



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
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Administration Representatives

JULY 23, 2018

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated July 9, 2018
 - (a) Regular Council Meeting Minutes dated July 9, 2018
5. Mayor's Report:
 - (a) Proclamation for the 4th Annual Nate Vermote Run;
 - (b) Proclamation for Melissa Krebs' years of dedication to the City of Brunswick;
 - (c) Proclamations for Eagle Scouts John Marcus Drzal and Michael Konopka;
 - (d) Proclamation to proclaim August 12th as "Toastmaster Day" in the City of Brunswick;
 - (e) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:
 - Economic Development.....Mr.Hanek
 - Services, Utilities, Technology & Cable.....Mr. Salzgeber
 - (49) Services Committee Meeting Minutes dated July 9, 2018
 - Finance Committee.....Mrs. Hanek
 - (48) Finance Committee Meeting Minutes dated June 21, 2018
 - Safety & Environment.....Mr.Ousley
 - (50) Safety Committee Meeting Minutes dated June 25, 2018
 - Planning & Zoning Committee.....Mr.Delsanter
 - Parks, Recreation & Community Committee.....Mr. Abella Jr.
 - Building & Building Code Committee.....Mr. Capretta

(52) Building Code Committee Meeting Minutes dated July 9, 2018

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated June 25, 2018

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd 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 - **3rd Reading** (Committee-of-the-whole, *Administration/Ken Fisher*)

RES. NO. 48-18 - 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. - **3rd Reading** (Finance Committee, *Administration/Todd Fischer*)

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 - **3rd Reading** (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 - **3rd Reading** (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 - **3rd Reading** (Safety & Environment Committee, *Administration/Jim Baird*)

b. 2nd Reading(s)

c. 1st Reading(s)

RES. NO. 53-18 - An emergency resolution declaring the official intent and reasonable expectation of the City of Brunswick on behalf of the State of Ohio (the borrower) to reimburse the City's OPWC Multi Roads Improvement Fund #370 for the various streets reconstruction OPWC project #CI51V with the proceeds of tax exempt debt of the State of Ohio. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 54-18 - An ordinance rezoning PPN 003-18B-33-324 from the R-R Rural Residential District to the R-L Low Density Residential District. - **1st Reading** (To be brought from Planning and Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 55-18 - An emergency resolution authorizing the City Manager to enter into an agreement with Chagrin Valley Paving for the resurfacing of various city parking lots in an amount not to exceed \$245,476.35. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

RES. NO. 56-18 - An emergency resolution declaring the intention of the City Of Brunswick to provide municipal services to a 0.8432 acre parcel of land (PPN 001-02A-25-046) on Pearl Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 57-18 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 25.0 acre parcel of land (PPN 001-02A-21-007) on pearl road. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Ken Fisher*)

RES. NO. 58-18 - An emergency resolution authorizing the City Manager to enter into an agreement with A&J Cement Contractors, Inc. for the 2018 Reconstructvarious Streets Project in an amount not to exceed \$940,092.50. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 59-18 - An emergency resolution authorizing the City Manager to enter into an agreement with Northcoast Products, the sole vendor of asphaltic emulsion, in an amount not to exceed \$40,000.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

ORD. NO. 60-18 - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L light Industrial District and the issuance of such approvals. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Nicholas Hanek*)

RES. NO. 61-18 - A resolution authorizing the City Manager to execute all necessary documents to accept the 2018 Energized Community Grant from NOPEC.- **1st Reading** (To be brought from Committee-of-the-Whole, Administration/*Paul Barnett*)

RES. NO. 62-18 - An emergency resolution authorizing the City Manager and City Engineer to submit a grant application to the Ohio Public Works Commission Issue 1 Program. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
16. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, JULY 9, 2018

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

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

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

Joseph Salzgeber moved to excuse Councilman Anthony Capretta with just cause, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Correspondence: There was none.

Approval of regular Council Meeting Minutes dated June 25, 2018:

Michael Abella Jr. moved to approve the regular Council Meeting Minutes dated June 25, 2018 as written, seconded by Patricia Hanek. Roll Call - Ayes - 6, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mayor's Report:

Mayor Ron Falconi remarked that Mayor's Court Financial Report for the month ending June 2018 will be posted on the website and added to the minutes for the record.

Recognition of Officer Stefan Karthan upon his retirement from the Division of Police:

Mayor Ron Falconi presented a proclamation to Officer Stefan Karthan upon his retirement from the Division of Police. Mr. Karthan expressed his appreciation for the recognition he received from the Mayor, Council, and the administration.

Recognition of BHS Boys Rugby Team - Won their 3rd State Championship:

Mayor Ron Falconi presented a proclamation and certificates to the Brunswick High School Boys Rugby Team for winning their third championship.

Clerk of Council's Report:

The Clerk of Council announced that the Medina County Park District is hosting a free Damsels and Dragons event on Saturday, July 14, 2018, and Sunday, July 15, 2018, from 12:00 p.m. to 5:00 p.m. She remarked that all ages are welcomed to explore all stages of a dragonfly's life cycle, play some games, and do a dragonfly craft.

Council Committee Reports:

Economic Development.....Mr.Hanek:

Nicholas Hanek had no formal reports this evening.

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

Joseph Salzgeber moved to approve the formal report dated June 25, 2018 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Patricia Hanek had no formal reports this evening.

Safety & Environment.....Mr.Ousley:

Brian Ousley had no formal reports this evening.

Planning & Zoning Committee.....Mr.Delsanter:

Joseph Delsanter had no formal reports this evening.

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

Councilman Anthony Capretta entered the meeting at 7:35 pm.

Michael Abella Jr. moved to approve the formal report dated June 25, 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:

Anthony Capretta had no formal reports this evening.

Other Boards and Commissions:

Michael Abella Jr. had no minutes this evening.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

3rd 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. - **3rd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*) :

Michael Abella Jr. 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.

RES. NO. 43-18 - A resolution authorizing the City Manager to enter into a grant agreement with Firststar Precision Corporation. - **3rd Reading** (Economic Development Committee, *Administration/Grant*

Aungst):

Nicholas Hanek moved to adopt, 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.

Mr. Todd Fischer remarked that Firstar Precision Corporation is planning on taking over a vacant building that was occupied by Automation Tool and Die Incorporation. The grant will kick in if Firstar Precision brings in an additional 1.5 million dollars in new payroll, and max out at 3.5 million dollars in payroll. The grant is not from the tax payer's money.

2nd 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. - **2nd Reading** (Committee-of-the-whole, *Administration/Ken Fisher*):

RES. NO. 45-18 -Michael Abella Jr. moved this resolution to third reading.

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. - **2nd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*) :

Michael Abella Jr. 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.

Mr. Ken Fisher remarked that this resolution extends the existing temporary moratorium for an additional six months to allow the City's Comprehensive Plan to be created.

Michael Abella Jr. 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.

RES. NO. 48-18 - 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. - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*):

RES. NO. 48-18 – Patricia Hanek moved this resolution to third reading.

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. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*):

RES. NO. 50-18 - Joseph Salzgeber moved this resolution to third reading

ORD. NO. 51-18 - An ordinance establishing the position of part-time Hydrant Painter in the Division of Fire. - **2nd Reading** (Safety & Environment Committee, *Administration/Jim Baird*):

ORD. NO. 51-18 - Brian Ousley moved this ordinance to third reading

ORD. NO. 52-18 - An ordinance establishing the pay range for the position of part-time Hydrant Painter in the Division of Fire. - **2nd Reading** (Safety & Environment Committee, *Administration/Jim Baird*) :

ORD. NO. 52-18 - Brian Ousley moved this ordinance to third reading

1st Reading(s): There was none.

City Manager's Report:

City Manager Carl DeForest

- Congratulated Stefan Karthan on his 30 plus years with the City of Brunswick.
- Remarked that Laurel Road Phase 1 is expected to start the week of July 16th. He noted that Laurel Road, between Pearl Road and Maxwell Boulevard, is closed for through traffic. The reconstruction is estimated to last until October.
- Announced that there will be a public forum for the Comprehensive Plan update on Thursday, July 12, 2018, from 6:00 p.m. to 7:30 p.m. in Council Chambers. The last public forum is scheduled for September 13, 2018, from 6:00 p.m. to 7:30 p.m. in the Council Chambers.
- Reminded everyone that solicitors have to have a permit to authorize them to go door-to-door. He remarked if anyone has any issues with solicitors to call the Division of Police or call the City Manager's Office. Residents can pick up a "No Solicitor" sign from the City Manager's Office.
- Announced that the city's quarterly newspaper is expected to go out to residents at the end of July.

Administrative Departments:

Finance Director Todd Fischer

- Announced that he will be passing out the 2019 budget instruction packets the week of July 16, 2018, to the department heads. The process takes about 3 to 4 months to prepare for the 2019 Budget Proposal to the City Council in November.
- Added that the finance department was invited to visit the Ohio Auditor of State, and the Ohio Government Finance Officers Association to tell the story of how the City of Brunswick turned around a finance distress into financial success.

Police Lieutenant Bob Safran

- Announced that the Brunswick Division of Police is currently accepting applications for the Citizens Police Academy. The Citizens Police Academy is expected to run for 10 weeks – one class a week for about three hours. This academy gives residents a chance to meet some of the officers and learn about police operations. The date is yet to be determined.

Chief Building Official Cliff Calaway

- Remarked that the city has 37 new home starts, and 24 of those new homes were in Phase 5 of

Autumn Reserve, and the other 13 were in the South Lake Subdivision.

- Remarked that the City of Brunswick is up to 462 registered contractors. Everyone that performs work in the City has to register with the City of Brunswick.
- Announced the following projects:
 1. The Murphy Tractor & Equipment Company at 1550 South Industrial is expected to build a 35,730 sq ft new facility.
 2. A new restaurant called Smoothies is expected to open at 1418 Town Center Blvd.

Mr. Salzgeber asked if portions of Magnolia Drive and Beverly Hills Drive, between Pearl Road and Judita Drive are expected to go out to bid soon. City Engineer Matt Jones confirmed that the bid for the said project is expected to open on Wednesday, July 18, 2018.

Open Forum:

Healey Creek

Ed Kelly at 298 Substation Road thanked the 14 adults, 11 Boy Scouts and Cub Scouts that came out to do the street cleaning, and clean up around Brunswick Lake on Saturday, July 7, 2018. He remarked that he is the Director of the Rocky River Watershed Council. He mentioned that Healey Creek is a project that they are considering for the Ohio Environmental Protection Agency (EPA) grant. He thanked Councilman Brian Ousley for meeting with the Rocky River Watershed Council and the Ohio EPA on Friday, July 6, 2018. He mentioned that the Ohio EPA representatives came to Brunswick to take a look at the known issue in Healey Creek. He explained that the grant is specific to water quality. Mr. Kelly remarked that any suggestions they make are expected to improve the water quality aspects and the flooding conditions. The funding is through the Ohio EPA program called Water Resource Restoration Sponsor Program. The grant is not due until August. The grant submission will include potential basins that will slow the water down. The grant is suggested to be from \$750,000 to 1 million dollars if EPA awards the grant. The last grant that the Rocky River Watershed Council received was for \$390,000 to build a basin in Brunswick's Venus Park. A preliminary conceptual plan is attached to the minutes.

Recognition

Lynda Reeves at 4117 Keswick Drive thanked the staff and Council for their kind words for the recognition of her retirement. She expressed her appreciation for Officer Stefan Karthan.

Unfinished Business:

Mr. Delsanter expressed his appreciation for the work that Officer Stefan Karthan and Officer Lynda Reeves have done for the City of Brunswick.

New Business: There was none.

Adjournment:

Michael Abella Jr. 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 8:00 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

DRAFT

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

July 9, 2018

IN ATTENDANCE: Chairman Joseph Salzgeber, Committee Member Anthony Capretta, Committee Member Nicholas Hanek, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley, City Manager/Safety Director Carl DeForest, Chief Building Official Cliff Calaway, Law Director Kenneth Fisher, Finance Director Todd Fischer, Administrative Services Julie Murawski, Engineer Matt Jones, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at: 6:47 p.m.

GENERAL DISCUSSION:

Mr. Jones advised the 2018 concrete program was well under way, after the completion of Ward 3 the contractor will move onto Ward 1. The asphalt program has not yet started, and Mr. Jones did not have a start date, due to the contractor being delayed.

Mr. Jones announced the Laurel Road project will be starting on Monday July 16; Laurel Road will be eastbound only for local traffic between Pearl Road and Brintnall. Additionally he noted bids will be opened on Wednesday July 11 for the Various Streets Project; Beverly Hills, Magnolia Drive and Junior Parkway, and the catch basin program will be starting around the first week of August.

Mr. Fischer commented on three pieces of legislation that will be presented to Council for the July 23 Council Meeting for the various streets project.

Mr. Capretta asked for an update on the Manitoulin project.

In response to Mr. Capretta, Mr. Jones advised Mr. Barnett was handling that.

Mr. Salzgeber mentioned a resident on Weathervane that contacted him regarding cul de sacs in the Boston Knolls area in need of work.

Mr. Jones noted some work was being done in the Boston Knolls development this year, work will be done on the cul de sac on Duxbury. The work is going east to west, and unfortunately the resident on Weathervane is on the west end of the development.

There was also a question brought up by Mr. Capretta regarding work that was done on Jefferson last year, he asked if any other streets in the area were going to have the same type of treatment done to them.

To that Mr. Jones advised there is a CDBG application pending to do the same treatment on the rest of Jefferson and all of Lincoln. He noted that was pending the receipt of the CDBG grant which the City has not yet heard back on.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:54 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Salzgeber". The signature is stylized with a large, circular initial "J" and a long, sweeping horizontal stroke extending to the right.

Joseph Salzgeber
Chairman

FINANCE COMMITTEE MEETING

June 21, 2018

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Brian Ousley, Finance Director Todd Fischer, Assistant Finance Director Lynnette Ozanich, Chief Tax Clerk Jessica Eddy.

The meeting convened at 4:30 p.m.

Mrs. Hanek moved to excuse Mr. Delsanter for just cause. Vote – 2 Ayes, 0 Nays.

DISCUSSION ITEMS:

DISCUSSION OF ADDENDUM TO KEITH D. WEINER & ASSOCIATES CO., L.P.A. CONTRACT:

Mrs. Hanek noted legislation has been written and numerated regarding the addendum to the retainer agreement with Keith Weiner & Associates; she referenced Resolution No. 48-18 to be discussed by Mr. Fischer.

Mr. Fischer advised the administration has been in negotiations with Keith Weiner & Associates collection agency for the past several months. He explained the reason for the addendum to the current contract was due to the state legislature changing state law when it comes to municipal income tax laws.

The change deals with the clause on delinquent collection costs, prior to the change in state law collection costs could be passed onto the delinquent tax payer which was done up until the 2016 tax year cases. Mr. Fischer explained the change in the law says cities cannot pass on costs unless it is ordered by a Judge, and basically with that, the state legislature has forced cities to obtain judgement on the tax cases in court.

Mr. Fischer noted there was a senate bill on the legislature's agenda which was to return the law back to the way it was however, that bill died. With that, cities are stuck with the law as currently written.

In talking with the collection agency they wanted to change their contract, and the City decided to litigate on all viable cases. The result after months of negotiations was a proposed contract for tax year 2016; after the tax cases are placed with Keith Weiner & Associates, after 15 business days Keith Weiner & Associates will litigate all viable cases, and therefore the costs can be passed on to the delinquent tax payer if ordered by the Judge.

Additionally, in the contract addendum there are some reductions in rates that the collection agency agreed too. The contract also explains how it was for tax cases 2015 and back and 2016 tax cases moving forward. Mr. Fischer stated the main difference in the contract is who pays the collection costs.

Mr. Fischer commented on the collection agency Keith Weiner & Associates, stating they due an outstanding job on collecting, he noted last year they collected approximately \$800,000 dollars in delinquencies, he pointed out the collection costs on those services is approximately \$200,000 dollars. Mr. Fischer noted the collection costs are directly through the tax payer and collection agency for their services, however, with the new law if it does not go to court the costs would have to go through the

city's books. He noted most of the people that are taken to court have the capability to pay, however for whatever reason they choose not to.

Mr. Fischer noted the legislation was written as an emergency for three readings. The reason for the emergency is that the City has exhausted their collection efforts on the 2016 tax cases and they are going to be handed over to the collection agency.

Mrs. Hanek asked if there was any lobbying going on by any of the bigger cities.

Mr. Fischer has not heard of anything, he noted most people have not focused on it since it was one sentence imbedded into the law.

Mr. Ousley moved Resolution No. 48-18 to the Council Agenda of June 25, 2018 as an emergency for three readings. Vote – 2 Ayes, 0 Nays.

Mr. Fischer asked if this information should be presented to Committee of the Whole prior to the next Council Meeting.

Mr. Ousley moved to have the discussion of the addendum to Keith Weiner & Associates Co., L.P.A contract to the next Committee of the Whole Agenda. Vote – 2 Ayes, 0 Nays.

DISCUSSION OF DRAFT INVESTMENT POLICY:

Mrs. Hanek noted the draft investment policy was discussed with the Financial Audit Committee at the May 10, 2018 Financial Audit Review Committee meeting.

As a point of information, Mr. Fischer advised he had a detailed conversation with Mr. Delsanter on both of the agenda items since he was unable to attend tonight's meeting.

As clarification Mrs. Hanek stated she sent an e mail to the committee members asking who was available at what time, Mr. Ousley responded however Mr. Delsanter did not, and she went ahead and scheduled the meeting. While on vacation she received a voice mail message from Mr. Delsanter asking her if she scheduled the meeting for Thursday at 4:30 p.m., she responded via message that was correct, she indicated an e mail was sent out and he did not respond, she advised he could be excused.

Mr. Fischer advised the City's investment policy has not been changed for about twenty years, and it was long overdue. The City's investment advisor Eileen Stanic of Meeder Investments also attended the Financial Audit Review meeting of May 10. Ms. Stanic advised she was available to address Council at a committee meeting or Council Meeting. At the Financial Audit Committee meeting a lot of details were discussed about the policy, and the main part of the change being requested is the ability to invest in commercial paper. Mr. Fischer explained commercial paper was an investment option offered through big companies that are AAA rated.

Mr. Fischer noted Meeder Investments actually advises the State of Ohio on the investments of commercial paper. Mr. Fischer noted currently commercial paper was not authorized in the City's local investment policy, but was allowed in state law. He noted the State of Ohio recently invested 40% of their portfolio in commercial paper.

He noted there were attractive yields compared to other investment options, so over time the City was losing out on certain types of investments that might be more marketable or a better option. Mr. Fischer noted the commercial paper investor advisor has been talking to the Administration for some time. Mr. Fischer noted commercial paper was a little risky being that the investing is in a company's investment, although he reiterated it was AAA rated.

Mr. Fischer brought the discussion forth to the Financial Audit Committee and they had no objections, and the investment advisor was fine also. He reiterated the suggested change is to add in commercial paper. Additionally, the Financial Audit Committee asked to include in the policy that if the finance director did not take the advice of the investment advisor for the more risky investment options listed in the investment policy that the finance director get a second approval and the suggestion being the city manager.

Mr. Fischer noted the investment advisor was willing to speak to Council regarding investments in commercial paper.

Mr. Fischer was comfortable with adding commercial paper to the investment policy, and his recommendation would be for Council to consider adding it to the investment policy.

Mr. Ousley asked if Finance should have a meeting and invite all of Council for a presentation by the investment advisor.

Mrs. Hanek thought the presentation should be done in a Committee of the Whole meeting so that all of Council would be present.

After a short discussion, the consensus was for the presentation to be at the Finance Committee Meeting of Monday, September 17, at 6:15 p.m., Mr. Fischer will confirm the date and time with the financial advisor for her availability.

Continuing, Mr. Fischer addressed some of the suggested changes to the investment policy; the first suggestion related to the City's investment schedule and with all the security issues instead of publicizing every single investment the City has due to sensitive information the suggested change was to make that information available upon request. Another suggested change that came from the Ohio Revised Code and the investment advisor regarding eligible investment, if there was no readily competitive offering on the same specific eligible investment; quotations from comparable or alternative eligible investments shall be obtained. He noted basically that is what the investment advisor does for the City.

Also, the investment advisor consultant or qualified securities dealer doing business with the City cannot serve as the custodian or safekeeping agent. It was also suggested to remove the student loan marketing association from the policy.

Mr. Fischer explained certificate of deposits through the Certificate of Deposit Account Registry Service (CDARS) and Star plus Ohio Program, it was the suggestion of Mr. Fischer to remove CDARS from the policy due to the risk of both investing in the same investments.

Commercial paper was added into the policy, it was noted it cannot be more than 270 days from maturity, noting it was a short term investment and cannot be more than a single issuer and the issuer has to have

assets exceeding five hundred million dollars, and it cannot exceed the aggregate of five percent of the City's investments. Mr. Fischer pointed out the total of commercial paper investments can never exceed forty percent of the City's portfolio based on state law. If the City decides to put the commercial paper into the policy, the City can restrict it to be less than the forty percent.

Bonds are also allowable and they were not included in the policy previously. The last points of information referenced the finance director not taking the advice of the investment advisor he would get a second approval which would be from the city manager; and a qualified securities dealer is a dealer who is a member of the Financial Industry Regulatory Authority.

In closing, Mr. Fischer advised he will get in contact with Eileen Stanic of Meeder Investments to see if she is available to attend the Finance Committee meeting of September 17 at 6:15 p.m.

The committee discussed drafting legislation, and Mr. Ousley moved for the Law Director to draft legislation for the draft investment policy for the Finance Committee meeting of September 17, to be written as an emergency for three readings. Vote – 2 Ayes, 0 Nays.

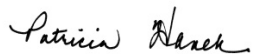
GENERAL DISCUSSION:

Mr. Fischer advised the financial reports for the month of May have been submitted to Council, and if there are any questions to contact Mr. Fischer or Mrs. Ozanich.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 5:15 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Patricia Hanek
Chairwoman

SAFETY & ENVIRONMENT COMMITTEE MEETING

June 25, 2018

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Joseph Salzgeber, Committee Member Michael Abella Jr., Anthony Capretta, Patricia Hanek, Joseph Delsanter, Nicholas Hanek, City Manager Carl DeForest, Parks & Recreation Director John Piepsny, Law Director Kenneth Fisher, Finance Director Todd Fischer, Chief Jim Baird, Administrative Services Julie Murawski, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, Engineer Matt Jones, Council Clerk Fijabi Julien-Gallam, News Media, Boy Scout Troop #407, and Girl Scout Troop Leader.

The meeting convened at 6:45 p.m.

REVIEW LEGISLATION:

ORD. NO. 51-18 – An ordinance establishing the position of part-time Hydrant Painter in the Division of Fire

ORD. NO. 52-18 – An ordinance establishing the pay range for the position of part-time Hydrant Painter in the Division of Fire

Chief Baird advised during 2017 there were a significant number of orange hydrants brought into the City by Cleveland Water. At that time Assistant Chief Barber and Chief Baird decided the department would work toward getting a part time fire hydrant painter, however it did not work out due to not having a job description or pay range for the position. In 2017 the budgeted money was used for a contract service through which about 320 hydrants were painted throughout the City, from orange to red. At the same time the administration developed a job description for a part time hydrant painter, and the pay range through the Division of Fire.

Mr. Ousley asked what the cost was for painting the 320 hydrants, and Chief Baird responded \$4,000 dollars, he noted it took the contractor about 2.5 months to complete.

Mr. Ousley stated this discussion has been ongoing since February and he stated he has not been in favor of it the entire time. He spoke with the teamsters the collective bargaining unit; he was trying to get it through service department, however they do not have part time positions. His complaint was about writing legislation for a hydrant painter for the fire department when he was advised in the past it was also done in parks and recreation and he was told it would not make it through that committee.

Mr. Ousley stated he has been very busy with the summer celebration, however he has been back and forth talking with the boy scouts and when he picked up his Council packet he saw this legislation was brought to the Safety Committee when he has not been in favor of the part time position.

Mr. Ousley indicated he spoke with Chad from Boy Scout Troop 407, who was in the audience tonight. Mr. Ousley introduced Chad from pack 3407, troop 407. Mr. Ousley asked Chad how many scouts he had that could do this, and Chad indicated from his troop alone there were 6 boys in the troop and 27 in the pack, and that was just one troop and pack, he also introduced Jane who was a girl scout troop leader; it was noted the girl scouts were also willing to assist in the project, and he noted within the Brunswick area there were seven troop and pack designations that he knew of, with very large presentation of boy scouts, and they all look for community service hours.

Mr. Ousley stated it cost the City \$4,000 dollars to paint 320 hydrants, and \$5,000 dollars was budgeted this year to paint hydrants, when there are hundreds of young men and women that want to give back to the community for zero costs, and he thought it was a good thing. He also brought up when the City had an adopt a hydrant program. Mr. Ousley expressed \$5,000 dollars of tax dollars could go towards something else when all it would cost is material.

He did not think there would be a safety issue since there would be a troop leader with the scouts, helping them paint. He noted the adopt a hydrant program people were out by themselves painting.

Mr. Ousley commented it took the contractor 2.5 months to paint 320 hydrants, he asked Chief Baird how many people were going to be painting and Chief Baird responded 2 individuals. Mr. Ousley stated there could be 100 young men and young women out there every day if the scouts could put a program together.

Mr. Ousley stated this legislation could die in this committee then the community could give back like they want to do. Mr. Ousley stated he is a voice of reason; he works for and speaks for his community.

Mr. Abella asked about liability issues and safety issues.

In response, Chad from Scout Troop 407 indicated the scouts were covered under the BSA laws, so anytime they do something as a troop or pack activity all the scouts are covered under the BSA insurance laws, and any liability falls under BSA for insurance purposes.

Mr. Fisher stated it was his perspective as law director that there is a liability issue; in many cases the hydrants are on tree lawns which is part of the City right of way, they are close to the streets, and if there are a large number of youths it would be difficult for an adult to supervise every youngster. Again, he stated the proximity of the hydrants in the right of ways on the tree lawn in many cases are in high traffic areas where vehicles at times are traveling in excess of the speed limit. He stated the reason for the ordinance is to allow the administration after careful thought to proceed with a plan to allow the hydrants to be painted.

Mr. Fisher noted with the number of new hydrants being put up by the City of Cleveland Water Department the administration is trying to get the painting done as efficiently as possible and safely as possible. He reiterated the hydrants are in high traffic areas on the tree lawns very close to the street.

Mr. Salzgeber understood the original plan which was discussed for several months was to have this done through parks and recreation, and then it was brought to his attention there was an issue doing it through parks and recreation.

Mr. DeForest stated parks and recreation have the duty of maintaining the parks, and to hire someone in parks and have them out on a tree lawn with a paint brush if something happens to them as City Manager he was responsible and he did not want to pass that on to the City. He noted last year the City contracted the hydrant painting, and during the 2018 budget discussions the \$5,000 dollars was discussed and placed in the fire fund and it cannot be transferred from the fire fund to parks.

Mr. Salzgeber commented this was the first he was hearing about the scouts, it was never discussed in previous committee meetings.

Mr. Delsanter expressed concern with safety issues in putting the children in harm's way; however he noted there were other areas specifically the parks departments for opportunities for the scouts for community service.

Mr. Hanek asked how many fire hydrants there were in the City, and Chief Baird responded approximately 3,000.

Mr. Hanek also asked about the time it takes to paint one hydrant, and Chief Baird explained the process for the already red painted hydrants, and the new orange painted hydrants. The orange painted hydrants take longer due to the process.

Mr. Hanek commented there were safety reasons to have this connected to the fire department; he also mentioned the importance of painting the hydrants noting it was not for aesthetics. He mentioned this discussion came up when he was the chairman of the safety committee however at that time there was no legislation to move on. Mr. Hanek stated there were a number of volunteer programs including but not limited to painting of fire hydrants. Additionally Mr. Hanek expressed he did not recall Mr. Ousley objecting to this at the time it was budgeted, or that he pointed it out in the line item. This was the first time Mr. Hanek heard of any objections voiced to this in this committee despite this going through presentations and working with the committee, and he stated this needs to get done. Mr. Hanek thought it was great that the scouts were present and wanted to help.

Chief Baird indicated there were 3,000 hydrants and Cleveland Water will continue to replace fire hydrants as the years go by and the City will continue to have orange hydrants every year, further it is a continuing program to repaint the hydrants every five years.

Also, Chief Baird addressed the boy scouts; he stated Eagle Scouts have done a number of projects for the fire department. He stated every year boy scouts man the inflatable house at Home Depot, he was not taking anything away from the boy scouts or girl scouts, but he thinks this job is larger in scope than they can manage.

Mr. Ousley interjected it was an ongoing project but having two individuals painting 320 hydrants a year the job will never get done.

Mr. Ousley thanked the scouts for coming this evening.

In closing Mr. Abella expressed appreciation to both the boy scouts and girl scouts however he did not think this was the right fit because of safety issues.

Mr. Salzgeber moved ordinance no. 51-18 and ordinance no. 52-18 to tonight's Council Agenda of June 25, 2018 for three readings. Vote – 2 Ayes, 1 Nays - Mr. Ousley.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Salzgeber moved to adjourn at 7:10 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Ousley", is written over a light gray rectangular background.

Brian Ousley
Chairman

BUILDING AND BUILDING CODE COMMITTEE

July 9, 2018

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Joseph Delsanter, Nicholas Hanek, Joseph Salzgeber, Patricia Hanek, City Manager/Safety Director Carl DeForest, Chief Building Official Cliff Calaway, Law Director Kenneth Fisher, Finance Director Todd Fischer, Administrative Services Julie Murawski, Engineer Matt Jones, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:43 p.m.

GENERAL DISCUSSION:

Mr. Calaway advised there have been 37 new home starts of those 24 are located in Phase 5 of Autumn Reserve, and 13 are in the Southlake Development, also there are 462 registered contractors.

Mr. Calaway announced Pulp Smoothies will be going in at 1418 Town Center; they are looking to open July 24. He also mentioned the new 35,700 square foot Murphy Tractor facility in the South Industrial Park noting it was being built by Engelke Construction.

Mr. Capretta asked if when the contractors register if they put up a bond; and Mr. Calaway indicated they put up a \$25,000 dollar bond.

Mr. Capretta noted residents he talked with want to be sure the contractors are bonded and insured.

ADJOURNMENT:

Being no further business Mr. Delsanter moved to adjourn at 6:47 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

June 25, 2018

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Joseph Salzgeber, Joseph Delsanter, Nicholas Hanek, Anthony Capretta, Brian Ousley, Patricia Hanek, City Manager Carl DeForest, Law Director Kenneth Fisher, Engineer Matt Jones, Chief Jim Baird, Parks & Recreation Director John Piepsny, Finance Director Todd Fischer, Administrative Services Julie Murawski, Community & Economic Development Director Grant Aungst, Service Director Paul Barnett, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 7:11 p.m.

REVIEW 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

Mr. Fisher explained this resolution relates to a temporary easement allowing construction vehicles to access Manhattan Circle off of Pearl Road to allow the school district to engage in new construction on their property off Manhattan Circle. In exchange the City is receiving a minimum of thirteen new striped parking spaces on the existing parking lot next to Brunswick Area Television (BAT) studio.

Mrs. Hanek moved this resolution to tonight's Council Agenda of June 25, 2018 as an emergency for three readings. Vote – 7 Ayes, 0 Nays.

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

Mr. Fisher advised this ordinance is for an extension of the temporary moratorium as it relates to multifamily apartments, this extension will allow for the completion of the Comprehensive Plan which is scheduled in October. The extension of the temporary moratorium is for an additional six month period.

Mr. Ousley moved this ordinance to tonight's Council Agenda of June 25, 2018 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

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

Mr. Jones advised the City received an invoice from ODOT for the local share for North Carpenter Road and it was \$3.42 above what was allocated on ordinance no. 39-18. Therefore, the estimated local cost share maximum amount increased by \$3.42 to an amount not to exceed \$3,256,830.51.

Mr. Salzgeber moved this ordinance to tonight's Council Agenda of June 25, 2018 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

MOTION TO APPROVE VARIANCES FOR THE HOME APPLIANCE ADDITION REGARDING REAR YARD SETBACK AND THE DUMPSTER LOCATION, 1977 PEARL ROAD, AS RECOMMENDED BY THE PLANNING COMMISSION AT THEIR MEETING ON JUNE 7, 2018:

Mr. Jones explained this motion represents two variances for Home Appliance; one being a six foot variance in the rear of the property up against the detention basin, and the other variance is for a dumpster up against condominiums to the north, tucked into a hillside noting it was not visible, and will be screened by additional landscaping.

Mr. Delsanter asked about the residents and the addition of a buffer, and Mr. Jones indicated there will be additional landscaping. Mr. Jones reiterated that the dumpster is hidden into a hillside.

Mr. Delsanter moved to approve variances for the Home Appliance addition regarding rear yard setback and the dumpster location, 1997 Pearl Road as recommend by the Planning Commission at their meeting of June 7, 2018. Vote – 7 Ayes, 0 Nays.

MOTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR PUBLIC BIDS FOR THE RECONSTRUCTION OF VARIOUS STREETS 2018 PROJECTS:

Mr. Jones noted this motion will authorize the administration to advertise for public bids for the OPWC Project on Beverly Hills Drive and Magnolia Drive from Pearl Road to Judita, and also Junior Parkway between Briarleigh and Bettie Lane.

He noted there is approximately \$700,000 dollars in grants and loans from OPWC.

Mr. Salzgeber moved to authorize the City Manager to advertise for public bids for the reconstruction of various streets 2018 projects. Vote – 7 Ayes, 0 Nays.

DISCUSSION OF COLLECTION AGREEMENT FROM FINANCE DIRECTOR TODD FISCHER:

Mr. Fischer noted the reason for the change in the agreement with the City's collection agency is due to the state legislature changing the municipal tax laws. Now in order to recoup collection costs those cost have to be awarded in a judgement, so in essence the state legislature has forced the income tax collection agencies to take legal action. The administration has revised the agreement by addendum with the City's collection agency.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Capretta moved to go into Executive Session for the purpose to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee, seconded by Mrs. Hanek. Roll Call – Ayes – 7, Mr. Hanek, Mr. Salzgeber, Mr. Abella, Mr. Capretta, Mr. Delsanter, Mrs. Hanek, Mr. Ousley. Nays – 0. Motion Carried.

Mr. Abella moved to adjourn out of Executive Session, seconded by Mr. Salzgeber. Roll Call – Ayes – 7, Mrs. Hanek, Mr. Delsanter, Mr. Ousley, Mr. Hanek, Mr. Abella, Mr. Capretta, Mr. Salzgeber. Nays – 0. Motion Carried.

The Committee of the Whole reconvened at 7:23 p.m.

Council discussed a start date for the Intern in the Council Office; the consensus was to have the Intern start in July.

ADJOURNMENT:

Being no further business, Mr. Salzgeber moved to adjourn the Committee of the Whole Meeting at 7:25 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 07/23/2018

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 - **3rd Reading** (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



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@bcsch.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

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: _____

MOOSE MAPPING



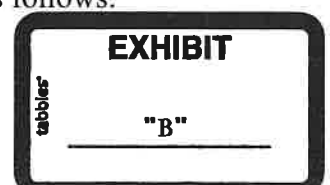
TEMPORARY ACCESS EASEMENT AGREEMENT

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:



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

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 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)



4.18.2018

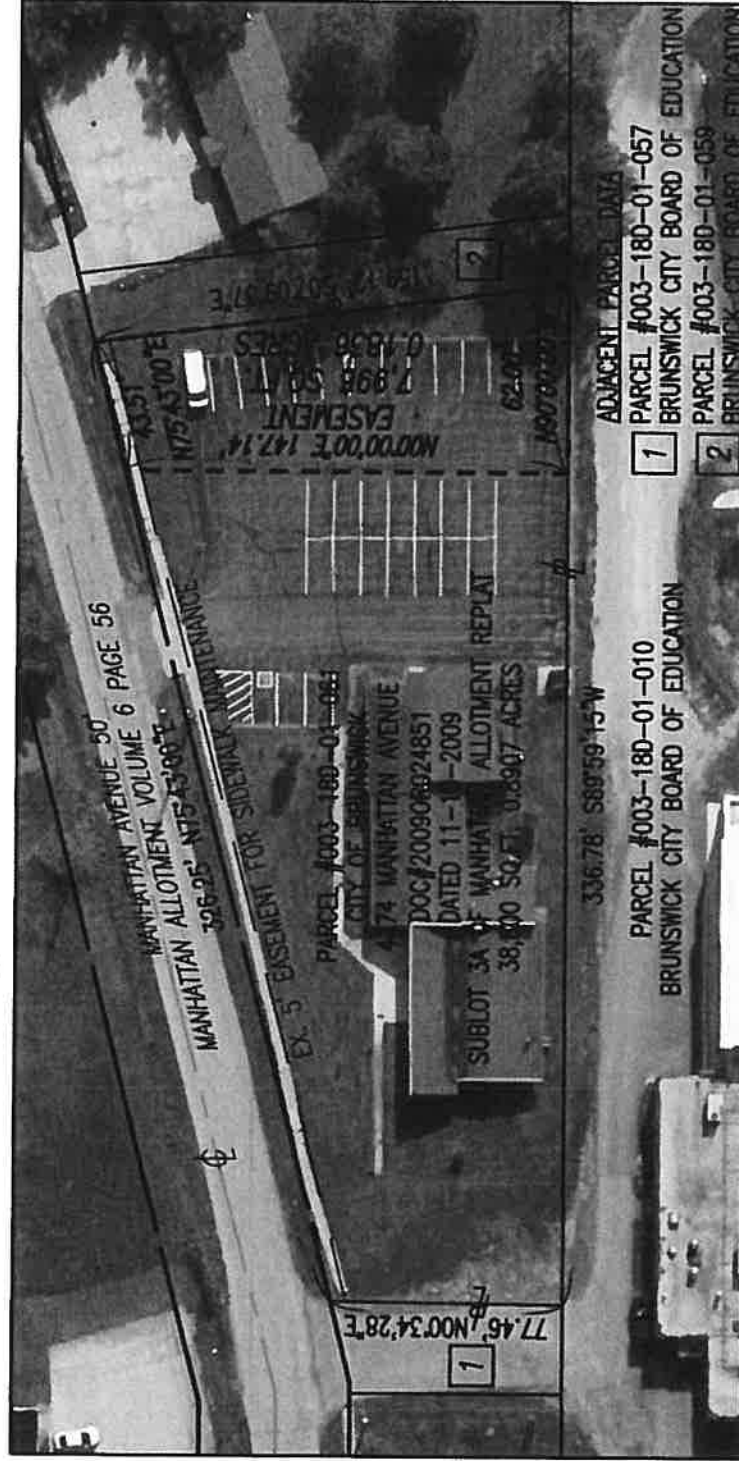
EXHIBIT "2"

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\"/>

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

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

cve CHAGRIN VALLEY
ENGINEERING, LTD.
Creative Engineers, Intelligent Solutions.
22999 Torrey Road, Suite B, Dayton, Ohio 45424
Phone: 414.237.1997 Fax: 414.237.1997 www.cveintd.com

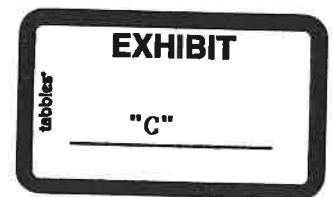
DOC#2008R024851
BOARD OF MEDINA COUNTY COMMISSIONERS
S.L.-3A 0.8807 ACRES
PLAT PREPARED 03-26-1992

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

ADJACENT PARCEL DATA

1 PARCEL #003-18D-01-057
BRUNSWICK CITY BOARD OF EDUCATION
2 PARCEL #003-18D-01-059
BRUNSWICK CITY BOARD OF EDUCATION

PARCEL #003-18D-01-010
BRUNSWICK CITY BOARD OF EDUCATION



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.

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;

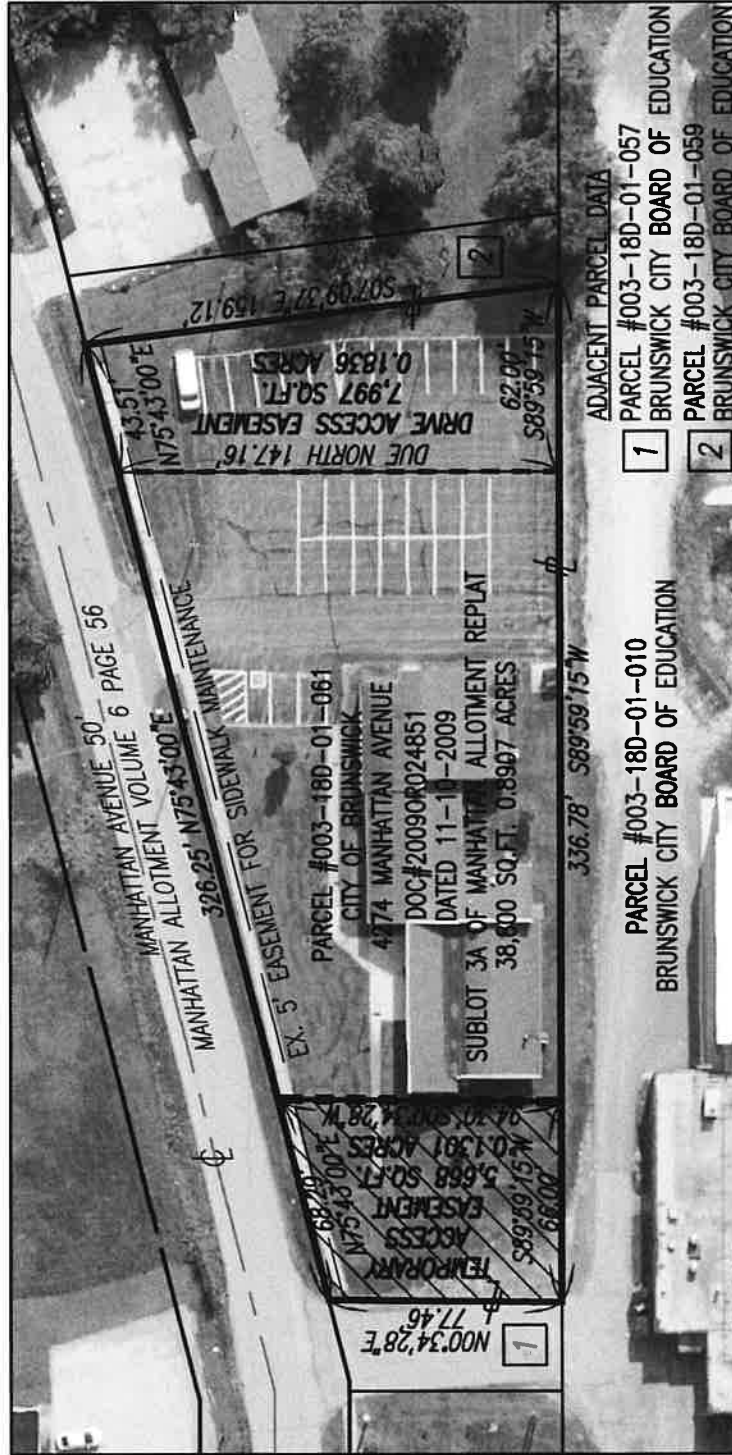
COURSE IV Thence **North 00°34'28" East**, along said Westerly line of Sublot 3A of Manhattan Allotment Replat, a distance of **177.46 feet** to the Principle Place of Beginning and containing **0.1301 acres (5,668 sq.ft.)** of land as calculated and described from Medina County Records by Donald F. 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



ADJACENT PARCEL DATA

- 1 PARCEL #003-18D-01-057
BRUNSWICK CITY BOARD OF EDUCATION
- 2 PARCEL #003-18D-01-059
BRUNSWICK CITY BOARD OF EDUCATION

PARCEL #003-18D-01-010
BRUNSWICK CITY BOARD OF EDUCATION

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

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



DOC#2009R024851
BOARD OF MEDINA COUNTY COMMISSIONERS
S.L.-3A 0.8907 ACRES
PLAT PREPARED 03-28-1992

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 07/23/2018

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** - 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. - **3rd Reading** (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 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.

**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: 07/23/2018

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 - **3rd Reading** (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: 07/23/2018

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 - **3rd Reading** (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: 07/23/2018

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 - **3rd Reading** (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:

<u>POSITION</u>	<u>RANGE</u>
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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 07/23/2018

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

FROM: Carl S. DeForest, City Manager
Lynnette Ozanich

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 53-18** - An emergency resolution declaring the official intent and reasonable expectation of the City of Brunswick on behalf of the State of Ohio (the borrower) to reimburse the City's OPWC Multi Roads Improvement Fund #370 for the various streets reconstruction OPWC project #CI51V with the proceeds of tax exempt debt of the State of Ohio. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: The City of Brunswick wishes to improve Magnolia Drive between Pearl Road and Judita Drive, including the Judita Drive intersection; Beverly Hills Drive between Pearl Road and Judita Drive including the Judita intersection; and Junior Parkway between Briarleigh Drive and Bettie Lane.

The total estimated project costs per the OPWC application = \$1,144,381. The project is expected to be funded with a \$613,800 OPWC State grant, \$115,000 OPWC 0% interest loan with the remainder coming from the City's Road Improvement Fund #333.

In order for the City to receive a \$115,000 0% interest loan for this project and to keep the City's OPWC projects following the same process, this Resolution is necessary and must be filed with OPWC.

**PURPOSE AND
EXPLANATION:**

The City of Brunswick wishes to improve Magnolia Drive between Pearl Road and Judita Drive, including the Judita Drive intersection; Beverly Hills Drive between Pearl Road and Judita Drive including the Judita intersection; and Junior Parkway between Briarleigh Drive and Bettie Lane.

The total estimated project costs per the OPWC application = \$1,144,381. The project is expected to be funded with a \$613,800 OPWC State grant, \$115,000 OPWC 0% interest loan with the remainder coming from the City's Road Improvement Fund #333.

In order for the City to receive a \$115,000 0% interest loan for this project and to keep the City's OPWC projects following the same process, this Resolution is necessary and must be filed with OPWC.

IMPLEMENTATION

SCHEDULE: Administration is requesting emergency with suspension of the rules on the first reading on July 23, 2018 Council meeting to allow the City to comply with the time lines and instructions imposed by

the State of Ohio Public Works Commission's letter dated July 1, 2018. The additional time will also allow for the paperwork to be filed and for the project to take place sooner rather than later.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

The total estimated project costs per the OPWC application = \$1,144,381. The project is expected to be funded with a \$613,800 OPWC State grant, \$115,000 OPWC 0% interest loan. The \$728,800 in proceeds received from the State will be accounted for in the OPWC Multi Roads Improvement Fund #370. The remainder of the project costs will come from the City's Road Improvement Fund #333.

In addition, the City anticipates paying off the \$115,000 OPWC 0% interest loan within the next 20 years from the time the loan amortization schedule is finalized by the State of Ohio. The repayments on the loan are expected to come from the City's Road Improvement Fund #333.

**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?

The need for suspension and emergency is to allow the City to comply with the time lines and instructions imposed by the State of Ohio Public Works Commission's letter dated July 1, 2018. The additional time will also allow for the paperwork to be filed and for the project to take place sooner.

**ADDITIONAL
INFORMATION:**

PROMISSORY NOTE

\$115,000
July 1, 2018

The City of Brunswick
CI51V

FOR VALUE RECEIVED, the undersigned (the "Recipient") promises to pay to the order of the Ohio Public Works Commission (hereinafter the "Lender," which term shall include any holder hereof), at its office located at **65 E. State Street, Suite 312, Columbus, OH 43215**, or at such other place as the holder hereof may, from time to time, designate in writing, the principal sum of **One Hundred Fifteen Thousand Dollars (US\$115,000)**, or so much thereof as shall be advanced by Lender and remain unpaid, together with all costs herein provided and interest from the first day in January or July following project completion and thereon until said amounts have been paid in full at a rate equal to **Zero percent (0.00%)** per annum, or the "Default Rate" (as hereinafter defined), as the case may be.

Principal and interest due under this Note shall be payable as follows:

The first payment due hereunder shall be made on the last business day in January or the first day in July following the date of project completion, whichever date first occurs, which date shall be referred to herein as the "Initial Payment Date."

After the Initial Payment Date, principal and interest shall be due and payable in equal consecutive semi-annual installments commencing on the last business day in January or July 1 following the Initial Payment Date (the "Second Payment Date") and continuing on the last business day in January and July 1 thereafter until maturity. Subject to adjustment as provided herein, the amount of each such semi-annual installment of principal and interest shall be the amount which would fully amortize the unpaid principal balance of the indebtedness evidenced by this Note as of the Second Payment Date, such amortization to be based upon (i) an amortization period of **Twenty years (20)** commencing on the Second Payment date, except for a zero (0) percent loan which would commence on the Initial Payment Date and (ii) interest being calculated on the basis of thirty (30) day calendar months in a 360 day year; provided that in the event the Lender makes additional disbursements following the Second Payment Date, the amount of the semi-annual installments of principal and interest required hereunder shall be increased to the amount it would take to fully amortize this Note based upon (i) the new principal balance and (ii) the above-referenced amortization period, less the number of years (or parts thereof) which have elapsed since the Second Payment Date. The unpaid principal sum of this Note and all accrued and unpaid interest and other charges hereunder shall be payable in full on the Maturity Date which would be either the last business day in January or July 1 following the loan term. The Recipient acknowledges that if the semi-annual payments set forth above do not fully amortize this Note, the payment due on the Maturity Date will be a final payment, consisting of (i) all accrued and unpaid interest and other charges and (ii) the entire unpaid principal balance hereof.

If Recipient shall fail to make any payment hereunder when due, and the same is not corrected within thirty (30) days, then the amount of such default shall bear interest thereafter at the rate of eight percent (8%) per annum (the "Default Rate") from the date of the default until the date of the payment thereof, and the entire principal hereof then remaining unpaid, together with all accrued interest and other charges, shall, at the Lender's option, become immediately due and payable and/or the Lender by and through its Director may, in the Director's sole and complete discretion and in accordance with Section 164.05 of the Ohio Revised Code, direct the county treasurer of the county in which the Recipient is located to pay the amount due hereunder from funds which would otherwise be appropriated to the Recipient from such county's undivided local government fund pursuant to Section 5747.51 to 5747.53 of the Revised Code. The Lender may exercise this option to direct the county treasurer to pay the amount due from the local government fund without any notice or demand during any default by Recipient regardless of any prior forbearance. The lender shall be entitled to collect all costs incurred by the Lender in curing such default, including, but not limited to court costs and reasonable attorney fees from a suit brought to collect this Note. In addition, if the Lender exercises its option to direct the county treasurer to pay the amount due from the local government fund, the Lender shall be entitled to collect all reasonable costs and expenses of any efforts by the Lender to collect the amount due from the local government fund, including but not limited to reasonable attorneys' fees. Lender may, at its option, delay in or refrain from exercising some or all of its rights and remedies without prejudice thereto and regardless of any prior forbearance.

The Recipient and any endorser, guarantor and surety now or hereafter liable for the payment of the principal or interest due on this Note, or any part thereof, does hereby expressly agree that any renewal, extension or modification of the terms of the Project Agreement including the terms or the time for the payment of any part of this Note may be made or extended without notice and without releasing or otherwise affecting liability of said parties on this Note.

NOTE: If a final disbursement is not received within sixty (60) days from the estimated project completion date the project may be terminated at the sole discretion of the Director. Upon notification of termination a revised amortization schedule will be provided based on the actual amount of OPWC financial assistance borrowed. After project termination no further disbursement activity will be allowed.

The waiver by Lender or failure to enforce any other term, covenant or condition of this Note, or the Project Agreement and all appendices thereto or to declare any default hereunder or thereunder, shall not operate as a waiver of any subsequent default or affect the right of Lender to exercise any right or remedy not expressly waived in writing by Lender. The unenforceability or invalidity of any one or more provisions of this Note shall not render any other provision herein contained unenforceable or invalid.

This Note and all of the Project Agreement and all Appendices thereto have been executed and delivered in the State of Ohio and shall be governed by and construed in accordance with the laws of the State of Ohio. Any notice to the Recipient provided for in this Note shall be given by mailing such notice by certified mail, addressed to the Recipient at the following address: **4095 Center Road, Brunswick, OH 44212-**. Any notice to the Lender shall be given by mailing such notice by certified mail, return receipt requested, to the Lender at the address of the Lender as may have been otherwise designated by notice to the Recipient.

This Note was executed in **Medina** County, Ohio. The Recipient represents that it has received all of the necessary approvals from its legislative or authorizing body to execute and deliver this Note to the Lender.

By: _____
Todd Fischer/Finance Director
The City of Brunswick, Ohio



The Ohio Public Works Commission

Michael Miller, Director

Notification of Disbursement Method

The City of Brunswick
CI51V
Various Streets Reconstruction
\$115,000

Please select the appropriate box below, sign, and return this form to the Commission. You may return the form by either faxing it to 614.466.4664 OR by mail to:

Ohio Public Works Commission
Attn: Abbey DeHart, Program Representative
65 East State Street, Suite 312
Columbus, Ohio 43215

- ❖ Please return only **one** copy of this form.
- ❖ The OPWC does not require original signatures for this form.
- ❖ If seeking reimbursement, this form must be accompanied by your Declaration of Official Intent.

CHECK ONE OF THE FOLLOWING:

- ☐ The City of Brunswick **will not seek reimbursement** for project costs related to the referenced project. All requests for disbursements will be for the Commission to pay the vendor directly. In-kind and force account work will be a credit toward the local share.
- ☒ The City of Brunswick **may need to seek reimbursement** for the referenced project. A Declaration of Official Intent has been passed and is enclosed with this form.

Carl DeForest, City Manager

Date

CITY OF BRUNSWICK, OHIO
RESOLUTION NO.

BY:

AN EMERGENCY RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF BRUNSWICK ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE THE CITY'S OPWC MULTI ROADS IMPROVEMENT FUND #370 FOR THE VARIOUS STREETS RECONSTRUCTION OPWC PROJECT #CI51V WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO.

WHEREAS: The City of Brunswick wishes to improve Magnolia Drive between Pearl Road and Judita Drive, including the Judita Drive intersection; Beverly Hills Drive between Pearl Road and Judita Drive including the Judita intersection; and Junior Parkway between Briarleigh Drive and Bettie Lane.

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

SECTION 1: The City of Brunswick reasonably expects to receive a reimbursement for the project named Various Streets Reconstruction OPWC Project #CI51V as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio; and

SECTION 2: The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the City of Brunswick is \$115,000.

SECTION 3: The City Manager is hereby directed to file a copy of this Resolution with the Ohio Public Works Commission and ensure its available for inspection and examination of all persons interested therein.

SECTION 4: City Council finds and determines that all formal actions concerning and relating to the adoption of this Resolution were taken in an open meeting and that all deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: 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 the City comply with the time lines and instructions imposed by the State of Ohio Public Works Commission's letter dated July 1, 2018. 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. 53-18

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

AN EMERGENCY RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF BRUNSWICK ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE THE CITY'S OPWC MULTI ROADS IMPROVEMENT FUND #370 FOR THE VARIOUS STREETS RECONSTRUCTION OPWC PROJECT #CI51V WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO.

WHEREAS: The City of Brunswick wishes to improve Magnolia Drive between Pearl Road and Judita Drive, including the Judita Drive intersection; Beverly Hills Drive between Pearl Road and Judita Drive including the Judita intersection; and Junior Parkway between Briarleigh Drive and Bettie Lane.

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

SECTION 1: The City of Brunswick reasonably expects to receive a reimbursement for the project named Various Streets Reconstruction OPWC Project #CI51V as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio; and

SECTION 2: The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the City of Brunswick is \$115,000.

SECTION 3: The City Manager is hereby directed to file a copy of this Resolution with the Ohio Public Works Commission and ensure its available for inspection and examination of all persons interested therein.

SECTION 4: City Council finds and determines that all formal actions concerning and relating to the adoption of this Resolution were taken in an open meeting and that all deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: 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 the City comply with the time lines and instructions imposed by the State of Ohio Public Works Commission's letter dated July 1, 2018. 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



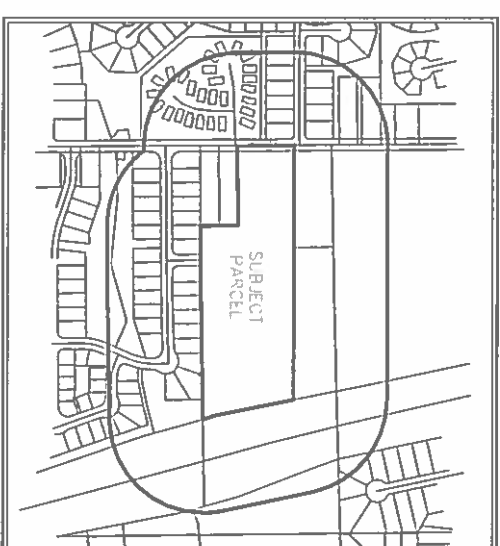
LOCATION MAP

LATITUDE: 41°48'17.8"
LONGITUDE: 81°48'17.8"

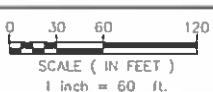
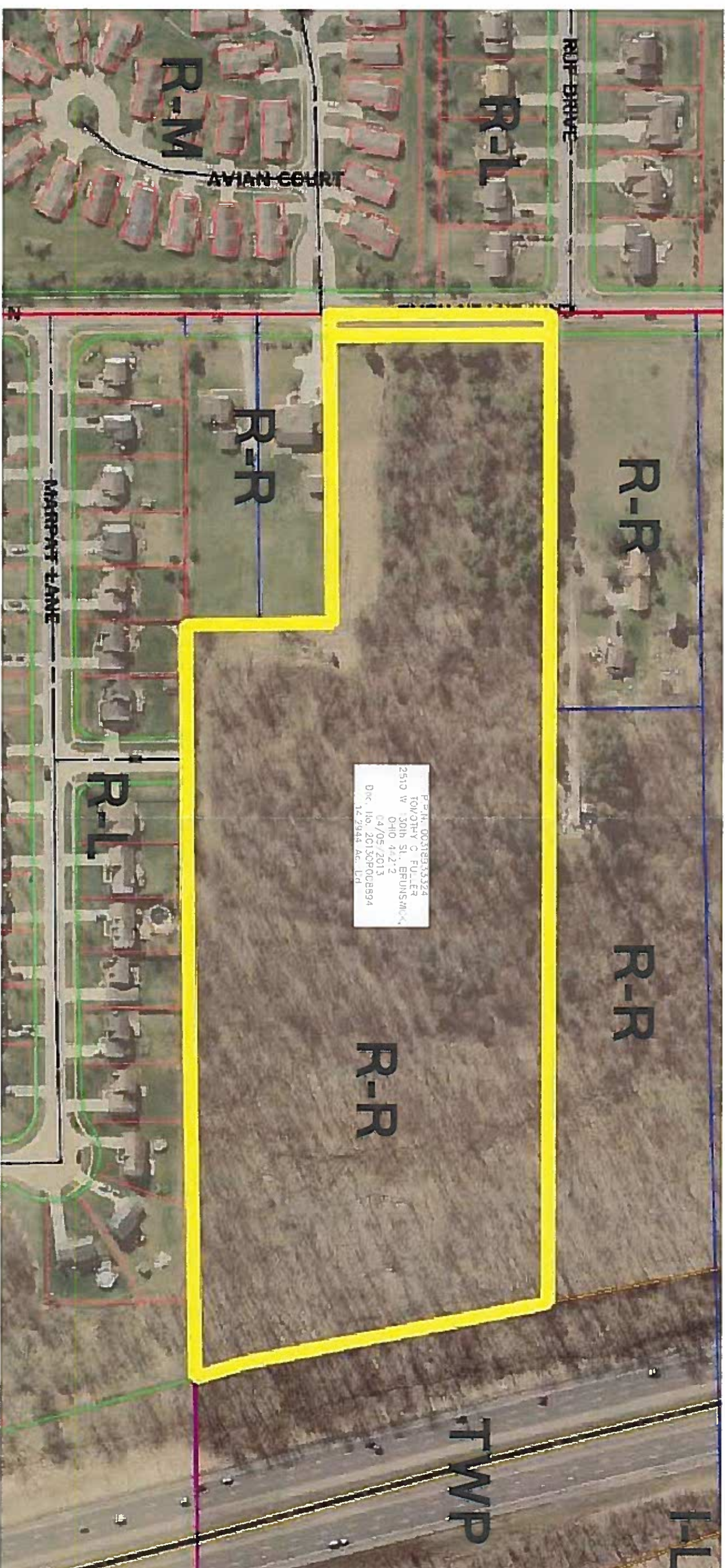


MAP AMENDMENT EXHIBIT

FOR
TIMOTHY FULLER
CARPENTER ROAD
CITY OF BRUNSWICK, COUNTY OF MEDINA
AND STATE OF OHIO



500' NOTIFICATION AREA



TGC Engineering, LLC
1310 SHARON COPLEY ROAD, P.O. BOX 37
SHARON-CENTER, OHIO 44274
(PHONE) 330.590.8004 (FAX) 888.820.8423

FULLER N. CARPENTER
MAP AMENDMENT EXHIBIT

PROJECT
NUMBER

1948

DATE _____

2018-02-09



CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE REZONING PPN 003-18B-33-324 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the property known as PPN 003-18B-33-324 from the R-R Rural Residential District to the R-L Low Density Residential District, on July 19, 2018, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On July 19, 2018, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the property known as PPN 003-18B-33-324 from the R-R Rural Residential District to the R-L Low Density Residential District.

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

SECTION 1: That upon application of the property owner, the property known as PPN 003-18B-33-324 is hereby rezoned from the R-R Rural Residential District to the R-L Low Density Residential District.

SECTION 2: Upon the effective date of this Ordinance, the City Engineer shall cause the Official Zoning Map of the City of Brunswick to be revised to reflect such rezoning.

SECTION 3: 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

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 54-18

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

AN ORDINANCE REZONING PPN 003-18B-33-324 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the property known as PPN 003-18B-33-324 from the R-R Rural Residential District to the R-L Low Density Residential District, on July 19, 2018, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On July 19, 2018, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the property known as PPN 003-18B-33-324 from the R-R Rural Residential District to the R-L Low Density Residential District.

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

SECTION 1: That upon application of the property owner, the property known as PPN 003-18B-33-324 is hereby rezoned from the R-R Rural Residential District to the R-L Low Density Residential District.

SECTION 2: Upon the effective date of this Ordinance, the City Engineer shall cause the Official Zoning Map of the City of Brunswick to be revised to reflect such rezoning.

SECTION 3: 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

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
NICHOLAS HANEK
PATRICIA HANEK
ALEX V. JOHNSON
BRIAN K. OUSLEY
JOSEPH SALZGEBER

CITY MANAGER
CARL S. DEFOREST

July 20, 2018

Timothy Fuller
2510 West 130th Street
Brunswick, OH 44212

RE: Fuller property rezoning from R-R to R-L District
East side of North Carpenter Road, north of Marpat Lane

Dear Mr. Fuller:

The Brunswick City Planning Commission, at their meeting on July 19, 2018, **recommended approval** to City Council of the map amendment to rezone Permanent Parcel No. 003-18B-33-324 consisting of a 14.2944-acre parcel from the existing R-R Rural Residential District to the R-L Low Density Residential District for the purpose of a single family cluster development, subject to the following:

1. Pursuant to Section 1248.07(b) of the Zoning Code, the applicant has provided (1) Evidence that the proposed map or text change is more in conformance with the adopted Comprehensive Plan than the existing map or text. (2) Evidence that the proposed amendment would materialize in an equal or better Zoning Code than what is existing.
2. As required by Section 6.02(c)(1), City Council approval is required to rezone the property.

The first of three readings on the proposed legislation is scheduled for City Council's meeting on July 23, 2018. Please contact Fijabi Gallam at (330) 558-6845 for meeting times.

If you have any questions, please contact me at (330) 558-6865.

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

CITY HALL PHONE: (330) 225-9144 - FAX: (330) 273-8023 - POLICE & FIRE PHONE: (330) 225-9111 - FAX: (330) 225-6002
<http://www.brunswick.oh.us>

c: City Council
Carl DeForest, City Manager
Grant Aungst, Community & Economic Dev. Director
Ken Fisher, Law Director
Matt Jones, Consulting City Engineer
Cliff Calaway, Chief Building Official
Travis Crane, TGC Engineering

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 07/23/2018

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. 55-18** - An emergency resolution authorizing the City Manager to enter into an agreement with Chagrin Valley Paving for the resurfacing of various city parking lots in an amount not to exceed \$245,476.35. - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Paul Barnett)

BACKGROUND: The current condition of the City Hall parking lots, Neura Park parking lots and the walking path at North Park is poor and in need of resurfacing.

PURPOSE AND EXPLANATION: The purpose of this legislation is to resurface various parking lots owned by the City. Construction inspection costs are not included in this legislation but will be performed by QCI through previous legislation. QCI's purchase order for this work will be subject to the appropriate purchase order requirements and is estimated at a total of \$8,966.00.

The lowest and best bid for this project was determined to be Chagrin Valley Paving.

IMPLEMENTATION SCHEDULE: All work is to be complete no later than November 10, 2018.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Total bid cost is \$245,476.35. The bid does not include inspection costs and are therefore not included in this legislation. However, the City does have a separate contract and legislation for QCI to perform those inspection costs. Upon a approval of this agreement, a separate purchase order to QCI will also be issued subject to funding sources and locations. The current estimate for inspection costs is \$8,966.00 in total.

The total budgeted cost for the City Hall and Police parking lot is \$166,000.00 in the Capital Improvement Fund #300 (300-0522-56250) and Neura Park \$77,000.00 (341-0812-56895) and North Park \$44,000.00 (341-0812-56877) Park City-wide Improvement Fund #341 for a total budget of \$287,000.00.

**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?
This legislation is an emergency with suspension of the rules in order to complete construction this construction season.

**ADDITIONAL
INFORMATION:**

Parking Lot Cost

7/13/2018

2018 Estimated Parking Lot Resurfacing Cost										
Item No.	Description	Quantity	Estimated Unit Price	Estimated Total Price	Budget		Chagrin Valley Paving		Barbicas Construction	
1	Pavement Planing at 2" Approx. Depth	99210 Sq. Ft.	\$0.52	\$51,341.18			Unit Price	Total Price	Unit Price	Total Price
2	Pavement Planing at 1" Approx. Depth	52389 Sq. Ft.	\$0.47	\$24,400.18			\$0.30	\$29,763.00	\$0.22	\$21,826.20
3	Subbase Replacement	141 Cu. Yd.	\$74.75	\$10,539.75			\$0.15	\$7,858.35	\$0.18	\$9,430.02
4	ODOT 203 Roadway Excavation and Embankment	137 Cu. Yd.	\$60.00	\$8,220.00			\$75.00	\$10,575.00	\$75.00	\$10,575.00
5	6" ODOT 304 Aggregate Base	63 Cu. Yd.	\$90.00	\$5,670.00			\$50.00	\$6,850.00	\$45.00	\$6,165.00
6	Various Depth ODOT 301 Asphalt Concrete Base Course	104 Cu. Yd.	\$166.75	\$17,342.00			\$100.00	\$6,300.00	\$75.00	\$4,725.00
7	Various Depth ODOT 448 Asphalt Concrete Surface Course Type 1	990 Cu. Yd.	\$178.25	\$176,467.50			\$190.00	\$19,760.00	\$145.00	\$15,080.00
8	Striping	1 Lump		\$4,000.00			\$163.00	\$161,370.00	\$198.00	\$196,020.00
10	Construction Inspection by QCI			\$8,966.00				\$3,000.00		\$3,200.00
			Grand Total	\$306,946.60	\$287,000.00		Grand Total	\$254,442.35	Grand Total	\$275,987.22
				Grand Total w/o Const. Inspection						
				\$297,980.60			\$245,476.35		\$267,021.22	

Perrin Asphalt		Cook Paving		Crossroads Asphalt		Specialized Const.		Infinity Paving	
Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
\$0.30	\$29,763.00	\$0.40	\$39,684.00	\$0.40	\$39,684.00	\$0.70	\$69,447.00	\$0.50	\$49,605.00
\$0.25	\$13,097.25	\$0.25	\$13,097.25	\$0.30	\$15,716.70	\$0.70	\$36,672.30	\$0.36	\$18,860.04
\$120.00	\$16,920.00	\$140.00	\$19,740.00	\$85.00	\$11,985.00	\$90.00	\$12,690.00	\$144.00	\$20,304.00
\$120.00	\$16,440.00	\$55.00	\$7,535.00	\$40.00	\$5,480.00	\$30.00	\$4,110.00	\$51.17	\$7,010.29
\$120.00	\$7,560.00	\$75.00	\$4,725.00	\$120.00	\$7,560.00	\$100.00	\$6,300.00	\$123.00	\$7,749.00
\$220.00	\$22,880.00	\$280.00	\$29,120.00	\$190.00	\$19,760.00	\$145.00	\$15,080.00	\$238.67	\$24,821.68
\$175.00	\$173,250.00	\$187.00	\$185,130.00	\$205.55	\$203,494.50	\$170.00	\$168,300.00	\$237.21	\$234,837.90
	\$18,000.00		\$3,500.00		\$3,050.00		\$4,000.00		\$3,500.00
	\$8,966.00		\$8,966.00		\$8,966.00		\$8,966.00		\$8,966.00
Grand Total	\$306,876.25	Grand Total	\$311,497.25	Grand Total	\$315,696.20	Grand Total	\$325,565.30	Grand Total	\$375,653.91
	\$297,910.25		\$302,531.25		\$306,730.20		\$316,599.30		\$366,687.91

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CHAGRIN VALLY PAVING FOR THE RESURFACING OF VARIOUS CITY PARKING LOTS IN AN AMOUNT NOT TO EXCEED \$245,476.35.

WHEREAS: The City of Brunswick received seven (7) bids for the resurfacing of the City parking lots located at City Hall, the Police Department, Neura Park and the North Park walking path (the "Project"), in accordance with public bidding requirements; and

WHEREAS: The seven (7) received public bids were opened on July 13, 2018 with Chagrin Valley Paving 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 Chagrin Valley Paving, the lowest and best bidder, for the Project in an amount not to exceed \$245,476.35.

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 Project 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. 55-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CHAGRIN VALLEY PAVING FOR THE RESURFACING OF VARIOUS CITY PARKING LOTS IN AN AMOUNT NOT TO EXCEED \$245,476.35.

WHEREAS: The City of Brunswick received seven (7) bids for the resurfacing of the City parking lots located at City Hall, the Police Department, Neura Park and the North Park walking path (the "Project"), in accordance with public bidding requirements; and

WHEREAS: The seven (7) received public bids were opened on July 13, 2018 with Chagrin Valley Paving 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 Chagrin Valley Paving, the lowest and best bidder, for the Project in an amount not to exceed \$245,476.35.

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 Project 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: 07/23/2018

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 56-18** - An emergency resolution declaring the intention of the City Of Brunswick to provide municipal services to a 0.8432 acre parcel of land (PPN 001-02A-25-046) on Pearl Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: A 0.8432 acre parcel located in Brunswick Hills Township wishes to annex into the City of Brunswick.

PURPOSE AND EXPLANATION: The City of Brunswick needs to declare its intent to provide municipal services to the 0.8432 acre parcel of land (PPN 001-02A-25-046).

IMPLEMENTATION SCHEDULE: To pass as an emergency with three readings as the hearing date is set for September 25, 2018 at 10:30 am at the Medina County Commissioners' Office.

FINANCIAL INFORMATION:

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?
Must be considered by City Council on July 23, 2018 as an emergency measure with suspension of rules to comply with the requirement that same be submitted to the County Commissioners at least twenty (20) days prior to the scheduled September 25, 2018 hearing.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER _____

BY:

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 0.8432 ACRE PARCEL OF LAND (PPN 001-02A-25-046) ON PEARL ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and

WHEREAS: The City of Brunswick does not object to this Petition.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 0.8432 acres of land on Pearl Road (PPN 001-02A-25-046), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owner, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the September 25, 2018 hearing date. 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

DAVID S. RIEHL
Attorney at Law
50 Pearl Road, Suite 216
Brunswick, OH 44212

(330) 558-8888

Website: www.davidriehl.com
Email: dsr@davidriehl.com

Fax: (330) 558-8489

July 11, 2018

Fijabi Gallam, Clerk
City of Brunswick
4095 Center Road
Brunswick, OH 44212

Katherine Esber, Clerk
Township of Brunswick Hills
1918 Pearl Road
Brunswick, OH 44212

Re: Annexation of 966 Pearl Road, Brunswick Hills Twnshp., Ohio

Dear Madam:

Enclosed please find the following:

1. Copy of "Petition for Regular Annexation on Application of Owners" for the designated property;
2. Notice of Filing of Petition for Annexation by Owner of Real Estate.

You will note that the hearing on this matter is scheduled for September 25, 2018 at 10:30 a.m.

Thank you for your time and attention.

Very truly yours,

David S. Riehl
Attorney at Law

DSR/bas
Enclosure

**NOTICE OF FILING OF PETITION FOR ANNEXATION BY
OWNER OF REAL ESTATE**

TO: Fijabi Gallam, Clerk
City of Brunswick
4095 Center Road
Brunswick, OH 44212

DATE: July 11, 2018

Notice is hereby given, that there was filed with the Board of County Commissioners of Medina County, Ohio, on the 9th day of July, 2018, a petition signed by the following constituting owner of said real estate hereinafter described praying that said territory be annexed to the City of Brunswick in the manner provided by law:

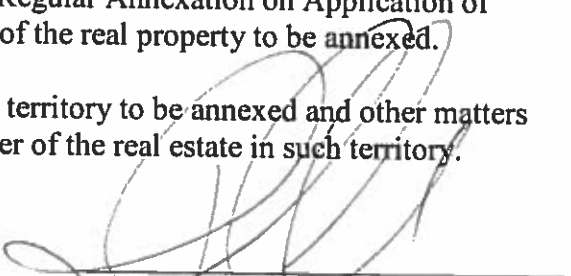
Owner:
a. 966 Pearl, LLC

The Board of Medina County Commissioners has set this matter for hearing for September 25, 2018 at 10:30 a.m. in the Medina County Administration Building, 144 N. Broadway, Medina, Ohio.

Attached hereto is a copy of the "Petition for Regular Annexation on Application of Owner", which contains the legal description of the real property to be annexed.

Said Petition contains a full description of the territory to be annexed and other matters required by law and is signed by the sole owner of the real estate in such territory.

DATE: 7/11/18



DAVID S. RIEHL
Attorney for Owner
966 Pearl, LLC

PETITION FOR REGULAR ANNEXATION
ON APPLICATION OF OWNERS

TO: Board of County Commissioners of Medina County, Ohio
144 North Broadway
Medina, Ohio 44256

The undersigned, being the representative of the owner and proposed purchaser (petitioner) of real estate in the territory hereinafter described, hereby petition for the regular annexation of the territory set forth in Exhibit "A" to the City of Brunswick, Medina County, Ohio, said property being owned by the undersigned in Brunswick Hills Township:

- I. Petitioner (proposed purchaser of subject real property):
 - a. 966 Pearl, LLC (or Assignee), 3660 Center Road, Suite 117, Brunswick, Ohio 44212.

The above-described territory is adjacent to and contiguous with the said City of Brunswick.

Petitioners have attached and made a part of this petition, an accurate map showing the boundaries of the territory sought to be annexed, marked "Map of Territory to be Annexed to the City of Brunswick."

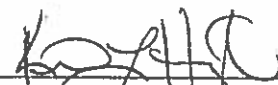
There is one (1) owner of the real estate in the above-described territory which is sought to be annexed to the City of Brunswick as set forth below herein.

Attached hereto as Exhibit "B" is the list of the owner, mailing addresses and Permanent Parcel Numbers of all parcels adjacent to the territory being annexed in these within proceedings.

Further attached hereto as Exhibit "C" is an 8.5 x 11 copy of the subject mylar.

David S. Riehl, Attorney at Law, 50 Pearl Road, Suite 216, Brunswick, Ohio 44212 is hereby appointed agent for the undersigned petitioners pursuant to separate document.

OWNER/PETITIONER:
966 PEARL, LLC

By: 
KIMBERLY HARRINGTON ("Member")

7-9-18
DATE

By: 
RYAN HARRINGTON ("Member")

7/9/18
DATE

2018 JUL 9 PM 2:34
MEDINA COUNTY CO

ATTORNEY AND AGENT:

DAVID S. RIEHL
Attorney at Law
50 Pearl Road, Suite 216
Brunswick, OH 44212
(330) 558-8888

DATE

EXHIBIT A

966 Pearl Road

Brunswick, OH 44212

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and known as being the whole of Sublot 2A in the North Brunswick Allotment Replat No. 1, a part of original Brunswick Township Tract 1 Lot 7, as shown by the recorded plat in document number 2016PL000028 of the Medina County Recorders Office.

Permanent Parcel Number: 001-02A-25-046

Prior Instrument Reference: 2016OR009457

EXHIBIT B
ANNEXATION OF 966 PEARL ROAD
BRUNSWICK
LIST OF OWNERS, MAILING ADDRESSES AND
PERMANENT PARCEL NUMBERS OF
ALL PARCELS ADJACENT TO TERRITORY BEING ANNEXED

OWNER	TAX MAILING ADDRESS	PERMANENT PARCEL NO.
George R. Skubon & Patsy L. Castek-Skubon	954 Woodward Drive Brunswick, OH 44212	001-02A-25-030
Harrison W. & Jean Taylor	956 Pearl Road Brunswick, OH 44212	001-02A-25-040
Harrison W. & Jean Taylor	956 Pearl Road Brunswick, OH 44212	001-02A-25-041
Harrison W. & Jean Taylor	956 Pearl Road Brunswick, OH 44212	001-02A-25-042
Francis Phuong L. Thai & Jason S. Lin	17021 Bear Creek Lane Strongsville, OH 44136	003-18A-07-147
Francis Phuong L. Thai & Jason S. Lin	17021 Bear Creek Lane Strongsville, OH 44136	003-18A-07-146
Francis Phuong L. Thai & Jason S. Lin	17021 Bear Creek Lane Strongsville, OH 44136	003-18A-07-145
Scott & Judith A. Kammer	25 North Metzger Rittman, OH 44270	003-18A-07-142
976 Pearl LLC	3660 Center Road, Suite 117 Brunswick, OH 44212	003-18A-07-138
976 Pearl LLC	3660 Center Road, Suite 117 Brunswick, OH 44212	003-18A-07-139
976 Pearl LLC	3660 Center Road, Suite 117 Brunswick, OH 44212	003-18A-07-140

976 Pearl LLC	3660 Center Road, Suite 117 Brunswick, OH 44212	003-18A-07-141
976 Pearl LLC	3660 Center Road, Suite 117 Brunswick, OH 44212	001-02A-25-021
Anthony M. Pilla Bishop of Cleveland Catholic Diocese	929 Pearl Road Brunswick, OH 44212	003-18B-30-005

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 56-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 0.8432 ACRE PARCEL OF LAND (PPN 001-02A-25-046) ON PEARL ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and

WHEREAS: The City of Brunswick does not object to this Petition.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 0.8432 acres of land on Pearl Road (PPN 001-02A-25-046), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owner, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the September 25, 2018 hearing date. 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: 07/23/2018

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 57-18** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 25.0 acre parcel of land (PPN 001-02A-21-007) on pearl road. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Ken Fisher*)

BACKGROUND: A 25.0 acre parcel located in Brunswick Hills Township wishes to annex into the City of Brunswick.

PURPOSE AND EXPLANATION: The City of Brunswick needs to declare its intent to provide municipal services to the 0.25 acre parcel of land (PPN 001-02A-21-007).

IMPLEMENTATION SCHEDULE: To pass as an emergency with three readings as the hearing date is set for September 25, 2018 at 10:30 am at the Medina County Commissioners' Office.

FINANCIAL INFORMATION:

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?
Must be considered by City Council on July 23, 2018 as an emergency measure with suspension of rules to comply with the requirement that same be submitted to the County Commissioners at least twenty (20) days prior to the scheduled September 25, 2018 hearing.

ADDITIONAL

INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER _____

BY:

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 25.0 ACRE PARCEL OF LAND (PPN 001-02A-21-007) ON PEARL ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and

WHEREAS: The City of Brunswick does not object to this Petition.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 25.0 acres of land on Pearl Road (PPN 001-02A-21-007), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owner, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the September 25, 2018 hearing date. 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

DAVID S. RIEHL

Attorney at Law
50 Pearl Road, Suite 216
Brunswick, OH 44212

(330) 558-8888

Website: www.davidriehl.com
Email: dsr@davidriehl.com

Fax: (330) 558-8489

July 11, 2018

Fijabi Gallam, Clerk
City of Brunswick
4095 Center Road
Brunswick, OH 44212

Katherine Esber, Clerk
Township of Brunswick Hills
1918 Pearl Road
Brunswick, OH 44212

Re: Annexation of 834 Pearl Road, Brunswick Hills Twnshp., Ohio

Dear Madam:

Enclosed please find the following:

1. Copy of "Petition for Regular Annexation on Application of Owners" for the designated property;
2. Notice of Filing of Petition for Annexation by Owner of Real Estate.

You will note that the hearing on this matter is scheduled for September 25, 2018 at 10:30 a.m.

Thank you for your time and attention.

Very truly yours,

David S. Riehl
Attorney at Law

DSR/bas
Enclosure

**NOTICE OF FILING OF PETITION FOR ANNEXATION BY
OWNER OF REAL ESTATE**

TO: Fijabi Gallam, Clerk
City of Brunswick
4095 Center Road
Brunswick, OH 44212

DATE: July 11, 2018

Notice is hereby given, that there was filed with the Board of County Commissioners of Medina County, Ohio, on the 9th day of July, 2018, a petition signed by the following constituting the co-owners and co-petitioners of said real estate hereinafter described praying that said territory be annexed to the City of Brunswick in the manner provided by law:

Co-Owners:

- a. Jane Leitch;
- b. Michele Reidy;
- c. Patricia Cunningham;
- d. Michael Leitch;
- e. Karen Mannion;
- f. Martha J. Stevens;
- g. Jeanne M. Sur

Co-Petitioners:

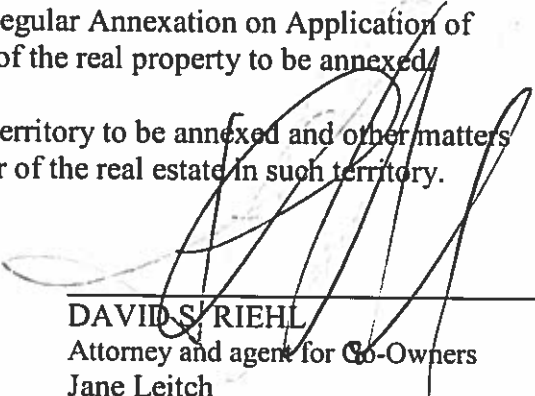
- a. 834 Pearl, LLC

The Board of Medina County Commissioners has set this matter for hearing for September 25, 2018 at 10:30 a.m. in the Medina County Administration Building, 144 N. Broadway, Medina, Ohio.

Attached hereto is a copy of the "Petition for Regular Annexation on Application of Owners", which contains the legal description of the real property to be annexed.

Said Petition contains a full description of the territory to be annexed and other matters required by law and is signed by the sole owner of the real estate in such territory.

DATE: July 11, 2018



DAVID S. RIEHL
Attorney and agent for Co-Owners
Jane Leitch
Michele Reidy
Patricia Cunningham
Michael Leitch
Karen Mannion
Martha J. Stevens
Jeanne M. Sur
Attorney and agent for Co-Petitioners
834 Pearl, LLC

PETITION FOR REGULAR ANNEXATION
ON APPLICATION OF OWNERS

TO: Board of County Commissioners of Medina County, Ohio
144 North Broadway
Medina, Ohio 44256

We, the undersigned, being the owners and proposed purchasers (co-petitioners) of real estate in the territory hereinafter described, hereby petition for the regular annexation of the territory set forth in Exhibit "A" to the City of Brunswick, Medina County, Ohio, said property being owned by the undersigned in Brunswick Hills Township:

- I. Co-Owners:
 - a. Jane Leitch, P.O. Box 1153, Eastham, MA 02642;
 - b. Michelle Reidy, 7645 Webster Road, Middleburg Hts., OH 44136;
 - c. Patricia Cunningham, 24052 Westwood Road, Westlake, OH 44145;
 - d. Michael Leitch, 25341 Howard Avenue, Westlake, OH 44145;
 - e. Karen Mannion, 1541 Bradley Road, Westlake, OH 44145;
 - f. Martha J. Stevens, 4889 Sleepy Hollow, Medina, OH 44256;
 - g. Jeanne M. Sur, 6915 Rockton Avenue, San Jose, CA 95119.

Co-owners of the parcel identified as Permanent Parcel Number 001-02A-21-007.

- II. Co-Petitioners (proposed purchasers of subject real property):
 - a. 834 Pearl, LLC (or Assignee), 3660 Center Road, Suite 117, Brunswick, Ohio 44212.

The above-described territory is adjacent to and contiguous with the said City of Brunswick.

Petitioners have attached and made a part of this petition, an accurate map showing the boundaries of the territory sought to be annexed, marked "Map of Territory to be Annexed to the City of Brunswick."

There are seven (7) owners and two (2) proposed purchasers of the real estate in the above-described territory which is sought to be annexed to the City of Brunswick as set forth below herein.

Attached hereto as Exhibit "B" is the list of the owner, mailing addresses and Permanent Parcel Numbers of all parcels adjacent to the territory being annexed in these within proceedings.

Further attached hereto as Exhibit "C" is an 8.5 x 11 copy of the subject mylar.

CO ALFRED HUNTER CO
88:296 8705 8701

David S. Riehl, Attorney at Law, 50 Pearl Road, Suite 216, Brunswick, Ohio 44212 is hereby appointed agent for the undersigned petitioners and co-petitioners pursuant to separate document.

OWNERS:

Jane Leitch
JANE LEITCH

dotloop verified
06/06/18 4:14 PM EDT
JYNU-NA9A-QMXB-PMP5

DATE

Michelle Reidy
MICHELLE REIDY

dotloop verified
06/09/18 4:18 PM EDT
Y7BC-OVIT-TKTX-VTT7

DATE

Patricia Cunningham
PATRICIA CUNNINGHAM

dotloop verified
06/11/18 6:33 AM EDT
DU2C-JQNU-WZWC-QQIM

DATE

Michael Leitch
MICHAEL LEITCH

dotloop verified
06/06/18 4:05 PM EDT
KECU-IPXG-M600-3HGN

DATE

Karen Mannion
KAREN MANNION

dotloop verified
06/10/18 1:35 PM EDT
LATN-VDMP-SIDM-29Z8

DATE

Martha J. Stevens
MARTHA J. STEVENS

dotloop verified
06/11/18 9:12 PM EDT
SW6F-PGAR-YG5F-DIOY

DATE

Jeanne M. Sur
JEANNE M. SUR

dotloop verified
06/09/18 5:20 PM EDT
LMJ5-DMWA-KMGJ-IPHZ

DATE

CO-PETITIONERS:
834 PEARL, LLC

By: *Kimberly Harrington, Member*
KIMBERLY HARRINGTON ("Member")

dotloop verified
06/09/18 3:32 PM EDT
6OSK-ERUS-JFEJ-RVBK

DATE

By: *Ryan Harrington, Member*
RYAN HARRINGTON ("Member")

dotloop verified
06/09/18 3:33 PM EDT
EQNG-MWHY-QVGJ-TM2R

DATE

ATTORNEY AND AGENT:

DAVID S. RIEHL
Attorney at Law
50 Pearl Road, Suite 216
Brunswick, OH 44212
(330) 558-8888

DATE

EXHIBIT A

834 Pearl Road

Brunswick, OH 44212

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and known as being part of Lot No. 7, Tract No. 1 of said Township, bounded and described as follows:

Beginning at a point in the center of U.S. Route No. 42 (S.H. 25) and the East line of Lot 7 marked by a concrete marker set 30 feet South $88^{\circ} 34' 30''$ West said point being 5419 feet North $0^{\circ} 15'$ East from a monument at the intersection of the center line of U.S. Route 42 and State Route 303 (Brunswick Center) and extending South $0^{\circ} 15'$ West along the center of the road and the East line of Lot 7 a distance of 403.19 feet to a point marked by an iron pin set 30 feet South $88^{\circ} 34' 30''$ West from said point; thence South $88^{\circ} 34' 30''$ West 2700.67 feet to an iron pin in the West line of Lot 7; thence North $0^{\circ} 10'$ West along said lot line 403.12 feet to an old post and an iron pin; thence North $88^{\circ} 34' 30''$ East 2703.6 feet to the center of the road and the place of beginning, continuing within said boundaries twenty-five (25) acres of land, be the same more or less, but subject to all legal highways, according to a survey made April 8-9, 1943, by Ray Widdifield, and A.W. Nettleton, Registered Surveyors, No. 1577.

Permanent Parcel Number: 001-02A-21-007

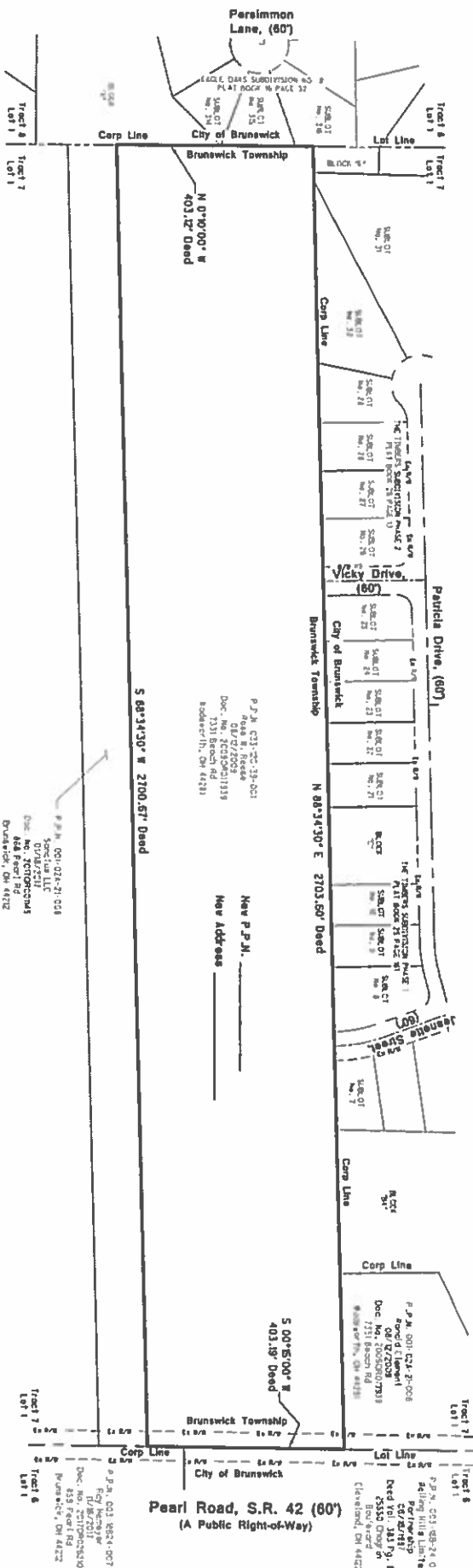
EXHIBIT B
ANNEXATION OF 834 PEARL ROAD
BRUNSWICK
LIST OF OWNERS, MAILING ADDRESSES AND
PERMANENT PARCEL NUMBERS OF
ALL PARCELS ADJACENT TO TERRITORY BEING ANNEXED

OWNER	TAX MAILING ADDRESS	PERMANENT PARCEL NO.
Richard & Joyce Schutte	4600 Persimmon Lane Brunswick, OH 44212	003-18A-03-093
Ralph A. & Darlene M. Mustacchio	4594 Persimmon Lane Brunswick, OH 44212	003-18A-03-094
David J. & Claude Kahwaji Janho Chapman	4599 Persimmon Lane Brunswick, OH 44212	003-18A-03-095
Edward W., Sr. & Linda L. Gierlach	4550 Patricia Drive Brunswick, OH 44212	003-18A-03-158
Alan L. & Charlotte A. Crandall	4542 Patricia Drive Brunswick, OH 44212	003-18A-03-157
Robert J. & Joyce Lamarco	4534 Patricia Drive Brunswick, OH 44212	003-18A-03-156
Thomas J. & Kimberly J. Fox	4526 Patricia Drive Brunswick, OH 44212	003-18A-04-040
Noemi N. Trent	4516 Patricia Drive Brunswick, OH 44212	003-18A-04-039
Edwin & Patricia Zayas	4506 Patricia Drive Brunswick, OH 44212	003-18A-04-038
James E. & Irene L. Herbst	4490 Patricia Drive Brunswick, OH 44212	003-18A-04-037
James C. & Lani M. Snider	4480 Patricia Drive Brunswick, OH 44212	003-18A-04-036

Dawn Marie Sommers	4472 Patricia Drive Brunswick, OH 44212	003-18A-04-035
Eric C. Solderitsch	4464 Patricia Drive Brunswick, OH 44212	003-18A-04-034
Joseph A. & Karen E. Dolan	4456 Patricia Drive Brunswick, OH 44212	003-18A-04-033
Robert J. & Diane J. Bokar	4430 Patricia Drive Brunswick, OH 44212	003-18A-04-017
Robert R. & Monnie A. Johnston	4422 Patricia Drive Brunswick, OH 44212	003-18A-04-016
Stanley J. & Nancy S. Runevitch	4414 Patricia Drive Brunswick, OH 44212	003-18A-04-015
Robert J. & Clara A. Kalal	815 Jeanette Street Brunswick, OH 44212	003-18A-04-014
Eagle Oakes Property Owners Association, Inc.	4639 Brushwood Circle Brunswick, OH 44212	003-18A-03-083
	Mailing Address: P.O. Box 622 Brunswick, OH 44212	
Timberlake Trail Homeowners Association, Inc.	789 Timberlake Trail Dr. Brunswick, OH 44212	003-18A-04-190
Michael A. Craft	4610 Dogwood Drive Brunswick, OH 44212	003-18A-03-169
City of Brunswick	4095 Center Road Brunswick, OH 44212	003-18A-04-030

This Plat was prepared from a field survey, analysis of recorded plots, recorded deeds, and survey records, as applicable. Distances are given in feet and decimal parts thereof. All dimensional and geodetic details are correct and the survey balances and closes to the best of my knowledge. All monuments shown hereon as to or shall be set as shown.

PLAT OF ANNEXATION
for Regular Annexation
of 25 Acres in Brunswick Hills
Township to the City of Brunswick
situated in the Township of Brunswick Hills, County of Medina and State of
Ohio and being part of Original Brunswick Hills Township Lot 7, Tract No. 1.

[illegible]

DRAWN BY:	BLO	2018-08-08
CHECKED BY:	GPH	2018-08-08

	RITCHIE PROPERTY PLAT		 SCALE (IN FEET) 1 inch = 150 ft.	 TGC Engineering, LLC 1310 SHARON COPELY ROAD, P.O. BOX 37 SHARON CENTER, OH IO 44274 (PHONE) 330.590.8004 (FAX) 888.820.8423
	PROJECT NUMBER 1872	DATE 2018-06-06		

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 57-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 25.0 ACRE PARCEL OF LAND (PPN 001-02A-21-007) ON PEARL ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and

WHEREAS: The City of Brunswick does not object to this Petition.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 25.0 acres of land on Pearl Road (PPN 001-02A-21-007), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owner, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the September 25, 2018 hearing date. 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: 07/23/2018

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. 58-18** - An emergency resolution authorizing the City Manager to enter into an agreement with A&J Cement Contractors, Inc. for the 2018 Reconstructivarious Streets Project in an amount not to exceed \$940,092.50. - **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 June 25, 2018.

PURPOSE AND EXPLANATION: The proposed project will facilitate the complete removal and replacement of the concrete pavement and base on Beverly Hills Drive and Magnolia from Pearl Road to just east of Judita Drive, and on Junior Parkway from Briarleigh Drive to Bettie Lane. This project is being partially funded with a \$613,800.00 grant and \$115,000 loan from the Ohio Public Works Commission (OPWC). Thus, the construction contract cannot be finalized until the City's agreement with the OPWC has been fully executed.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence in late August and will take approximately 90 days to complete, weather permitting. Construction cannot commence until the City receives a written notice to proceed from OPWC.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The project is planned to be partially funded (OPWC Multi Roads Improvement Fund #370) with an Issue 1 grant in the amount of \$613,800 and a 0% loan in the amount of \$115,000 from the Ohio Public Works Commission. The remainder of the cost of this project is expected to be paid from City local funds from the Road Improvement Fund #333. The City must not award the project until after an OPWC funding is secured and an agreement is signed. The City was, however, allowed to solicit bids. The lowest and best bid received was A&J Cement at \$940,092.50.

The City must receive an executed OPWC agreement and notice to proceed before initiating this construction contract. A notification of disbursement Method form must also be completed to receive the loan portion and seek reimbursement in a similar manner as the other City OPWC projects.

**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 providing for the usual daily operation of a municipality, and for the further reason that this project may commence during the 2018 construction season.

**ADDITIONAL
INFORMATION:**

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: July 23, 2018
RE: Reconstruction of Various Streets 2018

On July 11, 2018, public bids were opened for the Reconstruction of Various Streets 2018 project. A tabulation of the bid results is attached for your reference. Five companies submitted bids for the project. The low bidder for the project was A&J Cement Contractors, Inc. with a base bid of \$940,092.50. The Engineer's estimate was \$1,060,000.00. Fabrizi Trucking and Paving, Inc. was the second low bidder at \$949,658.50.

This project will facilitate the complete removal and replacement of the concrete pavement and base on Beverly Hills Drive and Magnolia Drive from Pearl Road to Judita Drive, and on Junior Parkway from Briarleigh Drive to Bettie Lane. Also included in the scope of work is replacement of catch basins and storm sewer crossover pipes, installation of pipe underdrains, drive apron replacement, curb ramp replacement, sidewalk repairs and addition of sidewalk on portions of Beverly Hills and Magnolia, and vertical realignment and addition of a new storm sewer system on Junior Parkway to correct an existing drainage issue. Also, contingency quantities are included in the bid for subgrade removal and replacement where needed.

CVE staff has contacted a sampling of references provided by A&J Cement. The reference check did not find any recurring issues with A&J. Three municipalities were contacted regarding three separate projects, and all classified A&J as an above average contractor.

Based upon a review of the bid documents and other references, it is my opinion that A&J 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 \$940,092.50 to A&J Cement Contractors, Inc. to complete the Reconstruction of Various Streets 2018 project.

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

BID TABULATION**RECONSTRUCTION OF VARIOUS STREETS****CITY OF BRUNSWICK****DATE: JULY 11, 2018****BID NO. 2018-011****CVE JOB NO. 18067 Engineer's Estimate: \$1,060,000.00**

				A&J CEMENT CONTRACTORS, INC.		FABRIZI TRUCKING & PAVING CO., INC.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	PAVEMENT REMOVED- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$13.00	\$85,800.00	\$18.00	\$118,800.00
2	PAVEMENT REMOVED- JUNIOR PARKWAY	SY	770	\$13.00	\$10,010.00	\$18.00	\$13,860.00
3	SUBGRADE COMPACTION- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$1.00	\$6,600.00	\$1.50	\$9,900.00
4	SUBGRADE COMPACTION- JUNIOR PARKWAY	SY	770	\$1.00	\$770.00	\$1.50	\$1,155.00
5	ODOT 452 CONCRETE PAVEMENT- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$65.00	\$429,000.00	\$64.00	\$422,400.00
6	ODOT 452 CONCRETE PAVEMENT- JUNIOR PARKWAY	SY	770	\$65.00	\$50,050.00	\$68.00	\$52,360.00
7	6" UNDERDRAIN WITH FABRIC WRAP- BEVERLY HILLS & MAGNOLIA DRIVE	LF	4,100	\$8.00	\$32,800.00	\$9.00	\$36,900.00
8	6" UNDERDRAIN WITH FABRIC WRAP- JUNIOR PARKWAY	LF	590	\$8.00	\$4,720.00	\$9.00	\$5,310.00
9	CONCRETE DRIVE APRON- RESIDENTIAL-- BEVERLY HILLS & MAGNOLIA DRIVE	SF	1,175	\$7.00	\$8,225.00	\$7.50	\$8,812.50
10	CONCRETE DRIVE APRON- RESIDENTIAL- JUNIOR PARKWAY	SF	1,170	\$7.00	\$8,190.00	\$7.50	\$8,775.00
11	COMMERCIAL DRIVE APRON-- BEVERLY HILLS & MAGNOLIA DRIVE	SF	2,005	\$7.50	\$15,037.50	\$9.00	\$18,045.00
12	BASE STABILIZATION, #2 AGGREGATE	CY	250	\$40.00	\$10,000.00	\$55.00	\$13,750.00
13	BASE STABILIZATION, #4 AGGREGATE	CY	250	\$40.00	\$10,000.00	\$55.00	\$13,750.00
14	4" CONCRETE SIDEWALK	SF	2,630	\$6.00	\$15,780.00	\$6.00	\$15,780.00
15	CURB RAMP	SF	700	\$15.00	\$10,500.00	\$14.00	\$9,800.00
16	EXISTING CB OR CURB INLET REMOVED- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	9	\$400.00	\$3,600.00	\$350.00	\$3,150.00
17	EXISTING CB OR CURB INLET REMOVED- JUNIOR PARKWAY	EACH	2	\$400.00	\$800.00	\$350.00	\$700.00
18	STORM SEWER REMOVED, 24" AND UNDER- BEVERLY HILLS & MAGNOLIA DRIVE	LF	347	\$10.00	\$3,470.00	\$10.00	\$3,470.00
19	STORM SEWER REMOVED, 24" AND UNDER- JUNIOR PARKWAY	LF	209	\$10.00	\$2,090.00	\$10.00	\$2,090.00
20	12" STORM SEWER- BEVERLY HILLS & MAGNOLIA DRIVE	LF	297	\$70.00	\$20,790.00	\$68.00	\$20,196.00
21	12" STORM SEWER- JUNIOR PARKWAY	LF	235	\$70.00	\$16,450.00	\$68.00	\$15,980.00
22	18" STORM SEWER	LF	32	\$80.00	\$2,560.00	\$75.00	\$2,400.00
23	NO. 2-2B INLET BASIN- JUNIOR PARKWAY	EACH	1	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00
24	CB NO. 3C- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	10	\$3,000.00	\$30,000.00	\$3,000.00	\$30,000.00
25	CB NO. 3C- JUNIOR PARKWAY	EACH	4	\$3,000.00	\$12,000.00	\$3,000.00	\$12,000.00
26	STORM MANHOLE- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	1	\$4,500.00	\$4,500.00	\$4,000.00	\$4,000.00
27	STORM MANHOLE- JUNIOR PARKWAY	EACH	1	\$4,500.00	\$4,500.00	\$4,000.00	\$4,000.00
28	STORM DOGHOUSE MANHOLE	EACH	1	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00
29	CB RECONSTRUCT TO GRADE	EACH	5	\$1,000.00	\$5,000.00	\$1,150.00	\$5,750.00
30	CB RECONSTRUCT TO GRADE W/ EJIW 7411 FRAME & GRATE	EACH	7	\$1,800.00	\$12,600.00	\$1,750.00	\$12,250.00
31	EXISTING CB ADJUST TO GRADE	EACH	2.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00
32	EXISTING STORM MANHOLE ADJUSTED TO GRADE	EACH	2	\$400.00	\$800.00	\$500.00	\$1,000.00
33	EXISTING SANITARY MH ADJUSTED TO GRADE	EACH	3	\$400.00	\$1,200.00	\$500.00	\$1,500.00
34	WATER LINE VALVE & BOX ADJUSTED TO GRADE	EACH	4	\$200.00	\$800.00	\$250.00	\$1,000.00
35	MISCELLANEOUS METAL	LBS	2,500	\$1.00	\$2,500.00	\$1.15	\$2,875.00
36	MONUMENT BOX ASSEMBLY	EACH	1	\$450.00	\$450.00	\$400.00	\$400.00
37	LINEAR GRADING	LUMP	1	\$20,000.00	\$20,000.00	\$37,000.00	\$37,000.00
38	MAINTAINING TRAFFIC & DETOUR SIGNING	LUMP	1	\$80,000.00	\$80,000.00	\$25,000.00	\$25,000.00
39	PAVEMENT MARKING	LUMP	1	\$10,000.00	\$10,000.00	\$3,500.00	\$3,500.00
40	EROSION CONTROL	LUMP	1	\$1,000.00	\$1,000.00	\$4,000.00	\$4,000.00
TOTAL PROJECT COST				TOTAL	\$940,092.50	TOTAL	\$949,658.50
<i>Substantial Completion Required by November 30, 2018</i>				DAYS TO COMPLETE: 105 DAYS		DAYS TO COMPLETE: 110	
ALTERNATE #1							
ALT-1	PAVEMENT REMOVED- JUNIOR PARKWAY	SY	770	\$13.00	\$10,010.00	\$25.00	\$19,250.00
ALT-2	SUBGRADE COMPACTION- JUNIOR PARKWAY	SY	770	\$1.00	\$770.00	\$2.00	\$1,540.00
ALT-3	ODOT 452 CONCRETE PAVEMENT- JUNIOR PARKWAY	SY	770	\$70.00	\$53,900.00	\$78.00	\$60,060.00
ALT-4	6" UNDERDRAIN WITH FABRIC WRAP- JUNIOR PARKWAY	LF	590	\$8.00	\$4,720.00	\$12.00	\$7,080.00
ALT-5	CONCRETE DRIVE APRON- RESIDENTIAL- JUNIOR PARKWAY	SF	1,170	\$7.00	\$8,190.00	\$9.00	\$10,530.00
ALT-6	EXISTING CB OR CURB INLET REMOVED- JUNIOR PARKWAY	EACH	2	\$400.00	\$800.00	\$500.00	\$1,000.00
ALT-7	STORM SEWER REMOVED, 24" AND UNDER- JUNIOR PARKWAY	LF	209	\$10.00	\$2,090.00	\$12.00	\$2,508.00
ALT-8	12" STORM SEWER- JUNIOR PARKWAY	LF	235	\$70.00	\$16,450.00	\$75.00	\$17,625.00
ALT-9	NO. 2-2B INLET BASIN- JUNIOR PARKWAY	EACH	1	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
ALT-10	CB NO. 3C- JUNIOR PARKWAY	EACH	4	\$3,000.00	\$12,000.00	\$3,500.00	\$14,000.00
ALT-11	STORM MANHOLE- JUNIOR PARKWAY	EACH	1	\$4,500.00	\$4,500.00	\$4,500.00	\$4,500.00
TOTAL ALTERNATE COST				ALT TOTAL	\$114,930.00	ALT TOTAL	\$141,093.00

*Actual Alt Total Submitted \$134,093.00

				TRI MOR CORPORATION		PERK COMPANY, INC.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	PAVEMENT REMOVED- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$12.00	\$79,200.00	\$16.85	\$111,210.00
2	PAVEMENT REMOVED- JUNIOR PARKWAY	SY	770	\$12.00	\$9,240.00	\$16.85	\$12,974.50
3	SUBGRADE COMPACTION- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$0.50	\$3,300.00	\$1.50	\$9,900.00
4	SUBGRADE COMPACTION- JUNIOR PARKWAY	SY	770	\$1.00	\$770.00	\$1.50	\$1,155.00
5	ODOT 452 CONCRETE PAVEMENT- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$65.00	\$429,000.00	\$60.25	\$397,650.00
6	ODOT 452 CONCRETE PAVEMENT- JUNIOR PARKWAY	SY	770	\$85.00	\$65,450.00	\$60.25	\$46,392.50
7	6" UNDERDRAIN WITH FABRIC WRAP- BEVERLY HILLS & MAGNOLIA DRIVE	LF	4,100	\$9.00	\$36,900.00	\$14.00	\$57,400.00
8	6" UNDERDRAIN WITH FABRIC WRAP- JUNIOR PARKWAY	LF	590	\$10.00	\$5,900.00	\$14.00	\$8,260.00
9	CONCRETE DRIVE APRON- RESIDENTIAL-- BEVERLY HILLS & MAGNOLIA DRIVE	SF	1,175	\$7.00	\$8,225.00	\$6.95	\$8,166.25
10	CONCRETE DRIVE APRON- RESIDENTIAL- JUNIOR PARKWAY	SF	1,170	\$7.00	\$8,190.00	\$6.95	\$8,131.50
11	COMMERCIAL DRIVE APRON-- BEVERLY HILLS & MAGNOLIA DRIVE	SF	2,005	\$8.00	\$16,040.00	\$7.95	\$15,939.75
12	BASE STABILIZATION, #2 AGGREGATE	CY	250	\$40.00	\$10,000.00	\$60.00	\$15,000.00
13	BASE STABILIZATION, #4 AGGREGATE	CY	250	\$40.00	\$10,000.00	\$60.00	\$15,000.00
14	4" CONCRETE SIDEWALK	SF	2,630	\$8.00	\$21,040.00	\$6.50	\$17,095.00
15	CURB RAMP	SF	700	\$15.00	\$10,500.00	\$27.00	\$18,900.00
16	EXISTING CB OR CURB INLET REMOVED- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	9	\$300.00	\$2,700.00	\$500.00	\$4,500.00
17	EXISTING CB OR CURB INLET REMOVED- JUNIOR PARKWAY	EACH	2	\$300.00	\$600.00	\$500.00	\$1,000.00
18	STORM SEWER REMOVED, 24" AND UNDER- BEVERLY HILLS & MAGNOLIA DRIVE	LF	347	\$9.00	\$3,123.00	\$20.00	\$6,940.00
19	STORM SEWER REMOVED, 24" AND UNDER- JUNIOR PARKWAY	LF	209	\$9.00	\$1,881.00	\$20.00	\$4,180.00
20	12" STORM SEWER- BEVERLY HILLS & MAGNOLIA DRIVE	LF	297	\$75.00	\$22,275.00	\$85.00	\$25,245.00
21	12" STORM SEWER- JUNIOR PARKWAY	LF	235	\$75.00	\$17,625.00	\$85.00	\$19,975.00
22	18" STORM SEWER	LF	32	\$120.00	\$3,840.00	\$95.00	\$3,040.00
23	NO. 2-2B INLET BASIN- JUNIOR PARKWAY	EACH	1	\$1,600.00	\$1,600.00	\$3,300.00	\$3,300.00
24	CB NO. 3C- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	10	\$3,000.00	\$30,000.00	\$4,100.00	\$41,000.00
25	CB NO. 3C- JUNIOR PARKWAY	EACH	4	\$3,000.00	\$12,000.00	\$4,100.00	\$16,400.00
26	STORM MANHOLE- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	1	\$3,800.00	\$3,800.00	\$5,000.00	\$5,000.00
27	STORM MANHOLE- JUNIOR PARKWAY	EACH	1	\$3,800.00	\$3,800.00	\$5,000.00	\$5,000.00
28	STORM DOGHOUSE MANHOLE	EACH	1	\$3,500.00	\$3,500.00	\$6,500.00	\$6,500.00
29	CB RECONSTRUCT TO GRADE	EACH	5	\$900.00	\$4,500.00	\$950.00	\$4,750.00
30	CB RECONSTRUCT TO GRADE W/ EJIW 7411 FRAME & GRATE	EACH	7	\$2,600.00	\$18,200.00	\$2,050.00	\$14,350.00
31	EXISTING CB ADJUST TO GRADE	EACH	2.00	\$350.00	\$700.00	\$750.00	\$1,500.00
32	EXISTING STORM MANHOLE ADJUSTED TO GRADE	EACH	2	\$400.00	\$800.00	\$750.00	\$1,500.00
33	EXISTING SANITARY MH ADJUSTED TO GRADE	EACH	3	\$600.00	\$1,800.00	\$750.00	\$2,250.00
34	WATER LINE VALVE & BOX ADJUSTED TO GRADE	EACH	4	\$200.00	\$800.00	\$750.00	\$3,000.00
35	MISCELLANEOUS METAL	LBS	2,500	\$1.25	\$3,125.00	\$1.25	\$3,125.00
36	MONUMENT BOX ASSEMBLY	EACH	1	\$500.00	\$500.00	\$850.00	\$850.00
37	LINEAR GRADING	LUMP	1	\$25,000.00	\$25,000.00	\$19,600.00	\$19,600.00
38	MAINTAINING TRAFFIC & DETOUR SIGNING	LUMP	1	\$75,000.00	\$75,000.00	\$88,440.00	\$88,440.00
39	PAVEMENT MARKING	LUMP	1	\$2,500.00	\$2,500.00	\$1,400.00	\$1,400.00
40	EROSION CONTROL	LUMP	1	\$2,500.00	\$2,500.00	\$3,900.00	\$3,900.00
TOTAL PROJECT COST				TOTAL	\$955,924.00	TOTAL	\$1,029,919.50
<i>Substantial Completion Required by November 30, 2018</i>				DAYS TO COMPLETE: 100 DAYS		DAYS TO COMPLETE: 105	
ALTERNATE #1							
ALT-1	PAVEMENT REMOVED- JUNIOR PARKWAY	SY	770	\$20.00	\$15,400.00	\$16.85	\$12,974.50
ALT-2	SUBGRADE COMPACTION- JUNIOR PARKWAY	SY	770	\$1.00	\$770.00	\$1.50	\$1,155.00
ALT-3	ODOT 452 CONCRETE PAVEMENT- JUNIOR PARKWAY	SY	770	\$85.00	\$65,450.00	\$60.25	\$46,392.50
ALT-4	6" UNDERDRAIN WITH FABRIC WRAP- JUNIOR PARKWAY	LF	590	\$9.00	\$5,310.00	\$14.00	\$8,260.00
ALT-5	CONCRETE DRIVE APRON- RESIDENTIAL- JUNIOR PARKWAY	SF	1,170	\$7.00	\$8,190.00	\$6.95	\$8,131.50
ALT-6	EXISTING CB OR CURB INLET REMOVED- JUNIOR PARKWAY	EACH	2	\$300.00	\$600.00	\$500.00	\$1,000.00
ALT-7	STORM SEWER REMOVED, 24" AND UNDER- JUNIOR PARKWAY	LF	209	\$9.00	\$1,881.00	\$39.00	\$8,151.00
ALT-8	12" STORM SEWER- JUNIOR PARKWAY	LF	235	\$75.00	\$17,625.00	\$104.00	\$24,440.00
ALT-9	NO. 2-2B INLET BASIN- JUNIOR PARKWAY	EACH	1	\$1,600.00	\$1,600.00	\$3,300.00	\$3,300.00
ALT-10	CB NO. 3C- JUNIOR PARKWAY	EACH	4	\$3,000.00	\$12,000.00	\$4,100.00	\$16,400.00
ALT-11	STORM MANHOLE- JUNIOR PARKWAY	EACH	1	\$3,800.00	\$3,800.00	\$4,100.00	\$4,100.00
TOTAL ALTERNATE COST				ALT TOTAL	\$132,626.00	ALT TOTAL	\$134,304.50

*Actual Total Submitted \$1,029,814.50

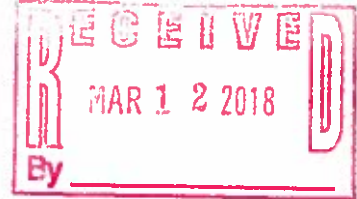
				DENES CONCRETE, INC.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE
1	PAVEMENT REMOVED- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$15.00	\$99,000.00
2	PAVEMENT REMOVED- JUNIOR PARKWAY	SY	770	\$15.00	\$11,550.00
3	SUBGRADE COMPACTION- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$2.00	\$13,200.00
4	SUBGRADE COMPACTION- JUNIOR PARKWAY	SY	770	\$2.00	\$1,540.00
5	ODOT 452 CONCRETE PAVEMENT- BEVERLY HILLS & MAGNOLIA DRIVE	SY	6,600	\$70.00	\$462,000.00
6	ODOT 452 CONCRETE PAVEMENT- JUNIOR PARKWAY	SY	770	\$70.00	\$53,900.00
7	6" UNDERDRAIN WITH FABRIC WRAP- BEVERLY HILLS & MAGNOLIA DRIVE	LF	4,100	\$12.50	\$51,250.00
8	6" UNDERDRAIN WITH FABRIC WRAP- JUNIOR PARKWAY	LF	590	\$12.50	\$7,375.00
9	CONCRETE DRIVE APRON- RESIDENTIAL-- BEVERLY HILLS & MAGNOLIA DRIVE	SF	1,175	\$7.50	\$8,812.50
10	CONCRETE DRIVE APRON- RESIDENTIAL- JUNIOR PARKWAY	SF	1,170	\$7.50	\$8,775.00
11	COMMERCIAL DRIVE APRON-- BEVERLY HILLS & MAGNOLIA DRIVE	SF	2,005	\$8.00	\$16,040.00
12	BASE STABILIZATION, #2 AGGREGATE	CY	250	\$55.00	\$13,750.00
13	BASE STABILIZATION, #4 AGGREGATE	CY	250	\$55.00	\$13,750.00
14	4" CONCRETE SIDEWALK	SF	2,630	\$7.50	\$19,725.00
15	CURB RAMP	SF	700	\$15.00	\$10,500.00
16	EXISTING CB OR CURB INLET REMOVED- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	9	\$500.00	\$4,500.00
17	EXISTING CB OR CURB INLET REMOVED- JUNIOR PARKWAY	EACH	2	\$500.00	\$1,000.00
18	STORM SEWER REMOVED, 24" AND UNDER- BEVERLY HILLS & MAGNOLIA DRIVE	LF	347	\$10.00	\$3,470.00
19	STORM SEWER REMOVED, 24" AND UNDER- JUNIOR PARKWAY	LF	209	\$10.00	\$2,090.00
20	12" STORM SEWER- BEVERLY HILLS & MAGNOLIA DRIVE	LF	297	\$75.00	\$22,275.00
21	12" STORM SEWER- JUNIOR PARKWAY	LF	235	\$75.00	\$17,625.00
22	18" STORM SEWER	LF	32	\$100.00	\$3,200.00
23	NO. 2-2B INLET BASIN- JUNIOR PARKWAY	EACH	1	\$1,500.00	\$1,500.00
24	CB NO. 3C- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	10	\$3,000.00	\$30,000.00
25	CB NO. 3C- JUNIOR PARKWAY	EACH	4	\$3,000.00	\$12,000.00
26	STORM MANHOLE- BEVERLY HILLS & MAGNOLIA DRIVE	EACH	1	\$7,500.00	\$7,500.00
27	STORM MANHOLE- JUNIOR PARKWAY	EACH	1	\$7,500.00	\$7,500.00
28	STORM DOGHOUSE MANHOLE	EACH	1	\$5,000.00	\$5,000.00
29	CB RECONSTRUCT TO GRADE	EACH	5	\$1,500.00	\$7,500.00
30	CB RECONSTRUCT TO GRADE W/ EJIW 7411 FRAME & GRATE	EACH	7	\$2,000.00	\$14,000.00
31	EXISTING CB ADJUST TO GRADE	EACH	2.00	\$500.00	\$1,000.00
32	EXISTING STORM MANHOLE ADJUSTED TO GRADE	EACH	2	\$500.00	\$1,000.00
33	EXISTING SANITARY MH ADJUSTED TO GRADE	EACH	3	\$500.00	\$1,500.00
34	WATER LINE VALVE & BOX ADJUSTED TO GRADE	EACH	4	\$100.00	\$400.00
35	MISCELLANEOUS METAL	LBS	2,500	\$1.00	\$2,500.00
36	MONUMENT BOX ASSEMBLY	EACH	1	\$500.00	\$500.00
37	LINEAR GRADING	LUMP	1	\$5,000.00	\$5,000.00
38	MAINTAINING TRAFFIC & DETOUR SIGNING	LUMP	1	\$75,000.00	\$75,000.00
39	PAVEMENT MARKING	LUMP	1	\$10,000.00	\$10,000.00
40	EROSION CONTROL	LUMP	1	\$5,000.00	\$5,000.00
	TOTAL PROJECT COST			TOTAL	\$1,032,227.50
	Substantial Completion Required by November 30, 2018			DAYS TO COMPLETE: 90 DAYS	
	ALTERNATE #1				
ALT-1	PAVEMENT REMOVED- JUNIOR PARKWAY	SY	770	\$15.00	\$11,550.00
ALT-2	SUBGRADE COMPACTION- JUNIOR PARKWAY	SY	770	\$2.00	\$1,540.00
ALT-3	ODOT 452 CONCRETE PAVEMENT- JUNIOR PARKWAY	SY	770	\$70.00	\$53,900.00
ALT-4	6" UNDERDRAIN WITH FABRIC WRAP- JUNIOR PARKWAY	LF	590	\$12.50	\$7,375.00
ALT-5	CONCRETE DRIVE APRON- RESIDENTIAL- JUNIOR PARKWAY	SF	1,170	\$7.50	\$8,775.00
ALT-6	EXISTING CB OR CURB INLET REMOVED- JUNIOR PARKWAY	EACH	2	\$500.00	\$1,000.00
ALT-7	STORM SEWER REMOVED, 24" AND UNDER- JUNIOR PARKWAY	LF	209	\$10.00	\$2,090.00
ALT-8	12" STORM SEWER- JUNIOR PARKWAY	LF	235	\$75.00	\$17,625.00
ALT-9	NO. 2-2B INLET BASIN- JUNIOR PARKWAY	EACH	1	\$1,500.00	\$1,500.00
ALT-10	CB NO. 3C- JUNIOR PARKWAY	EACH	4	\$3,000.00	\$12,000.00
ALT-11	STORM MANHOLE- JUNIOR PARKWAY	EACH	1	\$7,500.00	\$7,500.00
	TOTAL ALTERNATE COST			ALT TOTAL	\$124,855.00



The Ohio Public Works Commission
65 East State Street, Suite 312, Columbus, Ohio 43215-4213

<i>Commission Chair</i>	Patrick Ginnetti	<i>Director</i>	Michael Miller
<i>Commissioners</i>	John Jones Dean C. Ringle	William Woodard Randy Riley	Tom Waniewski Sandra Tunnell

Carl DeForest
City Manager
The City of Brunswick
4095 Center Road
Brunswick, OH 44212-



Re: Project No. CI50V/CI51V

Dear Mr. DeForest:

Your request for financial assistance in the form of a grant/loan has been approved for the project entitled Various Streets Reconstruction in the amount of \$728,800. Please note the following:

- A. An Agreement will be released by the Commission on or about July 1, 2018, assuming budget authority is in place.
- B. You must not award a construction contract or begin construction until our Agreement has been fully executed and returned.
- C. You must not begin construction until you have forwarded a Request to Proceed for the contractor and received a Notice to Proceed in return.
- D. You may initiate at your own risk engineering and design services.
- E. You may advertise for bids providing: 1) you follow the contractual requirements as posted on our website at <http://www.pwc.state.oh.us/>, and 2) you meet conditions B & C above.

The Project Manager named in the Agreement will receive a separate mailing pertaining to our program requirements detailed on our website at <http://www.pwc.state.oh.us/> including the Request to Proceed, contractual requirements for bid documents, and reporting of in-kind or force account contributions. Your Chief Fiscal Officer will also receive a mailing pertaining to project financial information.

If you have questions, please contact your Program Representative, Abbey DeHart, at 614/728-2466.

Respectfully,

Michael Miller
Director

cc: Matthew Jones, Todd Fischer

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH A&J CEMENT CONTRACTORS, INC. FOR THE 2018 RECONSTRUCTION OF VARIOUS STREETS PROJECT IN AN AMOUNT NOT TO EXCEED \$940,092.50.

WHEREAS: The City of Brunswick received five (5) bids for the 2018 Reconstruction of Various Streets Project (the "Project"), in accordance with public bidding requirements, for complete removal and replacement of the concrete pavement and base on Beverly Hills Drive, Magnolia Drive from Pearl Road to just east of Judita Drive and on Junior Parkway from Briarleigh Drive to Bettie Lane;

WHEREAS: The five (5) received public bids were opened on July 11, 2018, with A&J Cement Contractors, Inc. determined to be the lowest and best bidder;

WHEREAS: The Project is being partially funded with a \$613,800.00 grant and \$115,000.00 loan from the Ohio Public Works Commission (the "OPWC"); and

WHEREAS: The Project is anticipated to commence in late August of 2018 and take approximately ninety (90) days to complete, which commencement is subject to full execution of all necessary OPWC documents and receipt of a Notice to Proceed from the OPWC.

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 A&J Cement Contractors, Inc., the lowest and best bidder, for the 2018 Reconstruction of Various Streets Project in an amount not to exceed \$940,092.50, which Agreement shall be expressly contingent upon full execution of all necessary OPWC documents and receipt of a Notice to Proceed from the OPWC.

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 Project 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. 58-18

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH A&J CEMENT CONTRACTORS, INC. FOR THE 2018 RECONSTRUCTION OF VARIOUS STREETS PROJECT IN AN AMOUNT NOT TO EXCEED \$940,092.50.

WHEREAS: The City of Brunswick received five (5) bids for the 2018 Reconstruction of Various Streets Project (the "Project"), in accordance with public bidding requirements, for complete removal and replacement of the concrete pavement and base on Beverly Hills Drive, Magnolia Drive from Pearl Road to just east of Judita Drive and on Junior Parkway from Briarleigh Drive to Bettie Lane;

WHEREAS: The five (5) received public bids were opened on July 11, 2018, with A&J Cement Contractors, Inc. determined to be the lowest and best bidder;

WHEREAS: The Project is being partially funded with a \$613,800.00 grant and \$115,000.00 loan from the Ohio Public Works Commission (the "OPWC"); and

WHEREAS: The Project is anticipated to commence in late August of 2018 and take approximately ninety (90) days to complete, which commencement is subject to full execution of all necessary OPWC documents and receipt of a Notice to Proceed from the OPWC.

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 A&J Cement Contractors, Inc., the lowest and best bidder, for the 2018 Reconstruction of Various Streets Project in an amount not to exceed \$940,092.50, which Agreement shall be expressly contingent upon full execution of all necessary OPWC documents and receipt of a Notice to Proceed from the OPWC.

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 Project 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: 07/23/2018

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. 59-18** - An emergency resolution authorizing the City Manager to enter into an agreement with Northcoast Products, the sole vendor of asphaltic emulsion, in an amount not to exceed \$40,000.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: The City of Brunswick purchased a DuraPatcher in 2018 which uses an asphaltic emulsion. The emulsion recommended by the manufacture of the equipment is available through Northcoast Products and is the industry standard in Northeast Ohio.

PURPOSE AND EXPLANATION: The purpose of this sole source purchase is to facilitate the best possible long term patch for deteriorated concrete and asphalt roadways. The use of the DuraPatcher this year has resulted in a better patch than was possible with other materials used in the past.

IMPLEMENTATION SCHEDULE: We will need the material in August or September of 2018.

FINANCIAL INFORMATION: Northcoast Products - - \$40,000.00 - 117-0420-55303 \$12,500.00 and 333-0474-56870 \$27,500.00 -
-

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?

**ADDITIONAL
INFORMATION:**

The use of the DuraPatcher is performing well and our plan is to continue to patch roadways until the weather prohibits. In order to continue we need additional asphaltic emulsion in August or September 2018.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH NORTHCOAST PRODUCTS,
THE SOLE VENDOR OF ASPHALTIC EMULSION, IN AN AMOUNT NOT
TO EXCEED \$40,000.00.

WHEREAS: The City purchased a DuraPatcher in 2018 which utilizes an asphaltic emulsion to
perform roadway repairs; and

WHEREAS: Northcoast Products is the sole vendor of the necessary asphaltic emulsion.

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 Northcoast Products, the
sole vendor of asphaltic emulsion, in an amount not to exceed \$40,000.00.

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 to perform
necessary roadway repairs 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. 59-18

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NORTHCOAST PRODUCTS, THE SOLE VENDOR OF ASPHALTIC EMULSION, IN AN AMOUNT NOT TO EXCEED \$40,000.00.

WHEREAS: The City purchased a DuraPatcher in 2018 which utilizes an asphaltic emulsion to perform roadway repairs; and

WHEREAS: Northcoast Products is the sole vendor of the necessary asphaltic emulsion.

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 Northcoast Products, the sole vendor of asphaltic emulsion, in an amount not to exceed \$40,000.00.

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 to perform necessary roadway repairs 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: 07/23/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 60-18** - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L light Industrial District and the issuance of such approvals. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Nicholas Hanek*)

BACKGROUND:

PURPOSE AND
EXPLANATION:

IMPLEMENTATION
SCHEDULE:

FINANCIAL
INFORMATION:

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?

ADDITIONAL
INFORMATION:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 60-18

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

AN EMERGENCY ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY AND/OR BUILDING PERMIT APPROVALS FOR WAREHOUSING AND MOTOR FREIGHT GARAGES AND TRUCK OR TRANSFER TERMINAL USES IN THE I-L LIGHT INDUSTRIAL DISTRICT AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of warehousing and motor freight garages and truck or transfer terminals, which are principally permitted uses in the I-L Light Industrial District per Codified Ordinance Section 1266.02(b) and (i), respectively ; and

WHEREAS: This Council believes that a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial 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.

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

SECTION 1: For a period of six (6) months from the effective date of this Ordinance, the City shall not accept or process any applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial 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. 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: 07/23/2018

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. 61-18** - A resolution authorizing the City Manager to execute all necessary documents to accept the 2018 Energized Community Grant from NOPEC.- **1st Reading** (To be brought from Committee-of-the-Whole, Administration/*Paul Barnett*)

BACKGROUND: NOPEC has made available to all of the communities that participate with NOPEC a grant to implement energy efficiency or energy infrastructure project that will benefit the community. It is anticipated that this grant will continue in 2019 and 2020 at \$123,758.00 per year for a 3 year total of \$371,274.00.

PURPOSE AND EXPLANATION: The purpose of this grant will allow to improve/upgrade infrastructure to provide energy efficiencies.

IMPLEMENTATION SCHEDULE: Completion by November 1, 2018.

FINANCIAL INFORMATION: \$123,758.00 grant for 2018 - - City Hall Expansion Fund #336 - 336-2018-56800 - - 123758

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

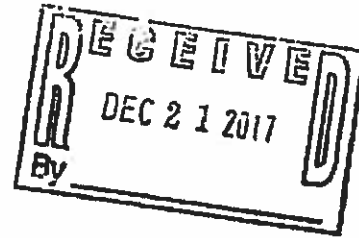
If emergency or suspension of the rules, why the request?

**ADDITIONAL
INFORMATION:**



December 18, 2017

Carl DeForest
City Manager
City of Brunswick
4095 Center Road
Brunswick, OH 44212



RON MCVOY
Chairman

CHUCK KEIPER
Executive Director

BOARD OF DIRECTORS

RON MCVOY
Ashtabula County

JOHN ZEHENTBAUER
Columbiana County

GEORGINE WELO
Cuyahoga County

JAMES FLAIZ
Geauga County

ROB DUNCAN
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DANIEL TROY
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DAVID GILLOCK
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ROBERT MCCracken
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PATRICIA HANEK
Medina County

MICKEY MAROZZI
Portage County

AARON MONTZ
Seneca County

STEVE PATTERSON
Southeast Ohio

JAN TULLEY
Summit County

JACK HANEY
Trumbull County

Dear Mr. DeForest:

Congratulations! Brunswick is receiving a NOPEC Energized Community (NEC) grant of \$123,758.00 for 2018. NOPEC* and NextEra value your community's membership and are awarding this grant to help your community achieve even greater savings. The NEC grants are being offered to help you implement energy efficiency or energy infrastructure projects that will benefit your community for years to come.

We're excited to be able to offer this new this grant program and we've designed it to make the whole process as streamlined as possible. All NEC grant program information and materials will be available online. In January, you'll receive an e-mail with detailed instructions on how to access this information and get started on completing the grant process. Our staff is available to help at any point during the process.

The NEC grant program has some new features that weren't available in previous grant programs through NOPEC. These features offer more options and greater flexibility for your community to get the greatest benefit from your grant, while reducing the paperwork required. For example, you'll have the ability to coordinate with other communities on a multi-jurisdictional project. Or, if you'd like to escrow your grant funds (or a portion of them) for a future year's project that will also be an option for you.

NOPEC's Special Projects Manager, Norma Fox Horwitz, is managing the NEC grant program. Feel free to contact her by email at grants@nopecinfo.org, or by phone at 440-249-7829 if you have questions. We look forward to receiving your application!!

Sincerely,

Chuck Keiper
Executive Director

cc: Todd Fischer, Finance Director

*The 2018 NEC grant program is funded and administered by NOPEC, Inc. an affiliate of the Northeast Ohio Public Energy Council (NOPEC).

**NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC)
ENERGIZED COMMUNITY GRANT PROGRAM
(NEC GRANT(S))**

ORDINANCE/RESOLUTION¹

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY
TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL
(NOPEC) ENERGIZED COMMUNITY GRANT(S)

WHEREAS, the [CITY/VILLAGE/COUNTY] of _____, Ohio (the "MUNICIPALITY") is a member of the Northeast Ohio Public Energy Council ("NOPEC") and is eligible for one or more NOPEC Energized Community Grant(s) for 2018 ("NEC Grant(s)") as provided for in the NEC Grant Program guidelines; and

WHEREAS, the MUNICIPALITY wishes to enter into a Grant Agreement with NOPEC, Inc. in the form attached to this Ordinance to receive one or more NEC Grant(s) for 2018, and to authorize the Mayor to execute the Grant Agreement with NOPEC, Inc. in the form attached.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF _____, COUNTY OF _____, AND STATE OF OHIO, THAT:

SECTION 1. This Council of the MUNICIPALITY (the "Council") finds and determines that it is in the best interest of the MUNICIPALITY to accept the NEC Grant(s) for 2018, and authorizes the Mayor to execute the Grant Agreement with NOPEC, Inc. in the form attached.

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the MUNICIPALITY; wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor of the MUNICIPALITY.

DATED ADOPTED: _____, 2018

President of Council

Submitted to the Mayor for his
Approval on this _____ day of _____,
_____, 2018

ATTEST:
this _____ day of _____, 2018

Approved by the Mayor
_____, 2018

Clerk of Council

Mayor, City of _____

¹ NOTE THAT THIS IS A MODEL FORM. EACH MUNICIPALITY (AND OTHER POLITICAL SUBDIVISION) MUST COMPLY WITH ITS CHARTER AND ANY SPECIFIC LOCAL RULES, PROCEDURES AND ORDINANCES.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL
NECESSARY DOCUMENTS TO ACCEPT THE 2018 ENERGIZED
COMMUNITY GRANT FROM NOPEC.

WHEREAS: NOPEC has made a three (3) year grant available to all participating communities
to implement energy efficiency or energy infrastructure projects through the 2018
Energized Community Grant Program; and

WHEREAS: It is anticipated that the Grant Program will continue for a period of three (3)
years in the amount of \$123,758.00 per year or \$371,274.00 total.

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

SECTION 1: The City Manager is hereby authorized, upon approval of the Law Director, to
execute all necessary documents to accept the 2018 Energized Community Grant
from NOPEC.

SECTION 2: 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. 60-18

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT THE 2018 ENERGIZED COMMUNITY GRANT FROM NOPEC.

WHEREAS: NOPEC has made a one (1) year grant available to all participating communities to implement energy efficiency or energy infrastructure projects through the 2018 Energized Community Grant Program; and

WHEREAS: It is anticipated that the Grant Program will continue for a period of three (3) years in the amount of \$123,758.00 per year or \$371,274.00 total.

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

SECTION 1: The City Manager is hereby authorized, upon approval of the Law Director, to execute all necessary documents to accept the 2018 Energized Community Grant from NOPEC.

SECTION 2: 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: 07/23/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 62-18** - An emergency resolution authorizing the City Manager and City Engineer to submit a grant application to the Ohio Public Works Commission Issue 1 Program. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

BACKGROUND: New legislation request.

PURPOSE AND EXPLANATION: The proposed project will reconstruct Laurel Road from just east of Brintnall Drive to just west of Maxwell Boulevard. The approximately \$1,000,000 project would be funded using a combination of OPWC and local funds. See attached location map and cost estimate.

IMPLEMENTATION SCHEDULE: The application due date is September 7, 2018. The proposed project would commence in July 2019.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: \$613,839 grant; \$1,000,000 total project cost. The City cost share would be required to be appropriated and included in the 2019 budget for the City to accept the OPWC award. The City cost share is expected to be appropriated into the Road Improvement Fund #333.

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 on second reading at the July 23 meeting to allow for the application to be completed before the September 7 deadline.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
AND CITY ENGINEER TO SUBMIT A GRANT APPLICATION TO THE
OHIO PUBLIC WORKS COMMISSION ISSUE 1 PROGRAM.

WHEREAS: The proposed project will reconstruct Laurel Road from just east of Brintnall Drive to just west of Maxwell Boulevard (the "Project");

WHEREAS: The total estimated cost of the Project is approximately \$1,000,000.00 to be funded by a combination of Ohio Public Works Commission ("OPWC") Issue 1 Program grant funds in the approximate amount of \$613,839.00 (the "Grant Funds") with the remainder by local funds (the "Local Funds");

WHEREAS: The grant application must be submitted by the September 7, 2018 deadline; and

WHEREAS: Should the financial assistance be granted, the Project would be constructed in the 2019 construction season.

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

SECTION 1: The City Manager and City Engineer are hereby authorized to submit a grant to the Ohio Public Works Commission Issue 1 Program for financial assistance for the Project.

SECTION 2: In the event Grant Funds are awarded for the Project, acceptance of same by the City shall be contingent upon Council appropriating necessary amounts to meet the Local Funds contribution.

SECTION 3: 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 the grant and loan applications must be submitted by the September 7, 2018 deadline. 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 ² _____ NAYS _____

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 62-18

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
AND CITY ENGINEER TO SUBMIT A GRANT APPLICATION TO THE
OHIO PUBLIC WORKS COMMISSION ISSUE 1 PROGRAM.

WHEREAS: The proposed project will reconstruct Laurel Road from just east of Brintnall Drive to just west of Maxwell Boulevard (the "Project");

WHEREAS: The total estimated cost of the Project is approximately \$1,000,000.00 to be funded by a combination of Ohio Public Works Commission ("OPWC") Issue 1 Program grant funds in the approximate amount of \$613,839.00 (the "Grant Funds") with the remainder by local funds (the "Local Funds");

WHEREAS: The grant application must be submitted by the September 7, 2018 deadline; and

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

SECTION 1: The City Manager and City Engineer are hereby authorized to submit a grant to the Ohio Public Works Commission Issue 1 Program for financial assistance for the Project.

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PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES ² _____ NAYS _____

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