



BRUNSWICK CITY COUNCIL AGENDA

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

OCTOBER 14, 2019
7:30 PM
IN COUNCIL CHAMBERS

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Minutes
 - (a) Regular Council Meeting Minutes dated September 23, 2019.
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending September 2019 will be posted on the website and added to the minutes for the record;
 - (b) Recognition - Life Savings Award presented to Officer George Keleman, Officer Sam Gagliardi, and Officer Joe Rizk;
 - (c) Mayor's recommendation to appoint Morgan Jones to the Medina County Board of Health to fulfill an unexpired term expiring January 2021;
 - (d) Mayor's recommendation to appoint Steven Girard to the Ethics Board to fulfill a 3-year term expiring October 10, 2022;
 - (e) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Hanek
 Economic Development Committee Meeting Minutes dated September 17, 2019

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

Finance Committee.....Mrs. Hanek
 Finance Committee Meeting Minutes dated September 23, 2019

Safety & Environment Committee.....Mr. Ousley

Planning & Zoning Committee.....Mr. Delsanter

Planning and Zoning Committee Meeting Minutes September 23, 2019

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

Parks, Recreation, & Community Committee Meeting Minutes dated
September 23, 2019

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

Building and Building Code Committee Meeting Minutes dated September 23,
2019

8. Other Boards and Commissions
9. Petitions from the Public on Legislation
10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

RES. NO. 55-19 - A resolution adjusting the speed limit on Center Road (State Route 303) from 50 miles per hour to 45 miles per hour from 0.05 miles West of Congressional Avenue to 0.01 miles West of Congressional Avenue and withdrawing the journalized 50 miles per hour speed zone on Center Road (State Route 303) from SLM 6.10 to SLM 6.41 East of Congressional Avenue. - **3rd Reading** (Safety & Environment Committee, *Administration/Matt Jones*)

RES. NO. 56-19 - A resolution granting a non-exclusive permanent access and utility easement to Sanctus, LLC. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

RES. NO. 57-19 - A resolution accepting a non-exclusive permanent access and utility easement from Sanctus. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 60-19 - An ordinance rezoning PPN 003-18B-40-118 From The I-L Light Industrial District to the C-H Highway Interchange Commercial District. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

b. 2nd Reading(s)

c. 1st Reading(s)

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*)

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*)

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

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*)

RES. NO. 71-19 - An emergency resolution authorizing the City Manager to enter into an agreement with Watch Guard for the purchase of police video systems in an amount not to exceed \$180,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

ORD. NO. 72-19 - An emergency ordinance amending section 636.19 of the City of Brunswick Codified Ordinances to comply with Ohio Law. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

RES. NO. 73-19 - An emergency resolution authorizing the City Manager to execute all necessary documents to accept a \$50,000.00 Bureau of Justice Grant from the Department of Justice for the bodyworn camera project. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
16. Adjournment

CITY OF BRUNSWICK, OHIO
MINUTES OF COUNCIL
MONDAY, SEPTEMBER 23, 2019

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:30 p.m. at the Municipal Complex.

Roll Call of Members showed the following Council Members present: Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, and Brian Ousley.

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

Correspondence: There was none.

Approval of Meeting Minutes:

Michael Abella Jr. moved to approve the regular Council Meeting Minutes dated September 9, 2019, as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, and Andrea Rodriguez. Nays - 0. Motion Carried.

Mayor's Report:

Michael Abella Jr. moved to approve the Mayor's recommendation to reappoint Robert Drum and Andrea Mullen to fulfill a 4-year term on the Financial Audit, Review & Advisory Committee expiring January 27, 2022; and reappoint Pam Lebold, James Horn, and Gregory L. Crane to fulfill a 4-year term on the Financial Audit, Review & Advisory Committee expiring March 23, 2023, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, and Anthony Capretta. Nays - 0. Motion Carried.

Michael Abella Jr. moved to approve the Mayor's recommendation to reappoint Robert Drum and James Pastor to the Income Tax Review Board to fulfill a 2-year term on the Income Tax Board of Review expiring September 30, 2021, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Brian Ousley, and Michael Abella Jr. Nays - 0. Motion Carried.

Anthony Capretta moved to approve the Mayor's recommendation to appoint Kevin Koeliker to the Building Board of Appeals to fulfill an unexpired term expiring November 28, 2019, seconded by Patricia Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, and Anthony Capretta. Nays - 0. Motion Carried.

Clerk of Council's Report:

The Clerk of Council remarked that on, September 12, 2019, the Assistant Clerk of Council and herself attended a free training in Parma, to improve their skills in preparing effective legislation and motions, see the different approaches used by other clerks, and the Dos and Don'ts. Mrs. Gallam added that on October 14, 2019, City Hall is closed in observance of Columbus Day. The City Council Meeting is still on October 14th at 7:30 p.m.

Council Committee Reports:

Economic Development Committee.....Mr. Hanek:

Mr. Hanek had no formal reports this evening.

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

Andrea Rodriguez moved to approve the formal report for the Services, Utilities, Technology & Cable Committee meeting dated September 9, 2019, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Anthony Capretta, Michael Abella Jr., and Patricia Hanek. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Mrs. Hanek had no formal reports this evening.

Safety & Environment Committee.....Mr. Ousley:

Brian Ousley moved to approve the formal report for the Safety & Environment Committee Meeting dated September 9, 2019, as written, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Anthony Capretta, Joseph Delsanter, and Patricia Hanek. Nays - 0. Motion Carried.

Planning & Zoning Committee.....Mr. Delsanter:

Joseph Delsanter moved to approve the formal report for the Planning & Zoning Committee meeting dated September 9, 2019, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Anthony Capretta, Andrea Rodriguez, and Nicholas Hanek. Nays - 0. Motion Carried.

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

Mr. Abella had no formal reports this evening.

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

Mr. Capretta had no formal reports this evening.

Other Boards and Commissions:

Michael Abella Jr. moved to approve the Committee-of-the-Whole Minutes dated September 9, 2019, as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Patricia Hanek, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, and Joseph Delsanter. Nays - 0. Motion Carried.

Petitions from the Public on Legislation:

There was none.

Reading of Legislation and Action on Legislation:

3rd Reading(s)

2nd Reading(s)

RES. NO. 55-19 - A resolution adjusting the speed limit on Center Road (State Route 303) from 50 miles per hour to 45 miles per hour from 0.05 miles West of Congressional Avenue to 0.01 miles West of Congressional Avenue and withdrawing the journalized 50 miles per hour speed zone on Center Road (State Route 303) from SLM 6.10 to SLM 6.41 East of Congressional Avenue. - **2nd Reading** (Safety & Environment Committee, *Administration/Matt Jones*):

RES. NO. 55-19 - Mr. Ousley moved this resolution to third reading.

RES. NO. 56-19 - A resolution granting a non-exclusive permanent access and utility easement to Sanctus, LLC. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

RES. NO. 56-19 - Mr. Delsanter moved this resolution to third reading.

RES. NO. 57-19 - A resolution accepting a non-exclusive permanent access and utility easement from Sanctus. - **2nd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*):

RES. NO. 57-19 - Mr. Delsanter moved this resolution to third reading.

RES. NO. 58-19 - An emergency resolution ratifying the actions of the City Manager in executing an economic development agreement with the Ohio Department of Transportation allowing the City of Brunswick to receive grant funds in an amount up to \$200,000.00 for the reconstruction and repair of South Industrial Parkway and Westway Drive. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

Councilman Nicholas Hanek called a point of order and asked for Mrs. Rodriguez to remodify her motion to reflect what the administration is requesting.

Law Director Ken Fisher confirmed with City Engineer that they are requesting two readings for Resolution Number 58-19.

Mayor Ron Falconi asked Councilman Andrea Rodriguez to remodify her motion.

Mrs. Rodriguez modified her motion from moving this resolution to third reading, to suspend the rules.

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

City Engineer Matt Jones remarked that this resolution would allow the City to receive a \$200,000 job and commerce grant from the Ohio Department of Transportation (ODOT) for reconstructing the South Industrial Parkway and Westway Drive.

Andrea Rodriguez moved to Adopt Resolution Number 58-19, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, and Anthony Capretta. Nays - 0. Motion Carried.

RES. NO. 59-19 - An emergency resolution ratifying the actions of the City Manager in executing an agreement with the Medina County Transportation Improvement District allowing the City of Brunswick to receive grant funds in an amount up to \$200,000.00 for the reconstruction and repair of South Industrial Parkway and Westway Drive. - **2nd Reading** (Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

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

City Engineer Matt Jones remarked that this resolution would allow the City to receive a \$200,000 grant from the Medina County Transportation Improvement District for reconstructing the South Industrial Parkway and Westway Drive.

Andrea Rodriguez moved to Adopt Resolution Number 59-19, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Anthony Capretta, Joseph Delsanter, and Patricia Hanek. Nays - 0. Motion Carried.

1st Reading(s)

ORD. NO. 60-19 - An ordinance rezoning PPN 003-18B-40-118 from the I-L Light Industrial District to the C-H Highway Interchange Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*):

ORD. NO. 60-19 - Mr. Delsanter moved this ordinance to second reading and back to Planning Commission for discussion.

ORD. NO. 61-19 - An emergency ordinance establishing Chapter 1054 of the Codified Ordinances of the City of Brunswick titled "Use of Public Ways for Small Cell Facilities and Wireless Support Structures". **1st reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*):

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

Law Director Ken Fisher explained that this ordinance is to comply with Substitute House Bill 478 (Sub. H.B. 478) that took effect on August 1, 2018. He remarked that Sub. H.B. 478 amended Ohio Revised Code Chapter 4939 with regard to the authority of municipalities to regulate the installation of small cell facilities in the Public Right-of-Way, including on utility poles, traffic signals, and street lights, municipally owned facilities, and to construct, maintain, modify, operate, or replace wireless support structures in the public Right-of-Way. Mr. Fisher added that Sub. H.B. 478 contained provisions addressing the fees that local governments could charge to facilities operators for applications to install small cell facilities in the Public Right-of-Way and for attachment of small cell facilities to municipally-owned wireless support structures, which are a \$250 application fee and a \$200 annual attachment fee. Mr. Fisher continued explaining the requirements that are needed to operate in the city. The Small Cell Order took effect on January 14, 2019. Mr. Fisher explained that Ordinance Number 61-19 and Ordinance 62-19 are needed to update the City's code to regulate the installation of small cell facilities in the Public Right-of-Way, and to follow the Ohio Revised Code Chapter 4939 amendments.

Joseph Delsanter moved to adopt Ordinance Number 61-19, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, and Brian Ousley. Nays - 0. Motion Carried.

ORD. NO. 62-19 - An emergency ordinance establishing Chapter 1056 of the Codified Ordinances of the City of Brunswick titled "Small Cell Facility Design Guidelines". - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*):

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

Law Director Ken Fisher remarked that this ordinance establishes Chapter 1056 of the Codified Ordinances of the City of Brunswick.

Joseph Delsanter moved to adopt Ordinance Number 62-19, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, and Anthony Capretta. Nays - 0. Motion Carried.

RES. NO. 63-19 - An emergency resolution amending Resolution No. 21-17 by increasing the 2019 contract price for the provision of grass/weed mowing, debris clean-up services and branch trimming for 2019. - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Ryan Lutz*):

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

City Manager Carl DeForest remarked that this resolution is to allow the increase of \$4,000, to the current contract for the provision of grass/weed mowing, debris clean up services and branch trimming for 2019 throughout the city. The increase is within the approved budget.

Anthony Capretta moved to adopt Resolution Number 63-19, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Andrea Rodriguez, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, and Anthony Capretta. Nays - 0. Motion Carried.

ORD. NO. 64-19 - An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

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

Finance Director Todd Fischer remarked that the Division of Fire received a FEMA grant to purchase Self-Contained Breathing Apparatus. Mr. Fischer explained that they are looking to return previously advanced monies to fund the program in an amount of \$165,455 back to the General Fund.

Patricia Hanek moved to adopt Ordinance Number 64-19, seconded by Brian Ousley. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Andrea Rodriguez, Anthony Capretta, Joseph Delsanter, and Patricia Hanek. Nays - 0. Motion Carried.

ORD. NO. 65-19 - An emergency ordinance amending Ordinances #89-18, #20-19 and #44-19 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*):

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

Finance Director Todd Fischer remarked that this ordinance is to approve budget amendments. Exhibit A is the budget document prescribed by the Ohio Revised Code. Exhibit B lists all of the detailed information for the budget amendments.

Patricia Hanek moved to Adopt Ordinance Number 65-19, seconded by Brian Ousley. Roll Call - Ayes - 7, Patricia Hanek, Andrea Rodriguez, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, and Joseph Delsanter. Nays - 0. Motion Carried.

RES. NO. 66-19 - An emergency resolution amending Resolution NO. 16-19 to update the project cost and obligate local match funds relative to a Clean Ohio Funds Grant application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 Project. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

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

City Manager Carl DeForest remarked that this resolution would update the grant application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 Project. The original grant application approved in January 2019. This renewed application reduces the amount that's obligated by the City, and the award letter for the grant should take about 6-8 weeks.

Michael Abella Jr. moved to adopt Resolution Number 66-19, seconded by Anthony Capretta. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, and Andrea Rodriguez. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Carl DeForest

- Remarked that the Brunswick Community Library is expected to be closed to the public on September 30, 2019, to October 14, 2019, for the installment of the new carpet.
- Announced that the City of Brunswick's 3rd Annual Veteran's Breakfast is on October 16, 2019. In the year 2018, the breakfast had 145 participants, and 150 veterans signed up for the 2019 Veteran's Breakfast. Mr. DeForest added that Veterans could call the Executive Administrative Assistant, Betsy Lehky, to get on the list for the 2020 Annual

Veteran's Breakfast.

- Reminded everyone that the Veteran's Day Ceremony is on November 11, 2019, at 11:00 a.m., in the Council Chambers. This event is hosted by the Brunswick Veterans of Foreign Wars (VFW) and American Legion Post 234. Mr. DeForest encouraged members of the community to attend.
- Noted that information sheets regarding the Safety Levy are available at City Hall, and more information is available on the City's website. Mr. DeForest explained that the Safety Levy is not an increase. The city's income tax was increased from 1.25% to 2.00% in May of 2017, effective January 1, 2018. This Safety Levy would keep the rate at 2.00%, not increase it. This levy changes the term from a 5-year term to a permanent term. Mr. DeForest encouraged everyone to get informed before they go to vote on November 5, 2019.

Administrative Departments:

Division of Fire Chief Josh Erskine

- Noted that as of September 23, 2019, the Division of Fire calls for service are 2,429. The Division of Fire responded to 118 calls since the Council Meeting on September 9, 2019. The department is averaging 9 calls a day.
- Remarked that throughout October, firefighter medics are wearing pink duty shirts to show support for Breast Cancer Awareness Month.
- Added that there has been an increase in calls for service to check smoke and carbon monoxide (CO) detectors in residents and buildings. He advocated the public to regularly test and check their detectors.
- Remarked that National Fire Prevention Week is October 6, 2019, to October 12, 2019. On October 10, 2019, the Division of Fire is hosting an Open House and ice cream social at both fire stations.
- Concluded that on October 5, 2019, the Division of Fire is helping out with Safety Day at the Brunswick Home Depot.

Division of Police Lieutenant Steve Hoover

- Added that on Saturday, October 5, 2019, from 9:00 a.m. to 2:00 p.m., the Division of Police is going to be at the Brunswick Home Depot helping out with their Safety Day event. The SWAT vehicle and a K-9 officer is expected to be at the Safety Day event.
- Announced that the Division of Police is hosting an Open House on October 10, 2019, from 6:00 p.m. to 8:00 p.m., to give the community an up-close look of the police department operations.
- Explained to the residents to not give people their personal information over the phone. There is a new phone scam every day. Lieutenant Hoover added that the current scam

that is out is a call from the Social Security Administration stating that the victim's benefits are going to end. He explained that the Social Security Administration is never going to call and demand money. There are brochures about scams at the police department, and more information is available on the Federal Trade Commission website (www.ftc.gov).

Finance Director Todd Fischer

- Remarked that the 2020 budget process is up and running. The 2020 budget is scheduled to be presented to the City Council on Monday, November 18, 2019, at 6:30 p.m., at City Hall in the lunchroom.
- Expressed his appreciation for the City's administration efforts in obtaining grants to save money to repair the roads in the City of Brunswick.

Open Forum:

Brunswick Lake Park Dinosaur Trail

Beth Krumhansl at 5594 W. 229th Street, Fairview Park, remarked that she helped install the dino trail in Brunswick Lake Park. She expressed that she is very upset by the plans to move the trail. Ms. Krumhansl noted that she searched, "Dinosaur Tracks" on Google.Com, and found that Brunswick Lake Park was the first to come up. Google demonstrated that the next dinosaur track for people to visit is in Arizona. Ms. Krumhansl expressed that getting rid of the trail would be ludicrous.

Glen Kuban at 426 Grayton Road, Cleveland, expressed that he was hoping that the decision was to keep the trail at Brunswick Lake Park. Mr. Kuban was also surprised to hear the new deal to move the trail to the Heritage Farm Museum and Park. Mr. Kuban expressed that he still feels that the option should be to leave the trail in the park or rebuild it instead of moving it. Mr. Kuban added that Ms. Boyer stated that she would be happy if it stayed in the park. He continued to say that the only reason Ms. Boyer offered a new home for the trail is to make sure it wasn't destroyed. He added that the most majority in the city still likes the trail and would like for it to stay in the park. He advised the people to visit the trail to see how well-liked the trail is. Mr. Kuban continued to express that the City Council should respect the will of the people and respect all of the time and money many people devoted to installing the dino trail with the City's approval. Mr. Kuban reiterated why the dino trail should stay at the park and what could be done to fix the potential issues. He concluded that it is impossible to move the dino trail to another location without any damage to the trail. It is better to rebuild the trail, instead of moving the trail.

Barb Ortiz at 1822 Hobbit Way, remarked that the cost to install the dino trail was underestimated at the City Council meeting on July 29, 2019. It was said that the organization

spent \$7,000 with a \$900 grant from the Medina County Community Fund for the trail. Mrs. Ortiz noted that the cost for the trail was an average of \$13,000. Mrs. Ortiz asked a couple of questions. Who will move the trail? Who is going to be responsible for the damages if it occurred during relocation? Mrs. Ortiz expressed that she was told in the year of 2016 that someone wanted to get rid of the dino trail. She wanted to know what funds are being used to make the relocation of the trail possible.

Vic Newra at 9315 Congress Road, Homerville, remarked that he has been doing concrete construction for about 30 years, and he was a 25 year resident of Brunswick. He noted that he was asked by some council members to provide his expertise on what would it take to move the trail efficiently. Mr. Newra explained that the trail is not built to be moved and put back together in the same form. He hoped that it is a good reason to move the trail. Mr. Newra stated that if the moving of the trail does not work out, he is willing to volunteer his company to pour concrete to create a new dino trail. He added that he would like to give back to something educational and help the community.

Phillip Titterington at 246 Northland Drive, Medina, remarked that he is the Executive Director for the Medina County Alcohol, Drug, Addiction, and Mental Health Board. He noted that they are putting a Medina County Human Services Levy on the November 5, 2019 Ballot. Mr. Titterington provided information about the proposed operating levy.

{Clerk notes: Mr. Titterington's Medina County Human Service Levy fact sheet is attached to the minutes.}

Unfinished Business:

Brunswick Lake Park Dinosaur Trail

Councilman Joseph Delsanter expressed that the comments he heard regarding the trail made him realize that they could be more helpful to the Brunswick Heritage Farm and Park: Historical Society. He added that the Brunswick Historical Society is looking to have a fundraiser event to help move the trail. He explained that it is possible to move the dino trail. Mr. Delsanter is aware that the dino trail might break. He mentioned that Mr. Glen Kuban was willing to help out if the trial is destroyed. Mr. Delsanter concluded that they are waiting on the Historical Society to see how they want to proceed with the relocation of the trail.

New Business:

Ward 2 Meeting Announcement

Councilman Nicholas Hanek announced that he is having his 7th Ward 2 meeting on Wednesday, September 25, 2019, from 6:30 p.m. to 8:00 p.m. All residents in the City of Brunswick are welcomed to come to the meeting to talk about issues that are going on in Ward

2.

Adjournment:

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

There being no further business, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

October 1, 2019

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

WAIVERS/COURT/BONDS

DEPOSITS (September) 51,483.60

DEBITS (September) (53,848.60)

Checks to be written in September:

Treasurer State of Ohio	\$10,506.50
City of Medina MIATF	\$ 145.00
City of Medina IDATF	\$ 314.50
City of Brunswick Finance Dept/Police Fund *	\$40,472.60
Misc Checks (bond refunds & transfers/restitution)	<u>\$ 2,410.00</u>
TOTAL for the month	\$53,848.60

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

Service Charges/Fees for prior month	\$415.81
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MAYOR RONALD FALCONI


TERESA BENO, CLERK OF COURTS

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Morgan Jones PHONE 615-545-5457

STREET 3493 Beaumont Dr CELL 615-545-5457

Years of Residency 3 mo

Registered Brunswick Voter: YES NO X

POSITIONED DESIRED: Brunswick Board Member EMAIL mljones425@gmail.com

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL Goodpasture Christian School 2004

COLLEGE Western Kentucky University BS, MS 2008, 2010

SPECIAL TRAINING Belmont University PharmD 2014

CURRENT EMPLOYMENT

<u>Cleveland Clinic</u>	<u>5001 Rockside Rd Independence, OH 44131</u>	<u>Pharmacist</u>	<u>2016-present</u>
Company	Address	Title	Dates

RELEVANT PAST EMPLOYMENT

<u>University of Tennessee</u>	<u>910 Madison Ave Memphis TN 38163</u>	<u>Pharmacy Resident</u>	<u>July 2015-June 2016</u>
Company	Address	Title	Dates

<u>Mayo Clinic</u>	<u>200 1st St SW Rochester, MN 55905</u>	<u>Pharmacy Resident</u>	<u>July 2014-June 2015</u>
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

member of American Society of Health-System Pharmacists (ASHP)

article reviewer for Cleveland Clinic Journal of Medicine

REFERENCES (other than relation):

NAME	ADDRESS	PHONE
1. <u>Andrea Pallotta</u>		<u>216-299-0017</u>
2. <u>Krystyna Czarniecki</u>	<u>7030 Greenwood St Independence OH 44131</u>	<u>216-4169-4691</u>
3. <u>Ann Awadalla</u>	<u>10150 N Pointe Drive Pepper Pike OH 44124</u>	<u>330-727-0905</u>

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

Please see attached

ATTACH RESUME IF DESIRED.

Signature: Morgan Jones Date: 9/16/19

*Attaching a cover letter or resume describing particular experience or qualifications bearing on the position sought is recommended, but not required.

Morgan Jones, PharmD, MS, BCACP

**3493 Beaumont Dr
Brunswick, OH 44212**

**Phone: 615-545-5457
mljones425@gmail.com**

EDUCATION

Pharmacy Resident July 2015- June 2016
PGY2 Ambulatory Care and Academia
University of Tennessee College of Pharmacy, Memphis, TN

Pharmacy Resident July 2014- June 2015
PGY1 Primary Care
Mayo Clinic; Rochester, MN

Doctor of Pharmacy May 2014
Belmont University School of Pharmacy
Nashville, TN

Master of Science-Chemistry May 2010
Western Kentucky University
Bowling Green, KY
Thesis: A Novel Pervious Cement Reaction Barrier (PCRB)
in situ Arsenic Remediation System

Bachelor of Science- Biology May 2008
Western Kentucky University
Bowling Green, KY
Honors Thesis: Development and Recycling of Novel Arsenic
Removal Technology

PROFESSIONAL EXPERIENCE

Primary Care Clinical Pharmacist August 2016- present
Cleveland Clinic, Independence, OH

Pharmacy Intern Sept 2012- March 2013
Clinical Solutions; Nashville, TN

Pharmacy Intern May 2012- Aug 2012
Pharmacy Internship Clinic/Outpatient Program
Mayo Clinic; Rochester, MN

PROFESSIONAL EXPERIENCE CONTINUED

Retail Sales Associate Jan 2010- May 2012
Assistant Manager May 2011- Aug 2011
Cache; Hendersonville, TN

Chemistry Research Assistant Aug 2005- May 2010
Western Kentucky University; Bowling Green, KY

Chemistry Teaching Assistant Aug 2008- May 2010
Western Kentucky University; Bowling Green, KY

- CHEM 121: General Chemistry I Lab
- CHEM 222: General Chemistry II Lab
- CHEM 341: Organic Chemistry I Lab
- CHEM 343: Organic Chemistry II Lab

RESEARCH EXPERIENCE

Jones M, Gionfriddo M, Davis A, Herges J. *Examining the use of a shared decision making tool with pharmaceutical care in type 2 diabetes*. Ambulatory Care Residency Longitudinal Project, Mayo Clinic, Rochester, MN; July 2014- June 2015.

Jones ML, Reed K. *Examining the release rate of timolol maleate from a cyclodextrin complex with nonionic surfactant*. Advanced Pharmacy Practice Experience, Belmont University College of Pharmacy, Nashville, TN; June 2014.

Jones ML, Webb CJ. *A novel pervious cement reaction barrier (PCRB) in situ arsenic remediation system*. Graduate Thesis Project, Western Kentucky University, Bowling Green, KY; August 2008- May 2010.

PHARMACY PRACTICE RESIDENCY (PGY2) EXPERIENCE

Pharmacy Education Management July 2015-June 2016
University of Tennessee Family Practice
Memphis, TN
Christa George PharmD, BCPS, CDE, BCACP
Amanda Howard-Thompson PharmD, BCPS, CDE

PHARMACY PRACTICE RESIDENCY (PGY1) EXPERIENCE

Medication Therapy Management March 2015- June 2015
Baldwin Family Medicine
Mayo Clinic, Rochester, MN
Jeremy Anderson PharmD

PHARMACY PRACTICE RESIDENCY (PGY1) EXPERIENCE
CONTINUED

Family Medicine Inpatient Service Feb 2014
St. Marys Hospital
Mayo Clinic, Rochester, MN
Lori Herges PharmD BCPS

Medication Therapy Management July 2014- Jan 2014
Kasson Family Medicine Clinic
Mayo Clinic, Rochester, MN
Joe Herges PharmD BCPS

Anticoagulation Clinic July 2014-June 2015
Northeast Clinic
Mayo Clinic, Rochester, MN
Jan Anderson PharmD BCPS BCACP

Cardiovascular Medication Therapy Management March 2015-June 2015
Mayo Clinic, Rochester, MN
Jan Anderson PharmD BCPS BCACP

LICENSURE AND CERTIFICATION

Licensed Pharmacist, Ohio Sept 2017
License No. RPH.03136290-1

Teaching Certificate May 2015
North Dakota State University

Licensed Pharmacist, Tennessee June 2014- Present
License No. 38428

Advanced Cardiac Life Support for Healthcare Providers May 2013-May 2018
American Heart Association

Basic Life Support Instructor June 2011- June 2013
American Heart Association

Delivering Medication Therapy Management Services April 2013- Present
American Pharmacist Association

LICENSURE AND CERTIFICATION CONTINUED

Pharmacy Based Immunization Delivery
American Pharmacist Association

Aug 2011- Present

Basic Life Support for Healthcare Providers
American Heart Association

Aug 2010- Aug 2018

PROFESSIONAL ORGANIZATIONS

American Society of Health- System Pharmacists (ASHP)

2014-Present

Minnesota Society Health System Pharmacists

2014- 2015

- Education Committee (Sept 2014-June 2015)

Phi Delta Chi- Gamma Xi

2011- 2014

- Worthy Vice Counselor (2012- 2013)

American Pharmacists Association (APhA-ASP)

2010- 2014

- CPR Coordinator (2011-2013)

Tennessee Pharmacist Association (TPA)

2010- 2014

HONORS & AWARDS

Lilly Achievement Award

May 2014

Belmont College of Pharmacy

Carl P McNally Graduate Chemistry Fellowship

Oct 2009

Ogden College Foundation

PRESENTATIONS

“Virtual Visits and Health Information Technology: Improving Access, Accountability, and Outcomes”

Ohio Society of Health System Pharmacists, Columbus, OH

Audience: pharmacists, pharmacy residents, and pharmacy students

“Using Technology and Virtual Visits to Improve Medication Adherence and Outcomes”

Strategical Solutions, Philadelphia, PA

Audience: pharmacists, physicians

“Sugar, We’re Going Down: Medications for Diabetes”

Independence Family Health Center, Independence OH

Audience: community

PHARMACY PRACTICE RESIDENCY (PGY2) PRESENTATIONS

“Out with the Old and in with the New: A Review of Direct Oral Anticoagulants”

Family Medicine/Psychiatry CME Conference, Memphis, TN

Audience: family medicine physicians and psychiatrists

“Smoking Cessation Medication Review”

University of Tennessee Family Practice, Memphis, TN

Audience: first year medical residents

“Crossing the Bridge to Statin Island”

University of Tennessee Family Practice, Memphis, TN

Audience: first year medical residents

“Otic Disorders”

University of Tennessee College of Pharmacy, Memphis, TN

Audience: first year pharmacy students

“Interprofessional Communication: Written”

University of Tennessee College of Pharmacy, Memphis, TN

Audience: first year pharmacy students

“Medical Literature: Keeping it Simple”

University of Tennessee College of Pharmacy, Memphis, TN

Audience: third year pharmacy students

“Interprofessional Communication: Verbal”

University of Tennessee College of Pharmacy, Memphis, TN

Audience: first year pharmacy students

“A Review of Oral Medications for Type 2 Diabetes”

University of Tennessee Family Practice, Memphis, TN

Audience: first year medical residents

“How to Write a Prescription”

University of Tennessee Family Practice, Memphis, TN

Audience: first year medical residents

PHARMACY PRACTICE RESIDENCY (PGY1) PRESENTATIONS

“For the Love of Clots: A Thrombophilia Review.”

Northeast Clinic, Mayo Clinic Rochester MN

Audience: pharmacy clinical specialists, nurses

PHARMACY PRACTICE RESIDENCY (PGY 1) PRESENTATIONS CONTINUED

“Celiac Disease and Medication Management: Managing the Gluten Culprit.”

St. Marys Hospital, Mayo Clinic Rochester MN

Audience: pharmacy clinical specialists, residents, students

“Catch my breath: A review of asthma medications”

Kasson Family Medicine Clinic, Kasson MN

Audience: second year medical residents

“Oh the statins I see, but how does a statin fit intolerant me? A statin intolerance case.”

St. Marys Hospital, Mayo Clinic Rochester MN

Audience: pharmacy clinical specialists, residents, students

“Medications and Fall Risk: Matter of Balance”

Community Center, Dodge Center MN

Audience: local community

“Sugar We’re Going Down: A Review of Anti-Hyperglycemic Medications”

Kasson Family Medicine Clinic, Kasson MN

Audience: first and second year medical residents

“Pharmacy Pearls of Wisdom for the Already Wise”

Rochester International Event Center

Southeast Retired Educator Association of Minnesota

Audience: retired educators

“Is it Time for Autonomy? Comparing Patient Driven Approaches to Initiate and Titrate Prandial Insulin in Type II Diabetes”

St. Marys Hospital, Mayo Clinic Rochester MN

Audience: pharmacy clinical specialists, residents, students

“Emergency Medical Kit”

Kasson Family Medicine Clinic, Kasson MN

Audience: first year medical residents

PUBLICATIONS

Howard-Thompson A, Khan M, **Jones M**, George C. *Type 2 Diabetes Mellitus: Outpatient Insulin Management. Am Fam Physician.* 2018 Jan 1;97(1):29-37

Jones ML, George C, Howard-Thompson A. *Crossing the Periprocedural Bridge in Patients with Atrial Fibrillation.* Commentary. <http://www.iforumrx.org/node/323>. March 25, 2016.

POSTERS

Jones ML, Gionfriddo M. Davis A. Herges J. *Examining the use of shared decision making tool with pharmaceutical care in type 2 diabetes* .Poster: MSHP Annual Conference, Duluth, MN. April 2015.

Jones ML, Reed K. *Examining the Release Rate of Timolol Maleate from a Cyclodextrin Complex with Nonionic Surfactant*. Poster: ASHP Midyear Clinical Meeting, annual meeting in Orlando, Fl. December 2013.

Jones ML, Webb CJ. *A Novel Pervious Cement Reaction Barrier (PCRB) in situ Arsenic Remediation System*. Presentation: Western Kentucky University Student Research Conference, annual meeting in Bowling Green, KY. February 2009.

Jones ML, Webb CJ. *A Novel Pervious Cement Reaction Barrier (PCRB) in situ Arsenic Remediation System*. Poster: Kentucky Academy of Science (KAS), annual meeting in Northern Kentucky University, Highland Heights, KY. November 2009.

Jones ML, Webb CJ. *A Novel Pervious Cement Reaction Barrier (PCRB) in situ Arsenic Remediation System*. Poster: American Chemical Society (ACS), annual meeting in Salt Lake City, UT. March 2009.

Jones ML, Webb CJ. *A Novel Pervious Cement Reaction Barrier (PCRB) in situ Arsenic Remediation System*. Poster: American Chemical Society (ACS), annual meeting in New Orleans, LA. April 2008.

Jones ML, Webb CJ. *A Novel Pervious Cement Reaction Barrier (PCRB) in situ Arsenic Remediation System*. Poster: Geological Society of America (GSA): Denver, CO October 2007.

PROFESSIONAL SERVICE

Manuscript reviewer for the Cleveland Clinic Journal of Medicine

COMMUNITY SERVICE

Healthy Tennessee Health Fair

March 2016

- Provided education to public about diabetes

Rochester high school career fair

Oct 2014

- Discussed pharmacy career with high school students

To whom it may concern:

I am interested in becoming a Brunswick board member for the Board of Health. I have worked in the health industry for five years as a pharmacist and would appreciate to serve on the board to become more involved in my community. I recently established residency in the Brunswick area after becoming engaged. My fiancé has been a member of the Brunswick community since 2008 and I look forward to contributing more to it.

I had the pleasure of speaking with Ms. Krista Wasowski and recent board member, Ms. Andrea Pallotta, about the role and responsibilities and am excited to be considered. Since working at Cleveland Clinic, I have become a member of many committees to help strengthen the pharmacy and primary care organization within the institute and would like to expand my services to the community. My roles on these committees include identifying needs, implementing clinical pharmacy services, and actively participating in strategic planning efforts to provide ideas regarding new clinical services, cost saving initiatives, and practice innovations. These opportunities have provided me with the skills needed to become a dynamic member of the Board of Health team. I look forward to hearing from you.

Sincerely,

Morgan Jones, PharmD, MS, BCACP

ECONOMIC DEVELOPMENT

September 17, 2019

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

The meeting convened at 5:48 p.m.

GENERAL DISCUSSION:

Mr. Aungst indicated that the economy is moving in many different directions. It is clear that the consumer is sustaining the economy; 2/3 of the economy is driven by the consumer. The Federal government's rates continue to fluctuate. Mr. Aungst continues to hear from local business owners that they are looking for people who are dependable, coachable, and drug free; this continues to be their biggest challenge. Mr. Aungst shared that Congressman Anthony Develus has been spending a lot of time meeting with business owners in Brunswick. The Congressman continues to stay consistent with his mission on the economy.

Mr. Aungst noted that he attended the annual AmCon Manufacturing Show at the IX Center where people were given the ability to meet face-to-face with some of the finest job shops and contract manufacturers throughout the United States and Canada.

Mr. Aungst remarked that the Meijer's discussion plan is on the Planning Commission agenda for September 19th, 2019. The City's Comprehensive Plan is on the October 17th Planning Commission agenda. The Planning Commission may accept or suggest updates or changes to the plan before it is presented to Council. A public hearing is needed to present The Comprehensive Plan. Planning Commission would recommend that the City Council adopt the Comprehensive Plan. An ordinance would be required to adopt the comprehensive plan; if Council would decide to make changes, it would not need to return to the Planning Commission.

Mr. Aungst advised that controlled access is coming along on Industrial Parkway South. He addressed the rumors regarding the Kmart closing. The owners of the plaza have not changed.

Mr. Aungst stated that the City has been working with many developers about many different projects. Those that would not come to fruition may open other avenues for additional projects. The Sanctus development is moving along. They plan to present an informational plan on October 3rd, 2019; and a detailed plan on October 17th. The Sanctus facility is located south of St. Ambrose and east of the water towers on Pearl.

Mr. Aungst announced that the Northern Medina County Chamber Alliance began their search for a new Executive Director. Their membership is up dramatically, as well as the activity level;

their meetings hold approximately 85-105 people on a regular basis. Mr. Aungst highly complimented the group and their efforts.

Mr. Aungst reported that the Brunswick Middle School reconstruction is coming along, as well as Taco Bell on Pearl Road and St. Ambrose's construction. AMG Peterbilt is progressing with plans to move into the former Murphy Tractor & Equipment location on North Industrial. The building has been painted; Mr. Aungst assisted with clean up with general maintenance. The business should add up to 15 full time positions. Also, 360 Construction plans to build a new building on the property, which would add 40-50 additional jobs to the City; they plan to keep their headquarters in Brunswick.

Mr. Aungst referred to previous discussions regarding Vaping and the idea of taxing Vape shops. After reviewing all information at hand, including all of the issues in the media, Mr. Aungst recommended that the City hold off on taxing. He believed that the Federal government would act soon. The City could explore what other cities charge in taxes; every city taxes differently depending on the item.

Mr. Aungst commented that the code has been updated by the state of Ohio. Mr. Hanek made recommendation that the Safety & Environment Committee also update their code to comply with City law. Discussion ensued regarding the differences in vaping and CBD oil vaping. Mr. Aungst shared his perception that the State House and Senate plan to make changes to better define the issue.

Mr. Aungst briefed on the potential rezoning situation in the area of Maxwell Boulevard and Center Road. He spoke with the Law Department and it was strongly suggested that the City consult with the property owner about the rezoning.

Mr. Aungst discussed the Medina County Expo planned for October 4th, 2019, at the Medina County Fairgrounds. It is a very important event to the community. Over 500 students from all districts plan to attend. They would be able to explore career opportunities in manufacturing, skilled trade, etc. The event would be open to the public from 11 a.m. - 2 p.m. with Mr. John Ratzenberger as the key note speaker. John sits on the President's Council for Apprenticeships. He is an Emmy-Nominated Actor, Director, Writer, Producer, Inventor, Philanthropist, and Manufacturing Advocate. The key note speaker session is not free.

Mr. Aungst shared that the City is looking forward to more great developments and growth for the community. He reiterated that with growth, there would come more challenges and difficult decisions. He commented that the City's goal is not primarily to build, but to strive for positive direction for the community that is long term.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:04 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'N Hanek', written in a cursive style.

Nicholas Hanek
Chairman

DRAFT

FINANCE COMMITTEE MEETING

September 23, 2019

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Joseph Delsanter, Committee Member Brian Ousley, Andrea Rodriguez, Anthony Capretta, Nicholas Hanek, Engineer Matt Jones, Finance Director Todd Fischer, City Manager/Safety Director Carl DeForest, Council Clerk Fijabi Julien-Gallam, Parks & Recreation Director John Piepsny, Brian Thunberg, News Media.

The meeting convened at 6:20 p.m.

DISCUSSION ITEMS:

Selection of a date for 2020 budget proposal:

Mrs. Hanek discussed the need for a meeting date for the next Finance Committee meeting. It was decided among members to hold the next meeting on Monday, November 18th, 2019, at 6:30 p.m.

Discussion regarding 27 payroll periods (instead of the usual 26 pay dates) for the 2020 calendar year:

Mr. Fischer advised that approximately every eleven years, there are 27 pay periods due to leap years. The City would have to distribute payroll the day before Jan. 1st, 2020, due to payroll Friday falling on a bank holiday. This leaves 27 payroll periods in our 2020 budget year. This is a normal occurrence on the calendar. Mr. Fischer's plan would be to propose a motion to move this to the Committee of the Whole, as done in the past.

Mr. Delsanter moved the question of 27 payroll periods (instead of the usual 26 pay dates) for the 2020 calendar year to the Committee-of-the-Whole. Vote – 3 Ayes, 0 Nays.

ORD. NO. 64-19: An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

Mr. Fischer explained that this consists of returning an advance. The City had a self-continued breathing apparatus (SCBA) purchased through a FEMA grant, in which that grant has been completed. A motion is needed to return the money in the amount of \$165,455.00 back into the general fund as budgeted.

Mr. Ousley moved this ordinance to tonight's Council Agenda of September 23, 2019, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

ORD. NO. 65-19: An emergency ordinance amending Ordinances #89-18, #20-19 and #44-19 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 Finance Committee, *Administration/Todd Fischer*)

Mr. Fischer clarified that these would keep the 2019 budget up to date and also helps prepare for the 2020 budget. The budget proposal net total is a decrease of \$529,403.24. The largest item is a reduction of

\$500,000, which would consist of moving capital money from storm water; with the intent of depositing it back in for 2020 for a bigger project proposal.

Mr. Delsanter moved this ordinance to tonight's Council Agenda of September 23, 2019, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

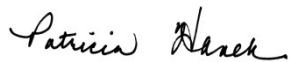
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 6:27 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Patricia Hanek
Chairwoman

PLANNING AND ZONING COMMITTEE

September 23, 2019

IN ATTENDANCE: Chairman Joseph Delsanter, Committee Member Nicholas Hanek, Committee Member Andrea Rodriguez, Patricia Hanek, Brian Ousley, City Manager/Safety Director Carl DeForest, Finance Director Todd Fischer, Engineer Matt Jones, Law Director Kenneth Fisher, Council Clerk Fijabi Julien-Gallam, Parks & Recreation Director John Piepsny, Brian Thunberg, News Media News Media.

The meeting convened at 6:27 p.m.

DISCUSSION ITEMS:

ORD. NO. 60-19 - An ordinance rezoning PPN 003-18B-40-118 from the I-L Light Industrial District to the C-H Highway Interchange Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

Mr. Jones summarized that this parcel has been petitioned to be moved from the Light Industrial District of Highway Interchange Commercial District. The parcel is located on Industrial Parkway North. The Highway Interchange District is directly adjacent to the parcel. Mr. Jones commented that the parcel is owned by Ferris Queen; he is uncertain about the intended use of the parcel. Discussion ensued regarding the parcel in which Mr. Jones demonstrated its location on the map. There is currently a bill board on site.

Concern was raised as to whether this would open a door to invite future moves of parcels in that area. Mr. Jones indicated that Administration does not foresee that as a concern. Things would be handled case by case. Administration supports the ordinance. It has gone through Planning Commission.

Mr. Hanek moved this ordinance to tonight's agenda of September 23, 2019, for three readings. Vote – 3 Ayes, 0 Nays.

ORD. NO. 61-19 - An emergency ordinance establishing Chapter 1054 of the Codified Ordinances of the City of Brunswick titled "Use of Public Ways for Small Cell Facilities and Wireless Support Structures". - **1st reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

Law Director Mr. Fisher explained that this ordinance is to comply with Substitute House Bill 478 (Sub. H.B. 478) that took effect on August 1, 2018. He remarked that Sub. H.B. 478 amended Ohio Revised Code Chapter 4939 with regard to the authority of municipalities to regulate the installation of small cell facilities in the Public Right-of-Way, including on utility poles, traffic signals, and street lights, municipally owned facilities, and to construct, maintain, modify, operate, or replace wireless support structures in the public Right-of-Way. Mr. Fisher added that Sub. H.B. 478 contained provisions addressing the fees that local governments could charge to facilities operators for applications to install small cell facilities in the Public Right-of-Way and for attachment of small cell

facilities to municipally-owned wireless support structures, which are a \$250 application fee and a \$200 annual attachment fee. Mr. Fisher continued explaining the requirements that are needed to operate in the city. The Small Cell Order took effect on January 14, 2019. Mr. Fisher explained that Ordinance Number 61-19 and Ordinance 62-19 are needed to update the City's code to regulate the installation of small cell facilities in the Public Right-of-Way, and to follow the Ohio Revised Code Chapter 4939 amendments.

ORD. NO. 62-19 - An emergency ordinance establishing Chapter 1056 of the Codified Ordinances of the City of Brunswick titled "Small Cell Facility Design Guidelines". - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

Mr. Hanek moved both ordinances 61-19 and 62-19 to tonight's agenda of September 23, 2019, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Delsanter noted that the time is approaching for some preparation on the Comprehensive Plan. Mr. Deforest commented that the plan has to go to Planning Commission first for their recommendations.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:40 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Delsanter
Chairman

PARKS, RECREATION & COMMUNITY COMMITTEE

September 23, 2019

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Patricia Hanek, Committee Member Anthony Capretta, Brian Ousley, Andrea Rodriguez, Nicholas Hanek, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Finance Director Todd Fischer, Engineer Matt Jones, Parks & Recreation Director John Piepsny, Council Clerk Fijabi Julien-Gallam, Brian Thunberg/Brunswick Youth Soccer, News Media.

The meeting convened at 6:42 p.m.

DISCUSSION ITEMS:

BYS Annual Update and 2020 Vision – Brian R. Thunberg

Mr. Thunberg gave an update on accomplishments this year pertaining to fields and concessions. Mr. Thunberg has been with Brunswick Youth Soccer for 20 years. He also serves on the Executive Board.

Some field improvements were done this year with grass, including new seeded grass around the dug outs making it safer for the youth. Some work was performed at Applewood, such as mending of fences. BYS are working hard to gain additional sponsorship. In regards to the concessions, duel tablets were purchased to help make transactions easier for employees. There has been an average of \$2.13 per purchase. BYS are exploring a mobile type of concession and hope to expand.

Mr. Thunberg briefed about their vision for 2020. BYS had their board of elections meeting last week; there is a multitude of new board members this year. He expressed his excitement for 2020.

There are over 1200 kids involved. The number of teams is roughly the same; as is membership. This year, there were 13 travel teams of boys and girls; higher than before. Mr. Thunberg commented that he looks forward to a continued relationship with the City and expressed his gratitude.

GENERAL DISCUSSION:

ADJOURNMENT:

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

Respectfully submitted,



Michael Abella Jr.
Chairman

BUILDING AND BUILDING CODE COMMITTEE

September 23, 2019

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Joseph Delsanter, Nicholas Hanek, Brian Ousley, Andrea Rodriguez, Patricia Hanek, City Manager/Safety Director Carl DeForest, Engineer Matt Jones, Finance Director Todd Fischer, Law Director Kenneth Fisher, Parks & Recreation Director John Piepsny, Brian Thunberg, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:40 p.m.

DISCUSSION ITEMS:

RES. NO. 63-19 – An emergency resolution amending Resolution No. 21-17 by increasing the 2019 contract price for the provision of grass/weed mowing, debris clean-up services and branch trimming for 2019. – **1st Reading** (To be brought from Building & Building Code Committee, Administration/Ryan Lutz)

Mr. DeForest summarized that the City is looking to amend the previous legislation. The City had budgeted \$30,000; the contract was for \$23,700. The City would be anticipating the cost of \$4,000 to \$27,700 for ongoing issues with property violations in terms of debris clean-up, grass cutting, branch trimming, etc. That would allow the City to increase the contract to \$27,700.

Mr. Abella moved this resolution to tonight's agenda September 23, 2019, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:42 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta
Chairman

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
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 55-19** - A resolution adjusting the speed limit on Center Road (State Route 303) from 50 miles per hour to 45 miles per hour from 0.05 miles West of Congressional Avenue to 0.01 miles West of Congressional Avenue and withdrawing the journalized 50 miles per hour speed zone on Center Road (State Route 303) from SLM 6.10 to SLM 6.41 East of Congressional Avenue. - **3rd Reading** (Safety & Environment Committee, *Administration/Matt Jones*)

BACKGROUND: New legislation request

**PURPOSE AND
EXPLANATION:**

The Ohio Department of Transportation (ODOT) District 3 recently completed a speed zone study on State Route 303 from Marks Road to Congressional Avenue in the City of Brunswick and Brunswick Hills Township. The study found that the existing speed limit of 50 miles per hour was no longer warranted and should be replaced by a 45 miles per hour speed limit. Legislation is needed to allow this speed limit adjustment on the City portion of the study area. Also, the section of State Route 303 just east of Congressional Avenue is signed as a 35 miles per hour speed limit within the City, but journalized as a 50 miles per hour speed zone. ODOT District 3 is requesting that City Council officially withdraw the 50 miles per hour speed zone.

IMPLEMENTATION

SCHEDULE: The 50 miles per hour speed limit signs west of Congressional Avenue will be replaced with 45 miles per hour signs by ODOT shortly after this resolution is adopted.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No

Suspension of Rules

No

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

**ADDITIONAL
INFORMATION:**



OHIO DEPARTMENT OF TRANSPORTATION
Mike DeWine, Governor Jack Marchbanks, Ph.D., Director

District 3
906 Clark Ave., Ashland, OH 44805
419-281-0513
transportation.ohio.gov

July 24, 2019

Mr. Matthew M. Jones, P.E.
22999 Forbes Road, Suite B
Cleveland, Ohio 44146-5667

Dear Mr. Jones:

ODOT District Three has recently conducted a speed zone study on State Route 303 (SR 303) from Marks Road, at straight line mileage (SLM) 4.96 to Congressional Avenue (SLM 6.04). The study found that the existing speed limit of 50 mph was no longer warranted and should be replaced by a 45 mph speed limit. The easternmost section of the proposed speed zone passes within Brunswick's Corp Limit on the north side of SR 303 from 0.05 miles West of Congressional Avenue to 0.01 miles West of Congressional Avenue (0.04 miles total). Therefore, we require that the City passes a resolution to adjust the speed limit in that section prior to installing the new 45 mph speed limit signs.

Also, the section of SR 303 just east of Congressional Avenue is currently signed as a 35 mph speed limit within the City from SLM 6.10 to SLM 6.41 but is journalized as a 50 mph speed zone. Because this section of SR 303 is in the City, we also request a resolution from the City to withdraw this 50 mph speed zone. The 50 mph speed limit no longer seems to be appropriate given the amount of development on this section of SR 303, and since it is already signed as 35 mph, we did not anticipate that the City would object to the withdrawal of the 50 mph speed zone. We did not perform a speed zone study on this section of SR 303, but the City may do so if they wish.

Attached are two examples of resolutions that other municipalities have used in the past. If you have any questions, feel free to email me at Scott.Ockunzzi@dot.ohio.gov or call me at (419) 207-7174.

Respectfully,

A handwritten signature in blue ink that reads "Scott R. Ockunzzi".

Scott R. Ockunzzi, P.E.
Transportation Engineer
District Three Capital Programs

1
CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 55-19

BY: Mr. Ousley, Mr. Abella and Mrs. Rodriguez

A RESOLUTION ADJUSTING THE SPEED LIMIT ON CENTER ROAD (STATE ROUTE 303) FROM 50 MILES PER HOUR TO 45 MILES PER HOUR FROM 0.05 MILES WEST OF CONGRESSIONAL AVENUE TO 0.01 MILES WEST OF CONGRESSIONAL AVENUE AND WITHDRAWING THE JOURNALIZED 50 MILES PER HOUR SPEED ZONE ON CENTER ROAD (STATE ROUTE 303) FROM SLM 6.10 TO SLM 6.41 EAST OF CONGRESSIONAL AVENUE.

WHEREAS: The Ohio Department of Transportation, District 3 (“ODOT”) recently completed a speed zone study (the “Study”) on State Route 303 from Marks Road to Congressional Avenue in the City of Brunswick and Brunswick Hills Township;

WHEREAS: The Study found that the existing speed limit of 50 miles per hour was no longer warranted and should be replaced by a 45 miles per hour speed limit;

WHEREAS: Legislation is required to allow this speed limit adjustment in the City portion of the Study area;

WHEREAS: Additionally, the section of State Route 303 east of Congressional Avenue is signed as a 35 mile per hour speed limit, but journalized as a 50 mile per hour speed zone;

WHEREAS: ODOT is further requesting that the City officially withdraw the 50 mile per hour speed zone; and

WHEREAS: The 50 miles per hour speed limit signs west of Congressional Avenue will be replaced with 45 miles per hour speed limit signs by ODOT upon the effective date of this Resolution.

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

SECTION 1: That being in the public interest, this Council hereby adjusts the speed limit on Center Road (State Route 303) from 50 miles per hour to 45 miles per hour from 0.05 miles west of Congressional Avenue to 0.01 miles west of Congressional Avenue. This Council further withdraws the journalized 50 miles per hour speed zone on Center Road (State Route 303) from SLM 6.10 to SLM 6.41 east of Congressional Avenue.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 10/14/2019

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

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 56-19** - A resolution granting a non-exclusive permanent access and utility easement to Sanctus, LLC. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: City Council approved the rezoning parcel 003-18B-31-539 and parcel 003-18B-31-540 to a Special Planning District-5 for the development of a senior living facility focused on assisted and memory care consisting of approximately 16.2516 acres; Ord 13-19 passed 2/25/19.

PURPOSE AND EXPLANATION: The easement is to allow a non-exclusive permanent access and utility easement for the development of land in Special Planning District-5; the developer is seeking to construct a senior living facility with assistant and memory care units. The easement will keep traffic focused on the main corridor, Pearl Rd, with gated emergency only access from the eastern most part of the parcel.

IMPLEMENTATION SCHEDULE: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

ADDITIONAL

INFORMATION:

NON-EXCLUSIVE PERMANENT ACCESS AND UTILITY EASEMENT

THIS NON-EXCLUSIVE PERMANENT ACCESS AND UTILITY EASEMENT (this "Easement Agreement") is made this ___ day of _____, 2019, between the City of Brunswick, a political subdivision of the State of Ohio (the "Grantor") and Sanctus, LLC, a Delaware limited liability company, its successors and assigns (the "Grantee").

Recitals:

WHEREAS, Grantee is the owner of certain property located in the city of Brunswick, County of Medina, State of Ohio, and being identified as Medina County Permanent Parcel Numbers 003-18B-31-539 and 003-18B-31-540 ("Grantee's Land");

WHEREAS, Grantee has requested of Grantor a non-exclusive permanent access and utility easement in, under, over, upon and across certain property owned by the Grantor as described in this Easement Agreement; and

WHEREAS, Brunswick Ordinance No. _____, passed by Brunswick City Council on _____, authorized Grantor to enter into this Easement Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor grants Grantee, and its successors and assigns forever, a non-exclusive permanent access and utility easement and right for ingress and egress upon and over the lands herein described, as well as to construct, reconstruct, modify, implement, maintain, hook up to, operate and/ or remove all such necessary utilities necessary to service Grantee's Land, upon the following terms and conditions.

1. Easement Area. The easement area granted by Grantor to Grantee herein is limited to the area of land legally described in **Exhibit "A"**, attached hereto and made a part hereof, and as set forth on the diagram attached as **Exhibit "B"**, attached hereto and made a part hereof (the "Easement Area").
2. Purposes. Grantee may have a non-exclusive permanent access and utility easement and right for ingress and egress upon and over the Easement Area, as well as to construct, reconstruct, modify, implement, maintain, hook up to, operate and/ or remove all such necessary utilities necessary to service Grantee's Land.
3. Maintenance. Grantee shall be solely responsible for any cost and expense for the construction, reconstruction, maintenance and repair of all access and utility improvements within the Easement Area. Grantee shall keep and maintain the Easement Area in a safe and sound condition in compliance with all applicable laws, ordinances, rules and regulations, of which Grantee has the sole and exclusive responsibility for informing itself.
4. Reservation of Rights. Grantor reserves for itself, its successors and assigns, the full use of the Easement Area insofar as said use is not inconstant with the grant of this Easement Agreement.

5. Entire Agreement. This Easement Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements, written or oral, with respect thereto.
6. Modification. No modification of this Easement Agreement shall be binding upon Grantor or Grantee unless set forth in writing and executed by Grantor and Grantee.
7. Severability. If any provision of this Easement Agreement shall be or become invalid or unenforceable, then this Easement Agreement shall be divisible as to such provision, and the remainder of the Easement Agreement shall remain valid and enforceable as though such provision were not included herein.
8. Successors and Assigns. The rights and obligation of the parties set forth herein shall be binding upon, and shall insure to the benefit of, each of them, and their respective successors and assigns.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Non-Exclusive Permanent Access and Utility Easement as of the day and year first written above.

GRANTOR:

CITY OF BRUNSWICK

By: _____
Carl S. DeForest, City Manager

GRANTEE:

SANCTUS, LLC, a Delaware limited liability company

By: _____
Frank P. Biller, its Manager

NOTARY ON FOLLOWING PAGE

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Grantor by Carl S. DeForest, City Manager of the City of Brunswick, who acknowledged that he did sign this Easement Agreement and the same is his free act and deed and the free act and deed of the Grantor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this ___ day of _____, 2019.

NOTARY PUBLIC

STATE OF _____)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Grantee by Frank P. Biller, its Manager, who acknowledged that he did sign this Easement Agreement and the same is his free act and deed and the free act and deed of the Grantee.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this ___ day of _____, 2019.

NOTARY PUBLIC

This Instrument Prepared By:
L'Hommedieu & McGrievy, LLC
100 North Main Street, Suite 350
Chagrin Falls, Ohio 44022
Mark P. McGrievy, Esq.
(216) 635-0002.

EXHIBIT "A"

EASEMENT AREA LEGAL DESCRIPTION

EASEMENT "A"
60' PERMANENT ACCESS and UTILITY EASEMENT

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being part of Original Brunswick Township Lot Number 6, Tract 1, and also being part of land conveyed to the City of Brunswick by Deed Volume 307, Page 250 of the Medina County Recorder's Records as Recorded in December 21, 1963 and further described as follows:

Beginning at a point on the easterly right-of-way of Pearl Road (aka S.R. 42 and S.H. 25) 60' wide at the northwest corner of Sublot 131 in the Keller Allotment as Recorded in Plat Book 4, Page 42A of the Medina County Recorder's Records (MCRR), thence South $88^{\circ}00'39''$ West, a distance of 30.01 feet to a point on the centerline of said Pearl Road, thence North $00^{\circ}09'21''$ West, along said centerline, a distance of 170.79 feet to a point, said point being the northwest corner of land conveyed to Anthony M. Pilla, Bishop of the Cleveland Catholic Diocese by deed Volume 1047, Page 162 of the MCRR, the southwest corner of land conveyed to the City of Brunswick by deed Volume 307, Page 250 of the MCRR and the principle place of beginning;

Thence North $00^{\circ}09'21''$ West, continuing along said centerline, a distance of 60.00 feet to a point, said point being the northwest corner of said City of Brunswick land and the southwest corner of land conveyed to Clarence G. Issenmann, Bishop of the Cleveland Catholic Diocese by deed Volume 440, Page 882 of the MCRR;

Thence North $88^{\circ}47'39''$ East, along the southerly line of said Cleveland Catholic Diocese land, a distance of 800.00 feet to a point on the westerly line of land conveyed to Sanctus, LLC. by Document No.2017OR005943 of the MCRR (Parcel No. 003-18B-31-539);

Thence South $00^{\circ}09'21''$ East, along said Sanctus land, a distance of 100.00 feet to a point;

Thence North $64^{\circ}26'34''$ West, a distance of 88.79 feet to a point;

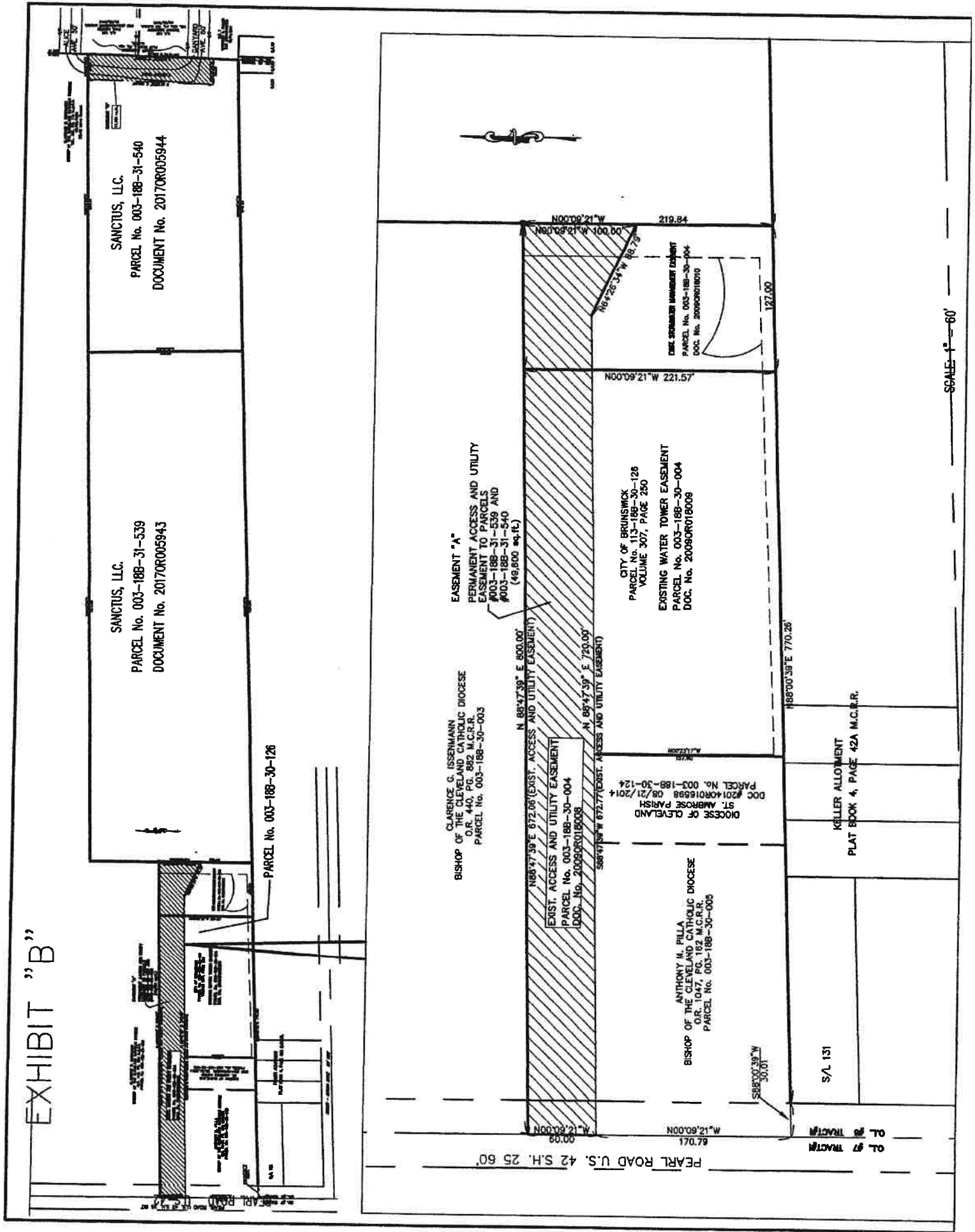
Thence South $88^{\circ}47'39''$ West, parallel and 60.00 feet southerly by perpendicular measurement from the northerly line, a distance of 720.00 feet to the principal place of beginning and containing 49,600 square feet within said easement more or less and subject to all legal highways and easements. As described by David A. Rapp in June, 2019, Professional Land Surveyor No. 7597. All iron pins set (30" of length and 5/8" in diameter) are identified by a plastic cap bearing the imprint "7597".

It is intended to describe a 60' wide strip of land providing Access and Utilities to (Parcel No. 003-18B-31-539 and Parcel No. 003-18B-31-540)

EXHIBIT “B”

EASEMENT AREA DEPICTION

EXHIBIT "B"



CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 56-19

BY: Mr. Delsanter, Mr. Hanek and Rodriguez

A RESOLUTION GRANTING A NON-EXCLUSIVE PERMANENT ACCESS
AND UTILITY EASEMENT TO SANCTUS, LLC.

WHEREAS: Sanctus, LLC has requested a non-exclusive permanent access and utility easement over property owned by the City known as PPN 003-18B-30-126 located at 957 Pearl Road to allow for the development of PPNs 003-18B-31-539 and 003-18B-31-540 as a senior living facility.

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

SECTION 1: That the City of Brunswick hereby grants a non-exclusive permanent access and utility easement, upon approval of the Law Director, to Sanctus, LLC in the form as attached hereto as Exhibit "A".

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

PASSED: 1st Reading _____
2nd Reading _____
3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

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
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 57-19** - A resolution accepting a non-exclusive permanent access and utility easement from Sanctus. - **3rd Reading** (Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: City Council approved the rezoning parcel 003-18B-31-539 and parcel 003-18B-31-540 to a Special Planning District-5 for the development of a senior living facility focused on assisted and memory care consisting of approximately 16.2516 acres; Ord 13-19 passed 2/25/19.

**PURPOSE AND
EXPLANATION:**

The easement is to allow a non-exclusive permanent access and utility easement for the development of land in Special Planning District-5 on the eastern part of the property; the developer is seeking to construct a senior living facility with assistant and memory care units. Rear access to the development will be gated for emergency only access.

**IMPLEMENTATION
SCHEDULE:**

This Resolution shall take effect and be in force from and after the earliest period allowed by law.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

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

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

ADDITIONAL

INFORMATION:

NON-EXCLUSIVE PERMANENT ACCESS AND UTILITY EASEMENT

THIS NON-EXCLUSIVE PERMANENT ACCESS AND UTILITY EASEMENT (this "Easement Agreement") is made this ___ day of _____, 2019, by Sanctus, LLC, a Delaware limited liability company ("Grantor") in favor of the City of Brunswick, a political subdivision of the State of Ohio (the "Grantee").

Recitals:

WHEREAS, Grantor is the owner of certain property located in the City of Brunswick, County of Medina, State of Ohio, and being identified as Medina County Permanent Parcel Number 003-18B-31-540 and more particularly described in **Exhibit "A"** attached hereto and incorporated herein ("Grantor's Land");

WHEREAS, Grantee has requested of Grantor a non-exclusive permanent access and utility easement in, under, over, upon and across certain property owned by the Grantor as described in this Easement Agreement; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor grants Grantee, and its successors and assigns, a non-exclusive permanent access and utility easement and right for ingress and egress in, under, over, upon and across the Easement Area (as defined herein), as well as to construct, reconstruct, modify, implement, maintain, hook up to, operate and/ or remove all such necessary utilities within the Easement Area upon the following terms and conditions.

1. **Easement Area.** The easement area granted by Grantor to Grantee herein is limited to the area of land legally described in **Exhibit "B"**, attached hereto and made a part hereof, and depicted on the diagram attached as **Exhibit "C"**, attached hereto and made a part hereof (the "Easement Area").
2. **Purposes.** Grantee may have a permanent access and utility easement and right for ingress and egress in, under, over, upon and across the Easement Area, as well as to construct, reconstruct, modify, implement, maintain, hook up to, operate and/ or remove all such necessary utilities within the Easement Area.
3. **Maintenance.** Grantor shall keep and maintain the Easement Area in a safe and sound condition in compliance with all applicable laws, ordinances, rules and regulations, of which Grantor has the sole and exclusive responsibility for informing itself. Grantee shall be solely responsible for any cost and expense for the construction, reconstruction, modification, implementation, maintenance, hook-up, operation and/or removal of any utilities in the Easement Area and shall be solely responsible for any cost and expense to restore the Easement Area resultant therefrom.
4. **Reservation of Rights.** Grantor reserves for itself, its successors and assigns, the full use of the Easement Area insofar as said use is not inconstant with the grant of this Easement Agreement.

5. Entire Agreement. This Easement Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements, written or oral, with respect thereto.
6. Modification. No modification of this Easement Agreement shall be binding upon Grantor or Grantee unless set forth in writing and executed by Grantor and Grantee.
7. Severability. If any provision of this Easement Agreement shall be or become invalid or unenforceable, then this Easement Agreement shall be divisible as to such provision, and the remainder of the Easement Agreement shall remain valid and enforceable as though such provision were not included herein.
8. Successors and Assigns. The rights and obligation of the parties set forth herein shall be binding upon, and shall inure to the benefit of, each of them, and their respective successors and assigns.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Non-Exclusive Permanent Access and Utility Easement as of the day and year first written above.

GRANTOR:

SANCTUS, LLC, a Delaware limited liability company

By: _____
Frank P. Biller, its Manager

GRANTEE:

CITY OF BRUNSWICK

By: _____
Carl S. DeForest, City Manager

NOTARY ON FOLLOWING PAGE

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Grantor by Frank Biller, its Manager, who acknowledged that he did sign this Easement Agreement and the same is his free act and deed and the free act and deed of the Grantor.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this ___ day of _____, 2019.

NOTARY PUBLIC

STATE OF OHIO)
) SS:
COUNTY OF MEDINA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Grantee by Carl S. DeForest, its City Manager, who acknowledged that he did sign this Easement Agreement and the same is his free act and deed and the free act and deed of the Grantee.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this ___ day of _____, 2019.

NOTARY PUBLIC

This Instrument Prepared By:
Meyers, Roman, Friedberg & Lewis, LPA
28601 Chagrin Blvd., Suite 600
Cleveland, Ohio 44122
Bryan J. Dardis, Esq.

EXHIBIT "A"

GRANTORS LAND

Legal Description

PARCEL #2

(For the City of Brunswick)

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being part of Original Brunswick Township Lot Number 6, Tract 1, and also being part of a record 19.1700 acre parcel of land conveyed to the City of Brunswick by deed recorded on December 21, 1963 in Deed Volume 307, Page 250 of Medina County Recorder's Records and further bounded and described as follows:

Beginning at a point on the Easterly Right-of-Way line of Pearl Road - S.R. 42, S.H. 25 (60 feet wide) and the Northwest corner of Sublot Number 131 in the Keller Allotment as recorded in Plat Book 4, Page 42A of Medina County Recorder's Records, said point being 0.80 feet South of a 5/8" Iron Pin (capped #4793) found and North 00°09'21" West, a distance of 154.00 feet from the intersection of the Easterly Right-of-Way line of Pearl Road with the Original Northerly Right-of-Way line of Keller-Hanna Drive (50 feet wide), and the Southwest corner of Sublot Number 130 of said Keller Allotment;

Thence North 88°00'39" East, along the Northerly line of said Sublot Number 131 and its Easterly prolongation thereof, being the Northerly line of said Keller Allotment, a distance of 1,991.32 feet to a 5/8" Iron Pin set and the Principal Place of Beginning of the Premises herein intended to be described;

Course No. 1: Thence North 01°12'21" West, a distance of 368.09 feet to a 5/8" iron pin set on the Southerly line of a 23.42 acres parcel of land as conveyed to Clarence G. Issenmann, Bishop of the Cleveland Catholic Diocese by deed recorded on March 08, 1965 in Deed Volume 321, Page 173 of Medina County Recorder's Records;

Course No. 2: Thence North 88°47'39" East, along said Southerly line of Clarence G. Issenmann, Bishop of the Cleveland Catholic Diocese's land, a distance of 694.91 feet to a 5/8" iron pin set at the Southeasterly corner thereof on the Westerly line of Sublot #135 of said Keller Allotment;

Course No. 3: Thence South 01°18'08" West, along said Westerly line of Sublot #135 and the Westerly line of Sublot #139, Westerly terminus of Ganyard Avenue (50 feet wide) and Westerly line of Sublot #7, all of said Keller Allotment, a distance of 359.15 feet to a 5/8" iron pin set at the Southwesterly corner of said Sublot #7 on the Northerly line of Sublot #80 of said Keller Allotment;

Course No. 4: Thence South 88°00'39" West, along said Northerly line of Keller Allotment, a distance of 679.25 feet to the Principal Place of Beginning and containing 5.7316 acres (249,669 sq.ft.) of land as calculated and described in accordance with a survey by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in February, 2017, be the same more or less but subject to all legal highways.

Basis of Bearings for this legal is North 88°00'39" East as the Original Northerly Right-of-Way line of Keller-Hanna Drive (50 feet wide) as per Keller Allotment Plat Book 4, Page 42A of Medina County Recorder's Records as evidenced by monumentation found and is the same as calculated and reproduced from the Ohio State Plane Coordinates System Ohio North Zone (3401) by ties to the O.D.O.T. Network using Station GARF and are used to indicate angles only.

Iron Pins set are 5/8" x 30" (w/yellow cap "Donald F. Sheehy S- 7849").

PPN: 003-18B-31-540

File #16409 Pearl Rd – Parcel #2
February 17, 2017 (jaw)



A handwritten signature in black ink, appearing to read "Donald F. Sheehy", written over a horizontal line.

3.7.2017

EXHIBIT "B"

EASEMENT AREA LEGAL DESCRIPTION

EASEMENT "B"
60' PERMANENT ACCESS and UTILITY EASEMENT

Situated in the City of Brunswick, County of Medina and State of Ohio and known as being part of Original Brunswick Township Lot Number 6, Tract 1, and also being part of land conveyed to Sanctus, LLC. (Parcel No. 003-18B-31-540) by Document No. 2017OR005944 of the Medina County Recorder's Records (MCRR) and further described as follows:

Beginning at a 5/8" iron pin found at the northeast corner of said Sanctus, LLC. (Parcel No. 003-18B-31-540) land, said point being on the westerly line of Sublot 135 in the Keller Allotment as Recorded in Plat Book 4, Page 42A of the Medina County Recorder's Records (MCRR), thence South 01°18'08" West, along said westerly line of Keller Allotment, a distance of 300.00 feet to a point on the westerly line of Sublot 7 as conveyed to Margaret R. Waller by Document No. 2014OR020631 of the MCRR;

Thence South 88°47'39" West, parallel to the north line of said Sanctus, LLC. (Parcel No. 003-18B-31-540) land, a distance of 60.00 feet to a point;

Thence North 01°18'08" East, parallel to the westerly line of said Keller Allotment, a distance of 300.00 feet to a point on the northerly line of said Sanctus, LLC. (Parcel No. 003-18B-31-540) land;

Thence North 88°47'39" East, along the northerly line of said Sanctus, LLC. (Parcel No. 003-18B-31-540) land, a distance of 60.00 feet to the principal place of beginning and containing 17,991 square feet within said easement more or less and subject to all legal highways and easements. As described by David A. Rapp in June, 2019, Professional Land Surveyor No. 7597. All iron pins set (30" of length and 5/8" in diameter) are identified by a plastic cap bearing the imprint "7597".

It is intended to describe a 60' wide strip of land providing Access and Utilities to (Parcel No. 003-18B-31-539 and Parcel No. 003-18B-31-540).

EXHIBIT “C”

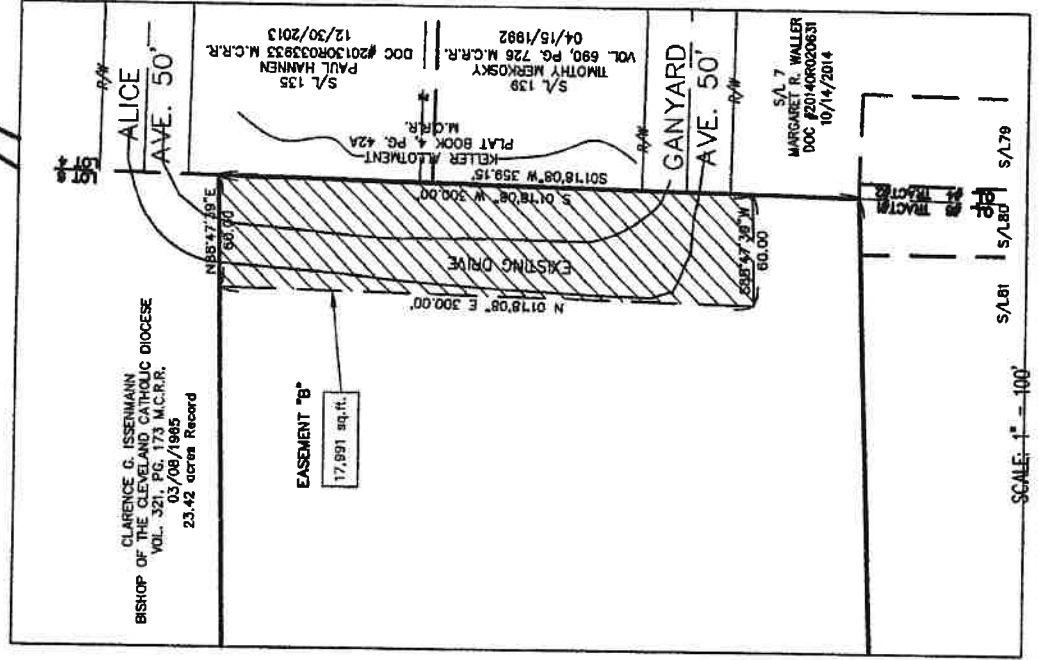
EASEMENT AREA DEPICTION

EXHIBIT "B"

SANCTUS, LLC.
PARCEL No. 003-188-31-539
DOCUMENT No. 20170R005943

SANCTUS, LLC.
PARCEL No. 003-188-31-540
DOCUMENT No. 20170R005944

PARCEL No. 003-188-30-126



CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 57-19

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

A RESOLUTION ACCEPTING A NON-EXCLUSIVE PERMANENT ACCESS
AND UTILITY EASEMENT FROM SANCTUS.

WHEREAS: As part of the development of PPNs 003-18B-31-539 and 003-18B-31-540 as a senior living facility, the City requires and access and utility easement thereover.

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

SECTION 1: That the City of Brunswick hereby accepts the non-exclusive permanent access and utility easement, upon approval of the Law Director, Sanctus, LLC in the form as attached hereto as Exhibit "A".

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

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
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 60-19** - An ordinance rezoning PPN 003-18B-40-118 From The I-L Light Industrial District to the C-H Highway Interchange Commercial District. - **3rd Reading** (Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: The Brunswick City Planning Commission held a public hearing on September 5, 2019 and recommended approval to City Council to rezone the property located at 1240 Industrial Parkway North, Brunswick, Ohio from the existing I-L Light Industrial District to the C-H Highway Interchange Commercial District, subject to certain conditions. The rezoning will be consistent with the C-H District zoning of the adjacent property to the south at 1244 Industrial Parkway North.

PURPOSE AND EXPLANATION: The Planning Commission recommended approval to City Council of the rezoning of 1240 Industrial Parkway North to the C-H District, subject to the condition that the asphalt grindings on the site shall be sealed with either asphalt or concrete by December 31, 2019, as per Exhibit "A".

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 adoption.

**ADDITIONAL
INFORMATION:**

MAYOR
RON FALCONI

CITY OF BRUNSWICK

COUNCIL
MICHAEL J. ABELLA, JR
ANTHONY P. CAPRETTA
JOSEPH P. DELSANTER
NICHOLAS HANEK
PATRICIA HANEK
BRIAN K. OUSLEY
ANDREA L. RODRIGUEZ

CITY MANAGER / SAFETY DIRECTOR
CARL S. DEFOREST

September 6, 2019

John Mayer
Herris Properties
151 Lou Groza Boulevard
Berea, OH 44017

RE: Herris Properties rezoning from I-L District to C-H District
1240 Industrial Parkway North, Brunswick, Ohio

Dear Mr. Mayer:

The Brunswick City Planning Commission, at their meeting on September 5, 2019, voted to **recommend approval** to City Council to rezone the property located at 1240 Industrial Parkway North, Brunswick, Ohio, from the current I-L Light Industrial District to the proposed C-H Highway Interchange Commercial District, subject to the following:

1. The asphalt grindings on the site shall be sealed with either asphalt or concrete by December 31, 2019.
2. Pursuant to Section 6.02(c)(6) of the Codified Ordinances of the City of Brunswick, City Council approval is required for the above rezoning. The first of three readings is scheduled for Council's meeting on September 23, 2019. Please contact Fijabi Gallam, Clerk of Council, at (330) 558-6845 for the meeting time.

If you have any questions, please contact me at (330) 558-6865.

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

c: Carl DeForest, City Manager
Ken Fisher, Law Director
Grant Aungst, Community & Economic Dev. Director
Matt Jones, Consulting City Engineer
Cliff Calaway, Chief Building Official



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

CITY HALL PHONE: (330) 225-9144 - FAX: (330) 273-8023 - POLICE & FIRE PHONE: (330) 225-9111 - FAX: (330) 225-6002 <http://www.brunswick.oh.us>

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 60-19

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

AN ORDINANCE REZONING PPN 003-18B-40-118 FROM THE I-L LIGHT INDUSTRIAL DISTRICT TO THE C-H HIGHWAY INTERCHANGE COMMERCIAL DISTRICT

WHEREAS: Upon application of the property owner to rezone the property known as PPN 003-18B-40-118 from the I-L Light Industrial District to the C-H Highway Interchange Commercial District, on September 5, 2019, the Planning Commission held a public hearing on the requested rezoning; and

WHEREAS: On September 5, 2019, the Planning Commission voted to recommend approval to City Council of the proposed rezoning of the property known as PPN 003-18B-40-118 from the I-L Light Industrial District to the C-H Highway Interchange Commercial District subject to the condition that the asphalt grindings on the site be sealed with either asphalt or concrete by December 31, 2019.

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

SECTION 1: That upon application of the property owner, the property known as PPN 003-18B-40-118 is hereby rezoned from the I-L Light Industrial District to the C-H Highway Interchange Commercial District subject to the condition that the asphalt grindings on the site be sealed with either asphalt or concrete by December 31, 2019.

SECTION 2: Upon the effective date of this Ordinance and confirmation of completion of the condition imposed by the Planning Commission, 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: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 10/14/2019

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.

0000000287



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, 2019, 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.

/s/ Jeffrey A. McClain

A handwritten signature in cursive script that reads 'Jeffrey A. McClain'.

JEFFREY A. MCCLAIN
TAX COMMISSIONER

Jeffrey A. McClain
Tax Commissioner

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 Com- mission 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

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 for not to exceed years.	.20	
Current Expense Levy authorized by voters on for not to exceed years.	.20	
Current Expense Levy authorized by voters on for not to exceed years.	.20	
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 for not to exceed years.	.20	
Fund: Levy authorized by voters on for not to exceed years.		
Fund: Levy authorized by voters on for not to exceed years.	.20	
Fund: Levy authorized by voters on for not to exceed years.	.20	
Fund: Levy authorized by voters on for not to exceed years.	.20	
THIS RESOLUTION IS DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, PROPERTY, HEALTH, SAFETY, WELFARE, AND PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPALITY, AND FOR THE ADDITIONAL REASON THAT THIS RESOLUTION MUST BE FILED WITH THE MEDINA COUNTY AUDITOR AS SOON AS POSSIBLE. THEREFORE, THE SAME SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE BY THE REQUIRED NUMBER OF VOTES.		

and be it further

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

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./A _____

Mr./A _____

Mr./A _____

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 ____



CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 69-19

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

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~~ 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~~ (930) 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, 2021~~2011~~.
- 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

City of Brunswick, Ohio

By _____
Title _____
Date _____

By _____
Title _____
Date _____

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

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

By _____
Title _____

Kenneth J. Fisher, Director of Law

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

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 71-19** - An emergency resolution authorizing the City Manager to enter into an agreement with Watch Guard for the purchase of police video systems in an amount not to exceed \$180,000.00. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

BACKGROUND: A resolution authorizing the City Manager to enter into an agreement to purchase police video systems for our police cruisers which includes integrated bodycams, associated hardware and software for managing the video evidence.

PURPOSE AND EXPLANATION: Purchase police video systems for all police cruisers including integrated bodycams.

IMPLEMENTATION SCHEDULE: Order the equipment in October, receive in November and install in December.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Cost of the project not to exceed \$180,000 which includes \$50,000 in federal grant funding and the balance in the approved police capital budget. Equipment to be purchased from Watch Guard which is available on GSA contract pricing (GS-35F-0186P).

To purchase these items, it will require additional financial legislation. That legislation must include approval to appropriate the \$50,000 federal grant portion just recently awarded. Purchase orders cannot be certified until this separate legislation is approved by City Council. Appropriations for the City share portion for this purchase already exist and are included in the Division of Police's capital subfund #961. The additional budget amendment legislation is now required because the Division of Police was successful in obtaining a \$50,000 grant to help offset the costs for this purchase.

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?

An emergency with suspension of the rules is requested as this legislation pairs up with the acceptance of a \$50,000 Bureau of Justice Assistance grant for bodycams and we will need to place the order as soon as approval is granted.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 71-19

BY: Mr. Ousley, Mr. Abella and Mrs. Rodriguez

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WATCH GUARD FOR THE PURCHASE OF POLICE VIDEO SYSTEMS IN AN AMOUNT NOT TO EXCEED \$180,000.00.

WHEREAS: The City of Brunswick belongs to the U.S. General Services Administration;

WHEREAS: The contract under U.S. General Services Administration for police video systems has been awarded to Watch Guard; and

WHEREAS: The cost for the purchase of the police video systems, which includes integrated bodycams, associated hardware and software for managing video evidence, includes a \$50,000.00 Bureau of Justice Grant from the Department of Justice.

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

SECTION 1: That the City Manager is hereby authorized to enter into an Agreement with Watch Guard for the purchase of police video systems in an amount not to exceed \$180,000.00.

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 to allow for immediate order placement. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam

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

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 72-19** - An emergency ordinance amending section 636.19 of the City of Brunswick Codified Ordinances to comply with Ohio Law. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

BACKGROUND: Amend city ordinance 636.19 for the sale and possession of cigarettes, tobacco products or alternative nicotine products

PURPOSE AND EXPLANATION: Ordinance 636.19 has been amended to change the legal age for possession of cigarettes, tobacco products or alternative nicotine products to age 21 from age 18. These changes mirror the change in the Ohio Revised Code.

IMPLEMENTATION SCHEDULE: Effective immediately

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

An emergency with suspension of the rules is recommended as the Ohio Revised Code has already been changed and the legal age is 21.

ADDITIONAL INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. - 72-19

BY: Mr. Ousley, Mr. Abella and Mrs. Rodriguez

AN EMERGENCY ORDINANCE AMENDING SECTION 636.19 OF THE
CITY OF BRUNSWICK CODIFIED ORDINANCES TO COMPLY WITH
OHIO LAW.

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

SECTION 1: That Section 636.19 of the Codified Ordinances is hereby amended to read as follows:

**636.19 ILLEGAL DISTRIBUTION OF CIGARETTES, OTHER
TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE
PRODUCTS.**

(a) As used in this section:

- (1) “Age verification” means a service provided by an independent third party (other than a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes) that compares information available from a commercially available database, or aggregate of databases, that regularly are used by government and businesses for the purpose of age and identity verification to personal information provided during an internet sale or other remote method of sale to establish that the purchaser is ~~eighteen~~ twenty-one years of age or older.
- (2) A. “Alternative nicotine product” means, subject to subsection (a)(2)B. of this section, an electronic ~~cigarettes~~ smoking device, vapor product, or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving or inhaling.
B. “Alternative nicotine product” does not include any of the following:
 1. Any cigarette or other tobacco product;
 2. Any product that is a “drug” as that term is defined in 21 U.S.C. 321(g)(1);
 3. Any product that is a “device” as that term is defined in 21 U.S.C. 321(h);
 - 4) Any product that is a “combination product” as described in 21 U.S.C. 353(g).
- (3) ~~“Child” has the same meaning as in Ohio R.C. 2151.011.~~
- (4) “Cigarette” includes clove cigarettes and hand-rolled cigarettes.
- (5)(4) “Distribute” means to furnish, give, or provide cigarettes, other tobacco

products, alternative nicotine products, or papers used to roll cigarettes to the ultimate consumer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.

~~(6)(a)(5)~~ “Electronic ~~eigarettes~~smoking device” means, subject to subsection (a)(6)B. of this section, any electronic product or device that produces a vapor that delivers any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device to simulate smoking and that is likely to be offered to or purchased by consumers as including an electronic cigarette, electronic cigar, electronic ~~eigarille~~ hookah, vaping pen, or electronic pipe. “Electronic smoking device” includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. “Electronic smoking device” does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g).

~~“Electronic cigarette” does not include any item, product, or device described in — subsections (a)(2)B.1. to 4. of this section.~~

~~(7)(6)~~ “Proof of age” means a driver’s license, a commercial driver’s license, a military identification card, a passport, or an identification card issued under Ohio R.C. 4507.50 to 4507.52 that shows a person is eighteen years of age or older.

~~(8)(7)~~ “Tobacco product” means any product that is made or that contains any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, an electronic smoking device, a cigar, pipe tobacco, chewing tobacco, or snuff, or snus. “Tobacco product” also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, blunt or hemp wraps, and liquids used in electronic smoking devices, whether or not they contain nicotine. “Tobacco product” does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321

and

353(g).

~~(9)(8)~~ “Vapor product” means a product, other than a cigarette or other tobacco product as defined in Chapter 5743. of the Revised Code, that contains or is made or derived from nicotine and that is intended and marketed for human consumption, including by smoking, inhaling, snorting, or sniffing. “Vapor product” includes any component, part, or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product. “Vapor product” does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g). “Vapor product” includes any product containing nicotine, regardless of concentration.

~~(9)~~ “Vending machine” has the same meaning as “coin machine” in Ohio R.C. 2913.01.

(b) No manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco

products, alternative nicotine products, or papers used to roll cigarettes, no agent, employee, or representative of a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, and no other person shall do any of the following:

- (1) Give, sell, or otherwise distribute cigarettes, other tobacco products, alternative nicotine products, or papers use to roll cigarettes to any ~~child~~person under twenty-one years of age;
 - (2) Give away, sell, or distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes in any place that does not have posed in a conspicuous place a legibly printed sign in letters at least one-half inch high stating that giving, selling, or otherwise distributing cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under ~~eighteen~~twenty-one years of age is prohibited by law;
 - (3) Knowingly furnish any false information regarding the name, age, or other identification of any ~~child~~person under twenty-one years of age with purpose to obtain cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes for that ~~child~~person;
 - (4) Manufacture, sell, or distribute in this state any pack or other container of cigarettes containing fewer than twenty cigarettes or any package of roll-your-own tobacco containing less than six-tenths of one ounce of tobacco;
 - (5) Sell cigarettes or alternative nicotine products in a smaller quantity than that placed in the pack or other container by the manufacturer;
 - (6) Give, sell, or otherwise distribute alternative nicotine products, papers used to roll cigarettes, or tobacco products other than cigarettes over the internet or through another remote method without age verification.
- (c) No person shall sell or offer to sell cigarettes, other tobacco products, or alternative nicotine products by or from a vending machine, except in the following locations:
- (1) An area within a factory, business, office, or other place not open to the general public;
 - (2) An area to which ~~children~~persons under twenty-one years of age are not generally permitted access;
 - (3) Any other place not identified in subsection (c)(1) or (2) of this section, upon all of the following conditions:
 - A. The vending machine is located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person, so that all cigarettes, other tobacco product and alternative nicotine product purchases from the vending machine will be readily observed by the person who owns or operates the place or an employee of that person. For the purpose of this section, a vending machine located in any unmonitored area, including an unmonitored coatroom, restroom, hallway or outer-waiting area, shall not be considered located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person.

B. The vending machine is inaccessible to the public when the place is closed.

C. A clearly visible notice is posted in the area where the vending machine is located that states the following in letters that are legibly printed and at least one-half inch high:

“It is illegal for any person under the age of 21 to purchase tobacco or alternative nicotine products.”

(d) The following are affirmative defenses to a charge under subsection (b)(1) of this section:

- (1) The ~~child~~person under twenty-one years of age was accompanied by a parent, spouse who is ~~eighteen~~ twenty-one years of age or older, or legal guardian of the ~~child~~ person under twenty-one years of age.
- (2) The person who gave, sold, or distributed cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a ~~child~~person under twenty-one years of age under subsection (b)(1) of this section, is a parent, spouse who is ~~eighteen~~ twenty-one years of age or older, or legal guardian of the ~~child~~ person under twenty-one years of age.

(e) It is not a violation of subsection (b)(1) or (2) of this section for a person to give or otherwise distribute to a ~~child~~person under twenty-one years of age cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes while the ~~child~~person under twenty-one years of age is participating in a research protocol if all of the following apply:

(1) The parent, guardian, or legal custodian of the ~~child~~person under twenty-one years of age has consented in writing to the ~~child~~person under twenty-one years of age participating in the research protocol.

(2) An institutional human subjects protection review board, or an equivalent entity, has approved the research protocol.

(3) The ~~child~~person under twenty-one years of age is participating in the research protocol at the facility or location specified in the research protocol.

(f) (1) Whoever violates subsection (b)(1), (2), (4), (5), or (6) or (c) of this section is guilty of illegal distribution of cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this subsection, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender has previously been convicted of a violation of subsection (b)(1), (2), (4), (5) or (6) or (c) of this section, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(2) Whoever violates subsection (b)(3) of this section is guilty of permitting ~~children~~ a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this subsection, permitting ~~children~~ a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of subsection (b)(3) of this section, permitting ~~children~~ a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a

misdemeanor of the third degree.

(g) Any cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes that are given, sold, or otherwise distributed to a ~~child~~person under twenty-one years of age in violation of Ohio R.C. 2151.87 are subject to seizure and forfeiture as contraband under Ohio R.C. Chapter 2981.

(h) This section shall not apply to a person who is eighteen years of age on or before October 1, 2019. The version of this section that was in effect prior to the effective date of this amendment shall apply to a person who is eighteen years of age on or before October 1, 2019.

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

PASSED: 1st Reading _____

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

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 73-19** - An emergency resolution authorizing the City Manager to execute all necessary documents to accept a \$50,000.00 Bureau of Justice Grant from the Department of Justice for the bodyworn camera project. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

BACKGROUND: A resolution authorizing the City Manager to accept a \$50,000 Bureau of Justice Assistance grant from the Department of Justice for our Bodyworn Camera project.

PURPOSE AND EXPLANATION: The acceptance of this bodyworn camera grant is a component of a larger police video project that includes police cruiser cameras, software, and storage for managing the video evidence.

IMPLEMENTATION SCHEDULE: Order the equipment in October, receive it in November, and install it in December.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: \$50,000 in federal grant money. The \$50,000 grant award will require separate financial pieces of legislation. 1) To budget the grant award and other related financial items and 2) advance (or loan) \$50,000 from the General Fund to the Department of Justice Grant Fund to cover the grant expenses up front until they can be reimbursed by the Federal Government. The financial pieces of legislation required for this grant is expected to be proposed on October 14th.

RECOMMENDED ACTION:

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

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

Requesting an emergency with suspension of the rules so we can transition from the testing and

evaluation phase to preparation of purchase orders, ordering the equipment (which has a 6 week turnaround), installation and then deployment.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 73-19

BY: Mr. Ousley, Mr. Abella and Mrs. Rodriguez

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT A \$50,000.00 BUREAU OF JUSTICE GRANT FROM THE DEPARTMENT OF JUSTICE FOR THE BODYWORN CAMERA PROJECT.

WHEREAS: The Police Department has applied for and been approved for a \$50,000.00 Bureau of Justice Grant from the Department of Justice for the Bodyworn Camera Project.

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

SECTION 1: The City Manager is hereby authorized, upon approval of the Law Director, to execute all necessary documents to accept the Grant.

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 to deploy the bodyworn camera equipment as soon as possible. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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



U.S. Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, DC 20531

September 19, 2019

The Honorable Ron Falconi
City of Brunswick
4095 Center Rd
Brunswick, OH 44212-2944

Dear Mayor Falconi:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 19 Body-Worn Camera Policy and Implementation Program in the amount of \$50,000 for City of Brunswick.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Yolaine Faustin, Program Manager at (202) 353-1720, and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Adler", is located below the "Sincerely," text.

Jon Adler
Director

Enclosures