BRUNSWICK CITY COUNCIL AGENDA

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

Administration Representatives

SEPTEMBER 10, 2018

1. Prayer and Pledge of Allegiance

2. Roll Call of Members

3. Correspondence

4. Approval of regular Council Meeting Minutes dated July 23, 2018.

   (a) Regular Council Meeting Minutes dated July 23, 2018

5. Mayor's Report:

   (a) Mayor's Court Financial Report for the month ending in July 2018 and August 2018 will be posted on the website and added to the minutes for the record;

   (b) Proclamation for Prostate Cancer Awareness Month - Stephanie Mueller;

   (c) Mayor's recommendation to reappoint Tracy Buchheit to the Civil Service Commission;

   (d) Mayor's Update

6. Clerk of Council's Report

7. Council Committee Reports:

Economic Development..Mr.Hanek

Economic Development Committee Meeting Minutes dated July 17, 2018 and July 23, 2018

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

Services Committee Meeting Minutes dated July 23, 2018

Finance Committee...Mrs. Hanek

Finance Committee Meeting Minutes dated July 23, 2018

Safety & Environment...Mr.Ousley

Planning & Zoning Committee..Mr.Delsanter

Planning & Zoning Committee Meeting Minutes dated July 19, 2018 and

July 23, 2018

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

Building & Building Code Committee...Mr. Capretta

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated July 9, 2018 and

(b) Committee of the Whole Meeting Minutes dated July 23, 2018

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

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. - **2nd Reading** (Planning and Zoning Committee, *Administration/ Grant Aungst*)

RES. NO. 61-18 - A resolution authorizing the City Manager to execute all necessary documents to accept the 2018 Energized Community Grant from NOPEC.- **2nd Reading** (Committee-of-the-Whole, Administration/*Paul Barnett*)

c. 1st Reading(s)

RES. NO. 63-18 - An emergency resolution authorizing the City Manager to enter into an agreement with Marks Construction, INC. for the construction of the Kent Drive Stormwater Improvement Project in an amount not to exceed $71,620.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/ Matt Jones*)

RES. NO. 64-18 - A resolution authorizing the City Manager to purchase a new hot water tank for the Community Recreation and Fitness Center from Air Force one in an amount not to exceed $43,000.00 - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/ John Piepsny*)

RES NO. 65-18 - An emergency resolution strongly urging the Ohio Governor and members of the Ohio General Assembly to invest the state budget surplus in municipalities - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Patricia Hanek*)

ORD. NO. 66-18 - An ordinance establishing section 618.30 of the City of Brunswick Codified Ordinances by prohibiting the feeding of wildlife and stray animals - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Brian Ousley*)

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 23, 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 of Members showed the following Council Members present: Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek and Patricia Hanek.

Other present members: Mayor Ron Falconi, Council Clerk Fijabi Julien-Gallam, City Manager Carl S. DeForest and Law Director Ken Fisher.

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

Correspondence: There was none.

Approval of regular Council Meeting Minutes dated July 9, 2018:

Joseph Salzgeber moved to approve the regular Council Meeting dated July 9, 2018 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mayor's Report:

Proclamation for the 4th Annual Nate Vermote Run:

Mayor Ron Falconi presented a proclamation to Monica Vermote for the 4th Annual Nate Vermote Run.

Proclamation for Melissa Krebs' years of dedication to the City of Brunswick:

Mayor Ron Falconi presented a proclamation to Melissa Krebs' for her 10 years of dedication to the City of Brunswick.

Proclamations for Eagle Scouts John Marcus Drzal and Michael Konopka:

Mayor Ron Falconi presented a proclamation to John Marcus Drzal and Michael Konopka for achieving the Eagle Scouts Award.

Proclamation to proclaim August 12th as "Toastmaster Day" in the City of Brunswick:

Mayor Ron Falconi presented a proclamation to Annette Palmer to proclaim August 12th as "Toastmaster Day".

Proclamation to proclaim August 31st to September 1st as "Poppy Days" in the City of Brunswick:

Mayor Ron Falconi presented a proclamation to Commander Bob Prevost from American Legion #234 to proclaim August 31st to September 1, 2018, as Poppy Days.

Clerk of Council's Report:

The clerk announced that the City Council made a recent motion to not meet in August. The next regular scheduled Council meeting is September 10, 2018.

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 July 9, 2018 as written, seconded by Anthony Capretta. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Finance Committee...Mrs. Hanek:

Patricia Hanek moved to approve the formal report dated June 21, 2018 as written, seconded by Brian Ousley. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Safety & Environment..Mr.Ousley:

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

Planning & Zoning Committee...Mr.Delsanter:

Joseph Delsanter had no formal reports this evening. He announced that the Planning and Zoning Committee met on Thursday, July 19, 2018, at 6:15 PM, to discuss upcoming responsibilities and the post Comprehensive Plan needs.

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

Joseph Salzgeber had no formal reports this evening.

Building & Building Code Committee..Mr. Capretta:

Anthony Capretta moved to approve the formal report dated for July 9, 2018 as written, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Other Boards and Commissions:

Joseph Salzgeber moved to approve the Committee of the Whole minutes dated June 25, 2018 as written, seconded by Anthony Capretta. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

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*):

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Law Director Ken Fisher remarked that the memorandum of understanding with the Brunswick School District would allow a temporary access easement for construction purposes across the city's property on Manhattan Circle for a period of 30 months. This legislation would allow the Brunswick School District the perpetual non-inclusive right to park at the Brunswick Areas Television on Manhattan Circle.

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*):

Patricia Hanek moved to adopt, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Assistant Finance Director Lynnette Ozanich remarked that the State of Ohio changed the municipal tax laws affecting tax years 2016 and later.

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*):

Joseph Salzgeber moved to adopt, seconded by Anthony Capretta. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Service Director Paul Barnett remarked that this legislation would allow the city to have tracking devices on the snow plows and other service vehicles to monitor street operations.

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*):

Brian Ousley moved to adopt, seconded by Joseph Salzgeber. Roll Call - Ayes - 5, Anthony Capretta, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 1. Motion Carried.

Fire Chief Jim Baird remarked that there are approximately 3,000 fire hydrants. He explained that every year the firefighters go out and maintain the hydrants; however, there needs to be a consistent approach to make sure the fire hydrants get painted. He noted that the fire hydrants are usually painted through the Adopt a Hydrant Program, and other service organizations, such as the Boy Scouts.

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*):

Brian Ousley moved to adopt, seconded by Joseph Salzgeber. Roll Call - Ayes - 5, Anthony Capretta, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 1. Motion Carried.

Fire Chief Jim Baird remarked that this legislation is to establish a pay range for the part-time Hydrant Painter position.

2nd Reading(s) There was none.

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*):

Patricia Hanek moved to suspend the rules, seconded by Brian Ousley. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Assistant Finance Director Lynnette Ozanich remarked that this resolution would allow the city to take a $150,000, 0% interest loan, for the various streets project.

Patricia Hanek moved to adopt, seconded by Brian Ousley. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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*):

ORD. NO. 54-18 - Joseph Delsanter moved this ordinance to second reading.

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*):

Joseph Salzgeber moved to suspend the rules, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Service Director Paul Barnett remarked that this resolution would allow the city to start the resurfacing of Neura Park parking lot, the walkway in North Park, and the City Hall parking lot.

Joseph Salzgeber moved to adopt, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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*):

Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Law Director Ken Fisher remarked that the city received a petition to annex the 0.8432-acre parcel of land from Brunswick Hills Township into the City of Brunswick. The Medina County Commissioners scheduled a hearing for September 25, 2018. The City Council is required to provide a resolution of intent to provide services in the event the petition is granted.

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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*):

Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Law Director Ken Fisher remarked that the city received a petition to annex the 25.0-acre parcel of land from Brunswick Hills Township into the City of Brunswick. The Medina County Commissioners scheduled a hearing for September 25, 2018. The City Council is required to provide a resolution of intent to provide services in the event the petition is granted.

Joseph Salzgeber moved to adopt, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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 Reconstruction of Various 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*):

Joseph Salzgeber moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

City Engineer Matt Jones remarked that this resolution would allow the city to award a contract to A&J Cement Contractors for the various streets reconstructing project. This project would reconstruct Beverly Hills Drive and Magnolia from Pearl Road to the east of Judita Drive, and on Junior Parkway from Briarleigh Drive to Bettie Lane. This project is partially funded with the OPWC grant and loan.

Joseph Salzgeber moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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*):

Joseph Salzgeber moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Service Director Paul Barnett remarked that this resolution would allow the purchase of additional asphaltic emulsion to patch potholes.

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

ORD. NO. 60-18 - An <u>emergency</u> 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/Ken Fisher*):

Nicholas Hanek moved to suspend the rules, seconded by Patricia Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Councilman Nickolas Hanek remarked that the Economic Committee is expecting some recommendations from of the Comprehensive Plan in regards to the uses in the I-L district. The moratorium is similar to the apartment moratorium. This ordinance would allow the city to wait for any finalized recommendations from the City's Comprehensive Plan for the I-L Light Industrial District.

Nicholas Hanek moved to adopt, seconded by Patricia Hanek. Roll Call - Ayes - 5, Anthony Capretta, Brian Ousley, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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. 61-18 - Joseph Salzgeber moved this resolution to second reading.

RES. NO. 62-18 - An <u>emergency</u> 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*):

Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

City Engineer Matt Jones remarked that this resolution is to allow the city to submit a grant application for the 2019 OPWC issue 1 Program. The Laurel Road reconstruction Phase 2 Project, east of Brintnall Drive to the west of Maxwell Boulevard, would be considered for this grant. The grant application is expected to be about $614,000, and the total project cost would be approximately $1,000,000.

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

City Manager's Report:

<u>City Manager Carl DeForest</u>

- Reminded everyone that the Bike MS: Buckeye Breakaway riders are expected to leave the

Brunswick Recreation Center on August 4th to ride to Ashland University. Approximately 1,500 to 1,600 riders attend this event to raise money for Multiple Sclerosis. On August 5th, the ride is expected to end back in Brunswick. He encouraged everyone to be very cautious and cognizant of the traffic of the riders.

- Reminded everyone to be aware of the flashing traffic lights near the school zone. The speed limit is 20 miles per hour in the school zone.
- Noted that the final public forum meeting for the Comprehensive Plan is scheduled for September 13, 2018, from 6:00 pm to 7:30 pm at Council Chambers.
- Announced that the second Annual Veterans Breakfast is scheduled for Wednesday, October 17, 2018, at 8:30 am, at the Brunswick Recreation Center. The breakfast is free to all veterans, and it is sponsored by Homestead Insurance.

Administrative Departments;

Fire Chief Jim Baird

- Announced that on October 6th Home Depot is having their Annual Safety Day celebration for Fire Prevention Week.
- Noted that the Division of Fire is hosting their first Citizens Fire Academy in the month of October on Wednesday nights, from 6:30 pm to 8:30 pm at the Brunswick Area Television (BAT). This hands-on academy is open to citizens 18 and older. Applications are available in the City Manager's office or at the fire department.
- Mentioned that Administrative Assistant Renee Karas passed away suddenly and she was laid to rest on July 19, 2018. He thanked everyone for their support.

Service Director Paul Barnett

- Remarked that the household hazard and waste collection is no longer available in Brunswick; however, this service is provided every week at the Medina County Solid Waste District in Seville. The processing facility is open on Monday and Wednesday from 8:30 am to 4:30 pm, and on Saturday from 7:00 am to noon.
- Explained that a Durapatcher is a piece of equipment that would spray emulsion into the potholes. He noted that they have been very successful with this Durapatcher.
- Announced that branch chipping is scheduled to start on September 17, 2018.

Recreation Center Superintendent Taylor Scott

- Noted that there are only two more summer concerts left in the Brunswick Summer Concert series. The WIXY 1260 Band is scheduled to perform on August 5, 2018, at 6:00 pm. The New Barleycorn is scheduled to perform on August 19, 2018, at 6:30 pm.
- Announced that the Recreation and Fitness Center is offering 50% off memberships in August.
- Remarked that the Recreation and Fitness Center's Fall brochure is expected to be mailed out to the public on August 1, 2018.
- Noted that fall swim registration is on August 25, 2018, at 9:00 am for members, and 11:00 am for non-members.

Brunswick Area Television (BAT) Manager Tom Keppler

- Introduced his self to the public and explained that he replaced the former manager Jeff Neidert.
- Informed the residents that BAT handles the website, the roadside signboard on State Route 303 and

Pearl Road, various publications and managing three TV channels for the public. He noted that they have a government channel, a recreation channel, and a public channel.

Open Forum: There was none.

Unfinished Business: There was none.

New Business:

Councilman Joseph Salzgeber expressed that he decided to run for City Council in 2015 because of the poor conditions of the roads. He proudly announced that this evening the Council passed legislation to reconstruct portions of Beverly Hills Drive and Magnolia from Pearl Road to the east of Judita Drive.

Adjournment:

Joseph Salzgeber moved to adjourn, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 8:22 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC
Clerk of Council

____
Mayor Ron Falconi

____
Adopted

August 1, 2018

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF JULY 2018

WAIVERS/COURT/BONDS

DEPOSITS (July) 51,136.63
DEBITS (July) (50,546.63)

Checks to be written in July:

Treasurer State of Ohio	$ 9,333.00
City of Medina MIATF	$ 100.00
City of Medina IDATF	$ 283.00
City of Brunswick Finance Dept/Police Fund *	$37,680.63
Misc Checks (bond refunds & transfers/restitution)	$ 3,150.00
TOTAL for the month	$50,546.63

*Check includes amounts to: Court Computer Fund and Education & Enforcement Fund

Service Charges/Fees for prior month $407.62

MAYOR RONALD FALCONI **TERESA BENO, CLERK OF COURTS**

September 4, 2018

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF AUGUST 2018

WAIVERS/COURT/BONDS

DEPOSITS (August) 47,385.12
DEBITS (August) (49,645.12)

Checks to be written in August:

Treasurer State of Ohio	$ 8,759.00
City of Medina MIATF	$ 125.00
City of Medina IDATF	$ 247.00
City of Brunswick Finance Dept/Police Fund *	$39,584.12
Misc Checks (bond refunds & transfers/restitution)	$ 930.00
TOTAL for the month	$49,645.12

*Check includes amounts to: Court Computer Fund and Education & Enforcement Fund

Service Charges/Fees for prior month $333.08

MAYOR RONALD FALCONI

TERESA BENO, CLERK OF COURTS

Office of the Mayor

Proclamation

WHEREAS: this year approximately 164,690 men will be diagnosed with prostate cancer in the United States alone every year – that's one man every 3.2 minutes and roughly 29,430 die this year from the disease – which is one man every 18 minutes; and

WHEREAS: in Ohio an estimated 5,810 new cases of prostate cancer will be diagnosed and an estimated 1,110 deaths will occur in 2018; and

WHEREAS: men with relatives – father, brother, son – with a history of prostate cancer are twice as likely to develop the disease; and

WHEREAS: prostate cancer is most commonly diagnosed cancer in American Men and the third leading cause of cancer death behind lung and colon cancer; and

WHEREAS: 1 in 9 men are diagnosed with prostate cancer in his lifetime. 1 in 6 African American men will develop prostate cancer in his lifetime. Overall, African American men are 1.7 times more likely to be diagnosed with—and 2.3 times more likely to die from—prostate cancer than white mem; and

WHEREAS: veterans who are exposed to herbicides like Agent Orange are at increased risk for developing prostate cancer, and are more likely to have an aggressive form of the disease; and

WHEREAS: education regarding prostate cancer and early detection strategies is critical to saving lives, preserving, and protecting our families. As well as the economic and social burden of prostate cancer is huge on families; and

WHEREAS: if caught early prostate cancer has a five-year survival rate of nearly 100%. However for late stage prostate cancer the five-year survival rate is 29%; and

NOW, THEREFORE, I, Ron Falconi, the 12th Mayor of the City of Brunswick, on behalf of City Council and all the citizens of Brunswick, do hereby proclaim September as Prostate Cancer Awareness Month in this City of Brunswick and encourage all our men to learn their risk and to speak to their healthcare provider about screening for prostate cancer.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Brunswick to be affixed this 10th day of September, in the year of the Lord, two thousand and eighteen.

Ron Falconi, Mayor
City of Brunswick, Ohio

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME TRACY Buchheit PHONE 330-220-6903

STREET 1892 GEORGE DR CELL

Years of Residency 30 Registered Brunswick Voter: YES ✓ NO

POSITIONED DESIRED: CIVIL SERVICE COMMISSIONER EMAIL labreeze @ frontier.com

EDUCATION DEGREE YEAR GRADUATED

~~HIGH~~ SCHOOL Cleveland State MA MLR HR 99/02

COLLEGE 2 Masters Economics & Labor Relations/Human Resources

SPECIAL TRAINING Mediation, fair labor, Computer - MS Packages

CURRENT EMPLOYMENT

Company	Address	Title	Dates
Cuyahoga County	E 9th st Cleve OH 44115	Principal Support Officer Supervisor	98-present

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
5 terms as Civil Service Commissioner Brunswick			03 - present

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

American Economic Assoc.
American Society for Public Admin
Boy Scouts of America

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	Alice Fitch	Cleve OH 44141	216-256-2499
2.	Shelly Saeger	Brunswick OH 44212	248-252-6473
3.	Joann Ohmura	Rocky River OH 44116	440-779-4329

QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

To Provide quality services to the citizens of Brunswick based on decades of experience, training, and academics

ATTACH RESUME IF DESIRED.

Signature: T Buchheit Date: 8/30/18

*Attaching a cover letter or resume describing particular experience or qualifications bearing on the position sought is recommended, but not required.

Tracy A. Buchheit
1892 George Drive
Brunswick, Ohio 44212
(216) 407-8901
E-mail: labreeze@frontier.com

OBJECTIVE

To utilize expansive and diverse training and experience in the public sector for the purpose of obtaining positive goals and enhancing the lives of clients, customers, and the community.

PROFESSIONAL SKILLS SUMMARY

14+ years of public sector, executive level management experience
25+ years of public sector, direct service, supervisory level experience
32+ years of research and analysis experience in the areas of economics, financial management, public administration, labor relations, human resources, and various other social science subjects
23+ years of public sector policy analysis, program evaluation, process analysis, and innovative developmental experience
27+ years of facilitation and participation of special project and task force teams
Strong oral and written communications skills, including public speaking, training, and project management experience
Mediation, arbitration, and negotiation experience
Proficiency with computer applications, operating systems, and languages

WORK HISTORY

2007–present *Principal Support Officer Supervisor, Cuyahoga Job and Family Services, Office of Child Support Services*

Currently, managing a team of Auditors, Support Specialists, and Information Processors in the maintenance of new and existing case entries and account balances for 100,000+ cases.

Provide direct client services and caseload management for an average of 20,000 support cases. Develop, analyze, and monitor production of ODJFS Employment and Family and Child Support Enforcement data through multiple databases using various computer applications to improve performance incentives and provide quality client services.

Supervise essential client service personnel by maintaining production schedules, assign and prioritize work, training staff on policy and procedures, enforcing agency and unit policy, reviewing products for accuracy, evaluates staff performance, develops and monitors individual and corrective performance work plans, prepare and authorize staff time documents, authorize staff schedule and leaves of absences, submit payroll corrections, issue and recommend discipline, interview and make recommendations for hiring of staff.

Communication, consultation, and coordination of policy and procedures with internal staff, external private and public entities. Develop and implement specialized training programs in coordination with departmental and agency protocols.

2003-present, *Civil Service Commissioner, City of Brunswick*

Chairperson for the Civil Service Commission. Uphold the City Charter, the municipality's rules and regulations, Ohio Revised Code, Ohio Administrative Code, and federal legislation in relation to positions, testing, placement, promotion, reduction and disciplinary actions of public employees. Facilitate public meetings and hearings. Manage departmental budget and finances

2005-2007, *Records Management Supervisor, Cuyahoga Job and Family Services, Office of Child Support Services*

Research, develop, implement and manage Agency and unit policy regarding document management, which includes identification, storage, transfer, access, and destruction of all documents entering into the agency, retained within the agency, and exiting the agency.

Maintain and monitor databases for the purposes of document management, such as Electronic Document Image System (EDIS) using modified Hyland Onbase and Oracle software applications. Maintain and monitor Document Management processing using Kodak, Canon, Savin, Xerox, Itek, Heidelberg, Neopost, Postalia, and other miscellaneous hardware in cooperation with vendors such as CGI, Neopost, and Lake Business Systems.

Manage financial postage, deposit, payment and bond transfers. Maintain US Postal regulations and mailing requirements for agency correspondence.

Tracy A. Buchheit
1892 George Drive
Brunswick, Ohio 44212
(216) 407-8901
E-mail: labreeze@frontier.com

WORK HISTORY (continued)

2001-2005, *Information Processing Supervisor, Cuyahoga Job and Family Services, Office of Child Support Services*
Similar to the Records Management Supervisor duties excluding document management and electronic document database administration.

1998-2001, *Support Officer 1, Cuyahoga Job and Family Services, Office of Child Support Services*
Perform case management duties. Communication with clients, third parties, other social service agencies, and all branches of the legal system. Provide financial management services. Perform paralegal duties, which include interpretation and preparation of legal documents. Provide court testimony. Conduct location services. Perform mathematical calculations, simple and complex. Operate a variety of computer programs and information systems.
Coordinate employee wellness activities.

1997-1998, *Customer Service Representative, The Illuminating Co*
Intake customer calls and provides the necessary action to complete the inquiry. The context of the inquiries ranged from trouble calls, service request, bill inquiry, and collection calls. The position required the use of four computer information systems, which were changing constantly.

1986-1996, *Customer Service Clerk/ Distribution Clerk; Manual and Machine/ Supervisor of Customer Service and Distribution Operations, US Postal Service*
Supervise 25-150 craft employees in distribution, window services, delivery and collection operations. Establish and review work schedules to complete tasks. Perform analysis of operations with observation, data reports, and computer models. Establish effective work team relationships. Provide customer relations and problem resolutions. Perform audits and provide inventory control. Responsible for a $1 million inventory stock. Prepare documents involving mail volumes, cost analysis, safety, manpower, and personnel information.
Provide stamp and metering services in all facets of shipping and receiving of mail in accordance with US postal regulations. Provide customer relations. Sort and deliver box mail. Perform problem analysis and provide resolutions. Perform procurement operations. Perform complex calculations. Prepare proper documentation. Sort and distribute all mail types by hand and machine. Expedite mail through proper routing.
Coordinate career counseling seminars and employee wellness seminars and activities.

1983-1986, *Correction Officer, Cuyahoga County Sheriff's Department*
Maintain jail, building, perimeter, and inmate security. Perform emergency response. Interview and assess placement of inmates. Training Officer. Prepare proper documentation and communications. Provide court testimony.

EDUCATION

PhD in Urban Studies and Public Affairs, Specialization in Public Administration,
University of Akron, (currently on sabbatical)– 3.7 GPA
Master of Labor Relations & Human Resources, Cleveland State University (CSU),
May 2004 - 3.5 GPA
Master of Arts, CSU,
Economics, 1999
Bachelor of Arts, CSU,
Majors:
Social Science- 1997
Psychology - 1996

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Certifications:

Enhanced Leadership and Internal Team Empowerment (ELITE) Academy, in affiliation with CSU - 2005
Mediation, Arbitration, & Dispute Resolution - 2000
Interdisciplinary Gerontology - 1997

PROFESSIONAL MEMBERSHIPS/COMMISSIONS

American Economic Association, affiliation with Vanderbilt University
American Society for Public Administrators
Deputy Clerk of Ohio's 8th Circuit Court of Appeals and Cuyahoga County Court of Common Pleas
Gerontological Society of America
International City/County Management Association
Ohio Association of Economists and Political Scientists
Ohio Civil Service Commissioner's Association
Ohio Notary Public

COMMUNITY CONTRIBUTIONS

Boy Scouts of America;
- Merit Badge Counselor
- Committee Member of Troop 517, Advancement Chair
- Program Director of Camp Butler, Chippewa District
- Cub Master for the Cub Scouts of America, Great Trail Council, Pack #3515

Ohio Veterans Home Volunteer (Sandusky)

References are available upon request

ECONOMIC DEVELOPMENT

July 17, 2018

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Brian Ousley, Committee Member Patricia Hanek, Community & Economic Development Director Grant Aungst, Resident.

The meeting convened at 6:30 p.m.

GENERAL DISCUSSION:

As an update Mr. Aungst noted Murphy Tractor broke ground for their new 20,000 square foot facility, and property across the street from Murphy Tractor was being developed by a current business that has outgrown their current facility. He noted both companies were looking to add additional employees.

Mr. Aungst mentioned property stock was dwindling down.

Mr. Aungst advised Phase 1 Discussion Plan for the new middle school will be presented to the Planning Commission at their next meeting; he commented the new facility is a $63 million dollar build; the actual build will take two years. Mr. Aungst commented on the economic growth to the community that is generated from a project of this size, he also mentioned the technological boost with the building being built for the twenty-first century and beyond.

Mr. Aungst mentioned the Sanctus Project which will be built on property south of Saint Ambrose; the developer has presented the beginning of a discussion plan to Planning Commission. The plan is to build a memory care and assisted living facility along with some additional mild independent living, all of which will have medical services. Mr. Aungst noted since the property is currently in a R-L district it has to be rezoned before moving ahead with anything else, he noted the rezoning process is in the movement phase; guidelines have been submitted to the administration for review. He noted at some point in time the Planning Commission has the right to ask for outside planners to review the documents if necessary at the expense of the developer. If the project goes through it will be a $39 million dollar development. Mr. Aungst pointed out the location of the property that will be developed. He noted the property will be good for development and the developer will clean up some of the water issues in the area due to the required storm water management plan.

Mr. Aungst pointed out the area where the Sanctus Project is to be built.

Mr. Aungst noted the project will take some time and effort on everyone's part, and it would probably be sometime next spring before ground breaking takes place.

Mr. Aungst mentioned Comfort Suites was completing sanitary line work, and was planning an opening date sometime in August.

Mr. Hanek commented the end result of Comfort Suites was very nice, and Mr. Aungst concurred, he noted Comfort Suites was using this model for other locations across the country.

Mr. Aungst also mentioned the administration was working with Proximity Marketing on a social media campaign for economic and community development.

Mr. Aungst mentioned his continued work with the county on an economic development master plan; he noted it was important not only for the county but also for the cities within the county. He noted it will help the cities with federal funding through economic development that may come up. As an example Mr. Aungst mentioned brownfield grants that have been denied three times because the county did not have an economic master plan, now that the county will have a plan those grants will be available. The hope is to have the plan completed by September.

Mr. Aungst advised Philpot Rubber was moving their energy operations out of West Virginia and the facilities they house in Brunswick to Aurora, Ohio. For now the company was staying in Brunswick; however he would not be surprised if down the road there are other changes.

Additionally, Firstar Precision Corporation will be looking to move in and be fully operational by September or October. The company is moving from the City of Parma to Brunswick, the owner lives in the City as well. They will be looking to add 21 new jobs over the next three years, and will retain the 29 positions they currently have.

Mr. Aungst stated he attended a very informative Ohio Municipal League conference. Additionally, he attended the Drive Ohio program which talked about new technology coming out; autonomous driving is taking place and the State of Ohio is permitted to do autonomous driving testing anywhere in the state.

Mr. Aungst also continues meeting with various developers, builders, bankers, finance operations, and private equity companies.

He also commented on the oil industry and the affect it has on the economies around the world, he also brought up the auto debt being a tremendous concern, and the tariffs and the affect they will have on the auto industry.

Mr. Aungst also brought up the shortage of workers both skilled and unskilled in the county, and solutions they are coming up with involving United Way of Medina County.

Mr. Aungst brought up the Comprehensive Plan and the suggestion for the committee to discuss updates to that plan and review the industrial district; he distributed copies of the I-L Light Industrial district code, and thought the committee may want to look at the principally permitted uses and contemplate what the highest and best uses are for the industrial parks. He noted the City has a unique situation in the industrial parks, while they are very healthy and doing well, there is a resource next to the industrial parks that a lot of cities do not have and this is community members within a few thousand feet of the industrial parks, he thought that Council may want to start discussions.

Mr. Hanek has been asked by some residents about Zeppe's restaurant and Mr. Aungst noted they have been approved and can move forward at any time. Mr. Hanek also asked about the spa/restaurant, noting the spa opened but the restaurant never came to fruition, and Mr. Aungst did not know where the ownership was with the restaurant.

Mr. Hanek commented West Branch Malts appears to be doing well; he asked if they are considering a taste room public facility.

Mr. Aungst thought that was something they may like to do, however there is a general assembly bill that had some thought process but did not move forward, so having a taste room would depend on the State of Ohio.

Also, Mr. Hanek mentioned having a conversation with an individual from Bike Cleveland regarding the possible thoughts in the comprehensive plan regarding bike rack placements in the City.

Mr. Aungst commented the event manager for Bike Cleveland is a resident of Brunswick and he is interested in having Brunswick being a positive resource for bikes. Information was forwarded to the consultants working on the comprehensive plan to review placements of bike racks. Mr. Aungst noted as the code is currently written the quality of bike racks was not defined.

For the record Mr. Hanek noted he is the Chair Elect for Medina County United Way; he echoed Mr. Aungst on United Way in terms of employment retraining and improving skill sets of the workforce base, and favoring that kind of work.

Mr. Hanek brought up the industrial park, permissibly permitted uses, the limited available space in the south industrial park, and consideration of a possible moratorium on warehousing facilities.

The committee discussed warehousing facilities not being the highest and best use of land. Comments were made on warehousing facilities and the need to define warehousing and defining the percentage of people employed at all times. The committee also discussed food and goods distribution stations and motor freight and transfer terminals.

Concluding the discussion it was the consensus of the committee for legislation to be drafted regarding a moratorium on warehousing.

Mrs. Hanek moved to authorize the law department draft legislation for a moratorium regarding section 1266.02(b) and (i), as an emergency.

Mr. Aungst interjected warehousing should be defined through the legal department.

After further discussion the motion was restated.

Mrs. Hanek moved to authorize the law department to draft legislation to define warehousing as opposed to storage of materials in respect to Section 1266.02 (b) of the codified ordinances, and draft legislation with regard to a moratorium on warehousing and motor freight garages and truck or transfer terminals with respect to codified ordinance Section 1266.02 (b) and (i), while awaiting the finalization of the Comprehensive Plan, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 7:17 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Nicholas Hanek
Chairman

ECONOMIC DEVELOPMENT

July 23, 2018

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

The meeting convened at 7:04 p.m.

REVIEW 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

Mr. Aungst explained this ordinance establishes a temporary moratorium on warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light districts; noting the purpose behind the moratorium is multiple. With limited amount of land for development the administration would the highest and best use for the land, and most conducive for neighboring areas. Mr. Aungst noted with the update to the Comprehensive Plan this moratorium and study will assure a harmonious livability and compatibility within the business parks. He mentioned after going through the Comprehensive Plan there potentially could be some zoning changes for the betterment of the community.

Mr. Hanek commented this came out of comprehensive planning; as with the apartment moratorium if something were to come forward the moratorium could be lifted if necessary.

Mrs. Hanek moved this ordinance to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 7:07 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Nicholas Hanek
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

July 23, 2018

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

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

Due to technical difficulty the first half of this meeting was not recorded.

REVIEW 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 Reconstruction of Various Streets Project in an amount not to exceed $940,092.50

Mr. Jones explained the scope of the reconstruction of the various streets project that is anticipated to commence in late August and last for 90 days.

Mr. Hanek moved this resolution to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

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

Mr. Barnett noted the City purchased the DuraPatcher in 2018 which utilizes an asphaltic emulsion; Northcoast Products is the sole vendor of the asphaltic emulsion.

Mr. Hanek moved this resolution to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

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

Mr. Jones explained this resolution authorizes the City Manager and City Engineer to submit the grant application for the Ohio Public Works Commission Issue 1 Program for the proposed reconstruction of Laurel Road from just east of Brintnall Drive to just west of Maxwell Boulevard.

The application due date is September 7, 2018 hence the emergency.

Mr. Hanek moved this resolution to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Barnett distributed a handout with information on the collection of solid waste; a copy was attached to these minutes. He noted the Solid Waste Authority presented an update of the negotiations with Rumpke for starting back up with separating recyclables from the waste stream at the Central Processing Facility.

The meeting was recorded from this point.

Mr. Salzgeber brought up recyclable contamination, and Mr. Barnett noted a pop can between cardboard is considered contamination.

It was the understanding of Mr. Delsanter that the contract negotiations is for commercial collections which will help the county and the governments in the county to meet their environmental obligations percentage, he asked if the City would want to encourage the residential collection points for those residents that want to continue recycling.

Mr. Barnett noted the plan right now is to go with Rumpke for commercial, and leave the roll up containers around the county for residential use.

Currently there are 66 recycle drop-off containers throughout the county, there are 5 locations that have severe contamination, one being in Brunswick at Fire Station #1; the county is trying to figure out a way to decrease contamination.

Mr. Barnett noted the household hazard waste drop off is now being handled year round three days a week at the transfer facility.

Mr. Barnett also advised Council that the City's current contract with Republic expires June 30, 2019; he noted the City has the option to renew the current contract for one additional month if needed. He stated if Council decides to bid a similar program to the current one the bids would have to be advertised the first week of December 2018. However, if Council decides to bid some type of a cart program those bids would have to be advertised by middle to late October 2018.

The handout showed the three optional waste collection plans; Mr. Barnett explained options 1, 2, and 3.

Mr. Hanek pointed out option 3; providing a waste and recycle cart as the least expensive.

There was some discussion regarding tipping fees, costs of carts, costs of collection and processing of recyclables.

In closing, Mr. Salzgeber advised the committee will schedule a meeting in September for further discussion.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 7:04 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Salzgeber
Chairman

FINANCE COMMITTEE MEETING

July 23, 2018

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Brian Ousley, Committee Member Joseph Delsanter, Joseph Salzgeber, Anthony Capretta, Nicholas Hanek, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Assistant Finance Director Lynnette Ozanich, Service Director Paul Barnett, Engineer Matt Jones, Chief Jim Baird, Community & Economic Development Director Grant Aungst, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:43 p.m.

Due to technical difficulty this meeting was not recorded.

REVIEW 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 Road Improvement Fund #370 for the various streets reconstruction OPWC project #CI51V with the proceeds of tax exempt debt of the State of Ohio

Mrs. Ozanich advised the various street reconstruction project is expected to be funded with an OPWC grant, in order for the City to receive a 0% interest loan for the project this resolution is necessary to be filed with OPWC.

Mr. Delsanter moved this resolution to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:45 p.m. Vote - 3 Ayes, 0 Nays.

Respectfully submitted,

Patricia Hanek

Patricia Hanek
Chairwoman

PLANNING AND ZONING COMMITTEE

July 19, 2018

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Nicholas Hanek, Committee Member Joseph Salzgeber, Community& Economic Development Director Grant Aungst, Engineer Matt Jones, Planning & Zoning Coordinator Pam Plavecski.

The meeting convened at 6:07 p.m.

GENERAL DISCUSSION:

Mr. Aungst distributed a progress update on the Advance Brunswick Comprehensive Plan from Envision; a copy was attached to these minutes.

Per the progress update Mr. Aungst conveyed the draft plan should be completed by the end of September, there will be a final public meeting to review the draft plan recommendations in September, with Council and Planning Commission approval in October/November.

Envision did a community survey on line which closed in July with more than 1,200 responses. Mr. Barnett reported the key takeaways from that survey as; most people were living in Brunswick for affordability, safety, and schools, with the schools being cited as the number one community asset. Half of the respondents indicated roads were the most desired public improvement; the most visited parks were North Park and Brunswick Lake. The respondents noted the top parks and recreation desires were for bike and pedestrian trails, outdoor pools, and a splash pad, with top destinations for bike and pedestrian connectivity; City parks, Brunswick Lake and residential neighborhoods. A sit down restaurant was the top commercial development request, and the top desires for Brunswick Lake/Town Center is to see a central gathering space and more local businesses. Also, two-thirds of those that responded did not want to see any more housing developments.

In addition to the community survey three traveling interactive summary boards were placed at various locations in the City; those three interactive boards focused on Pearl Road transportation, bike/pedestrian connectivity and future land uses. There were more than 300 responses to those boards focusing on desired areas for commercial development including Hickory Ridge along Pearl Road, Town Center/Brunswick Lake and the east end along S.R. 303, which Mr. Aungst noted that area was being developed with Sheetz, Petitti's, and the new medical offices, Mr. Aungst noted there was a nice mix of retail, commercial and industrial in that area, as well as residential.

Additional responses requested improvements along the Pearl Road streetscape with the emphasis on functional sidewalks, and there were many requests for big box retail. Mr. Aungst commented on the challenges along Pearl Road and the pockets of township property.

There were two public forums completed that gathered public feedback, as well as two public meetings with the comprehensive plan steering committee to gather additional information. Envision met with three working groups; local businesses, connectivity group and infrastructure group to get their input and recommendations. Those groups included ODOT, NOACA, Rocky River Watershed, Medina County Parks, and Medina Economic Development Corporation, and local business owners.

Continuing, Mr. Aungst went over the four draft recommendations which centered around four focused areas; transportation corridor investments, Pearl Road infrastructure improvements. Mr. Aungst noted there were a lot of inquires through economic development about redevelopment in that area. He noted not just in the City of Brunswick but also Brunswick Hills Township, Valley City, and Medina Township has a lot of new residential development which will continue, and those people are looking for commercial development, so there will be increase traffic and more activity on Pearl Road, and the City will have to look at how to work best with others for connectivity.

With all the planning for Pearl Road, Mr. Delsanter asked if there was any thought process for the widening of it.

Mr. Aungst noted there has not been any indication from the state that they were looking to widen Pearl Road at this time.

Mr. Jones interjected it was far in advance that it would be looked at, he noted as of now traffic does not call for it, however there was always the possibility that would change, he noted in the near to moderate future Pearl Road will need a full reconstruction and at that time traffic volume throughout the corridor and hot spot type intersections would be looked at.

Mr. Delsanter expressed concern on future planning, he noted residential growth is happening on that side of town and those residents are going to want conveniences.

Mr. Aungst continued going over draft recommendations regarding active transportation with City wide bike and pedestrian connectivity, trails and sidewalks improvements. Potential recommendations for pedestrian and bike connectivity pathways were made by the community members that answered the survey with the focus being on Plum Creek and connections to Brunswick Lake, Laurel Road to Brunswick Lake, Plum Creek Park and Sleepy Hollow Road to Laurel Road, and connections north of SR 303 to North Park and neighborhoods.

Economic Development was the next draft recommendation including a potential JEDD with Hinckley Township; and Mr. Aungst noted that was explored many years ago, however with the positon of both communities it may lend itself well for exploration again. Implementing a potential overlay district along Pearl Road and possibly the K Mart plaza, neighborhood scale commercial development at Bennett's Corners; Mr. Aungst commented that area of the community is fairly underserved with access to quick and easy retail items.

The recommendation for the refinement of the industrial area was also brought up, Mr. Aungst noted the City has a limited amount of land available and the City wants to maximize that availability with good quality companies that can bring stable jobs that are high paying, whether it be manufacturing or operations that will grow. The last noted draft recommendation was to explore creation of a community improvement corporation, which Mr. Aungst noted internally the administration was working on that.

Housing was the last area presented, and Mr. Aungst mentioned the current temporary moratorium that is in place for multi-tenant family developments planning for the long term for the benefit of the community. Additionally it was the recommendation to dedicate resources to increase code enforcement for aging apartment complexes and single family rentals, and Mr. Aungst noted the City has gone down the path for rental registrations, and he mentioned the pushback received from the real estate agents. He mentioned the importance of keeping up rental properties for the neighborhoods; he noted the administration needs to examine how the City can enforce property maintenance.

In conclusion, Mr. Aungst noted as stated by Envision these initial concepts were presented at the last public forum and steering committee meetings to gather feedback, and the next steps will be to refine the initial concepts into draft recommendations based on the feedback, create an implementation strategy to aid in prioritizing funding recommendations and complete the draft comprehensive plan.

Mr. Aungst commented as this process goes through it is important to recognize that comprehensive plans are good for planning and guidelines, however, they are not code nor are they law. He noted it will be important after the completion of this process that potentially Council take up the directive to the City Manager to perhaps look at the codified ordinances in a detailed way to implement some potential changes that Council would recommend based on what the comprehensive plan presented.

It was pointed out the last time the code was updated was 1997.

The committee discussed industrial park development, the defined highway district, attracting business opportunities, and the diversity of the industrial parks. The committee also discussed the amount of heavy equipment that travels on the roads in the industrial parks and the need to address those roads.

Mr. Hanek commented on the necessity of a code review; there are substantial changes taking place in the corridors, and parts of the code have not been updated in years. As a point of information Mr. Hanek mentioned forthcoming legislation relative to placing a six month moratorium on warehousing and transfer type businesses.

Mr. Delsanter was curious as to how much of the last comprehensive plan was adhered too and accomplished. He expressed how money is spent on plans and studies and in some cases the plans become book shelved and obsolete and impossible to execute.

Mr. Aungst noted since his time here the Planning Commission has referred to the comprehensive plan as guidance and direction for developers many times. He stated the Planning Commission has done many things effectively with the comprehensive plan. He also commented on how critically important the code is to support what the administration does on a daily basis.

Mr. Delsanter suggested that during recess the committee take some time to review part twelve of the codified code.

Mr. Aungst announced the schools will be presenting a discussion plan for Phase 1of the new middle school at the Planning Commission Meeting this evening. He advised the City has worked with a number of entities to make this project most productive for the community and the stakeholders. The focus of the Phase 1 discussion plan will be on the pad and grading, security fences, traffic flow, demolition of structures, and stormwater management in very broad terms. He clarified tonight's discussion is not on the structure of the building, the building of the structure will not start until a year from now. It was also noted by Mr. Aungst that the state is a true partner in the project, and they will work in conjunction with the schools, and the schools will work with the City.

Mr. Aungst understood Councilman Hanek held a ward meeting to have discussion along with school superintendent Michael Mayell who came and spoke and outlined the plan which is going to be eighteen to twenty-four months for completion, the target date for the school opening is fall of 2020.

Mr. Delsanter brought up possible health issues such as asbestos with tearing down the 100 year old school building, and Mr. Aungst noted if there is asbestos in the building they would have been required to mitigate as they go.

Mr. Jones stated the school buildings are not being demolished at this time; they are still being used and active. He pointed out the demolition potion of the project has not come before the Planning Commission yet and when it does the building department will be involved.

Mr. Salzgeber asked if it was correct to assume since the new school was targeted to open in the fall of 2020 that demolition would happen in the spring of 2020, and Mr. Aungst noted demolition may not take place for months after the new school opens.

Mr. Aungst went over the construction traffic management for the project.

Mr. Hanek commented the schools have been very good about working with the residents in the area, and the schools are planning on having additional meetings with the residents as the design of the building gets closer. Mr. Hanek expressed the building was going to be very impressive.

Mr. Aungst interjected the life span of most school buildings is fifty years, these two are almost 100 years old and are very ineffective; he stated this project was long overdue.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:55 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Delsanter
Chairman

PLANNING AND ZONING COMMITTEE

July 23, 2018

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

The meeting convened at 6:45 p.m.

Due to technical difficulty this meeting was not recorded.

REVIEW LEGISLATION:

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

Mr. Aungst advised the Planning Commission held a public hearing and voted to recommend approval to City Council to rezone this parcel consisting of 14.2944 acre parcel from the R-R Rural Residential District to R-L Low Density Residential District.

Mr. Hanek moved this ordinance to tonight's Council Agenda of July 23, 2018 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Salzgeber moved to adjourn at 6:46 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Delsanter
Chairman

COMMITTEE OF THE WHOLE MEETING

July 9, 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, Finance Director Todd Fischer, Administrative Services Julie Murawski, Chief Building Official Cliff Calaway, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:54 p.m.

GENERAL DISCUSSION:

Mr. Abella had a copy of the job description for the Assistant Clerk of Council; some additions and deletions were made to the job description by the Clerk of Council, he asked that Council review the changes and come back with any other suggestions or changes in September.

Mr. Abella noted at the time when this job is posted interested candidates will see clearly what the job entails.

Mrs. Murawski indicated the administration is currently reviewing all job descriptions for every position in the City, she noted not only would Council want to review the Assistant Clerk of Council job description but Council should also review the Clerk of Council job description for any modifications.

Mr. Fisher noted this particular position was created by ordinance and upon a vacancy Council would start the process to fill the vacancy.

Mr. Abella brought up the Goal Setting Session minutes and noted some comments reported by the news media were incorrect and he would like to review the minutes thoroughly before they are adopted. He noted he will not be at the next Council meeting, so the adoption of those minutes would not be until September.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 7:03 p.m. Vote – 7 Ayes, 0 Nays**.**

Respectfully submitted,

Valerie Zak

Valerie Zak
Assistant Clerk of Council

COMMITTEE OF THE WHOLE MEETING

July 23, 2018

IN ATTENDANCE: Vice Mayor Pro Tem Joseph Salzgeber, Nicholas Hanek, Brian Ousley, Patricia Hanek, Joseph Delsanter, Anthony Capretta, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Assistant Finance Director Lynnette Ozanich, Service Director Paul Barnett, Engineer Matt Jones, Chief Jim Baird, Community & Economic Development Director Grant Aungst, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 7:07 p.m.

Mr. Capretta moved to excuse Mr. Abella for just cause. Vote – 6 Ayes, 0 Nays.

MOTION ITEMS:

MOTION TO APPROVE A VARIANCE FOR THE CONRAD'S TIRE EXPRESS AND TOTAL CAR CARE EXPANSION, 4340 CENTER ROAD, WHEREBY THE 1,143 SQ FT ADDITION EXTENDS 8' 2" INTO THE 25' REAR YARD SETBACK REQUIRED BY SECTION 1260.05 (c) AT THE SOUTHWEST CORNER OF THE SITE, RESULTING IN THE ADDITION BEING LOCATED 16' 10" FROM THE SOUTH PROPERTY LINE:

Mr. Jones advised Conrad's Tire was proposing a small addition off the west side of their facility; it has been approved by Planning Commission contingent on Council's approval of the setback variance.

Mr. Hanek moved to approve the variance for the Conrad's Tire Express and Total Car Care expansion, 4340 Center Road, whereby the 1,143 sq. ft. addition extends 8' 2" into the 25' rear yard setback required by Section 1260.05 (c) at the southwest corner of the site, resulting in the addition being located 16' 10" from the south property line. Vote – 6 Ayes, 0 Nays.

MOTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR PUBLIC BIDS FOR THE KENT DRIVE STORMWATER IMPROVEMENTS PROJECT:

Mr. Jones noted there was an existing drainage issue located behind Zula's Tailoring and it was causing drainage problems to a number of properties to the north and east. The proposal is to reconfigure an existing basin and put in a new storm sewer.

He noted this is a storm water utility fund project in ward 1.

Mr. Ousley moved to authorize the City Manager to advertise for public bids for the Kent Drive Stormwater improvement project. Vote – 6 Ayes, 0 Nays.

REVIEW 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

Mr. Barnett noted this legislation is for resurfacing the City Hall parking lot, Neura Park parking lot, and half the walkway around North Park.

Mr. Capretta moved this resolution to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays.

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)

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

Mr. Fisher advised these are related properties on Pearl Road both properties are presently in Brunswick Hills Township and scheduled for an annexation hearing in front of the Medina County Commissioners on September 25, 2018.

Mr. Delsanter moved Resolution No. 56-18 and Resolution No. 57-18 to tonight's Council Agenda of July 23, 2018 as an emergency with suspension of the rules. Vote – 6 Ayes, 0 Nays.

RES. NO. 61-18 – A resolution authorizing the City Manager to execute all necessary documents to accept the 2018 Energized Community Grant from NOPEC

Mr. Barnett advised this legislation authorizes the acceptance of a grant in the amount of $123,758.00 from NOPEC. The grant is offered to communities that participate in NOPEC to help the communities in implementing energy efficiency.

It was noted by Mr. Barnett this grant program is anticipated to continue for a total of three years.

Mrs. Hanek moved this resolution to tonight's Council Agenda of July 23, 2018 for three readings. Vote – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Delsanter moved that Council recess for the month of August 2018. Vote – 6 Ayes, 0 Nays.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 7:16 p.m. Vote – 6 Ayes, 0 Nays.

Respectfully submitted,

Valerie Zak

Valerie Zak
Assistant Clerk of Council

MAP AMENDMENT EXHIBIT

FOR

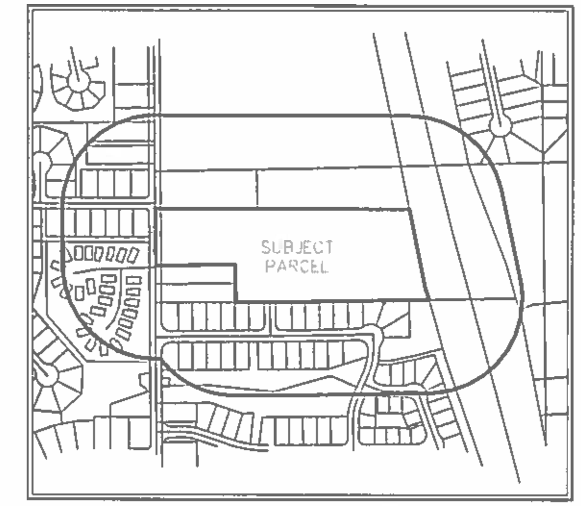
TIMOTHY FULLER

CARPENTER ROAD

CITY OF BRUNSWICK, COUNTY OF MEDINA
AND STATE OF OHIO

LOCATION MAP

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



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

0 30 60 120
SCALE (IN FEET)
1 inch = 60 ft.

FULLER N. CARPENTER	MAP AMENDMENT EXHIBIT
PROJECT NUMBER	1946
DATE	2018-02-09
1 / 1	

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 MANAGER
CARL S. DEFOREST

CITY OF BRUNSWICK

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

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

Pamela Plavecski,
Planning & Zoning Coordinator

BRUNSWICK

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:	09/10/2018
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.- **2nd Reading** (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:

NOPEC

No one does more to lower your utility bills.

December 18, 2017

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

RECEIVED
DEC 21 2017
By

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,

Charles W. Keiper II

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).**

31360 Solon Road, Suite 33 Solon, OH 44139 440.248.1992 FAX 440.248.1986 www.nopecinfo.org

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

ORDINANCE/RESOLUTION[1]

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.

12389162v1

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: 09/10/2018

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. 63-18** - An emergency resolution authorizing the City Manager to enter into an agreement with Marks Construction, INC. for the construction of the Kent Drive Stormwater Improvement Project in an amount not to exceed $71,620.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/ Matt Jones*)

BACKGROUND: Authorization for public bid granted by City Council motion on July 23, 2018.

PURPOSE AND EXPLANATION: The proposed project will facilitate the reconfiguration and expansion of an existing detention basin behind 1339 Kent Drive, and the installation of storm sewer behind 1315 and 1325 Kent Drive, with the intent of greatly reducing instances of flooding in this area. All necessary easement for this project have been secured. This project is being funded with stormwater utility dollars.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence in October and will take approximately 30 days to substantially complete, weather permitting, with final restoration planned for Spring 2019.

FINANCIAL INFORMATION: Kent Drive Stormwater Improvements - - - - -

FINANCIAL SUMMARY: $71,620.00 Total. Construction costs 224-0455-56881, Engineering & Inspection Costs 224-0455-56883.

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 2018 construction season.

ADDITIONAL INFORMATION:

BID TABULATION

KENT DRIVE STORMWATER IMPROVEMENTS

BID NO. 2018-012

CITY OF BRUNSWICK

DATE: AUGUST 15, 2018

CVE JOB NO. 16258 Engineer's Estimate: $71,000.00

				MARKS CONSTRUCTION, Inc.		
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	
1	CLEARING & GRUBBING	LUMP	1	$5,613.00	$5,613.00	
2	EXCAVATION & EMBANKMENT	LUMP	1	$10,132.00	$10,132.00	
3	CATCH BASIN REMOVED	EACH	2	$1,500.00	$3,000.00	*
4	12" STORM SEWER	LF	245	$67.00	$16,415.00	
5	8" STORM SEWER	LF	20	$136.00	$2,720.00	
6	6" STORM SEWER	LF	5	$370.00	$1,850.00	
7	YARD DRAIN	EACH	2	$700.00	$1,400.00	
8	OUTLET STRUCTURE	EACH	1	$3,600.00	$3,600.00	
9	ODOT HEADWALL 2.1	EACH	1	$2,012.00	$2,012.00	
10	ROCK CHANNEL PROTECTION, ODOT TYPE C	CY	3	$526.00	$1,578.00	
11	TEMPORARY CHAINLINK FENCE	LF	200	$16.00	$3,200.00	
12	FENCE REMOVAL & REINSTALLATION	LF	50	$66.00	$3,300.00	
13	LINEAR GRADING	LUMP	1	$8,900.00	$8,900.00	
14	EROSION CONTROL	LUMP	1	$7,900.00	$7,900.00	
	TOTAL PROJECT COST			**TOTAL**	**$71,620.00**	**
				DAYS TO COMPLETE: 30 DAYS. RESTORATION IN SPRING 2019		
				EARLIEST START DATE: 10 DAYS AFTER NTP		

**Math Error*

*** Actual Bid Submitted $70,120.00*

M E M O

Engineering Department

TO:	City Council
FROM:	Matthew M. Jones, P.E.
DATE:	September 10, 2018
RE:	Kent Drive Stormwater Improvements

On August 15, 2018, public bids were opened for the Kent Drive Stormwater Improvements project. A tabulation of the bid results is attached for your reference. One company submitted a bid for the project. The low bidder for the project was Marks Construction, Inc. at $71,620.00. The Engineer's estimate was $70,000.00.

This project will facilitate the expansion and reconfiguration of an existing detention basin behind 1339 Kent Drive, and the installation of new storm sewers and inlets in the rear yards of 1315 and 1325 Kent Drive, with the intent of greatly reducing instances of flooding on the subject properties and in the surrounding area.

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

CVE staff has contacted a sampling of references provided by Marks Construction, Inc. The reference check did not find any reoccurring issues with Marks. Three public and private entities were contacted regarding five (5) separate projects. All contacted references classified Marks as an above average contractor. Additionally, Marks has completed several stormwater projects for the City satisfactorily in recent years.

Based upon a review of the bid documents and other references, it is my opinion that Marks 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 $71,620.00 to Marks Construction, Inc. to complete the Kent Drive Stormwater Improvements 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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARKS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE KENT DRIVE STORMWATER IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED $71,620.00.

WHEREAS: The City of Brunswick received one (1) bid for the Kent Drive Stormwater Improvement Project (the "Project"), in accordance with public bidding requirements; and

WHEREAS: The one (1) received public bid was opened on August 15, 2018, with Marks Construction, Inc. 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 Marks Construction, Inc. for the construction of the Kent Drive Stormwater Improvement Project in an amount not to exceed $71,620.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for commencement 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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 63-18

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARKS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE KENT DRIVE STORMWATER IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED $71,620.00.

WHEREAS: The City of Brunswick received one (1) bid for the Kent Drive Stormwater Improvement Project (the "Project"), in accordance with public bidding requirements; and

WHEREAS: The one (1) received public bid was opened on August 15, 2018, with Marks Construction, Inc. 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 Marks Construction, Inc. for the construction of the Kent Drive Stormwater Improvement Project in an amount not to exceed $71,620.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for commencement 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: 09/10/2018

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

FROM: Carl S. DeForest, City Manager
John Piepsny

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 64-18** - A resolution authorizing the City Manager to purchase a new hot water tank for the Community Recreation and Fitness Center from Air Force one in an amount not to exceed $43,000.00 - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/ John Piepsny*)

BACKGROUND: The Brunswick Community Recreation and Fitness Center has two - 205 gallon Hot Water Tanks for the purpose of serving hot water to the members and guests of the recreation center. One tank was purchased at the end of 2016 and had a 25 year warranty. The second tank had a 10 - year warranty and is now out of service. The second tank needs to be replaced to keep enough warm water available to the members and guests and to also allow as a back-up if the other unit were to fail. We are looking at purchasing the 205- PVI tank and burner assembly from Air Force One as a part of the State Procurement, MMA #7500 plan.

PURPOSE AND EXPLANATION: To allow for three readings for the purchase of the PVI 205 gallon hot water tank for the Brunswick Community Recreation and Fitness Center.

IMPLEMENTATION SCHEDULE: The purchase would be made after the 3 readings and 30 day period if adopted by City Council.

FINANCIAL INFORMATION: Hot Water Heater Recreation Center - - Capital Improvement Fund #300 - 300-0522-56250 - - 43000

FINANCIAL SUMMARY: The purchase price will be in an amount not to exceed $43,000.

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?
It would be the recommendation of the administration to have City Council adopt this legislation after 3 readings.

ADDITIONAL INFORMATION:

AIR FORCE ONE®
OPTIMAL BUILDING PERFORMANCE

PROJECT PROPOSAL

WATER HEATER REPLACEMENT R2

SEPTEMBER 5, 2018

MIKE CASH
Air Force One
9880 Sweet Valley Drive
Valley View, OH 44125
Office: (440) 279-8455

PROJECT PROPOSAL

By and Between

Company
Air Force One
9880 Sweet Valley Drive
Valley View, OH 44125
(440) 735-5844
(Herein after referred to as "Company" or "AFO")

and

Client Billing Address
City of Brunswick
4095 Center Road
Brunswick, OH 44212
(330) 273-8000
Attn: John Piepsny
(Herein after referred to as "Client" or "Customer")

Thank you for allowing Air Force One the opportunity to submit the following proposal. Air Force One agrees to provide the enclosed scope of work at the following location:

Brunswick Recreation Center 3637 Center Road Brunswick, OH 44212

Scope of Work - Water Heater Replacement R2

Proposal Inclusions:

Disconnect utilities from existing PVI water heater

Provide riggers to remove PVI water heater and haul away

Rig new PVI water heater (less burner) into same location

Re-connect all existing utilities to new PVI water heater

Provide factory start up of new water heater

****NOTE****

New PVI water heater comes complete with new burner in the new water heater.

New vessel and exchanger come with the following warranties:

Vessel- 25 years (15 & 10)

Heat Exchanger-10 years (5 & 5)

Total Cost: $43,000

AGREEMENT AUTHORIZATION

This agreement describes the rights and obligations of Air Force One and City of Brunswick and constitutes the entire agreement between the parties and shall not be altered except in writing. This Agreement sets forth all of the terms and conditions binding upon the parties hereto; and no person has authority to make any claim, representation, promise or condition on behalf of Air Force One which is not expressed herein.

This proposal is the proprietary property of Air Force One and is provided for City of Brunswick use only. Air Force One guarantees the price stated in this Agreement for sixty (60) days from proposal date above.

The price for the Project Proposal scope of work is:

Water Heater Replacement R2

$43,000 ______ Initial

INVOICING AND PAYMENT: Air Force One adheres to a progress billing schedule on all projects unless otherwise negotiated prior to project start and therefore reserves the right to issue partial or complete invoices as material is purchased and/or services are rendered. Payment is due within 30 days of receipt of invoice and Air Force One reserves the right to pause work at any time due to delay in payment. Consequently, projects can be expected to be invoiced as follows:

Invoice #1 – Mobilization and Equipment

Invoice #2 – Labor and Material

Invoice #3 – Equipment Start Up & Project Close Out

Thank you again for the opportunity to earn your business.

Offered By:
Air Force One, Inc.

Accepted By:
Name: Mike Cash
Title: Sales Representative
Date:

____
Signature

Accepted By:
City of Brunswick

Accepted By:
Name: John Piepsny
Title: Parks & Recreation Director
Date:

____
Signature

TERMS AND CONDITIONS

1. Customer shall permit Company free and timely access to areas and equipment, and allow Company to perform the work during normal business hours.

2. Customer's acceptance of Company's ("AFO") offer to provide the goods and services described in the attached proposal is limited to acceptance of the express terms of such offer contained in the attached proposal. These Terms and Conditions constitute an integral part of the proposal and Agreement and shall not be changed, added to or otherwise altered, whether by Customer's form of acknowledgement or otherwise, and each shipment of goods or performance of services by AFO, shall be deemed to be furnished upon these Terms and Conditions, unless any such change, addition or alteration is set forth in a written instrument signed by an authorized representative of AFO. All specifications, drawings, and other data, if submitted to Customer in connection with this proposal are incorporated herein and form a part of the proposal. In case of any discrepancies or questions, Customer shall refer to AFO for decisions, instructions, or interpretation.

3. Terms of payment for goods shipped and/or services rendered hereunder shall be Net on Receipt of Invoice. AFO reserves the right to add to any account outstanding more than thirty (30) days a charge of one and one-half percent (1 ½%) of the principal amount due at the end of each thirty (30) day period.

4. It is agreed that AFO will retain title to any equipment or materials that may be furnished until final payment is made, and if settlement is not made as agreed, AFO shall have the right to remove the same and AFO will be held harmless from any damage resulting from the removal thereof. Customer shall also purchase and maintain insurance covering all interests of AFO and entitling AFO to receive payment, including the total unpaid balance of the Agreement Price, in the event of loss or damage. In the event AFO must commence legal action in order to recover any amount payable under this Agreement, Customer shall pay all court costs and attorneys' fees incurred by AFO. Any legal action against AFO relating to this Agreement, or breach thereof, must be commenced within one (1) year from the date of work.

5. AFO shall not be liable for failures to ship or delays in delivery of equipment or performance of services hereunder where such failures or delays are due to the disapproval of Customer's credit by AFO's Credit Department, or due to strikes, fires, accidents, national emergency, failure to secure materials from the usual sources of supply, material or equipment cost increases, or any other circumstances beyond the control of AFO, whether one of the class of causes enumerated above or not, which shall prevent AFO from making deliveries or performing services in the normal course of business. Receipt of the equipment or services by Customer upon its delivery shall constitute a waiver of all claims for delay.

6. Prices quoted are exclusive of any taxes and Customer shall be responsible for all taxes applicable to the services and/or materials hereunder.

7. If a part or item of equipment installed by AFO proves defective during the term of the manufacturer's warranty for such part or equipment, AFO will extend to Customer the benefits of any warranty that AFO has received from the manufacturer of the equipment. Removal and reinstallation of any equipment or materials repaired or replaced under a manufacturer's warranty will be at Customer's expense and at AFO's rates then in effect.

8. THE FORGOING WARRANTY IS IN LIEU OF ALL WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR OTHER WARRANTIES, EXPRESS OR IMPLIED. CORRECTION OF NONCONFORMITIES, IN THE MANNER AND FOR THE PERIOD OF TIME PROVIDED ABOVE, SHALL CONSTITUTE FULFILLMENT OF ALL OBLIGATIONS OF AFO TO CUSTOMER, WHETHER BASED ON CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE WITH RESPECT TO, OR ARISING OUT OF, SUCH MERCHANDISE AND SERVICES. AFO MAKES NO WARRANTY WHATSOEVER WITH RESPECT TO ACCESSORIES OR PARTS NOT SUPPLIED BY AFO. AFO SHALL NOT BE LIABLE FOR PUNITIVE, SPECIAL, INDIRECT, OR CONSEQUENTIAL DAMAGES, INCLUDING BUT NOT LIMITED TO, DAMAGES TO PROPERTY, FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS OR INCOME. THE REMEDIES SET FORTH HEREIN ARE EXCLUSIVE, AND THE LIABILITY OF AFO WITH RESPECT TO ANY CONTRACT OR SALE OR ANYTHING DONE IN CONNECTION THEREWITH, WHETHER IN CONTRACT OR TORT, UNDER ANY WARRANTY, OR OTHERWISE, SHALL NOT, EXCEPT AS EXPRESSLY PROVIDED HEREIN, EXCEED THE PRICE OF THE MERCHANDISE AND SERVICES ON WHICH SUCH LIABILITY IS BASED.

9. Customer agrees to refrain from employing or hiring, directly or indirectly, either as an employee, independent contractor, or otherwise, any of AFO's personnel, including but not limited to construction and/or service mechanics, during the time that AFO is performing work for the Customer, and for a period of one year from the date AFO discontinues its performance of work for Customer.

10. AFO shall not be required to become involved in the identification, detection, abatement, encapsulation or removal of asbestos containing materials or any other hazardous materials or conditions, or mold, fungus, or spores. In the event such substances, wastes, or materials are encountered, AFO shall have no responsibility and their sole obligation will be to notify the Customer and Owner of their existence. Customer shall be responsible for the identification and disclosure to AFO in writing of any and all concealed piping, fixtures, wiring, and other equipment conditions, including but not limited to asbestos, asbestos containing materials, or any hazardous materials, which might be involved, damaged, cause damage or otherwise affect or be affected by the work. In the event of damage or injury, or a claim of damage or injury to person and/or property of anyone (including Customer) without the required written identification and/or disclosure being given to AFO as provided in the preceding sentence, Customer shall indemnify and hold AFO harmless from and against any and all liability, loss, damage, cost or expense which AFO may incur, suffer, or be required to pay by reason of such damage or injury cause directly or indirectly by the failure to identify and/or disclose as set forth above.

11. AFO reserves the right to collect costs incurred as a result of cancellation of any order or this Agreement.

12. Any alteration to, or deviation from, this Agreement, involving extra work, cost of material or labor will become a change order and the cost will be negotiated on a time-and-material basis at AFO's rates then in effect.

13. Design and as built drawings prepared by AFO and proposal information including scope of work/specifications, as defined by AFO, are intended for the exclusive use of AFO. If these drawings, proposal information, and specifications are used by any person or business entity other than AFO, AFO disclaims all warranties on the use of this information, either express or implied or otherwise, including but not limited to implied warranties of merchantability, fitness for a particular use, and non-infringement. Under no circumstances, will AFO be liable to any person or business entity for any direct, indirect, special, incidental, consequential, punitive, or other damages based on the use of this information, including, without limitation, any lost profits, or business interruption. This is a comprehensive limitation of liability that applies to all losses and damages of any kind. If Customer is dissatisfied with the information, its sole and exclusive remedy is to discontinue using the information.

14. To the fullest extent permitted by law, Customer shall indemnify and hold harmless AFO, its agents and employees from and against any and all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the performance of work hereunder, provided that such claim, damage, loss or expense is caused in whole or part by any active or passive act or omission of Customer, anyone directly or indirectly employed by Customer, or anyone for whose acts Customer may be liable, regardless of whether it is caused in part by the negligence of AFO.

15. Customer shall make available to AFO's personnel all pertinent Safety Data Sheets (SDS) pursuant to OSHA's Hazard Communication Standard Regulations.

16. All specifications, drawings, and other data, if submitted to Customer as part of the proposal or this Agreement, shall remain the property of AFO.

17. The provisions, enforcement and content of this proposal and Agreement shall be governed by the laws of the State of Ohio. Customer agrees that all courts of record sitting in Columbus, Ohio and having jurisdiction over the subject matter, state and federal, shall be the forums where any action, suit, or proceeding in respect of or arising from or out of this proposal or Agreement, its making, validity or performance, may be prosecuted as to all parties, their successors and assigns, and by the foregoing designation, Customer consents to the jurisdiction and the venue of such courts.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A NEW HOT WATER TANK FOR THE COMMUNITY RECREATION AND FITNESS CENTER FROM AIR FORCE ONE IN AN AMOUNT NOT TO EXCEED $43,000.00.

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

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

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Air Force One for the purchase of a new Hot Water Tank for the Community Recreation and Fitness Center in an amount not to exceed $43,000.00.

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

PASSED: 1st Reading________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 64-18

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A NEW HOT WATER TANK FOR THE COMMUNITY RECREATION AND FITNESS CENTER FROM AIR FORCE ONE IN AN AMOUNT NOT TO EXCEED $43,000.00.

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

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

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Air Force One for the purchase of a new Hot Water Tank for the Community Recreation and Fitness Center in an amount not to exceed $43,000.00.

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

PASSED: 1st Reading________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	09/10/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES NO. 65-18** - An emergency resolution strongly urging the Ohio Governor and members of the Ohio Genera Assembly to invest the state budget surplus in municipalities - **1st Reading** (To be brought from Committee-of-t Whole, *Administration/ Patricia Hanek*)
BACKGROUND:	The Ohio General Assembly has repeatedly decreased funding and revenue sharing in recent years by way of significantly reducing the Local Government Fund, eliminating the Estate Tax and phasing out the Tangible Pers Property Tax. According to the OML, in the 2015 fiscal year alone local government funding reductions resulted loss of $435 million across the state.
PURPOSE AND EXPLANATION:	The resolution requests the governor and General Assembly to use the surplus to assist local government bodies by increasing funding at a level proportionate to what the state provided in the past before the cuts to allow cities to in services and infrastructure.
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?
An emergency with suspension of rules.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 65-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES.

WHEREAS: This Council has been advised of Ohio Governor John Kasich's proposal to use the projected State of Ohio budget surplus of approximately $147,000,000.00 at the end of the biennium to fund an income tax withholding reduction and bring the State's rainy day fund to its maximum legal limit;

WHEREAS: The Ohio General Assembly has repeatedly decreased funding and revenue sharing in recent years by way of significantly reducing the Local Government Fund, eliminating the Estate Tax and phasing out the Tangible Personal Property Tax; and

WHEREAS: These reductions have resulted in loss of revenue to the City of Brunswick in excess of $600,000.00 annually.

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

SECTION 1: This Council does hereby strongly urge Governor Kasich and the Ohio General Assembly to invest the State budget surplus in municipalities.

SECTION 2: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Ohio General Assembly and Ohio Governor John Kasich.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that this Council wants to express its opinion as to investment of the State budget surplus as soon as possible. Therefore, the same shall be in full force 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: 09/10/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 66-18** - An ordinance establishing section 618.30 of the City of Brunswick Codified Ordinances by prohibiting the feeding of wildlife and stray animals - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Brian Ousley*)

BACKGROUND:

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

IMPLEMENTATION SCHEDULE:

FINANCIAL INFORMATION:

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:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 66-18

BY: Committee-of-the-Whole

AN ORDINANCE ESTABLISHING SECTION 618.30 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY PROHIBITING THE FEEDING OF WILDLIFE AND STRAY ANIMALS.

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

SECTION 1: That Section 618.30 of the Codified Ordinances is hereby established to read as follows:

618.30 FEEDING OF WILDLIFE AND STRAY ANIMALS PROHIBITED.

(a) No person shall purposely or knowingly provide food for dogs, cats, deer, geese, ducks, raccoons, fowl or other wild animals, wildlife or stray animals by setting food out on any public property or within 150 ft. of any adjacent property line or public right-of-way. This Section does not apply to animals owned by that person or to song birds fed from a stationary bird feeder.

(b) No person shall purposely or knowingly feed, cause to be fed, or provide food for wild white-tail deer in any location where undomesticated animals can access such food, whether by hand or through ground-feeding stations, salt licks or other established mechanisms to feed wild white-tailed deer, on lands publicly or privately owned.

(c) This Section shall not apply to a law enforcement officer, game officer or conservation officer enforcing the laws of the State of Ohio or any local ordinances, nor to anyone officially authorized by the City to engage in an animal control program.

(d) The City may initiate a civil action in the Court of Common Pleas for injunctive and other relief for any violation of this Section.

(e) Whoever violates this Section is guilty of a misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense. A separate offense shall be deemed committed on each day on or during which a violation of this Section occurs.

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