee, *Administration/Matt Jones*)

RES. NO. 50-18 - A resolution authorizing the city manager to enter into an agreement with blue oceans satellite systems inc. in an initial amount not to exceed $47,761.50 with annual options subject to additional council approval for service department automated vehicle location software and declaring an emergency - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

ORD. NO. 51-18 - An ordinance establishing the position of part-time Hydrant Painter in the Division of Fire - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Jim Baird*)

ORD. NO. 52-18 - An ordinance establishing the pay range for the position of part-time Hydrant Painter in the Division of Fire - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Jim Baird*)

11. City Manager's Report

12. Administrative Departments

13. Open Forum

14. Unfinished Business

    (a) Consideration of a new liquor permit from Ritos Inc. DBA Ritos Bakery & Deli, 1930 Pearl RD., the first floor and Basement only., Brunswick, OH 44212

15. New Business

    (a) Consideration of a new liquor permit from Venthy T Tran DBA Glamour Nails at 3811 Center Road., Brunswick, OH, 44212

    (b) Consideration of a new liquor permit from Lambert United Enterprises LLC at 3305 Center Road., Brunswick, OH 44212

16. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, JUNE 11, 2018

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Vice Mayor Michael Abella Jr. at 7:30 p.m. at the Municipal Complex.

Roll Call showed the following Council Members present: Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, and Patricia Hanek.

Others Present: City Manager Carl S. DeForest, Law Director Ken Fisher and Council Clerk Fijabi Julien-Gallam.

Joseph Delsanter moved to excuse Mayor Ron Falconi with just cause, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Correspondence:

Mrs. Julien-Gallam read correspondence from Mrs. Liz Baloun and Mrs. Dipa Karr. A copy of this correspondence is attached to these minutes.

Approval of Council Meeting Minutes dated May 21, 2018 and May 22, 2018:

Joseph Salzgeber moved to approve the Regular Council Meeting Minutes dated May 21, 2018 and the Special Council Meeting Minutes dated May 22, 2018 as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mayor's Report:

Mayor's Court Financial Report for the month ending May 2018 will be posted on the website and added to the minutes for the record.

A motion to approve the Mayor's recommendation to reappoint Carol A. Lawler to the Metropolitan Housing Board:

Joseph Salzgeber moved to reappoint Carol A. Lawler to the Metropolitan Housing Board, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Clerk of Council's Report:

The Clerk of Council announced that the Medina County Park District is hosting a Lost of Nature Center of Jurassic event at the Susan Hambley Nature Center on Saturday, June 16, 2018. She remarked that all ages are welcome to this free event. The phone number to get more Information is 330-722-9364.

Council Committee Reports:

Economic Development..Mr. Hanek:

Nicholas Hanek moved to approve the formal report dated May 22, 2018 as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Services, Utilities, Technology & Cable.....................................Mr. Salzgeber:

Joseph Salzgeber moved to approve the formal report dated May 21, 2018 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Finance Committee..Mrs. Hanek:

Mrs. Hanek had no formal reports this evening.

Safety & Environment..Mr. Ousley:

Brian Ousley moved to approve the formal report dated May 7, 2018 and June 4, 2018 as written, seconded by Joseph Salzgeber. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Planning & Zoning Committee...Mr. Delsanter:

Mr. Delsanter had no formal reports this evening.

Parks, Recreation & Community Committee................................Mr. Abella Jr.:

Joseph Salzgeber moved to approve the formal report dated May 21, 2018 as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Building & Building Code Committee..Mr. Capretta:

Mr. Capretta had no formal reports this evening.

Other Boards and Commissions:

Committee of the Whole Meeting 2018 Goal Setting Minutes dated April 17, 2018:

Joseph Salzgeber moved to approve Committee-of-the-Whole Meeting Minutes dated May 14, 2018, and May 21, 2018, as written, seconded by Brian Ousley. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Clerk notes: The Committee-of-the-whole Goal Setting Meeting Minutes dated April 17, 2018, was tabled until the Regular Council Meeting on June 25, 2018.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

ORD. NO. 29-18 - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2019 through December 31, 2019 **- 3rd Reading** (Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved to adopt, seconded by Brian Ousley. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mrs. Lynnette Ozanich noted that this ordinance is needed to meet the state requirements, and it is submitted to receive the property tax revenue estimate from the county to start the the city's 2019 annual budget.

RES. NO. 33-18 - A resolution authorizing the City Manager to purchase five (5) new Electric Spreader Control Systems from Henderson Products in an amount not to exceed $34,560.00 **- 3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Paul Barnett remarked that the spreaders are for the existing snowplows. This spreader would eliminate waste of salt at intersections.

RES. NO. 34-18 - A resolution authorizing the City Manager to purchase a new 8-ton truck body and snow/ice package from Henderson Products in an amount not to exceed $61,195.00 **- 3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Paul Barnett remarked that this legislation is to purchase a new body for an 8-ton dump truck. The dump body goes on the back of a chassis and the snowplow.

RES. NO. 35-18 - A resolution authorizing the City Manager to purchase a new 8-ton truck cab and chassis from Allstate Peterbilt of Cleveland in an amount not to exceed $93,438.00**- 3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

Joseph Salzgeber moved to adopt, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Paul Barnett remarked that this legislation is to purchase a new 8-ton truck cab and chassis for a snowplow.

RES. NO. 36-18 - A resolution authorizing the City Manager to purchase a new Branch Chipper from Vermeer Corporation in an amount not to exceed $55,865.00 **- 3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

Joseph Salzgeber moved to adopt, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Paul Barnett remarked that this legislation is to replace a branch chipper that exceeded its life expectancy.

2nd Reading(s)

RES. NO. 37-18 - An emergency resolution authorizing the City Manager to enter into an agreement with Air Force One for the replacement of the Brunswick Community Recreation & Fitness Center HVAC unit in an amount not to exceed $116,911.00 - **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny)*:

RES. NO. 37-18 - Mrs. Hanek moved this resolution to third reading.

1st Reading(s)

RES. NO. 40-18 - An emergency resolution amending Resolution NO. 10-18 by increasing the cost for the purchase of new weapons for the Division of Police to an amount not to exceed $29,424.00 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*):

Brian Ousley moved to suspend the rules, seconded by Joseph Salzgeber. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Police Chief Brian Ohlin remarked that this resolution would update a previously adopted resolution. He noted that the cost of the project remained the same, but the legislation updates the trade in figures.

Brian Ousley moved to adopt, seconded by Joseph Salzgeber. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

ORD. NO. 41-18 - An ordinance establishing the pay range for the position of part-time Manager of Administrative Services in the Division of Administrative Services - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*) :

ORD. NO. 41-18 - Mr. Salzgeber moved this ordinance to second reading.

RES. NO. 42-18 - An emergency resolution authorizing the City Manager and City Engineer to submit a Program Year 2018 Community Development Block Grant Application for the Jefferson Avenue and Lincoln Avenue Resurfacing Project - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

Joseph Salzgeber moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Matt Jones remarked that the application is for an $80,000 grant from the Community Development Block Grant (CDBG). This grant would cover the majority of the cost for the resurfacing project for the remainder of Jefferson Avenue and all of Lincoln Avenue.

Mr. Capretta thanked Mr. Jones for his work on the resurfacing project.

Joseph Salzgeber moved to adopt, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

RES. NO. 43-18 - A resolution authorizing the City Manager to enter into a grant agreement with Firstar Precision Corporation - **1st Reading** (To be brought from Economic Development Committee, *Administration/Grant Aungst*):

RES. NO. 43-18 - Mr. Hanek moved this resolution to second reading.

RES. NO. 44-18 - An emergency resolution authorizing the City Manager to purchase a video playback system from RPC Video of Cleveland for the Brunswick Area Television Studios in an amount not to exceed $34,590.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Jeff Neidert*)

Joseph Salzgeber moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mr. Jeff Neidert remarked that this legislation is to replace the video playback system. This unit runs all of the video programs on the Brunswick channels. He explained that the current system is no longer working and they are currently using the City of Wadsworth back up unit.

Mr. Salzgeber asked Mr. Neidert to thank the City of Wadsworth for lending the city their video playback system.

Joseph Salzgeber moved adopt, seconded by Nicholas H. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Carl DeForest

- Announced that June 14th is Flag Day.
- Noted that residents can drop off an unserviceable flag in a box in City Hall across from the City Manager's Office to be disposed of properly in a ceremony by the Veterans of Affairs and Foreign Wars (VFW).
- Remarked that June 14th is also the birthday of the United States Army.
- Noted that the American Legion and the VFW post are experiencing low enrollments in comparison to a decade ago. He encouraged people that are moving to the area that wants to get involved in the VFW and American Legion to contact the organizations.
- Mentioned that this is the time of year when door-to-door solicitation increases. He reminded everyone that all solicitors need a permit to go door-to-door. Residents could go to City Hall to pick up a "No Solicitation" sign for their property.
- Encouraged everyone to pay attention to kids and animals inside a vehicle during the hot temperature

days, and report the issue. He would like to make sure they are safeguarding the children in Brunswick.

Administrative Departments:

Police Chief Brian Ohlin

- Remarked that the Division of Police recently participated at the Safety Town program at Memorial Elementary School.
- Mentioned that Monday, June 4, 2018, was Police Day, so they had their K-9 team at the schools.
- Remarked that on the last day of school the school resource officers participated in an ice cream giveaway sponsored by Medina Community Police Athletic League (MCPAL).
- Noted that the Division of Police participated in the teen driving program called Take Control, and this program helps students that are ready to drive. The free program it is taught by law enforcement officers who are driving instructors. The website is www.takecontroldriving.org for additional information.

Assistant Finance Director Lynnette Ozanich

- Noted that the next Finance Committee Meeting is on June 21st and would be discussing changes to the City's investment policy and the collection agency contract.
- Mentioned that the accounting books for May have been closed and reconciled.
- Expressed her appreciation for the hard work that the Finance Department staff has done during a very stressful time over the past few weeks.

Service Director Paul Barnett

- Noted that the city's annual street sweeping has started for the summer.
- Noted that the road levy funds project is about to begin. The concrete panel replacement and the asphalt resurfacing projects are planned to start early summer 2018 depending on the weather.

Open Forum:

Industrial Parkway Construction Concerns

Veronica Scott at 930 Theora Drive in the Benjamin Farms Development expressed her concerns regarding the conduct of all construction at 945 Industrial Parkway. She noted that her property is adjacent to the said business. She explained that there should be a wooded buffer between the two properties. She mentioned that council is aware of the construction company avoiding the wooden buffer process and broken two city codes. She noted that there is a growing list of concerns from voting residents who have been affected by all constructions lack of regard for the residential neighbors. She expressed that her family can no longer enjoy their community without seeing the industrial building, lights, trucks, and noise. She asked the council to take action and hold all constructions accountable.

Unfinished Business: There was none.

New Business:

Consideration of a new liquor permit to Ritos Inc. DBA Ritos Bakery & Deli, 1930 Pearl RD., the first floor, and Basement only., Brunswick, OH 44212:

Vice Mayor Abella noted that the consideration of this liquor permit is tabled until the next meeting.

Consideration of a liquor permit transfer from Par Mar Oil Company to T&R Enterprises Inc. DBA Sposits Citgo., at 2155 Pearl Road, Brunswick, Ohio 44212:

The Council and the city's administration had no objections.

Adjournment:

Patricia Hanek moved to adjourn, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

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Vice Mayor Michael Abella Jr.

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Adopted

ECONOMIC DEVELOPMENT

June 11, 2018

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Brian Ousley, Committee Member Patricia Hanek, Joseph Salzgeber**,** Michael Abella Jr., Anthony Capretta, Joseph Delsanter, City Manager Carl DeForest, Law Director Kenneth Fisher, Assistant Finance Director Lynnette Ozanich, Cable Manager Jeff Neidert, Service Director Paul Barnett, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Chief Brian Ohlin, Council Clerk Fijabi Julien-Gallam, News Media, Residents.

The meeting convened at 6:21 p.m.

REVIEW LEGISLATION:

RES. NO. 43-18 - A resolution authorizing the City Manager to enter into a grant agreement with Firstar Precision Corporation

Mr. Aungst explained this legislation is a grant agreement for Firstar Precision a new business moving from the City of Parma to Brunswick bringing 29 full time jobs to the City. The owner David Tenny and his family were in the audience they are residents of Brunswick, and Mr. Aungst welcomed their business to the community.

Mr. Aungst noted Mr. Tenny acquired a building that has been empty for some time, and he will be investing a lot of money into it.

Firstar Precision will be located at 2867 Nationwide and they are looking to open the business in early August.

Mrs. Hanek moved this resolution to tonight's Council Agenda of June 11, 2018 for three readings. Vote – 3 Ayes, 0 Nays.

Mr. Tenny noted they have lived in Brunswick for 22 years, and Mrs. Tenny expressed how ecstatic they are to bring their business to Brunswick. Mr. Tenny noted he will be getting involved with the Medina Career Center with the machine shop class they offer.

Mr. Aungst noted he sits on a committee at the Medina County Career Center and they are working on a certified machinist program. He commented Medina County was more progressive than other counties on working with multiple agencies.

GENERAL DISCUSISON:

There was none.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 6:27 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Nicholas Hanek
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

June 11, 2018

IN ATTENDANCE: Chairman Joseph Salzgeber**,** Committee Member Nicholas Hanek, Committee Member Anthony Capretta, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley, City Manager Carl DeForest, Law Director Kenneth Fisher, Assistant Finance Director Lynnette Ozanich, Cable Manager Jeff Neidert, Service Director Paul Barnett, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Chief Brian Ohlin, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at: 6:06 p.m.

REVIEW LEGISLATION:

RES. NO. 42-18 – An <u>emergency</u> resolution authorizing the City manager and City engineer to submit a Program year 2018 Community Development Block Grant Application for the Jefferson Avenue and Lincoln Avenue Resurfacing Project

Mr. Jones noted this legislation authorizes the Administration to submit a Community Development Block Grant application, the project being proposed is for Jefferson and Lincoln Avenues, which qualifies under the LMI area restriction.

The grant being applied for is $80,000 on a project that will cost a total of $111,578; therefore the remaining $31,000 is being proposed to come out of road levy funds.

The scope of the project will complete Jefferson Avenue and all of Lincoln.

Mr. Capretta moved this resolution to tonight's Council Agenda of June 11, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

Mr. Delsanter brought to the attention of Mr. Jones an area on Skyview Drive on the westbound lane where a section of the road has collapsed it is hazardous and needs to be looked into.

RES. NO. 44-18 - An <u>emergency</u> resolution authorizing the City Manager to purchase a video playback system from RPC Video of Cleveland for the Brunswick Area Television Studios in an amount not to exceed $34,590.00

Mr. Neidert advised this legislation is to replace the playback system which operates all the videos and graphic programs on all three channels 24/7. Although budgeted for 2018 the existing unit failed in early spring, and they are currently operating on a unit that was borrowed from Wadsworth, which they have to return hence the reason for the emergency.

Mr. Neidert noted the unit came in approximately $5,000 under the budgeted amount.

Mr. Hanek moved this resolution to tonight's Council Agenda of June 11, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Salzgeber asked if Mr. Barnett could give an update on where the county is with the trash facility.

Mr. Barnett advised the Administration was still waiting for information, he noted the county was still in negotiations. He noted if the county is successful in their negotiations; the concept is to go through and sort out recyclables from commercial places, not residential, which would be a pass through and go to a landfill.

Mr. Barnett noted when the county was negotiating with the two companies together one was for commercial the other for residential, and the company that was going to handle the residential recyclables fell through.

As far as citywide recycling Mr. Hanek asked if the drop off boxes would be the only form of recycling, and Mr. Barnett noted theoretically those could also go away if the county is successful in the negotiations since the 25% goal would be met with commercial recycling.

Mr. Salzgeber received a call about 43 Weathervane the resident wants someone to come out and look at the road, Mr. Salzgeber is not sure if it is asphalt or concrete.

Mr. Capretta asked about the pothole killer program.

Mr. Barnett noted currently the service department was spending time on asphalt streets for training, they will also be spending time on North Carpenter, Pearl Road, and Laurel, and then the wards will done ward by ward.

Mr. Abella asked if a resident puts out a couch on their trash day when would it be picked up, and Mr. Barnett noted the same day.

Mr. Abella noted there were some issues with trash pick up the week of the Memorial holiday.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:18 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Salzgeber
Chairman

SAFETY & ENVIRONMENT COMMITTEE MEETING

June 11, 2018

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Joseph Salzgeber**,** Committee Member Michael Abella Jr., Nicholas Hanek, Anthony Capretta, Joseph Delsanter, Patricia Hanek, City Manager Carl DeForest, Law Director Kenneth Fisher, Assistant Finance Director Lynnette Ozanich, Cable Manager Jeff Neidert, Service Director Paul Barnett, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Chief Brian Ohlin, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:19 p.m.

REVIEW LEGISLATION:

RES. NO. 40-18 – An emergency resolution amending Resolution No. 10-18 by increasing the cost for the purchase of new weapons for the Division of Police to an amount not to exceed $29,424.00

Chief Ohlin advised the net cost to the budget project was the same; the change is the credit for trade in through the vendor which was modified. He noted not all the weapons were going through the vendor; some were being purchased by officers.

Mr. Salzgeber moved this resolution to tonight's Council Agenda of June 11, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

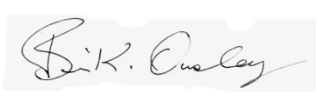
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:21 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Brian Ousley
Chairman

BUILDING AND BUILDING CODE COMMITTEE

June 11, 2018

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Joseph Delsanter, Nicholas Hanek, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Assistant Finance Director Lynnette Ozanich, Service Director Paul Barnett, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Cable Manager Jeff Neidert, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:01 p.m.

UPDATE ON BUILDING & BUILDING CODE INFORMATION:

Mr. Aungst advised there has been 41 new housing starts year to date, 1,241 commercial and residential inspections this year not including property maintenance. A permit was issued for the 7,500 square foot addition to Tru-Cut Saw. Also, Mr. Aungst noted Sheetz was acquiring their permit of occupancy next week pending final site approvals, with their ribbon cutting set for June 21.

Mr. Aungst advised Dollar Bank received approved plans for interior renovations of the former Huntington Bank building on Center Road.

Also, year to date there has been 36 grass cuttings.

Mr. Capretta asked for clarification of the ribbon cutting for Sheetz, and Mr. Aungst indicated the ribbon cutting is scheduled for Thursday, June 21, at 10:45 am.

Mr. Capretta also noted he called in a number of the grass cuttings, he asked about the procedure for grass cutting on the bank owned homes, and Mr. Aungst indicated a lien is placed on the property.

Mr. Delsanter commented it was nice to see a major bank moving into the City, and Mr. Aungst noted it was going to be a unique facility; it is going to be a pilot bank program for Northeast Ohio. He explained there will be people in the bank to work with the customer; however majority of the business will be done through electronic ATM monitors. Mr. Aungst pointed out the branch manager is a Brunswick resident.

Mr. Capretta asked if Scene 75 was closed on Mondays.

In reply, Mr. Aungst noted Scene 75 was closed on Mondays and Tuesdays for corporate events and maintenance of operations.

As a closing comment, Mr. Abella wanted to extend his appreciation to the Building Department.

Mr. Aungst appreciated the expression of appreciation, and will relay it to the department.

Mr. Delsanter asked about property inspections and how they were being tracked, and Mr. Aungst noted they were moving along, and he reiterated outside of property maintenance so far this year 1,241 residential and commercial inspections were done.

Mr. Capretta asked if the owner of Hickory Ridge Plaza was still working and cooperating with the City, and Mr. Aungst indicated the plaza was meeting code.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:06 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Anthony P. Capretta

Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

2018 GOAL SETTING SESSION

APRIL 17, 2018

IN ATTENDANCE: Vice Mayor Mike Abella Jr., Anthony Capretta (6:22 p.m.), Joseph Delsanter, Nicholas Hanek, Patricia Hanek, Brian Ousley, Joseph Salzgeber, City Manager Carl DeForest, Council Clerk Fijabi Julien-Gallam.

The meeting convened at 6:00 p.m.

Joseph Salzgeber moved to excuse Councilman Anthony Capretta with just cause. Vote – 7 Ayes, 0 Nays.

DISCUSSION OF CITY INFRASTRUCTURE:

Mr. Abella provided an agenda on what will be discussed in the goal-setting session. He explained that the goal of this session is to talk about the immediate goals for the city's infrastructure, economic development vision, tax levy, major city issues and ward issues. He provided a goal setting worksheet to Council. Mr. DeForest provided an agenda to Council.

A. <u>Immediate 3 year needs Main Roads (N. Carpenter, Grafton, Laurel)</u>

a. Other Roads – Laurel/Brintnall East (includes Maxwell Intersection)

2018:

Mr. DeForest mentioned that North Carpenter is expected to go out to bid in May 2018. The city budgeted for the North Carpenter project. The project is expected to cost $12 million dollars with an estimated cost of $2.95 million local shares. The anticipated construction timeframe is set to start in 2019 to 2020. There is an optional bid for Grafton Road (West of North Carpenter). The estimated cost is $700,000 to complete the Grafton Road project, so $900,000 is budgeted in case the bid is over $700,000. The Ohio Department of Transportation (ODOT) had bids for North Carpenter as high as $15 million with the optional bid. There was a conflict with the bidding process; therefore, the intersection was added to the Grafton Road project as an optional bid. The North Carpenter project is the first big project for the city, and Grafton Road intersection would be considered in the future.

Mr. Ousley asked if the optional bid for Grafton Road included the turning lane. Mr. DeForest remarked that the turning lanes on Grafton Road are included.

Mr. DeForest noted that there are funds available for Laurel Road from Pearl to Brintnall. This project is expected to finish in 2018 with an estimated cost $1,150,000. There are about 4-5 phases of this project. The second phase is from Brintnall Road East, through the intersection of Maxwell Street. This will help enhance the safety in that area.

Mr. Abella wanted to know if the $900,000 for Grafton Road, $2.95 million for local share on Carpenter Street, and $1.15 million for Laurel Road are coming from the General Fund. The city has committed an estimated total of $4.95 million on main roads with the General Fund.

Mr. DeForest explained that the city has been putting money to the side for the North Carpenter Project for about 8 ½ years.

Mr. DeForest noted that the Ohio Public Works Commission (OPWC) will be doing Magnolia Drive and Beverly Hills Drive (from Pearl Road to Judita Drive), and Junior Parkway (from Bettie Lane to Briarleigh Drive). The estimated construction cost is $910,000.

Mr. DeForest mentioned that the Road Levy Funds in 2018 are planned for concrete panel replacements, and asphalt resurfacing on residential streets citywide. The estimated construction cost is $800,000. The bid opening was on April 16, 2018, and both bids came in under $800,000.

City of Brunswick Street Index Map is attached to minutes.

Mr. Abella wanted to know if the North Carpenter reconstruction project will be an all year project. He would like to avoid affecting the city schools and the traffic all year.

Mr. DeForest explained that the school district is aware of the road construction project. The project will last for about three years.

Mr. Abella wanted to know when the North Carpenter Reconstruction Project starts.

Mr. DeForest explained that OPWC is expected to start the beginning stage of the project in August. He described the approval process. The project is anticipated to begin in fall 2018 or spring 2019.

Mr. Ousley explained the norm for the road construction process. The project will start off by moving the utility lines.

2019:

Mr. DeForest explained that Laurel Road from Carpenter Road to the East Corporate Line and South Carpenter Road from Laurel Road to the South Corporate Line resurfacing is planned to come from the Income Tax levy. This project has been requested to be joint resurfacing by Brunswick Hills. The scope and cost have yet to be determined.

Mr. DeForest noted that the Boyer Drive from Center Road to Excellence Drive is on the road project list for 2019. The estimated cost is $140,000.

Mr. DeForest added that the OPWC projects for 2019 consist of Laurel Road Reconstruction Phase 2 from Brintnall Drive to Maxwell Blvd. A study was performed at the intersection of Laurel Road and

Maxwell Blvd to determine if improvements are warranted. The scope and estimated cost of the project is yet to be determined. This project is anticipated to use higher local cost than most OPWC projects.

Mr. DeForest explained that the Road Levy Fund could cover the asphalt program chip seal and berming on Pinewood Drive, from Applewood Drive to Sleepy Hollow Road in 2019. The city can add Community Development Block Grant (CDBG) funds to the chip seal on Jefferson Street and Lincoln Street. The fund could cover the concrete joint/slab repairs to various locations. The estimated construction cost is $800,000. He noted that the Road Levy Fund brings in approximately $822,000/year. He reminded everyone that the Road Levy Fund is not a lot of money when you divide it between the four wards.

2020:

Mr. DeForest went over the available lots in the residential and commercial area. The map is attached to the minutes. The yellow marks on the map are residential. The orange marks are commercial. The red marks are industrial. He explained that there are not a lot of areas available in the industrial parkway.

Mr. DeForest explained that the Income Tax Funds could go to the South Industrial reconstruction from Center Road pass the entrance to South of Mack Concrete. This will be a total reconstruction with an estimated construction cost of $750,000. The city will seek funding of approximately $250,000 from various sources of business development grants. He explained that the company that is helping the city with the Comprehensive Plan will help with the grant applications. There was a recent confirmation that the $200,000 funding from the state capital budget was approved. These funds are expected to fulfill some of the park projects.

Mr. DeForest mentioned that South Carpenter Rehabilitation, Center Road to the South Corporate Line could be completed with the Income Tax Fund. The city is currently investigating a rehabilitation process of diamond grinding the road to profile, joint/slab repairs, catch basin repair/replacement, sidewalk/curb as needed, a chip seal, and finally a 3” asphalt overlay. This project is estimated to be $800,000. He noted that there needs to be additional research before a final recommendation could be made to adopt this rehabilitation process. He mentioned that the rehabilitation process has been successful in some areas; however, Service Director Paul Barnett wants to go out and check the areas where the process was done 8-10 years ago to see how effective the process was.

Mr. DeForest noted that Phase 2 of Skyview Drive, from Woodhollow Drive to Boston Road has a scope of work similar to South Carpenter. It will be part of the OPWC Projects in 2020. This construction cost estimate is $550,000.

Councilman Anthony Capretta entered the Committee-of-the-Whole meeting at 6:22 p.m.

In 2020, the Roadway Levy Funds are expected to go to the asphalt program, chip seal Miner Drive, and joint/slab repairs to various locations. The estimated construction cost is $800,000.

Mr. Abella wanted to know if the Laurel Road and Grafton Road construction is expected to start in fall 2018.

Mr. DeForest remarked that Laurel Road is expected to start in fall 2018. The Grafton Road project is in the North Carpenter project bid as an option.

Mr. Abella understood that the city has to wait for OPWC to approve their bid. The construction project could possibly start in fall 2018. Mr. DeForest explained that OPWC grants are granted after July 1st.

Mr. Abella asked council for a consensus on all of the projects in 2018.

Mr. Ousley asked Mr. Hanek if any part of Pinewood Drive would be done in 2018.

Mr. Hanek remarked that Pinewood Drive is part of the Laurel Road to Applewood Drive project. He explained that this project is included in the Road Levy Funds. The project consists of asphalt resurfacing.

Mr. Abella wanted to list of the city's immediate plans for 2018 to 2020 road projects. He went over the list of road projects that are currently budgeted, and road projects that are not budgeted.

Mr. Hanek expressed that the industrial parkway is bad and it needs to be reconstructed.

Mr. Ousley presented an idea to Council to get the reconstruction project completed quicker in the industrial parkway.

Mr. Abella explained that the Road Levy Fund and the OPWC funds are given yearly. The grants creativity is where the choices and priority have to come in. He went over the four current road issues (Boyer Drive, Laurel Road – reconstruction project, Business Park, South Carpenter Rehabilitation). He wanted Council to pick the top two projects for Council to focus on for the next two years.

Mr. DeForest explained that all of the projects could be completed if there was a financial plan implemented to follow for the projects.

Mrs. Hanek explained that roads have always been Council's priority. She expressed that she likes all of the projects, and there is a need for Boyer Drive.

Mr. Abella agreed that the road projects are the city's #1 priority.

Mr. Delsanter agreed with Mrs. Hanek that Boyer Drive should not be asked to be prioritized. He expressed his concerns on the neglected roads in the city. He explained that if he had to choose which project needs to be done, he would pick Boyer Drive and Laurel Road. Mr. Delsanter had some concerns regarding the asphalt program.

Mr. DeForest explained that the asphalt program comes out of the road levy. It would not conflict with future road projects.

Mr. Abella explained that anything that deals with the residential roads comes directly out of the Road Levy Fund. He remarked that Council could continue to use the General Fund to put money to the side for bigger projects. He agreed that Boyer Road and Laurel Road is a top priority, but the South Industrial Parkway needs to be considered as well.

Mr. Ousley wanted to know if Mr. Hanek thinks Laurel Road South and South Carpenter Road is more of a top priority.

Mr. Hanek remarked that the said area is getting more traffic than other areas. Mr. Hanek explained that South Carpenter Road should be considered for two reasons: something really bad will happen on South Carpenter Road due to the increased traffic and it has potential development opportunities for the future.

Mr. Ousley explained that the Income Tax Levy could be used on South Carpenter Road and the project could start in front of his house. He noted that South Carpenter Road to Laurel Road is probably a higher priority. He wanted to modify the Laurel Road project. Council continued to discuss Laurel Road.

Council agreed that Boyer Road and Laurel Road to South Carpenter to East Corp., are projects to look at for the next two years. Council will look at modifying South Carpenter Road and the South Industrial Parkway.

2021:

Mr. DeForest remarked that in 2021 the North Industrial Pak joint/slab replacement and Pepperwood Drive from Wolff Drive to Persimmon Lane scope of work is similar to the South Carpenter project. This project could be completed with the Income Tax Levy. The construction cost estimated at $500,000 for the industrial park and $450,000 for Pepperwood Drive.

Mr. DeForest remarked that in 2021 the Phase 3 Laurel Road Reconstruction, from Maxwell Blvd to South Carpenter scope of work is similar to the South Carpenter project. This project is expected to be an OPWC Project. The estimated construction cost is $1,000,000.

Mr. DeForest explained that the Road Levy Fund would fund the asphalt program and chip seal on Starview Drive. Also the city could chip seal McKinley Ave and Garfield Ave by leveraging CDBG funds. In 2021, the city is expected do concrete joint/slab repairs to various locations. The estimated construction cost is $800,000.

- **B. Other**
- **C. Durapatcher Machine in house – North Carpenter (Other uses, etc.)**

Mr. DeForest noted that the city just purchased a Durapatcher machine to replace the work that the outside contractor Patch Masters (known as Pothole Killer) has been performing. This will facilitate a higher level of success for pothole patching. The service department recommended only one Durapatcher; however, with time and practice, they may suggest a second machine. The crew size on residential streets is three, and on highly traveled roadways where they need flaggers, the crew size increases to five. The current staffing levels will not be able to concurrently use two Durapatchers and provide the other services required.

Mr. Delsanter suggested that the service department practice with the new Durapatcher on Starview Drive first. Council is pleased with the results from the Durapatcher.

Mr. Ousley mentioned that the city could hire five more guys to manage all of the services concurrently. Council agreed that it would take away funds from the roads getting fixed.

B. Residential Roads – Progress Report – Maps of all road areas repaired since Levy passed (Matt Jones). 3 year road plan moving forward (more money, 2nd Durapatcher, financial planning)

Mr. Abella recommended that the progress report map is posted in the Caucus Room in Council Chambers, and as the streets are updated the map will be updated. The map would illustrate which ward has the most issues, and it could assist with financial decisions. The map is attached to the minutes.

Mr. Abella explained that they will adhere to the current 2018 road project plan. He remarked that they will discuss more in a next meeting on what to do for the next five years regarding the road projects.

C. City buildings – police station, fire station (partner with Brunswick Hills). Recreation center, City Hall (HVAC)

Mr. DeForest remarked that the new police station was built in 1992. He explained that he would rather one more employee in the police station to serve the community instead of 5,000 sq. ft. added to the police station. added to the building. He provided a background of how the infrastructure was built in the past. The police station is in good condition; however, there is some maintenance to keep up with it.

Mr. DeForest remarked that fire station #1 and fire station #2 needs some repairs. He explained that if the city had the money, they would rebuild the stations. He mentioned that there was a potential idea to build a joint fire station with Brunswick Hills Township; however, there was some conflict regarding the location. He noted that the city has a piece of property located on North Carpenter Road. The Council could decide to leverage or sell the property to put the funds towards capital plans.

Mr. DeForest explained that the recreation center is old. There are things that need to be done at the center. The center does not have the capital money to fix and update the building. He noted that the city had set aside $13,000 for the 25-year-old recreation center. He listed financial options on how to save money for a new fire station or for the recreation center.

Mr. DeForest noted that they are looking into replacing the HVAC system due to operation failure. The city received a Northeast Ohio Public Energy Council (NOPEC) grant for $123,000. There is a possibility that the city will receive the grant in 2019. Mrs. Hanek explained that the money for the NOPEC grants came from Ohio Edison. Mr. DeForest mentioned that the control system for the HVAC system in city Hall is expected to cost $60,000 to $70,000. He noted that the city planned to go out for bid for the

HVAC system at the Recreation and Fitness Center. The parks and recreation department originally budgeted $70,000; however, the amount would have to be increased to $118,000 with the budget amendment in May 2018. The reason for the request is because the lowest bidder from the first bid process was $116,000 for only the HVAC controls and not for the HVAC unit. Mr. DeForest explained that they are going to use the NOPEC grant judicially.

D. City Parks/ Trails Improvements

Mr. DeForest noted that he received some recommendations from the Brunswick Lake Ad Hoc committee to submit to the Medina County Park District. He mentioned that it will be hard to identify what the city can do or shouldn't do with the Medina County Park District supervising the Brunswick Lake. He noted that the Medina County Park District is looking for land south of the Brunswick Lake to extend the trails. He explained that the city is working with private partners that might make donations to improve the trails. Mr. DeForest mentioned that the goal is to improve the trails and it will not cost a lot of money.

E. Other areas within city that need infrastructure improvement/city equipment

Mr. DeForest mentioned that with the exception of police cars, the city did not purchase any transportation vehicles for a few years.

Mr. Abella asked if the $123,000 is in the budget for the City Hall's HVAC. Mr. DeForest explained that they do not have anything in the budget for the HVAC in City Hall. The $123,000 for the year 2018 and 2019 is from the NOPEC grant. Mr. DeForest noted that the city might get the $123,000 grant from NOPEC in 2020.

Mr. Delsanter wanted more clarification on the HVAC estimates. Mr. DeForest reiterated the cost of the HVAC controls and the HVAC unit. Mr. Piepsny explained that he made the phone calls to get the quotes for the HVAC unit.

Mr. Salzgeber noted that he would like to see computers, programs, and technology on a budgeting or replacement schedule of 5-6 years instead of waiting for 9-10 years. He noted that this is an issue not only at the city level but at the county level as well.

Mr. Abella noted that they don't talk a lot about the hardware and software in the city. Mrs. Hanek mentioned that the finance committee has talked about finance software for years.

Mr. Abella wanted to get an update on their servers and software in the city. He wanted to know if the Information Technology & Security Officer Rob Marok has any recommendations for Council to look at for the next couple of years.

Mr. Salzgeber agreed with Mr. Abella; however, he understands the issue is more of a funding problem. He explained that the city shouldn't have any issues with the server and backup. This is one of the reasons why he would like to see a replacement schedule.

Mr. DeForest explained that historically they have been following the 5-year replacement schedule. He noted that the city did not get new finance software because they did not have the funds to get it. The extra funds are used to fix the roads.

Mr. Hanek explained that he would be interested in a complaint tracking software that tracks what calls comes from which ward. This could help out with low-grade solutions. He noted that other cities have this type of tracking system.

Mr. DeForest explained the current complaint process; however, the process is not as advanced. Mr. Hanek remarked that the more complaints the city is able to track the more they have the ability to compile data to be responsive. Mr. Hanek mentioned that Service Director Paul Barnett came up with an inexpensive solution to a problem that he did not know the city had internally.

Mr. Abella remarked that the new fire station would have to be planned out for more than 2 years. Mr. Abella asked if there was a solution with Brunswick Hills for financing the new joint fire station. Mr. Delsanter explained that the city had set aside some funds to build a fire station, but the funds were used for something else. Mr. DeForest explained the funds were used to fix the roads.

Mr. Delsanter expressed that his friends are firefighters and they rather have money to go to equipment instead of a building. Mr. Ousley agreed with Mr. Delsanter that they are out to save lives. Mr. Delsanter explained that the fire stations are in need of help, and you can't choose which station is in worse shape than the other. He suggested that some of the extra funds that are awarded to the city should be saved for the fire station instead of putting it towards the infrastructure. This would allow the city to start underwriting a fund for the fire station and receiving grants. He noted that the city will not get a new fire station if the city doesn't plan for it.

Mr. Abella wanted to know will the road money from the General Fund decrease if they start putting money to the side for the fire station. Mr. Delsanter remarked that the city can't ignore the other functions of the city and other capital improvement issues (equipment, staffing or the infrastructure). He mentioned that the biggest thing Council has done in the past was the capital set aside because of the financial crises that the city was facing years ago. He believed it is time for the city to take their planning to the next level because of the recently passed levies.

Mr. Abella agreed that the roads are deteriorating at a faster rate than other infrastructures in the city. He explained that once they are done focusing on the main roads that need to be reconstructed, then they might be able to start focusing on other infrastructures.

Mr. Delsanter noted that the Finance Director made it clear in the 2017 budget session that the city can't ignore any other infrastructures in the city. He reiterated that if they don't decide on a plan for 2018 for other infrastructures like the fire station, then they will have to do it by 2019.

Mr. Abella noted that they will complete the main roads and then reassess the other infrastructures. Council had an agreement on the goal presented by Mr. Abella.

DISCUSSION OF ECONOMIC DEVELOPMENT VISION:

A. Update on Comprehensive Plan (Update 4/11/18)

Mr. DeForest noted that the city's administration had open forum meetings with the residents and businesses during the planning process. The Envision Group received almost 950 surveys. The areas the surveys concentrated on are Pearl Road issues, decrease or increase in housing developments and an increase in restaurants. He noted that this report is expected to be presented and approved by Council in October 2018. He explained the reason for the Comprehensive Plan. The recommendations could be for potential rezoning opportunities and other plans to consider.

B. List of available parcels within city limits, the zoning of those parcels, and the future vision

Mr. DeForest went over the list of available parcels. The place of interest map is attached to the minutes.

C. Re-zoning ideas – existing area that can be re-zoned to help spark future financial growth through tax dollars

Mr. DeForest went over the areas in the city that could be rezoned. Council had a consensus that they could set aside money for future zoning issues.

D. Sign Ordinance, Moratorium on future apartment construction

Mr. Hanek suggested that Council should consider a code review for the city. He noted that he received a lot of different issues regarding the code. He added that council could add requirements and specifications for each apartment complex.

Mr. Delsanter explained that there is a need for the council to review the Planning and Zoning Code; however, they have to wait for the Comprehensive Plan to be reported. He noted that this review would be a project in 2019 because of the Comprehensive Plan update being in October 2018. He mentioned that the Planning and Zoning Committee could tweak items like the sign code.

Mr. DeForest advised the Council that he could make a request to request for proposals (RFP) for reviewing the codes for the Planning, Zoning, and Building policies after the August break. He explained the reason why they picked Envision Group to do the Comprehensive Plan and that they planned to make some recommendations to the Planning & Zoning Committee.

Mr. Abella agreed that there should be a moratorium on future apartment constructions. He mentioned that he started the sign ordinance with the Planning & Zoning Committee a few years ago. He noted that one of the sign issues is the moving message signs. Council agreed that it could be hard trying to regulate what businesses put on their moving message signs. Mr. Abella is happy to see that the pole signs are slowly going away and more ground signs are coming up.

Mr. Delsanter agreed with Mr. Abella and advised Council that the Planning & Zoning Committee will revisit the sign ordinance.

Mr. Ousley expressed his concerns regarding the increase in apartments and senior housing. He explained that apartments are beginning stages for people that want to live in Brunswick and eventually buy a house. He would like to wait until the Comprehensive Plan is completed to work on Pearl Road. He would like to see a mixed-use of apartments above restaurants on Pearl Road. He noted that mixed-use apartments are popular in many areas.

Mr. Hanek explained that the code review would fix the apartment issues. The issue is the quality of the apartments and what they look like.

Mr. Abella agreed that he does not mind if there are restrictions on the apartments.

Mr. Ousley mentioned that Mr. Delsanter could start working with the Planning & Zoning Committee to update the apartment's code.

Mr. Delsanter mentioned that the moratorium is a good idea and he would like to see how the apartments preserve the value of single-family homes. He remarked that he would have to look into the mixed-use apartments. He believed mixed-use apartments are used more in urban areas than in suburban areas. He would like to make sure that the neighbors will not lose the quality of their neighborhood.

Mr. Abella explained that the Comprehensive Plan is expected to talk about the future of the apartment construction. He expressed that his biggest fear is what happens when there is no need for senior living. Mr. DeForest noted that most senior livings are operational for about 20 years and then changed into luxury apartments.

Council continued to discuss the requirements they could potentially implement for apartment constructions. Mr. Delsanter expressed that the Planning & Zoning Committee would be excited to work on a code review for the apartments.

Mr. Hanek mentioned that he asked the Economic Development Director Grant Aungst and Mr. DeForest if there is any possible rezoning for economic uses. He understands the Comprehensive Plan would be able to give some type of recommendation regarding economic initiatives and growth in the city. Council continued to discuss restaurant redevelopment opportunities that are similar to the City of Ashland. This would allow it to be cheaper to open up a restaurant in Brunswick.

Council agreed that the Comprehensive Plan would help them with their decisions. They would like to do some possible zone changes in 2019 and update the planning code for apartment construction for conditional use which would increase qualifications to build an apartment complex.

E. <u>Business Areas of concerns – i.e. Hickory Ridge</u>

Mr. DeForest noted that the city is still having an issue with the Hickory Ridge Plaza owner. He mentioned that the owner has been taken to court several times. The owner was offered money for the plaza, but he rejected the deal. Mr. Delsanter remarked that they are still looking for someone to buy Kmart. He confirmed that Grant Aungst is actively looking for a potential buyer. Mr. Aungst is coordinating responses and negotiations.

Mr. Hanek mentioned that they could rezone certain areas and use it as mixed use (apartments and restaurants in the same zone).

F. <u>Other areas of Economic Concern</u>

Mr. Salzgeber informed Council that the Main Street Cafe closure will bring the end of Rally in the Alley concerts. He believed that it is time that Brunswick considers open area festivals that allowed open alcohol containers. He noted that this would be a great event to be held in the Town Center, and have Giant Eagle, Mucho Buenos and Applebee's sponsor the event. This event could be held at the Brunswick Summer Celebration. The Rally in the Alley had a live band, food, open alcohol beverages and vendors every Friday night in the summertime. The owner of the Main Street Café paid for the live band and the city provided security.

Mr. Ousley remarked that he is a director for the Brunswick Summer Celebration, also known as Brunswick Production incorporated (BPI). He noted that the organization had begun discussion on the topic regarding an event like the Rally in the Alley. BPI planned to host the Brunswick Celebration, Star-Spangled Spectacular, and October Fest.

Mr. Delsanter remarked that he would have agreed with the idea a few years ago. He mentioned that there is a senior living center in the Town Center now and they might have an issue with the event.

Mr. Hanek explained the Town Center Road is a private road; therefore, the open container laws wouldn't apply there and there are other liquor permit holders in that area. Mr. Hanek wanted the event to be a series of events instead of one event with Brunswick Summer Celebration. He mentioned that Council could regulate the day and time for the event.

Mr. Hanek discussed the recommendations that the Brunswick Lake Ad Hoc Committee recommended to the Medina County Parks.

Mr. Abella remarked that they need to look at the economic advantage of having an event like the Rally in the Alley.

DISCUSSION OF FUTURE TAX LEVIES AND MAJOR CITY ISSUES

Mr. Abella provided a brief description of what they are going to talk about. He wanted Council to think about how they want to approach the levy situation and think about their trash collection option. He remarked that they will talk about the service department and their future for growth.

A. Police and Fire levy (when expire, when to put back up, terms?)

Mr. DeForest explained that the police and fire levy is the highest priority. The levy was set at 6.4 million dollars. Mr. DeForest recommended Council to review the levy as soon as possible and try to get the police and fire levy as a perpetual levy because it is a needed service to keep the city safe. The Levy is expected to expire on December 31, 2022. The levy expires before the road levy.

Council agreed to request a perpetual levy for fire and police, so the departments could start doing long-term planning. Mr. DeForest will check with the law Director on when the levy could be put on the ballot.

B. Road Repair Levy – 10 year point (2023) is approaching – Future Plans

Mr. Delsanter expressed that the road levy structure is inadequate because of the value of the money and the time constraints to fix the roads because of the amount. The Road Repair Levy is set at $820,000. Council agreed with Mr. Delsanter and it was the best amount the city was able to get after their third attempt on the ballot.

Council discussed the impact that the school district's Middle and High School levy would have on the city's levy.

Council agreed to increase the Road Levy Fund. The $820,000 would not be enough for the roads in the year 2020 based on the finance department calculations.

Clerk notes: The history of the safety levy and the road levy is attached to the minutes.

C. Trash Collection Formal stance – would like City Council to agree on direction (carts/no carts, etc.)

Council discussed the different options that the city could take if Medina County doesn't move forward with the contractors to use the Central Processing Facility (CPF) in some fashion that provides separation of recyclables from the waste stream. The following are the three options that have been presented to Council at the current tipping fee.

- Option 1, $49.23 per quarter per customer. Continue with the current practice of unlimited curbside waste collect and access to recycle drop off locations.
- Option 2, $61.07 per quarter per customer. Continue with the current practice of unlimited curbside waste collection and provide a curbside recycle cart program.
- Option 3, $55.33 per quarter per customer. Provide both a waste cart and recycle cart for a curbside program.

Mr. Ousley and Mr. Capretta do not want carts.

Mrs. Hanek noted that in 1988, the State of Ohio mandated cities to start recycling. She remarked that the CPF might not happen and the city needs to have an idea of what they are going to do. Mrs. Hanek expressed that she wants to recycle.

Mr. Abella noted that he hates the price, but he would pick option two. He does not like the restrictions.

Mr. Hanek noted that most residents want to recycle. He is comfortable with option two and three.

Mr. Salzgeber agreed with option two. The residents could opt-out of recycling if they do not want the recycling cart.

Mr. Delsanter remarked that his residents do not want to go to a two cart system.

Council discussed the options for the trash service and expressed their concerns regarding the asking price. Council agreed to choose option two if the negotiations between Medina County and the contractors do not get approved. Council continued to discuss the recycling needs in the city. Mr. DeForest explained that if he had to pick he would go with option two.

D. <u>Service Department – future of department growth</u>

Mr. Abella remarked that they can't continue to ignore the service department. The service department budget and the staff were cut a few years ago. He wanted to know if there is a need or a consensus that the city needs more service workers. He wanted to know how they can create a funding plan.

Mr. DeForest remarked that the cost is $100,000 to hire a new employee. He explained the impact the service department would have in the community if they hired more employees. He noted that four new employees would make a difference, but if you had one new employee, it wouldn't make a difference. He explained that the city's current funding structure does not have that option to hire more employees. He mentioned that he could come up with a plan, but it will come with a lost and a decrease in the road funding.

Council agreed they need to come up with a plan and they could always tweak the plan. Council had a consensus that they need to hire more service employees and start creating a 3-5 year financial plan for the service department. The street department staffing level is attached to the minutes.

Council discussed the financial history of the city. The current debt for the city is expected to be paid off in 2032. Council agreed to wait for the Safety and Road Levy to pass to start a plan for the service department.

DISCUSSION OF WARD ISSUES AND PROBLEMS

Mr. Abella asked council what are some 2018 or beyond issues in their ward.

A. <u>Discuss ward storm water issues and future allocated dollars</u>

1. Healey Creek stream corridor improvements
2. Lower Plum Creek stream corridor preservation
3. Goodyear Creek stream corridor improvements
4. Middle Plum Creek Improvements
5. Future sanitary sewer cross connection elimination project in the Highland/Stearns

Mr. Abella remarked that he understands the concerns each council member have regarding the way the storm water funds are allocated to each ward. He mentioned that if there is an important storm water issue that is doing a severe damage to another ward, he would give his portion of the funds to another ward.

Mr. Hanek explained that he reviewed how the funds are allocated and he does not agree that the funds should be split amongst all four wards. He noted that there is a lack of retention north of the city coming downstream. He explained that his ward is down the stream. The problem is the older developments north of the city don't have any reasonable retention. He expressed that he likes the proposed projects (Healey Creek, Lower Plum Creek Stream, Goodyear Creek stream, middle plum creek, and other future sanitary sewer projects). He would like to consider the Lower Plum Creek corridor preservation as his top priority in Ward 2. He noted that the trail would benefit the whole city.

Mr. Abella agreed with Mr. Hanek. He noted that Ward 1 is at the end of Healey Creek. He illustrated how bad the erosion from Healey Creek is impacting the resident's properties. Mr. Abella agreed that Healey Creek issues should be tackled as a universal project for the city; however, he wants to set money to fix the smaller problems.

Mr. Ousley expressed that this issue needs to be resolved at the state and the federal level.

Mr. Delsanter expressed that he is slowly developing erosion from the creek in his backyard.

Mr. Hanek explained that the problem is the overall water flow and the old development that didn't have adequate retention. He reiterated the need of having a trail through the city and how it makes a positive impact on the city.

Mr. Capretta remarked that besides the normal issues he received, his biggest issue is that backyard flooding has got worse in his ward in the last 6-7 years. There is an issue with the water retention from the streams.

Mr. Salzgeber remarked that he agrees with Mr. Hanek regarding the Healey Creek issue and the need for the trails through the city.

Mrs. Hanek remarked that they need to look at the big picture of the flooding on the properties.

Mr. Abella asked if there were any other issues in the wards that need to be resolved. Mr. Capretta remarked that there are old street signs still up in some wards.

B. <u>Council Members to list out ward issues for discussion and priority ranking</u>

Mr. Abella asked Council to email a list of any ward issues to be discussed at another meeting.

Mr. Salzgeber wanted to know if Council will give an evaluation to City Manager Carl DeForest since it is almost his two year anniversary.

Mr. Abella explained that the City Manager's performance review will be based on the goals that Council wants to accomplish for 2018 and 2019. He explained that he is working on a template for the evaluation.

Mr. Hanek recommended that a template of the evaluation for the City Manager and the Council Clerk should be added to the Council Rules. Council agreed with this suggestion.

OPEN FORUM

There were none.

Adjournment:
There being no further business, Mr. Delsanter moved to adjourn the Committee of the Whole meeting at 9:19 p.m. Vote – 7 Ayes, 0 Nays

Respectfully submitted,

Fijabi Julien-Gallam, CMC
Clerk of Council

COMMITTEE OF THE WHOLE MEETING

June 11, 2018

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Joseph Salzgeber, Joseph Delsanter, Nicholas Hanek, Anthony Capretta, Brian Ousley, Patricia Hanek, City Manager Carl DeForest, Service Director Paul Barnett, Law Director Kenneth Fisher, Engineer Matt Jones, Community & Economic Development Director Grant Aungst, Chief Brian Ohlin, Assistant Finance Director Lynnette Ozanich, Cable Manager Jeff Neidert, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:34 p.m.

DISCUSS 2018 BRUNSWICK CITY COUNCIL GOAL SETTING SESSION RESULTS:

Mr. Abella referred to an information sheet he sent to Council outlining goal setting results. He highlight the City storm water issues; the suggestion was for a global water study to look at the big picture with storm water flooding to identify main areas along Healy Creek that can help provide storm water relief and how the study will help identify the problems. Also, it was suggested to reserve storm water funding for emergencies and small projects, Mr. Abella noted Council did not discuss or determine an amount, he asked for feedback from the committee.

Mr. Delsanter mentioned experiencing an unplanned entire culvert replacement expense in the past off South Carpenter and it was before there was storm water fund. He commented if something is done for a reserve capital a number has to be established and he thought that number should be put together by the administration.

Mr. Abella commented currently a certain amount of storm water funds are being allocated for each ward and projects were getting done in the wards. A point made by Mr. Hanek at the goal setting session was to look at the bigger picture such as Healy Creek, do a large study and determine a direction from there.

Mr. Hanek commented he took the goal setting results as a whole, with the minutes and what was prepared by the City Manager with the input of the administration; he completely agrees with the City Administration in terms of looking at storm water issues globally. He was not sure he would want to set a specific number he thinks when an emergency comes up the City Manager and the City Administration was responsible enough to handle it. One of Mr. Hanek's bigger picture goals is the preservation of wetlands and ultimately to help facilitate trails and park green space additions between Brunswick Lake and Plum Creek. Mr. Hanek noted as far as ward goals they go hand in hand in terms of wetland preservation and increased work on flooding issues; as he said at the goal setting session water goes down downstream towards his ward and it has to be looked at globally to address the real problems and find a long term solution. Mr. Hanek reiterated he was in agreement with what was presented by the City Manager at the goal setting session.

Mr. Abella commented on flooding problems in ward 1, and he was for any type of study that can be done to slow down the water. He asked Mr. Hanek if he wanted to add his ward goals of wetland preservations and trails to the goals.

Mr. Hanek noted he would like to include both the wetlands preservation and trail system to the goals; however he noted both were covered in the goals set forth in the document presented by the Administration.

Mr. Abella brought up Committee of the Whole Goal Setting minutes; he asked if more time was needed to approve those minutes that are on tonight's Council Agenda. He noted the City Manager had some clarifications as to what was typed in the minutes. Mr. Abella asked that the goal setting minutes of April 17 be removed from tonight's Council Agenda. He noted Council can review the minutes and the Council Clerk can make the changes and the minutes can be brought back to the agenda in two weeks.

Mr. Hanek moved to table the Committee of the Whole Goal Setting Minutes dated April 17, 2018. Vote – 7 Ayes, 0 Nays.

EXTEND APARTMENT MORATORIUM:

Mr. Abella asked when the current six month moratorium was up, and the Council Clerk indicated August.

Since Council does not meet in August, Mr. Abella thought it should be addressed now.

Mr. Ousley commented it would behoove Council to extend the moratorium another six months to get the comprehensive plan completed. He also suggested reaching out to the Brunswick Hills Township Trustees about the direction some of their properties might be going.

It was noted the comprehensive plan is expected to be completed in October, Mr. Abella commented how the plan will be guidance for the City.

Mr. Aungst expressed an extension of six months on the moratorium was reasonable, it would give the Administration time to disseminate the comprehensive plan, work with the consultants, and work on zoning requirements that may come to fruition and follow Council's lead on code updates.

Mr. Delsanter commented on the timing of the comprehensive plan and the involvement of the Planning & Zoning committee, additionally budget discussions come at the end of the year making it a busy time. He noted the City does not want to hold back development if it was valid.

Mr. Aungst recalled the legislation would permit a development of noteworthy cause to be presented. The legislation would be put to the side and it would then open up to everybody to move something forward if something was presented as a defined multi-family housing.

It was noted the law department will draft legislation extending the temporary moratorium; the legislation will have three readings.

MOTION TO APPROVE THE QUAIL CREEK APARTMENTS CONDITIONAL ZONING CERTIFICATE AND DETAILED SITE PLAN:

Mr. Jones noted this project was approved by Planning Commission, and was presented prior to the moratorium going into place. Harsax Management is proposing this development and it is a high end product that will be targeting the top end of the renting market.

Mr. Hanek moved to approve the Quail Creek Apartments conditional zoning certificate and detailed site plan. Vote – 6 Ayes, 1 Nay- Mr. Ousley.

REVIEW LEGISLATION:

ORD. NO. 41-18 – An ordinance establishing the pay range for the position of part-time Manager of Administrative Services in the Division of Administrative Services

Per the law department, Mr. DeForest noted there was no companion legislation to create the position since the current positon can either be full time or part time. This legislation creates the pay range for Manager of Administrative Services and provides flexibility for future hiring.

Comments were made by Mr. Ousley regarding the pay range which was listed in the legislation at $9.50an hour to $35.00 an hour; he asked if the Administration was looking for part time or full time; and he wanted to know where the range would start for part time, noting $35.00 an hour was high for part time.

Mr. DeForest noted the pay range was similar to what currently exists; the hourly range would commence to the responsibilities and expectations of the position.

It was the understanding of Mr. Abella that Council sets the pay ranges and it was up to the discretion of the City Manager to determine the individual pay range.

Mr. DeForest stated he has to come back to Council and request the money in the budget, noting there are checks and balances.

Mr. Abella commented he would be abstaining from the vote due to the present employee being a friend of a neighbor.

Mr. Hanek moved this ordinance to tonight's Council Agenda of June 11, 2018 for three readings. Vote – 6 Ayes, 1 Abstain – Mr. Abella.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:47 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

Valerie Zak

Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	06/25/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager John Piepsny
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 37-18** - An emergency resolution authorizing the City Manager to enter into an agreement with Air Force One for the replacement of the Brunswick Community Recreation & Fitness Center HVAC unit in an amount not to exceed $116,911.00 - **3rd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny)*
BACKGROUND:	The heating and ventilation unit at the Brunswick Community Recreation Center is over 26 years old and is in need of replacement. We would like to replace the current unit with a new HVAC system to allow for a more comfortable atmosphere in the gymnasium during the hot summer months. Air Force one is a part of the State Procurement plan and would allow us to purchase the new unit in an amount not to exceed $116,911.00
PURPOSE AND EXPLANATION:	The purpose for having the three readings and adopting as an emergency would be to allow the City of Brunswick to enter into an agreement with Air Force One, once adopted, and to hopefully install the unit during the later part of the summer which is typically very warm.
IMPLEMENTATION SCHEDULE:	
FINANCIAL INFORMATION:	- - Capital Improvement Fund #300 - 300-0522-56250 - - 116911
FINANCIAL SUMMARY:	The City of Brunswick would be purchasing the unit from Air Force One using the State Procurement program under the MMA utilizing the #MMA 7500 in an amount not to exceed $116,911.00. An additional $45,000 to the original appropriation budget for this project was approved by City Council on May 14, 2018. This allowed sufficient funding to be in place for this request.
RECOMMENDED ACTION:	

One Reading	No
Two Readings	No

Three Readings	Yes
Emergency	Yes
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

The recommendation from the administration to City Council would be to adopt this legislation in three readings.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AIR FORCE ONE FOR THE REPLACEMENT OF THE BRUNSWICK COMMUNITY RECREATION & FITNESS CENTER HVAC UNIT IN AN AMOUNT NOT TO EXCEED $116,911.00.

WHEREAS: The City of Brunswick belongs to the State Procurement Program under the direction of the Department of Administrative Services; and

WHEREAS: The State contract under the State Procurement Program has been awarded to Air Force One.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Air Force One for the replacement of the Brunswick Community Recreation & Fitness Center Natatorium HVAC unit in an amount not to exceed $116,911.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to allow for the immediate installation of the HVAC unit. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 37-18

BY: Mr. Abella, Mrs. Hanek and Mr. Capretta

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AIR FORCE ONE FOR THE REPLACEMENT OF THE BRUNSWICK COMMUNITY RECREATION & FITNESS CENTER HVAC UNIT IN AN AMOUNT NOT TO EXCEED $116,911.00.

WHEREAS: The City of Brunswick belongs to the State Procurement Program under the direction of the Department of Administrative Services; and

WHEREAS: The State contract under the State Procurement Program has been awarded to Air Force One.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Air Force One for the replacement of the Brunswick Community Recreation & Fitness Center Natatorium HVAC unit in an amount not to exceed $116,911.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to allow for the immediate installation of the HVAC unit. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading__________________________

2nd Reading_________________________

3rd Reading_________________________

ADOPTED: __________________ AYES ___________ NAYS ___________

ATTEST: ________________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	06/25/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager
COPY:	Mayor Ron Falconi
LEGISLATION:	**ORD. NO. 41-18** - An ordinance establishing the pay range for the position of part-time Manager of Administrative Services in the Division of Administrative Services - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)
BACKGROUND:	Council has established the position of part-time Administrative Services Manager by separate Ordinance and a pay range is necessary for the position.
PURPOSE AND EXPLANATION:	Council wishes to establish a pay range for the position of part-time Administrative Services Manager. The following hourly pay range is: $9.50 - $35.00
IMPLEMENTATION SCHEDULE:	To be effective as soon as allowed by law.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	It is currently intended that this part-time position will eventually replace the current full-time position. This will be a part of the 2019 budget proposal to City Council. If an overlap situation for training purposes were need to occur in 2018, the Administration may need to propose a 2018 budget amendment (legislation) to Council. This position is anticipated to be budgeted no more than twenty-eight (28) hours per week to comply with the part time hours policy. Hourly pay range to be: $9.50 - $35.00
RECOMMENDED ACTION:	

One Reading No

Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. _______

BY:

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME MANAGER OF ADMINISTRATIVE SERVICES IN THE DIVISION OF ADMINISTRATIVE SERVICES.

WHEREAS: Council wishes to establish a pay range for the position of part-time Manager of Administrative Services in the Division of Administrative Services.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

POSITION	RANGE
Manager of Administrative Services	$9.50/hour to $35.00/hour

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading__________________________

2nd Reading_________________________

3rd Reading_________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________

Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 41-18

BY: Committee-of-the-Whole

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME MANAGER OF ADMINISTRATIVE SERVICES IN THE DIVISION OF ADMINISTRATIVE SERVICES.

WHEREAS: Council wishes to establish a pay range for the position of part-time Manager of Administrative Services in the Division of Administrative Services.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

POSITION	RANGE
Manager of Administrative Services	\$9.50/hour to \$35.00/hour

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading ____________________

2ND Reading ____________________

3RD Reading ____________________

ADOPTED: ____________________ AYES________ NAYS ________

ATTEST: ____________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 06/25/2018

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 43-18** - A resolution authorizing the City Manager to enter into a grant agreement with Firstar Precision Corporation - **2nd Reading** (Economic Development Committee, *Administration/Grant Aungst*)

BACKGROUND: City Administration has been in discussions with the new purchaser of an existing building in the City's industrial park regarding relocating the business to the City and potential upgrades to the existing structure and site, including additional staffing. Discussions involve economic development incentives that may be available.

PURPOSE AND EXPLANATION: The City has in place an economic development program to promote the creation of jobs and stimulate economic growth. As part of the agreement, the City shall provide Firstar Precision Corporation with an annual grant in an amount equal to 50% of Municipal Income Tax Receipts, as defined in the agreement, upon annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) between $1,500,000 and $3,500,000. No grant shall be paid from Municipal Income Tax Receipts on employee payroll less than $1,500,000 or greater than $3,500,000. In order to receive and retain the grant for a maximum of four (4) years, Firstar Precision Corporation shall retain a business operation in the City, currently located or to be located at 2867 Nationwide Parkway, Brunswick, Ohio, 44212 for a minimum period of eight (8) years.

IMPLEMENTATION SCHEDULE: Estimated January, 2019.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Fiscal approval for this agreement and each applicable year will be done through an annual purchase order, subject to Council's appropriation and the applicable tax rate in existence at the time. The estimated $20,000 amount for the completed year of 2019 is the calculated not to exceed maximum amount for the first year of the agreement provided all applicable conditions in the agreement are met, tax rates remain the same and sufficient appropriations have been passed by Council.

RECOMMENDED

ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

ADDITIONAL INFORMATION:

GRANT AGREEMENT

THIS GRANT AGREEMENT (the "Agreement") is entered into by and between the City of Brunswick, Ohio, a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio (the "City"), and Firstar Precision Corporation, an Ohio corporation (hereinafter "Firstar").

RECITALS:

WHEREAS, in accordance with applicable Ohio law as detailed in Ohio Revised Code Sections 718.15 and/or 718.151, as may be amended from time to time, the City has developed a program to promote the creation of jobs and stimulate economic development in the City; and

WHEREAS, the City hereby enters into this Agreement to promote the creation of jobs and stimulate economic development in the City.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and intending to be legally bound, the Parties hereto agree as follows:

A. Firstar – Representations, Covenants and Warranties.

1) In order to receive and retain the Grant as described in Section B below, Firstar shall retain a business operation in the City, currently located or to be located at 2867 Nationwide Parkway, Brunswick, Ohio 44212 (the "Premises"), for a minimum period of eight (8) years commencing on the first (1^{st}) day of the fiscal year following full execution of this Agreement (the "Commencement Date") and maintain a minimum annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) of $1,500,000.00 during such eight (8) year period (the "Minimum Annual Employee Payroll"). If Firstar relocates its business operations outside of the corporate limits of the City prior to the

expiration of such eight (8) year period or fails to maintain a Minimum Annual Employee Payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) of $1,500,000.00 during such eight (8) year period, any and all Grant amounts provided pursuant to this Agreement shall be deemed refundable and Firstar shall repay the City the full amount of all Grants received hereunder promptly upon written notice from the City and this Agreement shall automatically terminate.

2) If at any time during the term of this Agreement, Firstar or any employees of Firstar were to file and receive a tax refund on any payroll previously taxed by the City pursuant to this Agreement, Firstar shall be required to repay, promptly upon written notice from the City, the Grant amount equal to the tax refund issued.

B. Grants.

1) The City shall provide Firstar with an annual grant (the "Grant") in an amount equal to 50% of Municipal Income Tax Receipts, as defined hereinbelow, upon annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) between $1,500,000.00 and $3,500,000.00. No Grant shall be paid from Municipal Income Tax Receipts on employee payroll less than $1,500,000.00 or greater than $3,500,000.00. Such Grant shall be payable solely from City Non-Tax Revenues, as defined hereinbelow.

"Municipal Income Tax Receipts", as used herein, means the municipal income taxes actually received by the City during the twelve (12) month period commencing on the Commencement Date, and each twelve (12) months thereafter for the term of this Agreement, derived from the employees of Firstar performing services in the City.

"Non-Tax Revenues", as used herein, means all moneys of the City which are not moneys raised by taxation, to the extent available for the purpose of making any payments required hereunder, including, but not limited to, the following: (a) grants from the United States of America and the State of Ohio; (b) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on other City indebtedness; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City's General Fund; (f) investment earnings on other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) gifts and donations; and (i) all rental payments which are deposited in the City's General Fund.

Nothing herein shall be construed as requiring the City to use or apply to the payment of its obligation hereunder any funds or revenues from any source other than Non-Tax Revenues; provided, however, that nothing herein shall be deemed to prohibit the City, at its sole discretion, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Agreement. The obligation to make any Grant hereunder shall terminate immediately if Firstar ceases business operations within the corporate limits of the City or otherwise fails to fulfill its obligations under this Agreement.

2) The annual Grant set forth above shall continue for a period of four (4) consecutive twelve (12) month periods from the Commencement Date unless earlier terminated as set forth in this Agreement.

3) The Grant required hereunder shall be made to Firstar upon the occurrence of the following: (a) the City's actual receipt of Municipal Income Tax Receipts; (b) the City's actual receipt of all necessary municipal tax returns from Firstar; and (c) the City's receipt, review and approval of any requested supporting documentation as required herein.

Any Grant payment required hereunder shall made by check payable to Firstar, to be forwarded by regular U.S. mail within ninety (90) days of payment and filing all necessary municipal tax returns and forms with the City for the subject twelve (12) month period, to the notice address provided in Section C below, as may be updated by written notice to the City from time to time.

C. Additional Covenants and General Conditions.

1) This Agreement is specifically conditioned upon enactment by the Brunswick City Council of a Resolution approving this Agreement.

2) Firstar may not assign its rights under this Agreement without the express written consent of the City.

3) Firstar agrees to provide the City with information reasonably requested by the City to evaluate Firstar's compliance with this Agreement and to calculate the amount due hereunder.

4) A notice, demand, or other communication that may be provided or is otherwise

required under this Agreement shall be sufficiently given or delivered if it is mailed by registered or certified mail, postage prepaid, return receipt requested, or delivered personally as follows:

To the City:

City of Brunswick
Attn: City Manager
Brunswick City Hall
4095 Center Road
Brunswick, OH 44212

To Firstar:

Firstar Precision Corporation
Attn: David Tenny, President
____
____

5) This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio.

6) This Agreement may be executed in several counterparts, each of which shall be deemed to be an original but altogether shall constitute only one and the same instrument. Signatures or counterparts delivered by email, facsimile or other electronic means shall be deemed binding originals.

[SIGNATURE PAGE TO FOLLOW]

WHEREFORE, the Parties hereto have caused this Grant Agreement to be executed as of the dates indicated below.

CITY OF BRUNSWICK, OHIO	FIRSTAR PRECISION CORPORATION
______________________________	______________________________
Carl S. DeForest, City Manager	David Tenny, President
Date:__________________________	Date:__________________________

Approved as to form:

____

Kenneth J. Fisher, Law Director

Date:__________________________

This Grant Agreement has been approved by Brunswick City Council per Resolution No. __________ adopted on ______________________, _____, 2018.

____

Fijabi Julien-Gallam, Clerk of Council

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH FIRSTAR PRECISION CORPORATION.

WHEREAS: In accordance with applicable Ohio law, the City has developed a program to promote the creation of jobs and stimulate economic development in the City;

WHEREAS: The City is desirous of entering into a Grant Agreement with Firstar Precision Corporation to promote the creation of jobs and stimulate economic development in the City.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into the Grant Agreement with Firstar Precision Corporation, as attached hereto as Exhibit "A".

SECTION 2: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. __43-18__

BY: Mr. Hanek, Mr. Ousley and Mrs. Hanek

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH FIRSTAR PRECISION CORPORATION.

WHEREAS: In accordance with applicable Ohio law, the City has developed a program to promote the creation of jobs and stimulate economic development in the City;

WHEREAS: The City is desirous of entering into a Grant Agreement with Firstar Precision Corporation to promote the creation of jobs and stimulate economic development in the City.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into the Grant Agreement with Firstar Precision Corporation, as attached hereto as Exhibit "A".

SECTION 2: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_________________________

2nd Reading_________________________

3rd Reading_________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	06/25/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 45-18** - An emergency resolution authorizing the City Manager to enter into a Memorandum of Understanding and related easement documents with the Brunswick City School District - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Ken Fisher*)
BACKGROUND:	The City is willing to grant the Brunswick City School District (the "School District") a non-exclusive, temporary access easement over a portion of the City Property.
PURPOSE AND EXPLANATION:	
IMPLEMENTATION SCHEDULE:	
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	
RECOMMENDED ACTION:	

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	Yes
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND RELATED EASEMENT DOCUMENTS WITH THE BRUNSWICK CITY SCHOOL DISTRICT.

WHEREAS: The City is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061, which is improved with a structure and parking lot for use by the Brunswick Area Television Studios (the "City Property");

WHEREAS: The City is willing to grant the Brunswick City School District (the "School District") a non-exclusive, temporary access easement over a portion of the City Property (the "Easement Premises"), subject to the terms and conditions contained in the Memorandum of Understanding as attached hereto as Exhibit "1" and incorporated herein by reference, to allow for access to the School District's adjacent property from Manhattan Avenue for construction purposes;

WHEREAS: The School District is willing to construct, at its sole cost and expense, an asphalt parking lot on the City Property (the "Parking Lot"); and

WHEREAS: The City is willing to grant the School District a non-exclusive, permanent parking easement (the "Parking Easement") on the Parking Lot, subject to the terms and conditions contained in the Memorandum of Understanding.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager is authorized and directed, upon approval of the Law Director, to enter into a Memorandum of Understanding with the Brunswick City School District, as attached hereto as Exhibit "1" and incorporated herein by reference.

SECTION 2: That the City Manager is authorized and directed, upon approval of the Law Director, to enter into a Temporary Access Easement Agreement with the Brunswick City School District relative to the Easement Premises, as attached as Exhibit "B" to the Memorandum of Understanding.

SECTION 3: That the City Manager is authorized and directed, upon approval of the Law Director, to enter into a Parking Easement Agreement with the Brunswick City School District relative to the Parking Easement, as attached as Exhibit "C" to the Memorandum of Understanding.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for immediate construction access. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading ______________________

2nd Reading _____________________

3rd Reading ____________________

ADOPTED: _________________________________ AYES_____NAYS_____

ATTEST: _________________________________

Clerk of Council
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 45-18

BY: Committee of the Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND RELATED EASEMENT DOCUMENTS WITH THE BRUNSWICK CITY SCHOOL DISTRICT.

WHEREAS: The City is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061, which is improved with a structure and parking lot for use by the Brunswick Area Television Studios (the "City Property");

WHEREAS: The City is willing to grant the Brunswick City School District (the "School District") a non-exclusive, temporary access easement over a portion of the City Property (the "Easement Premises"), subject to the terms and conditions contained in the Memorandum of Understanding as attached hereto as Exhibit "1" and incorporated herein by reference, to allow for access to the School District's adjacent property from Manhattan Avenue for construction purposes;

WHEREAS: The School District is willing to construct, at its sole cost and expense, an asphalt parking lot on the City Property (the "Parking Lot"); and

WHEREAS: The City is willing to grant the School District a non-exclusive, permanent parking easement (the "Parking Easement") on the Parking Lot, subject to the terms and conditions contained in the Memorandum of Understanding.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager is authorized and directed, upon approval of the Law Director, to enter into a Memorandum of Understanding with the Brunswick City School District, as attached hereto as Exhibit "1" and incorporated herein by reference.

SECTION 2: That the City Manager is authorized and directed, upon approval of the Law Director, to enter into a Temporary Access Easement Agreement with the Brunswick City School District relative to the Easement Premises, as attached as Exhibit "B" to the Memorandum of Understanding.

SECTION 3: That the City Manager is authorized and directed, upon approval of the Law Director, to enter into a Parking Easement Agreement with the Brunswick City School District relative to the Parking Easement, as attached as Exhibit "C" to the Memorandum of Understanding.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for immediate construction access. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading ____________________

2nd Reading ____________________

3rd Reading ____________________

ADOPTED: ______________________________ AYES_____NAYS_____

ATTEST: ______________________________

Clerk of Council
Fijabi Julien-Gallam, CMC

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (the "MOU") is entered into by and between the City of Brunswick, a chartered municipal corporation existing and operating pursuant to the laws of the State of Ohio (the "City") and the Brunswick City School District, a political subdivision of the State of Ohio (the "School District").

WHEREAS, the City is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061, which is improved with a structure and parking lot for use by the Brunswick Area Television Studios (the "City Property");

WHEREAS, the City is willing to grant the School District a non-exclusive, temporary access easement (the "Temporary Access Easement") over a portion of the City Property, as generally depicted on the Map attached hereto as Exhibit "A" and incorporated herein by reference (the "Easement Premises"), subject to the terms and conditions contained herein;

WHEREAS, the School District is willing to construct, at its sole cost and expense, an asphalt parking lot on the City Property, as generally depicted on the Map attached hereto as Exhibit "A" and incorporated herein by reference (the "Parking Lot"), subject to the terms and conditions contained herein; and

WHEREAS, the City is willing to grant the School District a non-exclusive, permanent parking easement (the "Parking Easement") on the Parking Lot, as generally depicted on the Map attached hereto as Exhibit "A" and incorporated herein by reference, subject to the terms and conditions contained herein.

NOW THEREFORE, in consideration of the following terms and conditions hereinafter set forth, the parties hereto agree as follows:

1) The City will grant the School District the Temporary Access Easement over the Easement Premises, the form of the Temporary Access Easement Agreement attached hereto as Exhibit "B" and incorporated herein by reference, which shall be recorded with the Medina County Recorder at the School District's sole cost and expense.

2) The City will grant the School District the Parking Easement on the Parking Lot, the form to the Parking Easement Agreement attached hereto as Exhibit "C" and incorporated herein by reference, which shall be recorded with the Medina County Recorder at the School District's sole cost and expense.

3) The School District shall, at its sole cost and expense:

   a) Maintain the Easement Premises during the term of the Temporary Access Easement.

   b) Maintain public liability insurance on the Easement Premises in an amount not less than what is customarily maintained by the School District, which

EXHIBIT
tabbies
"1"

certificate of insurance shall name the City as an additional insured and expressly provide that same shall not be terminated without thirty (30) days prior written notice to the City.

4) Upon expiration or earlier termination of the Temporary Access Easement, the School District shall, at its sole cost and expense:

   a) Restore the Easement Premises and/or any other disturbed areas of the City Property to a condition wherein the Easement Premises can be utilized for parking to service the City Property.

   b) Record all necessary documents with the Medina County Recorder to effectuate the termination of the Temporary Access Easement.

5) In consideration for the grant of the Temporary Access Easement and Parking Easement, the School District shall construct, maintain and repair, at its sole cost and expense, the Parking Lot with not less than thirteen (13) striped parking spaces, which shall conform with applicable ADA requirements. Construction on the Parking Lot shall begin as soon as practical upon receipt of all necessary governmental approvals.

6) This MOU may not be assigned without the prior written consent of the Parties hereto.

7) In the event of a material default by either Party in the performance of its obligations hereunder, the non-defaulting Party shall deliver to the other Party written notice setting forth the nature of the default. The defaulting Party shall have thirty (30) days to cure the default. If the default is not cured to the satisfaction of the non-defaulting Party within such thirty (30) day period, the non-defaulting Party may initiate any and all legal action to ensure performance of this MOU or pursue any other remedy at law, including, without limitation, termination of the Temporary Access Easement Agreement.

8) This MOU shall be governed by the laws of the State of Ohio. This MOU contains the entire agreement between the Parties and any amendment hereto shall be mutually agreed upon in writing by the Parties hereto.

9) All notices which either Party hereto may give shall be addressed, in the case of the City, as follows:

   The City of Brunswick
   Attn: Carl S. DeForest, City Manager
   4095 Center Road
   Brunswick, Ohio 44212
   cdeforest@brunswick.oh.us

With a copy to:

Kenneth J. Fisher, Law Director
2100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
kfisher@fisher-lpa.com

And in the case of the School District, as follows:

Brunswick City School District
Attn: Michael Mayell, Superintendent
3643 Center Road
Brunswick, Ohio 44212
Email: mmayell@bcsoh.org

With a copy to:

____
____
____
____
Email:____________________________

Such notices shall be delivered personally or sent by email or certified mail to the above addresses, or such other addresses as either Party may direct in writing.

10) This Agreement shall not be effective until such time as fully executed by the parties hereto upon receipt of all necessary approvals from each party's respective legislative body.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be executed as of the dates indicated below.

CITY OF BRUNSWICK

____

Carl S. DeForest, City Manager

Date:____________________________

Approved as to form:

____

Kenneth J. Fisher, Law Director

BRUNSWICK CITY SCHOOL DISTRICT

____

Michael Mayell, Superintendent

Date:____________________________

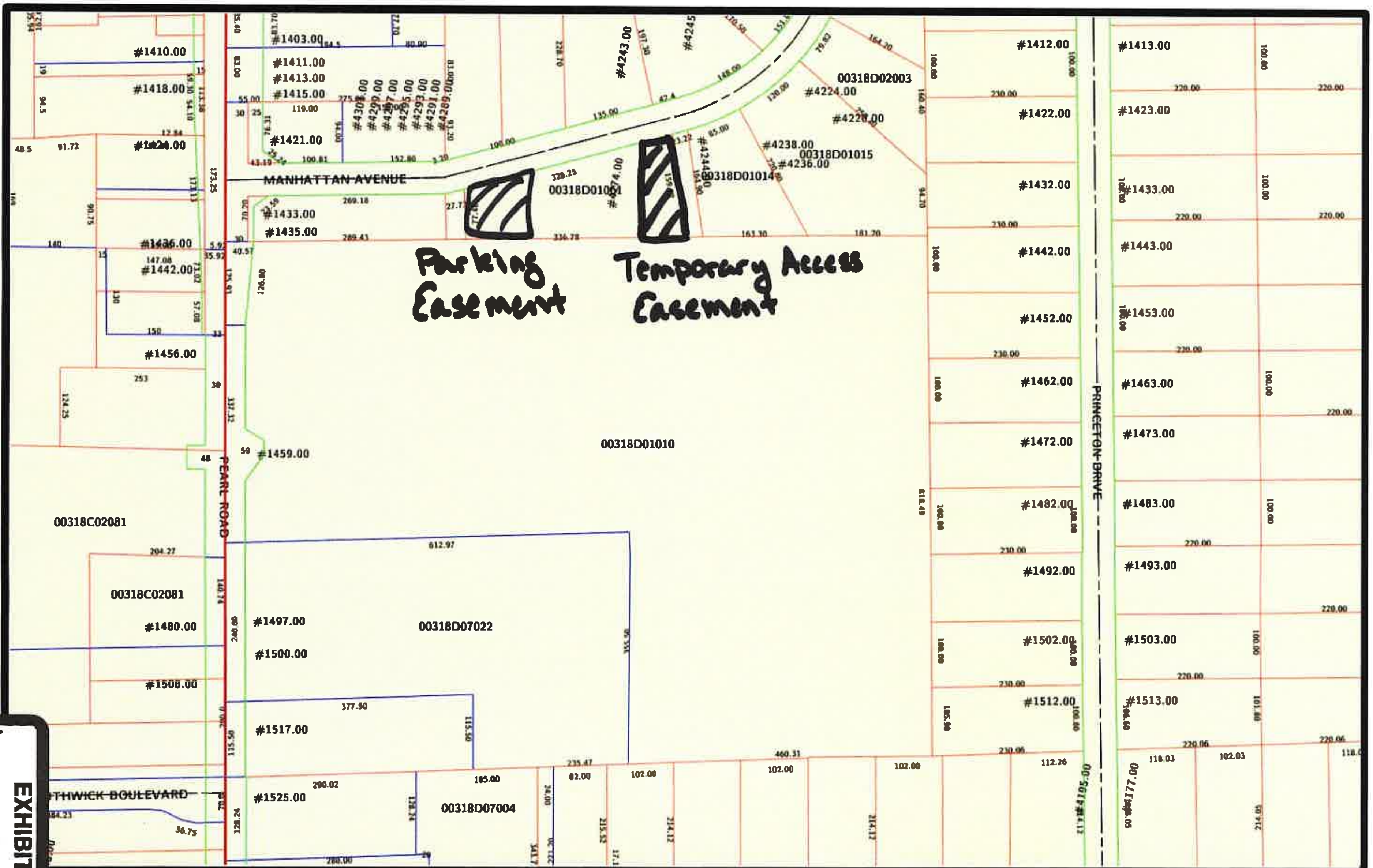
Approved as to form:

____

By:____________________________

Title:____________________________

Map



nerated with the GeoMOOSE Printing Utilities

EXHIBIT

"A"

TEMPORARY ACCESS EASEMENT AGREEMENT

THIS TEMPORARY ACCESS EASEMENT AGREEMENT (the "Agreement") is entered into by and between City of Brunswick, a chartered municipal corporation existing and operating pursuant to the laws of the State of Ohio (the "Grantor") and the Brunswick City School District, a political subdivision of the State of Ohio (the "Grantee").

WHEREAS, the Grantor is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061 (the "City Property");

WHEREAS, the Grantor is willing to grant the Grantee a non-exclusive, temporary access easement (the "Temporary Access Easement") over a portion of the City Property as described on Exhibit "1" attached hereto and depicted on Exhibit "2" attached hereto (the "Easement Premises"), subject to the terms and conditions contained herein, to allow access to adjacent property owned by the School District from Manhattan Avenue for construction purposes (the "Construction").

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

EXHIBIT

"B"

1. Grant of Easement. Grantor hereby gives, grants, conveys, extends and confers unto Grantee the Temporary Access Easement over the Easement Premises for the sole purpose of accessing adjacent property owned by the School District from Manhattan Avenue for the Construction.

2. Term. This Temporary Access Easement shall terminate upon the earlier of the following: (a) thirty (30) months from the date of full execution hereof (the "Effective Date"), unless extended by mutual agreement of the parties hereto; or (b) upon completion of the Construction.

3. Restrictions. The School District shall take all necessary actions to ensure that all vehicles utilizing the Easement Premises shall access the Easement Premises solely from Pearl Road, i.e., right-turn ingress from Manhattan Avenue and left-turn egress to Manhattan Avenue.

4. Maintenance/Restoration. Grantee shall, at its sole cost and expense, maintain the Easement Premises and restore the Easement Premises and/or any other disturbed areas of the City Property to a condition wherein the Easement Premises can be utilized for parking to service the City Property.

5. Recording and Modification. This Agreement shall be recorded in the real estate records of Medina County, Ohio at Grantee's sole cost and expense.

6. Miscellaneous. This Agreement shall be construed in accordance with the laws of the State of Ohio, without regard to conflict of laws provisions.

IN WITNESS WHEREOF, the parties have caused this Temporary Access Easement Agreement to be executed as of the dates indicated below.

CITY OF BRUNSWICK

____
Carl S. DeForest, City Manager

Date:__________________________

Approved as to form:

____
Kenneth J. Fisher, Law Director

BRUNSWICK CITY SCHOOL DISTRICT

____
Michael Mayell, Superintendent

Date:__________________________

Approved as to form:

____

By:__________________________

Title:__________________________

STATE OF OHIO)
) ss:
COUNTY OF MEDINA)

Before me, a Notary Public in and for said County and State, personally appeared the above-named Carl S. DeForest, the City Manager of the City of Brunswick, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, both individually and on behalf of the City of Brunswick.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Brunswick, Ohio this _______ day of ______________, 2018.

Notary Public

STATE OF OHIO)
) ss:
COUNTY OF MEDINA)

Before me, a Notary Public in and for said County and State, personally appeared the above-named Michael Mayell, the Superintendent of the Brunswick City School District, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, both individually and on behalf of the Brunswick City School District.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Brunswick, Ohio this _______ day of ______________, 2018.

Notary Public

This instrument prepared by:

Kenneth J. Fisher Co., L.P.A.
2100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
(216) 696-7661

EXHIBIT "1"

Easement Premises Legal Description

DRIVEWAY ACCESS EASEMENT

Owner:	**City of Brunswick**
Municipality/County:	**City of Brunswick, Medina County**
Deed:	**Document #2009OR024851**
Date:	**November 10, 2009**
Permanent Parcel No:	**003-18D-01-061**
Location:	**4274 Manhattan Avenue**

Description:

LEGAL DESCRIPTION
DRIVEWAY ACCESS EASEMENT
WITHIN CITY OF BRUNSWICK'S LAND
PP #003-18D-01-061
4274 MANHATTAN AVENUE
CITY OF BRUNSWICK
COUNTY OF MEDINA, OHIO

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being all of Sublot 3A in the Replat of Sublots 3 & 4, further known as a part of Sublots 3 & 4 in the Manhattan Allotment, (Plat Book Vol. 6, Pg. 56), being part of Lot 15, in Tract 1 of Brunswick Hills Township, and being a **0.1836 acres (7,996 sq.ft.) Driveway Access Easement** located within a 0.8907 acres parcel of land as conveyed to the City of Brunswick dated November 10, 2009 as recorded in Document #2009OR024851 (PP #003-18D-01-061) of Medina County Deed Records, further evidenced by the 'Replat of Sublots 3 & 4' as Parcel '3A' prepared for Board of Medina County Commissioners , and further bounded and described as follows;

Beginning at the Northeasterly corner of Sublot 3A of Manhattan Allotment Replat, at a point on the southerly sideline of Manhattan Avenue (50' right-of-way) recorded in Manhattan Allotment Volume 6 Page 56, said point being the Principal Place of Beginning;

COURSE I Thence **South 07°09'37" West,** along the westerly sideline of land as conveyed to the Brunswick City Board of Education (PP #003-18D-01-059) of Medina County Deed Records distance of **159.12 feet** to the Southwest corner thereof on the Northerly line of land as conveyed to the Brunswick City Board of Education (PP #003-18D-01-010) of Medina County Deed Records;

COURSE II Thence **North 90°00'00" West,** along said Northerly line of Brunswick City Board of Education's land (PP #003-18D-01-010), a distance of **62.00 feet**;

COURSE III Thence **North 00°00'00" East,** to said southerly sideline of Manhattan Avenue a distance of **147.14 feet** to a point;

COURSE IV Thence **North 75°43'00" East**, along said southerly sideline of Manhattan Avenue, a distance of **43.51 feet** to the Principal Place of Beginning and containing **0.1836 acres (7,996 sq.ft.)** of land as calculated and described from Medina County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in April 2018, be the same more or less;

Basis of Bearing for this legal description is **North 75°43'00" East** as the southerly sideline of Manhattan Avenue (50 feet wide) as evidenced by record documents of Medina County Recorder Documents.

File #18028 Driveway Access Easement
4274 Manhattan Avenue – PP#003-18D-01-061
April 18, 2018 (BAS)

STATE OF OHIO
DONALD F.
SHEEHY
S-7849
REGISTERED
PROFESSIONAL SURVEYOR

4.18.2018

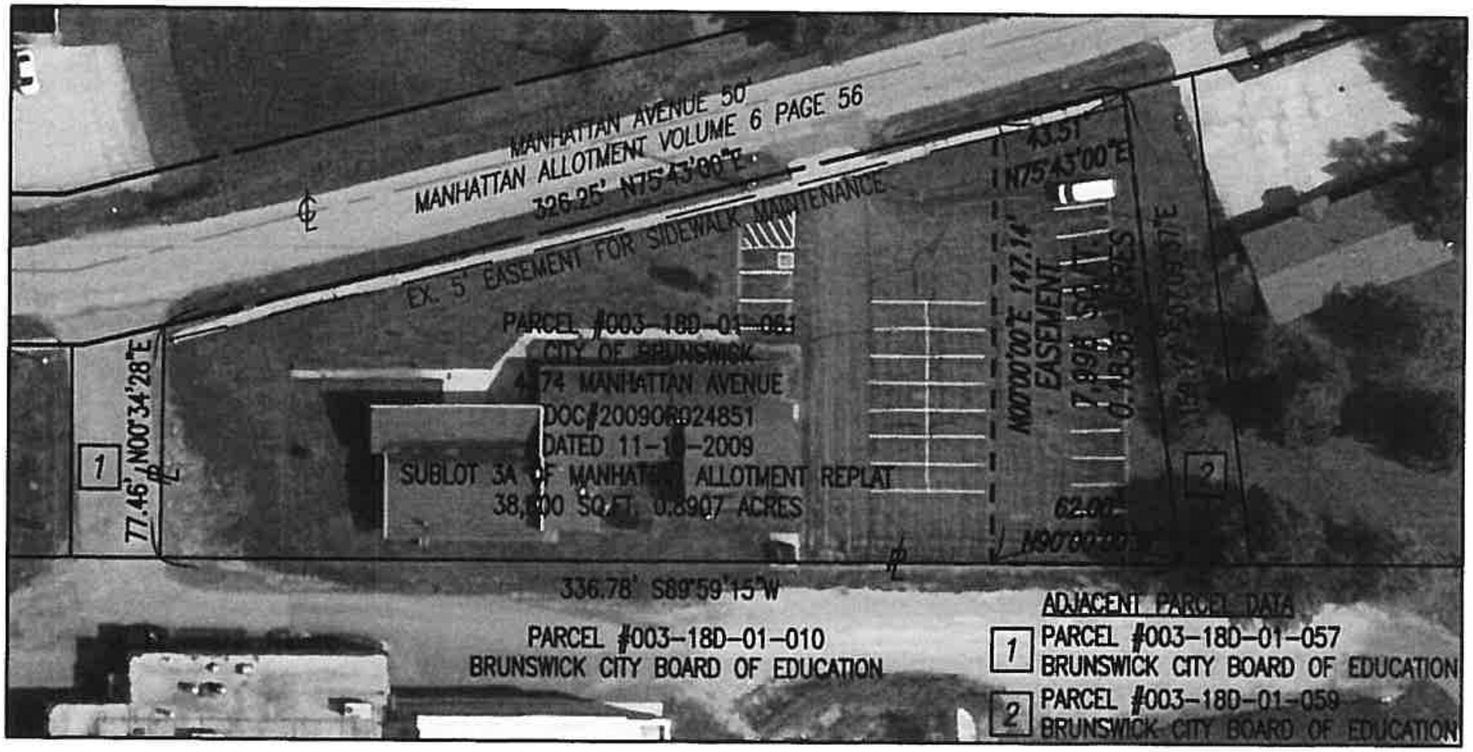
EXHIBIT "2"

Easement Premises Depiction

DRIVEWAY ACCESS EASEMENT

4274 MANHATTAN AVENUE
CITY OF BRUNSWICK, MEDINA COUNTY, OHIO
FROM: CITY OF BRUNSWICK
TO: BRUNSWICK CITY BOARD OF EDUCATION

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.



NOTES

BOUNDARY AND BASIS OF BEARINGS OF NORTH 75°43'00" EAST AS THE CENTERLINE OF MANHATTAN AVENUE (50 FEET WIDE) AS EVIDENCED BY RECORD DOCUMENTS OF MEDINA COUNTY RECORDER DOCUMENTS

REPLAT OF SUBLOTS 3 & 4
CREATING SUBLOT 3A IN THE MANHATTAN ALLOTMENT BEING PART OF ORIGINAL BRUNSWICK TWP. LOT 15 TR. 1 NOW IN THE CITY OF BRUNSWICK

DOC#2009R024851
BOARD OF MEDINA COUNTY COMMISSIONERS
S.L-3A 0.8907 ACRES
PLAT PREPARED 03-26-1992

CUNNINGHAM & ASSOCIATES INC.
EX. EASEMENT FOR SIDEWALK MAINTENANCE ACROSS PART OF SUBLOT 3 & 4 OF MANHATTAN ALLOTMENT

DOC#000686000475
BOARD OF MEDINA COUNTY
5' EASEMENT FOR SIDEWALK MAINTENANCE
EASEMENT PREPARED 04-1991
MEDINA COUNTY ENGINEERS OFFICE

CVE CHAGRIN VALLEY ENGINEERING, LTD.
Creative Engineers. Intelligent Solutions.
22999 Forbes Road, Suite B Cleveland, Ohio 44146-5667
Phone • 440.439.1999 Fax • 440.439.1969 www.cvelimited.com

EXHIBIT

tabbies

"C"

PARKING EASEMENT AGREEMENT

THIS PARKING EASEMENT AGREEMENT (the "Agreement") is entered into by and between City of Brunswick, a chartered municipal corporation existing and operating pursuant to the laws of the State of Ohio (the "Grantor") and the Brunswick City School District, a political subdivision of the State of Ohio (the "Grantee").

WHEREAS, the Grantor is the owner of the real property located at 4274 Manhattan Avenue, Brunswick, Ohio known as PPN 003-18D-01-061 (the "City Property");

WHEREAS, the Grantor is willing to grant the Grantee a non-exclusive, permanent parking easement (the "Parking Easement") over the parking lot located on the westerly portion of the City Property, as generally depicted on Exhibit "1" attached hereto (the "Easement Premises"), subject to the terms and conditions contained herein.

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Grant of Easement. Grantor hereby gives, grants, conveys, extends and confers unto Grantee the Parking Easement over the Easement Premises.

2. Maintenance/Repair. Grantee shall, at its sole cost and expense, maintain and repair the Easement Premises.

3. Recording. This Agreement shall be recorded in the real estate records of Medina County, Ohio at Grantee's sole cost and expense.

4. Miscellaneous. This Agreement shall be construed in accordance with the laws of the State of Ohio, without regard to conflict of laws provisions.

IN WITNESS WHEREOF, the parties have caused this Parking Easement Agreement to be executed as of the dates indicated below.

CITY OF BRUNSWICK	BRUNSWICK CITY SCHOOL DISTRICT
______________________________	______________________________
Carl S. DeForest, City Manager	Michael Mayell, Superintendent
Date:______________________________	Date:______________________________
Approved as to form:	Approved as to form:
______________________________	______________________________
Kenneth J. Fisher, Law Director	
	By:______________________________
	Title:______________________________

STATE OF OHIO)
) ss:
COUNTY OF MEDINA)

Before me, a Notary Public in and for said County and State, personally appeared the above-named Carl S. DeForest, the City Manager of the City of Brunswick, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, both individually and on behalf of the City of Brunswick.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Brunswick, Ohio this _______ day of ______________, 2018.

____
Notary Public

STATE OF OHIO)
) ss:
COUNTY OF MEDINA)

Before me, a Notary Public in and for said County and State, personally appeared the above-named Michael Mayell, the Superintendent of the Brunswick City School District, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, both individually and on behalf of the Brunswick City School District.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Brunswick, Ohio this _______ day of ______________, 2018.

____
Notary Public

This instrument prepared by:

Kenneth J. Fisher Co., L.P.A.
2100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
(216) 696-7661

EXHIBIT "1"

Easement Premises Depiction

TEMPORARY ACCESS EASEMENT

Owner:	**City of Brunswick**
Municipality/County:	**City of Brunswick, Medina County**
Deed:	**Document #2009OR024851**
Date:	**November 10, 2009**
Permanent Parcel No:	**003-18D-01-061**
Location:	**4274 Manhattan Avenue**

Description:

LEGAL DESCRIPTION
TEMPORARY ACCESS EASEMENT
WITHIN CITY OF BRUNSWICK'S LAND
PP #003-18D-01-061
4274 MANHATTAN AVENUE
CITY OF BRUNSWICK
COUNTY OF MEDINA, OHIO

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being all of Sublot 3A in the Replat of Sublots 3 & 4, further known as a part of Sublots 3 & 4 in the Manhattan Allotment, (Plat Book Vol. 6, Pg. 56), being part of Lot 15, in Tract 1 of Brunswick Hills Township, and being a **0.1301 acres (5,668 sq.ft.) Temporary Access Easement** located within a 0.8907 acres parcel of land as conveyed to the City of Brunswick dated November 10, 2009 as recorded in Document #2009OR024851 (PP #003-18D-01-061) of Medina County Deed Records, further evidenced by the 'Replat of Sublots 3 & 4' as Parcel '3A' prepared for Board of Medina County Commissioners , and further bounded and described as follows;

Beginning at the Northwesterly corner of Sublot 3A of Manhattan Allotment Replat, at a point on the Southerly sideline of Manhattan Avenue (50' right-of-way) recorded in Manhattan Allotment Volume 6 Page 56, said point being the Principle Place of Beginning;

COURSE I Thence **North 75°43'00" East**, along said Southerly sideline of Manhattan Avenue, a distance of **68.29 feet** to a point;

COURSE II Thence **South 00°34'28" West**, parallel with and at a perpendicular distance of 66.00 feet East of the Westerly line of said Sublot 3A of Manhattan Allotment Replat, a distance of **94.30 feet** to a point on the Northerly line of land as conveyed to the Brunswick City Board of Education (PP #003-18D-01-010) of Medina County Deed Records;

COURSE III Thence **South 89°59'15" West**, along said Northerly line of Brunswick City Board of Education's land (PP #003-18D-01-010), a distance of **66.00 feet** to the Southwesterly corner of said Sublot 3A of Manhattan Allotment Replat;

COURSE IV Thence **North 00°34'28" East**, along said Westerly line of Sublot 3A of Manhattan Allotment Replat, a distance of **177.46 feet to** the Principle Place of Beginning and containing **0.1301 acres (5,668 sq.ft.)** of land as calculated and described from Medina County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in June, 2018, be the same more or less;

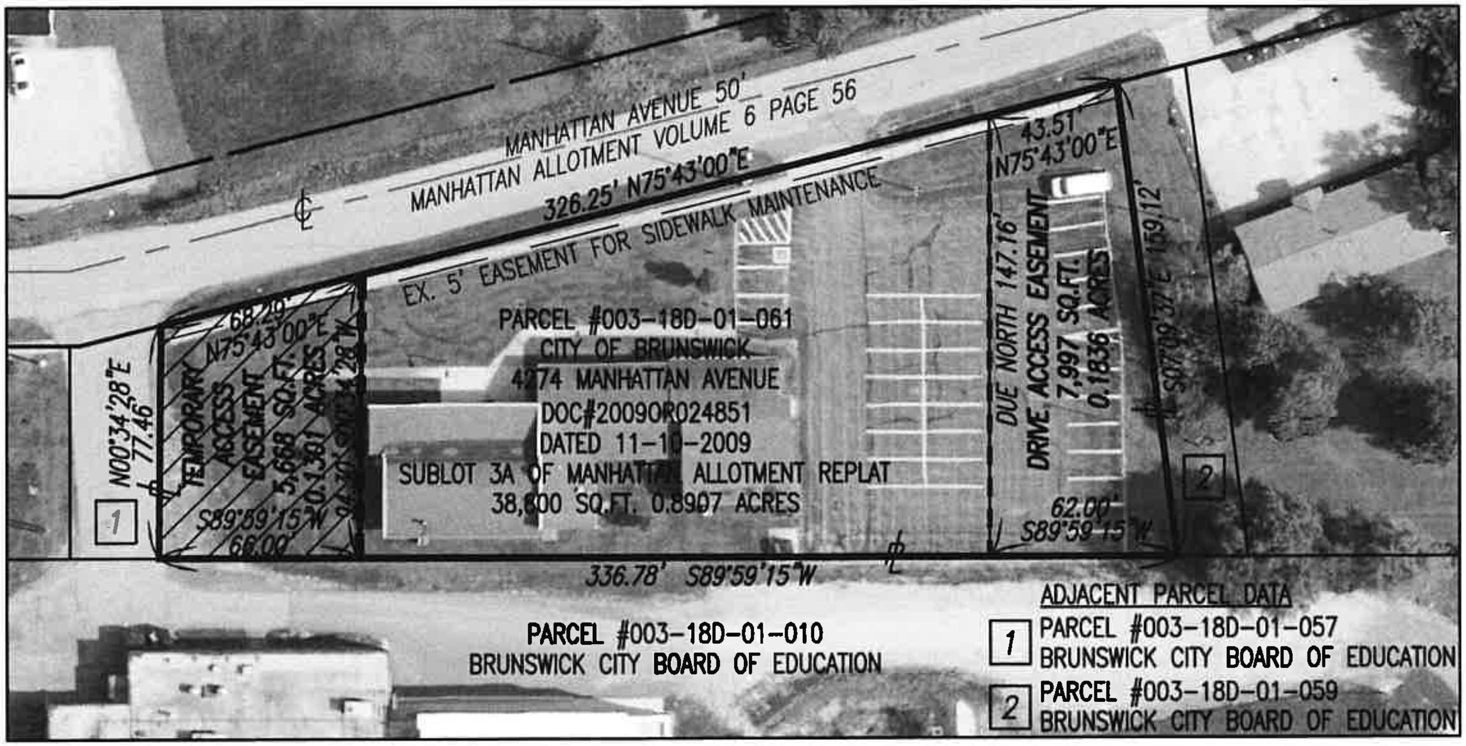
Basis of Bearing for this legal description is **North 75°43'00" East** as the southerly sideline of Manhattan Avenue (50 feet wide) as evidenced by record documents of Medina County Recorder Documents.

File #18028 Temporary Access Easement
4274 Manhattan Avenue – PP#003-18D-01-061
June 21, 2018 (jaw)

TEMPORARY ACCESS EASEMENT

4274 MANHATTAN AVENUE
CITY OF BRUNSWICK, MEDINA COUNTY, OHIO
FROM: CITY OF BRUNSWICK
TO: BRUNSWICK CITY BOARD OF EDUCATION

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.
0 30 60



NOTES

BOUNDARY AND BASIS OF BEARINGS OF N75°43'00"E AS THE CENTERLINE OF MANHATTAN AVENUE (50 FEET WIDE) AS EVIDENCED BY RECORD DOCUMENTS OF MEDINA COUNTY RECORDER DOCUMENTS

REPLAT OF SUBLOTS 3 & 4
CREATING SUBLOT 3A IN THE MANHATTAN ALLOTMENT
BEING PART OF ORIGINAL BRUNSWICK TWP. LOT 15
TR. 1 NOW IN THE CITY OF BRUNSWICK

DOC#2009R024851
BOARD OF MEDINA COUNTY COMMISSIONERS
S.L-3A 0.8907 ACRES
PLAT PREPARED 03-26-1992

CUNNINGHAM & ASSOCIATES INC.
EX. EASEMENT FOR SIDEWALK MAINTENANCE ACROSS
PART OF SUBLOT 3 & 4 OF MANHATTAN ALLOTMENT

DOC#000686000475
BOARD OF MEDINA COUNTY
5' EASEMENT FOR SIDEWALK MAINTENANCE
EASEMENT PREPARED 04-1991
MEDINA COUNTY ENGINEERS OFFICE

CVE CHAGRIN VALLEY ENGINEERING, LTD.
Creative Engineers. Intelligent Solutions.
22999 Forbes Road Suite 6 Cleveland, Ohio 44146
Phone • 440.439.1999 Fax • 440.439.1969 www.cvelimited.com

CVE #18028 06-21-18

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 06/25/2018

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 46-18** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for multi-family dwelling units in all zoning districts and the issuance of such approvals - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: Council would like to extend moratorium.

PURPOSE AND EXPLANATION: Council would like to extend the temporary moratorium. The current temporary moratorium ends in August while Council is on summer break.

IMPLEMENTATION SCHEDULE: Three readings and an emergency to not have a gap between the current and the new proposed legislation.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO._________

BY:

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR BUILDING PERMIT APPROVALS FOR MULTI-FAMILY DWELLING UNITS IN ALL ZONING DISTRICTS AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Multi-Family Dwelling Units, as defined in Codified Ordinance Section 1242.02(32)(c);

WHEREAS: On February 12, 2018, City Council adopted Ordinance No. 9-18, establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City effective as of February 12, 2018; and

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Multi-Family Dwelling Units.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The six (6) month temporary moratorium established by Ordinance No. 9-18 shall be extended for a period of six (6) months up to and including February 12, 2019, wherein the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

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 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 necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Multi-Family Dwelling Units. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading__________________________

RULES SUSPENDED: AYES______________ NAYS____________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: ________________________
Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 46-18

BY: Committee of the Whole

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR BUILDING PERMIT APPROVALS FOR MULTI-FAMILY DWELLING UNITS IN ALL ZONING DISTRICTS AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Multi-Family Dwelling Units, as defined in Codified Ordinance Section 1242.02(32)(c);

WHEREAS: On February 12, 2018, City Council adopted Ordinance No. 9-18, establishing a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City effective as of February 12, 2018; and

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Multi-Family Dwelling Units.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The six (6) month temporary moratorium established by Ordinance No. 9-18 shall be extended for a period of six (6) months up to and including February 12, 2019, wherein the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Multi-Family Dwelling Units in any Zoning District in the City, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

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 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 necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Multi-Family Dwelling Units. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

____

PASSED: 1st Reading__________________________

RULES SUSPENDED: AYES______________ NAYS____________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 06/25/2018

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 47-18** - An emergency resolution amending Resolution NO. 39-18 by increasing the city's local cost share for the North Carpenter road project to an amount not to exceed $3,256,830.51 - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Matt Jones*)

BACKGROUND: Most recently the bids for both the base and alternate bids have been opened. Estimated local cost shares have been compiled and amended various times by ODOT. The latest ODOT North Carpenter Road Improvement Project revised invoice for the total estimated local cost share now equals a total of $3,256,830.51. This new amount is $3.42 more than the maximum amount allowed via Council Resolution #39-18. In order for the City to pay the second invoice payment , the Administration is asking Council's approval to amend Resolution #39-18 to increase the estimated local cost share by an additional $3.42 for the North Carpenter Improvement Project to a new maximum amount of $3,256,830.51.

Resolution #39-18 was previously approved by City Council on May 22, 2018. This Resolution amended Resolution #22-18 and increased the local cost share maximum to $3,256,827.09, which included the base bid, alternate bid and estimated ODOT engineering costs for the North Carpenter Road Improvement Project.

Prior to May 2018, 1) City Council pledged its cooperation with ODOT for the North Carpenter Improvement Project on February 13, 2017 via Resolution #12-17, and 2) Passed Resolution #22-18 on March 26, 2018.

PURPOSE AND EXPLANATION: The purpose of the amendment to the prior resolution is to increase the City Council's appropriation from $3,256,827.09 to $3,256,830.51, an increase of $3.42. This increase will allow the City to pay the full amount of ODOT's invoice for additional funds owed to cover the local funding match. The project is to reconstruct 2.06 miles of North Carpenter Road from 0.54 miles north of Center Road (SR 303) to Boston Road in the City of Brunswick and Brunswick Hills Township. The project also includes reconstruction of Grafton Road approaching North Carpenter Road, including the addition of left turn lanes in both directions. The project will be a total reconstruction of North Carpenter Road including new pavement, curbs, sidewalks, storm sewers, and adjustments to the vertical alignment. The project is design-build, which means the contractor is given the scope of work and will need to prepare detailed design plans as part of the construction project after the contract is awarded.

IMPLEMENTATION SCHEDULE: Construction is anticipated to begin in late fall 2018 and completed in August 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Most recently the bids for both the base and alternate bids have been opened. Estimated local cost shares have been compiled and amended various times by ODOT. The latest ODOT North Carpenter Road Improvement Project revised invoice for the total estimated local cost share now equals a total of $3,256,830.51. This new amount is $3.42 more than the maximum amount allowed via Council Resolution #39-18. In order for the City to pay the second invoice payment , the Administration is asking Council's approval to amend Resolution #39-18 to increase the estimated local cost share by an additional $3.42 for the North Carpenter Improvement Project to a new maximum amount of $3,256,830.51.

The additional $3.42 is an estimate and is expected to be paid from the City's Road Improvement Fund #333. Once actual costs are known, all costs will need to be reconciled against estimated costs and all responsible party shares will need to be determined. At that time, various parties (NOACA, Medina County, and City) may owe more or receive a refund.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and so that the legislation will be enacted and delivered in time to meet the July 25, 2018 due date for the City's additional share of the local project funds.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. 39-18 BY INCREASING THE CITY'S LOCAL COST SHARE FOR THE NORTH CARPENTER ROAD PROJECT TO AN AMOUNT NOT TO EXCEED $3,256,830.51.

WHEREAS: The Ohio Department of Transportation ("ODOT") intends to reconstruct a 2.06 mile portion of North Carpenter Road from 0.54 miles north of State route 303 to Boston Road located in the City of Brunswick and Brunswick Hills Township, including, without limitation, new pavement, curbs, sidewalks, storm sewers and adjustments to vertical alignment (the "Project").

WHEREAS: On February 13, 2017, City Council adopted Resolution No. 12-17 authorizing the Project and providing cooperation as provided therein.

WHEREAS: On March 26, 2018, City Council adopted Resolution No. 22-18 authorizing the City's local cost share in a total estimated amount not to exceed $3,165,886.37.

WHEREAS: On May 22, 2018, City Council adopted Resolution No. 39-18 authorizing the City's local cost share in a total estimated amount not to exceed $3,256,827.09.

WHEREAS: Upon receipt of Project bids, the City's local cost share has increased $3.42 to a total amount of $3,256,830.51.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That Resolution No. 39-18 is hereby amended to increase the City's local cost share to an amount not to exceed $3,256,830.51.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to allow meet the July 25, 2018 deadline for the local cost share. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading ____________________

Rules Suspended: AYES ___________ NAYS ___________

ADOPTED: __________________________________ AYES_____NAYS_____

ATTEST: ________________________________

Clerk of Council

Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 47-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. 39-18 BY INCREASING THE CITY'S LOCAL COST SHARE FOR THE NORTH CARPENTER ROAD PROJECT TO AN AMOUNT NOT TO EXCEED $3,256,830.51.

WHEREAS: The Ohio Department of Transportation ("ODOT") intends to reconstruct a 2.06 mile portion of North Carpenter Road from 0.54 miles north of State route 303 to Boston Road located in the City of Brunswick and Brunswick Hills Township, including, without limitation, new pavement, curbs, sidewalks, storm sewers and adjustments to vertical alignment (the "Project").

WHEREAS: On February 13, 2017, City Council adopted Resolution No. 12-17 authorizing the Project and providing cooperation as provided therein.

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WHEREAS: Upon receipt of Project bids, the City's local cost share has increased $3.42 to a total amount of $3,256,830.51.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That Resolution No. 39-18 is hereby amended to increase the City's local cost share to an amount not to exceed $3,256,830.51.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to allow meet the July 25, 2018 deadline for the local cost share. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading ____________________

Rules Suspended: AYES ___________ NAYS ___________

ADOPTED: _________________________________ AYES_____NAYS_____

ATTEST: ________________________________

Clerk of Council
Fijabi Julien-Gallam

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 06/25/2018

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 48-18** - A emergency resolution authorizing the City Manager to enter into an addendum to the retainer agreement with Keith D. Weiner & Associates Co, LPA. for the collection of past due delinquent accounts. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: The State of Ohio changed municipal tax law affecting tax years 2016 and later by permitting only those attorney fees awarded in judgment (O.R.C. 718.27).

For 2015 and prior tax years, attorney/collection fees were allowed to be passed onto the delinquent taxpayer and collected from the delinquent taxpayer (deemed to have sufficient assets) prior to judgment.

If the City uses a collection agency and collects on delinquent cases prior to judgment under the new law, the City and taxpayers who pay their taxes on time must bear the costs of those services. The only way for the costs to be borne by the person who was later deemed to have sufficient assets but elected not to pay, is to obtain a judgment against that person in court. That judgment, per the City and LPA, should include tax, penalty and interest along with reasonable attorney fees, court and collection costs. The end result of this new law is the City must sue and collect on all viable delinquent cases through a court judgment if it is our goal to use the collected income tax dollars for their voted intention (for example providing and maintaining safety forces). If those same dollars were to be spent on collection costs instead, less would become available for voted purposes.

The proposed retainer agreement addendum is a direct result of changes in the State Law and numerous back and forth discussions between the City representatives and the Collection Firm.

PURPOSE AND EXPLANATION: See background. The proposed contract addendum is a direct result of changes in the State Law and numerous back and forth discussions between the City representatives and the Collection Firm.

IMPLEMENTATION SCHEDULE: Administration is asking for emergency with three readings so that we can pursue the collection of 1 year old delinquent accounts as timely as possible. The delinquent accounts that are planned to be handed over to the Firm are cases in which efforts to collect by our tax office have been exhausted. The court process can also take months and thus it is important to keep the process intact and operating timely.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

If the City uses a collection agency and collects on delinquent cases prior to judgment under the new law, the City and taxpayers who pay their taxes on time must bear the costs of those services. The only way for the costs to be borne by the person who was later deemed to have sufficient assets but elected not to pay, is to obtain a judgment against that person in court. That judgment, per the City's and LPA's request, should include tax, penalty and interest along with reasonable attorney fees and collection costs. The end result of this new law is the City must sue and collect on all viable delinquent cases through a court judgment if it is our goal to use the collected income tax dollars for their voted intention (one example providing and maintaining safety forces). If those same dollars were to be spent on collection costs instead then less would become available for maintaining safety forces and other services.

Last year's collection costs equaled $198,426. Of those costs, only $12,418.26 was expended from City funds. Assuming worst case scenario under this new law and no delinquent cases went to court , this new law could have cost the City an approximate $186,000 based on last year's volume. In other words, we would have had $186,000 less designated for safety, non-safety services and infrastructure/capital improvements if this were to occur.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	Yes
Three Readings	Yes
Emergency	Yes
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Administration is asking for emergency <u>with three readings</u> so that we can pursue the collection of 1 year old delinquent accounts as timely as possible. The delinquent accounts that are planned to be handed over to the Firm are cases in which efforts to collect by our tax office have been exhausted. The court process can also take months and thus it is important to keep the process intact and operating timely.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE RETAINER AGREEMENT WITH KEITH D. WEINER & ASSOCIATES CO., LPA FOR THE COLLECTION OF PAST DUE DELINQUENT ACCOUNTS.

WHEREAS: The Ohio General Assembly changed municipal tax law commencing in tax year 2016 relative to the collection of attorney fees incurred; and

WHEREAS: The proposed Addendum to the Retainer Agreement with Keith D. Weiner & Associates Co., LPA is required to comply with Ohio law.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Addendum to the Retainer Agreement with Keith D. Weiner & Associates Co., LPA, as attached hereto as Exhibit "A".

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to immediately pursue the collection of delinquent accounts. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_________________________

2nd Reading_________________________

3rd Reading_________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 48-18

BY: Mrs. Hanek, Mr. Ousley and Mr. Delsanter

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE RETAINER AGREEMENT WITH KEITH D. WEINER & ASSOCIATES CO., LPA FOR THE COLLECTION OF PAST DUE DELINQUENT ACCOUNTS.

WHEREAS: The Ohio General Assembly changed municipal tax law commencing in tax year 2016 relative to the collection of attorney fees incurred; and

WHEREAS: The proposed Addendum to the Retainer Agreement with Keith D. Weiner & Associates Co., LPA is required to comply with Ohio law.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Addendum to the Retainer Agreement with Keith D. Weiner & Associates Co., LPA, as attached hereto as Exhibit "A".

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to immediately pursue the collection of delinquent accounts. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: ________________ AYES __________ NAYS __________

ATTEST: ______________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 06/25/2018

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 49-18** - An emergency resolution authorizing the City Manager to enter into an agreement with Set in Stone Contracting, LLC for the 2018 Catch Basin Repair Program in an amount not to exceed $94,740.00 - **1st Reading** (To be brought from Services, Utilities, Technology & cable Committee, *Administration/Matt Jones*)

BACKGROUND: Authorization for public bid granted by City Council motion on 4/23/18.

Set In Stone Contracting, LLC's bid was determined to be the lowest and best bid.

PURPOSE AND EXPLANATION: The proposed project will adjust, reconstruct to grade, or replace deteriorated catch basins and replace associated concrete boxouts in various locations throughout the City. This project is being funded with stormwater utility dollars.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence on or about August 1, 2018 and will take approximately 60 days to complete, weather permitting.

FINANCIAL INFORMATION: 2018 Catch Basin Repair Program - - - 224-0420-54265 - - 94740

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of public peace, property, health, safety, or welfare, and providing for the usual daily operation of municipality, and for the further reason that this project may commence during the 2018 construction season.

ADDITIONAL INFORMATION:

M E M O

Engineering Department

TO:	City Council
FROM:	Matthew M. Jones, P.E.
DATE:	June 25, 2018
RE:	2018 Catch Basin Repair Program

On June 6, 2018, public bids were opened for the 2018 Catch Basin Repair Program. A tabulation of the bid results is attached for your reference. Two companies submitted bids for the project. The low bidder for the project was Set in Stone Contracting, LLC at $94,740.00. The Engineer's estimate was $94,930.00. Engelke Construction Solutions, LLC was the second low bidder with a bid of $96,190.00.

This project will facilitate the repair of approximately 55 catch basins at various locations throughout the city. The bids included allotments for casting replacement and drive apron repairs to be used as needed. A listing of the repairs included in the bid is attached for reference as well.

Stormwater utility funds are being utilized to complete the proposed project.

CVE staff has contacted a sampling of references provided by Set in Stone Contracting, LLC. The reference check did not find any reoccurring issues with Set in Stone. Two municipalities were contacted regarding four (4) separate projects. All contacted references classified Set in Stone as an above average contractor. Additionally, Set in Stone completed the 2016 and 2017 Catch Basin Repair Programs satisfactorily.

Based upon a review of the bid documents and other references, it is my opinion that Set in Stone has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract in the amount of $94,740.00 to Set in Stone Contracting, LLC to complete the 2018 Catch Basin Repair Program.

If you have any questions or require any additional information please contact me at your convenience.

Attachments

C: Carl DeForest, City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

	STREET	REPAIR LOCATION	CB's Adjusted or	Engineeer Comments
REF		(Address)	Reconstructed to Grade	
			(Each)	
1	Eisenhower	1638	1	
2	Eisenhower	1700	2	
3	Truman	1750	1	
4	Van Buren	3295	1	
5	Fernwood / Peacock	3738	3	
6	Fernwood	Across from 2082 Peacock	1	
7	Pheasants Walk	3688	2	
8	Pheasants Walk	3679	2	
9	Yorkshire	N/ Pheasants Walk	2	
10	Yorkshire	2031	2	
11	S. Carpenter/Center	Intersection on S. Carpenter	1	
12	Kenneth	194	1	
13	Kenneth	195	1	
14	Angela	4097	1	
15	Westminister	852	1	
16	Westminister	836	2	
17	Rolling Hills	4072	1	
18	Rolling Hills	4095	1	
19	Rolling Hills	4164	1	
20	Rachel	746 (On Angela)	1	
21	Ambrose / Rolling Hills Intersection	West Leg	2	
22	Rolling Hills	4285	1	
23	Hilltop	4106	2	
24	Hilltop	4072	1	
25	Hilltop	4049	2	
26	Dogwood	4628	1	
27	Redwood	At 891 Pepperwood	1	
28	Redwood	Across from 4611	1	
29	Redwood	4632	1	
30	Boxwood	4641	1	
31	Pepperwood	599	1	
32	Pepperwood	1004	2	
33	Pepperwood / Dogwood	Intersection (NE corner)	1	
34	Pepperwood / Briar	Intersection, S Side	1	
35	Briar	4717	1	
36	Briar	4747	1	
37	Cottonwood	4699	1	
38	Poplar	753	1	
39	Queens / Dennis	Intersection (SE corner)	1	
40	Saxon	1263	1	
41	Regal	4203	1	Replace Casting
42	Regal	Across from 4241	1	Replace Casting

BID TABULATION
BRUNSWICK 2018 CATCH BASIN REPAIR PROGRAM
JOB # 18216
Bid No. 2018-009
CITY OF BRUNSWICK
DATE: JUNE 6, 2018

ENGINEER'S ESTIMATE: 94,930.00

				SET IN STONE CONTRACTING, LLC		ENGELKE CONSTRUCTION SOLUTIONS, LLC	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	CATCH BASIN CASTING ADJUSTED TO GRADE	EACH	44	$1,535.00	$67,540.00	$1,470.00	$64,680.00
2	CATCH BASIN RECONSTRUCTED	EACH	10	$2,000.00	$20,000.00	$1,995.00	$19,950.00
3	MISCELLANEOUS METAL	LBS	1,000	$1.00	$1,000.00	$2.63	$2,630.00
4	CONCRETE DRIVE APRON	SF	1,000	$6.20	$6,200.00	$8.93	$8,930.00
	TOTAL PROJECT COST			TOTAL	**$94,740.00**	TOTAL	**$96,190.00** **
				NUMBER OF DAYS TO COMPLETE: 65		NUMBER OF DAYS TO COMPLETE: 60	
				EARLIEST START DATE: 8/6/2018		EARLIEST START DATE: 5/27/2018	

** Math Error
** Actual Bid Submitted $132,710.00

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SET IN STONE CONTRACTING, LLC FOR THE 2018 CATCH BASIN REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED $94,740.00.

WHEREAS: The City of Brunswick received two (2) bids for the 2018 Catch Basin Repair Program (the "Program"), in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on June 6, 2018, with Set in Stone Contracting, LLC determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Set in Stone Contracting, LLC, the lowest and best bidder, for the 2018 Catch Basin Repair Program in an amount not to exceed $94,740.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2018 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading__________________________

Rules Suspended: AYES ___________ NAYS ___________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: ________________________
Clerk of Council
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 49-18

BY: Mr. Salzgeber, Mr. Capretta and Mr. Hanek

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SET IN STONE CONTRACTING, LLC FOR THE 2018 CATCH BASIN REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED $94,740.00.

WHEREAS: The City of Brunswick received two (2) bids for the 2018 Catch Basin Repair Program (the "Program"), in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on June 6, 2018, with Set in Stone Contracting, LLC determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Set in Stone Contracting, LLC, the lowest and best bidder, for the 2018 Catch Basin Repair Program in an amount not to exceed $94,740.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2018 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading________________________

Rules Suspended: AYES ___________ NAYS ___________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	06/25/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager Paul Barnett
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 50-18** - A resolution authorizing the city manager to enter into an agreement with blue oceans satellite systems inc. in an initial amount not to exceed $47,761.50 with annual options subject to additional council approval for service department automated vehicle location software and declaring an emergency - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)
BACKGROUND:	A motion was passed on January 8, 2018 authorizing the City Manager to advertise for "Requests for Proposals"(RFP) for the installation and ongoing support for an Automated Vehicle Location software package on Service Vehicles. Responses were received on May 3, 2018. There were two responses. The lowest and best response meeting the specifications was from Blue Oceans Satellite Systems, Inc.
PURPOSE AND EXPLANATION:	This proposed system will track and record the locations and times of city snow and ice trucks, dump trucks and pickup trucks. This system provides an accountability for the services offered and provides proof of where and what we are doing. This allows management and staff to remotely see where our trucks are and for snow and ice will show if we are plowing or spreading salt and what speed we are traveling while the service is being provided.
IMPLEMENTATION SCHEDULE:	The services are scheduled to be activated in September, 2018 and continue thru August 31, 2023 with ongoing annual option years to renew as approved by Council.
FINANCIAL INFORMATION:	Blue Oceans Satellite Systems, Inc. - - 953-0420-56252 $40,222.50 for first year only - 117-0420-54253 $7,539.00 for first year only and for each of the remaining 4 years. - -
FINANCIAL SUMMARY:	Year 1 will run upon signing of the proposed contract in 2018 through August 31, 2019 with 4 more terms spanning from September 1 through August 31 with completion in 2023. Years 2 through 5 and beyond are contingent upon the appropriation of necessary funds by City Council as required by applicable law. In the event City Council fails to appropriate sufficient funds to provide for the future years of this agreement, this Agreement shall automatically terminate at the expiration of the first year or any year that funds are not appropriated.

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	Yes
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

It is requested that legislation is passed after 3 readings by emergency at the July 23 meeting to allow for the ordering of hardware and installation prior to this winter season.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BLUE OCEANS SATELLITE SYSTEMS INC. IN AN INITIAL AMOUNT NOT TO EXCEED $47,761.50 WITH ANNUAL OPTIONS SUBJECT TO ADDITIONAL COUNCIL APPROVAL FOR SERVICE DEPARTMENT AUTOMATED VEHICLE LOCATION SOFTWARE AND DECLARING AN EMERGENCY.

WHEREAS: Automated Vehicle Software will allow for improved Service Department efficiency and accountability.

WHEREAS: Pursuant to a Request for Proposals authorized by Council on January 8, 2018, two (2) responses were received with the lowest and best proposal from Blue Oceans Satellite Systems Inc.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Blue Oceans Satellite Systems Inc. for software tracking of the City's Service Department Vehicles in an amount not to exceed $47,761.50 with Annual Options subject to additional Council approval.

SECTION 2: That this Resolution is hereby declared to be an immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to permit necessary software tracking of the City's Service Department Vehicles to immediately commence. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading__________________________

Rules Suspended: AYES ___________ NAYS ___________

ADOPTED: __________________ AYES ___________ NAYS ___________

ATTEST: ____________________________

Clerk of Council
Fijabi Gallam, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. __50-18__

BY: Mr. Salzgeber, Mr. Capretta and Mr. Hanek

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BLUE OCEANS SATELLITE SYSTEMS INC. IN AN INITIAL AMOUNT NOT TO EXCEED $47,761.50 WITH ANNUAL OPTIONS SUBJECT TO ADDITIONAL COUNCIL APPROVAL FOR SERVICE DEPARTMENT AUTOMATED VEHICLE LOCATION SOFTWARE AND DECLARING AN EMERGENCY.

WHEREAS: Automated Vehicle Software will allow for improved Service Department efficiency and accountability.

WHEREAS: Pursuant to a Request for Proposals authorized by Council on January 8, 2018, two (2) responses were received with the lowest and best proposal from Blue Oceans Satellite Systems Inc.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Blue Oceans Satellite Systems Inc. for software tracking of the City's Service Department Vehicles in an amount not to exceed $47,761.50 with Annual Options subject to additional Council approval.

SECTION 2: That this Resolution is hereby declared to be an immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to permit necessary software tracking of the City's Service Department Vehicles to immediately commence. Therefore the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: ________________ AYES __________ NAYS __________

ATTEST: ______________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	06/25/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager
COPY:	Mayor Ron Falconi
LEGISLATION:	**ORD. NO. 51-18** - An ordinance establishing the position of part-time Hydrant Painter in the Division of Fire - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Jim Baird*)
BACKGROUND:	The Division of Fire is responsible for the fire hydrants in the City. New hydrants are added and old ones replaced. These hydrants need to be painted our standard color throughout the City.
PURPOSE AND EXPLANATION:	To insure the Division of Fire maintains responsibility of all City fire hydrants, and for the consistency, uniformity and protection from the elements by painting hydrants.
IMPLEMENTATION SCHEDULE:	As soon as allowed by law.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	Payment of hours will be within budget approved by City Council.
RECOMMENDED ACTION:	

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

Ordinance shall be in effect after its passage by the required number of votes, or from the earliest time allowed by law.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _______

BY:

AN ORDINANCE ESTABLISHING THE POSITION OF PART-TIME HYDRANT PAINTER IN THE DIVISION OF FIRE.

WHEREAS: The position of part-time Hydrant Painter in the Division of Fire is required to efficiently proceed with the City's Annual Hydrant Painting Program.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the position of part-time Hydrant Painter is hereby established in the Division of Fire to allow the City to efficiently proceed with the Annual Hydrant Painting Program, subject to a pay range established by Ordinance and approved by the City Manager.

SECTION 2: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading ________________________________

2nd Reading________________________________

3rd Reading________________________________

ADOPTED: AYES ______NAYS ______

ATTEST: ____
Clerk of Council
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 51-18

BY: Mr. Ousley, Mr. Salzgeber and Mr. Abella

AN ORDINANCE ESTABLISHING THE POSITION OF PART-TIME HYDRANT PAINTER IN THE DIVISION OF FIRE.

WHEREAS: The position of part-time Hydrant Painter in the Division of Fire is required to efficiently proceed with the City's Annual Hydrant Painting Program.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the position of part-time Hydrant Painter is hereby established in the Division of Fire to allow the City to efficiently proceed with the Annual Hydrant Painting Program, subject to a pay range established by Ordinance and approved by the City Manager.

SECTION 2: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading__________________________

2nd Reading__________________________

3rd Reading__________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	06/25/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager
COPY:	Mayor Ron Falconi
LEGISLATION:	**ORD. NO. 52-18** - An ordinance establishing the pay range for the position of part-time Hydrant Painter in the Division of Fire - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Jim Baird*)
BACKGROUND:	The Division of Fire is in need of a part time Fire Hydrant Painter to provide painting services for all City fire hydrants. State Minimum - $17.66
PURPOSE AND EXPLANATION:	To create an hourly pay range for the part time Fire Hydrant in the Division of Fire.
IMPLEMENTATION SCHEDULE:	The Ordinance shall be in effect from its passage by the required number of votes or from the earliest time allowed by law.
FINANCIAL INFORMATION:	Seasonal Hydrant Painter Part-Time - - Fire Fund #115 - 115-0510-51162 - - 5000
FINANCIAL SUMMARY:	Position to only work the number of hours in the budget approved by City Council. The 2018 budget includes $5,000 in wages for this position. The 2018 funding source for this position has been identified as charges for services revenue generated by the Division of Fire.
RECOMMENDED ACTION:	

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
As soon as allowed by law.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. _______

BY:

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME HYDRANT PAINTER IN THE DIVISION OF FIRE.

WHEREAS: Council wishes to establish a pay range for the position of part-time Hydrant Painter in the Division of Fire.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

POSITION	RANGE
Part-Time Hydrant Painter	State Minimum Wage to $17.66/Hr.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_________________________

2nd Reading_________________________

3rd Reading_________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________

Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 52-18

BY: Mr. Ousley, Mr. Salzgeber and Mr. Abella

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME HYDRANT PAINTER IN THE DIVISION OF FIRE.

WHEREAS: Council wishes to establish a pay range for the position of part-time Hydrant Painter in the Division of Fire.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

POSITION	RANGE
Part-Time Hydrant Painter	State Minimum Wage to $17.66/Hr.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading__________________________

2nd Reading__________________________

3rd Reading__________________________

ADOPTED: __________________ AYES ___________ NAYS ___________

ATTEST: ________________________

Clerk of Council
Fijabi Julien-Gallam, CMC

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

74018630005 PERMIT NUMBER	N TYPE	RITOS INC DBA RITOS BAKERY & DELI 1930 PEARL RD 1ST FL & BSMT ONLY BRUNSWICK OHIO 44212
ISSUE DATE		
05 21 2018 FILING DATE		
C1 PERMIT CLASSES		
52 022 C TAX DISTRICT	B99525 RECEIPT NO.	

FROM 05/25/2018

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	

MAILED 05/25/2018 RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/25/2018

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES C N 7401863-0005
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL
4095 CENTER RD
BRUNSWICK OHIO 44212

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

9033009 PERMIT NUMBER	NEW TYPE	YENTHY T TRAN DBA GLAMOUR NAILS 3811 CENTER RD BRUNSWICK OH 44212
ISSUE DATE		
06 04 2018 FILING DATE		
D1 D2 PERMIT CLASSES		
52 022 C TAX DISTRICT	C01029 RECEIPT NO.	

FROM 06/07/2018

PERMIT NUMBER	TYPE	
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	

MAILED 06/07/2018 RESPONSES MUST BE POSTMARKED NO LATER THAN. 07/09/2018

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL <u>WHETHER OR NOT</u> THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES C NEW 9033009
(TRANSACTION & NUMBER)

(<u>MUST MARK ONE</u> OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL
4095 CENTER RD
BRUNSWICK OHIO 44212

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

4996430 PERMIT NUMBER / NEW TYPE	LAMBERT UNITED ENTERPRISES LLC 3305 CENTER RD BRUNSWICK OH 44212
ISSUE DATE	
06 08 2018 FILING DATE	
D5 PERMIT CLASSES	
52 022 TAX DISTRICT / C / C01370 RECEIPT NO.	

FROM 06/15/2018

PERMIT NUMBER / TYPE	
ISSUE DATE	
FILING DATE	
PERMIT CLASSES	
TAX DISTRICT / RECEIPT NO	

MAILED 06/15/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 07/16/2018

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES C NEW 4996430
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL
4095 CENTER RD
BRUNSWICK OHIO 44212

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA

Permit Number	4996430
Permit Name / DBA	
Member / Officer Name	

Search **Reset** **Main Menu**

	Member/Officer Name	Shares/Interest	Office Held
	Permit Number: 4996430; **Name**: LAMBERT UNITED ENTERPRISES LLC; **DBA**: ; **Address**: 3305 CENTER RD BRUNSWICK 44212		
	JAMES BRANDON LAMBERT	MANAGE MEM	CEO

- Ohio.Gov
- Ohio Department of Commerce