BRUNSWICK CITY
FINANCE COMMITTEE

Agenda
OCTOBER 14, 2019
6:45 PM
In Caucus Room

1. Discussion Items

   (a) **RES. NO. 67-19** - An <u>emergency</u> resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

   (b) **ORD. NO. 68-19** - An <u>emergency</u> ordinance amending Ordinances #89-18, #20-19, #44-19 and #65-19 to include amendments to the appropriations budget for the year ending December 31, 2019 as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)

   (c) **ORD. NO. 69-19** - An <u>emergency</u> ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

   (d) **ORD. NO. 70-19** - An ordinance authorizing the City Manager/Safety Director to enter into an agreement with the Brunswick City School District to compensate the Brunswick City School District for tax revenue lost as a result of exemptions to taxation on certain real properties for the fiscal years 2019, 2020, 2021 and 2022. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

2. General Discussion

3. Adjournment

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	10/14/2019
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. 67-19** - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)
BACKGROUND:	An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor.
PURPOSE AND EXPLANATION:	In order to comply with Ohio Revised Code Section 5705.34 and the County Auditor extension letter, City Council is required to accept the amounts and rates as determined by the budget commission and authorize the necessary tax levies and certify them to the County Auditor. This action will allow the County Auditor to bill these rates on the property tax bills for the succeeding year. 2020 will also mark the sixth year of collections for the City's 1.2 mill road levy passed by the voters on May 6, 2014. The road levy is a 10 year levy with collections expected for 2015-2024. The County Auditor's most recent annual collection estimate for the 1.2 mill levy = $837,200 for the 2020 year.
IMPLEMENTATION SCHEDULE:	To be adopted on October 14, 2019 with an emergency clause. The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, the County Auditor's extension letter and allow for the daily operations of the City of Brunswick to continue without interruptions and to ensure timely billing of property taxes due to the City of Brunswick.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	The County Auditor's most recent estimate for the 2020 property tax collections to be received by the City of Brunswick equal $2,793,200 in total. The 1.2 mill road levy portion equaled $837,200 (sixth year of collections) and the 2.6 inside mills equal $1,956,000. The County Auditor typically updates these property tax estimates once the property values and tax rates are certified. The 2020 property tax collections for the City of Brunswick can only occur if this legislation is passed and filed with the County Auditor by October 31, 2019. Once certified and filed, the property tax rates will be billed by the County Auditor pursuant to State Law. This tax rate of 1.2 mills was approved by the voters for a ten year collection period (2015-2024) and the 2.6 mills has been approved by

the City Charter Section 7.11(a).

RECOMMENDED ACTION:

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

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

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

ADDITIONAL INFORMATION: Discuss at the October 14, 2019 Committee meeting and move to the October 14, 2019 Council agenda as an emergency. Recommended action for approval on October 14, 2019 with emergency clause (suspension of the rules).

Medina County Auditor

MIKE KOVACK

144 North Broadway St. • Medina, Ohio 44256

Date: September 24, 2019

To: Township Fiscal Officers
Village Fiscal Officers/Clerks
City Finance Directors
Library Treasurers

From: MaryBeth Guenther, Tax Settlements
Medina County Auditor's Office

Re: Official Certificate of Estimated Resources and
Resolution Accepting Amounts and Rates

Enclosed please find your copies of the:

1. Official Certificate of Estimated Resources
2. Extension Letter from the Ohio Department of Taxation, and
3. Your Resolution Accepting Amounts and Rates.

The Extension Letter is for your audit next year. It indicates the reason for extending the dates for the Resolution Accepting Rates.

The Resolution Accepting the Amounts and Rates must be approved and sent back to our office by **October 31, 2019.**

If you have an additional, replacement or renewal with an increase levy that passes on the ballot in November you will be sent another Resolution Accepting Rates after the election. This must be approved and sent back by **November 29, 2019.**

Thank you. If you have any questions please call me at 330.725.9781.

(330) 725-9754 **Medina** • 844-722-3800 **Toll-Free** • (330) 725-9136 **Fax**
www.medinacountyauditor.org

0000000287

Ohio Department of
TAXATION
Office of the Tax Commissioner
30 E. Broad St., 22nd Floor • Columbus, OH 43215

JOURNAL ENTRY

Date: JUL - 9 2019

The Honorable Michael E Kovack
Medina County Auditor
144 N Broadway St Rm 301
Medina OH 44256

Entry Number: 19-07-0139

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

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on July 1, 219, for an extension of time beyond the statutory date of September first to complete its work, as provided by Revised Code section 5705.27, finds that the extension of time is necessary and approves October 1, 2019, as the date within which such work shall be completed, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the October first deadline contained in Ohio Revised Code section 5705.34 for the political subdivision to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the political subdivision must authorize the necessary tax levies to the auditor by November 1, 2019. The County Auditor must notify each political subdivision affected by this entry.

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

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

Jeffy A. McClain

JEFFREY A. MCCLAIN
TAX COMMISSIONER

/s/ Jeffrey A. McClain

Jeffrey A. McClain
Tax Commissioner

TT

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 67-19

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

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

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

The Council of the City of ______BRUNSWICK______, ______MEDINA______

County, Ohio, met in ______________ session on the ________ day of ____________
(Regular Or Special)
20___, at the office of ______________________________ with the following members

present:

____

____

____

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

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January **2020**

and

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

RESOLVED, By the Council of the City of ______BRUNSWICK______,

______MEDINA______ County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

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

SCHEDULE A

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

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		$1,730,400	2.30	
General Bond Retirement Fund				
Police Pension		$225,600	0.30	
Road Levy	$837,200			1.20
Recreation Fund				
Fund				
Fund				
TOTAL	$837,200	$1,956,000	2.60	1.20

DIST. 3

SCHEDULE B   TAX YEAR 2019   COLLECTION YEAR 2020   2019 ESTIMATED VALUES AND YIELDS

1. RES/AG	$602,876,900
2. OTHER REAL	$153,766,200
3. PUCO PERSONAL	$9,942,660
4. RES/AG NEW CONSTR.	$7,315,480
5. OTHER NEW CONSTR.	$1,699,840
6. TOTAL	$775,601,080

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: BRUNSWICK CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO.# YEARS	TAX YEAR FIRST/LAST	COLL. YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUCO PERSONAL	NEW CONSTRUCTION	TOTAL
GENERAL FUND						2.30	0.000000 0.000000	2.300000 2.300000	$1,345,000	$343,100	$22,200	$20,100	$1,730,400
SPECIAL REVENUE	POLICE PENSION					0.30	0.000000 0.000000	0.300000 0.300000	$175,400	$44,700	$2,900	$2,600	$225,600
	ROAD LEVY	2014	10	2014/2023	2015/2024	1.20	0.086378 0.023250	1.096346 1.172100	$641,100	$174,800	$11,600	$9,700	$837,200

2.60	INSIDE MILLAGE	$2,161,500	$562,600	$36,700	$32,400	$2,793,200
1.20	OUTSIDE MILLAGE					
3.80	TOTAL MILLAGE					

3.696346 RES/AG EFFECTIVE
3.772100 OTHER EFFECTIVE

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on ,20 for not to exceed years.		
Current Expense Levy authorized by voters on ,20 for not to exceed years.		
Current Expense Levy authorized by voters on ,20 for not to exceed years.		
Total General Fund outside 10m. Limitation.		
Road Levy authorized by voters on May 6, 2014 for not to exceed 10 years.	1.20	$837,200
Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
THIS RESOLUTION IS DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATI PRESERVATION OF THE PUBLIC PEACE, PROPERTY, HEALTH, SAFETY, WELFARE, AND PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPALITY, AND FOR THE ADDITIONAL REASON THAT THIS RESOLUTION MUST BE FILED WITH THE MEDINA COUNTY AUDITOR AS SOON AS POSSIBLE. THEREFORE, THE SAME SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE BY THE REQUIRED NUMBER OF VOTES.		

and be it further

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

Resolution to the County Auditor of Said County.

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

upon its adoption the vote resulted as follows:

Mr./M ______________________________

Mr./M ______________________________

Mr./M ______________________________

Adopted the _________ da ________________________ ,20 _____.

____

Attest:

____
President of Council

____
Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, ____________________ County, ss.

I, ____________________________, Clerk of the Council of the City

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

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

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

____

____

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

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

WITNESS my signature, this ___________ day of ___________________________________, 20____

____
Clerk of Council

____

No. __________________________

____
COUNCIL OF THE CITY OF

____

__________________________ County, Ohio.

____

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

(City Council)

____

Adopted ____________________, 20 ___

____
Clerk of Council

____

Filed _______________________, 20 ____

____
County Auditor

By _______________________________
Deputy

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	10/14/2019
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. 68-19** - An emergency ordinance amending Ordinances #89-18, #20-19, #44-19 and #65-19 to include amendments to the appropriations budget for the year ending December 31, 2019 as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from the Finance Committee, *Administration/Todd Fischer*)
BACKGROUND:	In order to comply with the Ohio Revised Code Section 5705 any and all activity of the City must be included in the budget. As actual information is obtained and compared to estimates or new items are requested to be added or deleted by the respective departments, it is necessary and required to present the proposed budget amendments to Council for approval. This process is required by law and audited under the direction of the Auditor of State for compliance every year.
PURPOSE AND EXPLANATION:	See fiscal section and related attachments for additional information.
IMPLEMENTATION SCHEDULE:	Discuss at the October 14, 2019 Finance Committee meeting and move to the October 14, 2019, Council agenda, as an emergency with suspension of the rules.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	The total financial impact of this legislation is a net increase to the overall City appropriation budget by $109,669.17. The largest component of the increase relates to budgeting for a body-worn camera federal grant and related temporarily advances (loans) needed to purchase the items until reimbursed. The amendments also include reductions for the completion of the Grafton Road Phase IV improvement project. All other items may be important, but in terms of dollars, are not significant enough to list out separately in this summary. All proposed amendments are summarized and detailed out with a description in the attached Exhibits. Exhibit A is the legal document required to be reviewed and adopted by Council pursuant to Ohio Revised Code Section 5705 for these budget amendments to be adopted. Exhibit B is provided for informational and review purposes only. This document lists out the explanations and amounts for each proposed budget amendment.

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

RECOMMENDED ACTION:

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

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

ADDITIONAL INFORMATION:

EXHIBIT A October 14, 2019

Fund Number	Fund Name / Department	Personal Service	Other		Total
General Fund					
001	General Fund				
	City Council	169,031.00	86,331.00	$	255,362.00
	Mayor	95,241.00	87,424.00	$	182,665.00
	City Manager	179,463.00	144,922.00	$	324,385.00
	Information Technologies	158,683.00	338,349.00	$	497,032.00
	Engineering	22,665.00	315,951.00	$	338,616.00
	Building Department	318,982.00	239,503.00	$	558,485.00
	Cemetery Maintenance	-	20,150.00	$	20,150.00
	Janitorial Contract	-	21,627.00	$	21,627.00
	City Hall Building & Grounds	16,950.00	54,515.00	$	71,465.00
	Administrative Services	121,153.00	87,235.00	$	208,388.00
	Economic Development	105,737.00	191,631.80	$	297,368.80
	Animal Control	71,591.00	66,669.00	$	138,260.00
	Law Department	178,787.00	266,719.00	$	445,506.00
	Finance Department	239,470.00	217,773.00	$	457,243.00
	Income Tax Department	188,518.00	210,759.00	$	399,277.00
	Parks & Recreation Director	86,980.00	64,973.00	$	151,953.00
	General Fund Administration	-	1,028,875.40	$	1,028,875.40
	Planning Division/Community Development	46,714.00	30,026.00	$	76,740.00
	Board of Building Appeals	388.00	1,206.00	$	1,594.00
	Board of Zoning Appeals	2,724.00	5,895.00	$	8,619.00
	Board of Civil Service	13,723.00	25,840.00	$	39,563.00
	Board of Ethics	3,040.00	2,375.00	$	5,415.00
	Board of Commemorative Affairs	-	21,500.00	$	21,500.00
	General Fund Transfers / Advances	-	19,904,703.17	$	19,904,703.17
001	Total General Fund	$ 2,002,625.00	$ 22,814,311.00	$	25,454,792.37
Special Revenue Funds:					
110	Court Computerization Fund	10,011.00	17,690.00	$	27,701.00
111	FEMA Grant Fund	-	168,688.00	$	168,688.00
114	Police Fund	4,209,923.00	4,294,261.04	$	8,504,184.04
115	Fire Fund	2,342,940.00	2,810,013.66	$	5,152,953.66
117	Street Repair & Maintenance Fund	1,119,506.00	2,223,209.73	$	3,342,715.73
118	State Highway Fund	-	153,535.94	$	153,535.94
119	Law Enforcement Fund	-	1,000.00	$	1,000.00
120	Brunswick Transit Alternative (BTA) Fund	-	53,000.00	$	53,000.00
121	RLF / CDBG Fund	-	5.51	$	5.51
123	Brunswick Area Television (BAT) Fund	135,476.00	220,427.00	$	355,903.00
127	Parks Fund	210,081.00	415,215.00	$	625,296.00
129	Department of Justice Federal Grant Fund	-	161,870.34	$	161,870.34
130	DUI Enforcement & Education Fund	-	7,000.00	$	7,000.00
131	Recreation Center Fund	469,523.00	676,093.00	$	1,145,616.00
133	Home Improvement Grant Fund (CDBG)	-	14,020.40	$	14,020.40
Enterprise Funds:					
223	Refuse Fund	64,009.00	2,663,538.00	$	2,727,547.00
224	Storm Water Management Fund	29,962.00	1,347,741.04	$	1,377,703.04
Capital Improvement Funds:					
300	General Permanent Improvement Fund	-	332,550.00	$	332,550.00
332	Road Levy Fund	-	2,709,720.47	$	2,709,720.47
333	Road Improvement Fund	-	3,397,465.03	$	3,397,465.03
334	Traffic Control Fund	-	-	$	-
335	Public Square Fund	-	-	$	-
336	City Building Improvement Fund	-	408,502.74	$	408,502.74

337	EPA Grant Fund	-	400,003.75	$ 400,003.75
339	Fire Improvement Fund	-	-	$ -
341	Park Improvement Fund	-	78,500.00	$ 78,500.00
347	North Carpenter Road Improvement Fund	-	10,141,618.79	$ 10,141,618.79
348	Boston Road Improvement Fund	-	93,519.24	$ 93,519.24
360	Brunswick Lake Improvement Fund	-	40,575.00	$ 40,575.00
367	OPWC Hadcock Rd Reconstruction Fund	-	-	$ -
368	OPWC Grafton Road Improvement Fund	-	609,990.16	$ 609,990.16
369	OPWC Center Road Resurfacing Fund	-	-	$ -
370	OPWC Multi Roads Improvement Fund	-	799,682.96	$ 799,682.96
371	OPWC Laurel Road Improvement Fund	-	1,227,600.00	$ 1,227,600.00
Self Insurance Fund:				
600	Self Insurance Fund	-	3,011,360.00	$ 3,011,360.00
Debt Service Funds:				
771	General Obligation Bond Retirement Fund	-	-	$ -
780	Special Assessment BRF: Grafton Phase III	-	567.91	$ 567.91
781	Special Assessment BRF: South Industrial Parkway	-	108,125.00	$ 108,125.00
782	Special Assessment BRF: Laurel Road (2006)	-	43,337.50	$ 43,337.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,948.79	$ 18,948.79
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.19	$ 11,826.19
Agency Funds:				
881	General Trust Agency Fund	-	938,399.00	$ 938,399.00
882	Unclaimed Money Agency Fund	-	20,000.00	$ 20,000.00
885	Flexible Spending Agency Fund	-	160,000.00	$ 160,000.00
886	Non-Residential 3% Building Permit Agency Fund	-	35,000.00	$ 35,000.00
887	Residential 1% Building Permit Agency Fund	-	10,000.00	$ 10,000.00
			Grand Total	$ 73,870,824.56

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #4 - For informational purposes only

For the Budget Year Ending December 31, 2019

10/14/2019

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
General (#001)			
ADVANCE OUT TO DOJ GRANT FUND #129	001-0999-99892	50,000.00	Advance out monies to the DOJ Grant Fund #129. Will allow for City to temporarily cover grant expenses for the FY 19 Body-Worn Camera program until we are reimbursed by the US Department of Justice.
General Fund Total		**50,000.00**	
DOJ Federal Grant Fund (#129)			
BODY-WORN CAMERA USDOJ GRANT	129-0544-56258	50,000.00	$50,000 Grant Award from the US Dept of Justice for body-worn cameras for the Division of Police.
ADVANCE OUT	129-0999-80185	50,000.00	Advance Out to return previously advanced monies for the Body-worn grant once it is completed and federal grant reimbursements are received.
DOJ Federal Grant Fund Total		**100,000.00**	
EPA Grant Fund (#337)			
INTEREST RECEIPTS RECYCLE CART GRANT	337-2019-56801	3.75	To appropriate interest received as of September 30, 2019. To be spent in accordance with grant requirements.
Total EPA Grant Fund		**3.75**	
OPWC Grafton Road Improvement Fund (#368)			
CONSTRUCTION	368-0477-56881	(6,055.18)	Project is expected to be formally completed in October 2019. Reduce estimated receipts and appropriations by the same amount.
ENGINEERING	368-0477-56883	(21,080.27)	Project is expected to be formally completed in October 2019. Reduce estimated receipts and appropriations by the same amount.
CONTINGENCY	368-0477-56884	(23,199.13)	Project is expected to be formally completed in October 2019. Reduce estimated receipts and appropriations by the same amount.
Total OPWC Grafton Road Improvement Fund		**(50,334.58)**	
Non Residential (3%) Assessment State Fee Fund (#886)			
3% ASSESSMENT STATE FEE	886-0010-53798	10,000.00	Increase estimated receipts by the same amount as appropriations based on increased building activity in 2019.
Non Residential (3%) Assessment State Fee Fund Total		**10,000.00**	

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 68-19

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

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #89-18, #20-19, #44-19 AND #65-19 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2019 AS INCORPORATED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS: Ordinance #89-18 adopted appropriations for 2019; and Ordinances #20-19, #44-19 and #65-19, regarding amendments to the 2019 appropriation budget, were previously adopted by Council; and

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

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

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #89-18, #20-19, #44-19 and #65-19.

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

SECTION 1: Ordinances #89-18, #20-19, #44-19 and #65-19 are hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit "A."

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

PASSED: 1st Reading __

RULES SUSPENDED: AYES ____ NAYS ___

ADOPTED: ________________________ AYES ____ NAYS ____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE:	10/14/2019
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. 69-19** - An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)
BACKGROUND:	In order to comply with the Ohio Revised Code Section 5705 and to have money in place, advances may become necessary as certain financial situations arise. An advance is the temporary movement of money from one fund to another fund that will be repaid upon the completion of an anticipated event. The process of advancing funds is audited under the direction of the Auditor of State for compliance every year. Advance legislation is generally presented two to three times a year or more, if deemed necessary.
PURPOSE AND EXPLANATION:	See description listed in background (above).
IMPLEMENTATION SCHEDULE:	Discuss at the October 14, 2019 Finance Committee meeting and move to the October 14, 2019 Council agenda as an emergency with suspension of the rules.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	Advances do not have a financial impact on the City funds as a collective whole. Advances are merely the temporary movement of money from one fund to another to comply with the Ohio Revised Code Section 5705. The advance process is audited by the Auditor of State or independent auditor. Advances are included in the City's adopted budget and are required to be approved by City Council.
RECOMMENDED ACTION:	

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

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

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

ADDITIONAL INFORMATION: None.

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 69-19

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

AN EMERGENCY ORDINANCE TO ADVANCE FUNDS

WHEREAS: The City of Brunswick wishes to advance monies from the General Fund #001 to the Department of Justice Federal Grant Fund #129 to temporarily fund the 2019-BC-BX-0061 FY 19 Body-Worn Camera Policy and Implementation Program through the United States Department of Justice until federal grant reimbursements have been received, and;

WHEREAS: The City of Brunswick wishes to return previously advanced monies from the OPWC Grafton Road Improvement Fund #368 to the General Fund #001 since the grant is anticipated to be completed in 2019.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby advanced:

FROM: General Fund (#001)
TO: Department of Justice Federal Grant Fund (#129)
AMOUNT: $50,000.00

FROM: OPWC Grafton Road Improvement Fund (#368)
TO: General Fund (#001)
AMOUNT: $610,000.00

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

PASSED: 1st Reading ___

Rules Suspended: AYES ___NAYS ___

ADOPTED: _______________AYES ___NAYS ___

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION

DATE: 10/14/2019

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. 70-19** - An ordinance authorizing the City Manager/Safety Director to enter into an agreement with the Brunswick City School District to compensate the Brunswick City School District for tax revenue lost as a result of exemptions to taxation on certain real properties for the fiscal years 2019, 2020, 2021 and 2022. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: The Brunswick City Council did create the Brunswick Community Reinvestment Area (CRA) and received state certification for same on February 9th, 1987; and

Ohio Revised Code Section 5709.82 provides that if a municipal corporation has acted under certain authority to grant or consent to the granting of an exemption to taxation for real or tangible personal property on or after July 1, 1994, the municipal corporation imposes a tax on incomes, and the payroll of new employees resulting from the exercise of such authority equals or exceeds one million dollars ($1,000,000.00) in any tax year for which such property is exempted, the legislative authority and the board of education of each city shall attempt to negotiate an agreement providing for compensation to the school district for all or a portion of the tax revenue the school district would have received had the property not been exempted from taxation; and

The City of Brunswick has acted under the authority provided by the Ohio Revised Code and pursuant to duly adopted Resolution No. 114-78, as amended by Resolution No. 101-09, by granting exemptions to taxation on real property on or after July 1, 1994; and

The City of Brunswick imposes a tax on incomes as defined by Ohio Revised Code Section 718 and Codified Ordinance Section 880; and

The payroll of new employees resulting from the granting of certain exemptions to taxation on real property equals or exceeds one million dollars ($1,000,000.00); and

The City of Brunswick and the Brunswick City School District are desirous of entering into an agreement for compensation to the Brunswick City School District relative to tax revenue the Brunswick City School District would have received had certain properties not been exempted from real property taxation for fiscal years 2019, 2020, 2021 and 2022.

PURPOSE AND

EXPLANATION: See background.

IMPLEMENTATION SCHEDULE: Recommended passage to comply with the Ohio Revised Code and the negotiated arrangement detailed in Exhibit A.

FINANCIAL INFORMATION: Income Tax Revenue Sharing Payment 2019 (including "true-up" for 2018) - - General Fund - 001-0880-53209 - - 173045

FINANCIAL SUMMARY: Future year payments (2020-2022) will require sufficient Council appropriations to be in place prior to payment. Those appropriations should match the amounts listed in this agreement, provided the agreement is approved by City Council.

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
It is the City's intent to make each annual payment to the Schools prior to year-end, or December 31st.

ADDITIONAL INFORMATION: See the terms included in Exhibit A (the Agreement).

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 70-19

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER/SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE BRUNSWICK CITY SCHOOL DISTRICT TO COMPENSATE THE BRUNSWICK CITY SCHOOL DISTRICT FOR TAX REVENUE LOST AS A RESULT OF EXEMPTIONS TO TAXATION ON CERTAIN REAL PROPERTIES FOR THE FISCAL YEARS 2019, 2020, 2021 AND 2022.

WHEREAS: Ohio Revised Code Section 5709.82 provides that if a municipal corporation has acted under certain authority to grant or consent to the granting of an exemption to taxation for real or tangible personal property on or after July 1, 1994, the municipal corporation imposes a tax on incomes, and the payroll of new employees resulting from the exercise of such authority equals or exceeds one million dollars ($1,000,000.00) in any tax year for which such property is exempted, the legislative authority and the board of education of each city shall attempt to negotiate an agreement providing for compensation to the school district for all or a portion of the tax revenue the school district would have received had the property not been exempted from taxation; and

WHEREAS: The City of Brunswick has acted under the authority provided by the Ohio Revised Code and pursuant to duly adopted Resolution No. 114-78, as amended by Resolution No. 101-09, by granting exemptions to taxation on real property on or after July 1, 1994; and

WHEREAS: The City of Brunswick imposes a tax on incomes as defined by Ohio Revised Code Section 718 and Codified Ordinance Section 880; and

WHEREAS: The payroll of new employees resulting from the granting of certain exemptions to taxation on real property equals or exceeds one million dollars ($1,000,000.00); and

WHEREAS: The City of Brunswick and the Brunswick City School District are desirous of entering into an agreement for compensation to the Brunswick City School District relative to tax revenue the Brunswick City School District would have received had certain properties not been exempted from real property taxation for fiscal years 2019, 2020, 2021 and 2022.

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

SECTION 1: The City Manager/Safety Director is hereby authorized and directed to enter into the Agreement with the Brunswick City School District, as attached hereto as Exhibit “A”, upon the approval of the Law Director as to form.

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

PASSED: 1st Reading ______
2nd Reading ______

3rd Reading ______

RULES SUSPENDED: AYES ____ NAYS ___

ADOPTED: ________________________AYES ____ NAYS ____

ATTEST: ______________________

Clerk of Council
Fijabi Julien-Gallam, CMC

DRAFT
AGREEMENT BETWEEN THE CITY OF BRUNSWICK AND BRUNSWICK CITY SCHOOL DISTRICT

THIS AGREEMENT is entered into this ___ day of _____, ~~2010~~2019, by and between the City of Brunswick, Ohio (the "City"), a chartered municipal corporation existing and operating pursuant to the laws of the State of Ohio, with a business address of 4095 Center Road, Brunswick, Ohio 44212 and the Brunswick City School District, a political subdivision of the State of Ohio (the "School District"), with a business address of 3643 Center Road, Brunswick, Ohio 44212.

WHEREAS, Ohio Revised Code Section 5709.82 provides that if a municipal corporation has acted under the authority of Chapter 725 or~~f~~ 1728 or section 3735.671, 5709.40, 5709.41, 5709.62, 5709.63 or 5709.88 to grant or consent to the granting of an exemption ~~to~~from taxation for real or tangible personal property on or after July 1, 1994, the municipal corporation imposes a tax on incomes, and the payroll of new employees resulting from the exercise of that authority equals or exceeds one million dollars in any tax year for which such property is exempted, the legislative authority and the board of education of each city school district shall attempt to negotiate an agreement providing for compensation to the school district for all or a portion of the tax revenue the school district would have received had the property not been exempted from taxation;

WHEREAS, the City of Brunswick has acted under the authority provided by the Ohio Revised Code and pursuant to duly adopted Resolution No. 114-78, as amended by Resolution No. 101-09, by granting exemptions to taxation on real property on or after July 1, 1994;

WHEREAS, the City of Brunswick imposes a tax on incomes; and

WHEREAS, the payroll of new employees resulting from the granting of certain exemptions to taxation on real property equals or exceeds one million dollars;

WHEREAS, the City and the School District are desirous of entering into an agreement for compensation to the School District relative to tax revenue the School District would have received had certain properties not been exempted from real property taxation for fiscal years ~~2008, 2009, 2010, 2011, 2012 and 2013~~ 2019, 2020, 2021 and 2022.

NOW, THEREFORE, in consideration of the mutual promises, covenants and obligations contained herein, the City and the School District hereby agree as follows:

1) The City and the School District hereby agree that the City shall pay the School District the total lump sum of $~~130,000.00~~ 173,045.00 for tax revenue lost by the School District as a result of exemptions to taxation on certain real properties for the fiscal year 2019 plus the "true-up" calculation for 2018.~~s 2008, 2009 and 2010.~~ The total ~~lump~~ sum payment ~~for fiscal years 2008, 2009 and 2010~~ shall be received by the School District within ~~ninety~~ thirty (~~9~~30) days of execution of this Agreement by the Parties hereto, upon proper approval of the City of Brunswick Council and the Brunswick City School District Board of Trustees.

2) The City and the School District hereby agree that the City shall pay the School District the total sum of ~~$111,000.00~~$162,100.00 for tax revenue lost by the School District as a result of exemptions to taxation on certain real properties for the fiscal year 2020~~2011~~. The total sum of $162,100.00 ~~111,000.00~~ shall be received by the School District no later than December 31, 2020~~11~~.

3) The City and the School District hereby agree that the City shall pay the School District the total sum of $164,900.00 ~~113,000.00~~ for tax revenue lost by the

School District as a result of exemptions to taxation on certain real properties for the fiscal year ~~2012~~2021. The total sum of $164,900.00~~113,000.00~~ shall be received by the School District no later than December 31, 2021~~12~~.

4) The City and the School District hereby agree that the City shall pay the School District the total sum of $~~115,000.00~~167,700.00 for tax revenue lost by the School District as a result of exemptions to taxation on certain real properties for the fiscal year 2022~~13~~. The total sum of $167,700.00~~115,000.00~~ shall be received by the School District no later than December 31, 2022~~13~~.

5) The City and the School District hereby agree that in the event a business locates in the City and that business is granted an exemption to taxation on real property by the City and that the payroll of new employees equals or exceeds one million dollars in fiscal years –2020, 2021 and 2022~~2011, 2012 or 2013~~, the City and School District shall renegotiate the fixed rate due the School District for any fiscal year subject to this Agreement.

6) The City and School District hereby agree that in the event a business moves from the City and that business was granted an exemption to taxation on real property by the City and that the payroll of employees was equal to or exceeded one million dollars anytime in the previous five (5) fiscal years, the City and School District shall renegotiate the fixed rate due the School District for any fiscal year subject to this Agreement.

7) 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 initiate any and all legal action to ensure performance of this Agreement.

8) 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.

9) All notices which either Party hereto may give shall be addressed, in the case of the City, as follows:

The City of Brunswick
Attn: City Manager/Safety Director
4095 Center Road
Brunswick, Ohio 44212

With a copy to:

Kenneth J. Fisher, Law Director
2100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113

And in the case of the School District, as follows:

Brunswick City School District
Attn:______________________________
3643 Center Road
Brunswick, Ohio 44212

With a copy to:

____
____
____

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

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed as of the date first written above.

Brunswick City School District

____

By_________________________________

Title_______________________________

Date_______________________________

City of Brunswick, Ohio

____

By___________________________________

Title_________________________________

Date_________________________________

The legal form and correctness of the within instrument are hereby approved.

____

By______________________________

Title______________________________

The legal form and correctness of the within instrument are hereby approved.

____

Kenneth J. Fisher, Director of Law