



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 24, 2018

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated September 10, 2018.
 - (a) Regular Council Meeting Minutes dated September 10, 2018
5. Mayor's Report:
 - (a) Proclamation for the Recognition of Bob Prevost
 - (b) Mayor's recommendation to reappoint Ronald Kostura to the Civil Service Commission;
 - (c) Mayor's recommendation to reappoint John V. Welker Jr. to the Civil Service Commission;
 - (d) Motion to approve the Mayor's recommendation to reappoint Tracy Buchheit to the Civil Service Commission;
 - (e) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:
 - Economic Development.....Mr.Hanek
 - Services, Utilities, Technology & Cable.....Mr. Salzgeber
 - Services Committee Meeting Minutes dated September 10, 2018
 - Finance Committee.....Mrs. Hanek
 - Finance Committee Meeting Minutes dated September 17, 2018
 - Safety & Environment.....Mr.Ousley
 - Safety Committee Meeting Minutes dated September 4, 2018
 - Planning & Zoning Committee.....Mr.Delsanter
 - Parks, Recreation & Community Committee.....Mr. Abella Jr.

Parks & Recreation Committee Meeting Minutes dated September 10, 2018
Building & Building Code Committee.....Mr. Capretta
Building & Building Code Committee Meeting Minutes dated September 10,
2018

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated September 10, 2018

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd 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. - **3rd 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.- **3rd Reading** (Committee-of-the-Whole, *Administration/Paul Barnett*)

b. 2nd Reading(s)

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 - **2nd Reading** (Parks, Recreation & Community Committee, *Administration/John Piepsny*)

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 - **2nd Reading** (Committee-of-the-Whole, *Administration/Brian Ousley*)

c. 1st Reading(s)

ORD. NO. 67-18 - An emergency ordinance amending Sections 234.03, 234.031, and 234.032 of the City of Brunswick Codified Ordinances by updating the Investment Policy - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 68-18 - An emergency resolution authorizing the City Manager to execute all necessary documents to accept the 2017 Assistance to Firefighters Grant from the Federal Emergency Management Agency - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Jim Baird*)

ORD. NO. 69-18 - An emergency ordinance amending Ordinances #117-17, #12-18 and #30-18 to include amendments to the appropriations budget for the year ending December 31, 2018 as incorporated in Exhibit "A" attached hereto - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 70-18 - An emergency ordinance to advance funds - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 71-18 - A resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES. NO. 72-18 - A resolution authorizing the City Manager to purchase replacement tablets for the Division of Police from TAC Computer in an amount not to exceed \$65,685.71 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 73-18 - A resolution declaring the City of Brunswick a "Purple Heart City." - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Nicholas Hanek*)

RES. NO. 74-18 - An emergency resolution declaring October 2018 as "Everybody Works" month in the City of Brunswick - **1st Reading** (To be brought from Economic Development Committee, *Administration/Nicholas Hanek*)

ORD. NO. 75-18 - An ordinance amending the signage guidelines of the Brunswick Town Center Special Planning District NO. 2 by prohibiting pole signs - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

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, SEPTEMBER 10, 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, Michael Abella Jr., Nicholas Hanek and Patricia Hanek.

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

Correspondence: There was none.

Approval of regular Council Meeting Minutes dated July 23, 2018:

Michael Abella Jr. moved to approve Regular Council Meeting Minutes dated July 23, 2018 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Mayor's Report:

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.

Proclamation for Prostate Cancer Awareness Month - Stephanie Mueller:

Mayor Ron Falconi presented a proclamation to Stephanie Mueller to encourage the citizens of Brunswick to increase the importance of prostate screenings. Mrs. Mueller expressed her appreciation for the proclamation. She shared her story and information about prostate cancer.

The Mayor recommended the City Council to reappoint Tracy Buchheit to the Civil Service Commission.

Clerk of Council's Report:

The Clerk of Council noted that City Hall is closed on Columbus Day, October 8, 2018. She informed the public that the City Council will still meet at their Regular Council Meeting on Columbus Day, October 8, 2018, at 7:30 pm.

Council Committee Reports:

Economic Development.....Mr. Hanek:

Nicholas Hanek moved to approve formal reports dated July 17, 2018 and July 23, 2018 as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley,

Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.0

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

Joseph Salzgeber moved to approve formal report dated July 23, 2018 as written, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Mrs. Patricia Hanek announced that the Finance Committee meeting is scheduled to meet on September 17, 2018, at 6:15 pm.

Patricia Hanek moved to approve formal report dated July 23, 2018 as written, seconded by Brian Ousley. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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

Mr. Brian Ousley had no formal reports this evening.

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

Joseph Delsanter moved to approve formal reports dated July 19, 2018 and July 23, 2018 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

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

Mr. Michael Abella Jr. had no formal reports this evening.

Building & Building Code Committee.....Mr. Capretta:

Mr. Anthony Capretta had no formal reports this evening.

Other Boards and Commissions:

Michael Abella Jr. moved to approve Committee-of-the-Whole Meeting Minutes dated July 9, 2018 and July 23, 2018 as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Anthony Capretta, Brian Ousley, Joseph Delsanter, Joseph Salzgeber, Michael Abella Jr., Nicholas Hanek, Patricia Hanek. Nays - 0. Motion Carried.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

There was none.

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*):

ORD. 54-18 - Joseph Delsanter moved this ordinance to a third reading.

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*):

RES. NO. 61-18 - Michael Abella Jr. moved this resolution to a third reading.

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*):

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

City Engineer Matt Jones remarked that this resolution is to award a contract for the Kent Drive stormwater improvements. This improvement is to improve any existing failing stormwater retention basin and add stormwater sewer in an area that is susceptible to rear yard flooding. This improvement project is covered under the stormwater utility fund.

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

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. 64-18 - Michael Abella Jr. moved this resolution to a second reading.

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*):

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

Councilwoman Patricia Hanek remarked that this resolution urges the Governor of Ohio to invest the 2018 projected budget surplus in Ohio municipalities. She explained that this revenue would be useful if it was returned to the local governments. In recent years, the Ohio General Assembly has repeatedly decreased funding - they have decreased the Local Government Fund, eliminated the Estate Tax, and phased out the Tangible Personal Property Tax. These reductions have resulted in the loss of revenue to the City of Brunswick in excess of \$600,000 annually. This resolution requests the Governor and the General Assembly to use the surplus to increase funding at a level proportionate to the amount that was in the past before the cuts were made. She explained that the funds would allow cities to invest in infrastructure and services.

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

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*):

ORD. NO. 66-18 - Michael Abella Jr. moved this ordinance to a second reading.

City Manager's Report:

City Manager Carl S. DeForest

- Reminded everyone that the Ward 2 meeting with Councilman Nicholas Hanek is scheduled for Wednesday, September 12, 2018, at 6:30 pm in City Hall.
- Announced that the last Comprehensive Plan Public Forum is scheduled for Thursday, September 13, 2018, at 6:30 pm in City Hall.
- Noted that the Branch Chipping is expected to run from Monday, September 17, 2018 through Friday, September 21, 2018. The branches are picked up on the resident's trash pick-up day.
- Added that the Second Annual Brunswick Veterans Appreciation Breakfast is scheduled for October 17, 2018, in the morning. To register for this event, all veterans could contact Executive Assistant Betsy Lehky at 330-558-6826.

Administrative Departments:

Finance Director Todd Fischer

- Remarked that the city has begun its 2019 budget process. The next step is to work on the revenue estimates, budget the grants and infrastructure projects.

- Filed the city's annual financial requirement to an information repository organization to document when the city issues more than 10 million dollars in debt. Mr. Fischer explained the process.

Police Chief Brian Ohlin

- Remarked that Tuesday, September 11, 2018, is Patriot Day. He urged everyone to honor all the victims that experienced the horrible terrorism attack that occurred on September 11, 2001.
- Asked residents to report anything that is suspicious to the police department. There is a free application that residents can download on a smart phone called "Safer Ohio", to report any suspicious activity.
- Reminded everyone of the parking ordinances in the city. He remarked that residents can only park on the non-fire hydrant side of a city street and there is no parking between 2:00 am and 5:00 am.

Fire Chief Jim Baird

- Remarked that in August the Division of Fire received a new ambulance. The ambulance has the best technology and comfort for patient care.
- Announced that the Division of Fire received a grant from the Federal Government for the total of \$165,544 to replace the Firefighter's self-contained breathing apparatus (SCBA). The current SCBAs are 15 years old, so they are at the end of their life span. The SCBA is a critical safety tool for the firefighters when they go into a building.
- Noted that the Brunswick Division of Fire is hosting its first Citizens Fire Academy at the Brunswick Area Television studio, on Wednesday nights starting at 6:30 pm, in October for four weeks. This academy is to help residents learn about the fire department. He remarked that each session is about two hours.
- Remarked that the Brunswick Division of Fire in conjunction with Southwest General Hospital, the Brunswick City Schools, and the Brunswick Citizen Police Academy Alumni Association has initiated a Stop the Bleed Program for the Brunswick City Schools. The goal is to put a tourniquet and instructions in every classroom in Brunswick City Schools. The entire project is expected to be completed in October 2018.

Park & Recreation Director

- Announced that the 2nd and 3rd Grade Youth Basketball sign-ups will end on Monday, September 17, 2018. The price for this program starts at \$50.
- Noted that the recreation center is accepting registration for the 4th through 8th Grade Junior Cavaliers Basketball Program. The deadline to sign up is December 31, 2018.
- Thanked the Medina County Office for Older Adults for hosting the Western Style Social for the seniors on Friday, September 28, 2018, at 2:00 pm. Danbury Senior living is sponsoring this event.

Councilman Anthony Capretta thanked the Police Chief for his assistance with the speed awareness monitor for Ward 4. He remarked that the speed awareness monitor was very useful, and he received positive feedback on the monitor.

Open Forum:

Council Appreciation – Branch Chipping Program

Duane Risko at 3904 Miner Drive described the disaster that he had from the trees on his property. He expressed that he would have to spend more money to get rid of the branches if the city didn't have the chipping program. He thanked the City Council for voting on the chipping program. He expressed that there are residents in the city that benefits from this service. He expressed that people should take the time out to say thank you to the elected officials instead of complaining. Mr. Risko commended the administration and the City Council for their services and dedication to the community.

Shifting Foundation Concern

Michael Cipriani at 14395 Pearl Road, Strongsville, described the terrible structure of a home located at the Southlake Homes at Brunswick Town Center. His parents were scheduled to close on their house on June 1, 2018. However, when they turned on the electric in the basement, they found major stress cracks on the wall. He noted that they brought this issue to Drees Homes attention. Drees Homes responded that the stress cracks were common. After multiple complaints and inspections, Drees Homes found that the wall is shifting. Mr. Cipriani expressed that they requested a new house after they encountered this issue. He explained that Drees Homes made an offer to fix the shifted wall in their house, but his parents did not accept the offer because the house was dangerous. He remarked that he was surprised that the building inspectors did not cite this home. He mentioned that his parents are elderly. Mr. Cipriani wanted to know who is in charge of the house inspections.

Unfinished Business:

There was none.

New Business:

Councilman Joseph Salzgeber thanked City Manager Carl DeForest for acting fast on removing the silk cover from the stormsewers on Skyview Drive on Saturday, September 8, 2018.

Councilman Nicholas Hanek thanked City Manager Carl DeForest for announcing when the Ward 2 meeting is scheduled. He reiterated that on Wednesday, September 12, 2018, residents are invited to attend the Ward 2 meeting to hear what is going on in Ward 2, and ask the administration questions.

Adjournment:

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

There being no further business, the meeting adjourned at 8:01 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

Office of the Mayor

Proclamation

WHEREAS: American Legion Post 234 Commander Bob Prevost has served this community well for many years in numerous capacities; and

WHEREAS: he has demonstrated in many practical ways his deep and genuine love for this city and the surrounding area; and

WHEREAS: he organized the Poppy Drive, the Gift for Yanks, Legion Memorial Day Parade Float, and the Summer Celebration Float; he hosted various parties at nursing homes for Easter Day, Veterans Day, and Christmas Day; and

WHEREAS: he served the American Legion Post 234 and the community with his willingness to place his concern for the public good ahead of his personal interests; and

WHEREAS: Bob has given his full measure of service, not only in the service overseas, but is making significant contributions to enrich community life.

NOW, THEREFORE, I, Ron Falconi, the 12th Mayor of the City of Brunswick, on behalf of City Council and all the citizens of the City do hereby express our sincere appreciation and thanks to Bob for his contribution to the American Legion Post 234 and the community at large, and our best wishes for continued success in all his future endeavors.

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.

A handwritten signature in black ink, appearing to read 'Ron Falconi', written over a horizontal line.

Ron Falconi, Mayor
City of Brunswick, Ohio

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME RONALD KOSTURA PHONE 330-225-7274
STREET 310 N. CARPENTER RD. CELL 440-781-5592

Years of Residency 48

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: CIVIL SERVICE COMM. EMAIL RKOSTURA @ YAHOO.COM

EDUCATION DEGREE YEAR GRADUATED
HIGH SCHOOL JOHN ADAMS SR. HIGH CLEVELAND COLLEGE PREP 1964
COLLEGE FENN COLLEGE/CLEVELAND STATE TECHNICAL MANAGEMENT 1967
SPECIAL TRAINING LAW ENFORCEMENT O.P.A.T.A. / FINANCIAL SERVICES
14YRS. COMMISSIONED POLICE OFFICER INSURANCE BROKER

CURRENT EMPLOYMENT

KOSTURA + ASSOCIATES - BRUNSWICK BROKER 1969 TO PRESENT
Company Address Title Dates

RELEVANT PAST EMPLOYMENT

Company Address Title Dates

Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>MR. PAUL TISDALL</u>	<u>PARMA, OHIO</u>	<u>440-888-0887</u>
2.	<u>MR. HAROLD WESTOVER</u>	<u>BRUNSWICK</u>	<u>330-225-5120</u>
3.	<u>MR. TOM WELSH</u>	<u>PARMA</u>	<u>216-898-0175</u>

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

I WOULD LIKE TO CONTINUE TO SERVE MY
COMMUNITY AS I HAVE FOR THE PAST SEVERAL
TERMS.

ATTACH RESUME IF DESIRED.

Signature: Ronald P. Kostura Date: 9-7-18

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

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME JOHN V. WELKER JR PHONE 330-671-1124

STREET 536 LINDEN DR CELL 330-671-1124

Years of Residency 29 Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Civil Service Commission EMAIL JOHN.V.WELKER@AOL.COM

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL CARDINAL MOONEY YOUNGSTOWN OHIO

COLLEGE YSU - YOUNGSTOWN OHIO BS/BA 1975

SPECIAL TRAINING _____

CURRENT EMPLOYMENT

RETIRED

Company	Address	Title	Dates
---------	---------	-------	-------

RELEVANT PAST EMPLOYMENT

<u>SUPPLY ONE</u>	<u>21680 HB FARGO AVE CLEV</u>	<u>BUYER</u>	<u>2010-2011</u>
Company	Address	Title	Dates

<u>HDT TACTICAL SYSTEMS</u>	<u>30500 AURORA RD</u>	<u>OLON BUYER</u>	<u>2007-2018</u>
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

BRUNSWICK CIVIL SERVICE COMMITTEE

AMERICAN PRODUCTION & INVENTORY CONTROL SOCIETY

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>PATRICIA HANEK</u>	<u>20846 DOVENTRY</u>	<u>330-225-0608</u>
2.	<u>NICK HANEK</u>	<u>3734 EDGE/ROBIE DR #312</u>	<u>330-204-4103</u>
3.	<u>DEAN HOLMAN</u>	<u>9399 RIVER STYX</u>	<u>330-416-9436</u>

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

CURRENTLY MEMBER OF CIVIL SERVICE COMMISSION

ATTACH RESUME IF DESIRED.

Signature: [Signature] Date: 9/13/18

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

WV

**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 MCR HR 99/02

COLLEGE Masters Economics & Labor Relations/Human Resources

SPECIAL TRAINING Mediation, Fair Labor, Computer - MS Packages

CURRENT EMPLOYMENT

Cuyahoga County EQH st Cleve OH 44115 Principal Support Office 98-present
Company Address Title Supervisor Dates

RELEVANT PAST EMPLOYMENT

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

Company

Address

Title

Dates

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. <u>Alice Fitch</u>	<u>Cleve OH 44141</u>	<u>216-256-2499</u>
2. <u>Shelly Saeger</u>	<u>Brunswick OH 44212</u>	<u>248-252-6473</u>
3. <u>Joann Ohmura</u>	<u>Rocky River OH 44116</u>	<u>440-779-4329</u>

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 dedication

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 I, 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

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

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

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

September 10, 2018

IN ATTENDANCE: Chairman Joseph Salzgeber, Committee Member Nicholas Hanek, Committee Member Anthony Capretta, Joseph Delsanter, Brian Ousley, Patricia Hanek, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, Chief Jim Baird, Chief Brian Ohlin, Engineer Matt Jones, Finance Director Todd Fischer, Council Clerk Fijabi Julien-Gallam, News Media, Resident.

The meeting convened at: 6:13 p.m.

REVIEW 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

Mr. Jones advised this project is for the reconfiguration of an existing detention basin behind Zula Tailor Shop. This project deals with the drainage issue affecting a number of properties north of Zula's.

Mr. Jones indicated one company submitted a bid for the project; Marks Construction, and was close to what the Engineer estimated for the project.

Mr. Hanek moved this resolution to tonight's Council Agenda of September 10, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Salzgeber mentioned he and Mr. Ousley met with members of the Timber Lake Trail Homeowners Association concerning a sediment issue with storm water coming underneath Pearl Road into Timberlake Trail pond. It was his understanding it had something to do with deterioration of catch basins.

Mr. DeForest advised the service director should have additional information however; he was off the next couple of days.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:16 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Salzgeber
Chairman

FINANCE COMMITTEE MEETING

September 17, 2018

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Brian Ousley, Committee Member Joe Delsanter, Finance Director Todd Fischer, Meeder Investment Management Representative Eileen Stanic.

The meeting was called to order at 6:20 p.m.

Due to technical difficulties, the meeting was not recorded.

The committee agreed on a meeting date of Monday, October 29, 2018 at 6:30 p.m. for the 2019 Budget Proposal as the first matter of business.

COMMERCIAL PAPER PRESENTATION

Commercial Paper Investment presentation by Eileen Stanic, Meeder Investment Management: Ms. Stanic distributed a hand out on commercial paper. She discussed the ability to invest in commercial paper, the definition of commercial paper, and the key legal requirements of investing in commercial paper.

REVIEW LEGISLATION:

ORD. NO. 67-18-An emergency ordinance amending Sections 234.03, 234.031, and 234.032 of the Brunswick Codified Ordinances by updating the Investment Policy

Mr. Fischer advised the committee that the City's investment policy has not been amended for several years. The proposed changes including commercial paper investments are in the legislation.

Mr. Ousley moved Ord. No. 67-18 to September 24, 2018 City Council meeting agenda for three readings as an emergency. Vote- 3 Ayes, 0 Nays.

ORD. NO. 69-18-An emergency ordinance amending Ordinance #117-17, #12-18 and #30-18 to include amendments to the appropriations budget for the year ending December 31, 2018 as incorporated in Exhibit "A" attached hereto

Mr. Delsanter moved Ord. No. 69-18 to September 24, 2018 City Council agenda as an emergency with suspension of the rules. Vote-3 Ayes, 0 Nays

ORD. NO. 70-18-An emergency ordinance to advance funds

Mr. Delsanter moved Ord. No. 70-18 to September 24, 2018 City Council agenda as an emergency with suspension of the rules. Vote- 3 Ayes, 0 Nays

GENERAL DISCUSSION:

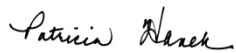
Mr. Fischer stated that he is working on a potential credit card policy that would establish controls for using the credit card. He will be bringing the policy to the Finance Committee in the future for discussion. Mr. Fischer also mentioned that the 2019 budget is in process and that the August financial reports were e-mailed earlier this month.

There will be no Finance Committee meeting in October due the 2019 budget process. The budget proposal presentation will be held on Monday, October 29, 2018 at 6:30 p.m.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 7:48 p.m. Vote- 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patricia Hanek".

Patricia Hanek
Chairwoman

SAFETY & ENVIRONMENT COMMITTEE MEETING

September 4, 2018

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Joseph Salzgeber, Committee Member Michael Abella Jr., Chief Brian Ohlin, Assistant Chief Joshua Erskine, Animal Control Officer Mike Kellums.

The meeting convened at 6:04 p.m.

DISCUSSION OF ANIMAL ORDINANCE ESTABLISHING SECTION 618.30:

Officer Kellums had reviewed the draft legislation and he had concern with the violation penalty being a misdemeanor of the fourth degree for a first offense, he thought that was harsh for a first offense, he suggested the first offense be a minor misdemeanor.

Mr. Ousley noted Section 618.30 (e) of the draft legislation will be amended to read whoever violates this section will be guilty of a minor misdemeanor for a first offense, and a misdemeanor of the fourth degree for each subsequent offense.

Mr. Salzgeber recalled in previous discussions of this ordinance it was going to be tied to nuisance or property damage due to the fact that most complaints were coming from neighbors.

Mr. Abella asked for an update as to how this came about.

Officer Kellums noted basically from complaints from neighbors of people that were feeding specific species of animals however by doing that other species are drawn to the yard causing issues on neighboring properties creating damage, and also spreading disease amongst the animals.

Mr. Abella noted he can see where there could be some offense with people feeding a stray cat or dog or putting something out for an animal on a cold night. He commented this ordinance was not against animals it was for the public safety, health and welfare.

Officer Kellums noted this ordinance is to help educate people, further there would be officer discretion regarding feeding a stray animal that needs assistance. He noted deer can become aggressive at certain times of the year, and he commented deer do not need assistance of people to feed them. Deer are a nuisance to the neighborhoods they trample neighboring yards, and destroy landscaping.

Officer Kellums brought up trapping and noted state ordinance allows for trapping on your own property without a permit; however City ordinance states you must first contact animal control. He stated it is not that the City disallows setting a trap however by calling animal control first they can explain how to properly set the trap.

Chief Ohlin noted once the ordinance is developed and goes through the process and becomes law he was sure the local media would be asking questions, and that can be used as an opportunity to help educate people even though that is not in the ordinance.

Mr. Ousley asked about the number of complaints in the City relative to feeding of animals, and Officer Kellums stated calls have increased.

Mr. Salzgeber brought up section (a) of the proposed ordinance as to the 150 yards to an adjacent property, he thought it should read 150 feet, after discussion it was determined it should read 150 feet.

Mr. Salzgeber moved proposed ordinance for Section 618.30 Feeding of Wildlife and Stray Animals Prohibited to the next Committee of the Whole Agenda with an amendment to subsection (a) to 150 feet to any adjacent property line or public right-of-way as opposed to 150 yards, and an amendment to subsection (e) first offense as a minor misdemeanor, and second and subsequent offenses as a misdemeanor of the fourth degree. Vote – 3 Ayes, 0 Nays.

It was noted Officer Kellums will speak on the ordinance at the Committee of the Whole meeting of September 10, then again at the Council Meeting on the third reading.

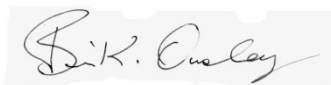
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:24 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

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

Brian Ousley
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

September 10, 2018

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Patricia Hanek, Committee Member Anthony Capretta, Joseph Salzgeber, Nicholas Hanek, Joseph Delsanter, Brian Ousley, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, Chief Jim Baird, Chief Brian Ohlin, Engineer Matt Jones, Finance Director Todd Fischer, Council Clerk Fijabi Julien-Gallam, News Media, Resident.

The meeting convened at: 6:16 p.m.

REVIEW 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

Mr. Piepsny advised this purchase will replace a ten year old hot water tank. Air Force One is in the State Procurement Program.

Mrs. Hanek moved this resolution to tonight's Council Agenda of September 10, 2018 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Abella Jr.", is placed over a light gray rectangular background.

Michael Abella Jr.
Chairman

BUILDING AND BUILDING CODE COMMITTEE

September 10, 2018

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

The meeting convened at 6:02 p.m.

GENERAL DISCUSSION:

Mr. Aungst provided an update to the committee; year to date there have been 45 housing starts, 136 lawn cuttings, 150 lawn postings, 219 commercial permits, and 13 industrial permits. Mr. Aungst announced two new part time staff members; Tracy Peters BZA Secretary/and she will also help out in Building Department one day a week, and former Police Officer Linda Reeves started as a part time property maintenance inspector.

Mr. Aungst announced the Comfort Suites Hotel is open and operational, a grand opening will be held later in September.

Fencing has gone up in preparation of demolition of buildings on surrounding school property of the new middle school.

Additionally, Mr. Aungst noted a residential building contractor purchased a home on Miner Drive, and he will be rehabbing that home. Also, a home on Sleepy Hollow was cited into Medina Municipal Court and the property is being cleaned up.

Murphy Tractor is partly under roof, and St. Ambrose was issued a permit for their additions which will be around 3.3 million dollars.

Mr. Capretta commented while walking Ward 4, he noticed some houses that do not have addresses; it was noted there in an ordinance in place for that.

GENERAL DISCUSSION:

Mr. Ousley advised a storm came through around July 25, and he was notified by an individual that the shopping cart corral at K Mart lifted up and landed on the back of a car doing \$4,000 dollars in damages, and \$2,000 dollars damage to another car. He showed pictures to the committee.

Mr. Ousley noted when the individual spoke with K Mart she was advised by them they would take care of everything. However, K Mart now informed the individual they feel they are not liable.

Mr. Ousley suggested an addition to City code for the cart corrals to be anchored to the ground. He noted he checked numerous cart corrals throughout the City and found they are not anchored.

Mr. Capretta asked if he checked other municipalities outside the City, and Mr. Ousley indicated he has note.

It was the opinion of Mr. Ousley that the stores should be fined and held liable for said property. He noted per the manufacturer cart corals are supposed to be anchored to the ground.

It was noted this incident was a personal matter.

Mr. Aungst expressed the City is obviously concerned with safety for any situation; he noted this incident was the result of a large gust of wind. His concern is the inspection process and the liability that would fall on the City to inspect every cart corral on a regular basis given the fact it is private property. He suggested looking into this further with the legal department.

Mr. Ousley reiterated there was \$6,000 dollars' worth of damage to two cars and the car owners should not be liable to fix because of someone's property.

Mr. Delsanter noted there are some cities that have ordinances where you cannot take carts out.

Mr. Aungst interjected his concern with that is with the senior population; he noted carts are used since the majority of stores do not have loaders and unloaders.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:13 p.m. Vote – 3 Ayes 0 Nays.

Respectfully submitted,/8



Anthony Capretta
Chairman

COMMITTEE OF THE WHOLE MEETING

September 10, 2018

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Joseph Salzgeber, Nicholas Hanek, Brian Ousley, Patricia Hanek, Joseph Delsanter, Anthony Capretta, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Chief Brian Ohlin, Parks & Recreation Director John Piepsny, Finance Director Todd Fischer, Engineer Matt Jones, Chief Jim Baird, Community & Economic Development Director Grant Aungst, Caraline Griffith ODOT State Coordinator, Council Clerk Fijabi Julien-Gallam, News Media, Resident.

The meeting convened at 6:19 p.m.

REVIEW AND APPROVE COUNCIL OFFICE 2019 BUDGET:

Council reviewed the 2019 budget for the Council Office; there were no noted changes from the 2018 budget.

Mr. Hanek moved to approve the Council Office 2019 budget. Vote – 7 Ayes, 0 Nays.

REVIEW AND UPDATE THE ASSISTANT CLERK OF COUNCIL AND CLERK OF COUNCIL JOB DESCRIPTIONS:

The Council Clerk provided copies of both the Assistant Clerk of Council and Clerk of Council job descriptions to members of Council. The suggested changes to the Assistant Clerk of Councils job description were reviewed by the committee; there were no objections or additions.

There were no changes to the Clerk of Councils job description.

Signed copies of both job descriptions by the Vice Mayor will be on file with Administrative Services.

MOTIONS:

Motion to advertise for an RFP for personal training services at the Brunswick Community Recreation and Fitness Center

Mr. Piepsny noted the current contract for training services was coming to an end in December, this motion would allow for the administration to go out for RFP for personal training services.

Mr. Salzgeber moved to advertise for an RFP for personal training services at the Brunswick Community Recreation and Fitness Center. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

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

Mrs. Hanek expressed this resolution urges the Governor of Ohio to invest the projected budget surplus in municipalities. In recent years the Ohio General Assembly has repeatedly decreased funding, the

reduction in the local government funds have resulted in the loss of revenue to the City of Brunswick in excess of \$600,000 dollars annually.

Mr. Fischer noted between years 2000 and 2017 the highest year in local government funds received was in 2001 when the City received 1.1 million dollars, the lowest amount the City received was \$500,000 dollars in 2017. At that pace Mr. Fischer noted the City will lose 10 million dollars every 16 years.

Mrs. Hanek moved this resolution to tonight's Council Agenda of September 10, 2018 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

Mr. Ousley pointed out the projected surplus amount as presented in the legislation.

Mr. Fischer noted the state does give the City back some money for infrastructure projects.

Mr. Delsanter commented since 2003 he has watched the decline in the share the City receives, he did not like the way things are done. He believes the City deserves a better share since the City is a large contributor, and should get the money needed to build the City's infrastructure without raising taxes.

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

Chief Ohlin explained this proposed ordinance arises out of a number of complaints from residents in the City where residents are feeding wildlife, in some cases with large quantities of food and devices that distribute feed with the intent to possibly feed deer however it draws in other animals, and it is creating issues for neighbors with regard to landscaping being eaten and trampled, and a variety of other issues.

He noted with this ordinance in place the animal control officer will have some ability to enforce situations when necessary. Chief Ohlin noted the goal is for the animal control officer to educate the public.

Mr. Ousley stated there have been instances where the feeders have brought up to 40 white tail deer to the feeders; there have been aggressive does with their young. There is an individual that has one of the feeders and he knows the City does not have an ordinance currently in place to address it, but he will find out differently in the next month and a half.

Mr. Delsanter asked for legal clarity; he noted in some cases the animal control officer gives a trap to a homeowner to trap small animals, such as skunks. Typically bait is used which is food and he wanted to know if the words "officially authorized by the City to engage in an animal control program" protect a resident if they are using a trap that has been permitted by the animal control officer, so not to be in violation of this code since they are using food to bait. Regardless of the intent, he wanted to know if a resident using a trap authorized by the animal control officer would be protected and not be in violation of this code, and Mr. Fisher answered in the affirmative.

Mr. Ousley noted the understanding was the resident can contact the animal control officer about putting out a trap, and the animal control officer can advise the resident how and when to set the trap.

Mr. Fisher noted the administration wants residents to have the advisement of the City before the trap is baited for non-small rodent animals.

Chief Ohlin stated the Police Department encourages the public to call animal control and ask questions so advice can be given for the best way to handle animal problems.

It was the understanding of Mr. Salzgeber from the animal control officer that someone was actually feeding the deer in their backyard and that individual knew there was no ordinance in place. Mr. Salzgeber understood it was from complaints of residents about nuisances that lead to this ordinance.

Chief Ohlin concurred, he noted this ordinance is more of a tool to respond to complaints, and help address problems called in by residents.

Also, Mr. Salzgeber noted the word “minor” was omitted in subsection (e), it should read; whoever violates this Section is guilty of a *minor* misdemeanor.

Mr. Ousley stated the education process starts this evening with the press being present as the beginning stages of education, and noted the animal control officer will be present at the third reading of the ordinance to provide a synopsis of the education program that will take place.

Mr. Abella clarified the change to the Section (e) adding the word “*minor*” misdemeanor. Also, he commented on the ordinance; he noted the intent of the legislation was strong, people have good intentions of loving nature and feeding the animals however some of those have ended in bad situations, and he agreed with it.

Mr. Ousley moved this ordinance to tonight’s Council Agenda of September 10, 2018 for three readings. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Ousley noted in June 2015 the Planning & Zoning Committee brought up a proposed ordinance on tree clearing. There were issues along I-71 and the Industrial Park. He wanted to know if this information could be passed onto the chair of Planning & Zoning Committee to review.

Mr. Abella added there are two issues; tree harvesting, and the definition of buffer zones are weak, he mentioned issues in Benjamin Farms as to what constitutes a buffer zone when someone builds around a residential neighborhood trees are cleared out and still in compliance with the buffer zone ordinance. Mr. Abella did not think the laws are strong enough.

Mr. Delsanter commented on the challenges and legal issues, he noted there was a tree committee at one time unfortunately nothing ever came out of it. He mentioned the comprehensive plan and it being something to be looked at.

Mr. Ousley noted in the past Council received reports of what was going on in the community and he would like to see those updates again.

Mr. Salzgeber announced he attended the soft opening of Comfort Suites it was done nicely; they continue work on the swimming pool and conference center.

Mr. Delsanter commented it was a shame to see the use of that land going to a hotel instead of something more in line of the general vision of that development when it was originally conceived. It was a shame

the hotel was built with the focus point on a parking lot and not the lake, and it was a shame that it was not the hotel originally planned there.

Mr. Hanek did not expect to have a hotel discussion; however he too thought the hotel was very nice, the Planning Commission did a lot of work with the parcel and it fits in nicely. Obviously a lot of the original planning for Town Center and Brunswick Lake was before his time. He stated the hotel is a nice addition and asset to the community, and wanted to defend a business in his ward.

US AND STATE BIKE ROUTE SYSTEM PRESENTATION FROM ODOT STATE COORDINATOR CARALINE GRIFFITH:

Mr. Abella introduced Caraline Griffith who was here to speak on the bike route system.

Ms. Griffith referred to a map that depicted the route through Medina County and specifically the City of Brunswick which is State Bike Route 71. She noted the goal of the state and US Bike Route System was to connect 17 major cities throughout the State of Ohio. The American Association of State Highway Transportation Officials (AASHTO) and Adventure Cycling Association were very prominent in getting the US Bike Route System started. She noted there are five US Bike Routes in the State of Ohio, and 22 state bike routes.

Ms. Griffith mentioned in speaking with Medina County Engineer Andy Conrad and he was not happy with the route through Medina County, he would like to see the route on low traffic and low volume roads. She noted changes can be made with the route through Brunswick.

Ms. Griffith stated she would need a resolution from the City of Brunswick stating the City was alright with the route running through the City. Ms. Griffith noted there was no money attached to this it was not a maintenance or construction project, it is a designation only project.

Also, she noted ODOT will pay for the first round of signage and installation once everything was designated.

With the City Manager being knowledgeable of biking efforts around the area, Mr. Hanek thought there would be some possibility of the bike route going through Brunswick versus Substation.

Mr. DeForest noted he received an email on the bike route with the goal being connectivity to businesses; he noted there was limited site distance on Substation, and noted it was not a good place to ride a bicycle. There was some discussion about connectivity within the City however nothing was developed currently, and he was hoping Mr. Conrad would have beneficial input. Mr. DeForest reiterated he would not recommend Substation.

Ms. Griffith pointed out the routes are computer generated, that is why the routes are being brought to the different cities to look over and for input.

Mr. Ousley mentioned it would be a good idea to see the proposed bikes routes from the surrounding cities to see how the City of Brunswick can connect.

Mr. Delsanter asked if the designation was the first step in potentially long term access to possible funding for road projects.

Ms. Griffith noted that could be a potential, however nothing was set aside at this time.

Mr. Hanek mentioned the Comprehensive Plan that was in process and he anticipates seeing a major bike, walk, running connectivity being a major part of that plan.

Mr. Salzgeber asked if Ms. Griffith was looking for alternative route suggestions, and she answered in the affirmative.

Mr. Abella and Mr. Hanek noted it would be a good idea to know what the Cities of Strongsville, Medina and Brunswick Hills were doing.

Ms. Griffith thanked Council for the opportunity to speak tonight, and if anyone had any questions or ideas to let her know.

EXECUTIVE SESSION:

Mr. Hanek moved to go into Executive Session for the purpose to discuss the sale/lease of property, seconded by Mr. Ousley. Roll Call – Ayes – 7, Mr. Hanek, Mr. Salzgeber, Mr. Abella, Mr. Capretta, Mr. Delsanter, Mrs. Hanek, Mr. Ousley. Nays – 0. Motion Carried.

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

The Committee of the Whole reconvened at 7:18 p.m.

Mr. Abella moved to approve the Committee of the Whole 2018 Goal Setting minutes dated April 17, 2018, seconded by Mrs. Hanek. Roll Call – Ayes – 7, Mr. Abella, Mrs. Hanek, Mr. Ousley, Mr. Hanek, Mr. Salzgeber, Mr. Delsanter, Mr. Capretta. Nays – 0. Motion Carried.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn the Committee of the Whole Meeting at 7:21 p.m. Vote – 7 Ayes, - 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council



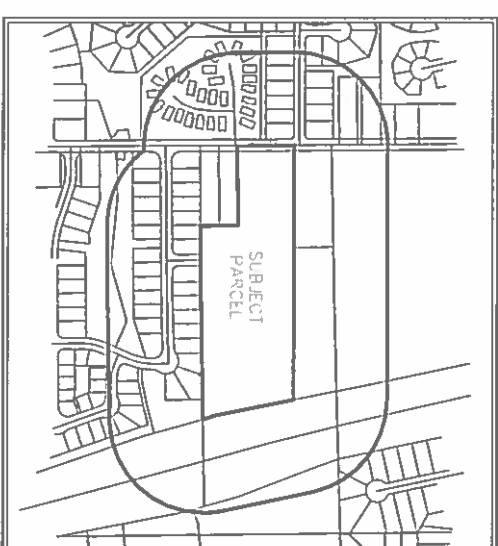
LOCATION MAP

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

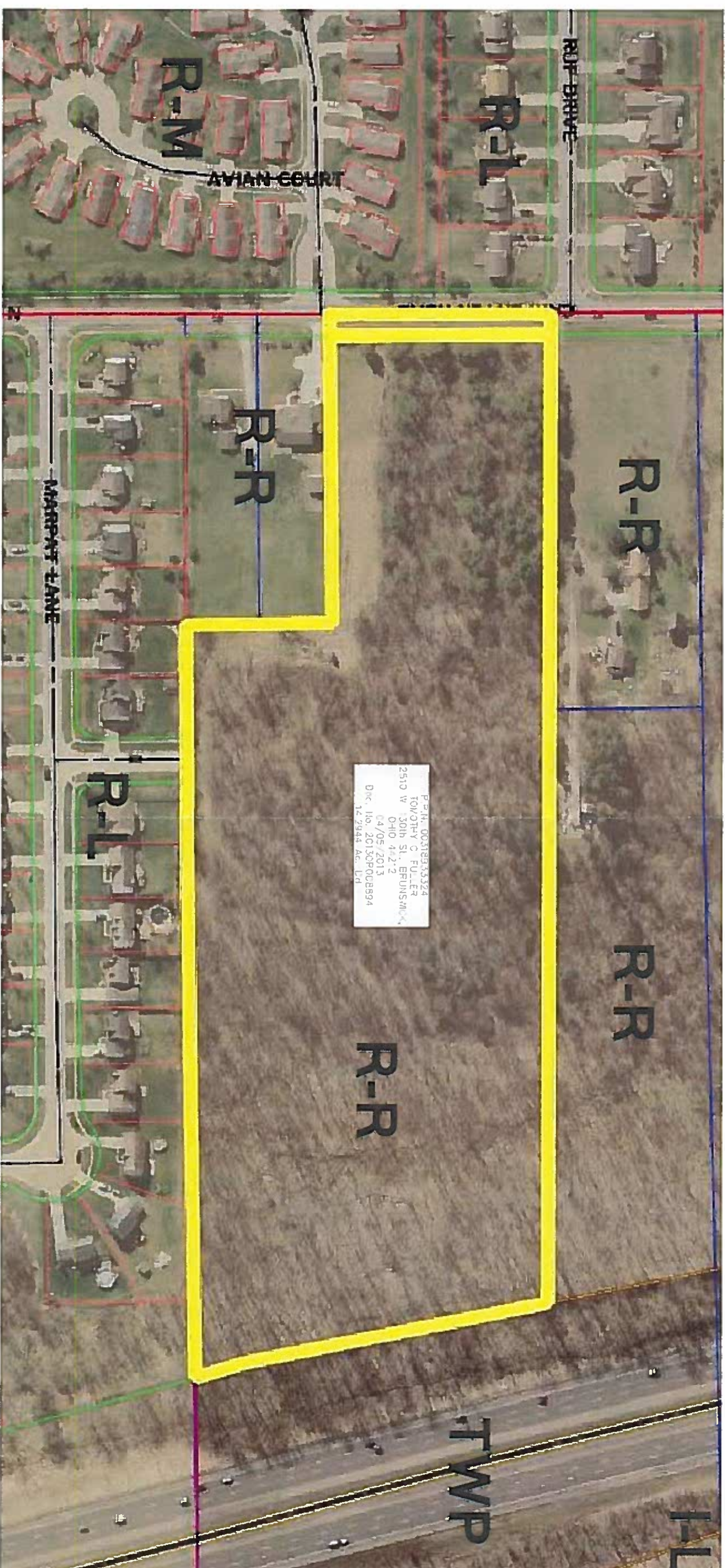


MAP AMENDMENT EXHIBIT

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



500' NOTIFICATION AREA



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

FULLER N. CARPENTER
MAP AMENDMENT EXHIBIT

PROJECT
NUMBER

1948

DATE _____

2018-02-09



CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

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

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

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

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

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

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

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 54-18

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

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

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

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

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

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

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

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

MAYOR
RON FALCONI

CITY OF BRUNSWICK

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

CITY MANAGER
CARL S. DEFOREST

July 20, 2018

Timothy Fuller
2510 West 130th Street
Brunswick, OH 44212

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

Dear Mr. Fuller:

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

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

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

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

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

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

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/24/2018

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.- **3rd 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

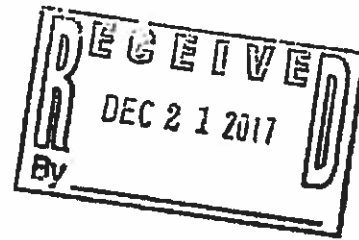
If emergency or suspension of the rules, why the request?

**ADDITIONAL
INFORMATION:**



December 18, 2017

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



RON MCVOY
Chairman

CHUCK KEIPER
Executive Director

BOARD OF DIRECTORS

RON MCVOY
Ashtabula County

JOHN ZEHENTBAUER
Columbiana County

GEORGINE WELO
Cuyahoga County

JAMES FLAIZ
Geauga County

ROB DUNCAN
Huron County

DANIEL TROY
Lake County

DAVID GILLOCK
Lorain County

ROBERT MCCracken
Mahoning County

PATRICIA HANEK
Medina County

MICKEY MAROZZI
Portage County

AARON MONTZ
Seneca County

STEVE PATTERSON
Southeast Ohio

JAN TULLEY
Summit County

JACK HANEY
Trumbull County

Dear Mr. DeForest:

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

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

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

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

Sincerely,

Chuck Keiper
Executive Director

cc: Todd Fischer, Finance Director

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

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

ORDINANCE/RESOLUTION¹

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

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

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

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

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

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

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

DATED ADOPTED: _____, 2018

President of Council

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

ATTEST:
this _____ day of _____, 2018

Approved by the Mayor
_____, 2018

Clerk of Council

Mayor, City of _____

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

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

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

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

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

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

SECTION 2: Therefore, the same shall be in full force and effect from and after its passage by
the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 60-18

BY: Committee-of-the-Whole

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

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

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

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

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

SECTION 2: Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/24/2018

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 - **2nd Reading** (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:**



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 1/2%) 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: 09/24/2018

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 - **2nd Reading** (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 minor 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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/24/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 67-18** - An emergency ordinance amending Sections 234.03, 234.031, and 234.032 of the City of Brunswick Codified Ordinances by updating the Investment Policy - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: The City's Investment Policy has been reviewed several times but has not been formally updated in over 20 years. The latest review and discussions took place with the Citizens' Financial Audit Review & Advisory Committee on May 10, 2018 and City Council's Finance Committee on June 21, 2018.

The City's Investment Advisor has also presented information regarding the proposed changes to the Citizens' Financial Audit Review & Advisory Committee on May 10, 2018 and is set to present the same or similar information to City Council's Finance Committee on September 17, 2018. All proposed changes comply with State Law.

City Council's Finance Committee has authorized the Law Director to prepare legislation to amend the City's Investment Policy and place it on the September 24, 2018 Council agenda for 1st reading as an emergency. The proposed plan is if Council agrees with the proposed changes for it to be read 3 times and be effective by the end of October 2018. This should allow for enough time to obtain signatures from various financial institutions that they have read and understand the revised policy.

The proposed changes to the policy are attached.

**PURPOSE AND
EXPLANATION:**

The City's Investment Policy has been reviewed several times but has not been formally updated in over 20 years. The latest review and discussions took place with the Citizens' Financial Audit Review & Advisory Committee on May 10, 2018 and City Council's Finance Committee on June 21, 2018.

The City's Investment Advisor has also presented information regarding the proposed changes to the Citizens' Financial Audit Review & Advisory Committee on May 10, 2018 and is set to present the same or similar information to City Council's Finance Committee on September 17, 2018. All proposed changes comply with State Law.

The proposed changes to the policy are attached.

IMPLEMENTATION

SCHEDULE:

City Council's Finance Committee has authorized the Law Director to prepare legislation to amend the City's Investment Policy and place it on the September 24, 2018 Council agenda for 1st reading as an emergency. The proposed plan is if Council agrees with the proposed changes for it to be read 3 times and be effective by the end of October 2018. This should allow for enough time to obtain signatures form various financial institutions that they have read and understand the revised policy.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

If emergency or suspension of the rules, why the request?
City Council's Finance Committee has authorized the Law Director to prepare legislation to amend the City's Investment Policy and place it on the September 24, 2018 Council agenda for 1st reading as an emergency. The proposed plan is if Council agrees with the proposed changes for it to be read 3 times and be effective by the end of October 2018. This should allow for enough time to obtain signatures form various financial institutions that they have read and understand the revised policy.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 67-18

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

AN EMERGENCY ORDINANCE AMENDING SECTIONS 234.03, 234.031 AND 234.032 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY UPDATING THE INVESTMENT POLICY.

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

SECTION 1: That Sections 234.03, 234.031 and 234.032 of the Codified Ordinances are hereby amended to read in accordance with Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, or welfare and for the additional reason to comply with applicable State law. 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 _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

234.03 INVESTMENT POLICY.

(a) Scope. All Public Moneys of the City not kept as a cash reserve in the vault of the treasury of the City as may be prescribed by the Director of Finance, except as otherwise hereinafter provided, may be invested by the Director of Finance or the Director's designee in the Eligible Investments described in Section 234.031 hereof, which Eligible Investments shall be purchased only through or from Eligible Depositories designated pursuant to the Uniform Depository Act or Qualified Securities Dealer; provided, however, that Public Moneys specifically exempted by ordinance from this Section 234.03 and Section 234.031 may be invested as permitted in such ordinance or other ordinance related to such Public Moneys. The Director of Finance is authorized to pool cash balances of the several funds of the City for investment hereunder.

(b) Objectives. The achievement of sound fiscal management for the City requires effective investment of the Public Moneys of the City. To that effect, the following investment objectives shall be applied in the investment of Public Moneys:

(1) Safety. The primary objective of the City's investment policy is the preservation of capital and the protection of investment principal. Subject to the provisions of subsection (c)(2) hereof, each investment transaction shall seek to first ensure that capital losses measured against each investment are avoided, whether they be from securities' defaults or erosion of market value.

(2) Liquidity. The City's investments shall remain sufficiently liquid to enable the City to meet its operating requirements that might reasonably be anticipated. In order to achieve this objective, the investment portfolio shall include in greater part Eligible Investments with active secondary or resale markets.

(3) Yield. In the investment of the Public Moneys of the City, the Director of Finance and any designee of the Director of Finance as permitted hereunder shall strive to attain, subject always to paragraph (1) above, a market-average rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio, but shall avoid assuming unreasonable investment risks. Yield as an objective of this policy is of least importance compared to safety and liquidity.

(c) Minimizing Investment Risk. The City acknowledges that investment risk can result from a default by the issuer of the investment, changes in the market price of the investment or technical complications leading to temporary illiquidity of an investment. The following investment limitations are directed at minimizing the effect of such investment risks:

(1) To minimize the risk of default by the issuer of the investment:

A. Public Moneys of the City shall be invested only in Eligible Investments permitted under Section 234.031 hereof, except as otherwise permitted under subsection (a) hereof.

B. The amount of Public Moneys of the City to be invested in any one type of Eligible Investment, with any one Eligible Depository or through any one Qualified Securities Dealer shall be limited based

upon guidelines developed by the Director of Finance taking into account the objectives of set forth in subsection (b) hereof.

C. No Public Moneys of the City shall be invested in any Derivative Security, Reverse Repurchase Agreement or Investment Pool or in any stripped principal or interest obligation of any Eligible Investment.

D. The use of "leveraging" by the City solely as a speculative investment strategy is prohibited under this Investment Policy. As used herein "leveraging" shall mean the use of any of the City's current assets as collateral for the purpose of purchasing other assets.

E. The issuance of taxable notes by the City solely for the purpose of arbitraging their proceeds is prohibited under this Investment Policy.

F. Contracting for the sale of securities that have not yet been acquired by the City for the purpose of purchasing such securities at a later date on the speculation that their price will decline is prohibited under this Investment Policy.

(2) To minimize the risk of changes in the market price of an Eligible Investment:

A. Any Eligible Investment made pursuant to Section 234.03 and 234.031 hereof shall mature within five years from the date of settlement unless the Eligible Investment is matched to a specific obligation or debt of the City and will be held until its maturity; provided, however, that no investment shall be made in any Eligible Investment hereunder unless the Director of Finance or the authorized designee of such Director of Finance reasonably expects that the Eligible investment can be held until its maturity and with respect to any investment of the City's Public Moneys in STAR OHIO, the limitation of this subparagraph A. shall not be construed as restricting the maturity date of any individual asset held by STAR OHIO.

B. Notwithstanding anything herein to the contrary, nothing in this subsection (c)(2) or (b)(I) shall be construed to prohibit such Director of Finance or such designee from selling such Eligible Investment prior to its maturity, or to impose liability on such Director of Finance or such designee for any loss occasioned by the sale of any Eligible Investment otherwise made in accordance with Sections 234.03 and 234.031 at a price or prices lower than its cost or balance, if the liquidity needs of the City required such a sale or if the yield on the reinvestment of the sale proceeds of such Eligible Investment, after taking into account the loss incurred in connection with such sale, will exceed the yield that the City otherwise would have earned if it had held the original Eligible Investment to the earlier of its maturity date or the maturity date of the Eligible Investment purchased with such sale proceeds.

(d) Standard of Care. Investment of the Public Moneys of the City shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be

derived. The foregoing standard shall be applied to the each Eligible Investment of the City in the its investment portfolio.

(e) Authority to Invest Public Moneys. The Director of Finance is hereby authorized and directed to invest the Public Moneys of the City in accordance with the provisions of Sections 234.03 and 234.031 hereof. The Director of Finance may delegate the authority to invest the Public Moneys of the City hereunder to another employee or employees of the City, provided that any such delegation shall be in a writing that shall be filed with the City Manager, and such a delegation shall be effective for all purposes of this section unless the City Manager disapproves such a delegation within ten days of receipt of such written delegation. Such a delegation may be for a limited or unlimited period of time; provided that, if such delegation is for an unlimited period of time, revocation of such delegation shall be effective only if made in a writing instrument signed by the Director of Finance and termination of the employment by the City of such employee shall automatically terminate such employee's authority to invest the Public Moneys of the City hereunder without the need for a written instrument.

(f) Conflicts of Interest.

(1) Officers and employees of the City involved in making investment decisions shall refrain from:

A. Personal business activity that could conflict with the proper execution and management of the investment program of the City, or that could impair their ability to make impartial decisions regarding the City's investments, and

B. Undertaking personal investment transactions with the same individual or company with whom business is conducted on behalf of the City.

(2) Officers and employees of the City involved in making investment decisions shall disclose to the City Manager:

A. Any material interests in Eligible Institutions or Qualified Securities Dealers with which they conduct investment business on behalf of the City, and

B. Any personal investment positions that could materially affect, or be materially affected by, the performance of the investment portfolio of the City.

(g) Periodic Reports with Respect to Eligible Investments. The Director of Finance shall prepare at least quarterly an investment report, including a management summary describing the investment portfolio at the end of the quarterly or other period and the transactions made over such period. Such report shall include: a list by maturity date of all Eligible Investments (including, without limitation, a description of the obligation or security that includes the type, original cost, par value, maturity date, coupon interest rate and yield to maturity) for the period covered by such report and held at the end of such period; unrealized gains or losses on any Eligible Investment over one-year duration that may have to be sold prior to its maturity; the average weighted yield to maturity of the investment portfolio; and the percentage of the total portfolio that each type of investment represents. A copy of such report shall

be attached to the City's monthly bank reconciliations and be made available delivered to the City Council and the City Manager upon request.

(h) Authorized Purchasers from and Sellers to the City of Eligible Investments. Purchases and sales of Eligible Investments hereunder shall be made only from or to, as the case may be, an Eligible Depository or a Qualified Securities Dealer, which in either case has acknowledged to the City in writing that in the case of such a party that initiates investment transactions with the City, it has received a copy of this section, and it will not sell to the City any investment security prohibited hereunder or not included as an Eligible Investment within the investment securities described in Section 234.031 hereof or in the case of such a party that executes investment transactions initiated by the City, it has received a copy of this section, and it comprehends the investment policy stated in this section. The Director of Finance shall annually review the past performance, if any, financial condition, rating, if any, and registration of each Eligible Depository and Qualified Securities Dealer with or through whom the Public Moneys of the City are invested.

(i) Purchases and Sales of Eligible Investments by the City. The Director of Finance or such Director of Finance's designee shall purchase an Eligible Investment hereunder for cash at a price not in excess of the current market price, which price shall be deemed to be the best price as determined hereunder and shall sell any Eligible Investments for cash and for a sum not less than their current market price, which price shall be deemed to be the best price as determined hereunder. Except as otherwise provided in subsection (j)(2) below with respect to an overnight repurchase agreement, all purchases and sales of Eligible Investments hereunder shall be made only on a delivery versus payment basis. With respect to the purchase or sale of any Eligible Investment other than the Eligible Investments described in Sections 234.031(a)(8) and (9) hereof, the Director of Finance or such Director of Finance's designee, subject to the provisions of subsection (h) hereof and except as otherwise provided in this subsection (i), shall purchase or sell any Eligible Investment at the best price based upon preferably three bids, but not less than two bids, if the Eligible Investment is offered as such from any of the parties described in subsection (h) hereof. If there is no readily available competitive offering on the same specific Eligible Investment, then quotations from comparable or alternative Eligible Investments shall be obtained. When purchasing an Eligible Investment as an original or new issue, no competitive offerings will be required as all Qualified Securities Dealers offer the security at the same original issue price. As used in the immediately preceding sentence in connection with any purchase of an Eligible Investment, the "best price" shall mean that price which produces the highest yield to maturity with respect to such Eligible Investment and in connection with the sale of an Eligible Investment, the "best price" shall mean the highest price with respect to such Eligible Investment; provided, however, that in any case where there are two or more bids at the best price, the Director of Finance or such Director of Finance's designee may, in their absolute discretion, determine which of such bids constitute the best price. The Director of Finance or the designee shall keep a written record of the bids taken with respect to each purchase or sale of an Eligible Investment.

(j) Registration. Custody and Safekeeping of Eligible Investments.

(1) If any Eligible Investments purchased pursuant to Section 234.03 and Section 234.031 hereof are to be issued to a designated payee or to the order of a designated payee, the name of the Director of Finance and the title of the Director's office shall be so designated. If any such Eligible Investments are registrable either as to principal or interest, or both, then such Eligible Investments shall be registered in the name of the Director of Finance as such.

(2) With respect to each Eligible Investment, the Director of Finance shall obtain a document evidencing, in the case of a book-entry security, and conforming, in the case of a certificated security held by other than the Director of Finance, each such investment. The Director of Finance is responsible for the safekeeping of all Eligible Investments and documents evidencing such Eligible Investments acquired by such Director of Finance. All Eligible Investments acquired as investments under Section 234.03 and Section 234.031 hereof by the Director of Finance on behalf of the City, whether in certificated or book-entry form, ~~may shall~~ be held on behalf of the City by a Qualified Trustee under a written custodial agreement. Any investment advisor, consultant or Qualified Securities Dealer doing business with the City cannot serve as custodian or safekeeping agent. Such Qualified Trustee shall provide to the Director of Finance a copy of each document evidencing or confirming such Eligible Investments which such Qualified Trustee receives and shall be required to report to the Director of Finance or to the Auditor of the State of Ohio or a duly authorized independent auditor of the City at any time upon request of such party the identity and location of the document evidencing each Eligible Investment made hereunder and held by such Qualified Trustee. In lieu of such custody, such Eligible Investments or documents evidencing or confirming such Eligible Investments may be held in a safe deposit box or vault belonging to an Eligible Depository or in a safe or other secure place at the office of the Director of Finance. Such safe deposit box or vault shall be opened only upon the order of the Director of Finance, such Director of Finance's designee hereunder or a person duly authorized as the Acting Director of Finance in the presence of one or more of the Director of Finance, the Director of Law, the City Manager or persons duly authorized as Acting Director of Finance or Acting Director of Law or Acting City Manager. With respect to any repurchase agreement that matures on the business day that immediately succeeds the business day on which such repurchase agreement was entered into, if the participating institution is a designated depository of the City for the current period of designation, the securities that are the subject of the repurchase agreement may be held in trust by the participating institution on behalf of the City, notwithstanding anything to the contrary in this subsection (j).

(k) Internal Controls with respect to Eligible Investments. The Director of Finance shall establish and maintain an internal control structure designed to ensure that the assets of the City are protected against theft, loss or misuse, and in connection therewith, shall maintain written procedures relating to such internal control.

(l) Exemptions from this Section and General Law.

(1) Any investment of Public Moneys which on the effective date of ~~–~~ this section does not qualify as an Eligible Investment under this section (each an "Ineligible Investment") may, notwithstanding anything herein to the contrary, be held until the first to occur of ~~–~~ its maturity or its sale; provided, however, that if the investment does not have a maturity date, it may be held no later than five years

from the effective date of this section. The proceeds of any sale of an Ineligible Investment shall be reinvested, if at all, only in an Eligible Investment.

(2) The City and the Director of Finance, any designee of the Director of Finance pursuant to this section, and any other official of the City, being governed by a charter adopted under Article XVIII, Ohio Constitution, and special provisions regarding the investment of the City's Public Moneys having been made through the passage of this section, are hereby exempted, except as otherwise expressly provided herein, from the provisions of the general laws of the State of Ohio, including, without limitation, the Uniform Depository Act, applicable to the investment of public moneys, as defined in the Uniform Depository Act.

(m) Annual Review of Section: Amendments. This section shall be reviewed on an annual basis by the Director of Finance and the City Manager to determine if amendments to this section are required in order to further the best interests of the City in connection with the management of its investment portfolio.

(Ord. 137-96. Passed 10-28-96.)

234.031 ELIGIBLE INVESTMENTS.

(a) The Director of Finance or the Director's designee may invest in any of the following classifications of obligations which are hereby determined to be eligible for investment of the Public Moneys of the City ("Eligible Investments"):

(1) United States Treasury bills, notes and bonds (excluding stripped principal or interest obligations of such issuances), or any other obligation or security issued by the United States Treasury or any other obligation guaranteed as to principal and interest by the United States;

(2) Bonds, notes, debentures or other obligations or securities issued by any federal government agency or instrumentality (excluding stripped principal or interest obligations of such issuances), including, but not limited to, the Federal National Mortgage Association, Federal Home Loan Bank, Federal Farm Credit Bank, Federal Home Loan Mortgage Corporation, [and](#) Government National Mortgage Association, ~~and Student Loan Marketing Association~~; provided that such securities shall be direct issuances of federal government agencies or instrumentalities;

(3) A written repurchase agreement between the Director of Finance or such Director of Finance's designee and any Eligible Depository or any Qualified Securities Dealer if, and only if, under the terms of which agreement the Director of Finance or such Director of Finance's designee purchases for the City and such institution agrees unconditionally to repurchase within a period of not more than thirty days securities described in subsections (1) or (2) hereof that will mature or are redeemable within five years from the date of purchase; provided that:

A. The market value of such securities subject to a repurchase agreement that mature:

1. On the business day immediately succeeding the business day on which such repurchase agreement was entered into shall be at least one hundred two percent (102%) of the principal amount of the repurchase agreement; and

2. On any other business day after the business day described in the immediately preceding item (1) shall be at least one hundred two percent (102%) of the principal amount of the repurchase agreement; and

B. The repurchase agreement shall contain the requirement that for each transaction pursuant to such agreement the Eligible Depository or Qualified Securities Dealer shall provide all of the following information:

1. The par value of the securities subject to such agreement;

2. The type, coupon rate, if any, and maturity date of the securities; and

3. A numerical identifier generally accepted in the securities industry that designates the securities;

(4) Certificates of deposit of Eligible Depositories which may provide (and, if so, shall be shown on its face) that the amount of such deposit is payable upon written notice a specified period before the date of the scheduled maturity, provided that security for the repayment of any such certificates of deposit is provided in accordance with Ohio R.C. Section 135. 18; ~~This shall include investments in Certificates of Deposit administered through the Certificate of Deposit Account Registry Service ("CDARS"). Eligibility of this investment is outlined in the Uniform Depository Act and would also apply to any other program that is deemed to meet the requirements of such Act;~~ and

(5) STAR OHIO

(6) Commercial paper issued by an entity as outlined in the Uniform Depository Act rated at time of purchase in the single highest classification by at least two nationally recognized rating agencies with a term to maturity of 270 days or less such that the investment in commercial paper of a single issuer, that has assets exceeding five hundred million dollars, shall not exceed in the aggregate five percent of the City's investments.

A. Commercial paper investments shall not exceed forty percent of interim monies available.

(7) Bonds or other obligations of this state, or the political subdivisions of this state, provided that, with respect to bonds or other obligations of political subdivisions, all of the following apply:

- A. The bonds or other obligations are payable from general revenues of the political subdivision and backed by the full faith and credit of the political subdivision; and
- B. The bonds or other obligations are rated at the time of purchase in the three highest classifications established by at least one nationally recognized standard rating service and purchased through a Qualified Securities Dealer; and
- C. The aggregate value of the bonds or other obligations does not exceed twenty percent of the City's investments; and
- D. The City is not the sole purchaser of the bonds or other obligations at original issuance.

– (b) The Director of Finance and the Director's designee, the City Manager and the members of Council shall not be held accountable or personally liable for any loss occasioned by the sale of any Eligible Investment authorized pursuant to subsection (a) hereof at prices lower than its cost or balance. Any loss or expense in making such sale shall be payable as other expenses of the City.

(c) The members of Council, the City Manager and the Director of Finance and such Director of Finance's designees, shall not be personally liable for or with respect to the purchase of any Eligible Investment authorized as investments pursuant to subsection (a) hereof; and the members of Council and the City Manager shall not be personally liable for any unauthorized deposit or investment by the Director of Finance or such Director of Finance's designee.

(d) In the event of a vacancy in the office of the Director of Finance by reason of death, resignation, removal from office or otherwise, the Director of Finance or any acting or interim Director shall transfer

and deliver to the Director's successor all Eligible Investments held by the Director, or in the case where the Eligible Investments are held in safekeeping by a Qualified Trustee, all records held by the Director evidencing ownership of such Eligible Investments and information describing the location of such Eligible Investments. For the Eligible Investments so transferred and delivered, such Director of Finance shall be credited with, and the Director's successor shall be charged with, the amount of money invested in such Eligible Investments.

(e) Whenever Eligible Investments acquired under this Section 234.031 mature and become due and payable, the Director of Finance shall present them for payment according to their tenor, and shall collect the moneys payable thereon. The moneys so collected shall be treated as Public Moneys subject to the provisions of this section with respect to their reinvestment and the Uniform Depository Act with respect to their deposit.

(f) The Director of Finance or the Director's designee shall maintain accounts in which the Director or the Director's designee shall make appropriate entries of all transactions relating to the investment of Public Moneys.

(g) If the Director of Finance wishes to purchase investment(s) listed in sections 234.031 (a) (1), (2), (6) & (7), without first receiving the advice of the City's investment advisor or consultant or qualified securities dealer; the Director of Finance would be required to obtain written approval from the City Manager prior to purchasing that investment."

(gh) Interest earned on any Eligible Investments authorized by this section shall be collected by the Director of Finance and credited by the Director to the proper fund of the City as required by law.

(Ord. 137-96. Passed 10-28-96.)

234.032 DEFINITIONS.

(a) Capitalized words and terms used as defined words and terms in Sections 234.03 and 234.031 of the City's Codified Ordinances and not otherwise defined in such Sections shall have the following meanings:

- (1) "Eligible Depository" shall mean any institution described in Ohio R.C. 135.03.
- (2) "Eligible Investment" shall mean any investment described in Section 234.031(a) hereof.
- (3) "Derivative Security" shall mean a financial instrument or contract or obligation whose value or return is based upon or linked to another asset or index or both separate from the financial instrument, contract or obligation itself, but shall not include a written repurchase agreement that satisfies the provisions of subsection (a)(6) of Section 234.031 hereof.
- (4) "Investment Pool" shall mean a fund established by another Subdivision (including a County), Director of Finance, Governing Board or Investing Authority (as each of those terms is defined in Ohio R.C. 135.01, if that fund was established for the purpose of investing the public moneys of other subdivisions, but shall not include STAR OHIO.
- (5) "Public Moneys" shall mean all moneys in the treasury of the City or moneys coming lawfully into the possession of the Director of Finance.
- (6) "Qualified Securities Dealer" shall mean a securities dealer who is a member of the ~~National Association of Securities Dealers~~ [Financial Industry Regulatory Authority](#), Inc.
- (7) "Qualified Trustee" shall mean a qualified trustee as described in Section 135.18 of the Uniform Depository Act.
- (8) "Reverse Repurchase Agreement" shall mean a repurchase agreement under the terms of which the Director of Finance or such Director of Finance's designee agrees to sell securities owned by the City to a purchaser and agrees with that purchaser to unconditionally repurchase such securities.
- (9) "STAR OHIO" shall mean the Ohio Subdivision's Fund created pursuant to Ohio R.C. 135.45 and currently designated as "Star Treasury Asset Reserve of Ohio".
- (10) "Uniform Depository Act" shall mean Ohio R.C. Chapter 135, and all amendments thereto.

(b) Nothing in this Section 234.032 shall be construed as permitting the investment of the Public Moneys of the City in any of the obligations defined in the preceding paragraph (a) if investment in such obligations is otherwise prohibited by this section.

(Ord. 137-96. Passed 10-28-96.)

Yes

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

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

This legislation should be passed as an Emergency with Suspension of the Rules in order to meet the 30 day acceptance time frame required by FEMA.

**ADDITIONAL
INFORMATION:**

N/A

Award Package

**FEMA**

Mr. Joshua Erskine
City Of Brunswick Division Of Fire
4095 Center Rd
Brunswick, Ohio 44212-2944

Re: Award No.EMW-2017-FO-00314

Dear Mr. Erskine:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2017 Assistance to Firefighters Grant has been approved in the amount of \$165,455.00. As a condition of this award, you are required to contribute a cost match in the amount of \$16,545.00 of non-Federal funds, or 10 percent of the Federal contribution of \$165,455.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2017 Assistance to Firefighters Grant Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov). As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

Step 2: If you accept your award, you will see a link on the left side of the screen that says Update 1199A in the Action column. Click this link. This link will take you to the SF-1199A, Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and keep the original form in your grant files. Once approved you will be able to request payments online.

If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,

A handwritten signature in black ink, reading "Thomas DiNanno". The signature is written in a cursive style with a large, stylized "T" and "D".

Thomas George DiNanno
GPD Assistant Administrator

Summary Award Memo

INSTRUMENT: GRANT
AGREEMENT NUMBER: EMW-2017-FO-00314
GRANTEE: City Of Brunswick Division Of Fire
DUNS NUMBER: 087711800
AMOUNT: \$182,000.00, Operations and Safety

Project Description

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

Period of Performance

28-AUG-18 to 27-AUG-19

Amount Awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$182,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
State Taxes	\$0.00
Total	\$182,000.00

NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)

The Program Office has made the following reductions to your grant:

The approved cost of the awarded SCBA units (including harness/backpack, face mask, and two cylinders) is \$6,500, not \$7,400.

Therefore, they have recommended the award at this level:

Total budget \$182,000

Federal share \$165,455

Applicant share \$16,545

If you have any questions about your award package, please contact your GPD Grants Management Specialist: Sharon Cargo at Sharon.Cargo@fema.dhs.gov.

FEMA Officials

Program Officer: The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

Grants Assistance Officer: The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

Grants Operations POC: The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)

Agreement Articles



FEMA

U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES

ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - Operations and Safety

GRANTEE: City Of Brunswick Division Of Fire

PROGRAM: Operations and Safety

AGREEMENT NUMBER: EMW-2017-FO-00314

AMENDMENT NUMBER:

TABLE OF CONTENTS

The FY 2017 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2017. The DHS financial assistance awards terms and conditions flow down to subrecipients, unless a particular award term or condition specifically indicates otherwise.

Article I. **Assurances, Administrative Requirements, Cost Principles, and Audit Requirements**

DHS financial assistance recipients must complete either the OMB Standard Form [424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs as applicable](#). Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at [2 C.F.R. Part 200](#), and adopted by DHS at [2 C.F.R. Part 3002](#).

Article II. **DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, recipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, recipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the [DHS Office of Civil Rights and Civil](#)

[Liberties](#) (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.

6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS FAO and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

Article III. **Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to firegrants@dhs.gov.

Article IV. **Acknowledgment of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article V. **Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article VI. **Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* ([Title 42 U.S. Code, § 6101 et seq.](#)), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article VII. **Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. ([42 U.S.C. §§ 12101- 12213](#)).

Article VIII. **Animal Welfare Act of 1966**

Where applicable, recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

Article IX. **Best Practices for Collection and Use of Personally Identifiable Information (PII)**

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) as useful resources respectively.

Article X. **Civil Rights Act of 1964 - Title VI**

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* ([42 U.S.C. § 2000d et seq.](#)), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#).

Article XI. **Civil Rights Act of 1968**

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See [42 U.S.C. § 3601 et seq.](#)), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See [24 C.F.R. § 100.201](#).)

Article XII. **Contract Provisions for Non-federal Entity Contracts under Federal Awards**

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the recipient under the Federal award must contain provisions as required by Appendix II of 2 C.F.R. Part 200, *Contract Provisions for Non-Federal Entity Contracts Under Federal Awards*, including but not limited to the following:

- a. Contracts for more than the simplified acquisition threshold set at \$150,000.

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by [41 U.S.C. § 1908](#), must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

- b. Contracts in excess of \$10,000.

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Article XIII. **Copyright**

All recipients must affix the applicable copyright notices of [17 U.S.C. §§ 401 or 402](#) and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XIV. **Debarment and Suspension**

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) [12549](#) and [12689](#), and [2 C.F.R. Part 180](#). These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XV. **Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article XVI. **Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988* ([41 U.S.C. § 8101 et seq.](#)), which requires all organizations receiving grants from any federal agency agree to maintain a drug-free workplace. You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101-8107).

Article XVII. **Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XVIII. **Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 ([20 U.S.C. § 1681 et seq.](#)), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at [6 C.F.R. Part 17](#) and [44 C.F.R. Part 19](#)

Article XIX. **Energy Policy and Conservation Act**

All recipients must comply with the requirements of [42 U.S.C. § 6201](#) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XX. **Environmental Planning and Historic Preservation Screening**

AFG funded activities that may require an EHP review, involving the installation or requiring renovations to facilities, including but not limited to air compressor/fill station/cascade system (Fixed) for filling SCBA, air improvement systems, alarm systems, antennas, gear dryer, generators (fixed), permanently mounted signs, renovations to facilities, sprinklers, vehicle exhaust systems (fixed) or washer/extractors are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to our Department of Homeland Security/Federal Emergency Management Agency website at: <https://www.fema.gov/library/viewRecord.do?id=6906>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

Article XXI. **False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of [31 U.S.C. § 3729- 3733](#) which prohibits the submission of false or fraudulent claims for payment to the federal government. (See [31 U.S.C. § 3801-3812](#) which details the administrative remedies for false claims and statements made.)

Article XXII. **Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See [OMB Circular A-129](#).)

Article XXIII. **Federal Leadership on Reducing Text Messaging while Driving**

All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in [E.O. 13513](#), including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XXIV. **Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* ([49 U.S.C. § 40118](#)) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 [amendment](#) to Comptroller General Decision B-138942.

Article XXV. **Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, [15 U.S.C. § 2225a](#), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, [15 U.S.C. § 2225](#).

Article XXVI. **Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXVII. Lobbying Prohibitions

All recipients must comply with [31 U.S.C. § 1352](#), which provides that none of the funds provided under an federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action concerning the award or renewal.

Article XXVIII. National Environmental Policy Act

All recipients must comply with the requirements of the [National Environmental Policy Act](#) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXIX. Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. All recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXX. Non-supplanting Requirement

All recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXXI. Notice of Funding Opportunity Requirements

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article XXXII. Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the [Bayh-Dole Act, Pub. L. No. 96-517](#), as amended, and codified in [35 U.S.C. § 200](#) et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance located at [37 C.F.R. Part 401](#) and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article XXXIII. Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article XXXIV. Procurement of Recovered Materials

All recipients must comply with Section 6002 of the [Solid Waste Disposal Act](#), as amended by the [Resource Conservation and Recovery Act](#). The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 C.F.R. Part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXXV. Protection of Human Subjects

Where applicable, recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The

use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

Article XXXVI. **Rehabilitation Act of 1973**

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, [29 U.S.C. § 794](#), as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XXXVII. **Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at [2 C.F.R. Part 200, Appendix XII](#), the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXVIII. **Reporting Subawards and Executive Compensation**

All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at [2 C.F.R. Part 170, Appendix A](#), the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXIX. **SAFECOM**

All recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the [SAFECOM](#) Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XL. **Terrorist Financing**

All recipients must comply with [E.O. 13224](#) and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article XLI. **Trafficking Victims Protection Act of 2000**

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended by [22 U.S.C. § 7104](#). The award term is located at [2 C.F.R. § 175.15](#), the full text of which is incorporated here by reference in the award terms and conditions.

Article XLII. **Universal Identifier and System of Award Management (SAM)**

All recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at [2 C.F.R. Part 25, Appendix A](#), the full text of which is incorporated here by reference in the terms and conditions.

Article XLIII. **USA Patriot Act of 2001**

All recipients must comply with requirements of the [Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act \(USA PATRIOT Act\)](#), which amends [18 U.S.C. §§ 175-175c](#).

Article XLIV. **Use of DHS Seal, Logo and Flags**

All recipients must obtain permission from their DHS FAO, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XLV. **Whistleblower Protection Act**

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at [10 U.S.C. § 2409](#), [41 U.S.C. 4712](#), and [10 U.S.C. § 2324](#), [41 U.S.C. §§ 4304](#) and [4310](#).

FEDERAL EMERGENCY MANAGEMENT AGENCY OBLIGATING DOCUMENT FOR AWARD/AMENDMENT

1a. AGREEMENT NO. EMW-2017-FO-00314	2. AMENDMENT NO. 0	3. RECIPIENT NO. 34-6006433	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX02682N2018T
6. RECIPIENT NAME AND ADDRESS City Of Brunswick Division Of Fire 4095 Center Rd Brunswick Ohio, 44212-2944	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 POC: Andrea Day	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER Joshua Erskine	PHONE NO. 3302252780	10. NAME OF PROJECT COORDINATOR Catherine Patterson	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 28-AUG-18	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:28-AUG-18 To:27-AUG-19	

Budget Period
From:30-APR-18 To:30-SEP-18

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX- XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON- FEDERAL COMMITMENT
AFG	97.044	2018-F7-C111-P4310000-4101-D	\$0.00	\$165,455.00	\$165,455.00	\$16,545.00
TOTALS			\$0.00	\$165,455.00	\$165,455.00	\$16,545.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

[Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.](#)

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)
N/A

DATE
N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)
Andrea Day

DATE
27-AUG-18

[Go Back](#)

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 68-18

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT THE 2017 ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

WHEREAS: The City has received notification that the City has been awarded the 2017 Assistance to Firefighters Grant from the Federal Emergency Management Agency ("FEMA") in the amount of \$165,455.00, which requires a minimum local match of \$16,545.00, for the purchase of critical equipment for the Fire Department; and

WHEREAS: The City anticipates utilizing grant funds totaling \$165,455.00 and local funds totaling \$60,270.20 for the purchase of twenty-eight (28) self-contained breathing apparatus devices ("SCBAs") and fifty-six (56) oxygen bottles, the total purchase price of which is estimated at \$225,725.20, which purchase will require Council approval per separate legislation.

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 2017 Assistance to Firefighters Grant from FEMA, which requires a minimum local match in the amount \$16,545.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to meet the thirty (30) day acceptance period established by FEMA. 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: 09/24/2018

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 69-18** - An emergency ordinance amending Ordinances #117-17, #12-18 and #30-18 to include amendments to the appropriations budget for the year ending December 31, 2018 as incorporated in Exhibit "A" attached hereto - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705 any and all activity of the City must be included in the budget. As actual information is obtained and compared to estimates or new items are requested to be added or deleted by the respective departments, it is necessary and required to present the proposed budget amendments to Council for approval. This process is required by law and audited under the direction of the Auditor of State for compliance every year.

PURPOSE AND EXPLANATION: See fiscal section and related attachments for additional information.

IMPLEMENTATION SCHEDULE: Discuss at the September 17, 2018 Finance Committee meeting and move to the September 24, 2018 Council agenda as an emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The total financial impact of this legislation is a net increase to the overall City appropriation budget by \$673,767.69. The largest components of the increase relate to: 1) \$452,140 which represents the City share of Laurel Rd Phase II project. The City submitted an OPWC Grant application to apply for a grant award of \$613,800. To strengthen the City's case for the grant award process, we have also committed to a City share of \$452,140 towards the project if approved by Council. The project is expected to be engineered in late 2018 and early 2019. Project initiation is expected to occur in July 2019 provided an OPWC grant has been awarded. 2) \$165,455 FEMA Grant award for the City to purchase 28 SCBA units with 3) a City cost share of \$60,720.20; 4) \$300,000 capital set asides for equal \$100,000 amounts for the City's largest 3 Departments, Police, Fire and Service. These set asides will help aid the Departments in funding a portion of their five year capital plans. The Police and Fire set asides will come from charges for service revenues and the Service Department's set aside is expected to come from income tax receipts. All capital set asides are not expenditures of money as actual capital purchases over \$25,000 will be required to be approved by Council in

separate pieces of legislation at a later date; 5) also includes \$330,910 in advances to help temporarily fund the FEMA grant or return the advance once the grant is completed. Advances are also not expenditures of money but rather a temporary loan from one fund to another that is required to be repaid once the grant is completed and reimbursements are received.

The budget amendments also contain a large decrease of \$584,020 in appropriations for stormwater set asides for capital projects. These appropriations are planned to be re-added in the 2019 budget proposal. All other items not specifically listed in this summary are smaller in dollar amount but are listed with a description in the attached Exhibit B.

Exhibit A is the legal document required to be reviewed and adopted by Council pursuant to Ohio Revised Code Section 5705 for these budget amendments to be adopted.

Exhibit B is provided for informational and review purposes only. This document lists out the explanations and amounts for each proposed budget amendment.

It's important to note that this legislation only has budgetary impact and actual expenditures or advances of City funds and related approvals are still subject to state and local laws.

**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?

Recommended approval as an emergency with suspension of the rules. The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions and to keep the budget as up-to-date as possible in order to provide accurate accountability to the City's financial readers and interested parties.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 69-18



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

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #117-17, #12-18 AND #30-18 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2018 AS INCORPORATED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS: Ordinance #117-17 adopted appropriations for 2018; and Ordinances #12-18 and #30-18, regarding amendments to the 2018 appropriation budget, were previously adopted by Council; and

WHEREAS: "Exhibit A" reflects the appropriations as required by the Ohio Revised Code Section 5705.38(C); and

WHEREAS: The amendments are described in detail and attached hereto as "Exhibit B" for informational purposes only; and

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #117-17, #12-18 and #30-18.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: Ordinances #117-17, #12-18 and #30-18 is hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit "A."

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the usual daily operation of a municipal government and for the additional reason that Council wishes to maintain accurate appropriations. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____
2nd Reading _____
3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

EXHIBIT A

September 24, 2018

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	163,210.00	82,294.00	\$ 245,504.00
	Mayor	92,317.00	84,914.00	\$ 177,231.00
	City Manager	175,109.00	134,533.00	\$ 309,642.00
	Information Technologies	160,017.00	309,619.00	\$ 469,636.00
	Engineering	22,004.00	311,881.00	\$ 333,885.00
	Building Department	316,399.00	249,671.00	\$ 566,070.00
	Cemetery Maintenance	-	16,700.00	\$ 16,700.00
	Janitorial Contract	-	20,940.00	\$ 20,940.00
	City Hall Building & Grounds	16,456.00	54,262.00	\$ 70,718.00
	Administrative Services	97,732.00	62,303.00	\$ 160,035.00
	Economic Development	102,658.00	176,133.56	\$ 278,791.56
	Animal Control	69,550.00	61,473.00	\$ 131,023.00
	Law Department	173,578.00	239,828.00	\$ 413,406.00
	Finance Department	231,329.00	195,159.00	\$ 426,488.00
	Income Tax Department	189,674.00	196,566.00	\$ 386,240.00
	Parks & Recreation Director	84,447.00	58,543.00	\$ 142,990.00
	General Fund Administration	-	1,000,485.00	\$ 1,000,485.00
	Planning Division/Community Development	42,394.00	28,527.00	\$ 70,921.00
	Board of Building Appeals	357.00	1,220.00	\$ 1,577.00
	Board of Zoning Appeals	2,507.00	4,686.00	\$ 7,193.00
	Board of Civil Service	13,323.00	28,486.00	\$ 41,809.00
	Board of Ethics	2,950.00	2,305.00	\$ 5,255.00
	Board of Commemorative Affairs	-	21,000.00	\$ 21,000.00
	General Fund Transfers / Advances	-	18,893,173.64	\$ 18,893,173.64
001	Total General Fund	\$ 1,956,011.00	\$ 22,234,702.20	\$ 24,190,713.20
Special Revenue Funds:				
110	Court Computerization Fund	9,814.00	16,989.00	\$ 26,803.00
111	FEMA Grant Fund	-	330,910.00	\$ 330,910.00
114	Police Wages Fund	4,122,877.00	4,049,171.50	\$ 8,172,048.50
115	Fire Fund	2,318,043.00	2,888,301.08	\$ 5,206,344.08
117	Street Repair & Maintenance Fund	1,089,668.00	1,870,159.20	\$ 2,959,827.20
118	State Highway Fund	-	133,188.00	\$ 133,188.00
119	Law Enforcement Fund	-	-	\$ -
120	Brunswick Transit Alternative (BTA) Fund	-	107,000.00	\$ 107,000.00
121	RLF / CDBG Fund	-	5.51	\$ 5.51
123	Brunswick Area Television (BAT) Fund	150,991.33	234,901.11	\$ 385,892.44
127	Parks Fund	205,613.00	459,431.21	\$ 665,044.21
129	Department of Justice Federal Grant Fund	-	13,552.38	\$ 13,552.38
130	DUI Enforcement & Education Fund	-	-	\$ -
131	Recreation Center Fund	520,815.00	680,516.00	\$ 1,201,331.00
133	Home Improvement Grant Fund (CDBG)	-	14,020.40	\$ 14,020.40
Enterprise Funds:				
223	Refuse Fund	60,547.00	2,360,847.50	\$ 2,421,394.50
224	Storm Water Management Fund	28,837.00	1,252,111.00	\$ 1,280,948.00
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	490,800.00	\$ 490,800.00
332	Road Levy Fund	-	2,440,400.00	\$ 2,440,400.00
333	Road Improvement Fund	-	4,008,942.80	\$ 4,008,942.80
334	Traffic Control Fund	-	-	\$ -
335	Public Square Fund	-	-	\$ -
336	City Building Improvement Fund	-	247,516.00	\$ 247,516.00

339	Fire Improvement Fund	-	-	\$	-
341	Park Improvement Fund	-	147,000.00	\$	147,000.00
347	North Carpenter Road Improvement Fund	-	11,132,047.19	\$	11,132,047.19
348	Boston Road Improvement Fund	-	93,519.24	\$	93,519.24
360	Brunswick Lake Improvement Fund	-	86,185.36	\$	86,185.36
367	OPWC Hadcock Rd Reconstruction Fund	-	-	\$	-
368	OPWC Grafton Road Improvement Fund	-	657,046.38	\$	657,046.38
369	OPWC Center Road Resurfacing Fund	-	256,986.48	\$	256,986.48
370	OPWC Multi Roads Improvement Fund	-	1,457,600.00	\$	1,457,600.00
Self Insurance Fund:					
600	Self Insurance Fund	-	2,552,000.00	\$	2,552,000.00
Debt Service Funds:					
771	General Obligation Bond Retirement Fund	-	-	\$	-
780	Special Assessment BRF: Grafton Phase III	-	1,596.00	\$	1,596.00
781	Special Assessment BRF: South Industrial Parkway	-	103,188.00	\$	103,188.00
782	Special Assessment BRF: Laurel Road (2006)	-	44,913.00	\$	44,913.00
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,949.00	\$	18,949.00
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,827.00	\$	11,827.00
Agency Funds:					
881	General Trust Agency Fund	-	525,000.00	\$	525,000.00
882	Unclaimed Money Agency Fund	-	20,000.00	\$	20,000.00
885	Flexible Spending Agency Fund	-	135,000.00	\$	135,000.00
886	Non-Residential 3% Building Permit Agency Fund	-	10,000.00	\$	10,000.00
887	Residential 1% Building Permit Agency Fund	-	10,000.00	\$	10,000.00
Grand Total				\$	71,559,538.87

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #3 - For informational purposes only

For the Budget Year Ending December 31, 2018

9/24/2018

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
General (#001)			
INSURANCE	001-0880-54272	(13,000.00)	Reduce insurance line. Remaining amount will still allow for 1 15 K deductible and 1 10 K deductible to be paid if occurred in final 4 months of the year.
ADVANCE OUT TO FEMA FUND #111	001-0999-99900	165,455.00	Advance Out to the FEMA Fund will temporarily cover the federal grant costs of 26 SCBA units. The advance will be repaid once the City is reimbursed.
TRANSFER OUT TAX ALLOCATION	001-0999-99950	15,390.00	Updated allocation estimate to go towards Capital Improvement Fund #300 per Council Ord #118-17 and updated income tax revenue estimates.
General Fund Total		167,845.00	
FEMA Fund (#111)			
FEMA ASSISTANCE TO FIREFIGHTERS GRANT	111-0528-56001	165,455.00	FEMA federal grant award for the purchase of 28 SCBA units for the Division of Fire. City share not covered by the grant will be budgeted in Fire Fund.
ADVANCE OUT	111-0999-99940	165,455.00	Advance will be required to be returned to the General Fund once the grant is completed and the City receives reimbursement through FEMA.
FEMA Fund Total		330,910.00	
Police Fund (#114)			
UTILITIES & PHONES	114-0520-54270	(10,000.00)	Reduce utilities budget based on first 8 months of activity.
FUEL	114-0520-55300	(10,000.00)	Reduce fuel budget based on first 8 months of activity.
TRANSFER TO CAPITAL	114-0520-99999	100,000.00	Set aside a larger portion of fines & forfeiture revenues for future capital needs. To help fund Division's 5 year capital plan. Transfer Out = Transfer In.
Police Fund Total		80,000.00	
Fire Fund (#115/952)			
INSURANCE	115-0510-54272	(10,000.00)	Reduce insurance line. Remaining amount will still allow for 1 15 K deductible to be paid if occurred in final 4 months of the year.
FUEL	115-0510-55300	(4,000.00)	Reduce fuel budget based on first 8 months of activity.
TRANSFER OUT TO CAPITAL #952	115-0510-99999	100,000.00	Set aside a larger portion of EMS billing revenues for future capital needs and help fund part of the Division's 5 year capital plan. Transfer Out = Transfer In.
CAPITAL OUTLAY - FEMA GRANT	952-0510-56256	60,270.20	City portion of costs estimated by Fire Chief for the purchase of 28 SCBA units for the Division of Fire. Total cost expected to be \$225,725.20 with FEMA Grant covering \$165,455 of the costs which is the grant maximum awarded. See the FEMA Fund #111 for federal grant portion.
Fire Fund Total		146,270.20	
Street R & M Fund (#117)			
INSURANCE	117-0420-54272	(4,000.00)	Reduce insurance line. Remaining amount will still allow for 1 10K deductible to be paid if occurred in final 4 months of the year.
UTILITIES & PHONE	117-0420-54270	(8,000.00)	Reduce utilities budget based on first 8 months of activity.
TRANSFER OUT TO CAP #953	117-0420-99999	100,000.00	Set aside a larger portion of income taxes for future capital needs and help fund part of the Department's 5 year capital plan. Transfer Out = Transfer In.
Street R & M Fund Total		88,000.00	
Cable TV Fund (#123/#956)			
I-NET	123-0460-56883	2,622.49	I-NET fiber services for Dec 15, 2018 through Jan 14, 2019. Crossed over 2 budgeted fiscal years. PO to be submitted in 2018 if approved.
Cable TV Fund Total		2,622.49	
Parks Fund (#127/960)			
INSURANCE	127-0810-54272	10,000.00	To allow for a 10K deductible or legal claim, if necessary
Parks Fund Total		10,000.00	
Rec. Center Fund (#131)			
UTILITIES & PHONE	131-0830-54270	(20,000.00)	Reduce utilities estimate to be closer to anticipated costs.
Rec. Center Total		(20,000.00)	
Stormwater Management Fund (#224)			
PROJ SET ASIDE (Grant matches) - No debt	224-0420-56000	(584,020.00)	Reduce carryover project budget since projects not expected to occur in 2018. Money is planned to be rebudgeted in 2019 for potential projects.
Stormwater Management Enterprise Fund Total		(584,020.00)	

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #3 - For informational purposes only

For the Budget Year Ending December 31, 2018

9/24/2018

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
Road Capital Projects Fund (#333)			
CONSTRUCTION - LAUREL RD PHASE 2	333-0553-56881	356,939.24	The total construction costs are estimated at \$841,500 by the City Engineer. This amount represents only the City portion 42.417%, pending grant approval.
ENGINEERING/INSP - LAUREL RD PHASE 2	333-0553-56883	59,506.84	Total engineering and inspection costs are estimated at \$140,290. City portion for this project is expected to be 42.417% of the budgeted amount.
CONTINGENCY - LAUREL RD PH 2	333-0553-56884	35,693.92	The total contingencies are estimated at \$84,150 by the City Engineer. This amount represents only the City portion 42.417%, pending grant approval.
Road Capital Projects Fund Total		<u>452,140.00</u>	

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 09/24/2018

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 70-18** - An emergency ordinance to advance funds - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705 transfers and advances may become necessary as certain financial situations arise. Transfers and Advances may also occur as a result of the City's Fund Balance Reserve Policy passed and last amended by Council via Ordinance #90-17. A transfer is the permanent movement of money from one fund to another. An advance is the temporary movement of money from one fund to another fund that will be repaid upon the completion of an anticipated event. The process of transferring and advancing funds is required by law in certain financial situations and is audited under the direction of the Auditor of State for compliance every year. Transfers and Advance legislation is generally presented two to three times a year or more, if deemed necessary.

PURPOSE AND EXPLANATION: In order to comply with the Ohio Revised Code Section 5705 transfers and advances may become necessary as certain financial situations arise. Transfers and Advances may also occur as a result of the City's Fund Balance Reserve Policy passed and last amended by Council via Ordinance #90-17. A transfer is the permanent movement of money from one fund to another. An advance is the temporary movement of money from one fund to another fund that will be repaid upon the completion of an anticipated event. The process of transferring and advancing funds is required by law in certain financial situations and is audited under the direction of the Auditor of State for compliance every year. Transfers and Advance legislation is generally presented two to three times a year or more, if deemed necessary.

IMPLEMENTATION SCHEDULE: Discuss at the September 17, 2018 Finance Committee meeting and move to the September 24, 2018 Council agenda as an emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Transfers and advances do not have a financial impact on the City funds as a collective whole. Transfers and advances are merely the movement of money from one fund to another and are defined in the Ohio Revised Code Section 5705 and in the Auditor of State Compliance Supplement.

Transfers and advances are required to be included in the City's adopted budget and are also required to be approved by City Council.

**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?

Recommended approval as an emergency with suspension of the rules. Emergency clause necessary to allow funding to be in place to administer plans and/or purchase orders for various projects, grants, etc.

**ADDITIONAL
INFORMATION:**

None.



CITY OF BRUNSWICK, OHIO
ORDINANCE NUMBER 70-18

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

AN EMERGENCY ORDINANCE TO ADVANCE FUNDS

WHEREAS: The City of Brunswick wishes to advance monies from the General Fund #001 to the FEMA Fund #111 to temporarily fund the federal expenditures of the FEMA Assistance to Firefighters grant until grant reimbursements are received.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS

SECTION 1: That the following funds are hereby advanced:

FROM: General Fund (#001)
TO: FEMA Grant Fund (#111)
AMOUNT: \$165,455.00

SECTION 2: This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that proper funding sources be advanced. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

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: 09/24/2018

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. 71-18** - A resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: This arrangement has occurred for many years and this is a continuation of the same arrangement.

PURPOSE AND EXPLANATION: This agreement will allow ODOT to continue to operate as efficiently as possible by staging salt near the areas that they are providing snow and ice control thereby providing safe and effective transportation to Brunswick and other citizens. This operational efficiency minimizes drive time for plow drivers during snow and ice events allowing them to reload with salt near the area they are providing service.

IMPLEMENTATION SCHEDULE: This work will take place commencing with the first snow fall this year.

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?

This agreement is needed when the snow and ice activities commence which can be at any time.

ADDITIONAL

INFORMATION:

ROAD SALT STORAGE AGREEMENT

THIS ROAD SALT STORAGE AGREEMENT is entered into by and between the City of Brunswick, an Ohio municipal corporation located at 4095 Center Road, Brunswick, Ohio 44212 (the "City") and the Ohio Department of Transportation ("ODOT").

RECITALS:

WHEREAS, the Parties hereto have determined that it is desirable to establish an arrangement wherein the City will allow ODOT to store road salt on City owned property and utilize City equipment for loading such road salt as provided herein.

NOW, THEREFORE, in consideration of the mutual promises, covenants and obligations contained herein, the Parties hereto agree as follows:

1. **TERM.** The term of this Agreement shall commence upon full execution of this Agreement and end on June 30, 2019 unless terminated by either Party hereto as provided in Section 2 herein.
2. **TERMINATION.** This Agreement may be terminated by either Party hereto upon thirty (30) days written notice.
3. **ODOT RESPONSIBILITIES.** Upon full execution of this Agreement ODOT shall provide fifty (50) tons of road salt annually to the City at a location approved by the City (the "Storage Location") for the use of storage buildings and equipment. ODOT employees shall be solely responsible for loading road salt into ODOT vehicles. ODOT shall provide the City Service Director with the accounting of road salt removed from the Storage Location after each snow event and shall replenish the road salt upon the direction of the City Service Director as soon as reasonable after each snow event. Upon termination of this

Agreement, ODOT shall replenish any road salt that has not already been replenished.

4. CITY RESPONSIBILITIES. The City shall provide the Storage Location to ODOT and permit ODOT employees to utilize City equipment, including fuel, necessary to load road salt into ODOT vehicles at no cost.
5. WORKERS' COMPENSATION. Each Party hereto shall provide workers' compensation for its own employees.
6. PROPERTY DAMAGE. Each Party shall be responsible for and shall hold the other Party harmless from injury to its own employees or damage to its property. Any damage to City owned property as a result of ODOT's use shall be repaired by the City and the actual cost of repair shall be reimbursed by ODOT through the provision of road salt in an amount equivalent to the actual cost of repair.
7. ASSIGNMENT. This Agreement is not assignable without the prior written consent of both Parties hereto.
8. DEFAULT/REMEDIES. In the event of a material default by either Party in the performance of its obligations hereunder, the non-defaulting Party shall deliver to the other Party written notice setting forth the nature of the default. The defaulting Party shall have thirty (30) days to cure the default. If the default is not cured to the satisfaction of the non-defaulting Party within such thirty (30) day period, the non-defaulting Party may terminate this Agreement. In the event of termination, the defaulting Party shall have no further rights or obligations under

this Agreement; however, the defaulting Party shall not be relieved of its obligations under this Agreement which accrued prior to the date of termination.

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

10. NOTICES. All notices which either Party hereto may give shall be addressed, in the case of the City of Brunswick, as follows:

The City of Brunswick
Attn: Service Director
4095 Center Road
Brunswick, Ohio 44212

And in the case of the Ohio Department of Transportation, as follows:

Ohio Department of Transportation
Attn: Howard Goodyear
3220 Medina Road
Medina, Ohio 44256

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

[SIGNATURE PAGE TO FOLLOW]

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

City of Brunswick

Ohio Department of Transportation

Carl S. DeForest, City Manager

By: _____

Date: August 13, 2018

Date _____

Approved as to form:

Kenneth J. Fisher, Law Director

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE STORAGE OF ROAD SALT.

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

SECTION 1: The City Manager is hereby authorized and directed to enter into an Agreement
with the Ohio Department of Transportation, as attached hereto as Exhibit "A",
for the storage of road salt.

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 71-18

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
AN AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE STORAGE OF ROAD SALT.

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

SECTION 1: The City Manager is hereby authorized and directed to enter into an Agreement
with the Ohio Department of Transportation, as attached hereto as Exhibit "A",
for the storage of road salt.

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: 09/24/2018

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

FROM: Carl S. DeForest, City Manager
Robert Marok

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 72-18** - A resolution authorizing the City Manager to purchase replacement tablets for the Division of Police from TAC Computer in an amount not to exceed \$65,685.71 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Robert Marok*)

BACKGROUND: The Brunswick Division of Police mobile tablets are 5 years old and beginning to experience failures. The replacement was budgeted for this year and will allow for their migration to windows 10 before next year

PURPOSE AND EXPLANATION: The mobile tablets are out of warranty and have begun to experience failures. The replacement was budgeted for this year.

IMPLEMENTATION SCHEDULE: Upon passage by council, the order will be placed and they should be placed operational by the end of the year.

FINANCIAL INFORMATION: PoliceComputer replacement - 11/01/2018 - - - - 80000

FINANCIAL SUMMARY: Replacement is below budgeted amount

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:**



QUOTE

7603 1st. Pl. B-10
Oakwood Village, OH 44146
Website: www.tacomputer.com
Phone: (440) 232-2555
Fax: (440) 232-3979
Prepared by: Greg C.

DATE	8/20/2018
QUOTE #	10621
VALID UNTIL	9/19/2018

CUSTOMER

Rob Marok
Brunswick Police
4095 Center Rd
Brunswick, OH 44212

DESCRIPTION	UNIT PRICE	QTY	TAXED	AMOUNT
Panasonic Toughpad FZ-G1 (12450590) i5 6300 2.4GHz, 8GB RAM, 256GB SSD, Windows 10	\$2,974.49	18		\$ 53,540.87
iKey Vehicle Mount Ruggedized MDT Keyboard (12043803)	\$323.08	3		\$ 969.24
Panasonic Service Package Extended Warranty (12200593)	\$568.51	18		\$ 10,233.18
Absolute Data & Device Security License (12025201)	\$52.36	18		\$ 942.42

Subtotal	\$ 65,685.71
Taxable	\$ -
Tax rate	0.000%
Tax due	\$ -
Shipping	\$ -
TOTAL	\$ 65,685.71

TERMS AND CONDITIONS

1. Prices are subject to change after 24 hours
2. Payment will be due after delivery of services and goods
3. Please indicate approval of quote via e-mail to process order

If you have any questions about this price quote, please contact
Greg: greg@tacomputer.com or (440) 232-2555

Thank You For Your Business!

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 72-18

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

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE REPLACEMENT TABLETS FOR THE DIVISION OF POLICE FROM TAC COMPUTER IN AN AMOUNT NOT TO EXCEED \$65,685.71.

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

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Procurement Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Procurement Program; and

WHEREAS: The proposed purchase of replacement tablets for the Division of Police from TAC Computer in the amount of \$65,685.71 is upon equivalent terms, conditions and specifications and at a lower price than through the State Procurement Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase replacement tablets for the Division of Police from TAC Computer in an amount not to exceed \$65,685.71 per Quote dated August 20, 2018.

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: 09/24/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 73-18** - A resolution declaring the City of Brunswick a "Purple Heart City." - **1st Reading**
(To be brought from Committee-of-the-Whole, *Administration/Nicholas Hanek*)

BACKGROUND: The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782.

The Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America.

**PURPOSE AND
EXPLANATION:**

To declare the City of Brunswick as a "Purple Heart City" and encourage the citizens of the City of Brunswick to show their appreciation for the sacrifices that Purple Heart recipients have made in defending our freedoms, to acknowledge their courage and to show them the honor and support that they have earned.

Establish an upcoming date in the near future, and then each August 7th in subsequent years.

**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
RESOLUTION NO. 73-18

BY: Committee-of-the-Whole

A RESOLUTION DECLARING THE CITY OF BRUNSWICK A “PURPLE HEART CITY.”

- WHEREAS: The City of Brunswick has always supported its military veteran population;
- WHEREAS: The people of the City of Brunswick have great admiration and the utmost gratitude for all the men and women who have selflessly served this Country and community in the Armed Forces;
- WHEREAS: Military veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm’s way for the good of all;
- WHEREAS: The contributions and sacrifices of the men and women from the City of Brunswick who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens;
- WHEREAS: Many men and women in uniform have given their lives while serving in the Armed Forces;
- WHEREAS: The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782;
- WHEREAS: The Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America;
- WHEREAS: The mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly make sure we never forget;
- WHEREAS: The City of Brunswick has a large, highly decorated veteran population including many Purple Heart recipients; and
- WHEREAS: The City of Brunswick appreciates the sacrifices of our Purple Heart recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support that they have earned.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
- SECTION 1: This Council does hereby declare the City of Brunswick as a “Purple Heart City”

and encourage the citizens of the City of Brunswick to show their appreciation for the sacrifices that Purple Heart recipients have made in defending our freedoms, to acknowledge their courage and to show them the honor and support that they have earned.

SECTION 2: This Council hereby designates _____ as the day in the City of Brunswick to remember and recognize veterans who are recipients of the Purple Heart.

SECTION 3: 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: 09/24/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 74-18** - An emergency resolution declaring October 2018 as "Everybody Works" month in the City of Brunswick - **1st Reading** (To be brought from Economic Development Committee, *Administration/Nicholas Hanek*)

BACKGROUND: To declare October "Everybody Works" Month in Brunswick.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

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

This would be as an emergency with suspension of the rules due to this being the last meeting prior to October.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 74-18

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

AN EMERGENCY RESOLUTION DECLARING OCTOBER 2018 AS
“EVERYBODY WORKS” MONTH IN THE CITY OF BRUNSWICK.

WHEREAS: The City of Brunswick desires to support job opportunities for all residents of the City;

WHEREAS: Medina County has over 500 job openings throughout the County;

WHEREAS: There are individuals whose barriers to employment can be overcome with the right support;

WHEREAS: Many companies are not aware of the services available to tap into this underutilized talent pool; and

WHEREAS: The City of Brunswick finds that it is important to bring attention to those resources which can help these individuals get jobs and remain in the community as productive citizens.

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

SECTION 1: This Council does hereby declare October 2018 to be “Everybody Works” month in the City of Brunswick.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to declare October 2018 as “Everybody Works” month in the City of Brunswick. 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: 09/24/2018

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

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 75-18** - An ordinance amending the signage guidelines of the Brunswick Town Center Special Planning District NO. 2 by prohibiting pole signs - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: On or about April 22, 2013, Council adopted Ordinance No. 20-13 wherein, among other things, pole signs were prohibited in the City as detailed in Codified Ordinance Section 1270.11. The Signage Guidelines of the Brunswick Town Center Special Planning District No. 2 were not revised to include the prohibition of pole signs per Ordinance No. 20-13.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: Suggested that it be referred by City Council to the Planning Commission upon 1st Reading for report and recommendation after public hearing.

Upon receipt of Planning Commission's recommendation, Council may consider same on 2nd and 3rd Readings with non-emergency adoption.

**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:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 75-18

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

AN ORDINANCE AMENDING THE SIGNAGE GUIDELINES OF THE
BRUNSWICK TOWN CENTER SPECIAL PLANNING DISTRICT NO. 2 BY
PROHIBITING POLE SIGNS.

WHEREAS: On or about April 22, 2013, Council adopted Ordinance No. 20-13 wherein, among other things, pole signs were prohibited in the City as detailed in Codified Ordinance Section 1270.11.

WHEREAS: The Signage Guidelines of the Brunswick Town Center Special Planning District No. 2 were not revised to include the prohibition of pole signs per Ordinance No. 20-13.

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

SECTION 1: That the Signage Guidelines of the Brunswick Town Center Special Planning District No. 2 are hereby amended to prohibit pole signs and all references to pole signs contained therein shall be removed.

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