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

OCTOBER 8, 2018

1. Prayer and Pledge of Allegiance

2. Roll Call of Members

3. Correspondence

4. Approval of regular Council Meeting Minutes dated September 24, 2018.

   (a) Regular Council Meeting Minutes dated September 24, 2018.

5. Mayor's Report:

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

   (b) Proclamation for Eagle Scout Vincent R. Sheeler and Dylan J. Bell;

   (c) Mayor's recommendation to reappoint Ronald Kostura to the Civil Service Commission;

   (d) Mayor's recommendation to reappoint John V. Welker Jr. to the Civil Service Commission;

   (e) Mayor's Update

6. Clerk of Council's Report

7. Council Committee Reports:

   Economic Development..Mr.Hanek

   Economic Development Committee Meeting Minutes dated September 18, 2018 and

   minutes dated September 24, 2018

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

   Services Committee Meeting Minutes dated September 24, 2018

   Finance Committee..Mrs. Hanek

   Safety & Environment..Mr.Ousley

   Safety Committee Meeting Minutes dated September 24, 2018

Planning & Zoning Committee..Mr.Delsanter

Planning & Zoning Committee Meeting Minutes dated September 20, 2018 and minutes dated September 24, 2018

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

Parks & Recreation Committee Meeting Minutes dated September 24, 2018

Building & Building Code Committee...Mr. Capretta

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated September 24, 2018

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

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

b. 2nd 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 - **2nd Reading** (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 - **2nd Reading** (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 - **2nd Reading** (Safety & Environment Committee, *Administration/Robert Marok*)

RES. NO. 73-18 - A resolution declaring the City of Brunswick a "Purple Heart City." - **2nd Reading** (Committee-of-the-Whole, *Administration/Nicholas Hanek*)

c. 1st Reading(s)

RES. NO. 76-18 - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 77-18 - An emergency resolution strongly opposing State Issue 1, which is a proposed amendment to the Ohio Constitution that would weaken Ohio's criminal laws with respect to dangerous drugs such as fentanyl, heroin, methamphetamine, cocaine, and LSD, and urging Brunswick residents to vote against State Issue 1 in the upcoming general election to be held on November 6, 2018 - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Joseph Salzgeber*)

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 24, 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 September 10, 2018:

Michael Abella Jr. moved to approve regular Council Meeting Minutes dated September 10, 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:

Girl Scout Troop 90347 recognition for their Bronze Award:

Mayor Ron Falconi recognized Girl Scout Troop 90347 for achieving one of the highest awards in Girl Scouts, the Bronze Award. The six girls completed their Bronze Award by installing a little library at Mapleside Farms. They launched the idea for the project, hosted an event to collect the books and took turns maintaining the box.

Proclamation for the Recognition of Bob Prevost:

Mayor Ron Falconi presented a proclamation to American Legion Post 234 Commander Bob Prevost for the years serving this community in numerous capacities. Commander Prevost expressed his appreciation and thanks to the City Council, the Mayor and the American Legion Post 234.

Mayor's recommendation to reappoint Ronald Kostura to the Civil Service Commission.

Mayor's recommendation to reappoint John V. Welker Jr. to the Civil Service Commission.

Motion to approve the Mayor's recommendation to reappoint Tracy Buchheit to the Civil Service Commission:

Michael Abella Jr. moved to approve the Mayor's recommendation to reappoint Tracy Buchheit to the Civil Service Commission, 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.

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:

Mr. Hanek had no formal reports this evening.

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

Joseph Salzgeber moved to approve the formal report dated September 10, 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:

Patricia Hanek moved to approve the formal report dated September 17, 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:

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

Planning & Zoning Committee..Mr. Delsanter:

Mr. Joseph Delsanter noted that the Planning & Zoning Committee members moved Ordinance Number 75-18 to the Council Meeting agenda dated for September 24, 2018, and then back to Planning Commission for a public hearing.

Mr. Delsanter had no formal reports this evening.

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

Michael Abella Jr. moved to approve the formal report dated September 10, 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.

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

Anthony Capretta moved to approve the formal report dated September 10, 2018 as written, seconded by

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

Other Boards and Commissions:

Michael Abella Jr. moved to approve the formal report dated September 10, 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)

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*):

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

Community and Economic Development Director Grant Aungst remarked that this legislation is to rezone a property with about 14.9-acres on North Carpenter Road from Rural Residential to Low-Density Residential. On July 19, 2018, the Planning Commission voted to recommend City Council to approve the proposed rezoning for the property from R-R to R-L.

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/P*aul Barnett*):

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

Service Director Paul Barnett remarked that this grant is $123,758 for energy efficiencies.

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*):

RES. NO. 64-18 - Mr. Michael Abella Jr. moved this resolution to a third reading.

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*):

ORD. NO. 66-18 - Mr. Michael Abella Jr. moved this ordinance to a third reading and back to the Safety and Environment Committee for further discussions.

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*):

ORD. NO. 67-18 - Mrs. Hanek moved this ordinance to second reading.

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*):

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

Fire Chief Jim Baird remarked that this legislation allows the city to accept the grant from the Federal Emergency Management Agency (FEMA) in the amount of $165,000. The grant will be used to purchase new self-contained breathing apparatus (SCBA) to protect the firefighters. The current SCBAs are at the end of their lifespan.

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

ORD. NO. 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*):

Patricia Hanek 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.

Finance Director Todd Fischer remarked that the Finance Committee discussed the budget amendments and details on Monday, September 17, 2018. The Exhibit A is following the Ohio Revised Code requirements, and Exhibit B lists all of the budget amendments for informational purposes. The budget amendment was for the following:

- To establish a local funding item for the Laurel Road Phase II project. The city applied for an OPWC grant for $613,800.
- To establish a funding for the FEMA grant for the fire department.

- To move stormwater monies from 2018 to 2019 to prepare for the 2019 budget.
- To strengthen some capital set-asides for the three largest departments.

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

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

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

Finance Director Todd Fischer remarked that this legislation is to move $165,455 from General Fund to the FEMA Fund to allow the fire department to purchase 28 SCBA units until the city receives the reimbursement from FEMA.

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

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. 71-18 - Mr. Salzgeber moved this resolution to second reading.

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. 72-18 - Mr. Ousley moved this resolution to second reading.

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. 73-18 - Mr. Abella Jr. moved this resolution to second reading.

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*):

Nicholas Hanek moved to suspend the rules, 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.

Councilman Nicholas Hanek remarked that this legislation is an emergency resolution declaring October

2018 as "Everybody Works" month in the City of Brunswick. The Medina County Commissioners recently adopted something similar. The city wants to support job opportunities for everyone in the community. There are over 500 job openings throughout the county. This legislation is to make people aware of the different resources in the county to obtain a job or to hire the right person.

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

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

ORD. NO. 75-18 - Mr. Delsanter moved this ordinance to a second reading, and back to the Planning Commission for Public Hearing.

City Manager's Report:

City Manager Carl DeForest

- Commended Bob Prevost for his contribution to the community. He thanked the American Legion and the Veterans of Foreign Wars (VFW) for all that they do for the community.
- Reminded everyone that the Annual Veterans Breakfast is October 17, 2018, at 8:00 a.m. This is an opportunity for the city to say thank you.
- Noted that the Veterans Day Ceremony is Friday, November 9, 2018, at 11:00 a.m. in Council Chambers.
- Remarked that there is a box for any disposed or unwanted American Flags at City Hall. The VFW picks up the flags from City Hall to dispose of the flags properly.

Administrative Departments:

Finance Director Todd Fischer

- Noted that the finance department completed the second phase of their 2019 City Manager's budget proposal. The budget proposal presentation is scheduled to be presented to the City Council on October 29, 2018, at 6:15 pm.
- Remarked that the Brunswick Finance Directors were invited to present the financial story of the City of Brunswick to 130 finance officers and treasures at the Ohio Government Finance Officers Association in Cincinnati.

Fire Chief Jim Baird

- Noted that the Home Depot Safety Days is expected to kick off on Saturday, October 6, 2018, at 9:00 am. Home Depot is providing games and opportunities for the kids to learn about different safety tips. The police department and the fire department will be at this event.
- Announced that the fire department received another grant from the Office of Workers' Compensation for additional safety gear for the firefighters to protect their hands and necks

while in the field. In addition, the department is expected to receive a gear washer from this grant.

- 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, and meet some of the firefighters. He mentioned that residents could contact the City Manager's office to sign-up for the academy. The first day of the academy is October 3, 2018, at 6:30 pm.

Service Director Paul Barnett

- Noted that there will be pavement construction on Laurel Road, between Pearl Road and Brintnall Drive. This location is only open to local traffic.
- Remarked that a section of Beverly Hills Drive and Magnolia Drive, from Pearl Road to Judita Drive, is under reconstruction.
- Noted that the road contractors are expected to start on Junior Pkwy, from Briarleigh Drive to Bettie Ln, on September 25, 2018. This section is scheduled to be closed. The contractors will change the grade of the roadway and add drainage structures.
- Mentioned that resurfacing projects are anticipated to start in October. He noted that they are going to resurface Neura Park parking lot, City Hall parking lot and part of the walk-way at North Park that goes around the lake.

Economic Development Director Grant Aungst

- Remarked that the Comfort Suites of Brunswick held their Ribbon Cutting Ceremony on Friday, September 21, 2018.
- Announced that “Made in Medina County Day” is on October 5, 2018. On this day, community members and others to sign-up through at Medina County Economic Development Corp to take a tour of the local businesses within the County. Three of those businesses are in Brunswick.
- Noted that the Brunswick Middle School has started their ground construction; however, the structure is not expected to start until spring 2019.
- Remarked that Murphy tractor in Industrial South is almost done with their new 28,000 sq. ft. building. He explained that once the new building is done the company will be retaining jobs and growing jobs.

Councilman Brian Ousley wanted to know if Laurel Road is on time for reopening and is the service department still doing durapatching throughout the city. Mr. Barnett explained that Laurel Road is currently on schedule to open in early November. Mr. Barnett remarked that durapatching is expected to continue as time and weather permits. Mr. Ousley wanted to know will the durapatcher reach Pinewood Drive, between Applewood Drive and Fernwood Drive, for 2018. Mr. Barnett explained that they are prioritizing the worst roads first, but he will take a look at that section.

Open Forum:

Curbside Recycling

Steve Viny, CEO of Envision Holdings based in Cleveland, provided the City Council with information on the recycling system that Medina County approved. Mr. Viny expressed his concerns about the different drop off options that are in Medina County. Mr. Viny submitted a public comment and supporting documents to the City Council.

(Clerk notes: The public comment and supporting documents are attached to the minutes.)

Proposed Senior Living Apartments

Richard Prospal at 312 Nancy Circle remarked that he read in the Brunswick Post Newspaper about a proposed senior housing development by the Brunswick water tower. Mr. Prospal was happy that the proposed senior living home was a low-rise development. He applauded the Planning Commission for questioning the developer on the need for more senior housing in Brunswick. Mr. Prospal remarked that the developer's response was that there is a tremendous need because of the aging of the community and America. Mr. Prospal explained that he wouldn't take the word of a developer. He advised the city to conduct a data research study on senior living. How many senior centers or apartments are currently in the city? What are the occupancy rates and history for each center and the city? Mr. Prospal explained that this research would help the city examine the needs for senior apartments. It would also help the Planning Commission make a well thought out decision.

Chrissy Vojtus at 9154 Blossom Court had questions regarding the senior center. Ms. Vojtus wanted to know if the city could provide copies of the developer's plans for residents who live around that proposed property.

Animal Control - Ordinance 66-18

Martin Krist at 4154 Blossom Ct. presented a presentation about animal control, feeding of animals and overpopulation of animals. Mr. Krist described the location of the Shire apartments and residential houses in that area. There is a wooded area in the middle of the residential properties. He remarked that there was a large amount of animal life that had no choice, but to go to the nearest wooded area once the construction started. Mr. Krist explained that the animals went to the 5-acre parcel of land that is directly adjacent to Judita Drive. He noted that there was no consideration in the Shire construction process of where the wildlife would go. He remarked that the Animal Control Officer didn't address the issue with the surrounding neighbors. He expressed that his trees and garden are being affected by the overpopulation of animals. He advised the City Council to have the Animal Control visit the concerned area, and come up with a solution.

Bruce Mlakar at 3583 Beaumont Drive remarked that his property is adjacent to the retention pond on Cherry Hill Estates development. He explained that he sees beavers, muskrats, deer, red fox, geese, and ducks. Mr. Mlakar understands the reason why the city wants to approve an ordinance of this kind. He noted that the city could call the deer herds and raccoons to locate them to another location. He suggested that there should be more discussions regarding the feeding of wildlife.

Unfinished Business: There was none.

New Business:

Councilman Joseph Salzgeber noted that a business owner in the City of Brunswick contacted him. The business wanted to expand their organization by adding up to 40 new employees; however, they ran into a zoning issue. Mr. Salzgeber thanked Mr. Aungst for solving the error and helping the business start their plans to expand. He remarked that he received an unsolicited compliment from Commissioner Adam Fredrick for Mr. Barnett for being very professional and knowledgeable. He thanked Fire Chief Baird for his efforts in obtaining the Firefighters grant from FEMA.

Councilman Joseph Delsanter remarked that there was a concept plan presented to the Planning Commission for the proposed senior living construction by the St. Ambrose property. He explained that the commission talked about the proposed project like safety issues; however, the commission has not considered any plans for this project.

Adjournment:

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

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

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

____
Mayor Ron Falconi

____
Adopted

October 1, 2018

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

WAIVERS/COURT/BONDS

DEPOSITS (September) 44,205.34
DEBITS (September) (43,215.34)

Checks to be written in September:

Treasurer State of Ohio	$ 7,714.50
City of Medina MIATF	$ 50.00
City of Medina IDATF	$ 240.50
City of Brunswick Finance Dept/Police Fund *	$33,680.34
Misc Checks (bond refunds & transfers/restitution)	$ 1,530.00
TOTAL for the month	$43,215.34

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

Service Charges/Fees for prior month $355.16

MAYOR RONALD FALCONI

TERESA BENO, CLERK OF COURTS

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 TECHINACAL MANAGEMENT 1967

SPECIAL TRAINING LAW ENFORCEMENT O.P.A.T.A. / FINANCIAL SERVICES
14YRS. COMMISSIONED POLICE OFFICER / INSURANCE BROKER

CURRENT EMPLOYMENT

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

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

REFERENCES (other than relation):

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

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 330-671-1126

STREET 536 Linden Dr CELL 330-671-1126

Years of Residency 29 Registered Brunswick Voter: YES ✓ NO ______

POSITIONED DESIRED: Civil Service Commission EMAIL JohnVW13@aol.com

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL Cardinal Mooney Youngstown Ohio

COLLEGE YSU - Youngstown Ohio BS/BA 1975

SPECIAL TRAINING ______

CURRENT EMPLOYMENT

Company	Address	Title	Dates
Retired			

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
Supply One	26801-B Fargo Ave Clev	Buyer	2010-2011
HDT Tactical Systems	30500 Aurora Rd Solon	Buyer	2007-2018

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.	Patricia Hanek	2086 Coventry	330-225-0608
2.	Nick Hanek	3734 Edgebrook Dr #312	330-204-4103
3.	Dean Holman	9399 River Styx	330-416-9436

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

Currently member of Civil Service Commission

ATTACH RESUME IF DESIRED.

Signature: John V Welker Jr 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.

MW

ECONOMIC DEVELOPMENT

September 18, 2018

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

The meeting convened at 6:32 p.m.

GENERAL DISCUSSION:

As an update Mr. Aungst advised he attended a program on the economic future focused on regional priorities, and also a presentation on PACE financing which is financing energy improvements and efficiencies. It is an economic tool to get businesses revitalized. He advised the City would have to adopt legislation to become a PACE financed city; he will be attending another program on PACE funding to learn more about this type of program.

Made in Medina County day is October 5; eighteen companies in the county will be hosting tours, three of those companies are in the City of Brunswick; Firstar Precision Corp., Columbia Chemical, and IMT. Reservations for the tours can be made through Medina County Economic Development Corp.

Additionally, Mr. Aungst stated the month of October has been proclaimed as Everybody Works month in Medina County. Medina County Commissioners have issued a proclamation stating that fact, he mentioned the City may want to follow suit; he noted Made in Medina County Day came about to support the manufacturing industry.

Mr. Aungst noted during the Ward 2 meeting hosted by Councilman Hanek there were a number of questions asked and answered about economic development in the community.

Mr. Aungst advised former police officer Lynda Reeves has been hired as the new part time building inspector.

Mr. Aungst advised the county continues to work on workforce skills and development which remains a high priority to employers in the community, county and region. He noted there are not enough unskilled and skilled workers to fill the 500 open positions currently in the county.

Mr. Aungst noted the business parks are close to full and running out of land, he noted there is a lot of interest in northern Medina County.

Comfort Suites is open and operational with their grand opening scheduled for Friday, September 21 at 11:00 am. Murphy Tractor is under construction, the general contractor for that project is Engelke Construction which is a local company. Controlled Access will soon be building their new operations across from Murphy Tractor on Industrial Parkway South. Mr. Aungst noted Sheetz was doing well, and Sherman's Corners Medical building is complete and ready for occupants. He noted there is a lot of interest in commercial development in the City. Dollar Bank will be opening soon; Rad Air is having their grand opening September 27. Mr. Aungst also announced the owner of the KFC on Pearl Road has proposed to open a second KFC at the current Sonic location; the proposal is currently under review with Planning Commission. The owner of KFC sees a high demand for both sites, and intends on having two locations. Mr. Aungst commented there is a trend of commercial businesses that are interested in Pearl Road.

Mr. Aungst announced Terri Hradek resigned as director of Brunswick Tri C and has taken a position with Leadership Medina County.

The City was working with a developer looking at land for future mixed use development. The Brunswick Middle School continues to take shape noting the 63 million dollar build will be a driver to change Pearl Road.

Mr. Aungst mentioned the tariffs that the federal government was moving forward with will put pressure on many local businesses and industries, he also mentioned the impact the Federal Reserve has with rate increases and the effect rate increases have on businesses, as does the cost of oil. Even with that he mentioned growth in the City continues with companies looking to hire at all levels.

Tri C has asked the City to produce a u-tube video to promote the Six Sigma Program that the building department went through last year, and they were looking forward to that.

Mr. Ousley asked about Liberty Ford, and Mr. Aungst advised Liberty Ford was working on developing their property, and they are looking to increase their staff.

Mrs. Hanek asked about the resolution for Everybody Works Month; Mr. Hanek read a sample resolution from the county commissioners.

Mrs. Hanek moved to develop a resolution declaring October as Everybody Works month in the City of Brunswick. Vote – 3 Ayes, 0 Nays.

Mr. Ousley noted he was been talking with City of Strongsville Councilman Joe Demio about the bike route that will run through Strongsville connecting through Brunswick.

Mr. Hanek mentioned speaking with BAT studio about possible economic development related videos, and Mr. Aungst interjected it would be on site programming giving businesses exposure in positive ways.

In closing, Mr. Aungst mentioned working with United Way to help people obtain gainful employment.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 7:06 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Nicholas Hanek
Chairman

ECONOMIC DEVELOPMENT

September 24, 2018

IN ATTENDANCE: Chairman Nicholas Hanek, Committee Member Brian Ousley, Committee Member Patricia Hanek, Joseph Salzgeber, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Community & Economic Development Director Grant Aungst, Chief Jim Baird, IT/Security Officer Rob Marok, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Law Director Kenneth Fisher, Engineer Matt Jones, Finance Director Todd Fischer, Administrative Services Julie Murawski, Mayor Ron Falconi, Administrative Assistant Krista Beitl, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:41 p.m.

REVIEW LEGISLATION:

RES. NO. 74-18 – An emergency resolution declaring October 2018 as "Everybody Works" month in the City of Brunswick

The month of October is Manufacturing Month across the United States, and Medina County will be celebrating Made in Medina County Day October 5. Additionally, Medina County Commissioners have declared October as Everybody Works month.

As stated in the resolution there are currently more than 500 job openings throughout the county available for people to be gainfully employed. This resolution encourages people to get out and get gainfully employed not only in the City of Brunswick, but throughout Medina County.

Mr. Aungst advised there will be twenty-three company tours throughout the county October 5, three of those companies are in the City of Brunswick; Firstar Precision, Columbia Chemical, and Integrated Marketing Technologies (IMT). Reservations for all tours can be made through Medina County Economic Development Corp.

Mr. Hanek noted with the number of job openings a lot of work has been going on with trying to connect people with resources in the county.

Mr. Aungst echoed Mr. Hanek, he noted employers are doing a lot these days encouraging multiple populations to come and engage with the help of organizations to increase the employment population.

Mrs. Hanek moved this resolution to tonight's Council Agenda of September 24, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Aungst commented on Comfort Suites grand opening which was held on Friday September 21, and developments throughout the City and the industrial parks were going well.

Mr. Salzgeber has been receiving e mails regarding the assisted living project near the water towers and St. Ambrose, the concerns being expressed was primarily with water flow.

Mr. Aungst noted the property in question has to be rezoned and it is currently in the planning process through Planning Commission. As far as storm water flow, putting in a development usually cleans up the storm water management areas.

ADJOURNMENT:

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

Respectfully submitted,

Nicholas Hanek
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

September 24, 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, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, Chief Jim Baird, Engineer Matt Jones, Finance Director Todd Fischer, Administrative Services Julie Murawski, IT/Security Officer Rob Marok, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at: 6:11 p.m.

UPDATE ON WASTE COLLECTION CONTRACT:

Mr. Barnett distributed an updated waste/recycle collection options handout to the committee, a copy was attached to these minutes. He mentioned that bids for disposing of recyclables are increasing; if the City chooses to do curbside recyclable collection disposable cost could range from $40.00 to $60.00 a ton, noting it could possibly cost more to dispose of recyclables than trash.

Mr. Barnett went over the options and anticipated costs. He pointed out a new option proposed was comingled waste/recycle cart, which is the least expensive option; a cart is provided for waste and recycle comingled collection.

Mr. Barnett noted the City's current trash contract with Republic Waste does not expire until June 30, 2019, however if the City decides to do a program similar to what is done today bids have to be out for advertising the first week of December 2018, if carts are going to be involved it would take a contractor some time to get the fully automated trucks and carts so those bids should be out by mid to late October 2018.

Mr. Barnett went over the cart programs; noting large bulk items can be collected weekly, no extra bags outside of the cart, and if an item is of a size that it fits in a cart it must be placed in a cart. Each customer would be able to have up to three unlimited collections per year. The contractor will be required to maintain the carts; a customer can lease up to two additional carts at an initial cost of $58.00 per cart.

Mr. Delsanter asked what the anticipated recycling rate is with the facility reopening.

To that, Mr. Barnett noted the facility will be recycling commercial only, residential trash will be a pass through and go to a landfill, the roll off containers will be still be available for dropping off recyclables.

It was a consensus of this committee to schedule an additional committee meeting to discuss trash options.

REVIEW 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

Mr. Barnett advised this resolution allows for the administration to sign an agreement with Ohio Department of Transportation for salt storage. He noted ODOT uses the City's facilities when servicing the state routes around Brunswick and in order to do that efficiently they store salt in the City's salt domes, this agreement has been going on for many years.

Mr. Barnett noted ODOT gives the City an extra 50 tons of road salt each year for the use of the storage buildings, and they also replenish the road salt after a snow event.

Mr. Hanek moved this resolution to tonight's Council Agenda of September 24, 2018 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Capretta asked about the crack sealing program, and Mr. Barnett indicated that program was completed for the year and done by contract.

Mr. Capretta indicated he received a number of complaints from residents that their streets were not done, and Mr. Barnett clarified there were very few streets that had crack sealing done this year.

Mr. Capretta requested a report of the streets that were done.

Mr. Salzgeber asked for an update on the storm sewer system in the Timber Lake area, there were some blockages and red brick washing through to the catch basins.

Mr. Barnett indicated the service department started looking into the issue by putting the camera down the storm sewers, there was concern with the red brick however nothing has been found where the bricks would be coming from, however they are still investigating the problem. From looking at the lines there was a lot of sediment in the lines and those have been cleaned out. Mr. Barnett noted sediment is found in storm sewer systems throughout the United States, which is why most large communities have a plan where they clean all their storm sewers every five to ten years.

ADJOURMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:31 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Salzgeber
Chairman

SAFETY & ENVIRONMENT COMMITTEE MEETING

September 24, 2018

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Joseph Salzgeber, Committee Member Michael Abella Jr., Nicholas Hanek, Anthony Capretta, Joseph Delsanter, Patricia Hanek, City Manager/Safety Director Carl DeForest, Chief Jim Baird, IT/Security Officer Rob Marok, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, Engineer Matt Jones, Finance Director Todd Fischer, Administrative Services Julie Murawski, Mayor Ron Falconi, Administrative Assistant Krista Beitl, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:31 p.m.

REVIEW LEGISLATION:

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

In 2017 the Division of Fire applied for a FEMA grant to replace the self-contained breathing apparatus (SCBA) tanks. Chief Baird indicated the department received confirmation of being awarded $182,000 dollars in late August. Chief Baird noted $165,455. 00 will come from the federal government and the City share will be $16,545.00.

The City has one year to make the purchase to be in compliance with the grant. This legislation assures the federal government that the City has accepted the money with the intention to spend the money according to the terms of the grant.

Chief Baird noted there are two major components the tank and air packs, he noted the expiration of the current tanks is the end of 2018 and with the tanks being straightforward the purchase will be expedited, however the air packs will take some research to assure they are 2018 compliant.

Mr. Salzgeber moved this resolution to tonight's Council Agenda of September 24, 2018 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

Chief Baird also mentioned in the beginning of 2018 the department applied for a Bureau of Workers Compensation grant for personal protective clothing in the form of gloves, and hoods which are upgraded to help protect firefighters against cancer, and also a gear washer for station 2, and the department was also awarded that grant for $12,000.00, it is anticipated that legislation will be forthcoming to accept that grant.

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

Mr. Marok noted the Division of Police tablets are five years old and are experiencing failures; the replacements were budgeted for this year, and this will begin moving the City towards Windows 10.

Mr. Salzgeber moved this resolution to tonight's Council Agenda of September 24, 2018 for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Ousley noted there have been numerous e mails regarding Ordinance No. 66-18 the majority coming from a group urging City Council to vote against the legislation and to put a program in place for farrow cats to trap, spay/neuter, vaccinate and return, and they are asking that be part of the legislation.

Mr. Ousley asked the committee about revisiting the legislation for more discussion.

Mr. Abella had no objection to put the legislation back in committee for more discussion, he noted something will eventually be passed, however he welcomes feedback.

Mr. Ousley mentioned the education process of the legislation with the intent to have something a little more stringent.

Mr. Fisher suggested having the second reading, pass it to third reading and refer the legislation back to committee for further discussion, invite interested parties, and go from there.

Mr. Ousley noted the next scheduled Safety Committee meeting is October 1.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:41 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Brian Ousley
Chairman

PLANNING AND ZONING COMMITTEE

September 20, 2018

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

The meeting convened at 6:15 p.m.

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

Mr. Salzgeber arrived at 6:23 p.m.

GENERAL DISCUSSION:

Mr. Aungst distributed proposed legislation to the committee regarding SPD -2; apparently when pole signs were amended in the general code to move to ground signs this area was missed, and the administration feels it makes sense to have it in line with the other districts.

Mr. Delsanter brought up spacing of signs on commercial properties as to when that was updated in the code.

Mrs. Plavecski noted that was done with regard to electronic moving message signs, and it was noted the minimum distance between moving message signs is seventy feet.

The proposed legislation was written as an emergency, and Mrs. Plavecski questioned that since it was a change to the zoning code, and normally zoning code changes are approved by Planning Commission.

Comments were made by the committee, and Mr. Hanek noted he would make the motion as it stands with the idea that legal will review the legislation.

Mr. Jones thought the reason it might be written as an emergency has to do with the fact that it was being brought in conformance with the codified code.

It was noted the legal department will review the legislation and make changes if needed.

Mr. Salzgeber joined the meeting at this time, and Mr. Hanek updated him on the discussion and motion.

Mr. Hanek moved the proposed legislation be numbered and placed on the next Council Agenda as an emergency with suspension of the rules. Vote - 3 Ayes, 0 Nays.

Mr. Aungst also brought up businesses in different locations within the City that are contiguous to each other and their signs are getting bunched together. He suggested businesses may want to have joint signs, as an example he mentioned Sheetz and Petitti's. He noted as the comprehensive plan update comes through signage should be looked at as to how to make it better. Mr. Aungst brought up other communities and the different types of signage.

Continuing the discussion on joint signs Mr. Aungst noted how joint signs could be helpful for businesses in certain areas, and helpful for people to find businesses. Mr. Aungst noted this would have to be studied, he noted these types of signs are in other communities, and he feels it would help the community and it will help businesses remain profitable.

Mr. Hanek thought this type of signage was on Route 18, he agreed it would make a lot of sense to allow this. He mentioned when comprehensive plan comes in suggestions will be made for rezoning and mixed use.

Mr. Aungst noted over the past three years quite frequently the BZA has reviewed a number of signs, and he was looking to make changes for the better to help the community move faster off the roadways.

The committee concluded the administration should get examples and sample ordinances from other communities to bring to the committee.

Mr. Delsanter brought up the current codified section on Sexually Oriented Businesses regarding setbacks; he wanted to know if it would be prudent to review the setbacks as they pertain to the City today, and look for any changes or additions with new developments, and he noted there are reasons to be vigilant about properties beyond the City's borders, and also with some of the setbacks being educational and if those organizations are no longer in place that changes the exposure issue.

Mr. Hanek mentioned the massage parlor ordinances that were put in place may be relevant.

Mr. Aungst noted whenever there is a pending issue of this nature it is addressed by the legal department.

Mr. Delsanter expressed he wants to be sure nothing has shifted, and with a little time and effort this can be done.

If there is no objection, Mr. Aungst advised the law department will be advised of the concern and asked for their comments.

Mr. Delsanter stated he was looking at the planning side to make sure if anything has changed or shifted that nothing has been missed.

Mr. Aungst noted doing that would take time and effort. Mr. Aungst suggested the law department review the 1000 feet restriction as a reasonable expectation, noting that was a place they could start.

With the committee reviewing signs, Mrs. Plavecski asked the committee's opinion on electronic moving message signs in SPD-2, if they should remain out of that district.

Mr. Hanek answered in the affirmative, and Mr. Delsanter interjected that was the opinion of Mr. Hanek.

The committee discussed the challenges and management of electronic moving message signs, the possibility of reviewing and updating the current code to expand capabilities, pros and cons on moving message signs versus stagnant signs.

ADJOURNMENT:

Being no further business, Mr. Salzgeber moved to adjourn at 6:58 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Delsanter
Chairman

PLANNING AND ZONING COMMITTEE

September 24, 2018

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Joseph Salzgeber, Committee Member Nicholas Hanek, Brian Ousley, Patricia Hanek, Anthony Capretta, Michael Abella Jr., City Manager/Safety Director Carl DeForest, Community & Economic Development Director Grant Aungst, Chief Jim Baird, IT/Security Officer Rob Marok, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Law Director Kenneth Fisher, Engineer Matt Jones, Finance Director Todd Fischer, Administrative Services Julie Murawski, Mayor Ron Falconi, Administrative Assistant Krista Beitl, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:46 p.m.

REVIEW 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

Mr. Aungst advised there was a slight oversite during code updates; it was noted the City in general does not permit pole signs, and as businesses change or make improvements they are required by Planning Commission to change the signage.

Mr. Salzgeber moved this ordinance to tonight's Council Agenda of September 24, 2018 for three readings. Vote – 3 Ayes, 0 Nays.

Mr. Aungst asked that this ordinance be referred back to Planning Commission after the first reading for a public hearing.

GENERAL DISCUSSION:

With regard to the potential senior housing Mr. Delsanter stated he will push for safety features due to the nature of what that project proposes to house with the type of client and needs they have.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:48 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Delsanter
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

September 24, 2018

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Patricia Hanek, Committee Member Anthony Capretta, Joseph Salzgeber, Nicholas Hanek, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, Chief Jim Baird, Service Director Paul Barnett, Engineer Matt Jones, Finance Director Todd Fischer, Administrative Services Julie Murawski, IT/Security Officer Rob Marok, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at: 6:00 p.m.

MEMBERSHIP INCREASE AT RECREATION CENTER:

The administration was looking at a 5% increase on annual memberships across the board. Mr. Piepsny referred to a chart showing the current rate, the proposed rate, and the 50% off rate. He noted 90% of the members purchase memberships at the 50% off rate. As of today the recreation center has 8,552 members of which 2,847 are silver sneaker members and get their membership for free under the Medicare program, leaving 5,703 paying members, of those 5,132 are purchasing memberships at the 50% off rate. Mr. Piepsny noted there will be another 50% off membership sale in December.

Mr. Piepsny noted the last increase was effective January 1, 2015 and that also was a 5% increase, which comes to 1.25% increase per year over the last four years. He noted the 5% increase is for overall operations and would go into effect January 1, 2019.

Mr. Piepsny mentioned current members would be notified in advance of the increase so they can take advantage of the 50% off sale in December.

Mrs. Hanek asked how the membership rate compares to neighboring communities.

Mr. Piepsny noted Brunswick family membership is proposed at $467.25 however 90% of the members purchase at 50% off at $233.63, the City of Medina is $564.00 and the City of Strongsville is $435.00.

It was noted by Mr. Piepsny other communities do not have the number of sales like Brunswick does.

Mr. Piepsny updated the committee on the number of improvements to the recreation center over the past four years.

Mr. Abella summarized the membership fees of the surrounding communities, the minimal monthly increase to members and the upgrades that have been made to the recreation center. Mr.

Abella stated he never likes increases for residents however in his opinion a 5% increase was modest for the number of improvements that have been done to the rec center.

Mrs. Hanek moved to approve the membership fee increase at the Brunswick Recreation & Fitness Center effective January 1, 2019 by five percent. Vote – 3 Ayes, 0 Nays.

It is noted this motion was brought to the Committee of the Whole Meeting of September 24, 2018, and voted by all members of Council.

GENERAL DISCUSSION:

Mr. Piepsny mentioned a very large white oak tree that was rotting was taken down by Hopkins Park it was on City property; he noted it was one of the oldest trees in Brunswick.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 6:11 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Michael Abella Jr.
Chairman

COMMITTEE OF THE WHOLE MEETING

September 24, 2018

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

The meeting convened at 6:48 p.m.

MOTIONS:

Motion authorizing a change order in an amount not to exceed $7,500.00 to Set in Stone Contracting, LLC for the 2018 Catch Basin Repair Program

Mr. Jones explained the necessity of the change order due to the fact that this year's program had an unexpected high number of catch basin structures needing fully reconstructed versus the simple adjust to grade repair.

Mr. Jones noted instead of choosing not to do some of the basins the administration decided to stick with the original plan and request a change order. The change order in the amount of $7,500 dollars will increase the contract amount up to $102,240.00.

Mr. Jones commented to cover this type of possibility next year additional contingencies may be placed in the contract.

It was noted by Mr. Fischer available funds were in the budget for the change order amount.

Mr. Salzgeber moved to authorize a change order in an amount not to exceed $7,500.00 to Set in Stone Contracting LLC for the 2018 Catch Basin Repair Program. Vote – 7 Ayes, 0 Nays.

Motion to allow the City Manager to enter into an agreement with Medical Mutual of Ohio to provide flexible spending program

Mrs. Murawski advised all six collective bargaining agreements require the City to provide a flexible spending plan for employees to use to set aside pre-taxed dollars for medical expenses not covered by health insurance and/or dependent care.

The monies set aside are 100 percent the employee's money, the City pays for the administration of the plan; the compliance fee, and participation fee. The compliance fee is $55.00 per month, and the participation fee is $5.55 per participant per month, those fees will remain the same for 2019. There were 42 employees that participated in the plan in 2018 resulting in the City spending $3,450.00 for the program.

Mr. Abella commented on this being an excellent program, he did ask about the availability of an employee being able to roll over what was not spent from year to year, and Mrs. Murawski indicated the maximum amount allowed to roll over if $500.00 per an IRS regulation.

Mrs. Hanek moved to allow the City Manager to enter into an agreement with Medical Mutual of Ohio to provide flexible spending program. Vote – 7 Ayes, 0 Nays.

Motion to enter into an agreement with the Medina County Office for Older Adults to organize senior services within the City of Brunswick at the Brunswick Community Recreation and Fitness Center

Mr. Piepsny advised this motion will allow for a three year contract with Medina County Office for Older Adults, the current contract will expire on December 31, 2018. The cost of the senior services for the first year will be $18,750, the second year $19,500, and $20,000 for the third year of the contract. The added cost is to accommodate the staff salary package and the upkeep of technology used by the staff.

Mr. Delsanter moved to enter into an agreement with the Medina County Office for Older Adults to organize senior services within the City of Brunswick Community Recreation and Fitness Center. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

RES. NO. 73-18 - A resolution declaring the City of Brunswick a "Purple Heart City"

With the efforts of both Mr. Hanek and Mr. DeForest parking spaces reserved for the combat wounded Purple Heart Veterans are now located at City Hall, Brunswick Recreation Center and Brunswick Library. Mr. Hanek also mentioned how Mr. DeForest works with the Veterans including the Veterans Appreciation Breakfast which is coming up, and the incorporation of Veterans being able to ride the transit system for free. He stated the City has done a lot of work towards recognizing and supporting Veterans.

This resolution shows continued support as a community of recognizing and supporting Veterans.

Mr. Salzgeber moved this resolution to tonight's Council Agenda of September 24, 2018 for three readings. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. DeForest advised the committee about a gas line struck on Beverly Hills this evening either by Columbia Gas or a private citizen working on his property. Several apartments have been evacuated and if necessary the recreation center will remain open for those that need a place to go. The Fire Department is on scene due to the gas leak, and they will give an update soon, it was noted there was no fire at the scene.

It was brought to the attention of the committee by Mr. Piepsny that a motion was made earlier this evening at the Parks & Recreation Committee meeting regarding the five percent membership rate increase and was intended to have been made at this meeting.

Mrs. Hanek moved to approve the membership fee increase at the Brunswick Recreation & Fitness Center effective January 1, 2019 by five percent. Vote – 7 Ayes, 0 Nays.

ADJOURNMENT:

Being no further business, Mr. Salzgeber moved to adjourn at 7:00 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

Valerie Zak

Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	10/08/2018
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 - **3rd 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:

AIR FORCE ONE®
OPTIMAL BUILDING PERFORMANCE

PROJECT PROPOSAL

WATER HEATER REPLACEMENT R2

SEPTEMBER 5, 2018

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

AIR FORCE ONE
OPTIMAL BUILDING PERFORMANCE

PROJECT PROPOSAL

By and Between

Company		Client Billing Address
Air Force One 9880 Sweet Valley Drive Valley View, OH 44125 (440) 735-5844 (Herein after referred to as "Company" or "AFO")	and	City of Brunswick 4095 Center Road Brunswick, OH 44212 (330) 273-8000 Attn: John Piepsny (Herein after referred to as "Client" or "Customer")

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

Brunswick Recreation Center 3637 Center Road Brunswick, OH 44212

Scope of Work - Water Heater Replacement R2

Proposal Inclusions:

Disconnect utilities from existing PVI water heater

Provide riggers to remove PVI water heater and haul away

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

Re-connect all existing utilities to new PVI water heater

Provide factory start up of new water heater

****NOTE****

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

New vessel and exchanger come with the following warranties:

Vessel- 25 years (15 & 10)

Heat Exchanger-10 years (5 & 5)

Total Cost: $43,000

AGREEMENT AUTHORIZATION

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

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

The price for the Project Proposal scope of work is:

Water Heater Replacement R2	
$43,000	______ Initial

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

Invoice #1 – Mobilization and Equipment

Invoice #2 – Labor and Material

Invoice #3 – Equipment Start Up & Project Close Out

Thank you again for the opportunity to earn your business.

Offered By:
Air Force One, Inc.

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

____
Signature

Accepted By:
City of Brunswick

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

____
Signature

TERMS AND CONDITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _________

BY:

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

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

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

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

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

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

PASSED: 1st Reading________________________

2nd Reading_______________________

3rd Reading_______________________

ADOPTED: _________________ AYES ___________ NAYS ___________

ATTEST: _______________________
Clerk of Council
Fijabi Julien-Gallam

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 64-18

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

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

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

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

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

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

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

PASSED: 1st Reading________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: _________________ AYES ___________ NAYS ___________

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 10/08/2018

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 - **3rd 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

Revision 1
Amended 9/17/2018

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 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 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, except as otherwise specifically authorized in designated and marked public areas, where such feeding: (a) causes or contributes to damage to the property of another; or (b) creates a public or private nuisance.

(b) This Section does not apply to fishing, feeding of animals owned by that person or to song birds fed from a stationary and off-ground/hanging bird feeder provided that no private property shall contain more than two (2) off-ground/stationary bird feeders.

(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, including, without limitation, a feral cat Trap-Neuter-Vaccinate-Return Program or similar 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.

Revision 1
Amended 9/17/2018

PASSED: 1st Reading ____________________

2nd Reading ____________________

3rd Reading ____________________

ADOPTED: __________________________________ AYES_____NAYS_____

ATTEST: __________________________________
Clerk of Council
Fijabi Julien-Gallam

Revision 2
Amended 10/01/2018

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 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 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, except as otherwise specifically authorized in designated and marked public areas, where such feeding: (a) causes or contributes to damage to the property of another; or (b) creates a public or private nuisance.

(b) This Section does not apply to fishing, feeding of animals owned by that person or to song birds fed from a stationary and off-ground/hanging bird feeder ~~provided that no private property shall contain more than two (2) off-ground/stationary bird feeders~~.

(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, including, without limitation, a feral cat Trap-Neuter-Vaccinate-Return Program or similar 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.

Revision 2
Amended 10/01/2018

PASSED: 1st Reading ____________________

2nd Reading ____________________

3rd Reading ____________________

ADOPTED: __________________________________ AYES_____NAYS_____

ATTEST: __________________________________
Clerk of Council
Fijabi Julien-Gallam

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 10/08/2018

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 - **2nd Reading** (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 form 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)(l) 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."**

(~~g~~h) 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.)

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 10/08/2018

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 - **2nd Reading** (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

____
Carl S. DeForest, City Manager

Date____________________________

Approved as to form:

____
Kenneth J. Fisher, Law Director

Ohio Department of Transportation

Jerry Wray

By:____________________________

Date August 13, 2018

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:	10/08/2018
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 - **2nd Reading** (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.taccomputer.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)	$2,974.49	18		$ 53,540.87
i5 6300 2.4GHz, 8GB RAM, 256GB SSD, Windows 10				
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@taccomputer.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:	10/08/2018
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." - **2nd Reading** (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:	10/08/2018
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager Todd Fischer
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 76-18** - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)
BACKGROUND:	An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor.
PURPOSE AND EXPLANATION:	In order to comply with Ohio Revised Code Section 5705.34 and the County Auditor extension letter, City Council is required to accept the amounts and rates as determined by the budget commission and authorize the necessary tax levies and certify them to the County Auditor. This action will allow the County Auditor to bill these rates on the property tax bills for the succeeding year. 2019 will also mark the fifth year of collections for the City's 1.2 mill road levy passed by the voters on May 6, 2014. The road levy is a 10 year levy with collections expected for 2015-2024. The County Auditor's most recent annual collection estimate for the 1.2 mill levy = $837,500 for the 2019 year. This is an increase of $15,900 or 1.94% over last year's estimate.
IMPLEMENTATION SCHEDULE:	To be adopted on October 8, 2018 with an emergency clause. The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, the County Auditor's extension letter and allow for the daily operations of the City of Brunswick to continue without interruptions and to ensure timely billing of property taxes due to the City of Brunswick.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	The County Auditor's most recent estimate for the 2019 property tax collections to be received by the City of Brunswick equal $2,789,200 in total. The 1.2 mill road levy portion equaled $837,500 (fifth year of collections) and the 2.6 inside mills equal $1,951,700. The County Auditor typically updates these property tax estimates once the property values and tax rates are certified. The 2019 property tax collections for the City of Brunswick can only occur if this legislation is passed and filed with the County Auditor prior to October 31, 2018. Once certified and filed, the property tax rates will be billed by the County Auditor pursuant to State Law. This tax rate of 1.2 mills was approved by the voters for a ten year collection period (2015-2024) and the 2.6 mills has been

approved by the City Charter Section 7.11(a).

RECOMMENDED ACTION:

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

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

The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, the County Auditor's extension letter and allow for the daily operations of the City of Brunswick to continue without interruptions and to ensure timely billing of property taxes due to the City of Brunswick.

ADDITIONAL INFORMATION: Discuss at the October 8, 2018 Committee meeting and move to the October 8, 2018 Council agenda as an emergency. Recommended action for approval on October 8, 2018 with emergency clause (suspension of the rules).

0000000170

Ohio Department of
TAXATION
Office of the Tax Commissioner
30 E. Broad St., 22nd Floor • Columbus, OH 43216

JOURNAL ENTRY

Date: JUL 19 2018

Mike Kovack
Medina County Auditor
144 North Broadway St, Room 301
Medina, OH 44256

Entry Number: 18-07-0155

Re: Approval of Extension for the Medina County Budget Commission to Complete its Work

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on July 9, 2018, for an extension of time beyond the statutory date of September first to complete its work, as provided by Revised Code section 5705.27, finds that the extension of time is necessary and approves October 1, 2018, as the date within which such work shall be completed, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the October first deadline contained in Ohio Revised Code section 5705.34 for the political subdivision to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the political subdivision must authorize the necessary tax levies to the auditor by November 1, 2018. The County Auditor must notify each political subdivision affected by this entry.

It is ordered that a copy of this entry be certified to the County Auditor, as secretary of the County Budget Commission.

I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL

JOSEPH W. TESTA
TAX COMMISSIONER

/s/ Joseph W. Testa

Joseph W. Testa
Tax Commissioner

TT

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 76-18

BY: Mrs. Hanek, Mr. Ousley and Mr. Delsanter
AN EMERGENCY
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of BRUNSWICK , MEDINA County, Ohio, met in Regular (Regular Or Special) session on the 8th day of October 2018, at the office of Brunswick City Hall with the following members present:

____

____

____

Mr./Mrs.____________________ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 2019 and

WHEREAS, The Budget Commission of MEDINA County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of BRUNSWICK, MEDINA County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		$1,726,600	2.30	
General Bond Retirement Fund				
Police Pension		$225,100	0.30	
Road Levy	$837,500			1.20
Recreation Fund				
Fund				
Fund				
TOTAL	$837,500	$1,951,700	2.60	1.20

DIST. 3

SCHEDULE B — TAX YEAR 2018 — COLLECTION YEAR 2019

2018 ESTIMATED VALUES AND YIELDS

1. RES/AG	$602,884,260
2. OTHER REAL	$152,355,000
3. PUCO PERSONAL	$9,306,550
4. RES/AG NEW CONSTR.	$7,284,970
5. OTHER NEW CONSTR.	$2,052,580
6. TOTAL	$773,883,360

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: BRUNSWICK CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO.# YEARS	TAX YEAR FIRST/LAST	COLL. YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUCO PERSONAL	NEW CONSTRUCTION	TOTAL
GENERAL FUND						2.30	0.000000 0.000000	2.300000 2.300000	$1,345,000	$339,900	$20,800	$20,900	$1,726,600
SPECIAL REVENUE	POLICE PENSION					0.30	0.000000 0.000000	0.300000 0.300000	$175,400	$44,300	$2,700	$2,700	$225,100
	ROAD LEVY	2014	10	2014/2023	2015/2024	1.20	0.083498 0.022226	1.099802 1.173329	$643,200	$173,400	$10,800	$10,100	$837,500

2.60	INSIDE MILLAGE	$2,163,600	$557,600	$34,300	$33,700	$2,789,200
1.20	OUTSIDE MILLAGE					

3.80 TOTAL MILLAGE

3.699802 RES/AG EFFECTIVE
3.773329 OTHER EFFECTIVE

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on ,20 for not to exceed years.		
Current Expense Levy authorized by voters on ,20 for not to exceed years.		
Current Expense Levy authorized by voters on ,20 for not to exceed years.		
Total General Fund outside 10m. Limitation.		
Road Levy authorized by voters on May 6, 2014 for not to exceed 10 years.	1.20	$837,500
Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		

THIS RESOLUTION IS DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, PROPERTY, HEALTH, SAFETY, WELFARE, AND PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPALITY, AND FOR THE ADDITIONAL REASON THAT THIS RESOLUTION MUST BE FILED WITH THE MEDINA COUNTY AUDITOR AS SOON AS POSSIBLE. THEREFORE, THE SAME SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE BY THE REQUIRED NUMBER OF VOTES.

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of t

Resolution to the County Auditor of Said County.

Mr./Mrs. ______________________ seconded the Resolution and the roll being calle

upon its adoption the vote resulted as follows:

Mr./Mrs. ______________________________

Mr./Mrs. ______________________________

Mr./Mrs. ______________________________

Adopted the ________ day of ________________________ ,20 _____.

____

Attest:

____
President of Council

____
Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, ____________________ County, ss.

I, ____________________________, Clerk of the Council of the City

of ________________________________ within and for said County, and in whose custody the Files

and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby

certify that the foregoing is taken and copied from the original ___________________________

____

____

now on file, that the foregoing has been compared by me with said original document,

and that the same is a true and correct copy thereof.

WITNESS my signature, this ___________ day of _________________________________, 20___

____
Clerk of Council

____

No. 76-18

COUNCIL OF THE CITY OF

Brunswick

Medina County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(City Council)

Adopted ___________________, 20 ___

____
Clerk of Council

Filed ______________________, 20 ____

____
County Auditor

By ______________________________
Deputy

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 10/08/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 77-18** - An emergency resolution strongly opposing State Issue 1, which is a proposed amendment to the Ohio Constitution that would weaken Ohio's criminal laws with respect to dangerous drugs such as fentanyl, heroin, methamphetamine, cocaine, and LSD, and urging Brunswick residents to vote against State Issue 1 in the upcoming general election to be held on November 6, 2018 - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Joseph Salzgeber*)

BACKGROUND: The two major parties in Ohio are either opposed to, or have not taken any position on, State Issue 1. However, State Issue 1 is opposed by the Chief Justice of the Ohio Supreme, the Governor, Ohio's Attorney General and both major-party candidates for Attorney General in 2018, the Ohio Common Pleas Judges Association, the Ohio Association of Municipal and County Court Judges, the Ohio Association of Juvenile and Family Court Judges, the Ohio Bar Association, the Ohio Prosecuting Attorney's Association, the Buckeye State Sheriff's Association, the Ohio Association of Chiefs of Police, and the Ohio Patrolmen's Benevolent Association, as well as Brunswick's local State Senator and both State Representatives.

PURPOSE AND EXPLANATION: State Issue 1 would reduce the offense levels for obtaining, possessing or using such dangerous drugs from felonies to misdemeanors. State Issue 1 would further prohibit judges from imposing of any jail time whatsoever until the offender has committed a 3rd such drug possession/use offense within 24 months. State Issue 1 would result in Ohio having the most lenient criminal laws in the United States with respect to the possession/use of such dangerous drugs, and make Ohio a haven for hard drug users from across the United States (like Colorado is for marijuana). It is no exaggeration to warn that the number of dangerous drug overdoses and deaths in Brunswick, and throughout the State of Ohio, will increase if State Issue 1 is passed.

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?
To be considered as an emergency with suspension of the rules.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 77-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION STRONGLY OPPOSING STATE ISSUE 1, WHICH IS A PROPOSED AMENDMENT TO THE OHIO CONSTITUTION THAT WOULD WEAKEN OHIO'S CRIMINAL LAWS WITH RESPECT TO DANGEROUS DRUGS SUCH AS FENTANYL, HEROIN, METHAMPHETAMINE, COCAINE, AND LSD, AND URGING BRUNSWICK RESIDENTS TO VOTE AGAINST STATE ISSUE 1 IN THE UPCOMING GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018.

WHEREAS: Dangerous drugs such as fentanyl, heroin, methamphetamine, cocaine and LSD, as well as the criminal activities associated with such dangerous drugs, pose a significant threat to the public health, welfare, and safety of the residents of the City of Brunswick and the State of Ohio;

WHEREAS: State Issue 1 would amend the Ohio Constitution to add a new Section 12 to Article XV of the Constitution, and thereby (a) mandate that the criminal offenses of obtaining, possessing, or using any dangerous drug such as fentanyl, heroin, methamphetamine, cocaine, LSD, and other controlled substances cannot be classified as a felony, but only as a misdemeanor; (b) prohibit jail time as a sentence for obtaining, possessing, or using such dangerous drugs until an individual's third such offense within 24 months; and (c) allow an individual convicted of obtaining, possessing, or using any such dangerous drugs prior to the effective date of the amendment to ask a court to reduce the conviction to a misdemeanor, regardless of whether the individual has completed the sentence;

WHEREAS: State Issue 1 would further amend the Ohio Constitution to require sentence reductions of currently incarcerated individuals, except individuals incarcerated for murder, rape, or child molestation, by up to 25%, if the individual participates in rehabilitative, work, or educational programming;

WHEREAS: Public policy and criminal sentencing laws concerning dangerous drugs are matters more appropriately left to the Ohio General Assembly to decide and, if deemed appropriate by the people's elected representatives, to change;

WHEREAS: Passage of State Issue 1 would result in Ohio having the most lenient criminal laws in the United States with regard to the possession and use of dangerous drugs, such as fentanyl, heroin, methamphetamine, cocaine and LSD;

WHEREAS: Passage of State Issue 1 would have the adverse consequences of increasing the usage of such dangerous drugs, and the number of overdoses and deaths from such dangerous drugs, within the City of Brunswick and the State of Ohio;

WHEREAS: Passage of State Issue 1 would have the further adverse consequence of the State of Ohio becoming a haven for the users of dangerous drugs, such as fentanyl, heroin, methamphetamine, cocaine and LSD, from other parts of the United States;

WHEREAS:	State Issue 1 is being financed primarily by out-of-state interests, whose members would not have to live with the resulting adverse consequences to the residents of Ohio, if State Issue 1 were to be passed.
WHEREAS:	State Issue 1 is opposed by the Chief Justice of the Ohio Supreme Court, the Governor, the State Attorney General, the Ohio Common Pleas Judges Association, the Ohio Association of Municipal and County Court Judges, the Ohio Association of Juvenile and Family Court Judges, the Ohio Bar Association, the Ohio Prosecuting Attorney's Association, the Buckeye State Sheriff's Association, the Ohio Association of Chiefs of Police, the Ohio Patrolmen's Benevolent Association, the Fraternal Order of Police of Ohio, Mansfield City Council, the Medina County Drug Abuse Commission (MCDAC), State Senator Larry Obhof of Medina, and State Representative Steve Hambley of Brunswick.
WHEREAS:	THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:
SECTION 1:	This Council does hereby strongly oppose State Issue 1 and urges Brunswick residents to vote against State Issue 1 in the upcoming general election to be held on November 6, 2018.
SECTION 2:	That the Clerk of Council is hereby authorized and directed to forward certified copies of this Resolution to the Ohio General Assembly, Ohio Governor John Kasich, Chief Justice Maureen O'Connor of the Ohio Supreme Court, and to local broadcast and print media outlets.
SECTION 3:	That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason that this Council wants to timely express its opinion in opposition to State Issue 1 prior to the election to be held on November 6, 2018 and prior to the commencement of early voting on October 10, 2018 for that election. Therefore, the same shall be in full force from and after its passage by the required number of votes or at the earliest time allowed by law.

PASSED: 1st Reading_________________________

Rules Suspended: AYES __________ NAYS __________

ADOPTED: ___________________ AYES __________ NAYS __________

ATTEST: ___________________________

Clerk of Counsel
Fijabi Julien-Gallam, CMC