

# BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

## Agenda

NOVEMBER 11, 2019

6:45 PM

In Caucus Room

or immediately following the Finance Committee Meeting

1. Motion Items
  - (a) A motion to allow the City Manager to enter into an agreement with Medical Mutual of Ohio to provide flexible spending program.
  - (b) A motion to change the numbering of legislation starting in the year of 2020, to include the full year instead of the last two digits of the year.
2. Review Legislation
  - (a) **RES. NO. 80-19** - An emergency resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for Indigent Defense Services in Medina Municipal Court for municipal code violations from January 1, 2020 through December 31, 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)
  - (b) **RES. NO. 81-19** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Jim Foster*)
  - (c) **RES. NO. 82-19** - An emergency resolution authorizing the City Manager to purchase Cisco switching equipment from SHI, Inc. in an amount not to exceed \$45,500.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*)
  - (d) **RES. NO. 83-19** - An emergency resolution authorizing the City Manager to purchase a replacement storage area network from SHI, INC. in an amount not to exceed \$65,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*)
3. General Discussion
4. Adjournment

**THE CITY OF BRUNSWICK**  
**PROPOSED MOTION**



**DATE:** 11/11/2019

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

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

**COPY:** Mayor Ron Falconi

**MOTION:** A motion to allow the City Manager to enter into an agreement with Medical Mutual of Ohio to provide flexible spending program.

**BACKGROUND:** All six union contracts require us to provide Flexible Spending for dependent care and/or medical expenses that are not covered by health insurance.

**PURPOSE AND EXPLANATION:** To provide Flexible Spending program for full time employees.

**IMPLEMENTATION SCHEDULE:** January 1, 2020 - December 31, 2020

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** Compliance Fee - \$55.00/month  
Participation Fee - \$5.55/person per month

The 2020 Budget and related cost will be contingent upon Council's approval. The Administration is currently anticipating requesting a \$4,000 budget for this account in 2020. The Finance Committee and Council are anticipated to receive the City Manager's 2020 budget proposal on December 9, 2019.

**RECOMMENDED ACTION:** Pass the motion.

**ADDITIONAL INFORMATION:**

THE CITY OF BRUNSWICK

PROPOSED MOTION



**DATE:** 11/11/2019

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

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

**COPY:** Mayor Ron Falconi

**MOTION:** A motion to change the numbering of legislation starting in the year of 2020, to include the full year instead of the last two digits of the year.

**BACKGROUND:** As of now, the City numbers legislation as the following (examples) – 1 (Legislation number)-60 (the year it was adopted). In 2060, we will have legislation as “1-60”. This motion is to request council to approve the change to use the full year instead of the last two digits of the year in the numbering of legislation.

**PURPOSE AND EXPLANATION:** As we approach a new decade, it is time to consider the renumbering of legislation. The legislation should have the full year in the legislation numbering to avoid any confusion in the future. It is better to start looking into this now, instead of waiting until 2059.

**IMPLEMENTATION SCHEDULE:** This practice would start in 2020 if the City Council and the Law Director approves of this change. This is the norm for other communities.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

**ADDITIONAL INFORMATION:**

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



**DATE:** 11/11/2019

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 80-19** - An emergency resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for Indigent Defense Services in Medina Municipal Court for municipal code violations from January 1, 2020 through December 31, 2020. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

**BACKGROUND:** Resolution authorizing indigent defense services through the Medina County Public Defender for Calendar Year 2020.

**PURPOSE AND EXPLANATION:** Renewal of the Agreement for calendar year 2020.

**IMPLEMENTATION SCHEDULE:** January 1, 2020 through December 31, 2020 upon adoption of Resolution by Council.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** Costs are dependent on the number of appointed Public Defenders. Local budgets are established by City Council and expenses paid out of the Law Department's adopted budget. Amounts paid will be subject to sufficient Council appropriations and certified purchase orders pursuant to Ohio Revised Code Section 5705.41 D.

**RECOMMENDED ACTION:**

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

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

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 80-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION RATIFYING AND CONFIRMING THE RENEWAL OF THE EXISTING AGREEMENT WITH THE MEDINA COUNTY PUBLIC DEFENDER COMMISSION AND THE MEDINA COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES IN MEDINA MUNICIPAL COURT FOR MUNICIPAL CODE VIOLATIONS FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2020.

- WHEREAS: The Ohio Public Defender is requiring that the Medina County Public Defender Commission enter into an updated agreement with the City for the provision of indigent defense services in Medina Municipal Court for municipal code violations containing a recognizable term and necessary clauses required by Ohio Administrative Code Section 120-1-09;
- WHEREAS: On October 10, 2011, this Council adopted Resolution No. 72-11, which authorized the City Manager to enter into such Agreement from January 1, 2012 through December 31, 2012;
- WHEREAS: On October 22, 2012, this Council adopted Resolution No. 100-12, which authorized the renewal of the existing Agreement from January 1, 2013 through December 31, 2013;
- WHEREAS: On October 28, 2013, this Council adopted Resolution No. 86-13, which authorized the renewal of the existing Agreement from January 1, 2014 through December 31, 2014;
- WHEREAS: On October 27, 2014, this Council adopted Resolution No. 82-14, which authorized the renewal of the existing Agreement from January 1, 2015 through December 31, 2015;
- WHEREAS: On November 9, 2015, this Council adopted Resolution No. 88-15, which authorized the renewal of the existing Agreement from January 1, 2016 through December 31, 2016;
- WHEREAS: On November 14, 2016, this Council adopted Resolution No. 64-16, which authorized the renewal of the existing Agreement from January 1, 2017 through December 31, 2017;
- WHEREAS: On November 27, 2017, this Council adopted Resolution No. 104-17, which authorized the renewal of the existing Agreement from January 1, 2018 through December 31, 2018;
- WHEREAS: On December 10, 2018, this Council adopted Resolution No. 90-18, which authorized the renewal of the existing Agreement from January 1, 2019 through December 31, 2019; and

WHEREAS: The Agreement must be renewed annually by Resolution of this Council pursuant to the requirements of the Ohio Public Defender's Office.

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

SECTION 1: This Council hereby ratifies and confirms the renewal of the exiting Agreement with the Medina County Public Defender and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2020 through December 31, 2020.

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 as the current Agreement for the provision of indigent defense services expires on December 31, 2019. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

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

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

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

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

ATTEST: \_\_\_\_\_

Clerk of Council  
Fijabi Julien-Gallam, CMC

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



**DATE:** 11/11/2019

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 81-19** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020. - **1st Reading**  
(To be brought from Committee-of-the-Whole, *Administration/Jim Foster*)

**BACKGROUND:** For the past several years we have utilized the internet auction for sale of personal property of the City of Brunswick. City Council is required to adopt an annual resolution permitting the City to utilize the internet auction provisions of O.R.C. Section 721.15.

**PURPOSE AND EXPLANATION:** In order to allow the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal offices and departments, and road machinery, equipment, tools or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, legislation must be adopted by City Council annually.

**IMPLEMENTATION SCHEDULE:** This legislation would be effective January 7, 2020.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The fiscal impact comes in the disposal or sale of an asset and the receipt of sale proceeds. The financial impact ultimately depends on the volume and the type of items. Historical capital asset sale proceeds are receipted into the capital account of the department who owns or possessed the item being sold. If the asset is not claimed by a particular department, the proceeds are generally deposited into the City's Capital Improvement Fund.

**RECOMMENDED ACTION:**

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

If emergency or suspension of the rules, why the request?  
This legislation is required to be read three (3) times.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 81-19

BY: Committee-of-the-Whole

A RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED FOR THE YEAR 2020.

WHEREAS: Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction; and

WHEREAS: An annual Resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2020.

SECTION 2: That the Clerk of Council shall cause notice of the adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least two (2) times. The second and any subsequent notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice.

SECTION 3: That the Clerk of Council shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the offices of the Clerk of Council and the City Council and shall cause said notice to be posted continuously throughout the year on the City website.

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.

SECTION 5: That bidding shall continue for no less than fifteen (15) days, including Saturdays, Sundays and legal holidays, and shall be set for each item as noted on the internet auction site.

SECTION 6: That all terms and conditions of sale, including but not limited to pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

SECTION 8: That all communication with the successful bidder shall occur in writing. Arrangements and costs associated with delivery to the successful bidder shall be the sole responsibility of the successful bidder. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the successful bidder.

SECTION 9: That all items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Brunswick, its officers, employers and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Brunswick, its officers, employers and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

SECTION 10: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 11: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

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

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

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

ATTEST:

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Clerk of Council  
Fijabi Julien-Gallam, CMC

THE CITY OF BRUNSWICK

**PROPOSED LEGISLATION**



**DATE:** 11/11/2019

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 82-19** - An emergency resolution authorizing the City Manager to purchase Cisco switching equipment from SHI, Inc. in an amount not to exceed \$45,500.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*)

**BACKGROUND:** Cityhall switches are end of life and have been in production for over nineteen years. The replacement was budgeted for this year. Due to the size of the project the discounting provided will also allow for the replacement of the switching equipment at the rec center. All other buildings were requested in budget for next year.

Cisco switching equipment from SHI, Inc. would be at a cost below State contract pricing and not to exceed \$45,500.00.

**PURPOSE AND EXPLANATION:** Due to end of life state of the switches, a total replacement at cityhall was scheduled for this year.

**IMPLEMENTATION SCHEDULE:** Upon council passage

**FINANCIAL INFORMATION:** - - General Fund #001 - IT Capital Subfund #904 - 904-0302-56252 - - 45500

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

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

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

The City hall switches serve the all city departments and maintain police and fire as well all city services.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 82-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE CISCO SWITCHING EQUIPMENT FROM SHI, INC. IN AN AMOUNT NOT TO EXCEED \$45,500.00.

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

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Procurement Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Procurement Program; and

WHEREAS: The proposed purchase of Cisco switching equipment from SHI, Inc., in an amount not to exceed \$45,500.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Procurement Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase Cisco switching equipment from SHI, Inc. in an amount not to exceed \$45,500.00.

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 replacement of the switching 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.

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

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

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

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

**THE CITY OF BRUNSWICK**

**PROPOSED LEGISLATION**



**DATE:** 11/11/2019

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 83-19** - An emergency resolution authorizing the City Manager to purchase a replacement storage area network from SHI, INC. in an amount not to exceed \$65,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Robert Marok*)

**BACKGROUND:** The City's computer storage is made up of several various units. This scheduled replacement will become primary storage and the oldest unit will be decommissioned. This will be replacing a unit that is five years old.

Purchase of a replacement SAN (storage area network) from SHI, Inc. would be at a cost below State of Ohio contract pricing at a price not to exceed \$65,000.

**PURPOSE AND EXPLANATION:** This is a scheduled replacement and will serve to start cycling equipment before it is having issues due to age of equipment.

**IMPLEMENTATION SCHEDULE:** Upon adoption, server will be ordered

**FINANCIAL INFORMATION:** SAN replacement - 11/12/2019 - General Fund #001 - IT Capital Subfund #904 - 904-0302-56252 - - 65000

**FINANCIAL SUMMARY:** This project was budgeted for and is within budget.

**RECOMMENDED ACTION:**

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

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

This storage unit will become primary for police, 911, finance and email services. Severing the 911 center, Finance and the city as a whole.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 83-19

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A REPLACEMENT STORAGE AREA NETWORK FROM SHI, INC. IN AN AMOUNT NOT TO EXCEED \$65,000.00.

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

WHEREAS: Ohio Revised Code Section 125.04(C) permits the City to purchase supplies or services from another party without competitive bidding and outside the State Procurement Program if such supplies or services can be purchased under equivalent terms, conditions and specifications, but at a lower price than through the State Procurement Program; and

WHEREAS: The proposed purchase of a replacement storage area network from SHI, Inc., in an amount not to exceed \$65,000.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Procurement Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase a replacement storage area network from SHI, Inc. in an amount not to exceed \$65,000.00.

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 replacement of the storage area network 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.

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

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

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

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