



# BRUNSWICK CITY COUNCIL AGENDA

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

## Administration Representatives

**JULY 29, 2019**  
**6:30 PM**  
**IN COUNCIL CHAMBERS**  
**SPECIAL COUNCIL MEETING**

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Council Committee Reports:
  - Economic Development Committee.....Mr. Hanek
  - Services, Utilities, Technology & Cable Committee.....Mrs. Rodriguez
  - Finance Committee.....Mrs. Hanek
  - Safety & Environment Committee.....Mr. Ousley
  - Safety & Environment Committee Meeting Minutes dated July 1, 2019
  - Planning & Zoning Committee.....Mr. Delsanter
  - Parks, Recreation & Community Committee.....Mr. Abella Jr.
  - Building & Building Code Committee.....Mr. Capretta
  - Building & Building Code Committee Minutes dated July 8, 2019
4. Petitions from the Public on Legislation
5. Reading of Legislation and Action on Legislation:
  - a. 3rd Reading(s)

**ORD, NO. 47-19** - An ordinance approving the Vicky Drive Extension Single Family Cluster Development Preliminary Subdivision Plan subject to any conditions recommended by the Planning Commission and any other conditions imposed by council. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

**ORD. NO. 48-19** - An ordinance rezoning the western 12.03 acres of PPN 003-18A-04-193 from the R-R Rural Residential District to the R-L Low Density Residential District.- **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

## b. 2nd Reading(s)

**ORD. NO. 51-19** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the codified ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **2nd Reading** (Committee-of-the-Whole, *Administration/Fijabi Gallam*)

**RES. NO. 52-19** - An emergency resolution authorizing the City Manager and City Engineer to submit a grant application to the Ohio Public Works Commission Issue 1 Program for the Laurel Road Reconstruction Phase 3. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

**RES. NO. 53-19** - An emergency resolution authorizing the City Manager to enter into an agreement with Set In Stone Contracting, LLC for the 2019 Catch Basin Repair Program in an amount not to exceed \$91,881.00. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

**RES. NO. 54-19** - An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2019 Asphalt Road Program Phase 2 in an amount not to exceed \$239,417.50. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

## c. 1st Reading(s)

6. Open Forum

7. Adjournment

## **SAFETY & ENVIRONMENT COMMITTEE MEETING**

July 1, 2019

**IN ATTENDANCE:** Chairman Brian Ousley, Committee Member Michael Abella Jr., Committee Member Andrea Rodriguez, Joe Delsanter, Police Chief Brian Ohlin, Fire Chief Joshua Erskine, News Media.

The meeting convened at 6:04 p.m.

### **UPCOMING SOCIAL ENGAGEMENT OPPORTUNITIES:**

Chief Ohlin summarized events taking place from July 18<sup>th</sup> - August 30<sup>th</sup>. On July 18<sup>th</sup>, they will be participating in the Stars and Stripes event with plans to take a fire truck to the High School for the youth. On August 4<sup>th</sup>, they will take part in the event hosted by the Historical Society. On August 8<sup>th</sup>, they will attend the Holy Trinity Church for their back to school rally. On July 10<sup>th</sup>, they will attend the Waite Farms lock party as well as the 17<sup>th</sup> Annual Safe Community's car show. On August 18<sup>th</sup> - 20<sup>th</sup>, the back to school activities will be held at the Brunswick United Methodist Church. On July 3<sup>rd</sup>, they will be assisting with the fireworks display. Mr. Ousley inquired about the safety levy whether police are permitted to freely mention the safe threat. Chief Ohlin commented that their goal is to be present at community events and highlight their services and answer questions to bring awareness to the safety levy. Mr. Ousley commented that their biggest avenue is going to be the media to share the word regarding the safety levy. Chief Ohlin stated that their services and involvement is making the community aware.

Chief Ohlin explained there are three new officers in training. One officer in phase two; the other two officers in phase one of training, in which they started at the same time. Mr. Ousley inquired whether the officers in training would be able to be out for the fireworks on July 3<sup>rd</sup>. Chief Ohlin indicated that they are able to assist. Chief Ohlin commented that they plan to rotate shifts for the trainees to help provide full exposure with perhaps a training day with the SWAT team. There is a fourth officer in training which is a dispatcher being moved into a police officer position. She will attend the Ohio State Patrol Police Academy in August. Due to her transfer, a new dispatcher will be in training part-time with the intention of transitioning to full time after the dispatcher goes to the academy. Chief Ohlin indicated that after her transition to full time, they would have a need for a communications person. Mr. Ousley inquired about the expected time frame for the new officers' training to be completed. Chief Ohlin commented that they expect the first officer in phase two to be ready by the end of August and the other two officers after September.

Chief Erskine explained there is a new Fire Medic starting today at forty hours, then transferring to the normal scheduled days on July 19<sup>th</sup>. That will fill one of the openings; some have been out on medical leave. Chief Erskine commented they are still understaffed. Mr. Ousley questioned the possibility of bringing in more full time staff. Chief Erskine commented that they base their roster on what Council is willing to add.

Chief Ohlin shared that the police department was present at the Summer Celebration at St. Ambrose and at the Brunswick Summer Celebration Parade for traffic control. He commented that things went smoothly throughout the festivities with one or two arrests. They are planning for the fireworks event on

July 3<sup>rd</sup>. Chief Ohlin pointed out that when police are expected to attend engagements, there is the challenge of handling emergency calls. Therefore, it forces them to alter things and make operation changes. He commented on their desire to be present at these engagements however; there are times that it cannot take top priority.

Chief Erskine explained that on Tuesdays from 7:00–9:00 p.m., beginning September 17<sup>th</sup> to October 8<sup>th</sup>, there would be activities held similar to those in the past. Things will be covered such as code of operations, fire prevention, EMS, and they will provide a basic understanding of their role. Roughly, there will be twelve staff members present including two police officers. The week of October 10<sup>th</sup> is fire prevention week. Also, on October 10<sup>th</sup>, open house will be held alongside the Police department.

### **GENERAL DISCUSSION:**

Chief Ohlin wanted to discuss their police video project. He is asking for Council's support on the grant application that was completed. He shared that only part of the vehicle fleet has video camera systems. Seven years they received a small grant to obtain camera systems on the rear of the police cars; seven or eight vehicles out of nineteen have cameras. Chief Ohlin indicated that his budget plan for 2019 includes some capital funds to complete the video project and acquire camera systems. The project has not yet transpired due to some problems with a vendor. Chief Ohlin began to review options for a new vendor and identified an opportunity to pursue body cameras. He commented it would depend on the outcome of the grant application. He has identified some other financial resources through his budget that may help accomplish this goal if the grant is not approved. Once the grant became an option, he began an evaluation process of two vendors that work with camera systems including body cameras. Ideally, he hoped to have both cameras on the same system to complement each other; this has become a new element to the project. Chief Ohlin indicated that the two vendors have installed systems in two police cars for testing; one per vendor. He also became aware of the National Institute of Justice (NIJ) Federal Funding grant for body cameras. Therefore, the IT department was quickly approached along with police resources to generate the grant application. The grant was submitted and a response is anticipated by October 1<sup>st</sup>.

Chief Ohlin presented an example of body camera footage and car camera footage with a police officer approaching a suspicious vehicle parked behind a business. Mr. Ohlin captured the video evidence that these cameras provide, and it could also strengthen criminal or traffic cases. He indicated they are an incredible training tool. Chief Ohlin shared his goal to have a camera for each police car; totaling nineteen. Chief Ohlin explained the grant is for \$100,000; including \$50,000 as the city's match. Chief Ohlin commented that body cameras have been widely used for a number of years. He shared that the management of visual evidence would require a lot of data, and there would be costs for hardware. Ideally, he would like to rely on the IT department to manage their information internally. Chief Ohlin shared that the majority of agencies in Medina County are currently using body cameras. He responded to some past privacy concerns expressed by Mr. Ousley, indicating that body cameras would have the software capabilities to blur out footage for privacy; such as identity of juveniles.

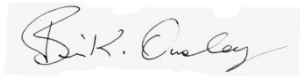
Mr. Ousley shared that he received a call regarding an individual riding a motor bike along back yards on Van Buren Road, in which they did not provide any contact information. Chief Ohlin commented that the police prefer to receive calls of minor concerns in order to have record of it. He encouraged the

committee to obtain as many details as possible from residents if calls are received. Mr. Ousley was in agreeance.

**ADJOURNMENT:**

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "B. Ousley", is written on a light gray rectangular background.

Brian Ousley  
Chairman

DRAFT

## BUILDING AND BUILDING CODE COMMITTEE

July 8, 2019

**IN ATTENDANCE:** Chairman Anthony Capretta, Committee Member Joseph Delsanter, Nicholas Hanek, Brian Ousley, Andrea Rodriguez, Patricia Hanek, Michael Abella Jr., Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Engineer Matt Jones, Assistant Law Director Dennis Naver, Community & Economic Development Director Grant Aungst, Pam Plavecki, Council Clerk Fijabi Julien-Gallam, Assistant Council Clerk Holly Quellos, News Media.

The meeting convened at 6:22 p.m.

### **BUILDING & BUILDING CODE UPDATE:**

Mr. Aungst began by providing an update; there were 293 applications processed, 269 inspections completed, an additional 72 contractors registered, 454 rental units registered, 225 property maintenance violations and inspections, 290 permits issued, and 81 reported lawn cuts year to date. Mr. Capretta raised question regarding the number of bank owned properties. Mr. Aungst indicated there have been 35 foreclosures.

Mr. Delsanter raised question regarding contractors and the turnaround time for negligence. Mr. Aungst indicated one to two weeks.

### **GENERAL DISCUSSION:**

There was none.

### **ADJOURNMENT:**

Being no further business, Mr. Capretta moved to adjourn at 6:25 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta  
Chairman

**THE CITY OF BRUNSWICK**  
**PROPOSED LEGISLATION**



**DATE:** 7/29/2019

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

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD, NO. 47-19** - An ordinance approving the Vicky Drive Extension Single Family Cluster Development Preliminary Subdivision Plan subject to any conditions recommended by the Planning Commission and any other conditions imposed by council. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** At their meeting on June 20, 2019, the Planning Commission held a public hearing and recommended approval to City Council of the Vicky Drive extension single family cluster development consisting of fifteen (15) lots on the western 12.03 acres of the 25-acre parcel located at 834 Pearl Road (Permanent Parcel #003-18A-04-193), attached as Exhibit "A".

**PURPOSE AND EXPLANATION:** Pending approval by City Council of the rezoning from the R-R Rural Residential District to the R-L Low Density Residential District, the developer is seeking to construct a single family cluster development consisting of fifteen (15) lots.

**IMPLEMENTATION SCHEDULE:** Immediately.

**FINANCIAL INFORMATION:**

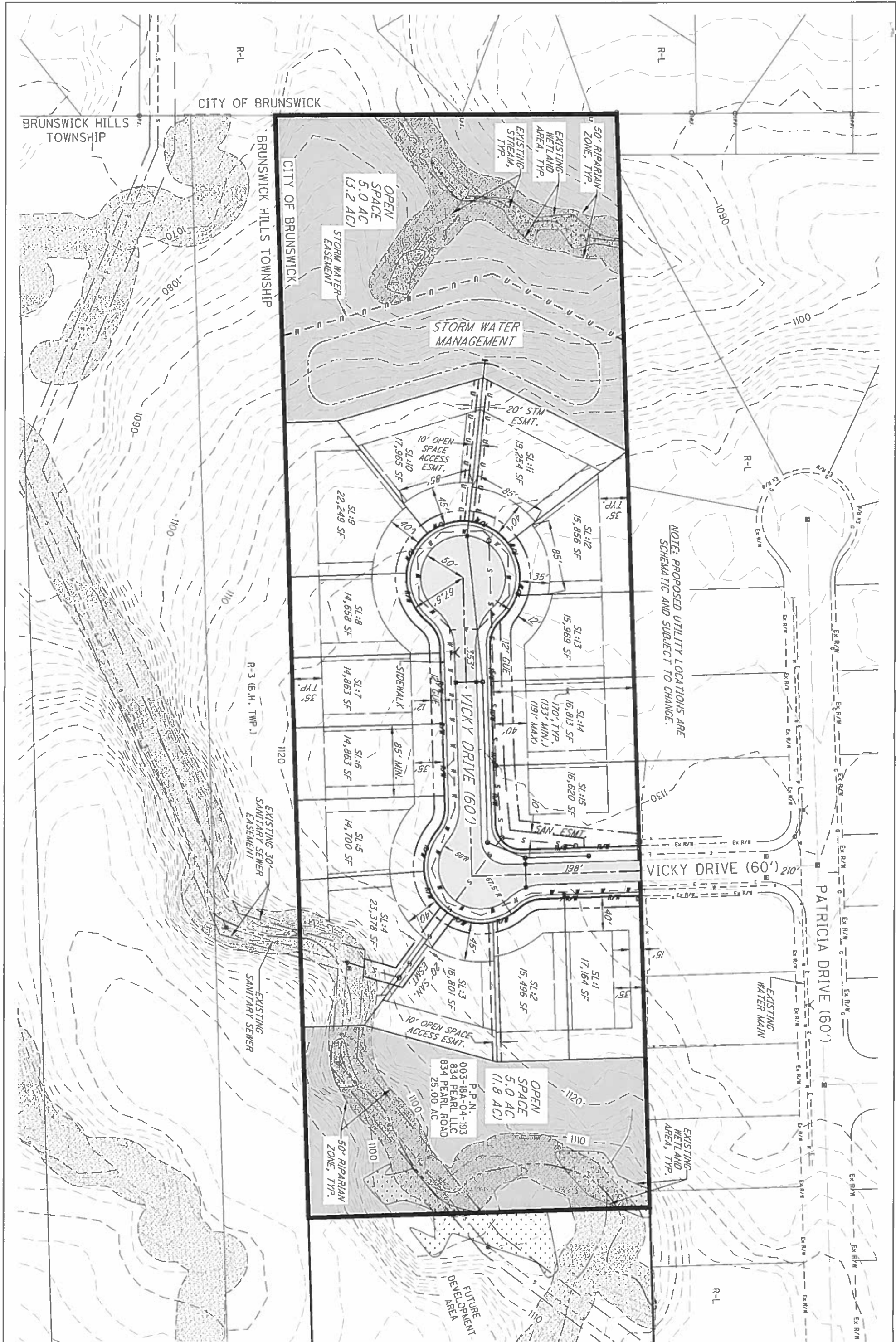
**FINANCIAL SUMMARY:**

**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?  
Move to second reading.

**ADDITIONAL  
INFORMATION:**



CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE APPROVING THE VICKY DRIVE EXTENSION SINGLE FAMILY CLUSTER DEVELOPMENT PRELIMINARY SUBDIVISION PLAN SUBJECT TO ANY CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION AND ANY OTHER CONDITIONS IMPOSED BY COUNCIL.

WHEREAS: At a public hearing held on June 20, 2019, the Brunswick City Planning Commission recommended approval to City Council of a Preliminary Subdivision Plan for the Vicky Drive Extension Single Family Cluster Development.

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

SECTION 1: That the Preliminary Subdivision Plan for the Vicky Drive Extension Single Family Cluster Development, as attached hereto as Exhibit "A", is hereby approved subject to any conditions enumerated by the Planning Commission and any other conditions imposed by this Council.

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

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 47-19

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

AN ORDINANCE APPROVING THE VICKY DRIVE EXTENSION SINGLE  
FAMILY CLUSTER DEVELOPMENT PRELIMINARY SUBDIVISION PLAN  
SUBJECT TO ANY CONDITIONS RECOMMENDED BY THE PLANNING  
COMMISSION AND ANY OTHER CONDITIONS IMPOSED BY COUNCIL

WHEREAS: At a public hearing held on June 20, 2019, the Brunswick City Planning Commission recommended approval to City Council of a Preliminary Subdivision Plan for the Vicky Drive Extension Single Family Cluster Development.

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

SECTION 1: That the Preliminary Subdivision Plan for the Vicky Drive Extension Single Family Cluster Development, as attached hereto as Exhibit "A", is hereby approved subject to any conditions enumerated by the Planning Commission and any other conditions imposed by this Council.

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

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PASSED: 1<sup>st</sup> Reading\_\_\_\_\_

2<sup>nd</sup> Reading\_\_\_\_\_

3<sup>rd</sup> Reading\_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

**THE CITY OF BRUNSWICK**  
**PROPOSED LEGISLATION**



**DATE:** 7/29/2019

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

**FROM:** Carl S. DeForest, City Manager  
Grant Aungst

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 48-19** - An ordinance rezoning the western 12.03 acres of PPN 003-18A-04-193 from the R-R Rural Residential District to the R-L Low Density Residential District.- **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** At their meeting on June 20, 2019, the Planning Commission held a public hearing and recommended approval to City Council of the rezoning of the western 12.03 acres of the 25-acre parcel at 834 Pearl Road (PP# 003-18A-04-193) from the R-R Rural Residential District to the R-L Low Density Residential District, attached as Exhibit "A".

**PURPOSE AND EXPLANATION:** The 25-acre parcel located at 834 Pearl Road (PP #003-18A-04-193) was annexed into the city from Brunswick Hills Township on January 14, 2019 (Ordinance No. 1-19) and is currently in the R-R Rural Residential District as a holding zone, pursuant to Section 1248.08 of the Zoning Code. The developer is seeking to rezone the western 12.03 acres from the R-R District to the R-L Low Density Residential District in order to construct a single family cluster development consisting of fifteen (15) lots.

**IMPLEMENTATION SCHEDULE:** Immediately.

**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?  
Recommend moving to second reading.

**ADDITIONAL  
INFORMATION:**

MAP AMENDMENT  
APPLICATION PLAN  
FOR  
VICKY DRIVE EXTENSION  
CITY OF BRUNSWICK, COUNTY OF MEDINA AND  
STATE OF OHIO

RECEIVED  
MAY - 9 2019  
CITY OF BRUNSWICK

PEARL ROAD



TGC Engineering, LLC  
1313 SHARON COPLEY ROAD, P.O. BOX 37  
SHARON CENTER, OHIO 44274  
(PHONE) 330.590.8004 (FAX) 888.820.8423



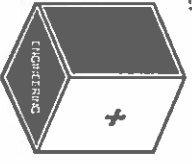
LOCATION MAP  
NO SCALE

|             |     |            |
|-------------|-----|------------|
| DRAWN BY:   | WAT | 2018-05-01 |
| CHECKED BY: | TCC | 2019-03-07 |

| SUBMITTAL INDEX |            |
|-----------------|------------|
| SUBMITTAL       | DATE       |
| 1               | 05/09/2019 |

OWNERS:  
PARCEL: 030-18A-04-193  
834 PEARL, LLC  
3660 CENTER ROAD  
BRUNSWICK, OHIO 44212  
KIM HARRINGTON  
RYAN HARRINGTON  
781-367-5378

DESIGN ENGINEERS:  
TGC ENGINEERING, LLC  
1313 SHARON COPLEY ROAD, P.O. BOX 37  
SHARON CENTER, OHIO 44274  
TRAVIS G. CRANE, P.E.  
330-590-8004



|                        |                    |                                                         |   |
|------------------------|--------------------|---------------------------------------------------------|---|
| PROJECT NUMBER<br>1972 | DATE<br>2019-05-08 | VICKY DRIVE EXTENSION<br>MAP AMENDMENT APPLICATION PLAN | 1 |
|------------------------|--------------------|---------------------------------------------------------|---|

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. \_\_\_\_\_

BY:

AN ORDINANCE REZONING THE WESTERN 12.03 ACRES OF PPN 003-18A-04-193 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the western 12.03 acres of the property known as PPN 003-18A-04-193 from the R-R Rural Residential District to the R-L Low Density Residential District, on June 20, 2019, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On June 20, 2019, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the western 12.03 acres of the property known as PPN 003-18A-04-193 from the R-R Rural Residential District to the R-L Low Density Residential District.

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

SECTION 1: That upon application of the property owner, the western 12.03 acres of the property known as PPN 003-18A-04-193 is hereby rezoned from the R-R Rural Residential District to the R-L Low Density Residential District.

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

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

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 48-19

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

AN ORDINANCE REZONING THE WESTERN 12.03 ACRES OF PPN 003-18A-04-193 FROM THE R-R RURAL RESIDENTIAL DISTRICT TO THE R-L LOW DENSITY RESIDENTIAL DISTRICT.

WHEREAS: Upon application of the property owner to rezone the western 12.03 acres of the property known as PPN 003-18A-04-193 from the R-R Rural Residential District to the R-L Low Density Residential District, on June 20, 2019, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On June 20, 2019, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the western 12.03 acres of the property known as PPN 003-18A-04-193 from the R-R Rural Residential District to the R-L Low Density Residential District.

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

SECTION 1: That upon application of the property owner, the western 12.03 acres of the property known as PPN 003-18A-04-193 is hereby rezoned from the R-R Rural Residential District to the R-L Low Density Residential District.

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

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

---

PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

**PROPOSED LEGISLATION**



**DATE:** 7/29/2019

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 51-19** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the codified ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **2nd Reading** (Committee-of-the-Whole, *Administration/Fijabi Gallam*)

**BACKGROUND:** This is necessary to keep the general codification of the City of Brunswick current and up-to-date.

**PURPOSE AND EXPLANATION:**

**IMPLEMENTATION SCHEDULE:** Emergency with Suspension of the Rules

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** Exact costs for this service will depend on the number of pages, etc and is not yet determinable.

Sufficient Council appropriations and a purchase order certified by the Finance Director is necessary for payment to be rendered.

**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?

Emergency with suspension of rules is recommended to keep the Codified Code of the City of Brunswick current and up-to-date and to preserve law and order of the City.

**ADDITIONAL**

**INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 51-19

BY: COMMITTEE-OF-THE-WHOLE

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

- WHEREAS: Section 3.18b. of the City Charter provides for the general codification of all City ordinances and resolutions having the force and effect of law and requires that such codification be kept current; and
- WHEREAS: The Walter H. Drane Co. has completed its updating and revision of the Codified Ordinances of the City; and
- WHEREAS: Various ordinances of a general and permanent nature that have been enacted by Council since the date of the last updating and revision of the Codified Ordinances need to be include in the Codified Ordinances of the City; and
- WHEREAS: Certain changes made in the Codified Ordinances to bring City law into conformity with State law.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

- SECTION 1: That the editing, arrangement and numbering or renumbering of the ordinances and parts of ordinances attached hereto as "Exhibit "A" as though fully herein written, are hereby approved as parts of the various component codes of the Codified Ordinances of the City of Brunswick, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances.
- SECTION 2: That the sections of the Traffic and General Offenses Codes, as amended and attached hereto as Exhibit "B" as though fully herein written, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.
- SECTION 3: That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and listed on Exhibit "A" and in Section 1 are hereby repealed, except as follows:
- (a) The enactment of such matter shall not be construed to affect a right of liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or any action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.
  - (b) The repeal provided above shall not affect any legislation enacted subsequent to July 21, 2019

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

SECTION 5: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and for the additional reason that it is immediately necessary to have an up-to-date codification of the laws of the City, pursuant to Section 3.18b. of the City Charter, that is in conformity with State Law, where such conformity is required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City and to preserve law and order of the City. Therefore, this Ordinance and the July 2019 Replacement Pages for the Codified Ordinances, hereby approved, adopted and enacted, shall be in full force and effect from and after its passage by the required number of votes, as set forth in Section 3.16 of the City Charter.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

**EXHIBIT "A"**

| <u>Ord. No.</u> | <u>Date</u> | <u>C.O. Section</u>                          |
|-----------------|-------------|----------------------------------------------|
| 75-18           | 11-26-18    | Special Planning District<br>Sign Guidelines |
| 98-18           | 11-26-18    | October 2018<br>Replacement Pages            |
| 13-19           | 2-25-19     | Part 12 Appendix F                           |
| 34-19           | 5-13-19     | 234.07                                       |
| 37-19           | 7-8-19      | 1060.01 to 1060.06,<br>1060.99               |

## **EXHIBIT “B”**

### **Traffic Code**

402.04 Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)  
402.20 Motor Vehicle. (Amended)  
402.251 Predicate Motor Vehicle Offense. (Amended)  
402.361 Shared-Use Path. (Amended)  
402.51 Vehicle. (Amended)  
404.06 Freeway Use Restricted. (Amended)  
414.09 Driver’s Duties Upon Approaching Ambiguous Traffic Signal. (Amended)  
432.03 Overtaking, Passing to Left; Driver’s Duties. (Amended)  
432.14 Signals Before Changing Course, Turning or Stopping. (Amended)  
432.15 Hand and Arm Signals. (Amended)  
434.03 Maximum Speed Limits. (Amended)  
  
438.27 Drivers and Passengers Required to Wear Seat Belts. (Amended)  
474.01 Code Application to Bicycles. (Amended)  
474.02 Riding Upon Seats. (Amended)  
474.03 Attaching Bicycle to Vehicle. (Amended)  
474.04 Riding Bicycles and Motorcycles Abreast. (Amended)  
474.05 Signal Device on Bicycle. (Amended)  
474.06 Lights and Reflector on Bicycle. (Amended)  
474.07 Riding Bicycle on Right Side of Roadway. (Amended)  
474.08 Reckless Operation. (Amended)  
474.09 Parking of Bicycle. (Amended)  
474.17 Motorized Bicycle Operation. (Amended)  
474.19 Electric Bicycles. (Added)

### **General Offenses Code**

612.07 Open Container Prohibited. (Amended)  
624.01 Drug Abuse Control Definitions. (Amended)  
624.03 Drug Abuse; Controlled Substance Use. (Amended)  
648.04 Disorderly Conduct. (Amended)  
666.04 Sexual Imposition. (Amended)  
666.07 Public Indecency. (Amended)  
666.16 Dissemination of Private Sexual Images. (Added)  
672.01 Weapons Definitions. (Amended)  
672.07 Unlawful Transactions in Weapons. (Amended)

**THE CITY OF BRUNSWICK**

**PROPOSED LEGISLATION**



**DATE:** 7/29/2019

**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. 52-19** - An emergency resolution authorizing the City Manager and City Engineer to submit a grant application to the Ohio Public Works Commission Issue 1 Program for the Laurel Road Reconstruction Phase 3. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, Administration/Matt Jones)

**BACKGROUND:** New legislation request

**PURPOSE AND EXPLANATION:** The proposed project will reconstruct Laurel Road from Coventry Drive to South Carpenter Road. The approximately \$1 million project would be funded using a combination of OPWC and local funds.

**IMPLEMENTATION SCHEDULE:** The application due date is September 6, 2019. The project would commence in July 2020.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** An engineer cost estimate is anticipated to be compiled prior to presentation to Council on Monday July 22, 2019. Once a cost estimate prepared, the anticipated City (local) cost share can be calculated.

Any local cost share would be required to be budgeted and included in the 2020 budget for the City to receive an OPWC grant and to complete the project. It is anticipated that the City cost share will come from the Road Improvement Fund #333.

The OPWC application would also include a Financial certificate for the City costs share.

“Subject to Council 2020 appropriations, the Finance Director of the City of Brunswick, would certify that the City of Brunswick has the amount of \$XXXXXX (amount would need to match total engineer cost estimate less OPWC grant portion) in the Road Improvement Fund in Fiscal Year 2020 and that this amount will be used to pay the local share for the Laurel Road Phase 3 improvement project, when it is required.”

**RECOMMENDED  
ACTION:**

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules on second reading on July 29, 2019 so that the application can be submitted to OPWC by the September 6, 2019 deadline.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 52-19

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ENGINEER TO SUBMIT A GRANT APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION ISSUE 1 PROGRAM FOR THE LAUREL ROAD RECONSTRUCTION PROJECT, PHASE 3.

WHEREAS: The Laurel Road Reconstruction Project, Phase 3 (the "Project"), is to be funded by a combination of Ohio Public Works Commission Issue 1 Program grant funds in the approximate amount of \$623,000.00 (the "Grant Funds") with the remainder by local funds (the "Local Funds");

WHEREAS: The Grant Application must be submitted by the September 6, 2019 deadline; and

WHEREAS: Should the financial assistance be granted, the Project would be constructed in the 2020 construction season.

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

SECTION 1: The City Manager and City Engineer are hereby authorized to submit a Grant Application to the Ohio Public Works Commission Issue 1 Program for financial assistance for the Project.

SECTION 2: In the event Grant Funds are awarded for the Project, acceptance of same by the City shall be contingent upon Council appropriating necessary amounts to meet the Local Funds contribution.

SECTION 3: 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 the grant and loan applications must be submitted by the September 6, 2019 deadline. 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.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

**THE CITY OF BRUNSWICK**

**PROPOSED LEGISLATION**



**DATE:** 7/29/2019

**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. 53-19** - An emergency resolution authorizing the City Manager to enter into an agreement with Set In Stone Contracting, LLC for the 2019 Catch Basin Repair Program in an amount not to exceed \$91,881.00. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

**BACKGROUND:** Authorization for public bid granted by City Council motion on June 24, 2019.

**PURPOSE AND EXPLANATION:** This project will facilitate the performance of catch basin repairs at various locations citywide. The purpose of the project will be the removal and replacement of deteriorated catch basin pavement boxouts and the adjustment or reconstruction to grade of deteriorated catch basins. This project is being funded with stormwater utility dollars.

**IMPLEMENTATION SCHEDULE:** The project will commence in late August and be completed in November.

**FINANCIAL INFORMATION:** 2019 Catch basin Repair Program - - Stormwater Management Enterprise Fund #224 - 224-0420-54265 - - 91881

**FINANCIAL SUMMARY:** This project is being funded with stormwater utility dollars.

**RECOMMENDED ACTION:**

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

If emergency or suspension of the rules, why the request?  
It is requested that legislation is passed by emergency measure with suspension of the rules for

the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence and be completed during the 2019 construction season.

**ADDITIONAL  
INFORMATION:**

|                                           |                                       |      |       |                                  |             |                                    |              |
|-------------------------------------------|---------------------------------------|------|-------|----------------------------------|-------------|------------------------------------|--------------|
| BID TABULATION                            |                                       |      |       |                                  |             |                                    |              |
| BRUNSWICK 2019 CATCH BASIN REPAIR PROGRAM |                                       |      |       |                                  |             |                                    |              |
| JOB # 19285                               |                                       |      |       |                                  |             |                                    |              |
| CITY OF BRUNSWICK                         |                                       |      |       |                                  |             |                                    |              |
| DATE: JULY 17, 2019                       |                                       |      |       | SET IN STONE<br>CONTRACTING, LLC |             | KONSTRUCTION KING, INC.            |              |
| ENGINEER'S ESTIMATE: \$90,000.00          |                                       |      |       |                                  |             |                                    |              |
| ITEM                                      | DESCRIPTION                           | UNIT | QTY.  | UNIT PRICE                       | TOTAL PRICE | UNIT PRICE                         | TOTAL PRICE  |
| 1                                         | CATCH BASIN CASTING ADJUSTED TO GRADE | EACH | 40    | \$1,593.00                       | \$63,720.00 | \$2,000.00                         | \$80,000.00  |
| 2                                         | CATCH BASIN RECONSTRUCTED             | EACH | 9     | \$1,999.00                       | \$17,991.00 | \$2,200.00                         | \$19,800.00  |
| 3                                         | MISCELLANEOUS METAL                   | LBS  | 1,000 | \$1.50                           | \$1,500.00  | \$1.50                             | \$1,500.00   |
| 4                                         | CONCRETE DRIVE APRON                  | SF   | 1,000 | \$6.85                           | \$6,850.00  | \$7.00                             | \$7,000.00   |
| 5                                         | CONCRETE WALK                         | SF   | 200   | \$9.10                           | \$1,820.00  | \$6.00                             | \$1,200.00   |
|                                           | TOTAL PROJECT COST                    |      |       | TOTAL                            | \$91,881.00 | TOTAL                              | \$109,500.00 |
|                                           |                                       |      |       | NUMBER OF DAYS TO COMPLETE: 60   |             | NUMBER OF DAYS TO COMPLETE: 30     |              |
|                                           |                                       |      |       | EARLIEST START DATE: 9/30/2019   |             | EARLIEST START DATE: OCT. 15, 2019 |              |

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 53-19

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SET IN STONE CONTRACTING, LLC FOR THE 2019 CATCH BASIN REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$91,881.00.

WHEREAS: The City of Brunswick received two (2) bids for the 2019 Catch Basin Repair Program (the "Program), in accordance with public bidding requirements; and

WHEREAS: The two (2) received public bids were opened on July 17, 2019, with Set in Stone Contracting, LLC determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Set in Stone Contracting, LLC, the lowest and best bidder, for the 2019 Catch Basin Repair Program in an amount not to exceed \$91,881.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2019 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC

**THE CITY OF BRUNSWICK**  
**PROPOSED LEGISLATION**



**DATE:** 7/29/2019

**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. 54-19** - An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2019 Asphalt Road Program Phase 2 in an amount not to exceed \$239,417.50. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

**BACKGROUND:** Authorization for public bid granted by City Council motion on June 24, 2019.

**PURPOSE AND EXPLANATION:** This project will facilitate the performance of asphalt base repairs and overlays on various residential streets citywide. Work will be performed on portions of Pinewood Drive, Fernwood Drive, Chargary Drive, Francis Boulevard, Carolyn Drive, and Starview Drive.

**IMPLEMENTATION SCHEDULE:** The project will commence in September. Work on Pinewood Drive will be completed in Fall 2019. The remaining streets will be completed in Spring 2020.

**FINANCIAL INFORMATION:** Asphalt Road Program Phase II - - Street Repair & Maintenance Fund #117 - 117-0420-56881 - - 239417.5

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

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

If emergency or suspension of the rules, why the request?  
It is requested that legislation is passed by emergency measure with suspension of the rules for

the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence and be completed during the 2019 construction season.

**ADDITIONAL  
INFORMATION:**

# ASPHALT ROAD PROGRAM PHASE 2

K

DATE: JULY 17, 2019

\$245,000.00

|                                                    |      |        | SPECIALIZED<br>CONSTRUCTION, INC.  |               | CHA<br>PA      |
|----------------------------------------------------|------|--------|------------------------------------|---------------|----------------|
| DESCRIPTION                                        | UNIT | QTY.   | UNIT PRICE                         | TOTAL PRICE   | UNIT PRICE     |
| G                                                  | SY   | 4,360  | \$5.50                             | \$23,980.00   | \$3            |
| VEMENT REPAIR                                      | SY   | 1,200  | \$27.00                            | \$32,400.00 * | \$30           |
| R                                                  | SY   | 450    | \$85.00                            | \$38,250.00   | \$65           |
| EMENT                                              | CY   | 50     | \$30.00                            | \$1,500.00    | \$100          |
| CHIP SEAL                                          | SY   | 9,200  | \$2.55                             | \$23,460.00   | \$3            |
| CHIP SEAL                                          | SY   | 2,950  | \$5.10                             | \$15,045.00   | \$6            |
| SEAL                                               | SY   | 12,150 | \$2.55                             | \$30,982.50   | \$3            |
| HALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22 | TONS | 180    | \$90.00                            | \$16,200.00   | \$117          |
| HALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22      | TONS | 300    | \$100.00                           | \$30,000.00   | \$117          |
| HALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22 | TONS | 255    | \$90.00                            | \$22,950.00   | \$117          |
| DER                                                | CY   | 30     | \$75.00                            | \$2,250.00    | \$300          |
| ADJUSTED TO GRADE                                  | EACH | 2      | \$350.00                           | \$700.00      | \$1,000        |
| BOX ADJUST TO GRADE                                | EACH | 4      | \$50.00                            | \$200.00      | \$750          |
| ETAL                                               | LBS  | 1,500  | \$1.00                             | \$1,500.00    | \$1            |
| TOTAL PROJECT COST                                 |      |        | TOTAL                              | \$239,417.50  | TOTAL          |
|                                                    |      |        | DAYS TO COMPLETE: 60               |               | DAYS TO COMPLE |
|                                                    |      |        | EARLIEST START DATE: SEPT. 1, 2019 |               | EARLIEST STAR  |

\* Scribner's Error

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 54-19

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2019 ASPHALT ROAD PROGRAM PHASE 2 IN AN AMOUNT NOT TO EXCEED \$239,417.50.

WHEREAS: The City of Brunswick received two (2) bids for the 2019 Asphalt Road Program Phase 2 (the "Program"), in accordance with public bidding requirements, for asphalt resurfacing and base repairs on portions of Pinewood Drive, Fernwood Drive, Chargary Drive, Francis Boulevard, Carolyn Drive and Starview Drive; and

WHEREAS: The two (2) received public bids were opened on July 17, 2019 with Specialized Construction, Inc. determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Specialized Construction, Inc., the lowest and best bidder, for the 2019 Asphalt Road Program Phase 2 in an amount not to exceed \$239,417.50.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2019 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

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PASSED: 1<sup>st</sup> Reading \_\_\_\_\_

Rules Suspended: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ADOPTED: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Clerk of Council  
Fijabi Julien-Gallam, CMC