

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

NOVEMBER 26, 2018

6:45 PM

or immediately following Services, Utilities, Technology and Cable Committee
In Caucus Room

1. Discussion Items
 - (a) Fair Housing Presentation by Rob Henwood from the Medina County Fair Housing Office
2. Review Legislation
 - (a) **RES. NO. 95-18** - A resolution urging Contributions to local food banks. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Brian Ousley*)
 - (b) **RES. NO. 96-18** - An emergency resolution authorizing the City Manager to enter into an agreement with CCQ Automation, INC. to implement energy infrastructure efficiency upgrades to the HVAC systems at City Hall and the Police Department in an amount not to exceed \$67,266.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)
 - (c) **RES. NO. 97-18** - An emergency resolution authorizing the City Manager to enter into a Municipal Engineering Consulting Services Agreement with Chagrin Valley Engineering, LTD. for the provision of professional municipal engineering services and designating Matthew M. Jones, P.E., as Consulting Municipal Engineer. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)
 - (d) **ORD. NO. 98-18** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*)
3. General Discussion
4. Adjournment

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/26/2018

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 95-18** - A resolution urging Contributions to local food banks. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Brian Ousley*)

BACKGROUND: Historically the City of Brunswick promotes all residents to donate to the local food bank.

PURPOSE AND EXPLANATION:

IMPLEMENTATION SCHEDULE: To be adopt upon its 3rd Reading - 12/17/2018

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. 95-18

BY: Committee-of-the-Whole

A RESOLUTION URGING CONTRIBUTIONS TO LOCAL FOOD BANKS.

WHEREAS: Local food banks play an important role in the community by assisting those in need; and

WHEREAS: The supply levels at local food banks are depleted after the holiday season and are typically at their lowest levels in January.

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

SECTION 1: This Council hereby urges contributions to local food banks to help alleviate shortages in supply levels.

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: 11/26/2018

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. 96-18** - An emergency resolution authorizing the City Manager to enter into an agreement with CCQ Automation, INC. to implement energy infrastructure efficiency upgrades to the HVAC systems at City Hall and the Police Department in an amount not to exceed \$67,266.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

BACKGROUND: NOPEC has made available to all of the communities that participate with NOPEC a grant to implement energy efficiency or energy infrastructure project that will benefit the community. Ordinance number 94-18 authorized the City Manager to enter into the grant agreement. CCG Automation, Inc. will be providing and installing the equipment under the State Term Schedule #STS632 800560.

PURPOSE AND EXPLANATION: The purpose of this project will to be able to improve/upgrade infrastructure to provide energy efficiencies to the HVAC systems at City Hall and the Police Department.

IMPLEMENTATION SCHEDULE: Completion of work by March 1, 2019.

FINANCIAL INFORMATION: Grant for 2018 - - City Hall Expansion Fund #336 - 336-2018-56800 - - 67266

FINANCIAL SUMMARY: NOPEC (grantor) approval is also required and needs to be obtained before a purchase order can be certified for this purchase.

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?

**ADDITIONAL
INFORMATION:**

Asking this to be an emergency in order to complete the installation as soon as possible to be able to take advantage of the utility savings anticipated with this project.



PROPOSAL
R16323BW

November 15, 2018

Mr. Grant Aungst
The City of Brunswick
4095 Center Road
Brunswick, OH 44212

PROJECT: MUNICIPAL BUILDING
COMFORT AND CONTROLS UPGRADE

CCG Automation, Inc. is pleased to propose the following:

Provide and install Automated Logic System to include:

- Base Controls including the router, host computer, Automated Logic Software.
- Multi-zone Unit#1 and its respective Zone Control
- Multi-zone Unit#2 and its respective Zone Control

This proposal includes all engineering, installation, programming, graphics, project management, system validation and customer training.

This proposal does not include:

- Furnishing, mounting, or wiring of any smoke dampers, fire dampers, motorized fire dampers, combination fire/smoke dampers, or smoke detectors.
- Providing any Water or Air Balancing or Leakage Testing.
- Providing any work outside of the scope detailed within this proposal.

Total Investment: \$67,266

- This proposal is based upon all work being completed during normal business hours.
- The above is based upon State Term Schedule #STS632 800560 pricing.
- A bond is not included, but is available at an additional 2.5% of total investment.
- The customer agrees to authorize all tax credits, if any, to CCG as the designer of record. This includes but is not limited to the energy credit placed into effect through the Energy Policy Act of 2005 (EPACT) - § 179D(c)(1) and (d) of the Internal Revenue Code.
- This proposal is valid for 60 days from above date, and subject to Terms and Conditions included.

Proposed by:

Brian C. Wagner
President

Accepted by:

Signature/Title

Date

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 96-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CCG AUTOMATION, INC. TO IMPLEMENT ENERGY INFRASTRUCTURE EFFICIENCY UPGRADES TO THE HVAC SYSTEMS AT CITY HALL AND THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$67,266.00.

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

WHEREAS: On November 2, 2018, City Council adopted Resolution No. 94-18 authorizing the City Manager to execute all necessary documents to accept the 2018 Energized Community Grant from NOPEC;

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

WHEREAS: The State contract under the State Procurement Program has been awarded to CCG Automation, Inc.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with CCG Automation, Inc. to implement energy infrastructure efficiency upgrades to the HVAC systems at City Hall and the Police Department in an amount not to exceed \$67,266.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to complete the upgrades and take advantage of anticipated utility savings 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 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

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?

**ADDITIONAL
INFORMATION:**

An emergency status is being recommended to ensure that there is no lapse in the provision of professional municipal engineering services required by the City.

**PROPOSAL FOR THE PROVISION OF
MUNICIPAL ENGINEERING CONSULTING SERVICES
TO THE CITY OF BRUNSWICK, OHIO**

This agreement is set between the City of Brunswick, Ohio (City) and Chagrin Valley Engineering, Ltd. (CVE), for the provision of Municipal Engineering Consulting Services.

Section 1. Chagrin Valley Engineering, Ltd. (CVE) with Matthew M. Jones P.E., a Partner of Chagrin Valley Engineering Ltd., duly licensed as a Professional Engineer, is hereby designated as the Consulting Municipal Engineer for the City of Brunswick, Ohio for a term beginning January 1, 2019 and ending December 31, 2020 at the pleasure of the City Manager, upon the terms, provisions and conditions thereafter set forth herein and ratified by the City Council.

Section 2. That said Consulting Municipal Engineer in conjunction with Chagrin Valley Engineering, Ltd. shall furnish services to this City, as required by the City, through the City Council or its designee, including the following services covered by the compensation as described in Section 4 of this Agreement. Services involving the use of additional staff members shall be compensated as described with Section 3 of this agreement:

- (A) Act as a technical consultant and advisor on engineering matters referred by the City Manager.
- (B) Advise the City in matters relating to resident's problems pertaining to engineering as they may relate to public sewers, public water supplies, drainage patterns and building grades.
- (C) Assist the City on municipal engineering matters. The Consulting Municipal Engineer shall also act as the Floodplain Administrator of the National Flood Insurance Program for the City of Brunswick.
- (D) Attend Council meetings and other meetings as requested by the City Manager or City Council. The monthly retainer amount presented in Section 4 is based upon the regular attendance of the Consulting Municipal Engineer or a designated CVE staff member at Planning Commission meetings and City Council Work Session meetings. Attendance by a designated CVE staff member in place of the Municipal Consulting Engineer at meetings will not be billed in addition to the retainer amount.
- (E) Preparation of preliminary sketches and estimates, concerning the advisability of proceeding with public improvements such as pavement improvements, storm water collection, water distribution, or other infrastructure improvements contemplated by the City Manager.
- (F) Performing such other duties as is normally required of Consulting Municipal Engineers not requiring the use of additional staff members such as field crews, etc.

Section 3. For services in connection with the construction of public improvements as described above, Chagrin Valley Engineering, Ltd., shall receive compensation as a percentage of the actual cost of construction of all improvements authorized by City Council and under its control. The percentages paid shall be as follows:

November 5, 2018

<u>COST OF CONSTRUCTION</u>	<u>FEE</u>
\$ 0 - \$150,000	Hourly
\$ 150,001 - \$250,000	\$ 18,750 plus 8.7% of the amount over \$150,001
\$ 250,001 - \$500,000	\$ 26,000 plus 7.6% of the amount over \$250,001
\$ 500,001 - \$1,000,000	\$ 45,000 plus 6.7% of the amount over \$500,001
\$1,000,001 - \$5,000,000	\$ 78,000 plus 6.1% of the amount over \$1,000,001

The fees provided in this subsection shall cover engineering services including complete detailed plans and specifications, preparation of monthly and final estimates for contractor's payments and providing an Engineer for construction management to administer the construction contract. The above schedule of fees does not cover various supplementary services. Supplemental services not included within the presented fee schedule are, but not limited to: wetland delineations, stream quality assessments, preparation and acquisition of U.S. Army Corps of Engineers / Ohio Environmental Protection Agency wetland or stream fill permits, property, boundary, or right-of-way surveys, topographic surveys, profile surveys, grade stakes for construction, inspection of construction, laboratory inspection of materials, review of material submittals for use in construction, cost of test borings, or other subsurface exploration, traffic studies, or calculations of special assessments. These supplementary services may be provided by the Chagrin Valley Engineering, Ltd. on an hourly basis in accordance with the schedule of rates hereinafter set forth below or upon invoice submitted by the entity providing such supplemental services. Any such supplemental services performed by CVE cannot therefore be included in any municipal contract nor subject to an additional percentage of contracts nor be included in the cost of construction of any contract or this contract. The Engineer shall at all times notify the Service Director, in writing, of any supplementary services associated with a proposed public improvement at the time that a preliminary estimate, covered under Section 2 of this contract, is submitted for consideration or approval. Additionally, inspection and contract administration costs are not to be included in the cost of construction for purposes of calculating the engineering fee for projects covered under this section.

Chagrin Valley Engineering, Ltd. shall be entitled to progress payments in proportion to services performed on monthly basis. Upon authorization by City Council and until such time as bids are taken and contracts awarded, compensation shall be determined by the following percentages and the Engineer's estimated construction cost. As the work is constructed, Chagrin Valley Engineering, Ltd. shall receive additional compensation equal to the balance of the fee based upon a percentage of the certificates of payment to the contractor, provided said payment is authorized by City Council. As soon as the final certificate of payment to the contractor is issued, any adjustment shall be made so the total fee shall be a sum equal to the schedule percentage. The compensation for basic services shall be based upon the following percentages of the total fee attributable to various phases of the work:

- | | |
|------------------------------------|-----|
| 1. Preliminary Report Phase | 15% |
| 2. Preliminary Design Phase | 20% |
| 3. Final Design Phase | 45% |
| 4. Bidding and Project Award Phase | 10% |
| 5. Contract Administration | 10% |

In the event proceedings for work are abandoned or postponed and then revived and actively pressed either by this or by a succeeding City Council within five (5) years of the date of said abandonment or postponement, Chagrin Valley Engineering, Ltd. shall credit against the total compensation the payment previously made hereunder, providing that Chagrin Valley Engineering, Ltd. is at that time employed by this or by a succeeding City Council to provide Municipal Engineering Consulting Services. In the event of the revival of a project within the time frame specified above, Chagrin Valley Engineering, Ltd. could, at its discretion, elect to negotiate additional fees with the City of Brunswick. Additional fees would address conditions that have incurred solely as a result of changes in existing conditions since the abandonment or postponement of the project, or design parameters that have been established by governmental review and approval subsequent to such delay.

Engineering charges for federally funded work must be in accordance with Federal Regulations and are set and approved as part of the funding procedure, and therefore are not part of this document.

HOURLY RATE SCHEDULE: For additional services for which the Engineer shall have been authorized to prepare material or work not let by Contract or for the performance of any of the following tasks:

- Special Surveys
- Preparation of Reports
- Preparation of Special Assessments
- Field Elevation Checks of Walks, Basements, Sewers, etc.
- Storm Water Management Inventory Assistance
- Storm Water Drainage: Plan / Calculation Review
- Erosion and Sediment Control: Plan Review / Site Inspections
- Sanitary "Tap-In" Reviews and Fee Determinations
- Residential / Commercial / Industrial Site Plan and or Subdivision Review
- Survey Plat Review
- Development / Implementation of Phase II Storm Water Management Program

Compensation shall be made on the basis of time spent by the Engineer or his employees and associates at the rates set forth in the following schedule of hourly rates, plus reimbursable expenses.

	<u>2019 Hourly Rates</u>	<u>2020 Hourly Rates</u>
Engineer - Partner	\$96.00 per hour	\$97.00 per hour
Engineer – Associate	\$92.00 per hour	\$93.00 per hour
Engineer	\$86.00 per hour	\$87.00 per hour
Contract Administrator	\$69.00 per hour	\$70.00 per hour
Storm Water Specialist	\$75.00 per hour	\$76.00 per hour
Professional Surveyor	\$84.00 per hour	\$85.00 per hour
Designer / Technician	\$75.00 per hour	\$76.00 per hour
Geographical Information System (GIS) Technician	\$74.00 per hour	\$75.00 per hour
Clerical	\$35.00 per hour	\$36.00 per hour
1 Man Survey Field Crew	\$92.00 per hour	\$93.00 per hour
2 Man Survey Field Crew	\$118.00 per hour	\$120.00 per hour
3 Man Survey Field Crew	\$136.00 per hour	\$138.00 per hour
Environmental Scientist	\$84.00 per hour	\$85.00 per hour
Inspector	\$52.00 per hour	\$53.00 per hour

Prints, Materials, Supplies and Services provided or performed by others at Cost.

November 5, 2018

Section 4. The Consulting Municipal Engineer and Chagrin Valley Engineering, Ltd., as appointed by the City Manager, shall receive as compensation for the services described in Section 2 hereof, the annual sum of \$55,250.00, commencing January 1, 2019, said sum shall be pro-rated on a per month basis and payable to Chagrin Valley Engineering, Ltd., on the last day of each month.

Section 5. The Chagrin Valley Engineering, Ltd. agrees that for the duration of this contract no member of Chagrin Valley Engineering, Ltd. or employee thereof, will accept any private engineering or surveying work that requires their review and/or approval unless such work is approved by the City Manager; however, work for Federal, State County or Regional Governments is not prohibited.

Section 6. Documents and Files: All engineering documents and project files created for the purposes serving the City of Brunswick shall be the property of the City of Brunswick.

Section 7. The contract provided herein with Chagrin Valley Engineering, Ltd. may be terminated by either party on thirty (30) days advance written notice to the other, provided that such determination shall not affect the duty of the Consulting Municipal Engineer or Chagrin Valley Engineering, Ltd., to render service, nor the obligation of the City to pay for such service rendered, before the effective date of termination.

Matthew M. Jones P.E., Partner, Chagrin Valley Engineering, Ltd.

Date

Accepted this _____ day of _____, 2018 by the City of Brunswick, Ohio, pursuant to
Ordinance of Council No. _____ adopted on _____.

BY: _____

City of Brunswick, Ohio

Attest:

The legal form of the within instrument is hereby approved.

Director of Law

Date

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 97-18

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUNICIPAL ENGINEERING CONSULTING SERVICES AGREEMENT WITH CHAGRIN VALLEY ENGINEERING, LTD. FOR THE PROVISION OF PROFESSIONAL MUNICIPAL ENGINEERING SERVICES AND DESIGNATING MATTHEW M. JONES, P.E., AS CONSULTING MUNICIPAL ENGINEER.

WHEREAS: The City has received a proposal from Chagrin Valley Engineering, Ltd. for the provision of professional municipal engineering consulting services wherein Matthew M. Jones, P.E. has been designated at the Consulting Municipal Engineer; and

WHEREAS: The current Agreement with Chagrin Valley Engineering, Ltd. expires as of December 31, 2018.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into a Municipal Engineering Consulting Services Agreement with Chagrin Valley Engineering, Ltd., as attached hereto as Exhibit "A", for the provision of professional municipal engineering services upon such terms and conditions as provided therein.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Brunswick, and for the additional reason that this measure is necessary to ensure that there is no lapse in the provision of professional municipal engineering services required by the City. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 11/26/2018

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

FROM: Carl S. DeForest, City Manager
, Fijabi Gallam

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 98-18** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*)

BACKGROUND: This Is the semi-annual codification updates.

PURPOSE AND EXPLANATION: To approve the editing and inclusion of ordinances as components of the codified ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances

IMPLEMENTATION SCHEDULE: To adopt as an emergency with suspension of the rules on November 26, 2018 to allow for the updates to be effective immediately.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: As of Nov 19, 2018, \$4,189.98 remained on the Walter Drane PO#201851332. This po# is encumbered to account #001-0100-54279.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
Recommended to adopt as an emergency with the suspension of rules so they may be effective immediately.

**ADDITIONAL
INFORMATION:**

EXHIBIT "A"

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
66-18	10-8-18	618.30
67-18	10-22-18	234.03, 234.031, 234.032

EXHIBIT "B"

Traffic Code

- 402.53 Waste Collection Vehicle. (Added)
- 404.06 Freeway Use Restricted. (Amended)
- 404.991 Committing an Offense While Distracted Penalty. (Added)
- 414.01 Obedience to Traffic Control Devices. (Amended)
- 414.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 432.01 Driving Upon Right Side of Roadway; Exceptions. (Amended)
- 432.02 Passing to Right When Proceeding in Opposite Directions. (Amended)
- 432.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 432.04 Overtaking and Passing Upon Right. (Amended)
- 432.05 Overtaking, Passing to Left of Center. (Amended)
- 432.06 Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
- 432.07 Hazardous or No Passing Zones. (Amended)
- 432.08 Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
- 432.09 Following Too Closely. (Amended)
- 432.10 Turning at Intersections. (Amended)
- 432.12 "U" Turns Restricted. (Amended)
- 432.13 Starting and Backing Vehicles. (Amended)
- 432.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 432.15 Hand and Arm Signals. (Amended)
- 432.16 Right of Way at Intersections. (Amended)
- 432.17 Right of Way When Turning Left. (Amended)
- 432.18 Operation of Vehicle at Yield Signs. (Amended)
- 432.19 Operation of Vehicle at Stop Signs. (Amended)
- 432.20 Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
- 432.22 Driving Onto Roadway From Place Other Than Roadway: Duty to Yield.
(Amended)
- 432.23 Driving Onto Roadway From Place Other Than Roadway: Stopping at Sidewalk.
(Amended)
- 432.24 Right of Way of Funeral Procession. (Amended)
- 432.26 Driving Upon Street Posted as Closed for Repair. (Amended)
- 432.27 Following and Parking Near Emergency or Safety Vehicles. (Amended)
- 432.28 Driving Over Fire Hose. (Amended)
- 432.29 Driving Through Safety Zone. (Amended)
- 432.30 One-Way Streets and Rotary Traffic Islands. (Amended)
- 432.31 Driving Upon Divided Roadways. (Amended)
- 432.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 432.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 432.40 Stopping at Grade Crossing. (Amended)
- 434.031 Approaching a Public Safety Vehicle. (Amended)
- 434.04 Stopping Vehicle. (Amended)
- 434.05 Speed Limitations Over Bridges. (Amended)

Traffic Code (Cont.)

- 438.16 Number of Lights. (Amended)
- 472.01 Right of Way in Crosswalk. (Amended)
- 472.02 Right of Way of Blind Person. (Amended)
- 472.07 Right of Way on Sidewalk. (Amended)
- 474.03 Attaching Bicycle or Sled to Vehicle. (Amended)
- 474.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 474.07 Riding Bicycle on Right Side. (Amended)
- 474.11 Paths Exclusively for Bicycles. (Amended)

General Offenses Code

- 624.01 Drug Abuse Control Definitions. (Amended)
- 624.05 Permitting Drug Abuse. (Amended)
- 642.15 Misuse of Credit Cards. (Amended)
- 672.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 98-18

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS COMPONENTS OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW LEGISLATION IN THE UPDATED REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS: Section 3.18(b) of the City Charter provides for the general codification of all City Ordinances and Resolutions having the force and effect of law and requires that such codification be kept current;

WHEREAS: The Walter H. Drane Co. has completed its updating and revision of the Codified Ordinances of the City;

WHEREAS: Various Ordinances of a general and permanent nature that have been enacted by Council since the date of the last updating and revision of the Codified Ordinances need to be include in the Codified Ordinances of the City; and

WHEREAS: Certain changes made in the Codified Ordinances were required to bring City law into conformity with State law.

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

SECTION 1: That the editing, arrangement and numbering or renumbering of the Ordinances and parts of Ordinances attached hereto as Exhibit "A" as though fully herein written, are hereby approved as parts of the various component codes of the Codified Ordinances of the City of Brunswick, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances.

SECTION 2: That the sections of the Traffic and General Offenses Codes, as amended and attached hereto as Exhibit "B" as though fully herein written, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

SECTION 3: That all Ordinances and Resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and listed on Exhibit "A" and in Section 1 are hereby repealed, except as follows:

(a) The enactment of such matter shall not be construed to affect a right of liability accrued or incurred under any legislation provision prior to the effective date of such enactment, or any action or proceeding for the enforcement of such right or liability. Such enactment shall not be

construed to relieve any person from punishment for an act committed in violation of any such legislative provision or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to October 30, 2018

SECTION 4: That a copy of this Ordinance shall be posted in the five public places set forth in Section 222.01(a) of the Codified Ordinances, together with notice as to where copies of the October 2018 Replacement Pages for the Codified Ordinances of the City, hereby approved, adopted and enacted, may be viewed and inspected by the public. A copy shall also be furnished to City Officers, Medina Municipal Court and the Brunswick Public Library.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and for the additional reason that it is immediately necessary to have an up-to-date codification of the laws of the City, pursuant to Section 3.18(b) of the City Charter, that is in conformity with State Law, where such conformity is required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City and to preserve law and order of the City. Therefore, this Ordinance and the October 2018 Replacement Pages for the Codified Ordinances, hereby approved, adopted and enacted, shall be in full force and effect from and after its passage by the required number of votes, as set forth in Section 3.15 of the City Charter.

PASSED: 1st Reading _____

Rules Suspended: YES _____ NAYS _____

ADOPTED: _____ YES _____ NAYS _____

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