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	Andrea Rodriguez Ward 3	Joseph Delsanter At-Large	Anthony Capretta Ward 4

Administration Representatives

MAY 13, 2019
7:30 PM
IN COUNCIL CHAMBERS

1. Prayer and Pledge of Allegiance

2. Roll Call of Members

3. Correspondence

4. Approval of regular Council Meeting Minutes dated April 22, 2019.

   (a) Regular Council Meeting Minutes dated April 22, 2019

5. Mayor's Report:

   (a) Mayor's Court Financial Report for the month ending April 2019 will be posted on the website and added to the minutes for the record;

6. Clerk of Council's Report

7. Council Committee Reports:

   Economic Development Committee..Mr. Hanek
      Economic Development Committee Meeting Minutes dated April 30, 2019
   Services, Utilities, Technology & Cable Committee............................Mrs. Rodriguez
   Finance Committee...Mrs. Hanek
   Safety & Environment Committee...Mr. Ousley
   Planning & Zoning Committee...Mr. Delsanter
      Planning & Zoning Committee Meeting Minutes dated April 18, 2019
   Parks, Recreation & Community Committee..Mr. Abella Jr.
      Parks & Rec Committee Meeting Minutes dated April 22, 2019
   Building & Building Code Committee...Mr. Capretta

8. Other Boards and Commissions

   (a) Committee of the Whole Meeting Minutes dated April 22, 2019

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

RES. NO. 25-19 - A resolution establishing a Sisterhood city relationship between the City of Brunswick, Ohio, and the City of San Juan, Metro Manila. - **3rd Reading** (Committee-of-the-Whole, *Administration/Mayor Ron Falconi*)

RES. NO. 27-19 - A resolution accepting a perpetual public easement from Kenneth R. Sacks for access to and maintenance of a public water main within the Orchard Apartments Development. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 28-19 - A resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

b. 2nd Reading(s)

ORD. NO. 29-19 - An ordinance amending sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick for a continuing period of time. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 30-19 - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's sixty-five one-hundredths percent (0.65%) municipal income tax for a continuing period of time to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

RES. NO. 31-19 - A resolution supporting and adopting the updated Medina County All Hazards & Flood Mitigation Plan 2019 established by the Medina County Office of Emergency Management & Homeland Security. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

c. 1st Reading(s)

ORD. NO. 32-19 - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2020 through December 31, 2020 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 33-19 - An emergency resolution authorizing the City Manager to enter into a commercial card account agreement with Huntington National Bank. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

ORD. NO. 34-19 - An *emergency* ordinance adopting the credit card account policy of the City of Brunswick - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

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, APRIL 22, 2019

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: Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, and Brian Ousley.

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

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

Correspondence: There was none.

Approval of regular Council Meeting Minutes dated April 8, 2019:

Michael Abella Jr. moved to approve the regular Council Meeting Minutes dated April 8, 2019, as written, seconded by Patricia Hanek. Roll Call - Ayes - 6, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter. Nays - 0. Motion Carried.

Mayor's Report:

Proclamation to recognize Brunswick Student Logan Heil:

Mayor Ron Falconi presented a proclamation to Brunswick High School wrestler Logan Heil for defeating opponent Angelo Rini, of St. Edward High School, at the Schottenstein Center in Columbus, to become the state's 126-pound wrestling champ.

Proclamation to proclaim April as Child Abuse Awareness Month:

Mayor Ron Falconi presented a proclamation to Justin Harrison, to proclaim April as Child Abuse Awareness Month. Mr. Harrison retold his own experiences with abuse and the positive impact that the members of the international Bikers Against Child Abuse (BACA) had on him. Mr. Harrison went into more details about "Destiny's Law," a state law that passed in March 2019, that significantly increases penalties for those convicted of child abuse. Mr. Harrison expressed his appreciation for the recognition. One of the BACA mentors explained that BACA exists with the intent to create a safer environment for abused children. The organization is a body of Bikers to empower children to not feel afraid of the world in which they live, and they work in conjunction with local and state officials who are already in place to protect children.

Proclamation to proclaim Light Ohio Blue Campaign week in the City of Brunswick May 8th - May 16th:

Mayor Ron Falconi presented a proclamation to the Brunswick Citizens Police Academy Alumni Association (BCPAAA) and the Brunswick Division of Police to declare May 8-16, 2019 as “Light Ohio Blue” week, and expressed his gratitude to the women and men of the Brunswick Division of Police for their service to the City of Brunswick.

Chief Brian Ohiln remarked that the City of Brunswick is joining other law enforcement agencies in Ohio to "Light Ohio Blue" from May 8, 2019, to May 16, 2019. He noted that in 1962, John F. Kennedy signed a proclamation designated May 15th as Peace Officers Memorial Day. The Peace Officers Memorial Day coordinates with Police Week. Chief Ohlin remarked that they are partnering with a number of entities throughout the city. Chief Ohlin asked the residents to shine blue lights on their homes. He appreciated everyone's assistance in recognizing Police Week.

Clerk of Council’s Report:

Clerk of Council Fijabi Julien-Gallam remarked that the City Council meets for their regular Council Meeting every 2nd and 4th Monday at 7:30 p.m.; however, there will be a change to the schedule next month because Memorial Day falls on a 4th Monday. She remarked that the regular City Council meeting is on May 13, 2019, and May 20, 2019, at 7:30 p.m. in Council Chambers. This schedule change was approved at the Committee-of-the-whole meeting on January 14, 2019.

Council Committee Reports:

Economic Development...Mr. Hanek:

Mr. Hanek had no formal reports this evening.

Services, Utilities, Technology & Cable......................................Mrs. Rodriguez:

Andrea Rodriguez moved to approve the Services, Utilities, Technology & Cable Committee formal report dated April 8, 2019, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. - 0. Motion Carried.

Finance Committee..Mrs. Hanek:

Mrs. Hanek had no formal reports this evening.

Safety & Environment...Mr. Ousley

Brian Ousley moved to approve the Safety & Environment Committee formal report dated April 1, 2019, as written, seconded by Andrea Rodriguez. Roll Call - Ayes - 6, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley. Nays - 0. Motion Carried.

Planning & Zoning Committee..Mr. Delsanter:

Mr. Delsanter had no formal reports this evening.

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

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

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

Joseph Delsanter moved to approve the Building & Building Code Committee formal report dated April 8, 2019, as written, seconded by Michael Abella Jr. Roll Call - Ayes - 6, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Michael Abella Jr. Nays - 0. Motion Carried.

Other Boards and Commissions:

Michael Abella Jr. moved to approve the Committee-of-the-Whole meeting minutes dated April 8, 2019, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

Petitions from the Public on Legislation: There was none.

Reading of Legislation and Action on Legislation:

3rd Reading(s) There was none.

2nd Reading(s)

RES. NO. 25-19 - A resolution establishing a Sisterhood city relationship between the City of Brunswick, Ohio, and the City of San Juan, Metro Manila. - **2nd Reading** (Committee-of-the-Whole, *Administration/Mayor Ron Falconi*):

RES. NO. 25-19 - Mr. Abella Jr. moved this resolution to third reading.

RES. NO. 27-19 – A resolution accepting a perpetual easement from Kenneth R. Sacks for access to and maintenance of a public water main within the Orchard Apartments Development. – **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 27-19 - Mrs. Rodriguez moved this resolution to third reading.

RES. NO. 28-19 - 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. 28-19 - Mrs. Rodriguez moved this resolution to third reading.

1st Reading(s)

ORD. NO. 29-19 - An ordinance amending sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick for a continuing period of time. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

ORD. NO. 29-19 - Mr. Abella Jr. moved this ordinance to second reading.

RES. NO. 30-19 - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's sixty-five one-hundredths percent (0.65%) municipal income tax for a continuing period of time to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*) :

RES. NO. 30-19 - Mr. Abella Jr. moved this resolution to second reading.

RES. NO. 31-19 - A resolution supporting and adopting the updated Medina County All Hazards & Flood Mitigation Plan 2019 established by the Medina County Office of Emergency Management & Homeland Security. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

RES. NO. 31-19 - Mr. Abella Jr. moved this resolution to second reading.

City Manager's Report:

City Manager Carl DeForest

- Reminded everyone that branch chipping starts on Monday, April 29, 2019. Mr. DeForest encouraged everyone to put their branches out prior to 7:00 a.m. He explained that residents are welcomed to visit the city's website to get more information about branch chipping.

- Remarked that the City will hold three informational meetings for residents to discuss the trash collection and recycling services in Brunswick on Thursday, May 9, 2019, from 3:00 p.m. to 4:30 p.m. and 6:30 p.m. to 8:00 p.m., and Saturday, June 8, 2019, from 2:00 p.m. to 3:30 p.m. All meetings are at the Brunswick Recreation Center. The new trash collection and recycling services will start on Monday, July 1, 2019.
- Remarked that on Monday, June 8, 2019, at noon, the Medina County Relay for Life is held at the Medina County Fairgrounds. The City of Brunswick and the City of Medina is combining their Relay for Life fundraisers.

Administrative Departments:

Finance Director Todd Fischer

- Thanked the Finance Income Tax department and the administration for helping the city get through the Income Tax deadline on April 15, 2019. Mr. Fischer expressed that it is overwhelming for three employees to get through about 600 people.
- Remarked that the Finance Income Tax department released their income tax E-file option in the middle of the tax season. Mr. Fischer explained that the Informational Technology (IT) department assisted the tax department by setting up six computers in Council Chambers to provide E-file training sessions to the residents. He thanked the IT Director for setting up the computers for the residents to complete their City Income Tax return.

Police Chief Brian Ohlin

- Thanked the volunteers from the Brunswick Citizens' Police Academy Alumni Association (BCPAAA) for their support in the Light Ohio Blue Campaign. Chief Ohlin remarked that the BCPAAA is handing out blue light bulbs on May 1, 2019, from 11:00 p.m. to 2:00 p.m., and from 4:00 p.m. to 5:00 p.m. at City Hall. He listed a few other examples a resident could help support the Light Ohio Blue Campaign.

Parks and Recreation Director John Piepsny

- Remarked that the Optimist Club of Brunswick is hosting their Fishing Derby on Saturday, May 11, 2019, from 8:30 a.m. to 12:00 p.m., at North Park Lake. Mr. Piepsny remarked that free registration is available at the Brunswick Recreation Center for ages 16 and under.
- Remarked that the garden plots are available for $35 at the Heritage Farm for residents. Mr. Piepsny noted that residents could register for a garden plot at the Brunswick Recreation Center.
- Announced that the Brunswick Recreation Center is hosting a 50% off annual membership sale at the recreation center from May 1, 2019 to May 15, 2019.

Open Forum: There was none.

Unfinished Business: There was none.

New Business

Consideration of a liquor permit transfer to Jainam LLC DBA Convenient Mart, located at 108 W 130th Street, Brunswick, Ohio 44212 from Joat Food LLC DBA Convenient Mart located at 108 W 130th ST, Brunswick, Ohio 44212:

The City Council and the Administration had no objections to the liquor permit transfer request.

Adjournment:

Michael Abella Jr. moved to adjourn, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:58 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

____

Mayor Ron Falconi

____

Adopted

May 2, 2019

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF APRIL 2019

WAIVERS/COURT/BONDS

DEPOSITS (April) 51,439.78
DEBITS (April) (51,649.78)

Checks to be written in April:

Treasurer State of Ohio	$ 9,840.50
City of Medina MIATF	$ 75.00
City of Medina IDATF	$ 307.50
City of Brunswick Finance Dept/Police Fund *	$40,461.78
Misc Checks (bond refunds & transfers/restitution)	$ 965.00
TOTAL for the month	$51,649.78

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

Service Charges/Fees for prior month $538.55

MAYOR RONALD FALCONI

TERESA BENO, CLERK OF COURTS

ECONOMIC DEVELOPMENT

April 30, 2019

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

The meeting convened at 5:41 p.m.

GENERAL DISCUSSION:

Mr. Aungst updated the committee on current projects; Controlled Access was in the middle of building a new facility and they were hoping to be in by late fall 2019, Murphy Tractor should be moving into their new building in May, the former Sonic building was in the process of being decommissioned for the new KFC build, ID Images was going through an extensive remodel and expansion within their current buildings, Five Star Gymnastics was coming along, Taco Bell will be starting their build at Laurel/Pearl, and the Brunswick Middle School will start putting in foundations May 2019.

Mr. Aungst mentioned businesses in the region were remaining solid; manufacturing in the industrial parks was very strong. He mentioned the price of oil was on the rise but currently remaining steady however due to the rise of gas tax in Ohio and many other states, and the changeover to the summer formula which costs more to produce the price of oil will rise; overall it should be cost effective and not have any effect on consumer spending since consumer wages were also on the rise. Mr. Aungst announced the annual Steak Roast/Fundraiser is Saturday, May 4; tickets are available through the City Manager's Office.

Continuing, Mr. Aungst talked about the workforce in Medina County, he noted there are not enough bodies in the county for all the opportunities particularly for basic entry level positions. The county as well as the city continues working with the schools in particular with students that may have challenges; he commented that population can help in many areas.

The market for home sales continues to be strong in Brunswick; the Enclave townhome development is doing well and filling up quickly, and the Orchard Development is already getting interest and commitments from people wanting to live there.

Mr. Aungst commented on the city's industrial parks, he expressed they are solid however he would not be surprised if companies start looking at picking up and moving to other locations, and that is due to businesses wanting to expand and due to the limited available land they have no other option than to move to another location.

The last item Mr. Aungst presented to the committee was an idea that was presented a while back called PACE financing, information was distributed to the committee.

Mr. Aungst explained PACE financing as property assessed clean energy financing, there are many organizations doing this program. PACE projects are taxed through the county auditor, it allows for buildings of any age to qualify by becoming more efficient from the onset. He noted this is an economic tool, and one that Medina County was working on and he would encourage Brunswick to consider.

Mr. Aungst noted Brunswick would have to establish a board comprised of Administration and business people within the community; and he noted it is also a legislative process.

Mr. Aungst noted each individual project would still come before the city; however it would allow the property owner to invest in their property and be more efficient in their use of the property and have a better product. It can be used for renovation, or new build, and it works in conjunction with the energy companies.

Mr. Aungst will be meeting up with some individuals on this subject; he expressed the city should look at and consider to help both commercial and industrial businesses to grow internally.

Mr. Aungst noted the State of Ohio was already registered as a PACE state, however the city would have to be established, there is no cost to the city and it enhances the quality of what comes out of the city, and it was something that should be considered. Currently the City of Medina was going through the process.

Mr. Aungst indicated he would invite experts to come and address the committee to fully explain the program. He also mentioned an Energy Special Improvement District (ESID), which allows for special assessments on properties; a board would have to be created for that also.

Mrs. Hanek asked if this would be for the entire city, and Mr. Aungst responded he would keep it to commercial and industrial, since there are programs already in place for reinvestment into residential through CRA.

Mr. Ousley referenced the handout where it stated PACE was originally conceived for use of residential properties as a way to renew financial barriers. If that was the way PACE was originally conceived he wanted to know why Mr. Aungst wants it for commercial and industrial areas.

Mr. Aungst noted he felt more comfortable with industrial and commercial areas for growth and opportunities for the city. He noted every PACE transaction has to be agreed upon by City Council. Mr. Aungst noted he brought this information to the committee to look over; it was not something he was going to present right away, it is a legislative process, and he wants everyone to be fully informed.

Mr. Hanek asked about the completion of the Comprehensive Plan, and Mr. Aungst advised the Administration reviewed the plan and the consultants were putting it together.

Mr. Hanek commented being comfortable with the composition of this committee's ability to move things very quickly; however in 2020 the composition of this committee may not be the same. Mr. Hanek has been waiting on the completion of the Comprehensive Plan, and when it comes in he would like to move on it quickly.

Mr. Aungst noted it will be important to update the codified ordinances; specifically in the areas of planning and zoning, noting those areas need to be consistent and updated.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 6:05 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Nicholas Hanek
Chairman

PLANNING AND ZONING COMMITTEE

April 18, 2019

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Nicholas Hanek, Committee Member Andrea Rodriguez, Community& Economic Development Director Grant Aungst, Assistant Law Director Santo Incorvaia, Planning & Zoning Coordinator Pam Plavecski.

The meeting convened at 6:20 p.m.

GENERAL DISCUSSION:

Mr. Aungst started the discussion with an update on swimming pools; he noted there has been a large amount of pool applications this year, and he wanted to clarify that code indicates a pool must be ten feet off the property lines, including any part of a structure be it a deck or sidewalk. He reiterated the whole functioning part of a pool must be ten feet off the property line.

Mr. Incorvaia noted various sections of the code talk about no structures being within the setback zones; he also pointed out there are inconsistencies throughout the code.

To that Mr. Delsanter noted this committee discussed reviewing the code to update it and to address the inconsistencies.

Mr. Incorvaia noted internally the inconsistencies in the code have been discussed, and he mentioned the code addresses resolving inconsistencies. It was suggested by Mr. Incorvaia that at some point a planner should come in and do a complete review of the zoning and building code bringing them up to date and making them consistent.

Mr. Delsanter thought that could take place the end of the year after the comprehensive plan is in place.

Mr. Incorvaia noted inconsistencies are not unique to Brunswick, other cities have the same issue, amendments are made to the code over periods of time and over the years other changes are made resulting in inconsistencies.

Mr. Aungst expressed when updating the code there are some setbacks that should be increased for the benefit of the homeowners, and if a pool or recreational item is put in buffers or screening requirements should be considered.

The committee discussed a time line and process for the code update and if there should be an outside firm hired or if it should be done internally. Mr. Aungst commented it was almost impossible to do it internally expressing every segment of the building department was swamped.

Mr. Delsanter advised an RFQ will have to be put in the budget for next year, and it was expressed by Mr. Aungst there could be a wide range in budgeting for it.

Mr. Aungst commented Brunswick is the largest City in Medina County, the City continues to be a popular space to be in. The new middle school being built will bring in a lot of new families to the community, and updating the code will be an important part of the investment in the community.

The next item brought up for discussion by Mr. Aungst related to chickens and he presented a piece of legislation that was drafted a few years ago. Currently Brunswick does not have a formal code section dealing with chickens. He pointed out cities deal with this issue differently; in most cases roosters are not permitted due to noise ordinances and other issues roosters bring, and the argument from people that want chickens is that they want the eggs for food.

In speaking with the animal warden it was noted he has been working with most of the people that have chickens; he noted the concerns are with neighbors, noises, pollution, and predators that are attracted to the chickens. In some communities chickens are not permitted due to density levels, other cities address chicken coops, cleaning of the runs and the coop, the number of chickens permitted, and all cities have been consistent as far as not allowing any roosters.

Mr. Aungst referred to the past recommendations from the law department which was allowing for up to six chickens in an enclosed structure on a lot not less than 1.5 acres providing the structure containing such animals be located not less than 100 feet from any adjoining residence lot line. Only female chickens/hens may be kept and male chickens/rooster shall be prohibited in the City at all times, the slaughtering of chickens is prohibited at all times, a permit would be issued, and inspections would be permitted.

Mr. Hanek asked if the department had the capacity for a permitting system for chickens, and Mr. Aungst responded by saying it would be a challenge; however, he would rather have something on the books than nothing.

Mr. Hanek stated he does have concerns and would like to see what other cities were doing about the number of chickens allowed, acreage, the distance from property lines, and defining the structure. Mr. Hanek agreed with not permitting roosters, no slaughtering of chickens, and having a permitting system.

Mr. Delsanter echoed Mr. Hanek; additionally he wanted to know who the regulatory authority was going to be; animal control or the building department.

To that, Mr. Aungst, noted if the coop is looked at as a structure it would be the building department, if it was looking at the animal it would be the animal warden.

Mr. Delsanter understood this was attempted in the past; however, it never made it to the finish line, and this committee was not going to let that happen. His concern is chickens being eradicated by predators he knew of that happening and he has serious concerns for the safety of small children in the neighborhoods with coyotes and other predators coming in. Mr. Delsanter stated the City of Brunswick with almost 36,000 people is not a rural town.

Mr. Hanek brought up enforcement and penalties and getting input from the animal control officer.

Mr. Aungst will get in contact with the animal control officer for his input for the next meeting; he will also get example legislation of what similar cities are doing. He expressed Brunswick may be in a rural county but it was not a rural community.

As stated by Mr. Delsanter this was tried in the past but never made it to the finish line, Mrs. Rodriguez wanted to know why. In response Mr. Delsanter noted it was not presented by this committee, however it was brought up a few years ago. Mrs. Rodriguez asked if it was fought and Mr. Delsanter noted nothing came about due to lack of conclusion.

Mr. Delsanter noted everyone can see the propensity of problems arising, public health issues as well as endangerment, and even animal cruelty issues.

Mrs. Plavecski concluded by suggesting the building department monitor the structures, also the residents should have to get an accessory structure permit that way the building department can monitor and inspect the setbacks and structure.

The next item for discussion brought up by Mr. Aungst related to Section 1274.08 (a), specific conditions applying to multiple uses in residential districts which states all structures and activity areas shall be located at least 100 feet from all property lines. In commercial districts, all structures and activity areas shall be located at least 100 feet from a residential district or from a multifamily property line.

Mr. Aungst brought up a recent issue that came up on a construction site with the placement of the construction trailers. The site with the issue has construction trailers near the gate for security and safety purposes and the construction company has come before the BZA multiple times because the construction trailer had to be moved for various reasons.

Mr. Aungst asked for feedback from the law department as to how to structure this so residents are protected, as well as permitting the construction trailers that are serving a tremendous purpose for the community to build and invest in the community to protect their items and rights.

Mr. Aungst was looking for ways to make the process better so when another large development comes up and is next to a multifamily home, next to residential, or in a residential neighborhood that is will be more effective and better for everyone, and at the same time the goal of redevelopment and protecting the community will be achieved. Mr. Aungst was looking at what changes can be made to section 1274.08 (a).

It was reiterated by Mr. Aungst that construction companies want to be near the entrance to control the site.

Mr. Hanek asked if there is a way to incorporate this into the planning commission process.

Mr. Delsanter noted when planning commission looks at the plans general labor traffic and heavy equipment traffic is discussed, however there are some unavoidable circumstances.

Being familiar working on construction sites Mrs. Rodriguez suggested instead of 100 feet from all property lines to keep trailers 100 feet from any residential area, and on other sites keep the trailers closer to the main arteries or their easement.

Responding to Mrs. Rodriguez, Mr. Aungst noted that would be a good idea however it would depend on the construction site; and he thought maybe it could be part of planning commission so they can make necessary modifications as opposed to the contractor going to BZA.

Mr. Incorvaia commented the definition of activity area could be changed so not to include construction trailers, also a section could be added to include planning commission to allow construction trailers within the 100 feet area with certain criteria.

In closing, it was noted the scope of the project had to be considered, and planning commission and the developers could work together to find a solution that would be least impactful to the community members.

Mr. Delsanter asked that after section 1274.08 is roughed out for it be brought back to the committee for further discussion.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 7:02 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

Joseph Delsanter
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

April 22, 2019

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Patricia Hanek, Brian Ousley, Andrea Rodriguez, Nicholas Hanek, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Parks & Recreation Director John Piepsny, Police Chief Brian Ohlin, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:35 p.m.

GENERAL DISCUSSION:

Mr. Piepsny announced the Medina County Park District will be presenting the master plan for the Brunswick Lake Ad Hoc Committee, May 2, at 6:30 p.m. at the Nature Center. It was noted by Mr. Piepsny that as part of the lease agreement with Medina County Park District they were to put together a master plan. Actual drawings of the park and the capital improvements they want to do over the years at the lake will be presented.

Mr. Piepsny extended an invitation to everyone to attend the meeting Thursday, May 2 at 6:30 p.m.

Mrs. Hanek asked if there was going to be a special on rec center memberships in the near future, and Mr. Piepsny announced there will be a 50% off special from May 1 to May 15.

Mrs. Rodriguez received a complaint about cold water in the men's restroom at the rec center; Mr. Piepsny advised he would look into it.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 6:39 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,

Michael Abella Jr.
Chairman

COMMITTEE OF THE WHOLE MEETING

April 22, 2019

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Patricia Hanek, Brian Ousley, Andrea Rodriguez, Nicholas Hanek, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Parks & Recreation Director John Piepsny, Finance Director Todd Fischer, Police Chief Brian Ohlin, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:40 p.m.

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

REVIEW LEGISLATION:

ORD. NO. 29-19 – An ordinance amending sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick for a continuing period of time

Mr. DeForest advised the city's current income tax is 2.0%; with levied taxes of 1.00%, and 0.35% which are permanent and a 0.65% temporary levied tax. He noted the 0.65% is due to expire December 2022. Mr. DeForest noted during the 2018 goal setting session the consensus was to go to the November 2019 ballot to try and pass the temporary 0.65% in perpetuity which would maintain the city's income tax at 2.00% and create a consistent funding stream for police and fire staffing.

Mr. Fisher talked on the time line for passage of ordinance no. 29-19 which would amend the city code and create a permanent 0.65% municipal income tax levy for the funding of safety forces that would go into effect January 1, 2023. The scheduled first reading is April 22, second reading May 13, and the third reading would be contingent upon voter's approval at the November 5 election.

Mr. Ousley moved this ordinance to tonight's Council Agenda of April22, 2019 for three readings. Vote – 6 Ayes, 0 Nays.

RES. NO. 30-19 – An <u>emergency</u> resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend sections 880.005, 880.01, and 880.04 of the codified ordinances of the City of Brunswick, Ohio in order to provide for the continuation of the city's sixty-five one-hundredths percent (0.65%) municipal income tax for a continuing period of time to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick

Mr. Fisher noted this resolution is written as an emergency; the scheduled first reading is April 22, second reading May 13, followed by the third reading May 20 and adopted as an emergency. A certified copy of this resolution must be filed with the Board of Elections before the deadline for the November 5, general election.

Mr. Delsanter brought up placing this on the ballot a year before the expiration.

Mr. DeForest noted going to the ballot 2019 is 2.5 years early; the idea was to put it on well in advance so any challenges could be worked out well in advance of the expiration of the temporary levy of 2022.

Mr. Ousley reiterated this was discussed at the goal setting session last year; the safety committee has also discussed this highly, he noted it will be put up to the voters; Mr. Ousley expressed everything has been done what was promised for the safety forces, and he commented that perpetuity was the way to go. He also pointed out there is always the opportunity to raise the percentage if needed to maintain the safety forces.

Mr. Hanek commented it was unlikely that the city will ever experience a decrease in population or have a need to reduce the safety forces, it was pointed out if the funding was to go away about half of the safety forces budget would be imperiled, and a move like that would not make any sense, and this was showing the city wants to maintain these levels for the future.

Mr. DeForest mentioned the City of Brunswick was recently recognized as the 8th safest city in the State of Ohio.

Mr. Delsanter expressed the region is growing and the City of Brunswick supports the region, and it is imperative to maintain the size of the safety forces, he noted the numbers are baseline minimal needed to run a safe city. Mr. Delsanter stated he was in full support of the safety levy in the past and he is in full agreement now.

Mr. DeForest noted the division of police and fire are both understaffed, and the city is trying to maintain the funding well into the future to maintain staffing levels for the safety forces.

Mr. Abella commented it will maintain the quality of Brunswick for the future.

Mr. Ousley moved this resolution to tonight's Council Agenda of April 22, 2019 as an emergency for three readings. Vote – 6 Ayes, 0 Nays.

RES. NO. 31-19 – A resolution supporting and adopting the updated Medina County All Hazards & Flood Mitigation Plan 2019 established by the Medina County Office of Emergency Management & Homeland Security

Mr. DeForest noted the countywide flood mitigation plan was last updated in 2006; the countywide plan allows for local governments and residents to be eligible for pre and post disaster federal mitigation funding.

He advised the Emergency Management Agency goes out to every community and interviews their chief executive officer; gathers information regarding the city and puts together a flood mitigation plan. All the municipalities are asked to adopt the flood mitigation plan by resolution.

Mr. DeForest reviewed the cities flood mitigation plan, and can forward the link to Council. The administration requests passage of Resolution No. 31-19 with three readings to adopt the 2019 updated Medina County Flood Mitigation plan.

Mr. Delsanter moved this resolution to tonight's Council Agenda April 22, 2019 for three readings. Vote – 6 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Hanek moved to go into Executive Session for the purpose to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee, seconded by Mrs. Hanek. Roll Call – Ayes, - 6, Mr. Hanek, Mrs. Rodriguez, Mr. Abella, Mr. Delsanter, Mrs. Hanek, Mr. Ousley. Nays – 0. Motion Carried.

Mr. Hanek moved to adjourn out of Executive Session, seconded by Mr. Ousley. Roll Call – Ayes – 6, Mrs. Hanek, Mr. Delsanter, Mr. Ousley, Mr. Hanek, Mr. Abella, Mrs. Rodriguez. Nays – 0. Motion Carried.

The Committee of the Whole Meeting reconvened at 7:08 p.m.

Mrs. Hanek moved to advertise for the Assistant Clerk of Council position. Vote – 6 Ayes, 0 Nays.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn the Committee of the Whole Meeting at 7:10 p.m. Vote – 6 Ayes, 0 Nays.

Respectfully submitted,

Valerie Zak

Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 5/13/2019

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

FROM: Carl S. DeForest, City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 25-19** - A resolution establishing a Sisterhood city relationship between the City of Brunswick, Ohio, and the City of San Juan, Metro Manila. - **3rd Reading** (Committee-of-the-Whole, *Administration/Mayor Ron Falconi*)

BACKGROUND: San Juan is one of the few urban cities in the Philippines which values and preserves its very rich historical, religious and cultural heritage despite its booming economy and remarkable progress, the City of San Juan is now recognized as the "Historical City of Excellence" also for having been consistently awarded and conferred with numerous and unprecedented recognition because of its excellent governance, outstanding leadership, environmental concern and public service.

Apart from being historically known for its Pinaglabanan Shrine where the first battle of the Katipunan against the Spaniards occurred in 1896 and its significant part in the eventual attainment of the Philippine Independence in 1898, San Juan is likewise the only city in Metro Manila that retains its original name given during the Spanish Era, in honor of its Patron Saint, St. John the Baptist, thus, likewise retaining its religious connotation.

The City of San Juan also takes pride of its local and global affiliates and friendly relationships with other cities, which includes, among others, Luwan District of Shanghai, China; Maui, Hawaii, and Sta. Barbara, California of the United States of America, among others.

PURPOSE AND EXPLANATION: City Councilor Vincent Rainier M. Pacheco Chairman of the Committee on Culture, History, and Tourism introduced San Juan City as the prospect of a sister city of your progressive locality The City of Brunswick, State of Ohio. San Juan Metro Manila Philippines is a sister city of Santa Barbara CA since 2009 and a new sister of The County of Maui Hawaii. San Juan Metro Manila Philippines is a friendship city with Milpitas CA since the early '90s.

San Juan is a small city in Metro Manila but they will not be a burden to a future sister city to The City of Brunswick, but will be an asset in terms of culture, trade, best practices and can share growth.

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. 25-19

BY: Committee-of-the-Whole

A RESOLUTION ESTABLISHING A SISTERHOOD CITY RELATIONSHIP BETWEEN THE CITY OF BRUNSWICK, OHIO, AND THE CITY OF SAN JUAN, METRO MANILA.

WHEREAS: Honorable Mayor Guia Gomez, of the City of San Juan, Metro Manila, Philippines, and the Honorable Mayor Ron Falconi, Brunswick, Ohio seek to establish a sister-city relationship between the City of San Juan and the City of Brunswick.

WHEREAS: San Juan, Metro Manila is the country's No. 1 Highly Urbanized City and remains an ideal place which to live – peacefully, centrally located, with access to all of life's necessities and luxuries.

WHEREAS: The City of San Juan, Metro Manila has a total area of 3.69 square miles (5.94 km^2) with a population of 122,180 based on the 2015 Census of Population - Population of the National Capital Region.

WHEREAS: Both the City of Brunswick, Ohio and the City of San Juan, Metro Manila share a common desire and intention to promote and foster strong special ties, mutual understanding, friendship, goodwill and an atmosphere in which economic and community development can be implemented and strengthened.

WHEREAS: Both the City of Brunswick, Ohio and the City of San Juan, Metro Manila yearn for exchanges in science and technology, culture and arts, tourism, planning and urban development, commerce/trade and industry, education, sports development, environment protection, public health and social services.

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

SECTION 1: To establish a sisterhood city relationship with the City of San Juan, Metro Manila through a Memorandum of Agreement covering the intentions for the benefit of their respective constituents.

SECTION 2: To sign any agreement to implement the sisterhood between the two countries.

SECTION 3: A copy of this Resolution shall be forward to the City of San Juan, Metro Manila and all concerned agencies for their information.

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:	5/13/2019
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager Paul Barnett, Matt Jones
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 27-19** - A resolution accepting a perpetual public easement from Kenneth R. Sacks for access to and maintenance of a public water main within the Orchard Apartments Development. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)
BACKGROUND:	
PURPOSE AND EXPLANATION:	The proposed easement allows for the installation and maintenance of a water main on the Orchard Apartments Phase 2 site as needed to provide domestic water service and fire protection to the proposed apartment buildings.
IMPLEMENTATION SCHEDULE:	The project is currently underway and is anticipated to be complete in late 2019.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	No costs known by Finance at this time. Should costs arise, they must be handled in accordance with Ohio laws, the Charter of the City of Brunswick, and the Council-approved budget.
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. ___27-19___

BY: Mrs. Rodriguez, Mr. Capretta and Mr. Hanek

A RESOLUTION ACCEPTING A PERPETUAL PUBLIC EASEMENT FROM KENNETH R. SACKS FOR ACCESS TO AND MAINTENANCE OF A PUBLIC WATER MAIN WITHIN THE ORCHARD APARTMENTS DEVELOPMENT.

WHEREAS: Kenneth R. Sacks has proposed providing a perpetual public easement to the City of Brunswick and City of Cleveland for access to and maintenance of a public water main within the Orchard Apartments Development.

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

SECTION 1: That the City of Brunswick hereby accepts the perpetual public easement, upon approval of the Law Director, from Kenneth R. Sacks in the form as attached hereto as Exhibit “A”.

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

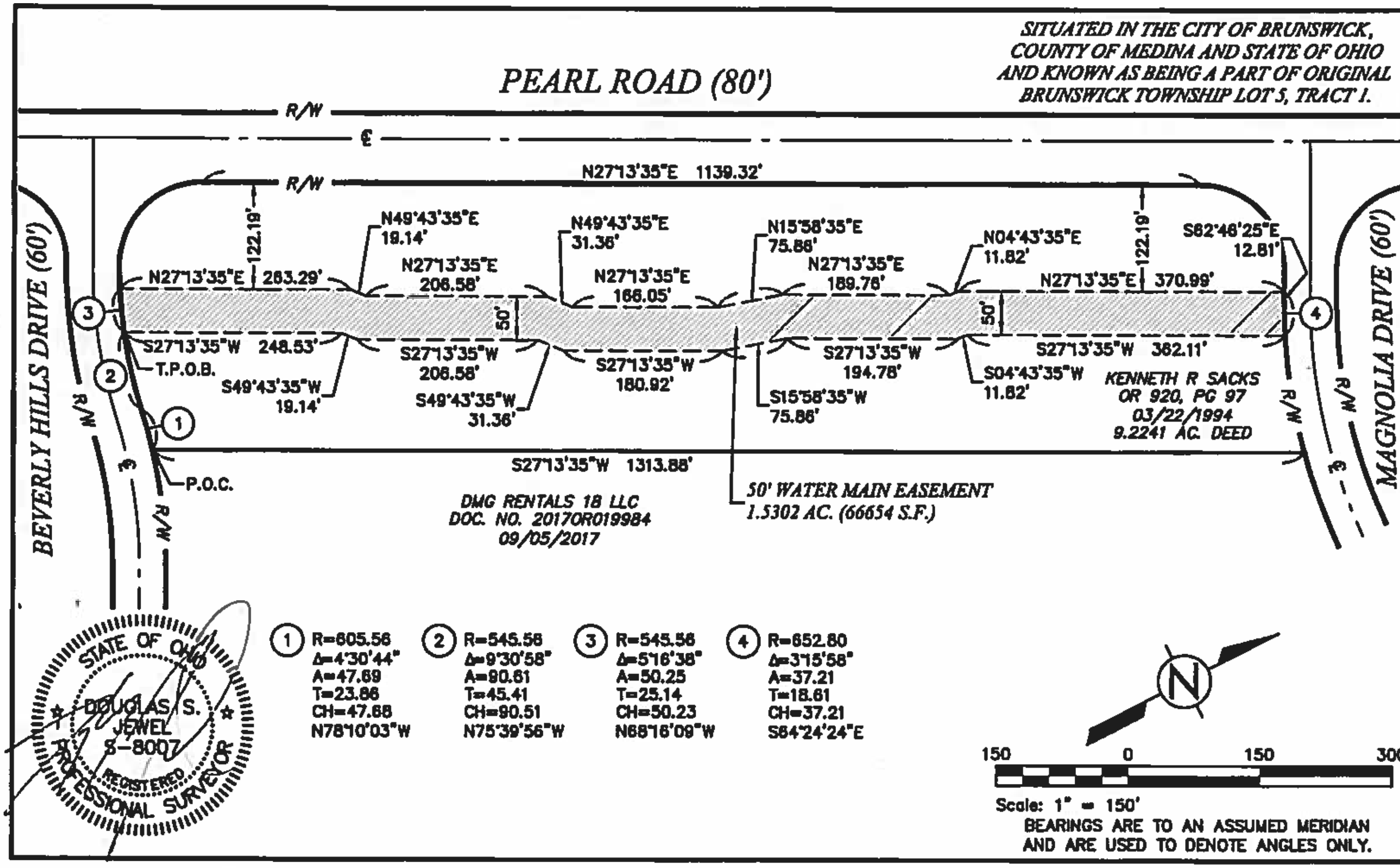

EXHIBIT C

CUNNINGHAM & ASSOCIATES, INC.
CIVIL ENGINEERING and SURVEYING
203 W. LIBERTY ST. MEDINA, OHIO 44256 330-725-5980

Part of Lot 5, Tract 1
LOCATED IN:
CITY OF BRUNSWICK
COUNTY OF MEDINA
STATE OF OHIO

DRAWN BY: CAH
DATE: 02/28/19
PROJECT No. 16-203
ACAD FILE No. 16203-ExhibitC
SHEET NO. 1/1

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	5/13/2019
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. 28-19** - A resolution authorizing the City Manager to enter into an agreement with the Ohio Department of Transportation for the storage of road salt. - **3rd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)
BACKGROUND:	This agreement 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:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. ___28-19___

BY: Mrs. Rodriguez, 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

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, 2020 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_____________________________

Ohio Department of Transportation

____

By:_______________________________

Date______________________________

Approved as to form:

____

Kenneth J. Fisher, Law Director

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 5/13/2019

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

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

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 29-19** - An ordinance amending sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick for a continuing period of time. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND:

PURPOSE AND EXPLANATION:

IMPLEMENTATION SCHEDULE: Ordinance No. 29-19 to be considered by City Council as a non-emergency measure as follows:

a) 1st Reading - April 22, 2019.
b) 2nd Reading - May 13, 2019.
c) 3rd Reading - Assuming approval by the Electors at the November 5, 2019 Election, the next regular meeting of Council following certification of the Election results by the Board of Elections.

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. 29-19

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTIONS 880.005, 880.01 AND 880.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, OHIO, IN ORDER TO PROVIDE FOR THE CONTINUATION OF THE CITY'S EXISTING SIXTY-FIVE ONE-HUNDREDTHS PERCENT (0.65%) MUNICIPAL INCOME TAX LEVY TO PROVIDE FUNDS FOR THE PURPOSE OF MAINTAINING STAFFING LEVELS FOR THE SAFETY FORCES OF THE CITY OF BRUNSWICK FOR A CONTINUING PERIOD OF TIME.

THIS COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1. Section 880.005 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

"880.005 PURPOSES

(a) To provide funds for the purposes of general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City, there is hereby levied a tax on municipal taxable income at a rate of one percent (1.00%).

(b) To provide funds for the purpose of operating and expanding the Safety Forces of the City, there is hereby levied an additional tax effective January 1, 1996 on municipal taxable income at a rate of thirty-five one-hundredths percent (0.35%).

(c) To provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City, there is also hereby levied a tax on municipal taxable income at a rate of sixty-five one-hundredths percent (0.65%).

(d) Those taxes shall be imposed for the foregoing purposes, levied on an annual basis on the income of every person residing in or earning or receiving income in the City of Brunswick and measured by the person's municipal taxable income.

(e) The taxes levied under this Chapter 880 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the City to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 880, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 880 and an express provision or limitation of Chapter 718 of the Ohio Revised Code."

SECTION 2. Section 880.01 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

"880.01 ALLOCATION OF REVENUES

The funds collected under the provisions of this Chapter 880 shall be credited to the General Fund and applied for the following purposes and in the following order:

(a) Administration. Such part thereof as shall be necessary to defray all costs of collecting all income taxes levied and the cost of administering and enforcing the provisions of this Chapter shall be appropriated by Council for that purpose.

(b) Allocation of Thirty-Five One-Hundredths Percent (0.35%) Tax Increase. The funds resulting from the additional 0.35% income tax rate, as provided in Ordinance No. 89-95, passed by City Council on July 24, 1995, and approved by the electors of the City at an election on November 7, 1995, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of operating and expanding the Safety Forces of the City.

(c) Allocation of Sixty-Five One-Hundredths Percent (0.65%) Tax Increase. The funds resulting from the additional 0.65% income tax rate, as provided in Ordinance No. 29-19 and approved by the electors of the City at an election on November 5, 2019, and passed thereafter by the City Council, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of maintaining staffing levels for the Safety Forces of the City.

(d) The funds resulting from the 1.00% income tax rate, as described in Section 880.005, shall be available for appropriation and allocation, as deemed necessary by the Council of the City of Brunswick, for the following purposes: general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of Municipal services and facilities and capital improvements of the City.

(e) The Council shall, from time to time, pass Ordinances providing for the allocations required and permitted in this Section, which shall be on file with the Clerk of Council."

SECTION 3. Section 880.04 of the Codified Ordinances of the City of Brunswick is hereby amended to read as follows:

"880.04 IMPOSITION OF TAX.

Consistently with the provisions of Section 880.005 and subject to the provisions of Section 880.15, there shall be imposed upon the municipal taxable income of all residents, nonresidents, and taxpayers that are not individuals an annual income tax as follows: for the period commencing January 1, 2023, and thereafter, unless a separate Ordinance providing for a different rate or rates is approved by the voters of the City and this Council or otherwise passed in accordance with law, an annual tax at the rate of 2.00% per year. The City income tax imposed by this Section does not apply to the income of any individual who is under the age of eighteen. The determination of whether an individual is a resident or a nonresident shall be made in accordance with Section 718.012 of the Ohio Revised Code. To the extent the municipal taxable income of a nonresident or a taxpayer that is not an individual is comprised of net profits, such municipal taxable income shall be apportioned or sitused to the City in accordance with Section 718.02 of the Ohio Revised Code. For any taxable year beginning on or after January 1, 2016, a taxpayer that is a member of an affiliated group of corporations may elect, in accordance with Ohio Revised Code Section 718.06, to file with the City a consolidated municipal income tax return and determine its City income tax in accordance with such filing. For purposes of determining municipal taxable income for any taxable year beginning on or after January 1, 2016, an individual shall be exempt from City income tax to the extent such individual satisfies each of the following: (1) is a dependent for federal income tax purposes of a resident; (2) is enrolled at a post-secondary institution of higher learning located outside the City and lives outside the City while enrolled at such an institution; and (3) earns or receives qualifying wages while living outside the City from an employer not located in the City. Any such individual that satisfies the requirements of the immediately preceding sentence is, however, subject to the annual City income tax return filing requirements set forth in Section 880.06."

SECTION 4. Effective January 1, 2023, Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed and shall exist until that date, are hereby repealed. Provided, however, that no provision of this Ordinance, including the repeal of Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed and shall exist until January 1, 2023, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the two percent municipal income tax assessed by Chapter 880 of the Codified Ordinances of the City of Brunswick, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2023.

SECTION 5. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance shall take effect and be in force from and after January 1, 2023.

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:	5/13/2019
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager Carl S. DeForest
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 30-19** - An emergency resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend sections 880.005, 880.01 and 880.04 of the codified ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the city's sixty-five one-hundredths percent (0.65%) municipal income tax for a continuing period of time to provide funds for the purpose of maintaining staffing levels for the safety forces of the City of Brunswick. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)
BACKGROUND:	
PURPOSE AND EXPLANATION:	
IMPLEMENTATION SCHEDULE:	Resolution No. 30-19 to be considered by City Council as an emergency measure as follows:

a) 1st Reading - April 22, 2019.
b) 2nd Reading - May 13, 2019.
c) 3rd Reading - May 20, 2019 (adoption as an emergency measure).

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 30-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 880.005, 880.01 AND 880.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, OHIO, IN ORDER TO PROVIDE FOR THE CONTINUATION OF THE CITY'S SIXTY-FIVE ONE-HUNDREDTHS PERCENT (0.65%) MUNICIPAL INCOME TAX FOR A CONTINUING PERIOD OF TIME TO PROVIDE FUNDS FOR THE PURPOSE OF MAINTAINING STAFFING LEVELS FOR THE SAFETY FORCES OF THE CITY OF BRUNSWICK.

WHEREAS: At an election on May 2, 2017, voters of the City approved the passage of an ordinance (Ordinance No. 8-17) to increase the municipal income tax rate by sixty-five one-hundredths percent (0.65%) for the purpose of maintaining staffing levels for the Safety Forces of the City (the 0.65% Safety Forces Levy) for a period of five (5) years commencing January 1, 2018 and ending December 31, 2022, and, following that approval, Ordinance No. 8-17 was passed by this Council on June 12, 2017; and

WHEREAS: This Council finds and determines that 0.65% Safety Forces Levy should be extended for a continuing period of time; and

WHEREAS: An ordinance (Ordinance No. 29-19) providing for the continuation of the 0.65% Safety Forces Levy for a continuing period of time has been introduced and given an initial reading; and

WHEREAS: Because the provisions of Chapter 718 of Ohio Revised Code require that the question of the passage of such an ordinance be submitted to the electors of the City for their approval prior to any final action by this Council;

THIS COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1. This Council hereby authorizes and directs that there be submitted to the electors of the City of Brunswick, Ohio, at an election to be held at the usual places of voting in the City on Tuesday, November 5, 2019, between the hours of 6:30 a.m. and 7:30 p.m. of that day, of the question of approving the passage of Ordinance No. 29-19 to amend Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, in order to provide for the continuation of the City's existing sixty-five one-hundredths percent (0.65%) municipal income tax levy to provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City for a continuing period of time, commencing January 1, 2023, which sixty-five one-hundredths percent (0.65%) municipal income tax shall continue to be in addition to the City's one percent (1.00%) and thirty-five one-hundredths percent (0.35%) municipal income taxes that are now in effect for a continuing period of time.

SECTION 2. The proposed Ordinance to be submitted to the electors of the City for their approval hereunder shall be as follows:

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 29-19

BY:

AN ORDINANCE AMENDING SECTIONS 880.005, 880.01 AND 880.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK, OHIO, IN ORDER TO PROVIDE FOR THE CONTINUATION OF THE CITY'S EXISTING SIXTY-FIVE ONE-HUNDREDTHS PERCENT (0.65%) MUNICIPAL INCOME TAX LEVY TO PROVIDE FUNDS FOR THE PURPOSE OF MAINTAINING STAFFING LEVELS FOR THE SAFETY FORCES OF THE CITY OF BRUNSWICK FOR A CONTINUING PERIOD OF TIME.

THIS COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1. Section 880.005 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

"880.005 PURPOSES

(a) To provide funds for the purposes of general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of municipal services and facilities and capital improvements of the City, there is hereby levied a tax on municipal taxable income at a rate of one percent (1.00%).

(b) To provide funds for the purpose of operating and expanding the Safety Forces of the City, there is hereby levied an additional tax effective January 1, 1996 on municipal taxable income at a rate of thirty-five one-hundredths percent (0.35%).

(c) To provide funds for the purpose of maintaining staffing levels for the Safety Forces of the City, there is also hereby levied a tax on municipal taxable income at a rate of sixty-five one-hundredths percent (0.65%).

(d) Those taxes shall be imposed for the foregoing purposes, levied on an annual basis on the income of every person residing in or earning or receiving income in the City of Brunswick and measured by the person's municipal taxable income.

(e) The taxes levied under this Chapter 880 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the City to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 880, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 880 and an express provision or limitation of Chapter 718 of the Ohio Revised Code."

SECTION 2. Section 880.01 of the Codified Ordinances of the City of Brunswick, Ohio is hereby amended to read as follows:

"880.01 ALLOCATION OF REVENUES

The funds collected under the provisions of this Chapter 880 shall be credited to the General Fund and applied for the following purposes and in the following order:

(a) Administration. Such part thereof as shall be necessary to defray all costs of collecting all income taxes levied and the cost of administering and enforcing the provisions of this Chapter shall be appropriated by Council for that purpose.

(b) Allocation of Thirty-Five One-Hundredths Percent (0.35%) Tax Increase. The funds resulting from the additional 0.35% income tax rate, as provided in Ordinance No. 89-95, passed by City Council on July 24, 1995, and approved by the electors of the City at an election on November 7, 1995, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of operating and expanding the Safety Forces of the City.

(c) Allocation of Sixty-Five One-Hundredths Percent (0.65%) Tax Increase. The funds resulting from the additional 0.65% income tax rate, as provided in Ordinance No. 29-19 and approved by the electors of the City at an election on November 5, 2019, and passed thereafter by the City Council, shall be allocated and transferred to the Police Fund and/or the Fire Fund and appropriated for the purpose of maintaining staffing levels for the Safety Forces of the City.

(d) The funds resulting from the 1.00% income tax rate, as described in Section 880.005, shall be available for appropriation and allocation, as deemed necessary by the Council of the City of Brunswick, for the following purposes: general municipal operations, maintenance, acquisition of new equipment, extension and enlargement of Municipal services and facilities and capital improvements of the City.

(e) The Council shall, from time to time, pass Ordinances providing for the allocations required and permitted in this Section, which shall be on file with the Clerk of Council."

SECTION 3. Section 880.04 of the Codified Ordinances of the City of Brunswick is hereby amended to read as follows:

"880.04 IMPOSITION OF TAX.

Consistently with the provisions of Section 880.005 and subject to the provisions of Section 880.15, there shall be imposed upon the municipal taxable income of all residents, nonresidents, and taxpayers that are not individuals an annual income tax as follows: for the period commencing January 1, 2023, and thereafter, unless a separate Ordinance providing for a different rate or rates is approved by the voters of the City and this Council or otherwise passed in accordance with law, an annual tax at the rate of 2.00% per year. The City income tax imposed by this Section does not apply to the income of any individual who is under the age of eighteen. The determination of whether an individual is a resident or a nonresident shall be made in accordance with Section 718.012 of the Ohio Revised Code. To the extent the municipal taxable income of a nonresident or a taxpayer that is not an individual is comprised of net profits, such municipal taxable income shall be apportioned or sitused to the City in accordance with Section 718.02 of the Ohio Revised Code. For any taxable year beginning on or after January 1, 2016, a taxpayer that is a member of an affiliated group of corporations may elect, in accordance with Ohio Revised Code Section 718.06, to file with the City a consolidated municipal income tax return and determine its City income tax in accordance with such filing. For purposes of determining municipal taxable income for any taxable year beginning on or after January 1, 2016, an individual shall be exempt from City income tax to the extent such individual satisfies each of the following: (1) is a dependent for federal income tax purposes of a resident; (2) is enrolled at a post-secondary institution of higher learning located outside the City and lives outside the City while enrolled at such an institution; and (3) earns or receives qualifying wages while living outside the City from an employer not located in the City. Any such individual that satisfies the requirements of the immediately preceding sentence is, however, subject to the annual City income tax return filing requirements set forth in Section 880.06."

SECTION 4. Effective January 1, 2023, Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed and shall exist until that date, are hereby repealed. Provided, however, that no provision of this Ordinance, including the repeal of Sections 880.005, 880.01 and 880.04 of the Codified Ordinances of the City of Brunswick, Ohio, as they have heretofore existed and shall exist until January 1, 2023, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the two percent municipal income tax assessed by Chapter 880 of the Codified Ordinances of the City of Brunswick, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2023.

SECTION 5. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance shall take effect and be in force from and after January 1, 2023.

PASSED: 1st Reading ______________

2nd Reading ______________

3rd Reading ______________

ADOPTED: _________________ AYES ______ NAYS ______

ATTEST: ___________________

Clerk of Council
Fijabi Julien-Gallam, CMC

SECTION 3. It is the desire of this Council that the ballot language presented to the electors of the City of Brunswick shall be in substantially the following form:

> A majority affirmative vote is necessary for passage.
>
> Shall the Ordinance (Ordinance No. 29-19) providing for the continuation of a sixty-five one-hundredths percent (0.65%) levy on income for the purpose of maintaining staffing levels for the Safety Forces of the City for a continuing period of time, commencing January 1, 2023, which levy shall continue to be in addition to the City's one percent (1.00%) and thirty-five one-hundredths percent (0.35%) levies on income that are now in effect for a continuing period of time, be passed?

	FOR THE INCOME TAX
	AGAINST THE INCOME TAX

SECTION 4. The Clerk of Council be and is hereby directed to file a certified copy of this Resolution with the Board of Elections no later than August 7, 2019.

SECTION 5. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken, and all deliberations of this Council and of any of its committees that resulted in such formal actions were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that its immediate effectiveness is necessary to enable the

City to timely submit same to the Medina County Board of Elections for inclusion on the November 5, 2019 General Election ballot. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _______________

2nd Reading _______________

3rd Reading _______________

ADOPTED: __________________ AYES ______ NAYS ______

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	5/13/2019
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager
COPY:	Mayor Ron Falconi
LEGISLATION:	**RES. NO. 31-19** - A resolution supporting and adopting the updated Medina County All Hazards & Flood Mitigation Plan 2019 established by the Medina County Office of Emergency Management & Homeland Security. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)
BACKGROUND:	The Medina County Office of Emergency Management & Homeland Security is requesting that every municipality in Medina County adopt the Medina County All Hazards & Flood Mitigation Plan 2019 by resolution.
PURPOSE AND EXPLANATION:	According to Medina County EMA, the State of Ohio has reviewed and approved the new plan. Every local government in Medina County is covered by this plan and contributed to its development. Additionally, it was provided to the general public and representatives from each jurisdiction for review before it was submitted to the State. The next step is for every jurisdiction to adopt the plan. This countywide plan allows for local governments and residents to be eligible for pre- and post-disaster Federal mitigation funding.
IMPLEMENTATION SCHEDULE:	Upon adoption by Council, Medina County EMA is requesting that the signed Resolution be forwarded to their offices.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	No known financial commitments needed at this time
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. 31-19

BY: Committee-of-the-Whole

A RESOLUTION SUPPORTING AND ADOPTING THE UPDATED MEDINA COUNTY ALL HAZARDS & FLOOD MITIGATION PLAN 2019 ESTABLISHED BY THE MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT & HOMELAND SECURITY.

WHEREAS: On January 23, 2006, this Council adopted Resolution No. 149-05, which supported and adopted the “Natural Hazard and Flood Mitigation Plans”;

WHEREAS: On March 12, 2012, this Council adopted Resolution NO. 6-12, which supported and adopted the updated “Natural Hazard and Flood Mitigation Plans”;

WHEREAS: The Medina County Office of Emergency Management & Homeland Security has provided updated “All Hazards & Flood Mitigation Plan 2019” (the “Updated Plans”);

WHEREAS: The Updated Plans, on file with the Clerk of Council, will reduce loss of life and personal injury from natural hazards;

WHEREAS: The Updated Plans will reduce damages to existing development from natural hazards;

WHEREAS: The Updated Plans will reduce damages to future development from natural hazards;

WHEREAS: The Updated Plans will reduce public expense for emergency and recovery services following disasters;

WHEREAS: The Medina County Office of Emergency Management & Homeland Security developed the Updated Plans with input from the various political subdivisions within the County; and

WHEREAS: Upon receipt of approval from all political subdivision within Medina County, the Medina County Office of Emergency Management & Homeland Security will forward the Updated Plans to the Ohio Emergency Management Agency, with funding for Plan implementation to be based on the level of participation within Medina County.

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

SECTION 1: That the Brunswick City Council supports the Medina County Office of

Emergency Management & Homeland Security's updated "All Hazards & Flood Mitigation Plan 2019" which are hereby adopted.

SECTION 2: That the Clerk of Council is hereby authorized to deliver, immediately after enactment, a certified copy of this Resolution to the Medina County Office of Emergency Management & Homeland Security.

SECTION 3: 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

MEDINA COUNTY OFFICE OF EMERGENCY MANAGEMENT & HOMELAND SECURITY
555 Independence Drive Medina, OH 44256
Phone 330-722-9240 Fax 330-764-8455
medinacountyema.org

April 3, 2019

Brunswick City Council
4095 Center Rd.
Brunswick, Ohio 44212

Re: Hazard Mitigation Plan Adoption

Brunswick City Council Members,

We are requesting that every municipality in Medina County adopt the *Medina County All Hazards & Flood Mitigation Plan 2019* by resolution. The new plan is available at www.medinacountyema.org/downloads/. I included your adoption resolution from the previous plan with this letter for your reference.

The State of Ohio reviewed and approved our new plan. Every local government in Medina County is covered by this plan and contributed to its development. Additionally, it was provided to the general public and representatives from each jurisdiction for review before it was submitted to the State. The next step is for every jurisdiction to adopt the plan. This county-wide plan allows for local governments and residents to be eligible for pre and post-disaster Federal mitigation funding.

Please send your signed resolution or equivalent document by email to Msturgeon@medinaco.org or by mail to Medina County Office of Emergency Management & Homeland Security Attn: Matt Sturgeon 555 Independence Dr. Medina, OH 44256.

Please feel welcome to contact me with questions.

Respectfully,

Matt Sturgeon
Emergency Management Specialist

Enclosures: Ohio EMA Approval Letter & Previous Resolution

CC: Mr. Carl Deforest

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 6-12

BY: Committee-of-the-Whole

A RESOLUTION SUPPORTING AND ADOPTING THE UPDATED NATURAL HAZARD AND FLOOD MITIGATION PLANS ESTABLISHED BY THE MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY

WHEREAS: On January 23, 2006, this Council adopted Resolution No. 149-05, which supported and adopted the Medina County Emergency Management Agency's "Natural Hazard and Flood Mitigation Plans";

WHEREAS: The Medina County Emergency Management Agency has updated the "Natural Hazard and Flood Mitigation Plans" (the "Updated Plans");

WHEREAS: The Updated Plans, on file with the Clerk of Council, will reduce loss of life and personal injury from natural hazards;

WHEREAS: The Updated Plans will reduce damages to existing development from natural hazards;

WHEREAS: The Updated Plans will reduce damages to future development from natural hazards;

WHEREAS: The Updated Plans will reduce public expense for emergency and recovery services following disasters;

WHEREAS: The Medina County Emergency Management Agency developed the Updated Plans with input from the various political subdivisions within the County; and

WHEREAS: Upon receipt of approval from all political subdivision within Medina County, the Medina County Emergency Management Agency will forward the Updated Plans to the Ohio Emergency Management Agency, with funding for Plan implementation to be based on the level of participation within Medina County.

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

SECTION 1: That the Brunswick City Council supports the Medina County Emergency Management Agency's updated "Natural Hazard and Flood Mitigation Plans" which are hereby adopted.

SECTION 2: That the Clerk of Council is hereby authorized to deliver, immediately after enactment, a certified copy of this Resolution to the Medina County Emergency

Management Agency.

SECTION 3: 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 February 13, 2012

2ND reading February 27, 2012

3RD reading March 12, 2012

ADOPTED: March 12, 2012 AYES 6 NAYS 0

ATTEST: Barbara J. Ortiz, CMC

Clerk of Council

Barbara J. Ortiz, CMC

Emergency Management Agency
2855 West Dublin-Granville Road
Columbus, Ohio 43235-2206
(614) 889-7150
www.ema.ohio.gov

March 26, 2019
EMC-2017-PC-0001

Ms. Christina Fozio, Director
Medina County Emergency Management Agency
555 Independence Drive
Medina, Oh 44256

RE: Updated Medina County 2019 Multi-Hazard Mitigation Plan

Dear Ms. Fozio,

Thank you for submitting the Medina County 2019 All Hazard & Flood Mitigation Plan for our review. As authorized by the FEMA-State Agreement for FEMA-4360-DR, the Ohio Emergency Management Agency has reviewed the Medina County plan and found that it has met the required criteria contained in 44 CFR Part 201.6.

The plan is now approved pending adoption. The next step is for the county and its participating jurisdictions to formally adopt this plan by passing and signing a resolution or ordinance as appropriate. Once the plan has been adopted, please forward copies of the adoption documents to our office. The Mitigation Branch will forward these documents to FEMA Region V. Communities that do not adopt the plan will not be eligible for Federal mitigation funding. After review of the adoption documents, FEMA will issue a letter granting final approval of the plan.

Should you have any questions please contact Luan Nguyen at 614/799-3531, or by email at lknguyen@dps.ohio.gov.

Sincerely,

Steve Ferryman

Steven A. Ferryman, CFM
State Hazard Mitigation Officer
Mitigation Branch Chief

Attachments: State-Evaluated Local Mitigation Plan Review Tool dated March 26, 2019

Cc: Bob Zehentbauer, Regional Supervisor, Ohio EMA
Michelle Sowers, Emergency Management Specialist, Ohio EMA
Karen Kadar, Planning Supervisor, Ohio EMA
File

SAF/ln

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 5/13/2019

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 32-19** - An emergency ordinance authorizing and adopting the proposed tax budget for the City of Brunswick, Ohio for the year beginning January 1, 2020 through December 31, 2020 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705 the City must annually adopt a tax budget and submit the tax budget to the County Budget Commission in July. This process is audited under the direction of the Auditor of State for compliance each year.

PURPOSE AND EXPLANATION: This Ordinance would adopt the 2020 tax budget and allow it to be submitted in a timely fashion to the County Budget Commission. This will allow the County Auditor to formalize next year's property tax revenue estimates that are necessary to begin the City's annual appropriation budget process. The property tax estimates are expected to be released by fall of 2019.

IMPLEMENTATION SCHEDULE: Recommended time schedule is for 3 readings with emergency clause. Anticipated passage is anticipated to be June 10, 2019.

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?

Recommend approval as an emergency with three readings in order to allow for compliance with the filing requirements of the Ohio Revised Code, allow for timely property tax estimates from the County and allow for the daily operations of the City of Brunswick to continue without interruptions.

ADDITIONAL INFORMATION:

The Finance Director signed the submitted tax budget to indicate the document has been vetted through the Finance Department's review and process. It was also signed as a result of the agenda software process and official minute record as it cannot be changed once the agenda is set. The Finance Director's signature is in draft form until Council formally adopts the Tax Budget by legislation. If Council does not adopt the tax budget by legislation, this document shall simply remain as a draft.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER

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

AN EMERGENCY ORDINANCE AUTHORIZING AND ADOPTING THE PROPOSED TAX BUDGET FOR THE CITY OF BRUNSWICK, OHIO FOR THE YEAR BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

WHEREAS: The State statute requires that the legislative authority of the City of Brunswick submit to the County Budget Commission a proposed tax budget for the City.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the attached Tax Budget is hereby authorized and adopted as the Tax Budget for the City of Brunswick for the year beginning January 1, 2020 and ending December 31, 2020.

SECTION 2: That the Finance Director is hereby directed to transcribe this tax budget and all other information required to the official budget form prescribed by the County of Medina, Ohio.

SECTION 3: 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 the State statue prescribes time limitation on the adoption and certification of this budget. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes

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PASSED: 1st Reading________________________

2nd Reading_______________________

3rd Reading_______________________

ADOPTED: _________________ AYES ___________ NAYS ___________

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

City of Brunswick
Medina County, Ohio
June 10, 2019

This Budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To the Auditor of Medina County:

The following Budget for the budget year beginning January 1, 2020 has been adopted by Council and is herewith submitted for consideration of the Budget Commission.

Signed : Todd R Fischer

Finance Director, City of Brunswick

Schedule A

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

For Municipal Use		For Budget Commission Use		For County Auditor Use	
FUND	BUDGET YEAR AMOUNT REQUEST OF BUDGET COMM. INSIDE / OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	BUDGET YEAR TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED: INSIDE 10 MILL LIMIT BUDGET YEAR	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED: OUTSIDE 10 M. LIMIT BUDGET YEAR
	1	2	3	4	5
GOVERNMENTAL FUNDS:					
GENERAL FUND	$ 1,730,400 *				
SPECIAL REVENUE FUNDS:					
FIRE FUND					
POLICE FUND - POLICE PENSION	225,600 *				
ROAD LEVY FUND	837,200 *				
PROPRIETARY FUNDS					
DEBT SERVICE FUNDS:					
GENERAL OBLIGATION	$ -				
FIDUCIARY FUNDS					
TOTAL ALL FUNDS	$ 2,793,200 *	$ -	$ -	$ -	$ -

* Includes homestead and rollback amounts since the County includes these amounts in the Certificate of Estimated Resources. However, the City separately reports Homestead and Rollback amounts as intergovernmental revenue (not as tax revenue) on its financial reports pursuant to Auditor of State/GASB requirements. The above tax estimates match the County Auditor's estimated tax revenue on the February 15, 2019 Certificate of Estimated Resources. Porperty tax revenue estimates for next year will more than likely be updated by the Medina County Auditor's Office in August/September of 2019.

Note: The above also excludes any additional property taxes that may be passed by the voters subsequent to this tax budget submission.

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	Tax Year County Auditor's Estimate of Yield of Levy (Carry to schedule A, column 3)
GENERAL FUND:		
Current Expense Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
Current Expense Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
Current Expense Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
Current Expense Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
Current Expense Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
TOTAL GENERAL FUND OUTSIDE 10 MILL LIMITATION	-	-
SPECIAL LEVY FUNDS:		
Road Levy Capital Improvement Fund, Levy authorized by voters on 05/06/2014, not to exceed 10 years. Authorized purposes under Section 5705.19 (G), R.C.	1.2 mills	837,200 **
________ Fund, Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
________ Fund, Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
________ Fund, Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
________ Fund, Levy authorized by voters on ____/____/____, not to exceed ________ years. Authorized under Section ________, R.C.		
TOTAL SPECIAL LEVY FUNDS:	-	837,200
TOTAL ALL FUNDS	$ -	$ 837,200

** Agrees to the amount listed on the County Auditor's Certificate of Estimated Resources dated February 15, 2019. Tax revenue estimate for next year will more than likely be updated by the Medina County Auditor's Office in August/September of 2019.

MEDINA COUNTY
BUDGET
OF

CITY OF BRUNSWICK

FOR FISCAL YEAR
BEGINNING JANUARY 1, 2020

________________________, 20 __ __

____
County Auditor

____
Deputy Auditor

COUNTY AUDITOR'S ESTIMATE

TAX LEVIES AND RATES FOR 2020, IN BRUNSWICK CITY / VILLAGE

TAX VALUATION: $ ____________

	Amount Approved By Budget Commission	County Auditor's Estimate of Rate in Mills
LEVIES WITHIN 10 MILL LIMITATION		
County		
Township		
School		
Village		
City		
State		
TOTAL	-	-
LEVIES OUTSIDE 10 MILL LIMITATION		
County		
Township		
School		
Village		
City		
State		
TOTAL	-	-
TOTAL LEVY FOR ALL PURPOSES	$ -	$ -

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

The Budget Commission of Medina County, Ohio, hereby makes the following Official Certificate of Estimated Resources

Resources for the City of Brunswick for the Budget Year beginning: January 1, **2020**

FUND	Estimated Unencumbered Balance January 1, 2020	Real Estate Property Tax	Personal Property Tax	Local Government Money	Rollback, Homestead and Personal Property Tax Exemption	Other Sources	Total
GOVERNMENTAL FUND TYPE:							
General Fund	10,454,512	1,514,634	-	500,000	215,766	23,405,667	36,090,579
Special Revenue Funds	16,612,646	197,533	-	-	28,067	19,842,349	36,680,595
Debt Service Funds	1,223,530	-	-	-	-	72,429	1,295,959
Capital Project Funds	10,992,633	814,390	-	-	22,810	4,278,635	16,108,468
INTERNAL SERVICE FUND	306,262	-	-	-	-	3,312,496	3,618,758
PROPRIETARY FUND TYPE:							
Enterprise Funds	3,297,889	-	-	-	-	3,954,961	7,252,850
FIDUCIARY FUND TYPE:							
Trust and Agency Funds	314,088	-	-	-	-	730,000	1,044,088
TOTAL ALL FUNDS	$ 43,201,560	$ 2,526,557	$ -	$ 500,000	$ 266,643	$ 55,596,537	$ 102,091,297

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's estimate of the rate of each tax necessary to be levied within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amounts approved for each fund must govern the amount of appropriation from such fund.

DATE ________________, 20 ____

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______________________________ Budget Commission

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OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

FUND	Estimated Unencumbered Balance January 1, 2020	Real Estate Property Tax	Personal Property Tax	Local Government Money	Rollback, Homestead and Personal Property Tax Exemption	Other Sources	Total
GOVERNMENTAL FUND TYPE:							
GENERAL FUND	10,454,512	1,514,634	-	500,000	215,766	23,405,667	36,090,579
General Fund	10,454,512	1,514,634	-	500,000	215,766	23,405,667	36,090,579
SPECIAL REVENUE FUNDS:							
Court Fees Fund	28,655	-	-	-	-	28,500	57,155
FEMA Grant Fund	-	-	-	-	-	-	-
Police Fund	5,577,842	197,533	-	-	28,067	8,470,662	14,274,104
Fire Fund	3,872,161	-	-	-	-	5,369,000	9,241,161
Street Repair & Maintenance Fund	3,822,959	-	-	-	-	3,668,453	7,491,412
State Highway Fund	361,292	-	-	-	-	187,939	549,231
Law Enforcement Trust Fund	19,842	-	-	-	-	200	20,042
Brunswick Transit Alternative Fund	754,476	-	-	-	-	15,000	769,476
RLF CDBG Fund	-	-	-	-	-	-	-
Brunswick Area Television Fund	655,294	-	-	-	-	417,319	1,072,613
Parks Fund	921,417	-	-	-	-	620,800	1,542,217
DOJ Federal Grant Fund	-	-	-	-	-	10,000	10,000
Enforcement & Education	14,657	-	-	-	-	3,250	17,907
Recreation Center Fund	572,545	-	-	-	-	1,051,226	1,623,771
CHIP (HOME) Fund	11,506	-	-	-	-	-	11,506
TOTAL SPECIAL REVENUE FUNDS	16,612,646	197,533	-	-	28,067	19,842,349	36,680,595
DEBT SERVICE FUNDS:							
General Obligation Debt Fund	1,150,537	-	-	-	-	-	1,150,537
S.A. Grafton Phase III Improvement Fund	-	-	-	-	-	-	-
S.A. South Industrial Park Improvement Fund	44,664	-	-	-	-	-	44,664
S.A. Laurel Road Improvement Fund (2006)	12,944	-	-	-	-	42,358	55,302
S. A. Bruns Lake - Dam Improvement Fund	8,169	-	-	-	-	18,513	26,682
S. A. Bruns Lake - Dredging Improvement Fund	7,216	-	-	-	-	11,558	18,774
TOTAL DEBT SERVICE FUNDS	1,223,530	-	-	-	-	72,429	1,295,959
CAPITAL PROJECT FUNDS:							
CDBG Fund	-	-	-	-	-	-	-
Capital Project Improvement Fund	4,381,429	-	-	-	-	1,380,635	5,762,064
Road Levy Improvement Fund	130,842	814,390	-	-	22,810	830,000	1,798,042
Road Capital Improvement Fund	4,821,641	-	-	-	-	2,018,000	6,839,641
Traffic Control Improvement Fund	3,125	-	-	-	-	-	3,125
Public Square Improvement Fund	12,298	-	-	-	-	-	12,298
City Hall Expansion/Improvement Fund	463	-	-	-	-	-	463
Fire Improvement Fund	79,618	-	-	-	-	-	79,618
Parks City-Wide Improvement Fund	452,328	-	-	-	-	50,000	502,328
Ohio Environ Improv Program Fed Grant Fund	-	-	-	-	-	-	-
North Carpenter Road Improvement Fund	-	-	-	-	-	-	-
Boston Road Improvement Fund	431,340	-	-	-	-	-	431,340
I-71 / Route 303 Enhancement Fund	3,895	-	-	-	-	-	3,895
Brunswick Lake Improvement Fund	672,376	-	-	-	-	-	672,376
OPWC Grafton Road Imp. Fund	3,278	-	-	-	-	-	3,278
OPWC Center Road Imp. Fund	-	-	-	-	-	-	-
OPWC Multi Roads Imp. Fund	-	-	-	-	-	-	-
OPWC Laurel Road Imp. Fund	-	-	-	-	-	-	-
TOTAL CAPITAL PROJECT FUNDS	10,992,633	814,390	-	-	22,810	4,278,635	16,108,468
INTERNAL SERVICE FUNDS:							

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

FUND	Estimated Unencumbered Balance January 1, 2020	Real Estate Property Tax	Personal Property Tax	Local Government Money	Rollback, Homestead and Personal Property Tax Exemption	Other Sources	Total
Internal Service Fund	306,262	-	-	-	-	3,312,496	3,618,758
INTERNAL SERVICE FUNDS	306,262	-	-	-	-	3,312,496	3,618,758
ENTERPRISE FUNDS:							
Storm Water Management Fund	1,954,480	-	-	-	-	1,285,791	3,240,271
Refuse Fund	1,343,409	-	-	-	-	2,669,170	4,012,579
TOTAL ENTERPRISE FUNDS	3,297,889	-	-	-	-	3,954,961	7,252,850
TRUST AND AGENCY FUNDS							
Recreation Programs Fund	1,030	-	-	-	-	-	1,030
General Trust Fund	224,127	-	-	-	-	550,000	774,127
Unclaimed Money Fund	50,128	-	-	-	-	20,000	70,128
Twelve Step Recovery Fund	-	-	-	-	-	-	-
Family Violence Program Fund	3,307	-	-	-	-	-	3,307
Flex Spending Plan Fund	32,779	-	-	-	-	140,000	172,779
Non-Residential 3% Assessment	2,151	-	-	-	-	10,000	12,151
Residential 1% Assessment	566	-	-	-	-	10,000	10,566
TOTAL TRUST AND AGENCY FUNDS	314,088	-	-	-	-	730,000	1,044,088
TOTAL ESTIMATED RESOURCES (memorandum Only)	$ 43,201,560	$ 2,526,557	$ -	$ 500,000	$ 266,643	$ 55,596,537	$ 102,091,297

FUND NAME : GENERAL FUND
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT I

This Exhibit is to be used for the General Fund Only

DESCRIPTION 1	2017 ACTUAL 2	2018 ACTUAL 3	BUDGET YEAR ESTIMATED FOR 2019 4	BUDGET YEAR ESTIMATED FOR 2020 5
REVENUES:				
Local Taxes:				
General Property Tax - Real Estate	$ 1,507,168	$ 1,533,080	$ 1,514,634	$ 1,514,634
Tangible Personal Property Tax	$ -	$ -	$ -	$ -
Municipal Income Tax	17,147,842	18,304,294	19,363,087	19,657,324
Other Local Taxes - Police Pension	-	-	-	-
Total Local Taxes	$ 18,655,010	$ 19,837,374	$ 20,877,721	$ 21,171,958
Intergovernmental Revenues:				
State Shared Taxes & Permits:				
Local Government	503,456	523,922	524,421	500,000
Estate Tax	1,481			
Cigarette Tax	1,108	1,067	1,100	1,100
Lodging Tax	21,298	22,517	35,000	35,000
Liquor and Beer Permits	28,373	26,252	28,000	28,000
Deregulation - Municipal Income Tax	23,938	49,097	25,000	30,000
Deregulation - Property Tax	-	-		
Property Tax Allocation - Rollback	215,242	217,829	215,766	$ 215,766
Immobilization	-	-		-
Personal Property Tax Exemption			-	-
Other Charges for Services - Govt Only	-	775	-	
Other State Shared Taxes and Permits		31,764		-
Total State Shared Taxes and Permits	$ 794,896	$ 873,223	$ 829,287	$ 809,866
Grants or Aid				
Federal Grants	-	-	-	-
Other Grants or Aid	46,100		-	-
Total Grants or Aid	46,100	-	-	-
Total Intergovernmental Revenues	$ 840,996	$ 873,223	$ 829,287	$ 809,866
Special Assessments - Weeds	68,631	46,719	50,000	50,000
Charges for Services				
Fees/Lease Income	14,580	19,610	13,850	11,350
Cemetery	1,800	1,450	2,000	2,000
Dispatch	-	-	-	-
Senior Activities	-	-	-	-
Total Charges for Services	$ 16,380	$ 21,060	$ 15,850	$ 13,350
Fines, Licenses, and Permits	1,088,319	815,263	893,064	939,035
Interest Earnings	372,270	661,104	672,020	725,000
Miscellaneous - Miscellaneous	5,087	7,003	4,300	4,300
Other Financing Sources:				
Transfers	192,500	255,800	115,006	125,000
Advances	1,586,795	800,000	1,724,213	1,797,558
Total Other Financing Sources	$ 1,779,295	$ 1,055,800	$ 1,839,219	$ 1,922,558
TOTAL REVENUE	$ 22,825,988	$ 23,317,546	$ 25,181,461	$ 25,636,067

FUND NAME : GENERAL FUND
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT 2

This Exhibit is to be used for the General Fund Only

DESCRIPTION 1	2017 ACTUAL 2	2018 ACTUAL 2	BUDGET YEAR ESTIMATED FOR 2018 4	FORECASTED 2019 5
EXPENDITURES:				
Security of Persons & Property**				
Personal Services	$ 61,901	$ 62,678	$ 71,591	$ 73,739
Benefits & Insurance	44,034	43,028	52,919	58,186
Contractual Services	943	1,068	3,750	3,863
Supplies & Materials	1,238	2,405	5,000	5,150
Capital Outlay	-	-	-	-
Total Security of Persons & Property	108,116	109,179	133,260	140,937
Public Health Services				
Personal Services	-	-	-	-
Benefits & Insurance	-	-	-	-
Contractual Services - Cemetery	9,764	10,305	16,600	16,600
Supplies & Materials	80	25	150	150
Capital Outlay	-	-	-	-
Total Public Health Services	$ 9,844	$ 10,330	$ 16,750	$ 16,750
Leisure Time Activities				
Personal Services	81,895	84,270	86,980	89,589
Benefits & Insurance	52,117	53,176	63,223	69,545
Contractual Services	809	948	1,200	1,236
Supplies & Materials	-	-	150	155
Capital Outlay	-	-	400	-
Total Leisure Time Activities	$ 134,821	$ 138,394	$ 151,953	$ 160,525
Community Environment				
Personal Services	422,377	423,938	497,210	510,579
Benefits & Insurance	204,453	181,526	261,282	282,659
Contractual Services	312,155	240,078	517,892	533,407
Supplies & Materials	14,247	61,852	24,860	25,613
Capital Outlay	2,774	25,947	8,500	21,350
Total Community Environment	$ 956,006	$ 933,341	$ 1,309,744	$ 1,373,608
Basic Utility Services				
Personal Services	-	-	-	-
Benefits & Insurance	-	-	-	-
Contractual Services	-	-	-	-
Supplies & Materials	-	-	-	-
Capital Outlay	-	-	-	-
Total Basic Utility Services	$ -	$ -	$ -	$ -

FUND NAME : GENERAL FUND
FUND TYPE/CLASSIFICATION : GOVERNMENTAL - GENERAL

EXHIBIT 2

DESCRIPTION 1	2017 ACTUAL 2	2018 ACTUAL 2	BUDGET YEAR ESTIMATED FOR 2018 4	FORECASTED 2019 5
(Expenditures Continued)				
Transportation				
Personal Services	-	-	-	-
Benefits & Insurance	-	-	-	-
Contractual Services	-	-	-	-
Supplies & Materials	-	-	-	-
Capital Outlay	-	-	-	-
Total Transportation	$ -	$ -	$ -	$ -
General Government				
Personal Services	1,172,813	1,236,739	1,364,059	1,376,931
Benefits & Insurance	644,136	645,816	865,193	896,989
Contractual Services	951,465	927,352	1,390,501	1,399,650
Supplies & Materials	51,124	28,063	53,175	54,719
Capital Outlay	84,887	86,344	173,600	95,720
Total General Government	$ 2,904,425	$ 2,924,314	$ 3,846,528	$ 3,824,009
Debt Service				
Redemption of Principal	-	-	-	-
Interest	-	-	-	-
Other - Debt Service	-	-	-	-
Total Debt Service	$ -	$ -	$ -	$ -
Other Uses of Funds				
Transfers / Advances Out	17,947,207	19,072,596	19,745,830	20,106,100
Contingencies	-	-	-	-
Other Uses of Funds	-	-	-	-
Total Other Uses of Funds	$ 17,947,207	$ 19,072,596	$ 19,745,830	$ 20,106,100
TOTAL EXPENDITURES	$ 22,060,419	$ 23,188,154	$ 25,204,065	$ 25,621,930
Revenues Over / (Under) Expenditures	765,569	129,392	(22,604)	14,137
Beginning Fund Balance	10,056,863	10,822,432	10,477,117	10,454,513
Ending Cash Fund Balance	10,822,432	10,951,824	10,454,513	10,468,650
Estimated Encumbrances (outstanding at year end)		474,707	-	-
Estimated Ending Unencumbered Fund Balances	$ 10,822,432	$ 10,477,117	$ 10,454,513	$ 10,468,650

EXHIBIT 2

FUND NAME : GENERAL BOND RETIREMENT FUND
FUND TYPE/CLASSIFICATION : DEBT SERVICE FUND
This Exhibit is to be used for the General Bond Retirement Fund Only

DESCRIPTION 1	2017 ACTUAL 2	2018 ACTUAL 3	BUDGET YEAR ESTIMATED FOR 2019 4	FORECASTED 2020 5
REVENUES:				
Local Taxes:				
General Property Tax - Real Estate	$ -	$ -	$ -	$ -
Tangible Personal Property Tax	-	-	-	-
Municipal Income Tax	-	-	-	-
Total Local Taxes	$ -	$ -	$ -	$ -
Intergovernmental				
Rollback	-	-	-	-
Total Intergovernmental	$ -	$ -	$ -	$ -
Other Financing Sources:				
Bond Proceeds	-	-	-	-
Premium on Note Sale	-	-	-	-
Miscellaneous	-	-	-	-
Total Other Financing Sources	$ -	$ -	$ -	$ -
Other Financing Sources:				
Transfers In	-	-	-	-
Total Other Financing Sources	$ -	$ -	$ -	$ -
TOTAL REVENUE	$ -	$ -	$ -	$ -
EXPENDITURES:				
General Government				
Auditor / Treasurer Fees	-	-	-	-
Legal Fees/Cost of Issuance	-	-	-	-
Total General Government	$ -	$ -	$ -	$ -
Debt Service				
Bond and Note Principal Payment	-	-	-	-
Bond and Notes Interest Payment	-	-	-	-
Total Debt Service	$ -	$ -	$ -	$ -
TOTAL EXPENDITURES	$ -	$ -	$ -	$ -
Revenues Over / (Under) Expenditures	-	-	-	-
Beginning Unencumbered Balance	1,150,537	1,150,537	1,150,537	1,150,537
Ending Cash Fund Balance	1,150,537	1,150,537	1,150,537	1,150,537
Estimated Encumbrances (outstanding at year end)	-	-	-	-
Estimated Ending Unencumbered Fund Balances	$ 1,150,537 *	$ 1,150,537 *	$ 1,150,537 *	$ 1,150,537 *

*Since 2013, all storm water debt has been paid from the Storm Water Enterprise Fund. The City's current debt service plan is to provide a dedicated funding source that can be available for larger capital improvement projects and related debt obligations. Currently this fund's balance is informally earmarked for future debt service if needed for future major road projects or building improvements for 2020 and beyond. Project discussions are ongoing.

EXHIBIT 3

FUND	Estimated Unencumbered Balance January 1, 2020	Budget Year Estimated Receipts	Total Available for Expenditures	BUDGET YEAR EXPENDITURES AND ENCUMBRANCES Personal Service	Other	Total	Estimated Unencumbered Balance December 31, 2020
GOVERNMENTAL FUND TYPE:							
SPECIAL REVENUE FUNDS:							
Court Fees Fund	28,655	28,500	57,155	10,311	18,575	28,886	28,269
FEMA Grant Fund	-	-	-	-	-	-	-
Police Fund	5,577,842	8,696,262	14,274,104	4,336,221	4,492,397	8,828,618	5,445,486
Fire Fund	3,872,161	5,369,000	9,241,161	2,413,228	2,711,682	5,124,910	4,116,251
Street Repair & Maintenance Fund	3,822,959	3,668,453	7,491,412	1,153,091	2,733,582	3,886,673	3,604,739
State Highway Fund	361,292	187,939	549,231	-	193,140	193,140	356,091
Law Enforcement Trust Fund	19,842	200	20,042	-		-	20,042
Brunswick Transit Alternative Fund	754,476	15,000	769,476	-	53,000	53,000	716,476
RLF CDBG Fund	-	-	-	-	-	-	-
Brunswick Area Television Fund	655,294	417,319	1,072,613	139,540	229,491	369,031	703,582
Parks Fund	921,417	620,800	1,542,217	216,383	430,112	646,495	895,722
DOJ Grant Fund	-	10,000	10,000	-	10,000	10,000	-
Enforcement & Education	14,657	3,250	17,907	-	3,250	3,250	14,657
Recreation Center Fund	572,545	1,051,226	1,623,771	483,609	717,484	1,201,093	422,678
CHIP (HOME) Fund	11,506	-	11,506	-	-	-	11,506
TOTAL SPECIAL REVENUE FUNDS	16,612,646	20,067,949	36,680,595	8,752,384	11,592,713	20,345,096	16,335,499
DEBT SERVICE FUNDS							
General Obligation Debt Fund	1,150,537	-	1,150,537	-	-	-	1,150,537
S.A. Grafton Phase III Improvement Fund	-	-	-	-	-	-	-
S.A. South Industrial Park Improvement Fund	44,664	-	44,664	-	44,664	44,664	-
S.A. Laural Road (2006) Improvement Fund	12,944	42,358	55,302	-	41,763	41,763	13,539
S.A. Bruns Lake - Dam Improvement Fund	8,169	18,513	26,682	-	18,949	18,949	7,733
S.A. Bruns Lake - Dredging Improvement Fund	7,216	11,558	18,774	-	11,826	11,826	6,948
TOTAL DEBT SERVICE FUNDS	1,223,530	72,429	1,295,959	-	117,202	117,202	1,178,757
CAPITAL PROJECT FUNDS:							
CDBG Fund	-	-	-	-	-	-	-
Capital Project Improvement Fund	4,381,429	1,380,635	5,762,064	-	600,000	600,000	5,162,064
Road Levy Improvement Fund	130,842	1,667,200	1,798,042	-	1,660,000	1,660,000	138,042
Road Capital Improvement Fund	4,821,641	2,018,000	6,839,641	-	2,000,000	2,000,000	4,839,641
Traffic Control Improvement Fund	3,125	-	3,125	-	-	-	3,125
Public Square Improvement Fund	12,298	-	12,298	-	-	-	12,298
City Building Improvement Fund	463	-	463	-	-	-	463
Fire Improvement Fund	79,618	-	79,618	-	-	-	79,618
Parks City-Wide Improvement Fund	452,328	50,000	502,328	-	100,000	100,000	402,328
Ohio Environ Improv Program Fed Grant Fund	-	-	-	-	-	-	-
North Carpenter Road Improvement Fund	-	-	-	-	-	-	-
Boston Road Improvement Fund	431,340	-	431,340	-	-	-	431,340
I-71 / Route 303 Enhancement Fund	3,895	-	3,895	-	-	-	3,895
Brunswick Lake Improvement Fund	672,376	-	672,376	-	50,000	50,000	622,376
OPWC Grafton Road Imp. Fund	3,278	-	3,278	-	-	-	3,278
OPWC Center Road Imp. Fund	-	-	-	-	-	-	-
OPWC Multi Roads Imp. Fund	-	-	-	-	-	-	-
OPWC Laurel Road Imp. Fund	-	-	-	-	-	-	-
TOTAL CAPITAL PROJECT FUNDS	10,992,633	5,115,835	16,108,468	-	4,410,000	4,410,000	11,698,468
INTERNAL SERVICE FUNDS							
Internal Service Fund	306,262	3,312,496	3,618,758		3,312,496	3,312,496	306,262
TOTAL INTERNAL SERVICE FUNDS	306,262	3,312,496	3,618,758	-	3,312,496	3,312,496	306,262
PROPRIETARY							
ENTERPRISE FUNDS							
Storm Water Management Fund	1,954,480	1,285,791	3,240,271	31,760	1,250,000	1,281,760	1,958,511
Refuse Fund	1,343,409	2,669,170	4,012,579	65,929	2,600,000	2,665,929	1,346,650
TOTAL ENTERPRISE FUNDS	3,297,889	3,954,961	7,252,850	97,689	3,850,000	3,947,689	3,305,161
FIDUCIARY							

EXBIIT 3

FUND	Estimated Unencumbered Balance January 1, 2020	Budget Year Estimated Receipts	Total Available for Expenditures	BUDGET YEAR EXPENDITURES AND ENCUMBRANCES			Estimated Unencumbered Balance December 31, 2020
				Personal Service	Other	Total	
TRUST AND AGENCY FUNDS							
Recreation Programs Fund	1,030	-	1,030	-	-	-	1,030
General Trust Fund	224,127	550,000	774,127	-	550,000	550,000	224,127
Unclaimed Money Fund	50,128	20,000	70,128	-	20,000	20,000	50,128
Family Violence Program Fund	3,307	-	3,307	-	-	-	3,307
Flex Spending Plan Fund	32,779	140,000	172,779	-	140,000	140,000	32,779
Non-Residentail 3% Assessment Fee	2,151	10,000	12,151	-	10,000	10,000	2,151
Residential 1% Assessment Fee	566	10,000	10,566	-	10,000	10,000	566
TOTAL TRUST AND AGENCY FUNDS	314,088	730,000	1,044,088	-	730,000	730,000	314,088
TOTAL FOR MEMORANDUM ONLY	$ 32,747,048	$ 33,253,670	$ 66,000,718	$ 8,850,073	$ 24,012,411	$ 32,862,483	$ 33,138,235

STATEMENT OF AMOUNTS REQUIRED FOR PAYMENT OF FINAL JUDGMENTS
(Section 5705.29. Revised Code)

Description of Judgment	Amount of Judgment	Fund Paying the Judgment
TOTAL	$	

List the amounts required for the payment of each judgment expected to be paid during the year being budgeted.

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 Mill Limit *	Date of Issue	Due Date	Last Effective Ordinance(s) at time Tax Budget was prepared	Forecasted Interest Rate	Forecasted amounts of G.O. Bonds Outstanding at Beginning of Budgeted Year January 1, 2020	BUDGET YEAR Amount Required for Principal and Interest 1/1 - 12/31 2020	BUDGET YEAR Amount Receivable from Other Sources to Meet Debt Payments 1/1 - 12/31 2020
INSIDE 10 MILL LIMIT								
Payable from Bond Retirement Fund								
None Known at this time								
Payable from Other Sources								
Traffic Signalization Imp. Bonds $1,320,000 *@	n/a	November 2012	December 2031	#86-12	2.00%-4.00%	930,000	101,225	101,225
Storm Sewer Improvement Bonds $1,155,000* @	n/a	November 2012	December 2031	#87-12	2.00%-4.00%	720,000	87,900	87,900
Capital Improv (Storm Water Mgt) Bonds $4,672,492 *	n/a	September 2009	December 2029	# 80-09, 81-09 & 82-09	2.00% - 4.20%	2,739,533	337,513	337,513
TOTAL								
OUTSIDE 10 MILL LIMIT								-
TOTAL						$ 4,389,533	$ 526,638	$ 526,638

* Debt obligations associated with storm water drainage and improvements are budgeted to be paid off with the stormwater fee. Council authorized this fee and related Enterprise Fund via Ord#31-11. A financial statement beginning balance restatement was required for moving debt obligations from the General Obligation Bond Retirement Fund to the City's new Stormwater Management Enterprise Fund in the City's FY 2012 CAFR.

@The Traffic Signalization and Storm Sewer Bonds were broken out separately since the revenue sources to retire the debt obligations will come from two different funds. The traffic signalization debt obligations are to come from revenue sources in the State Highway Fund and the Storm Sewer debt obligations are to come from the storm water fees collected in the Storm Water Fund.

Note: The above includes General Obligation Bonds issued by the City but excludes OPWC loans and Special Assessment Debt. Furthermore any new projects that may be initiated after the submission of this tax budget are also excluded.

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	5/13/2019
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. 33-19** - An emergency resolution authorizing the City Manager to enter into a commercial card account agreement with Huntington National Bank. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)
BACKGROUND:	The Administration and City Council wish to use credit cards for specific purposes provided those purposes are for a proper public purpose, authorized through the purchase order process and comply with the City's Credit Card Account Policy. This agreement and the City's Credit Card account policy are separate agenda items, however, they are working in conjunction for the City to comply with Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.
PURPOSE AND EXPLANATION:	The Administration and City Council wish to use credit cards for specific purposes provided those purposes are for a proper public purpose, authorized through the purchase order process and comply with the City's Credit Card Account Policy. This agreement and the City's Credit Card account policy are separate agenda items, however, they are working in conjunction for the City to comply with Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.
IMPLEMENTATION SCHEDULE:	Request for passage and consideration on May 13th as an emergency with suspension of the rules. By having this agreement and the policy pass at similar times, it will allow for compliance with State and local laws and better synchronization of issuing new cards, closing any cards not in compliance with the City's new credit card policy, paying bills timely, continuing operations, etc.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	Annual fees for this account have been waived. See fee schedule in the attached agreement for potential other ancillary fees (late fees, return fees,

etc).

RECOMMENDED ACTION:

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

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

This agreement and the City's Credit Card account policy are separate agenda items, however, they are working in conjunction for the City to comply with Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.

By having this agreement and the policy pass at similar times, it will allow for compliance with State and local laws and better synchronization of issuing new cards, closing any cards not in compliance with the City's new credit card policy, paying bills timely, continuing operations, etc.

ADDITIONAL INFORMATION:

Commercial Card Account Agreement

This Commercial Card Account Agreement is Company's contract with Huntington. It governs Company's use of the Account and any Cards and related services. The attached Fee Schedule and various other addendums and attachments and other documents referenced herein are part of this Agreement.

Pursuant to this Agreement, Huntington will provide Company with an Account that can be accessed by Mastercard branded Cards. The Cards will be used to access any or the entire available credit limit for the Account. Upon approval, Company also may use the Account to access Huntington's Integrated Payables service. Huntington will also provide access to online systems and tools that can be used to manage the Account.

Table of Contents

Definitions

“Account” means the relationship established between Company and Huntington by this Agreement.

“ACH” means Automated Clearing House. ACH is an electronic payment system governed by the National Automated Clearing House Association or NACHA. Company’s participation in the ACH payment system is acknowledgment and agreement to abide by the NACHA rules.

“Administrative User” means the person or persons assigned by Company to administer Company’s commercial Card program or Integrated Payables service and who has the ability to perform one or more of the following functions (as assigned by company Program Administrator): ordering and assigning Cards, creating Virtual Cards, setting and changing individual Card limits, activating Cards, setting and changing authorized Merchant Category Codes, restricting Card access and blocking Cards, viewing and downloading transaction histories. Other functions may be added in the future.

“Authorized Business Representative” means the person who is authorized to and executes this Agreement on behalf of Company.

“Authorized User” means any person allowed to use a Card to access Company’s Account.

“Authorized Virtual Card Representative” means the person or person assigned by Company to manage any Virtual Cards issued under the Account.

“Billing Cycle” means the period during which transactions are accumulated for billing purposes.

“Business Security Suite” means a set of fraud prevention tools offered in the TM Services.

“Card” means one or more Cards or other access devices that Huntington gives Company or any Authorized User under this Agreement. This includes utilization of Card numbers, Virtual cards, and Department Cards.

“Client Information Sheet” means the information required by Huntington to create checks for payment.

“Company” means the entity who applied to open the Account. It also means any other person responsible for complying with this Agreement.

“Company Program Administrator” or “Program Administrator” means the person or persons assigned by Company to manage the services provided by Huntington to Company under this Commercial Card Account Agreement. The Company Program Administrator will have the ability to perform all Administrative User functions and will have the ability to assign additional Administrative Users and also assign their rights to access and use any online interface as appropriate.

“Demand Deposit Account” means one or more checking/demand deposit accounts identified in the Huntington Commercial Card Rebate & ACH Authorization that Company maintains with Huntington for the settlement of payments pursuant to this Agreement and/or the processing of transactions pursuant to the Integrated Payables service. The Demand Deposit Accounts are subject to the Rules & Regulations for Business Accounts.

“Department Card” means one or more Cards or other access devices that Huntington gives Company that are not assigned to any specific Authorized User or single identifiable person.

“Eligible Spend Volume” means net Card purchase volume (i.e. gross volume less credits, cash advances and ATM withdrawals) and is further described in the Commercial Card Account Agreement Rebate Addendum.

“Huntington” means The Huntington National Bank, the issuer of the Account.

“Integrated Payables” means the service accessed by Company through the designated online interface in order to initiate payments in the form of check, ACH or Virtual Card.

“Merchant Category Codes” means the four digit Mastercard number assigned to a merchant that describes the types of goods and/or services it provides.

“Rebate” means part of the transaction revenue Huntington receives from the payment network as the issuer of the Card.

“TM Services” means the services offered under the Treasury Management Services Agreement. TM Services include Business Security Suite, ACH and other services. In order to use the Integrated Payables service offered herein, Company must enter into a Treasury Management Services Agreement with Huntington.

“Virtual Card” is a means of access that Company or Authorized Users can use to complete transactions in situations where a physical Card is not required.

Authorization

Company warrants and represents that (a) Company is duly organized, validly existing, and in good standing in the jurisdiction in which it is organized; (b) there are no provisions of any law, or any certificate of incorporation, certificate of organization, by-laws, operating agreement, partnership agreement, or any agreement of any kind, nature or description binding upon Company which prohibits Company from entering into or performing under this Agreement; (c) Company’s execution and performance of this Agreement has been duly authorized; and, (d) this Agreement is a binding obligation of Company. Huntington will be entitled to rely on any written notice or other communication believed by it in good faith to be genuine and to have been signed or authorized by an authorized representative of Company, and any such communication will be deemed to have been authorized by such person.

Use of Cards

Company and its Authorized Users will use the Cards only for business purposes involving the procurement of goods and/or services for Company. Card use for any illegal or illicit purpose or consumer purposes is prohibited. Card use prior to activation or after the expiration date is prohibited. Card use in violation of the preceding prohibitions does not relieve Company from the obligation of paying any outstanding Card balance created.

Company at its sole discretion will assign Cards to its employees, contractors or others having a close business relationship with Company. However, Company must submit a request to Huntington to create any and all Department Cards. Each cardholder, or person who has the ability to use a Department Card, becomes an Authorized User. Company shall provide Huntington with Authorized User information, including names and other identifying information, which will be stored and used by Huntington for servicing and regulatory purposes including compliance with the USA PATRIOT ACT. Company is responsible for obtaining any necessary consent for Authorized User information collection, use and disclosure to Huntington. Huntington reserves the right to investigate the identity of any existing or proposed Authorized User by obtaining, verifying, and recording personally identifying information, and may obtain such information from third parties. Huntington reserves the right to refuse, block or revoke any Authorized User access.

Huntington may allow Company to establish Virtual Cards under the Account. Cash advances are not permitted on Virtual Cards. Virtual Card transactions may be made at the direction of one or more Authorized Virtual Card Representatives of Company in accordance with this Agreement. The Authorized Virtual Card Representative(s) of Company will be provided with a unique User ID and password that will allow access to the online system (which is a separate system than that described later in this Agreement, which is utilized by the Program Administrator) that is used to create, modify and close Virtual Cards.

An Authorized User may sign a sales draft presented by the merchant which is processed by the merchant's financial institution; provided, however, that the absence of a sales draft and/or failure to sign a sales draft shall not relieve Company of its obligations to pay any outstanding balance charged against the Account. Merchants may be required to request an authorization from Huntington before completing a Card transaction. If Company advises Huntington of its desire to restrict a certain type of Card transaction(s) identified by Merchant Category Code(s), Huntington will take commercially reasonable steps to assure that these types of Card transactions are not authorized. However, Huntington will not be liable if a merchant nonetheless accepts a Card for unauthorized transactions, or does not request an authorization at all.

Huntington reserves the right to deny the authorization of any transaction based on suspicion of fraudulent activity, unauthorized use, illicit or illegal use, or for any other reason. Transactions will not be authorized if any third party data processor is not online or is otherwise not operational. Huntington is not liable for failure to authorize a transaction for any reason.

Foreign Card transactions will be added to the outstanding balance in US Dollars. If a Card transaction occurs in a currency other than US Dollars, the Card networks will convert the transaction into US Dollars using their currency conversion procedures. Foreign Card transactions may also be subject to International Transaction Fees as detailed in the Fee Schedule. The Integrated Payables service is not to be used for foreign currency transactions.

Except for Virtual Cards, Card access may include the ability to access cash via a teller in a financial institution branch or ATM withdrawal. Cash advances may also be subject to fees as detailed in the Fee Schedule. Huntington is not responsible for unauthorized cash advances. Huntington may limit the amount of the credit line that can be accessed in cash.

Company promises to pay the outstanding balance of all Card transactions, including any applicable fees, in full on the due date set forth on each billing statement. Fees are detailed in the Fee Schedule. If any payment is made after the statement due date, or if any amount remains outstanding after the statement due date, Company will be charged a Late Fee per the Fee Schedule.

If Company desires to terminate access to the Account by any Authorized User, it will 1) retrieve and destroy the Card and any online interface credentials provided to such Authorized User, and 2) notify Huntington. Huntington will have a reasonable amount of time to act on this request. Termination of access to a Card or any other services does not relieve Company from the obligation of paying any outstanding Card balance created before Card access termination. Company will establish rules and procedures for its employees' use of Cards and any other access to the services provided to guard against fraudulent use and to assure that such use is only for business purposes and not any illegal or illicit purpose.

Integrated Payables Service

The Integrated Payables service enables Company to make payments to vendors through an online interface via Virtual Cards, ACH transactions and/or checks as described herein and also may include the TM Services. Huntington may attempt to process each payment through the Integrated Payables service as a Virtual Card transaction. If the vendor does not accept the Virtual Card payment, Huntington may then attempt to process the payment as an ACH payment. If the vendor does not accept an ACH payment, Huntington will process the payment as a check. The Integrated Payables service requires Virtual Cards, a Demand Deposit Account dedicated to the Integrated Payables service and the check positive pay service from the Business Security Suite.

Company shall provide to Huntington in electronic format the data requested by Huntington to process all payments. The form and format of said data shall conform to those certain technical specifications used by

Huntington to perform the services hereunder and provided to Company. Huntington shall have final approval on the form and format of all materials to be produced hereunder to assure conformity and compatibility with Huntington's software and equipment. Huntington shall initiate the payments for Virtual Card and ACH payments in accordance with this Commercial Card Account Agreement, the Huntington Commercial Card Rebate & ACH Authorization and the TM Services. In order to process check payments, a test payment file, digital signature, and the Client Information Sheet that includes fixed text to be used in the free form area of the check must be completed and sent to Huntington at least 30 days prior to the requested production date in order to perform programming and set up.

When Huntington prints and mails checks to payees, Huntington will use the data supplied by Company. Checks will be printed on typical commercial check stock in the commercial check layout and will be mailed in standard #10 business envelopes. All payees may be compared against the Office of Foreign Asset Control's ("OFAC") Specially Designated Nationals ("SDN") list or any other list compiled by OFAC or any United States government authority (taken together as "Government Regulators"). Huntington may stop payment on any check printed in which a payee is a match or a potential match to a person or entity named in the SDN list or any other list compiled by Government Regulators. Huntington will notify Company in the event Huntington stops payment on a check. All mailings will be sent by First Class mail, when applicable, at a discount postal rate. Huntington may unilaterally modify the fees charged hereunder at any time to account for postage rate increases as announced by the United States Postal Service. Check positive pay is a TM Services fraud protection product to be used in conjunction with check issuance. A "checks issued" file will be uploaded directly to an online interface provided by Huntington. Company will be responsible for reviewing and dispositioning any exceptions identified by the check positive pay service. Huntington will be responsible for the quality of the output of all mailings. Huntington will not be responsible for the integrity or accuracy of the data received from Company in order to generate such mailings. If Huntington determines that any address provided by Company is invalid or not in the proper format, the payment data will be returned to Company for address verification and correction.

The ACH, check positive pay, other fraud prevention services and other transactional services available to Company are further described in the Treasury Management Services Agreement, which upon execution by the parties becomes part of this Agreement.

If Company desires to terminate access to the Account by any person, it will 1) retrieve and destroy the Card and any online interface credentials provided to such person, and 2) notify Huntington. Huntington will have a reasonable amount of time to act on this request. Termination of access to a Card or any other services does not relieve Company from the obligation of paying any outstanding balance created before access termination. Company will establish rules and procedures for its employees' use of Cards and any other access to the services provided to guard against fraudulent use and to assure that such use is only for business purposes and not any illegal or illicit purpose.

Credit Limit and Liability; Pricing

Company may be assigned a credit limit for the Account. Company at its sole discretion may assign separate credit limits to each Card including Virtual Cards. At no time will the aggregate total of all outstanding purchases, cash advances, finance charges, and fees on all Cards exceed the Account credit limit. If the aggregate balance should exceed the Account credit limit, Huntington may demand immediate payment of any amount in excess of the Account credit limit and/or assess an Over Limit fee as detailed in the Fee Schedule.

Huntington will process and settle Card transactions on behalf of Company during the billing cycle. Huntington will provide an Account billing statement at the end of each billing cycle.

Payment from the Demand Deposit Account

Company must maintain the Demand Deposit Account in good standing with Huntington. Company agrees to make payment in full for any outstanding Account balance by the due date noted on each billing statement. Unless Company notifies Huntington that it will tender monthly payments via another method, Huntington will debit the Demand Deposit Account each month, on the due date, for the Account balance. If there are insufficient funds in the Demand Deposit Account on a payment due date, Company is still responsible for paying the entire outstanding balance on the Account on or before the due date indicated on the statement. Huntington may credit the Demand Deposit Account for any amount received by Huntington for which Huntington has previously received payment from Company.

Rebates

Huntington may offer rebate Programs to Company. The details of any rebate Program will be presented to Company in an addendum to this Agreement.

Online Program Administration

Company will be provided with online interfaces in order to manage the Account, including ordering and assigning Cards, setting and changing individual Card limits, setting and changing authorized Merchant Category Codes, restricting Card access and blocking Cards, and viewing transaction histories. The online interfaces also include reporting capability. Company must obtain or have the appropriate equipment and internet capabilities necessary to access each online interface, and Company must set software to the appropriate security settings. Company must obtain or have the appropriate firewalls, anti-spyware software, anti-viral software, network security, and environmental security to prevent unauthorized access to each online interface. Company must be aware of latest phishing, pharming or similar scams, and Company is solely responsible for any loss, liability or damage relating to such scams. Company is responsible for obtaining and maintaining Company's communications link to each online interface and to ensure that Company's use of such communications link is in compliance with applicable requirements, including any requirements of telecommunications companies and authorities.

Company will assign and maintain at least one Program Administrator in accordance with Huntington's security procedures. Huntington will add the Company Program Administrator(s) to each online interface and Program Administrator will have all available rights for access to and use of each online interface. Use of an online interface is deemed to be acceptance of the terms and conditions of the related services. Program Administrator will have the ability to assign additional Administrative Users and also assign their rights to access and use each online interface as appropriate. Assignment of Administrative Users and their associated rights shall be at the sole discretion of the Program Administrator. Huntington will rely on Program Administrator for direction on Company desired changes and deletions of Administrative Users. If there is more than one Program Administrator, Huntington can take direction from any one of them. The designated Program Administrator's name and contact information are included as part of this Agreement and any change to the designated Program Administrator must be in writing on Company letterhead and signed by an individual who 1) executed this Agreement or 2) would currently be authorized to execute this Agreement if the individual(s) who originally executed this Agreement are no longer employed by Company.

In addition to each online interface, Huntington will also provide live operator support for Program Administrators during normal business hours. Huntington will also provide an Authorized User servicing website and live operator support during extended business hours, including weekends.

Security Procedures

Company shall comply with all security procedures established by Huntington. Huntington may at any time change security procedures. Huntington may advise Company of such changes to the extent they affect Company's use of an online interface, but failure to do so will not impact Company's obligations or Huntington's rights. Company acknowledges that the purpose of such security procedures is for verification of authenticity and not to detect an error in a data entry and/or Card configuration. Huntington shall not be liable to Company for the failure of the security procedures to detect such errors. Company is responsible for establishing and maintaining safeguards against unauthorized access to each online interface and other Huntington systems, and agrees to take reasonable steps to maintain security procedures established by Huntington. Company agrees that any Huntington information, including, but not limited to any Card transaction information that is transmitted or exchanged between Company and Huntington via an unsecured electronic network, such as the internet, must, prior to the key-entry and through transmission of any Huntington information, (1) be encrypted using a commercially reasonable security technology that, at a minimum, is equivalent to 128-bit RC4 encryption technology, or (2) be transmitted via a secure session utilizing a commercially reasonable security technology that provides a level of security that, at a minimum, is equivalent to 128-bit RC4 encryption technology. Storage, transmittal or maintenance of any permanent record of complete Card numbers and other Card information is prohibited. Cardholders should be identified using name and employee number or other identifier. Card numbers should be masked when recorded.

Unauthorized Use

Integrated Payables Service

If Company or any Authorized User believes that someone is using the online interface, the Integrated Payables service (check and ACH payments) or Demand Deposit Account without permission, Company must notify Huntington immediately by calling (800) 480-4862. Huntington will accept reports of unauthorized transaction activity from the Authorized Business Representative or Program Administrator. **Unauthorized transactions must be reported immediately.** Company agrees to cooperate with Huntington on any investigations, including filing police reports or completing affidavits as necessary. Huntington reserves the right to immediately close any Account regardless of whether unauthorized activity has been reported by Company or not.

Huntington is not liable for any misuse of the service and any unauthorized transaction activity does not relieve Company from the obligation of paying any outstanding balance created by the Integrated Payables service. The TM Services Agreement contains additional terms and conditions which may apply.

Card

If Company or any Authorized User believes that someone is using a Card, including a Virtual Card, without permission, Company must notify Huntington immediately by calling (866) 643-4203. Huntington will accept reports of unauthorized transaction activity from the Authorized Business Representative, Program Administrator or cardholder on whose Card an unauthorized transaction appears. Unauthorized Card transactions must be reported within 60 days of receipt of the statement on which they appear. Company agrees to cooperate with Huntington on any unauthorized Card use investigations, including filing police reports or completing Cardholder affidavits as necessary. Huntington reserves the right to immediately close any Account regardless of whether unauthorized activity has been reported by Company or not.

Huntington is not liable for any misuse of a Card that has not been cancelled and unauthorized transaction activity does not relieve Company from the obligation of paying any outstanding Card balance created. Mastercard may provide at no cost to the Company a liability protection program. Terms and conditions may apply.

Fraud Alerts

Huntington provides Confirm It Fraud Alerts for the Cards. Confirm It is a free service that automatically notifies cardholders of suspicious activity on their Card via text, email and/or automated phone call. Cardholders will not be charged for Confirm It texts. Message frequency varies and depends on Card use. Mobile carriers are not liable for delayed or undelivered messages. For more information, call (866) 643-4203. Please note: Cardholders can opt out of Confirm It texts and/or automated phone calls at any time. Opting out applies to the Card. To opt out of receiving Confirm It texts after receiving a fraud alert, text STOP to 49847. By texting STOP to 49847, the cardholder agrees to one additional confirmation message stating that the cardholder has opted out and will no longer receive text messages from Huntington Confirm It. For help after receiving a fraud alert, text HELP to 49847. To opt out of automated phone call fraud alerts, call (866) 643-4203.

Termination

Huntington reserves the right to terminate this Agreement at any time upon notice to Company, effective one hundred-twenty (120) days after Huntington sends Company notice. Notwithstanding the foregoing, in the event of fraud, suspected fraud, illegal or suspicious activity, suspected illegal or suspicious activity, regulatory compliance, administrative order, judicial order, or default under this Agreement, Huntington may terminate this Agreement, and/or revoke any or all Cards issued in connection with the Account, or any Virtual Cards established under the Account, immediately without notice (or immediately with notice if legally required), but Huntington will use its best efforts to provide notice after termination if permitted by law. If Company wishes to terminate this Agreement, then Company must provide written notice to Huntington, which termination will be effective thirty (30) days after Huntington receives notice. No termination by either party shall relieve Company from responsibility for any charges to the Account after the date of any notice and before the effective date of such notice. In the event of any termination, any outstanding balance on the Account will be due and payable as of the effective date of the termination.

Financial Information

Company shall, upon Huntington’s request, promptly provide Huntington with financial information and statements as Huntington determines to be reasonably necessary or appropriate to enable Huntington to review Company’s financial condition. Huntington may also periodically review reports from third party reporting agencies regarding Company’s financial condition.

Review Statements

Company is responsible for promptly reviewing and inspecting all reports, notices, periodic statements, adjustments, charges, entries, and other transactions available to it.

1. Company agrees to **notify Huntington immediately** of any errors or discrepancies with respect to the Integrated Payables service (check and ACH payments). Information posted on the online interface or made accessible through TM Services constitutes delivery of information by Huntington. Company agrees that Huntington will not be liable for any losses resulting from Company’s failure to give Huntington such notice of errors or discrepancies.

2. Company agrees to notify Huntington of any errors or discrepancies with respect to Card transactions, including Virtual Card transactions, within sixty (60) days after receipt of the same which contain such errors or discrepancies. Company agrees that Huntington will not be liable for any losses resulting from Company’s failure to give Huntington such notice of errors or discrepancies.

Notices

Except as otherwise stated in any notice, all notices from Huntington will be effective when Huntington mails or delivers them to Company or when Huntington makes such notices available to Company through electronic means. Company designates all notices be sent to:

Todd R. Fischer
Name

Finance Director
Title

4095 Center Rd.
Address

Brunswick, OH 44212
City, State and Zip Code

tfischer@brunswick.oh.us
Email Address

____
Fax Number

All notices, in connection with this Agreement, sent by Company to Huntington must be in writing and sent to Huntington at the following address:

Huntington National Bank
Commercial Card Product Management
EA4E51
The Huntington National Bank
7 Easton Oval
Columbus, OH 43219

and will be effective when Huntington has received them and has had a reasonable time to act on them. Company agrees to notify Huntington promptly of any change in its mailing address, e-mail address or telephone number.

Assignment

Huntington may at any time assign or delegate its rights or duties under this Agreement. Huntington reserves the right to use third party vendors to supply any or all services under this Agreement. Company may not assign its rights or obligations under this Agreement in any way without the prior written consent of Huntington. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors and permitted assigns. No other person or entity is deemed to be a third party beneficiary of this Agreement or the Account.

Third Parties

There are no third-party beneficiaries to this Agreement. The parties do not intend: (i) the benefits of this Agreement to inure to any third party; or (ii) any rights, claims or causes of action against a party to be created in favor of any person or entity other than the other party.

Modification; Waiver

No terms or conditions may be modified except upon thirty (30) days prior written notice to the City of Brunswick.

Governing Law

This Agreement and all rights and obligations hereunder, including matters of construction, validity and performance pertaining to Card transactions, including Virtual Card transactions, shall be governed by and construed in accordance with the laws of the State of Ohio, without regard to internal principles of conflict of laws, and applicable federal law. Each party hereby submits to the jurisdiction of the state courts of Medina County or the US District Court for the Northern District of Ohio, and waives any objection to venue with respect to actions brought in such courts in the State of Ohio.

This Agreement and all rights and obligations hereunder, including matters of construction, validity and performance, pertaining to check and ACH payments shall be governed by and construed in accordance with the Uniform Commercial Code and then the laws of the state which governs your Demand Deposit Account(s) according to the Rules and Regulations for Business Accounts. Each party hereby submits to the jurisdiction of the state and federal courts of such state, and waives any objection to venue with respect to actions brought in such courts.

Waiver of Jury Trial

The parties hereto waive all right to trial by jury in any action or proceeding to enforce or defend any rights under this Agreement.

Defaults

Any of the following events constitutes a default under this Agreement:

1. failure of Company to pay any amount when due or to perform any other material obligation under this Agreement;
2. any default in payment or performance of any obligation of Company under any other contract with Huntington;
3. the total balance under the Cards and any Virtual Cards is in excess of the Account limit;
4. a material deterioration in Company's creditworthiness occurs, as determined by Huntington in its sole discretion;
5. any information contained in any financial statement, application, schedule or report given to Huntington by or on behalf of Company is not in all respects true and accurate or omits to state any material facts necessary for Huntington's use;
6. any bankruptcy, insolvency, reorganization, receivership, or similar proceeds are initiated by or against Company;
7. any creditor initiates any action to levy or seize upon a substantial portion of Company's assets;
8. any change of twenty-five percent (25%) or more of ownership interests of Company;
9. a material adverse change occurs in Company's financial condition, or Huntington believes the prospect of payment of the Account is impaired; and
10. Huntington's reasonable request for financial or other information is refused.

Remedies

If a default occurs, Huntington may at any time thereafter, unless prohibited by law, take any one or more of the following remedial actions, which are cumulative:

1. Deem all obligations due and require immediate repayment of the total balance due on the Account;
2. Cancel, suspend, or terminate transaction privileges on the Account;
3. Take lesser action without waiving any right to later require immediate payment;
4. Exercise rights and remedies of a secured party, and Company authorizes Huntington (a) to set off against all of Company's accounts with Huntington (whether checking, savings, or some other account), to the extent permitted by applicable law, and apply such amounts to any amount Company owes Huntington under this Agreement and (b) to exercise its rights under any other agreement against any personal property of Company or of any other grantor with respect to which Huntington has been granted a lien or security interest ("Security Agreements") to secure Company's repayment of any indebtedness Company owes Huntington, including any amount Company owes Huntington under this Agreement; provided, however, in no event will Huntington exercise any rights and remedies against any real estate or real property;
5. Exercise rights and remedies under any guaranty against any guarantor of any indebtedness Company owes Huntington, including any amount Company owes Huntington under this Agreement ("Guaranties"); and
6. Exercise any other rights and remedies available at law or equity.

If Huntington becomes involved in legal action to enforce this Agreement, Company agrees to pay Huntington's reasonable attorneys' fees and costs, to the extent not prohibited by law.

Confidentiality

Subject to the requirements of Ohio Revised Code Section 149.43 the terms of this Agreement, any proposal, financial information, and proprietary information provided by or on behalf of one party to the other party prior to, contemporaneously with, or subsequent to, the execution of this Agreement that a party was not otherwise previously permitted to disclose or was not by some other means already in the public domain (Information) are confidential as of the date of disclosure. Such Information will not be disclosed by any party to any other person or entity, except as permitted under this Agreement or as mutually agreed in writing. The parties shall be permitted to disclose the Information: (i) to their accountants, attorneys, data processing, financial and marketing service providers, affiliates and employees as necessary for the performance of their duties in connection with enforcing this Agreement, if these persons agree to treat the Information as confidential in the above described manner, and (ii) as required by law or by any governmental authority.

License

Company grants to Huntington and its affiliates a license to use Company's trade name, trademarks, designs, images, visual representations, logos, and service marks ("Trademarks") solely in conjunction with the Cards. Company indemnifies and holds harmless Huntington, its directors, officers, agents, employees, affiliates, successors and assigns from and against any and all loss, liability, causes of action, claims, and the reasonable and actual costs incurred in connection therewith, arising from the Trademark license granted hereunder or from Huntington's use of the Trademarks in reliance thereon.

Limitation of Liability

Huntington shall not be responsible for any loss sustained by Company or any Authorized User unless and to the extent the loss was caused by Huntington's gross negligence or willful misconduct. Except as may be expressly set forth in this Agreement, Huntington makes no representations or warranties, express or implied, with respect to Cards or the Account. Notwithstanding any other provision hereof, in no event shall Huntington be liable to Company for any special, indirect, incidental, exemplary, punitive, or consequential loss or damage of any kind, including, without limitation loss or damage from any refusal to honor any Card or for retention of any Card by Huntington or any third party.

Severability

If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable as written, that provision will be interpreted so as to achieve, to the extent permitted by applicable law, the purposes intended by the original provision, and the remaining provisions of this Agreement will continue intact.

Events Beyond Huntington's Control

Huntington will be excused from any delay, and will not be responsible or liable for any loss of information, errors or delays in transmission and/ or processing of Company transactions, damage, cost, loss, or liability, arising out of causes beyond Huntington's control, including, but not limited to, strike, lockout, war, lack of energy, riot, insurrection, fire, flood, unavoidable accident, acts of God, acts of nature or any cause which is attributable to a third party, governmental acts or regulations, legal constraint, computer malfunction including, but not limited to, computer viruses, equipment breakdown, electrical or mechanical failure, or the enactment, issuance or operation of any adverse governmental law, ruling, regulation, order or decree, or other causes not covered by insurance. Huntington will not be responsible for any error, delay or loss of information caused by any other person or entity not a party to this Agreement. In the event of any errors or delays by the Huntington, Huntington will only be responsible to use ordinary care to correct any such errors or resume transmissions of information required to be made by Huntington as soon as reasonably possible.

Survival

All warranties, indemnities, confidentiality requirements, representations, acknowledgements, obligation by Company to repay any outstanding balances, and understandings will survive the performance and termination of this Agreement.

Complete Agreement

This Agreement, including the materials attached hereto or the materials and agreements referenced herein, including any Security Agreements or Guaranties, constitutes the entire agreement of Huntington and Company with respect to the subject matter of this Agreement and any written or oral agreement or communication between Company and Huntington or any Huntington affiliate with respect to the subject matter are hereby superseded and shall hereafter have no force or effect. Other than those remedies specifically disclaimed in this Agreement, all remedies set forth in this Agreement shall be in addition to all other remedies available under this Agreement, any Security Agreements or any Guaranties, or at law or equity.

Fee Schedule

Late Fee	1.0% of any past due amount; minimum $100
Minimum Eligible Spend Fee	WAIVED
Over Limit Fee	$25 per occurrence
Cash Advance Fee	2.5% of any amount advanced; minimum $10 per advance
Custom Card Fee	Actual cost assessed by vendor
Return Payment/NSF Fee	$25
International Transaction Fee	0.80% of the International Transaction amount in US Dollars assessed as a fee to Commercial Card Account
Expedited Card Delivery Fee	$30
Data Transmission Fee	$100 monthly
Annual Card Fee	WAIVED
Document Handling Fee	$11 monthly; waived if Company elects to receive (Company level) paperless statements
Research or Duplicate Document Fee	$40 per hour; minimum 1 hour assessed
Integrated Payables	See Treasury Management Services Agreement

Commercial Card Account Agreement Rebate Addendum

Company wishes to establish a commercial Card Account per the terms of Huntington's Commercial Card Account Agreement. The terms of this Addendum supplement those terms.

In consideration for Company's use of its commercial Card Account in accordance with the terms of the Commercial Card Account Agreement and the payment terms detailed below, Huntington agrees to pay Company a rebate based on Eligible Spend Volume and the rebate schedule set forth below subject to the terms and exclusions detailed below:

Billing Cycle and Payment Due Date

The billing cycle is monthly and ends on the same calendar day each month.

Payment of the outstanding balance, including any applicable fees, is due in full on the payment due date shown on Company's monthly billing statement. The payment due date is the 20th day after the billing cycle end date. However, if the payment due date falls on a Saturday, Sunday, or "holiday," which is defined as New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Easter, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day, the payment will be due the next business day.

Rebate Schedule

NO REBATE

Eligible Spend Volume

*Eligible Spend Volume means net Card purchase volume (i.e. gross volume less credits, cash advances and ATM withdrawals). Huntington may also exclude large ticket Card transactions, which are high dollar transactions that are processed using unique interchange schedules.

Terms and Exclusions

Rebates will be paid periodically as described in the rebate schedule as a credit to Company's Demand Deposit Account with Huntington. Losses due to charge-off or fraud may be deducted from any rebate payments. If Company is in default on any obligation to Huntington no rebate will be paid or accrued. If Huntington's and Company's calculation of rebate differs, Company must accept Huntington's calculation as final.

If changes in rates or a market disruption impacts Huntington's ability to fund the rebate program or if laws or regulations change and such change negatively impacts Huntington's profitability under the rebate program, Huntington may change rebate or other pricing to offset such impacts.

If Huntington experiences more than a 25% decrease in the interchange rate, rebate compensation may be adjusted proportionately. The rebate compensation may reset annually based on the prior year's interchange rates.

Political Subdivision Addendum

"Company" means the following political subdivision, City of Brunswick, which wishes to establish a commercial Card Account per the terms of Huntington's Commercial Card Account Agreement. The terms of this Addendum supplement those terms.

Pursuant to Ohio State law and public policy, the following apply:

Authorization

The governing board/legislative authority of the Company has 1) authorized Card use for specific purposes, which purposes were specifically stated by the Company in its ordinance or resolution and 2) approved and adopted a policy governing usage of the credit card and appropriate oversight controls. A certified copy of each such ordinance or resolution shall be provided to Huntington before the execution of the Account Agreement.

Appropriation

The Company certifies that its governing board/legislative authority approved Card usage for those purposes involving the procurement of goods and/or services for the Company for which the Company has appropriated funds in its annual appropriations budget.

Usage and Oversight Controls

The governing board/legislative authority of the Company has adopted formal policies and procedures concerning Card usage and oversight, including but not limited to the following considerations: 1) restrictions based on industry codes; 2) a list of authorized employees; 3) custody of the Card; 4) the pre-approval of Card usage and reconciliation of usage against authorized purposes; 5) personal responsibility by the user in the case of penalties, interest charges, or usage in conflict with the terms of the policy.

Program Administrators

Name of Authorized Person	Title	Email	Phone Number
Todd Fischer	Finance Director	tfischer@brunswick.oh.us	330-273-8003
Lynnette Ozanich	Ass't Finance Director	lozanich@brunswick.oh.us	330-273-8027

Executed by Huntington and Company as of the dates set forth below.

THE HUNTINGTON NATIONAL BANK

Huntington TMSA Signature: (Required) ______________________________

Printed Name: Julie Latchaw

Title: Vice President

Date: ______________________________

Huntington RM or PM Signature: (Required) ______________________________

Printed Name: Anthony Okray

Title: Vice President

Date: ______________________________

Company Name: City of Brunswick, Ohio

Customer Signature: ______________________________

Printed Name: Carl. S. Deforest

Title: City Manager

Date of Birth (MM/DD/YYYY): ______________________________

Date: ______________________________

Customer Signature: ______________________________

Printed Name: ______________________________

Date of Birth (MM/DD/YYYY): ______________________________

Title: ______________________________

Date: ______________________________

Customer Signature: ______________________________

Printed Name: ______________________________

Date of Birth (MM/DD/YYYY): ______________________________

Title: ______________________________

Date: ______________________________

Company EIN: 34-6006433

Huntington Commercial Card Rebate & ACH Authorization

(This page is required)

______**(initials)** I hereby authorize Huntington National Bank to initiate credit entries to the Huntington account listed below as necessary to provide for <u>rebate and credit balance refund</u> payments. (Must be a Huntington Business Account)

______**(initials)** I hereby authorize Huntington National Bank to initiate debit entries to the account listed below as necessary for <u>timely payment</u> to Company's commercial Card Account.

______**(initials)** I hereby authorize Huntington National Bank to initiate debit or credit entries to the checking account listed below as necessary for <u>the Integrated Payables service</u>.

OR

______**(initials)** I DO NOT authorize Huntington National Bank to initiate debit entries to the account listed below for payment to Company's commercial Card Account.

Company agrees to honor NACHA Operating Rules as Receiver of these authorized debit entries and allow debits to be applied to Company's account without interruption. Any ACH return due to Company's failure to allow ACH debits to be processed, including failure to modify any ACH debit blocking, may result in the assessment of Late and Return Payment/NSF Fees. Any ACH credit return as a result of the account being closed may result in the forfeiture of the payment.

Rebate Account:

Huntington Routing Number: ____

Huntington Account Number: ____

Billing Account (If different from Rebate Account above):

Account Routing Number: ____

Account Number: ____

Checking Account (If different from Rebate Account above):

Account Routing Number: ____

Account Number: ____

This authorization will remain in effect until Huntington has received written notification from Company to cancel and has had a reasonable amount of time to act on it.

Company Name: City of Brunswick

Authorized Signer (print): Carl S. DeForest

Title: City Manager

Authorized Signature: ____________________

Date ____________________

Revision 20: 11.28.2018

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 33-19

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMERCIAL CARD ACCOUNT AGREEMENT WITH HUNTINGTON NATIONAL BANK.

WHEREAS: The Administration and City Council wish to use credit cards for specific purposes provided those purposes are for a proper public purpose, authorized through the purchase order process and comply with the City's Credit Card Account Policy.

WHEREAS: The City of Brunswick's Credit Card Policy must comply with state and local laws, including without limitation, Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.

WHEREAS: Any and all credit cards issued under this account agreement must not exceed the maximum credit limit established in the City's Credit Card Account Policy.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, upon the approval of the Law Director, is hereby authorized and directed to enter into the Commercial Card Account Agreement with Huntington National Bank, as attached hereto.

SECTION 2: 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 to comply with the City's Credit Card Account Policy and Ohio Revised Code Section 717.31, as established by Substitute House Bill Number 312. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading________________________

2nd Reading________________________

3rd Reading________________________

ADOPTED: __________________________________ AYES ______ NAYS ______

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	5/13/2019
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager Todd Fischer
COPY:	Mayor Ron Falconi
LEGISLATION:	**ORD. NO. 34-19** - An *emergency* ordinance adopting the credit card account policy of the City of Brunswick - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)
BACKGROUND:	Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312 requires the City to adopt a credit card policy. The law also stipulates various requirements and procedures that are required to be included in the policy. We believe the attached policy, once adopted, would conform with this new law. The City currently operates an informal credit card policy with effective internal controls, however, it is not currently formalized in a manner to be considered in compliance with the new Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.
PURPOSE AND EXPLANATION:	Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312 requires the City to adopt a credit card policy. The law also stipulates various requirements and procedures that are required to be included in the policy. We believe the attached policy, once adopted, would conform with this new law.
IMPLEMENTATION SCHEDULE:	Request for passage and consideration on May 13th as an emergency with suspension of the rules.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	None.
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 City currently operates an informal credit card policy with effective internal controls, however, it is currently not formalized in a manner to be considered in compliance with the new Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312. Upon adoption of this policy, we will be in compliance with the law.

ADDITIONAL INFORMATION:

City of Brunswick, Ohio

Credit Card Account Policy

DEFINITION:

Ohio Revised Code Section 717.31, as established by Substitute House Bill Number 312, defines "credit card account" as, "any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys."

Ohio Revised Code Section 717.31, as established by Substitute House Bill Number 312 provides that a "credit card account" does not include: a procurement card account, gasoline or telephone credit card account, or any other card where merchant category codes are in place as a system of control for use of the card account."

OBJECTIVES:

1) Establish appropriate internal controls and guidelines over the City's credit card program.
2) Comply with state and local laws, including, without limitation, Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.

This Policy is not intended to avoid or bypass current purchasing and payment procedures (i.e. purchase order, payment directly to the vendor). Rather, the program enhances the existing process or provides another payment option when traditional payment options may not exist or emergency situations arise. Policies and procedures cannot cover every issue, situation, exception or contingency that may arise in the use of credit cards; therefore, users must use common sense and moral judgment in the use of these cards and government resources. City funds are committed each time a credit card is used, which is something that should be taken very seriously.

GUIDELINES AND REQUIREMENTS:

1) Credit cards shall only be in the name of the City of Brunswick. Transactions made on behalf of the City are ONLY to be made by City employees who agree to abide by this policy.
2) Eligible employees and authorized users, as approved by the City Manager, must have a signed acknowledgment form on file with the City's Finance Director and agree to abide by all guidelines and requirements set forth in this Policy. These forms will serve as the official list of those employees who are eligible to use the credit cards as long as they remain on active status and remain on the City's payroll. All original forms must be retained by the Finance Department with copies retained by Administrative Services.
3) The City Manager and/or Finance Director reserve the right to request additional information, withdraw authorization or deny the use of any credit card to any employee or authorized user, at any time.
4) Use of credit cards are authorized for in-store, internet and telephone transactions only when a purchase order is not accepted by the vendor or in <u>emergency situations</u> where use of a credit card would be more efficient. The employee must still initiate and have a properly certified purchase order completed if a vendor does not accept a purchase order.
5) <u>All</u> credit card purchases must first have a properly certified purchase order in place before a card can be signed out from the Finance Department. All purchase order descriptions should be as

specific as possible. The use of “blanket” or generic purchase orders are discouraged and may be a reason that the usage of a credit card maybe denied to a requesting employee.

6) Credit cards shall only be used for the purchase of goods or services that are the official business of the City of Brunswick.
7) The Finance Director shall be responsible for the issuance, monitoring, retrieval and general compliance with this Policy.
8) All credit cards issued by the City of Brunswick will be maintained by the Finance Department and shall be under the control of the Finance Director.
9) The Finance Director reserves the right to issue, re-issue or cancel any credit card in accordance with this Policy. If the issuance, re-issue or cancellation of any credit card does not conform to this Policy, City Council legislative approval would be required.
10) Any and all other pre-existing credit cards not otherwise in compliance with this Policy nor under the control of the Finance Director, must be canceled by the issuer as they are no longer in compliance with this Policy or related laws.
11) Prior to any employee being granted access to use these cards, he/she must sign out the credit card providing his/her name, department, date of use, vendor, reason for purchase, purchase order number and date of credit card’s return.
12) The employee signing out the credit card for a specific reason is the only employee who is authorized to make that purchase. The credit card is not allowed to be given to any other employee to make the purchase nor is an employee able to sign out the credit card for someone else.
13) When providing the vendor with an email address for credit card transaction, the employee must use accountspayable@brunswick.oh.us as the primary contact so that transactions and amounts can be monitored. Emails will be forwarded to the employee who made the purchase for receipt processing.
14) The employee making the purchase is responsible to obtain a sales tax exempt form in advance and ensure that sales tax is not charged at the point of sale. The City is a tax exempt entity and thus does not pay sales taxes on municipal purchases. If sales tax is charged the employee who made the purchase will be responsible for getting the vendor to remove the sales tax. If sales tax is not removed in a timely manner or prior to the bill needing to be paid, the employee will be required to reimburse the City for that amount. Failure to reimburse the City by the time the credit card bill is paid will result in a payroll deduction for the tax amount. If a payroll deduction is not possible, then the responsible person must repay the City in another form of payment within two weeks of the purchase.
15) Documentation itemizing the goods and services purchased with the credit cards is required for all transactions. Obtaining appropriate receipts is the responsibility of the employee signing out the credit card and making the purchase. Acceptable receipts must be itemized and contain the following: vendor name, dollar amounts, description of all items purchased and the date of the purchase. If this documentation is not provided by the employee before the bill needs to be paid, the employee will be required to reimburse the City for the entire amount of the purchase plus any interest or penalty charges that may occur. Failure to reimburse the City will result in a payroll deduction for that amount. If a payroll deduction is not available, then the responsible person must repay the City in another form of payment within two weeks of the purchase. Any employee who refuses or does not provide receipt documentation may also be prohibited from using the credit cards for future transactions.
16) City credit cards shall only be used in accordance with the description on an approved PO and must meet a “proper public purpose.” Credit cards are prohibited from being used for personal use, cash advances, alcohol, tobacco products or any other expense not deemed to be of “proper public purpose”. Employees, who use the credit card for an unauthorized use, will face disciplinary action, be required to reimburse the City in the manner consistent with not providing receipts, and will be prohibited from using the credit cards from that point forward.

17) Any refunds from the credit cards must be credited back to the credit card account. If the employee reimbursed the City for the expense and it was later refunded, the City must return that amount to the employee, or vice versa.
18) All benefits or rewards derived from the use of the City credit cards is and remains the property of the City of Brunswick. The Finance Director, or designee, will be responsible in filing an annual report of rewards received and shall file that report with City Council.
19) Credit cards must also be used in compliance with all City policies and laws.
20) Credit cards may be used for hotel stays provided the credit card user follows all City travel policies and does not pay taxes that otherwise are exempt. The employee is responsible for obtaining the proper sales or lodging tax exemption forms. The credit card, however, can only be used to pay for the room rate and any applicable parking fees. The credit card is prohibited to be used for meals, room service, mini bars, drinks, alcohol, entertainment expenses or anything else for that hotel stay, other than the room rate and parking fees. Also please refer to the City's travel policy for additional requirements.
21) If an employee experiences denials when using the credit card, the employee shall immediately notify the Finance Director. The reason for the denial will be investigated by the Finance Director or designee.
22) Employees shall be responsible for the protection and custody of the credit card while in their possession. Employees are prohibited from knowingly posting or otherwise making public available credit card data that could potentially result in fraud or unauthorized charges. If a credit card is lost or stolen, the employee shall immediately notify the Finance Director. Credit card loss may result in the termination of credit card privileges.
23) Any City employee who violates the provisions of this Policy or laws shall be subject to disciplinary action, up to and including discharge and/or civil or criminal action.

CREDIT CARD LIMITS:

In order to protect and restrict the City's liability, the City, without specific City Council approval, shall have no more than ten (10) different credit card accounts as defined by this Policy. Each issued credit card account shall not exceed a maximum credit limit of $25,000.00 per account without specific Council authorization. Lesser credit limits may be established by the City Finance Director, however, any credit limits exceeding $25,000.00 does require City Council approval.

The splitting of purchases into separate transactions to avoid any credit limit or circumvent any guideline in this Policy is strictly prohibited.

City Council approval is required to increase credit card limits.

ACKNOWLEDGMENT:

I have read, understand and agree to comply with this Policy.

_________________________	____________________	___________
Employee Signature	Employee Name (Printed)	Date

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 34-19

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

AN EMERGENCY ORDINANCE ADOPTING THE CREDIT CARD ACCOUNT POLICY OF THE CITY OF BRUNSWICK.

WHEREAS: Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312 requires the City to adopt a credit card policy.

WHEREAS: The City currently operates an informal credit card policy with effective internal controls, however, it is not currently formalized in a manner to be considered in compliance with the new Ohio Revised Code Section 717.31 as established by Substitute House Bill Number 312.

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

SECTION 1: That the Credit Card Account Policy, as attached hereto as Exhibit "A", is hereby adopted.

SECTION 2: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety and for the additional reason to immediately implement the Policy to be in compliance with State law. 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