

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

MAY 11, 2020

6:30 PM

In Council Chambers

1. Review Legislation
 - (a) **RES. NO. 28-2020** - An emergency resolution accepting the petition for annexation of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*)
 - (b) **ORD. NO. 29-2020** - An emergency Ordinance amending Ordinances #92-19 and #7-2020 to include amendments to the appropriations budget for the year ending December 31, 2020 as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from the Committee-of-the-Whole, *Administration/Todd Fischer*)
 - (c) **ORD. NO. 30-2020** - An emergency Ordinance to advance funds. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Todd Fischer*)
 - (d) **RES. NO. 31-2020** - An emergency resolution authorizing the City Manager to enter into an agreement with Northeast Ohio Trenching Service, INC. for the Rec Center Waterline/Boyer Drive Resurfacing Project in an amount not to exceed \$271,686.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Matt Jones*)
2. General Discussion
3. Adjournment

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 5/11/2020

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

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

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 28-2020** - An emergency resolution accepting the petition for annexation of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*)

BACKGROUND:

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**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?

Resolution accepting annexation to be considered as an emergency measure with suspension of rules at the May 11, 2020 Council meeting.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 28-2020

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF 19.485 ACRES OF LAND KNOWN AS BEING PART OF BRUNSWICK HILLS TOWNSHIP TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO.

WHEREAS: The Medina County Commissioners, on February 4, 2020, by Resolution No. 20-0090 attached hereto as Exhibit "A", approved the Petition for Regular Annexation on Application of Owner of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio;

WHEREAS: Pursuant to Ohio Revised Code Section 709.04, the legislative authority of the City of Brunswick must accept or reject the petition for annexation at the next regular session after the expiration of sixty (60) days of the date of filing the certified transcript of all orders of the board of county commissioners, the petition, map and all other papers on file relating to the annexation proceedings with the clerk of the municipal corporation, which occurred on March 5, 2020; and

WHEREAS: The Clerk of the municipal corporation is required to lay the transcript and the accompanying map or plat and petition before the legislative authority.

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

SECTION 1: That the Petition for Regular Annexation on Application of Owner of 19.485 acres of land known as being part of Brunswick Hills Township is hereby accepted.

SECTION 2: That the Clerk is hereby authorized and ordered to make three (3) copies containing the petition, the map or plat accompanying the petition, a transcript of the proceedings of the board of county commissioners, and all resolutions and ordinances in relation to the annexation, with a certificate to each copy that it is correct. Each certificate shall be signed by the Clerk in her official capacity and shall be authenticated by the seal of the municipal corporation, if applicable.

SECTION 3: That the Clerk is hereby authorized and ordered to forthwith deliver one such copy of this Resolution to the Medina County Auditor, one such copy to the Medina County Recorder, and one such copy to the Ohio Secretary of State.

SECTION 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to comply with the time requirements of Ohio Revised Code Section 709.04. 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

Medina County Commissioners

Patricia G. Geissman
William F. Hutson
Colleen M. Swedyk

County Administration Building
144 North Broadway
Medina, Ohio 44256

Phone: (330) 722-9208
Toll Free: (844) 722-3800
Fax: (330) 722-9206

March 5, 2020

VIA HAND DELIVERY

Fijaba Julien-Gallam, Clerk
City of Brunswick
4095 Center Road
Brunswick, OH 44212

RE: Regular Annexation Petition
19.485 Acres for Dual Jurisdiction with Brunswick Hills Township and the City of Brunswick

Dear Fijaba:

For your records, enclosed are Resolution 20-0090 approving the petition for annexation of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick. Medina County approved on February 4, 2020, a certified copy of the minutes of the January 14, 2020 annexation hearing, a certified copy of the minutes of the February 4, 2020 commissioners' meeting and the plat. I am also enclosing a copy of correspondence the commissioners received from Brunswick Hills Township trustees dated January 28, 2020 for your records.

If you have any questions, please feel free to contact our office.

Thank you.



Rhonda Beck
Clerk, Board of County Commissioners

Enc.

cc: Fiscal Officer, Brunswick Hills Township
Bob Tinl, Esq. – Agent for Petitioner
Medina County Auditor

REGULAR MEETING – TUESDAY, FEBRUARY 4, 2020

The Board of County Commissioners of Medina County, Ohio, met in regular session on this date with the following members present:

William F. Hutson

Patricia G. Geissman

Colleen M. Swedyk

Mr. Hutson offered the following resolution and moved the adoption of same, which was duly seconded by Mrs. Geissman.

RESOLUTION NO. 20-0090

**APPROVING THE PETITION FOR THE REGULAR ANNEXATION OF
19.485 ACRES OF LAND KNOWN AS BEING PART OF
BRUNSWICK HILLS TOWNSHIP
TO THE CITY OF BRUNSWICK, MEDINA COUNTY, OHIO**

WHEREAS, a petition for annexation of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio was filed with the Clerk of the Board of Medina County Commissioners on November 8, 2019 in accordance with Ohio Revised Code Section 709.02, and

WHEREAS, the day and hour and has come for the rendering of a decision by the Board of County Commissioners on said petition for annexation, and

WHEREAS, the State of Ohio has provided landowners a number of legal methods for annexations of property to municipal corporations to occur that balance the desires, needs and benefits of the petitioners, municipality and townships, and

WHEREAS, proper procedures were followed and notices given, and a public hearing commenced on January 14, 2020 in accordance with Section 709.032 of the Ohio Revised Code, and

WHEREAS, the Board of County Commissioners now finds that based on the preponderance of the substantial, reliable, and probative evidence on the entire record that said petition meets the following requirements and conditions:

1. The petition meets all of the requirements set forth in, and was filed in the manner provided in Section 709.02 of the Ohio Revised Code:
 - a. the territory proposed to be annexed is contiguous to the City of Brunswick;
 - b. the petition was signed by a majority of the authorized owners of real estate within the territory to be annexed;
 - c. each petition's signature includes the date it was obtained and no signature was obtained more than 180 days before the date of filing;
 - d. the petition contains an accurate legal description of the perimeter and an accurate map/plat of the territory to be annexed;
 - e. the petition states the person who would act as agent for the petitioner, and
 - f. the agent filed with the petition a list of all tract, lots or parcels within and adjacent to the territory to be annexed, including names, addresses of owners, and permanent parcel numbers.
2. The petition meets the following requirements set forth in Section 709.03 of the Ohio Revised Code:
 - a. The Clerk of the Board of County Commissioners notified the agent of the date, time, and place of the hearing;
 - b. the agent provided proof the required notices to: (1) the clerk of the municipality; (2) the fiscal officer of the township involved; and (3) the clerk of the board of commissioners;
 - c. the agent provided the required notices to: (1) all property owners within the territory proposed for annexation, and (2) adjacent property owners;
 - d. the agent has provided proof of the required notice published in a newspaper of general circulation;
 - e. the legislative authority of the municipality has adopted a statement by ordinance/resolution relative to services the municipality will provide with an approximate date by which it will provide said services upon annexation; and

The Clerk of the Board of County Commissioners of Medina County, Ohio does hereby certify that the foregoing is a true and correct copy of the resolution adopted by said Board on 2/4/2020
Patricia G. Geissman

REGULAR MEETING – TUESDAY, FEBRUARY 4, 2020
RESOLUTION NO. 20-0090 (CONT'D.)

- f. the municipality filed its statement of municipal services with the board of county commissioners at least 20 days before the date of the annexation hearing.
3. The petition meets all of the requirements set forth in Section 709.033 of the Ohio Revised Code:
 - a. the petition meets all of the requires set forth in and was filed in the manner provided in Section 709.02 of the Ohio Revised Code;
 - b. the persons signing the petition are owners of real estate located in the territory proposed to be annexed and at the time the petition was filed, the number of valid signatures on the petition constitutes a majority of the owners of the real estate in that territory;
 - c. the municipal corporation to which the territory is proposed to be annexed has complied with Division (D) of Section 709.03 of the Ohio Revised Code;
 - d. the territory proposed to be annexed is not unreasonably large;
 - e. on balance, the general good the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted; and
 - f. no street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem.

The Board of Medina County Commissioners, upon review of substantive, reliable and probative evidence, finds that:

- 1) The annexation involves a 19.485 acres parcel located on the east side of South Carpenter Road (T.H. 103) by Laurel Road (T.H. 138) in Brunswick Hills Township, identified as PPN 001-02D-09-011, owned by Dale R. Michalske located at 501 Red Rock, Wadsworth, Ohio 44281; Donna Zatezalo located at 7357 Colton Court, Valley City, Ohio 44280; Dean W. Michalske located at 6242 106th Avenue N., Pinellas Park, Florida 33782; and Georgia Michalski located at 19284 Idlewood Trail, Strongsville, Ohio 44149 located at 1849 South Carpenter Road, Brunswick, Ohio 44212. It is not unreasonably large and is adjacent and contiguous to the land of the municipal corporation of the City of Brunswick;
- 2) Four individuals owns the property and the all owners signed the petition; therefore, the petition contains signatures of the majority (51%) of owners;
- 3) The City of Brunswick Resolution No. 89-19 adopted November 26, 2019 declared intention by the City of Brunswick to provide municipal services to the subject property; the landowner is in agreement the annexed territory would receive adequate services sufficient to establish the general good of the territory being annexed;
- 4) The petitioner has proved that the land after annexation will enjoy a level of services comparable or adequate to that enjoyed prior to the annexation;
- 5) No street or highway will be divided or segmented by the boundary line between a township and the municipality as to create a road maintenance problem.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Medina County, Ohio that having found that the conditions of the Ohio Revised Code have been met, the Petition to Annex 19.485 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio, attached as Exhibit A, is hereby approved and granted in accordance with the law.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the agent for the petitioners, fiscal of the township, and clerk of the municipality, and that a complete record of the annexation proceeding be sent to the clerk of the municipality after the expiration of 30 days after journalization if no appeal has been timely filed under Section 709.07 of the Revised Code.

Voting AYE thereon: Mr. Hutson, Mrs. Geissman and Mrs. Swedyk

Adopted: February 4, 2020

Prepared by: Commissioners' Office

PETITION FOR REGULAR ANNEXATION ON
APPLICATION OF OWNERS

TO: Board of County Commissioners of Medina County, Ohio
144 North Broadway
Medina, Ohio 44256

We, the undersigned, being the sole owners of the real estate in the territory hereinafter described, hereby petition for the regular annexation of the territory set forth in Exhibit "A" to the City of Brunswick, Medina County, Ohio, that property being owned by the undersigned and identified as follows:

- I. Dale R. Michalske, 501 Red Rock, Wadsworth, Ohio 44281, Donna Zatezalo, 7357 Colton Court, Valley City, Ohio 44280, Dean W. Michalske, 6242 106th Avenue N., Pinellas Park, FL 33782, and Georgia Michalski, 19284 Idlewood Trail, Strongsville, Ohio 44149, the owners of the parcel identified as PPN: 001-02D-09-011.

The above-described property is adjacent to and/or contiguous with the said City of Brunswick.

Petitioners have attached and made a part of this petition, an accurate map showing the boundaries of the territory sought to be annexed, marked "Annexation Plat."

There are four (4) owners of the real estate in the above-described territory which is sought to be annexed to the City of Brunswick as set forth herein.

Attached hereto as Exhibit "B" is the list of the owners, mailing addresses and Permanent Parcel Numbers of all parcels adjacent to the territory being annexed in these proceedings.

Further attached hereto as Exhibit "C" is an 8.5 x 11 copy of the subject mylar.

Robert T. Tini, Attorney at Law, 3695 Center Road, Brunswick, Ohio 44212 is hereby appointed agent for the undersigned petitioner pursuant to separate document.

OWNER:

Dale R Michalske
DALE R. MICHALSKE

8-26-19

DATE

ATTORNEY AND AGENT:

R. T. Tinsley
ROBERT T. TINL
Attorney at Law

8-31-19

DATE

STATE OF Ohio

COUNTY OF Medina

)
) SS.
)

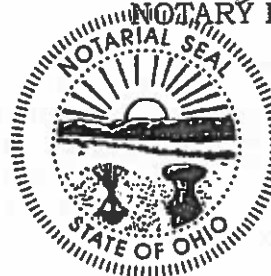
BEFORE ME, a Notary Public in and for said County and State, personally appeared DALE R. MICHALSKE who acknowledged that he did sign this Petition for Regular Annexation on Application of Owner and that the same is his free act and deed.

Dale R Michalske
DALE R. MICHALSKE

SWORN TO before me and subscribed in my presence on this
26th day of August, 2019.

C Cheryl A Gallucci

NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, 2021

OWNER:

Donna Zatezalo
DONNA ZATEZALO

8-29-19
DATE

ATTORNEY AND AGENT:

Robert T. Tinl
ROBERT T. TINL
Attorney at Law

8-31-19
DATE

STATE OF Ohio)
COUNTY OF Medina) SS.

BEFORE ME, a Notary Public in and for said County and State,
personally appeared DONNA ZATEZALO who acknowledged that she did
sign this Petition for Regular Annexation on Application of Owner and
that the same is her free act and deed.

Donna Zatezalo
DONNA ZATEZALO,

SWORN TO before me and subscribed in my presence on this
29 day of August, 2019.

Brittney M. L. Esser
NOTARY PUBLIC



BRITTNEY M. L. ESSER
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
9-25-22

OWNER:

Dean W Michalske
DEAN W. MICHALSKE

8/27/19
DATE

ATTORNEY AND AGENT:

Robert T. Tinsley
ROBERT T. TINL
Attorney at Law

8-31-19
DATE

STATE OF Florida)
COUNTY OF Pinellas) SS.

BEFORE ME, a Notary Public in and for said County and State, personally appeared DEAN W. MICHALSKE who acknowledged that he did sign this Petition for Regular Annexation on Application of Owner and that the same is his free act and deed.

Dean W Michalske
DEAN W. MICHALSKE

FL Dr. Lic # mayd-179-54-144-0

SWORN TO before me and subscribed in my presence on this 27 day of August, 2019.

Mary Michele Miller
NOTARY PUBLIC



OWNER:

Georgia Michalske
GEORGIA MICHALSKE

8-28-2019

DATE

ATTORNEY AND AGENT:

Robert T. Tinkl
ROBERT T. TINL
Attorney at Law

8-31-19

DATE

STATE OF

Ohio

COUNTY OF

Cuyahoga

)
) SS.
)

BEFORE ME, a Notary Public in and for said County and State,
personally appeared GEORGIA MICHALSKE who acknowledged that she
did sign this Petition for Regular Annexation on Application of Owner and
that the same is her free act and deed.

Georgia Michalske
GEORGIA MICHALSKE

SWORN TO before me and subscribed in my presence on this
28th day of August, 2019.

Cheryl A. Gallucci
NOTARY PUBLIC



CHERYL A. GALLUCCI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 01, ~~2021~~

EXHIBIT "A"

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and known as being the Northwest part of Lot No. 5 in the Sanford Tract 3 and beginning at the intersection of the two public highways in the Northwest corner of said lot; thence South along the centerline of Carpenter Road, 220 feet to the true place of beginning; thence Easterly along the South line of Treasure Valley Estates Allotment as recorded in Plat Book 11, Page 64, a distance of 1100 feet to a point; thence South $1^{\circ}16'$ East a distance of 771.6 feet to an iron pin set on the existing fence line; thence N. $87^{\circ}39'$ W a distance of 1100.00 feet to a point in the centerline of Carpenter Road, passing through an iron pin set at the existing fence corner 30.00 feet from said centerline; thence Northerly along said centerline a distance of 771.6 feet to the place of beginning. Containing 19.485 acres, be the same more or less, and subject to all legal highways.

Permanent Parcel No. 001-02D-09-011

LIST OF ADJOINING OWNERS

David E. Stanislow and Barbara J. Stanislow
1896 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-106

Karoline M. Maciak and Justin A. Maciak
1890 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-105

Matthew McKinney
1882 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-104

Kevin A. Cobb and Michelle Cobb
1874 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-103

William J. Hill
1860 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-102

Theodore M. Hruschak and Lydia J. Hruschak
1852 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-101

John R. Yaeger and Dianna R. Yaeger
1844 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-100

Brian Ferrier and Joshua Takak
1836 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-099

Daniel D. Ducic, Jr. and Carmella T. Ducic
1828 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-098

Gary D. Anderson
1820 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-097

Dennis R. Stickney and Mary M. Stickney
3194 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-094

Judith A. Dobscha
3184 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-093

Keith M. Bertok and Janice A. Bertok
3174 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-187

Richard L. Grove and Zelta L. Grove
3164 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-188

Paul J. Wentz and Deanna L. Wentz
3154 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-189

Christopher M. Vance
3144 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-005

Jeffrey N. Saffle
3134 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-006

John P. Kokensparger
3124 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-007

Bruce Gager and Robin Gager
3110 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-008

Gary Devorak and Stephanie A. Devorak
3102 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-009

Luann O'Connor
3094 Laurel Road
Brunswick, Ohio 44212
PPN: 001-02D-09-010

Milojka Majstorovic
3086 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-193

Nukihja Nahstirivuc
3086 Laurel Road
Brunswick, Ohio 44212
PPN: 003-18D-17-196

R. Darl Fuller
1959 Carpenter Road
Brunswick, Ohio 44212
PPN: 001-02D-13-002

Diane Stoken
1812 Carpenter Road
Brunswick, Ohio 44212
PPN: 003-18D-17-096

Dale R. Michalske
501 Red Rock
Wadsworth, Ohio 44281

Donna Zatezalo
7357 Colton Court
Valley City, Ohio 44280

Dean W. Michalske
6242 106th Avenue N.
Pinellas Park, FL 33782

Georgia Michalski
19284 Idlewood Trail
Strongsville, Ohio 44149

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio and being part of Original Sanford Tract 3, Lot No. 5

REC'D WELDING COUNTY CLERK
NOV 2 2009 11:52 AM

PLAT OF REGULAR ANNEXATION

of 19.485 Acres in Brunswick Hills Township to the City of Brunswick
Situatd in the Township of Brunswick Hills, County of Medina and State of Ohio and being part of Original Sanford Tract 3, Lot No. 5

ACCEPTANCE

Know all men by these presents that Dale R. Michalske, owner of the lands embraced within this plat, hereby acknowledges this plat and here caused the same to be platted and entered to the City of Brunswick.

Dale R. Michalske 10-25-2019
Dale R. Michalske

County of Madison
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Dale R. Michalske, who acknowledged the foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal of Medina, Ohio this 25th day of October 2019.

Dale R. Michalske
Notary Public

8-1-20
by commission expires



ACCEPTANCE

Know all men by these presents that Dean V. Michalske, owner of the lands embraced within this plat, hereby acknowledges this plat and here caused the same to be platted and entered to the City of Brunswick.

Dean V. Michalske 10/15/2019
Dean V. Michalske

County of Franklin
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Dean V. Michalske, who acknowledged the foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal at St. Catharines, Florida this 15 day of October 2019.

Stephen D. Ditt
Notary Public

5-1-23
by commission expires

County of Madison
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Dale R. Michalske, who acknowledged the foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal at Medina, Ohio this 25th day of October 2019.

Dale R. Michalske
Notary Public

8-1-20
by commission expires



ACCEPTANCE

Know all men by these presents that Georgia Michalske, owner of the lands embraced within this plat, hereby acknowledges this plat and here caused the same to be platted and entered to the City of Brunswick.

Georgia Michalske 10-28-2019
Georgia Michalske

County of Cuyahoga
State of Ohio

Before me, a Notary Public in and for said County and State, personally appeared Georgia Michalske, who acknowledged the foregoing instrument and the signing of this plat to be their own free act and deed.

In testimony whereof I have hereunto set my hand and official seal at Springfield, Ohio this 28th day of October 2019.

Georgia Michalske
Notary Public

8-1-20
by commission expires



AMENDMENT TO PETITION FOR REGULAR ANNEXATION
ON APPLICATION OF OWNERS

Robert Tini, as Agent for the Petitioners on a petition for regular annexation on application of owners of Permanent Parcel Number 001-02D-09-011, Brunswick Hills Township, Ohio which was filed at the office of the Medina County Commissioners, Medina County, Ohio on November 8, 2019 at 9:23 a.m. hereby amends that petition to correct the spelling of the name of one of the Petitioners. Georgia Michalske, one of the Petitioners, has a surname which is properly spelled as "Michalske". The original petition listed the name "Georgia Michalski".



ROBERT T. TINL
Agent for Petitioners
3695 Center Road
Brunswick, Ohio 44212
330-225-7220 – Phone
330-225-9770 – Fax
bob@tinlanddeliman.com

NOV 13 2019 AM 10:15
MEDINA COUNTY CO

19.485 acres – Brunswick Hills Township to the City of Brunswick

Commissioner Swedyk called the hearing to order at 10:00 a.m. with William F. Hutson and Patricia G. Geissman present. The hearing was for the consideration of a regular annexation of 19.485 acres of land from Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. Mrs. Swedyk noted that the petition was filed with the Commissioners' Office on November 8, 2019 in accordance with Ohio Revised Code Section 709.02. All parties providing statements were sworn in prior to providing their testimony and a court reporter was present for the proceedings.

Agent for petitioner Bob Tini provided an opening statement noting that testimony will be provided that they have met the requirements of ORC 709.033 and 709.02.

Real Estate Developer Tim Powers explained that the plan for this parcel is a development of senior living detached cluster homes. Because wells are not feasible, water and sewer must be available. To get Cleveland water, this property must be annexed to the City of Brunswick. Mr. Tini reviewed several exhibits with Mr. Powers. Mr. Powers stated they are proposing to do upwards of 44 cluster homes, trying to bring them in around \$300,000-\$400,000 each bringing an added value of \$15,400,000 over a four year period. This project cannot go forward if it is not annexed.

Dennis Nevar of the City of Brunswick Law Department stated that Brunswick City Council adopted a resolution providing notice of intent to provide services to this parcel in the event annexation is granted by this board.

Darl Fuller expressed concern that the only reason this is being requested is because of the water problem involving a 1977 journal entry. He stated that Brunswick Hills Township citizens are being held hostage by this journal entry which benefits no one but the City of Brunswick. He stated it keeps water access from the first 100 feet on the east side of South Carpenter Road and up Laurel Road, and on the west side of Carpenter Road, it takes in all of the township block; nobody can get water. He further stated that homes built there should be similar to other homes in the area. There was brief discussion regarding the referenced journal entry. Mrs. Geissman noted that this issue came up in the 1990s and was not able to be resolved then.

John Kokensparger stated that this parcel is in a FEMA flood plain and is concerned about flooding. He stated any kind of development has to be approved and permitted by not only the city, but also the county, the state and FEMA. He is concerned how moving dirt will affect neighbors due to elevation issues. Past issues of flooding have not been brought to the attention of the trustees, but he stated that he believes development will make flooding problems much worse. Mr. Powers responded that wetlands can't be disturbed and in past developments, he has alleviated more problems than have been created.

Robin Gager stated she has video showing the worst of the flooding issues and they have dug a ditch to divert water back to the property. She stated she is glad they are aware of the flooding issue and asked them to consider planning a buffer zone. She has asked the Parks to purchase the property; the Parks declined.

Mr. Hutson explained that the matter before the commissioners is the annexation only; they are not here to approve or disapprove development plans or how it may be developed. The concerns about the flooding or how it is developed should go before the planning commission for the City of Brunswick.

Emergency Management Director Christina Fozio explained that there are countywide higher flood plain standards that zoning and planning has to consider. Flooding and household structure flooding is important to them. There are guidelines and requirements that the developer must adhere to for building a major subdivisions.

Mrs. Swedyk stated that the board will enter its decision on the journal within thirty days of this hearing.

Mr. Hutson moved to adjourn the hearing; Mrs. Geissman seconded the motion. Roll call showed all commissioners voting AYE; the motion carried. The hearing adjourned at 10:51 a.m.

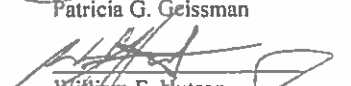
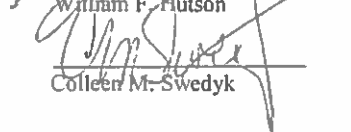
Respectfully submitted,


Rhonda J. Beck
Clerk to the Commissioners

COMMISSIONERS

OF

MEDINA COUNTY


Patricia G. Geissman

William F. Hutson

Colleen M. Swedyk

Colleen M. Swedyk called the meeting to order at 9:30 a.m. with William F. Hutson and Patricia G. Geissman present. The meeting opened with the Pledge of Allegiance and a prayer. Mrs. Swedyk stated that Buck Adams was laid to rest this past weekend. He had served Medina County EMA and on many boards over the years. The commissioners recognized his dedicated service to our county and wished his family well.

The minutes of the January 28, 2020 commissioners' meeting were emailed in advance. Mr. Hutson moved to approve the minutes; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE; the motion carried.

Highway Engineer Administrative Assistant Doug King presented and reviewed the following resolutions: (1) authorizing the county engineer to proceed in certain instances by force account in the reconstruction, improvement, maintenance and repair of roads, bridges and culvers; (2) authorizing the President of the Board of County Commissioners to submit applications and execute contracts to the Ohio Public Works Commission for Issue 1 funding; (3) accepting and awarding the bid for MED-CR99-0.80, the Replacement of Bridge No. 5 on Shaw Road (CR-99) in Chatham Township; (4) determining the necessity to close Reimer Road (Ch-123) between Wilhite Drive (TH-432) and Medina Line Road (CH-2); (5) authorizing the Medina County Engineer to advertise for bids for the 2020 Medina County Highway Department Equipment and Labor Contract; and (6) accepting and awarding the bids for the 2020 Medina County Aggregate Bid for the Medina County Engineer. Mr. Hutson moved to approve the six resolutions; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE.

The commissioners reviewed the permits issued January 23-29, 2020.

Finance Director Mike Pataky presented and reviewed the following resolutions: (1) amending the temporary appropriation resolution; (2) authorizing the county auditor to transfer funds from the county general fund (0010) to the public assistance fund (0120) for county-mandated share; (3) authorizing the county auditor to transfer funds from the JFS Children Services IV-E Fund (0050) to the JFS Public Assistance Fund (0120) for Children Services (IVE) administrative expenditures; (4) authorizing the county auditor to transfer funds from the JFS Children Services SCPA Fund (0050) to the JFS Public Assistance Fund (0120) for SCPA administration expenditures; (5) creation of a Sheriff's Office SWAT Helmets 2020 Fund and authorizing appropriations; (6) declaring Medina County property as excess property; (7) approving the transfer of Medina County inventory between various Medina County offices; (8) allowing expenses of county officials; and (9) allowing claims and authorizing issuance upon the treasurer in settlement of such list of claims in the amount of \$1,148,851.38. Mr. Hutson moved to approve the nine resolutions; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE.

Human Resources Director Holly Muren presented and reviewed a resolution approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners. Mr. Hutson moved to approve the resolution; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE.

Sanitary Engineer Amy Lyon-Galvin presented and reviewed the following resolutions: (1) authorizing the sanitary engineer to enter into an agreement with H.R. Gray for construction management services for the Sharon Township Water and Sanitary Improvement Project; and (2) authorizing a one year extension of the contract for the hauling and disposal of cake biosolids, DAF float and hauling of liquid waste activated sludge. Mr. Hutson moved to approve the two resolutions; Mrs. Geissman seconded the motion. Mr. Hutson stated that there was a meeting in Sharon Township last Thursday that had 150 people in attendance. Amy did a great job of answering questions and presenting these two projects to the township. There was no further discussion. Roll call showed all commissioners voting AYE. T

Transit Operations Supervisor Amanda Hooser presented and reviewed a resolution approving a CY20 Transit Service Agreement with Community Action Wayne/Medina (CAMW). Mr. Hutson moved to approve the resolution; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE.

Veterans Service Office Director Ed Zackery provided an update noting that they started a new program last year to provide transportation to veterans throughout the county on the Medina County Public Transit. This year they formalized a program with the Medina County Health Department to assist veterans with their dental care. They provided relief for 479 Medina County veterans and their families in 2019 which is a slight increase from 2018. This increase is mainly attributed to the government shutdown that occurred in early 2019. There were \$320,558.76 in vouchers written for 2019 and \$318,144.59 in vouchers paid out for 2019. The average dollar amount spent on financial assistance per veteran was \$678.70 which is nearly \$100 less than 2018.

Currently, Medina County has seventeen active veteran organizations. They still go to three medical centers including Akron, Parma and Cleveland. Last year, they transported 1,207 veterans to and from their medical appointments at those three clinics. In 2019, 386 veterans have been seen at the vet center. Our county currently has two group homes for veterans that provide homes for veterans with mental illness and people that cannot make it on their own.

They filed 397 claims to the Department of Veterans Affairs (rating claims) and 670 total claims along with 36 appeals or higher-level reviews. They assisted 2,449 veterans and family members with paperwork for the VA. All together with van riders, immediate assistance, VA claims and ancillary benefits, they made 4,259 appointments in 2019. This number continue to increase each year. In 2018, \$32M was provided for compensation and pension to veterans within Medina County; \$4.5M was provided for education, vocational rehab and insurance; and \$31M in medical. In total, the VA spent \$69.2M on the veterans of Medina County in 2018 which is an increase of nearly \$4M from the previous year. Regarding expenses, although they are seeing and assisting more veterans, they have managed to keep their expenses relatively low.

Mr. Zackery reviewed outreach events noting that they continue to work with nursing homes and senior centers. The have a big event on March 31 (Veterans' Resource Summit for Vietnam Veterans Recognition Day) at the Brunswick Rec Center. They continue to partner with various agencies around the county. There are 13,000 veterans in the county and last year, they reached approximately 8,000 of them. In 2019, they spent \$7,492.79 on training for personnel in their office. They currently have three accredited personnel and are currently accredited with eleven organizations through the Department of Veterans Affairs.

In answer to a question by Mr. Hutson regarding transportation, Mr. Zackery explained that they are looking at wheelchair accessibility because they are getting more vets in wheelchairs that need in getting to appointments. They used to contract it out but those services aren't available like in the past. They are in discussions with Transit to see if they are able to offer these services, but if they cannot, they may need to look into changing one of their vans to be wheelchair accessible. The contract they do have with Transit is only within the county.

Health Commissioner Krista Wasowski provided a report on the coronavirus noting that as of this morning, there are no confirmed cases of the virus in Ohio and no persons under investigation. There are eleven confirmed cases in the United States as of last night; those are in five states. There are two individuals who are person-to-person exposure. She explained that those two individuals are spouses of individuals who had traveled from Wuhan and had contracted the illness there. They had very close personal contact with known cases who had traveled and were ill. Right now, we have no community spread in the United States and they are considering risk to be very low in the U.S., but they are taking steps to make sure they can slow the progression of the virus and have the opportunity to learn more about it. Mrs. Wasowski reviewed the travel restrictions currently in place. We have no one in Medina County who is traveling under these circumstances, but if we were to receive someone into the county, there is a process that would be followed. She stated they would know in advance of them arriving, they would be self-monitoring and they would be in regular contact with them. This is a known strategy to reduce spread and risk.

Mrs. Wasowski stated that this coronavirus is considered a Class A reportable disease. We have several diseases in this classification including measles. This means a quick level of response is required. This is considered a Class A only because they don't know a lot about it and they are being very vigilant about it. They have a very strong public health system and they are in contact with the State Health Department every day. They have the ability to contact all of the health departments 24/7, they have federal and international partners, and they pay attention to things. They are sending out information as necessary.

In answer to a question by Mr. Hutson, Mrs. Wasowski explained that coronavirus is different than the flu virus in that this is something new that nobody has an immunity to. This is brand new and it's something nobody has seen before. She noted that they are still looking to determine the source of the virus. They are trying to combat misinformation by providing accurate information to the public. She reminded everyone that it is cold and flu season, so you will see people coughing and with colds. Please don't assume it's anything other than the flu or the common cold that is circulating at this time of year. Mr. Hutson inquired about how the lethality of this virus compares to the flu. Mrs. Wasowski stated that nationwide, 8,000 have passed away from the flu this year. It's hard to determine how that compares to this virus because the denominator is unknown, but they are still gathering information.

Commissioner Swedyk presented and reviewed a resolution approving the petition for the regular annexation of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio. Mr. Hutson moved to approve the resolution; Mrs. Geissman seconded the motion. Mr. Hutson explained that the commissioners have received a number of comments in opposition to this annexation. He stated that it's very important to know that from the commissioners' perspective, if they satisfy the criteria, it's something that has to be approved. He asked the clerk of the criteria were met; Rhonda Beck answered yes. Mr. Hutson stated that the commissioners don't have any choice but to approve the annexation, and how the property is developed becomes up to the City of Brunswick. Mrs. Swedyk stated it is more of a zoning issue locally. Mrs. Geissman added that the commissioners received a letter from the Brunswick Hills Township trustees; they did not attend the public hearing. They wanted to be put on record, which they cannot do because they were not here, but there was no basis to their objection. Mr. Hutson added that their letter stated that they oppose any and all annexations, so it's not just this one. While he understands that, the legal mechanism allows it to happen. There was no further discussion. Roll call showed all commissioners voting AYE.

Commissioner Swedyk presented and reviewed a resolution appointing a member to the Medina County Port Authority. Mr. Hutson moved to approve the resolution; Mrs. Geissman seconded the motion. There was no discussion. Roll call showed all commissioners voting AYE.

Commissioner Swedyk recognized and congratulated the Cloverleaf 5th grade D.A.R.E. graduates. There were 160 students that completed the program. The commissioners wished them continued success and growth in the community. Mr. Hutson stated that the Sheriff's office does a great job with that. The graduation is Thursday.

Public Comment

Mark Fredrick, 6146 West Smith Road, Medina stated he comes here today with a sense of alarm. He had no intention of speaking. He looked at Facebook and that ties to another reason he is here. The ability to run up here and speak when necessary. He goes back quite a ways where they changed the rules in the middle of the game on the Friday before to talk on Tuesday. He understands no one likes to be ambushed. He stated there was a post from a constituents on Facebook and he suggested going back and looking at Medina County Rants and Raves page. He is not one to run around and yell the sky is falling, but what he read there, concerned him noting it was something about the second amendment. He stated that he does not need to wave the red flag any more than he already has, but that he is glad to see deputies here. He does not want anything to happen to any constituent or resident of our county, and he is a strong upholder of law enforcement. Mr. Fredrick added that he thinks we need to be aware of such things. He is glad the public can speak and spread the alarm as necessary.

Mr. Fredrick also stated that he wanted to talk about switching meetings. There was supposed to be a meeting about the courthouse today and it got switched. The problem with the last minute switch is there are people who have a life outside of county government and they have arrangements for babysitters, jobs and everything else. When they start cancelling meetings, it screws up their day. Mr. Fredrick stated he is retired, but for other people who have a real life, it is quite an inconvenience. He does not know how to solve that problem. It has been brought up that these meetings should be in the evening when people can attend. There is a meeting at 4:00 p.m. today at the city for the courthouse. If you are going to switch meetings or cancel, he does not know what a fair notice for the public would be, but try to be fair. He stated that he is basically pretty pleased with the county and the commissioners, especially Pat Geissman; Mrs. Swedyk has not been around long enough to put up with him. She is the only one that answers his emails. Mr. Fredrick noted that there is also a chicken flu - H5N1 strain. It is the same strain that hit Ohio a few years ago. There is one in California that is pretty bad, H7N9. He is part of the Ohio Department of Agriculture and was told to report anything fishy. He is keeping his eye on everything whether it is the health of our county or threats against our commissioners.

Steve Stein, 861 Chapel Circle, Medina stated he is representing Ohio Stands United Medina County. They are made up of 321 persons in the county. They are concerned with attempts in Ohio and elsewhere in our nation to weaken, remove or generally infringe upon our constitutionally protected rights. After concerns expressed by the county prosecutor on their first draft, they are submitting a second draft of the resolution to the commissioners to simply have them reaffirm their oaths to the Constitution of the U.S. and Ohio and our protected right to keep and bear arms. They want to know that the commissioners' have the backs of the citizens of Medina County should there be efforts to bring unconstitutional laws here and to head off any efforts to attempt the same. He stated that they understand that this is merely a symbolic gesture, but they do not underestimate the power and impact of symbolism. There are other states that are taking similar steps to protect this constitutionally protected right. Citizens in at least 43 counties or municipalities have organized and at least 11 counties as of this morning have passed resolutions. The Commonwealth of Virginia's legislatures have passed and their governor has signed legislation severely eroding their citizens' rights under the second amendment. No doubt, in time, these will be overturned by the courts. If that was not enough, they have now begun to introduce legislation to seriously restrict their first amendment rights. They have sent their message. More infringements are to follow. Mr. Stein stated that he sincerely hopes that the people of Virginia put up a fight against this blatant tyranny. Mr. Stein stated he personally finds the situation in Virginia distressing and frankly, frightens him. It happens because we, as law-abiding constitution supporting citizens, have been lax in our involvement in the political process. They have taken notice and are taking steps to bring these overreaches to an end. He stated that they firmly believe that the second protects all the rest. History has shown that nations that have taken firearms away, in time fall to tyranny and worse. Mr. Stein stated he is the child of a holocaust survivor. The Jews in Germany had their arms taken away and they paid a terrible price. Mr. Stein told the story of his family in Warsaw, Poland in 1939. Mr. Stein stated he will not stand by and let that happen here.

Ralph Berry, 2956 Tompkins Road, Medina, stated that back in the 80s when he sat on this board as a commissioner, they had the same thought process on this courthouse improvement. There were some different dynamics to it, but they did not have the money to do it. It was decided to go to the people of Medina County to ask them if they would support a tax increase; they told us no. Now, this county is in a position to perform the current project without a tax increase. We should salute this board and the previous boards that put the county in a financial position that they could move forward without asking us to open our wallets. He stated that it surprises him that there is so much negative about this project; it has been needed for years. The original project included the jail and some other things which have been taken care of. He urged the commissioners to move forward. The prosecutor said that it cannot be placed on the ballot legally. A couple things that the commissioners may not agree with. He thinks the commissioners should take a hard look at not removing the façade of the new courthouse. That is what sticks out on the Square. The historical courthouse has all the heritage and proper architecture, but if you take that piece out, he believes it will look terrible. He knows the building is 50 years old, but he would ask them to look hard at holding it together. When we came up with the plan, we were going to build off the back and that makes sense. He stated that he believes it is a mistake to join forces with the city. He always believed in combining resources and government services to save the dollar, but it is a whole different arena. Talking to Dale Chase years ago, there were enough statistics at that time to justify another judge in Muni Court. He believes there will be another Common Pleas judge in the next few years. Again, there is such an influx on Mondays in the Medina Muni Court. To combine that with jury trials, he does not think it would be a manageable situation. Medina County has been extremely proud of its history. They have raised close to \$500,000 to buy an old house and restore it. Taking down that building is a mistake.

Lisa Claus, 3473 Old Hickory Lane, Medina, stated she has been in conversation this week with people in Medina and outside of Medina expressing concern over the second amendment resolution. Everyone she has talked to

believes in the second amendment so there is no opposition to that by any means. To make a strong political statement on resolution that does not have legal binding is what brings concern; it would show an image. Medina is a very welcoming place and she very much enjoyed talking to people with different backgrounds and beliefs. She has a great concern with stamping one belief on the county we live in when it may not represent everybody here. It might concern people who are young families, people who want to visit here and want to open stores here. From what she understands from the resolution, they would be stating that they do not want to follow what the state laws are and there is no legal way to oppose what the state laws are; it is symbolic. Ms. Claus stated she doesn't believe it represents everybody here.

With no further business to come before the Commissioners, the meeting recessed for Discussion Session at 10:13 a.m.

Discussion Session

At 10:15 a.m., the commissioners began the Discussion Session in the Commissioners' Hearing Room.

Medina Fiber Network

Commissioner Hutson stated he will be attending a meeting at the Department of Administrative Services on Thursday to talk about the Medina Fiber Network and encourage them to use it in their facilities.

Sharon Township

Amy Lyon-Galvin noted that the meeting held in Sharon Township was very well attended. Ms. Lyon-Galvin recognized the trustees for sending letters to residents along the proposed utility construction route. It was a great idea to invite everyone to one meeting to get an idea on the project. She noted she was able to answer a majority of questions, but a few had individual questions that she is still working on answering. Overall, the community understands the need for the project and how it will impact them.

NOACA

Amy Lyon-Galvin stated that she is meeting with Robert Patrick this afternoon, so she hopes to have some discussion with him as to what their comments are. There was not a meeting last week. Mr. Hutson stated they had comments back from their counsel which we have been waiting on for months.

Indigent Defense

Commissioner Hutson noted the CCAO put out a minimum level of indigent defense rates and if not at the minimum level, the reimbursement level may go down. The minimum rate is \$50. Commissioner Swedyk stated we proposed changing the rate to \$60. Mr. Hutson stated it was discussed, but not changed yet. He stated that Scott Miller was going to provide some numbers of how the increase would impact the budget. Mr. Miller stated we are currently \$50 in court and \$40 out of court. There has been a lot of discussion between the county administrators regarding rates and there is concern that if all the counties increase their rates, the Public Defender's office will run out of money and not be able to do the 90 percent reimbursement rate. Mrs. Geissman stated she had not heard that, but definitely to increase or we may not get the indigent funding.

Second Amendment

Commissioner Geissman stated in regards to the second amendment, we have received two different resolution proposals and the material was sent to the prosecutor. She does not believe we have received anything back. Mr. Hutson stated he has not seen anything, but Mr. Stein mentioned the prosecutor had an issue with it. Steffanie Hardin stated Mr. Thompson called her brother, John Hardin, who presented the original resolution. Mr. Thompson had some concerns that some of the language was unconstitutional. They amended the resolution and that was the reason for the second resolution. Mr. Hutson stated they have the new resolution from Mr. Stein. Mrs. Geissman stated they need to take a look at it. Mr. Hutson stated they need to understand it more. The first resolution that was proposed included a lot of federal law that has no basis in Ohio law. Ms. Hardin stated it was a resolution passed from other counties and changed it to be applied to Medina County; the second resolution was passed by another county as well. Mrs. Geissman noted she is anxious for the next CCAO board meeting because nothing came up at the last board meeting. Now, there are 11 counties that have passed resolution. Mrs. Geissman would like to know if there are any negatives that we should be aware of in passing the resolution. Mrs. Geissman stated she does not mind discussing it, but would rather not vote on it until after the next board meeting. Mr. Hutson stated it sounds reasonable and he would like to learn more about it. He is very familiar with what is going on in Virginia. Mrs. Geissman stated all three commissioners are in support of the second amendment. A member from the public stated that he would like the commissioners to keep in consideration that he does not believe this can have a negative stain on Medina County. He believes that this shows that we honor the constitution and does not show negative clout to anyone that lives here. It should not give them any sense of fear and should not hurt business owners. The resolution says that we all honor and will uphold the constitution as written. We will honor everyone that lives here. He understands that some people may not be fully informed and that may cause confusion. Hopefully when you have a chance to have that meeting, they can provide better details and we can move forward with this.

EMA Grant

Commissioner Swedyk inquired if there were any updates on the grant. Christina Fozio stated no, but she hopes to hear back mid-March.

Joint Courthouse Meeting

Commissioner Hutson noted the joint meeting to discuss the courthouse is at 4:00 p.m. at the City.

Adjournment

Mr. Hutson moved to adjourn the meeting; Mrs. Geissman seconded the motion. Roll call showed both commissioners voting AYE; the motion carried. The meeting adjourned at 10:26 a.m.

RESOLUTIONS PASSED FEBRUARY 4, 2020

<u>Number</u>	<u>Resolution Title</u>
20-0071	Authorizing the County Engineer to proceed in certain instances by force account in the reconstruction, improvement, maintenance and repair of roads, bridges and culverts
20-0072	Authorizing the President of the Board of County Commissioners to submit applications and execute contracts to the Ohio Public Works Commission for Issue 1 funding
20-0073	Accepting and awarding the bid for MED-CR99-0.80, the replacement of Bridge No. 5 on Shaw Road (CR-99_ in Chatham Township
20-0074	Determining the necessity to close Reimer Road (CH-123) between Wilhite Drive (TH-432) and Medina Line Road (CH-2)
20-0075	Authorizing the Medina County Engineer to advertise for bids for the 2020 Medina County Highway Department Equipment and Labor Contract
20-0076	Accepting and awarding the bids for the 2020 Medina County Aggregate bid for the Medina County Engineer
20-0077	Amending the temporary appropriation resolution
20-0078	Authorizing the County Auditor to transfer funds from the County General Fund (0010) to the Public Assistance Fund (0120) for county mandated share
20-0079	Authorizing the County Auditor to transfer funds from the JFS Children Services IV-E Fund (0050) to the JFS Public Assistance Fund (0120) for Children Services (IVE) administrative expenditures
20-0080	Authorizing the County Auditor to transfer funds from the JFS Children Services SCPA (0050) to the JFS Public Assistance Fund (0120) for SCPA administrative expenditures
20-0081	Creation of a Sheriff's Office SWAT Helmets 2020 Fund and authorizing appropriations
20-0082	Declaring Medina County property as excess property
20-0083	Approving the transfer of Medina County Inventory between various Medina County Offices
20-0084	Allowing expenses of county officials
20-0085	Allowing claims and authorizing issuance upon the treasurer in settlement of such list of claims
20-0086	Approving personnel changes for the employees under the jurisdiction of the Medina County Commissioners
20-0087	Authorizing the Sanitary Engineer to enter into an agreement with H.R. Gray for construction management services for the Sharon Township Water and Sewer Improvement Project
20-0088	Authorizing a one (1) year extension of the contract for the hauling and disposal of cake biosolids, daf float and hauling of liquid waste activated sludge
20-0089	Approval of CY20 Transit Service Agreements with Community Action Wayne/Medina County (CAMW)
20-0090	Approving the petition for the regular annexation of 19.485 acres of land known as being part of Brunswick Hills Township to the City of Brunswick, Medina County, Ohio
20-0091	Appointing a member to the Medina County Port Authority

All deliberations concerning official business and formal actions by this Board of Commissioners were conducted in an open public meeting this fourth day of February 2020.

Respectfully submitted,

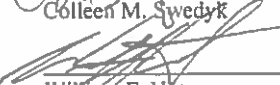

Rhonda J. Beck
Clerk to the Commissioners

COMMISSIONERS

OF

MEDINA COUNTY


Colleen M. Swedyk


William F. Hutson


Patricia G. Geissman

Brunswick Hills Township
1918 Pearl Road
Brunswick, Ohio 44212

John Witthuhn, Chair
Christina Kusnerak, Vice-Chair
Michael Esber, Trustee



Katherine Esber, Fiscal Officer
Phone: 330-220-8182
Fax: 330-273-7343

FEB 9 2020 AM 11:08
A COUNTY CO

January 28, 2020

Medina County Commissioners
144 North Broadway
Medina Ohio 44256

Reference: Annexation Petition of PPN# 001-02D-09-011

Medina County Commissioners:

President Colleen M. Swedyk Patricia G. Geissman William Hutson

We respectfully request that this letter of objection be added to the public hearing minutes of the above mentioned annexation petition. We truly regret that the Trustees of Brunswick Hills Township were not in attendance at the scheduled hearing for annexation of 1849 Carpenter Road property held on Tuesday, January 14th, 2020. It continues to be the Townships position that we are adamantly opposed to any annexation for any reason.

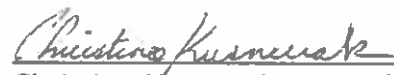
Brunswick Hills Township continues to provide services in the form of police, fire/rescue and roads. All of the Brunswick Hills Township services assist surrounding entities through mutual aid, joint projects and shared equipment. Access to water was once made available without a tap in fee. Medina County Sanitary Engineers mains are located and available to the subject property to the north, west and east.

Brunswick Hills Township Board of Trustees hope the County Commissioners take into consideration our position and objection to the annexation request.

Respectfully,

Brunswick Hills Township Board of Trustees


John Witthuhn, Chair


Christina Kusnerak, Vice-Chair


Michael Esber, Trustee

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 5/11/2020

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. 29-2020** - An emergency Ordinance amending Ordinances #92-19 and #7-2020 to include amendments to the appropriations budget for the year ending December 31, 2020 as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from the Committee-of-the-Whole, *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: Place on the May 11, 2020 Council agenda and consider passage as an emergency with suspension of the rules to keep the budget as up to date possible.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The total financial impact of this legislation is a net decrease to the overall City appropriation budget by \$540,714.12. The two largest components of the net decrease relates to 1) the reduction of \$1,400,000 in planned transfers to the Road Improvement Fund in order to retain some of these funds in the General Fund Reserves to help offset some of the anticipated negative financial impacts of the health pandemic and loss of tax revenues. This action also matches the budget up to previous actions taken by City Council via Resolution #20-2020 and Ordinances #21-2020 and #22-2020; 2) reduction of \$215,526.87 in worker's comp appropriations as a result of the Ohio Bureau of Worker's Compensation sending the City a refund in April of 2020. These monies have been recorded in each Fund based on their respective worker's compensation costs previously paid. These savings can be retained in the Fund's reserves to sustain essential city services for a longer period of time during the health pandemic than otherwise.

The net reduction was also offset by some proposed increases relating to advance of funds, new grant awards received and unemployment and other related costs relating to the health pandemic. The proposed budget amendments include a net increase of \$603,000 in advance of funds between funds. Advances are movement of money between funds but are not considered expenditures. However, advances are appropriated and approved by City Council. These advances are needed to temporarily cover ODNR grant expenditures for the construction of phase I of a pedestrian trail. The proposed amendments also include a proposed \$301,500 increase in appropriations for a Clean Ohio Trail Fund grant received from ODNR and \$56,878 in Police overtime costs relating to a grant received from Medina County (MCDAC). The proposed amendments also include \$12,500 in COVID 19 supplies and \$70,000 in anticipated unemployment claims in the recreation center, parks, and building departments. Unemployment claims are being monitored through various applications and process conducted through the Ohio Department of Jobs and Family Services. Any additional reductions or increases in appropriations for unemployment claims depend on various factors and will change as the health pandemic situation evolves. All other items not specifically listed in this summary are insignificant to list in this summary but are a combined net increase to the overall budget. All proposed amendments are detailed with a description with listed amounts 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, transfers and advances 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:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 29-2020

By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #92-19 AND #7-2020 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2020 AS INCORPORATED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS: Ordinance #92-19 adopted appropriations for 2020; and Ordinance #7-2020, regarding amendments to the 2020 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 #92-19 and #7-2020.

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

SECTION 1: Ordinance #92-19 and #7-2020 is 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

EXHIBIT A

May 11, 2020

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	169,065.00	78,603.80	\$ 247,668.80
	Mayor	100,148.00	91,394.01	\$ 191,542.01
	City Manager	190,398.00	130,130.79	\$ 320,528.79
	Information Technologies	172,406.00	282,558.38	\$ 454,964.38
	Engineering	24,194.00	315,833.68	\$ 340,027.68
	Building Department	340,678.00	233,860.98	\$ 574,538.98
	Cemetery Maintenance	-	34,050.00	\$ 34,050.00
	Janitorial Contract	-	21,627.00	\$ 21,627.00
	City Hall Building & Grounds	18,042.00	68,171.38	\$ 86,213.38
	Administrative Services	89,810.00	52,320.68	\$ 142,130.68
	Economic Development	107,023.00	248,125.34	\$ 355,148.34
	Animal Control	75,328.00	68,640.22	\$ 143,968.22
	Law Department	189,473.00	262,243.11	\$ 451,716.11
	Finance Department	254,022.00	222,653.01	\$ 476,675.01
	Income Tax Department	194,017.00	217,427.31	\$ 411,444.31
	Parks & Recreation Director	89,887.00	65,126.74	\$ 155,013.74
	General Fund Administration	-	1,031,380.00	\$ 1,031,380.00
	Planning Division/Community Development	47,442.00	31,954.69	\$ 79,396.69
	Board of Building Appeals	456.00	1,211.00	\$ 1,667.00
	Board of Zoning Appeals	3,207.00	4,890.59	\$ 8,097.59
	Board of Civil Service	14,585.00	24,513.28	\$ 39,098.28
	Board of Ethics	6,220.00	4,774.30	\$ 10,994.30
	Board of Charter Review	3,600.00	7,471.00	\$ 11,071.00
	Board of Commemorative Affairs	-	27,000.00	\$ 27,000.00
	General Fund Transfers / Advances	-	20,702,534.49	\$ 20,702,534.49
001	Total General Fund	\$ 2,090,001.00	\$ 24,228,495.78	\$ 26,318,496.78
Special Revenue Funds:				
110	Court Computerization Fund	10,656.00	18,913.19	\$ 29,569.19
111	FEMA Grant Fund	-	-	\$ -
114	Police Fund	4,470,230.00	4,141,806.21	\$ 8,612,036.21
115	Fire Fund	2,481,202.00	2,788,671.20	\$ 5,269,873.20
117	Street Repair & Maintenance Fund	1,175,710.00	2,589,688.48	\$ 3,765,398.48
118	State Highway Fund	-	186,225.00	\$ 186,225.00
119	Law Enforcement Fund	-	-	\$ -
120	Brunswick Transit Alternative (BTA) Fund	-	45,000.00	\$ 45,000.00
123	Brunswick Area Television (BAT) Fund	148,390.00	257,452.33	\$ 405,842.33
127	Parks Fund	224,070.00	414,341.38	\$ 638,411.38
129	Department of Justice Federal Grant Fund	-	81,792.53	\$ 81,792.53
130	DUI Enforcement & Education Fund	-	-	\$ -
131	Recreation Center Fund	484,327.00	706,661.33	\$ 1,190,988.33
133	Home Improvement Grant Fund (CDBG)	-	26,520.40	\$ 26,520.40
Enterprise Funds:				
223	Refuse Fund	67,834.00	2,631,188.50	\$ 2,699,022.50
224	Storm Water Management Fund	32,467.00	1,853,169.83	\$ 1,885,636.83
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	706,500.00	\$ 706,500.00
332	Road Levy Fund	-	2,598,100.00	\$ 2,598,100.00
333	Road Improvement Fund	-	5,089,496.60	\$ 5,089,496.60
334	Traffic Control Fund	-	-	\$ -
335	Public Square Fund	-	-	\$ -
336	City Building Improvement Fund	-	643,106.74	\$ 643,106.74

337	EPA Grant Fund	-	200,000.00	\$	200,000.00
339	Fire Improvement Fund	-	-	\$	-
341	Park Improvement Fund	-	1,021,000.00	\$	1,021,000.00
347	North Carpenter Road Improvement Fund	-	8,572,834.12	\$	8,572,834.12
348	Boston Road Improvement Fund	-	93,519.24	\$	93,519.24
360	Brunswick Lake Improvement Fund	-	40,575.00	\$	40,575.00
370	OPWC Multi Roads Improvement Fund	-	728,800.00	\$	728,800.00
371	OPWC Laurel Road Improvement Fund	-	1,914,664.52	\$	1,914,664.52
Self Insurance Fund:					
600	Self Insurance Fund	-	3,250,000.00	\$	3,250,000.00
Debt Service Funds:					
771	General Obligation Bond Retirement Fund	-	-	\$	-
781	Special Assessment BRF: South Industrial Parkway	-	100.00	\$	100.00
782	Special Assessment BRF: Laurel Road (2006)	-	41,762.50	\$	41,762.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,948.81	\$	18,948.81
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.18	\$	11,826.18
Agency Funds:					
881	General Trust Agency Fund	-	750,000.00	\$	750,000.00
882	Unclaimed Money Agency Fund	-	20,000.00	\$	20,000.00
885	Flexible Spending Agency Fund	-	140,000.00	\$	140,000.00
886	Non-Residential 3% Building Permit Agency Fund	-	30,000.00	\$	30,000.00
887	Residential 1% Building Permit Agency Fund	-	10,000.00	\$	10,000.00
Grand Total				\$	77,036,046.87

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #2 - For informational purposes only

For the Budget Year Ending December 31, 2020

5/11/2020

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
General (#001)			
WORKER'S COMP - COUNCIL	001-0100-52274	(3,526.20)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - MAYOR	001-0200-52274	(1,774.99)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - CITY MANAGER	001-0300-52274	(4,004.99)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
HOSPITALIZATION	001-0300-52275	(13,669.00)	Change in medical insurance coverage due to qualifying event.
WORKER'S COMP - IT	001-0302-52274	(3,228.64)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - ENGINEER	001-0410-52274	(469.32)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - BUILDING	001-0430-52274	(5,976.85)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
INCIDENTALS	001-0430-55239	5,000.00	Appropriations for potential unemployment claims. Amount of claims depends on many variables and estimate may need to change. Due to COVID 19.
FUEL	001-0430-55300	(500.00)	Reduce fuel budget by approximately 1 month due to less activity and furloughs relating to health pandemic.
WORKER'S COMP - BLDG & GROUNDS	001-0450-52274	(261.62)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - ADM SERVICES	001-0461-52274	(2,088.32)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - ECON DEV	001-0490-52274	(1,736.66)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - ANIMAL WARDEN	001-0540-52274	(1,442.76)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - LAW	001-0600-52274	(3,646.89)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - FINANCE	001-0700-52274	(4,448.30)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - INCOME TAX	001-0720-52274	(3,560.69)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
POSTAGE	001-0720-54246	5,000.00	Due to delays in tax deadlines by the State Legislature in HB 197, additional communication and postage expenses are anticipated.
WORKER'S COMP - PARKS & REC DIR	001-0800-52274	(1,893.91)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
POSTAGE	001-0880-54246	3,000.00	Additional postage meter machine fill-up may be necessary due to timing differences between calendar years than what was budgeted.
INCIDENTALS	001-0880-55239	12,500.00	Set aside funds for COVID 19 supplies, such as masks, goggles, disinfectant wipes, etc as supplies become available.
WORKER'S COMP - COMM. DEV.	001-0900-52274	(951.47)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - ZONING BD	001-0920-52274	(32.41)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - CIVIL SERVICE	001-0930-52274	(256.72)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP - ETHICS	001-0950-52274	(0.70)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
INSURANCE	001-0960-54272	500.00	Original budget did not include a budget for general liability insurance.
ADVANCE OUT TO CITY-WIDE PARK IMPROV FUNI	001-0999-99878	301,500.00	Advance Out to the City-Wide Park Improvement Fund #341 to temporarily cover Trail PH 1 grant until reimbursements are received.
TRANSFER OUT TO FUND #333	001-0999-99909	(1,400,000.00)	Reduce as a result of City Council's Ord #20-2020 & #21-2020. Repealing previous transfer Ord #8-2020 and increasing General Fund reserves by \$1,400,000 to combat negative financial impacts relating to the health pandemic.
ADVANCE OUT TO FUND #885 FLEX	001-0999-99916	(30,000.00)	Advance to temporarily fund timing differences in the Section 125 IRS employee flex plan is no longer deemed necessary at this time.
General Fund Total		<u>(1,155,970.44)</u>	
Court Computer Fund (#110)			
WORKER'S COMP	110-0210-52274	(203.37)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
Court Computer Fund Total		<u>(203.37)</u>	
Police Fund (#114)			
POLICE OVERTIME	114-0520-51198	56,878.00	Increase in OT costs paid for by MCDAC grant relating to School Resource Officers. Per Police Chief grant activity remains.
MEDITAX	114-0520-52226	824.73	Meditax estimated costs relating to OT costs from MCDAC Grant and School Resource Officer Program.
POLICE & FIRE PENSION	114-0520-52227	18,058.77	Increase in benefit costs relating to OT paid for by MCDAC grant relating to School Resource Officers. Per Police Chief grant activity remains.

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #2 - For informational purposes only

For the Budget Year Ending December 31, 2020

5/11/2020

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
WORKER'S COMP	114-0520-52274	(87,337.91)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP	114-0520-52274	1,794.50	Worker's Comp estimated costs relating to OT costs from MCDAC Grant and School Resource Officer Program.
HOSPITALIZATION	114-0520-52275	(10,132.00)	Change in medical insurance coverage due to qualifying event. Comm Specialists.
Police Fund Total		(19,913.91)	
Fire Fund (#115/952)			
WORKER'S COMP	115-0510-52274	(48,329.00)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
RESCUE COLLECTION FEES	115-0510-54260	(1,933.25)	Revise costs to reflect estimate receipt decline of EMS billings by \$40,800 due to health pandemic + New contract collection rate of 6.625% (vs 6.5%).
Fire Fund Total		(50,262.25)	
Street R & M Fund (#117)			
WORKER'S COMP	117-0420-52274	(22,115.84)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
REPAIR & MAINTENANCE	117-0420-54243	10,000.00	Road repairs for watermain break on SR303 and Warren. Some % of costs expected to be reimbursed by Cleveland Water.
Street R & M Fund Total		(12,115.84)	
Cable TV Fund (#123/#956)			
PRODUCTION ASSISTANT PT PS	123-0460-51193	2,016.00	Increase PT hours by 4 hours a week to handle increased workload of airing meetings on BAT TV.
PERS	123-0460-52223	282.00	Benefit costs increased as a result of additional 4 PT hours a week to handle increased workload of airing meetings on BAT TV.
MEDITAX	123-0460-52226	29.00	Benefit costs increased as a result of additional 4 PT hours a week to handle increased workload of airing meetings on BAT TV.
WORKER'S COMP	123-0460-52274	(2,962.23)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
WORKER'S COMP	123-0460-52274	64.00	Benefit costs increased as a result of additional 4 PT hours a week to handle increased workload of airing meetings on BAT TV.
Cable TV Fund Total		(571.23)	
Parks Fund (#127/960)			
WORKER'S COMP	127-0810-52274	(4,085.11)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
INCIDENTALS	127-0810-55239	15,000.00	Appropriations for potential unemployment claims. Amount of claims depends on many variables and estimate may need to change. Due to COVID 19.
Parks Fund Total		10,914.89	
Rec. Center Fund (#131)			
WORKER'S COMP	131-0830-52274	(9,498.33)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
INCIDENTALS	131-0830-55239	50,000.00	Appropriations for potential unemployment claims. Amount of claims depends on many variables and estimate may need to change. Due to COVID 19.
Rec. Center Total		40,501.67	
CHIP (HOME Funds) Fund (#133)			
CHIP LOCAL FUNDING ALLOCATION 2020 GRANT	133-2020-54100	12,500.00	Local Share submission made on the 2020 Grant application. Local share request is pending State approval and grant approval.
CHIP (CDBG Funds) Fund Total		\$ 12,500.00	
Refuse Fund (#223)			
WORKER'S COMP	223-0710-52274	(1,227.81)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
Total Refuse Fund		(1,227.81)	
Stormwater Management Fund (#224)			
WORKER'S COMP	224-0420-52274	(465.83)	Worker's Comp rebate amount received from BWC in April 2020 due to health pandemic situation. Rebate was based off of 2018 information.
Stormwater Management Enterprise Fund Total		(465.83)	
Capital Projects Improvement Fund (#300)			
CAPITAL BUILDING/PROPERTY IMPROVEMENTS	300-0522-56250	3,000.00	Increased inspection costs relating to complications encountered for the trench drain project at W. 130th Service Garage.
Capital Projects Improvement Fund Total		3,000.00	
Road Levy Improvement Fund #332			
ADVANCE OUT TO THE GF	332-9999-80185	30,000.00	The 2020 Original Budget included a typographical error. The Advance Out should have been \$830,000 and was incorrectly recorded as \$800,000.
Road Levy Improvement Fund Total		30,000.00	

City of Brunswick, Finance Office

"Exhibit B" : Schedule of Amendments to the Permanent Budget #2 - For informational purposes only

For the Budget Year Ending December 31, 2020

5/11/2020

Fund Name / Account Name	Account Number	Appropriation Adjustment Amount	Description
Park Improvement Fund (#341)			
ODNR TRAIL GRANT PH 1	341-0812-56880	301,500.00	Clean Ohio Trail Fund ODNR Grant PH 1 award. Grant Award = \$301,500. Total Project Costs = \$402,000. City Share =\$100,500 and is in Fund #300.
ADVANCE OUT	341-0999-80185	<u>301,500.00</u>	Advance Out to the General Fund once the ODNR Trail Grant PH 1 Project is completed and grant reimbursements are received.
Total Park Improvement Fund		<u>603,000.00</u>	
S.A. South Industrial Park Fund (#781)			
AUDITOR FEES	781-0013-54278	<u>100.00</u>	Estimated fees on past delinquencies still being collected by the County Auditor. Fees are passed along when activity occurs. Debt is matured.
S.A. South Industrial Park Fund Total		<u>100.00</u>	

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 5/11/2020

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. 30-2020** - An emergency Ordinance to advance funds. - **1st Reading** (To be brought from Committee-of-the-whole, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705 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 required by law in certain financial situations and 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 background section

IMPLEMENTATION SCHEDULE: Place on the May 11, 2020, 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 movement of money from one fund to another and are defined in the Ohio Revised Code Section 5705 and in the Auditor of State Compliance Supplement. Advances are required to be included in the City's adopted budget and are also 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. 30-2020

By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE TO ADVANCE FUNDS

WHEREAS: The City of Brunswick wishes to return previously advanced monies from the EPA Grant Fund #337 to the General Fund #001 since the EPA recycle grant reimbursements have been received.

WHEREAS: The City of Brunswick wishes to advance monies from the General Fund #001 to the City-Wide Park Improvement Fund #341 to temporarily fund the Plum Creek Greenway Phase I Trail Project until grant reimbursements are received.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby advanced:

FROM: EPA Grant Fund (#337)
TO: General Fund (#001)
AMOUNT: \$200,000.00

FROM: General Fund (#001)
TO: City-Wide Park Improvement Fund (#341)
AMOUNT: \$301,500.00

SECTION 3: This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that proper funding sources be advanced. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading ____
Rules Suspended: AYES ____NAYS ____

ADOPTED: _____AYES ____NAYS ____

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

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 5/11/2020

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. 31-2020** - An emergency resolution authorizing the City Manager to enter into an agreement with Northeast Ohio Trenching Service, INC. for the Rec Center Waterline/Boyer Drive Resurfacing Project in an amount not to exceed \$271,686.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/ Matt Jones*)

BACKGROUND: Authorization to bid granted by City Council motion on April 13, 2020.

PURPOSE AND EXPLANATION: The proposed project will abandon the existing 3" domestic water connection servicing the Brunswick Recreation Center and replace it with a new connection. Also, the existing asphalt wearing course on Boyer Drive will be removed and replaced with a new asphalt surface. Asphalt base repairs will be performed where necessary prior to installation of the new surface.

The bid from Northeast Ohio Trenching Service, Inc. for the Rec Center Water Line / Boyer Drive Resurfacing Project in an amount not to exceed \$271,686.00 was the lowest and best bid received.

IMPLEMENTATION SCHEDULE: Construction will begin in June and will take approximately 75 days to complete.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The lowest and best bid received = \$271,686. According to the City Engineer's May 7, 2020 updated breakdown of costs between the waterline and road improvement parts included in the bid, the costs have been broken down as follows: \$181,900 Waterline in the Capital Improvement Fund #300 (Acct#300-0522-56250) and \$89,786 Boyer Dr in the Road Improvement Fund #333 (Acct#333-0458-56881).

This Resolution and related costs only include bid costs for the construction only. Additional costs associated with engineering, inspection and other supplemental services are additional and are handled through separate contracts and purchase orders.

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?

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence promptly and be completed in summer 2020.

**ADDITIONAL
INFORMATION:**

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: May 11, 2020
RE: Rec Center Water Line – Boyer Drive

On May 6, 2020, public bids were opened for the Rec Center Water Line – Boyer Drive project. A tabulation of the bid results is attached for your reference. Five companies submitted bids for the project. The low bidder for the project was Northeast Ohio Trenching Service, Inc. at \$271,686.00. The Engineer's estimate was \$280,000.00. Cook Paving and Construction Co., Inc. was the second low bidder with a bid of \$273,370.00.

This project will facilitate the installation of a new domestic water line from the Center Road main to service the City of Brunswick Recreation Center. The new line will be mostly located within the Boyer Drive pavement; therefore, Boyer will be resurfaced upon completion of water line installation.

The costs for the resurfacing portion of the project are being shared by the City and the Brunswick City School District. The water line portion of the project is being paid for with 100% City funds.

CVE staff has contacted a sampling of municipal references provided by Northeast Ohio Trenching. The reference check did not find any reoccurring issues with Northeast Ohio Trenching. Three municipalities were contacted, and all characterized them as an above average contractor.

Based upon a review of the bid documents and other municipal references, it is my opinion that Northeast Ohio Trenching has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract in the amount of \$271,686.00 to Northeast Ohio Trenching Service, Inc. to complete the Rec Center Water Line – Boyer Drive project.

If you have any questions or require any additional information, please contact me at your convenience.

Attachment

C: Carl DeForest, City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

BID TABULATION
RECREATION CENTER WATERLINE - BOYER DRIVE
CITY OF BRUNSWICK

DATE: MAY 6, 2020

CVE JOB NO. 20128 Engineer's Estimate \$280,000.00

DATE: MAY 6, 2020 CVE JOB NO. 20128 Engineer's Estimate \$280,000.00				Northeast Ohio Trenching Service Inc.		Cook Paving & Construction Co., Inc.			
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE		UNIT PRICE	TOTAL PRICE	
1	EXPLORATORY EXCAVATION	EACH	1	\$10,000.00	\$10,000.00		\$5,000.00	\$5,000.00	
2	4" SERVICE CONNECTION W/POLYETHYLENE ENCASEMENT	LF	1,030	\$130.00	\$133,900.00		\$116.25	\$119,737.50	
3	4" LINE VALVE & BOX	EACH	1	\$2,500.00	\$2,500.00		\$1,200.00	\$1,200.00	
4	WATERMAIN LOWERING	EACH	1	\$4,000.00	\$4,000.00		\$3,500.00	\$3,500.00	
5	CLEVELAND WATER DEPT. FEE ALLOWANCE	LUMP	1	\$5,000.00	\$5,000.00		\$5,000.00	\$5,000.00	
6	DOMESTIC METER VAULT ADJUST TO GRADE	LUMP	1	\$2,000.00	\$2,000.00		\$1,000.00	\$1,000.00	
7	DOMESTIC METER VAULT REPLACEMENT	LUMP	1	\$15,500.00	\$15,500.00		\$9,500.00	\$9,500.00	
8	PAVEMENT PLANING	SY	3,670	\$3.75	\$13,762.50		\$3.75	\$13,762.50	
9	PARTIAL DEPTH PAVEMENT REPAIR	SY	367	\$30.00	\$11,010.00		\$35.00	\$12,845.00	
10	ASPHALT INTERMEDIATE COURSE	CY	178	\$152.00	\$27,056.00		\$190.00	\$33,820.00	
11	ASPHALT SURFACE COURSE	CY	127	\$180.00	\$22,860.00		\$235.00	\$29,845.00	
12	CATCH BASIN ADJUST TO GRADE	EACH	1	\$550.00	\$550.00		\$800.00	\$800.00	
13	VALVE/MONUMENT BOX ADJUST TO GRADE	EACH	2	\$150.00	\$300.00		\$600.00	\$1,200.00	
14	DRIVEWAY APRON BUTT JOINT	LF	270	\$5.25	\$1,417.50		\$2.00	\$540.00	
15	STABALIZED ASPHALT SHOULDER	CY	14	\$95.00	\$1,330.00		\$125.00	\$1,750.00	
16	CONCRETE CURB REMOVED & REPLACED	LF	25	\$60.00	\$1,500.00		\$50.00	\$1,250.00	
17	CONCRETE SIDEWALK REMOVED & REPLACED	SF	100	\$16.00	\$1,600.00		\$15.00	\$1,500.00	
18	CURB RAMP REMOVED & REPLACED	SF	80	\$30.00	\$2,400.00		\$26.50	\$2,120.00	
19	MISCELLANEOUS METAL	LBS	1,000	\$2.50	\$2,500.00		\$1.00	\$1,000.00	
20	LOOP DETECTOR REPLACEMENT	EACH	2	\$1,500.00	\$3,000.00		\$1,500.00	\$3,000.00	
21	PAVEMENT MARKINGS	LUMP	1	\$2,500.00	\$2,500.00		\$4,000.00	\$4,000.00	
22	EROSION CONTROL	LUMP	1	\$3,000.00	\$3,000.00		\$2,000.00	\$2,000.00	
23	MAINTENANCE OF TRAFFIC	LUMP	1	\$4,000.00	\$4,000.00		\$19,000.00	\$19,000.00	
	TOTAL PROJECT COST			TOTAL	\$271,686.00		TOTAL	\$273,370.00	
				NUMBER OF DAYS TO COMPLETE: (Substantial Completion Required Within 75 Days of Issuance of Notice to Proceed): 75 days			NUMBER OF DAYS TO COMPLETE: (Substantial Completion Required Within 75 Days of Issuance of Notice to Proceed) Seventy five		
				*Clerical error - total unit price in words wrong					

				Fabrizi Trucking & Paving Co., Inc.		Sitetech Inc.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	EXPLORATORY EXCAVATION	EACH	1	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00
2	4" SERVICE CONNECTION W/POLYETHYLENE ENCASEMENT	LF	1,030	\$162.65	\$167,529.50	\$150.00	\$154,500.00
3	4" LINE VALVE & BOX	EACH	1	\$685.00	\$685.00	\$1,250.00	\$1,250.00
4	WATERMAIN LOWERING	EACH	1	\$3,100.00	\$3,100.00	\$2,500.00	\$2,500.00
5	CLEVELAND WATER DEPT. FEE ALLOWANCE	LUMP	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
6	DOMESTIC METER VAULT ADJUST TO GRADE	LUMP	1	\$1,200.00	\$1,200.00	\$1,500.00	\$1,500.00
7	DOMESTIC METER VAULT REPLACEMENT	LUMP	1	\$7,400.00	\$7,400.00	\$11,420.00	\$11,420.00
8	PAVEMENT PLANING	SY	3,670	\$3.50	\$12,845.00	\$3.75	\$13,762.50
9	PARTIAL DEPTH PAVEMENT REPAIR	SY	367	\$41.00	\$15,047.00	\$42.00	\$15,414.00
10	ASPHALT INTERMEDIATE COURSE	CY	178	\$168.00	\$29,904.00	\$172.00	\$30,616.00
11	ASPHALT SURFACE COURSE	CY	127	\$203.00	\$25,781.00	\$207.00	\$26,289.00
12	CATCH BASIN ADJUST TO GRADE	EACH	1	\$1,000.00	\$1,000.00	\$350.00	\$350.00
13	VALVE/MONUMENT BOX ADJUST TO GRADE	EACH	2	\$400.00	\$800.00	\$200.00	\$400.00
14	DRIVEWAY APRON BUTT JOINT	LF	270	\$5.40	\$1,458.00	\$6.00	\$1,620.00
15	STABALIZED ASPHALT SHOULDER	CY	14	\$160.00	\$2,240.00	\$198.00	\$2,772.00
16	CONCRETE CURB REMOVED & REPLACED	LF	25	\$36.00	\$900.00	\$30.00	\$750.00
17	CONCRETE SIDEWALK REMOVED & REPLACED	SF	100	\$12.00	\$1,200.00	\$10.00	\$1,000.00
18	CURB RAMP REMOVED & REPLACED	SF	80	\$25.00	\$2,000.00	\$15.00	\$1,200.00
19	MISCELLANEOUS METAL	LBS	1,000	\$1.35	\$1,350.00	\$5.00	\$5,000.00
20	LOOP DETECTOR REPLACEMENT	EACH	2	\$1,500.00	\$3,000.00	\$1,450.00	\$2,900.00
21	PAVEMENT MARKINGS	LUMP	1	\$3,750.00	\$3,750.00	\$4,025.00	\$4,025.00
22	EROSION CONTROL	LUMP	1	\$3,175.00	\$3,175.00	\$5,000.00	\$5,000.00
23	MAINTENANCE OF TRAFFIC	LUMP	1	\$5,000.00	\$5,000.00	\$15,520.00	\$15,520.00
	TOTAL PROJECT COST			TOTAL	\$296,364.50	TOTAL	\$306,288.50
				NUMBER OF DAYS TO COMPLETE: (Substantial Completion Required Within 75 Days of Issuance of Notice to Proceed) 60		NUMBER OF DAYS TO COMPLETE: (Substantial Completion Required Within 75 Days of Issuance of Notice to Proceed) 20 Working days	

				Tri Mor Corporation	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE
1	EXPLORATORY EXCAVATION	EACH	1	\$3,000.00	\$3,000.00
2	4" SERVICE CONNECTION W/POLYETHYLENE ENCASEMENT	LF	1,030	\$155.00	\$159,650.00
3	4" LINE VALVE & BOX	EACH	1	\$1,500.00	\$1,500.00
4	WATERMAIN LOWERING	EACH	1	\$1,800.00	\$1,800.00
5	CLEVELAND WATER DEPT. FEE ALLOWANCE	LUMP	1	\$5,000.00	\$5,000.00
6	DOMESTIC METER VAULT ADJUST TO GRADE	LUMP	1	\$1,025.00	\$1,025.00
7	DOMESTIC METER VAULT REPLACEMENT	LUMP	1	\$5,000.00	\$5,000.00
8	PAVEMENT PLANING	SY	3,670	\$4.00	\$14,680.00
9	PARTIAL DEPTH PAVEMENT REPAIR	SY	367	\$42.00	\$15,414.00
10	ASPHALT INTERMEDIATE COURSE	CY	178	\$160.00	\$28,480.00
11	ASPHALT SURFACE COURSE	CY	127	\$210.00	\$26,670.00
12	CATCH BASIN ADJUST TO GRADE	EACH	1	\$1,000.00	\$1,000.00
13	VALVE/MONUMENT BOX ADJUST TO GRADE	EACH	2	\$500.00	\$1,000.00
14	DRIVEWAY APRON BUTT JOINT	LF	270	\$10.00	\$2,700.00
15	STABALIZED ASPHALT SHOULDER	CY	14	\$140.00	\$1,960.00
16	CONCRETE CURB REMOVED & REPLACED	LF	25	\$35.00	\$875.00
17	CONCRETE SIDEWALK REMOVED & REPLACED	SF	100	\$10.00	\$1,000.00
18	CURB RAMP REMOVED & REPLACED	SF	80	\$20.00	\$1,600.00
19	MISCELLANEOUS METAL	LBS	1,000	\$1.50	\$1,500.00
20	LOOP DETECTOR REPLACEMENT	EACH	2	\$1,500.00	\$3,000.00
21	PAVEMENT MARKINGS	LUMP	1	\$3,800.00	\$3,800.00
22	EROSION CONTROL	LUMP	1	\$2,500.00	\$2,500.00
23	MAINTENANCE OF TRAFFIC	LUMP	1	\$24,700.00	\$24,700.00
	TOTAL PROJECT COST			TOTAL	\$307,854.00
				NUMBER OF DAYS TO COMPLETE: (Substantial Completion Required Within 75 Days of Issuance of Notice to Proceed) 45 days	

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 31-2020

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NORTHEAST OHIO TRENCHING SERVICE, INC. FOR THE REC CENTER WATERLINE/BOYER DRIVE RESURFACING PROJECT IN AN AMOUNT NOT TO EXCEED \$271,686.00.

WHEREAS: The City of Brunswick received five (5) bids for the Rec Center Waterline/Boyer Drive Resurfacing Project (the "Project") in accordance with public bidding requirements; and

WHEREAS: The five (5) received public bids were opened on May 6, 2020 with Northeast Ohio Trenching Service, Inc. determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Northeast Ohio Trenching Service, Inc., the lowest and best bidder, for the Project in an amount not to exceed \$271,686.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Project during the 2020 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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