

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

JUNE 22, 2020

6:30 PM

In Council Chambers

1. Motion Items
 - (a) Motion authorizing the City Manager to advertise for public bids for the Service Department Decanting Station Project.
 - (b) Motion authorizing the City Manager to advertise for public bids for the Plum Creek Greenway Phase 1 Project.
2. Review Legislation
 - (a) **ORD. NO. 40-2020** - An emergency ordinance providing for submission to the electors of the City of Brunswick, Ohio, at the November 3, 2020 General Election, the suggested changes to the Charter as recommended by the City of Brunswick Charter Review Commission. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fischer*)
 - (b) **RES. NO. 41-2020** - A resolution authorizing the City Manager to enter into agreement with the Board of County Commissioners of Medina County for the shared engineering, construction and use of a decanting station. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)
 - (c) **RES. NO. 42-2020** - An emergency resolution requesting the City's share of funds from the County Coronavirus Relief Distribution Fund and affirming funds received will be expended consistent with the requirements of Section 5001 of the Cares Act as described in 42 U.S.C. 601 (D). - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)
 - (d) **ORD. NO. 43-2020** - An emergency ordinance creating a local Coronavirus Relief Fund (#112) - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)
3. General Discussion
4. Adjournment

THE CITY OF BRUNSWICK
PROPOSED MOTION



DATE: 6/22/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

MOTION: Motion authorizing the City Manager to advertise for public bids for the Service Department Decanting Station Project.

BACKGROUND: This project will construct a decanting station at the City of Brunswick Service Department facility on West 130th for use in dewatering materials vacuumed from storm sewers. The facility will be utilized by the City of Brunswick and Medina County Sanitary Engineer crews.

PURPOSE AND EXPLANATION: The proposed project will construct a decanting station at the Brunswick Service Department on West 130th.

IMPLEMENTATION SCHEDULE: This project will be advertised for bids in July with the intention of beginning construction in September.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The preliminary construction estimate is \$84,000. Current estimated costs associated with this project are budgeted in the Capital Improvement Fund #300 (Acct #300-0522-56250). Once actual costs are received, they will be evaluated at that time.

RECOMMENDED ACTION: Passage of a motion which authorizes the City Manager to advertise for public bids for the Service Department Decanting Station.

ADDITIONAL INFORMATION:

THE CITY OF BRUNSWICK
PROPOSED MOTION



DATE: 6/22/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

MOTION: Motion authorizing the City Manager to advertise for public bids for the Plum Creek Greenway Phase 1 Project.

BACKGROUND: This project will construct a 10' wide asphalt shared-use path between Plum Creek Park and Huntington Elementary School/Mooney Park. This project is being partially funded with a Clean Ohio Trails Fund grant from the Ohio Department of Natural Resources.

PURPOSE AND EXPLANATION: This project is Phase 1 of the Plum Creek Greenway, which will eventually link Plum Creek Park to Brunswick Lake Park/North Park and the Brunswick High School campus. The north-south multi-use trail will be the first of its kind in northern Medina County.

IMPLEMENTATION SCHEDULE: The project will be advertised in July with the intent to begin construction this fall.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Preliminary construction cost estimate is \$278,000. This project is being partially funded by a Clean Ohio Trails Fund grant from the Ohio Department of Natural Resources. All eligible project costs are expected to be funded 75%, but not to exceed \$301,500 and the City is expected to fund the remaining 25%. Eligible grant costs are to be charged to 341-0812-56880 and remaining City costs to 300-2019-56700.

RECOMMENDED ACTION: Passage of a motion authorizing the City Manager to advertise for public bids for the Plum Creek Greenway Phase 1 Project.

ADDITIONAL INFORMATION:

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/22/2020

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 40-2020** - An emergency ordinance providing for submission to the electors of the City of Brunswick, Ohio, at the November 3, 2020 General Election, the suggested changes to the Charter as recommended by the City of Brunswick Charter Review Commission. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fischer*)

BACKGROUND: Ordinance submitting recommended Charter revisions to the electors at the November 3, 2020 General Election. Proposed Charter Amendments, as formally adopted by the Charter Review Commission on June 3, 2020, to be attached to the Ordinance as Exhibit "A". Proposed Ballot Questions to be attached to the Ordinance as Exhibit "B".

PURPOSE AND EXPLANATION: Ordinance must be adopted by City Council and certified to the Medina County Board of Elections no later than ninety (90) days prior to the November 3, 2020 General Election (by 4:00 p.m. on August 5, 2020):

IMPLEMENTATION SCHEDULE:

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

Three (3) readings with the 1st Reading to occur on June 22, 2020.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 40-2020

BY: Committee-of-the-Whole

AN EMERGENCY ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF BRUNSWICK, OHIO, AT THE NOVEMBER 3, 2020 GENERAL ELECTION, THE SUGGESTED CHANGES TO THE CHARTER AS RECOMMENDED BY THE CITY OF BRUNSWICK CHARTER REVIEW COMMISSION.

WHEREAS: Pursuant to City of Brunswick Charter Section 6.07, the Charter Review Commission met in 2020 to review the Charter of the City of Brunswick;

WHEREAS: The Charter Review Commission issued Proposed Charter Amendments to this Council on June 3, 2020; and

WHEREAS: Pursuant to Section 6.07(b) of the Charter, this Council is required to submit the Proposed Charter Amendments, as recommended by the Charter Review Commission, to the electors of the City of Brunswick at the next general election.

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

SECTION 1: That the Charter Review Commission's June 3, 2020 Proposed Charter Amendments, as attached hereto as Exhibit "A", shall be submitted to a vote of the qualified electors of the City at the general election to be held on November 3, 2020 at the regular places of voting in the City in the form provided in the Ballot Questions attached hereto as Exhibit "B".

SECTION 2: That the Clerk of Council is hereby requested to publish the full text of the proposed amendments to the Charter, as set forth in the attached Proposed Charter Amendments, once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, in accordance with Article XVIII, Section 9 of the Ohio Constitution and Ohio Revised Code Section 731.211.

SECTION 3: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, welfare and safety and for the additional reason that this Ordinance must be enacted in compliance with the time requirements contained in Article XVIII, Section 8 of the Ohio Constitution. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

CITY OF BRUNSWICK – CHARTER REVIEW COMMISSION

PROPOSED CHARTER AMENDMENTS

1) SECTION 3.05.

CURRENT VERSION

No Council member shall hold any other City office or City employment or any appointment on any City board or commission except employment by the Board of Education.

PROPOSED REVISED VERSION

Except for employment with the Board of Education or as otherwise permitted by applicable Ohio law or this Charter, no Council member shall hold: (1) any other public office, whether elected or appointed; (2) employment with the City; (3) membership on any City board or commission; or (4) any other public employment that is determined by Ohio statutory or common law to be incompatible with the office of Council Member.

2) SECTION 3.09(e)(1).

CURRENT VERSION

The Mayor shall forfeit his/her office if he/she lacks at any time during said term in office:

1. Any qualifications for the office prescribed by this Charter or by law.

PROPOSED REVISED VERSION

The Mayor shall forfeit his/her office if he/she lacks at any time during said term in office:

1. Any qualifications for the office prescribed by this Charter or, except for employment with the Board of Education or as otherwise permitted by applicable Ohio law or this Charter, the Mayor shall not hold: (a) any other public office, whether elected or appointed; (b) employment with the City; (c) membership on any City board or commission; or (d) any other public employment that is determined by Ohio statutory law or common law to be incompatible with the office of Mayor.

3) SECTION 6.01(b).

CURRENT VERSION

All members of boards and commissions shall be appointed by the Mayor with confirmation by the majority of the members of Council.

PROPOSED REVISED VERSION

Except as otherwise required by Ohio statutory law, all members of City and non-City boards and commissions shall be appointed by the Mayor with confirmation by the majority of the members of Council.

4) SECTION 6.03.

Recommend removal in its entirety as the Board of Building Code Appeals is addressed in Codified Ordinance Chapter 1444.

5) SECTION 7.09(b)(2).

CURRENT VERSION

Non-emergency expenditures in excess of \$25,000.00 shall only be authorized by Council pursuant to contract made with the lowest and/or best bidder after public advertising and receipt of bids in the manner provided by ordinance.

PROPOSED REVISED VERSION

Non-emergency expenditures in excess of the amount established by Ohio statutory law shall only be authorized by Council pursuant to contract made with the lowest and/or best bidder after public advertising and receipt of bids in the manner provided by ordinance.

6) SECTION 8.01(a).

CURRENT VERSION

No contract for the sale of real estate belonging to the City of Brunswick, with the exception of paragraphs b. and c., shall be made unless authorized by an ordinance, approved by five (5) of the members of Council, and by the board or officer having supervision or management of such real estate. When the contract is so authorized, it shall be made in writing by such board or officer, only with the highest and/or best bidder, after advertisement once a week for three (3) consecutive weeks in a newspaper of general circulation within the municipal corporation, except as otherwise provided in this Charter.

PROPOSED REVISED VERSION

No contract for the sale or lease of real estate belonging to the City of Brunswick shall be made unless authorized by an ordinance, approved by five (5) of the members of Council, and by the board or officer having supervision or management of such real estate. When the contract is so authorized, it shall be made in writing by such board or officer, only with the highest and/or best bidder, after advertisement once a week for three (3) consecutive weeks in a newspaper of general circulation within the municipal corporation, except as otherwise provided in this Section.

7) SECTION 8.01(b).

CURRENT VERSION

The City of Brunswick may, by ordinance, authorize the transfer and conveyance by deed of any real property, owned by it and not needed for Municipal purposes, to the Board of Education of the City of Brunswick, to be used as an athletic field, a playground for children or for school sites, upon such terms as are agreed to between the City of Brunswick and the Board of Education. When the property is so conveyed, it shall be under the control and supervision of the Board of Education.

PROPOSED REVISED VERSION

The legislative authority of the City of Brunswick may, by ordinance, authorize the transfer and conveyance by deed of any real property, owned by it and not needed for Municipal purposes, to the Board of Education of the City of Brunswick, to be used as an athletic field, a playground for children, for school sites or for any public purpose, upon such lawful terms as are agreed to between the City of Brunswick and the Board of Education without competitive bidding. When the property is so conveyed, it shall be under the control and supervision of the Board of Education.

8) SECTION 8.01(c).

CURRENT VERSION

The City of Brunswick may, by ordinance, transfer, lease, or permit the use of any real property suitable for library purposes, to the Board of Trustees of any free public library, or any library association rendering free library service to the inhabitants of the City of Brunswick upon such lawful terms as are agreed upon between the City of Brunswick and the Trustees of such library or library association.

PROPOSED REVISED VERSION

The legislative authority of the City of Brunswick may, by ordinance, transfer, lease, or permit the use of any real property suitable for library purposes and not needed for Municipal purposes, to the Board of Trustees of any free public library, or any library association rendering free library service to the inhabitants of the City of Brunswick upon such lawful terms as are agreed upon between the City of Brunswick and the Trustees of such library or library association without competitive bidding.

9) SECTION 8.01(d).

CURRENT VERSION

The legislative authority of the City of Brunswick may authorize the lease of any real estate not needed for Municipal purposes to any organization, except religious organizations, for the purpose of constructing, maintaining, or managing parks, playgrounds, theaters, public service facilities and hospitals, emergency care facilities, and recreation facilities, upon such

lawful terms and conditions, in such manner as are prescribed by the legislative authority, without competitive bidding.

PROPOSED REVISED VERSION

The legislative authority of the City of Brunswick may authorize the lease of any real estate not needed for Municipal purposes to any organization, except religious organizations, for the purpose of constructing, maintaining, or managing parks, playgrounds, theaters, public service facilities and hospitals, emergency care facilities, recreation facilities, or for any public purpose, upon such lawful terms and conditions, in such manner as are prescribed by the legislative authority, without competitive bidding.

10) NEW SECTION 8.01(e).

The legislative authority of the City of Brunswick may, by ordinance, authorize the transfer and conveyance by deed of any real property, owned by it and not needed for Municipal purposes, to any entity for use as a public purpose, upon such lawful terms and conditions, in such manner as are prescribed by the legislative authority, without competitive bidding.

CITY OF BRUNSWICK BALLOT QUESTIONS

1. Shall the Amendments to Section 3.05 of the Charter, as proposed by the Charter Review Commission, detailing prohibited positions and/or employment that are incompatible with the office of Council Member, be Adopted?
2. Shall the Amendments to Section 3.09(e)(1) of the Charter, as proposed by the Charter Review Commission, detailing prohibited positions and/or employment that are incompatible with the office of Mayor, be Adopted?
3. Shall the Amendments to Section 6.01(b) of the Charter, as proposed by the Charter Review Commission, authorizing the Mayor, subject to Council's confirmation, to appoint all members of City and non-City boards and commissions, except as otherwise required by Ohio statutory law, be Adopted?
4. Shall the Removal of Section 6.03 of the Charter, as proposed by the Charter Review Commission, relative to the Board of Building Code Appeals, be Adopted?
5. Shall the Amendments to Section 7.09(b)(2) of the Charter, as proposed by the Charter Review Commission, authorizing non-emergency expenditures in a maximum amount as established by Ohio statutory law without public advertising and bidding, be Adopted?
6. Shall the Amendments to Sections 8.01(a), 8.01(b), 8.01(c) and 8.01(d) and proposed new Section 8.01(e) of the Charter, as proposed by the Charter Review Commission, authorizing the sale and/or lease of real estate not needed for municipal purposes to any entity for use as a public purpose without competitive bidding, be Adopted?

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 6/22/2020

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. 41-2020** - A resolution authorizing the City Manager to enter into agreement with the Board of County Commissioners of Medina County for the shared engineering, construction and use of a decanting station. - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Paul Barnett)

BACKGROUND: During a site visit from the Ohio EPA of the Streets Division maintenance facility at 1238 West 130th Street, the OEPA noted that the City is required to use a facility to decant material collected from the storm water vacuum process and street sweeping process. Due to this direction the City budgeted for the construction of a decanting facility to be constructed at the West 130th Streets garage in 2020. The Medina County Sanitary Engineer must also meet those same requirements. They have decanting facilities but not in the vicinity of Brunswick where many of their sanitary customers live. Due to this we are proposing sharing the use of the anticipated facility. The cost of the engineering and the construction will be split with the City paying seventy-nine percent(79%) and the County paying twenty-one percent(21%) which is the percentage of anticipated usage by the users. Removal and disposal of the residual material will be split by the volumes deposited at the facility.

PURPOSE AND EXPLANATION: This resolution authorizes the City Manager to enter into agreement with the Board of Commissioners of Medina County to share in the cost of the construction of a decanting facility and share in the usage of said facility. The term of the agreement is for a period of ten(10) years and to be renewed annually until either party provides notice of non-renewal no less than sixty(60) days before the date of termination. This agreement will provide for cost savings and improved service to the citizens of Brunswick and those that boarder Brunswick in Medina County.

IMPLEMENTATION SCHEDULE: We anticipate being able to bill the County in late fall of 2020 following construction which is when we would request having a completed contract.

FINANCIAL INFORMATION: Decanting station - - Anticipated revenue of \$29,400 for Engineering and Construction Costs. Anticipated revenue of \$1,024 per full calendar year for ongoing disposal of residual material. - - -

FINANCIAL

SUMMARY: Anticipated revenue of \$29,400 for the Engineering and Construction Costs
Anticipated revenue of \$1,024 per full calendar year for ongoing disposal of residual material.

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

AGREEMENT
FOR THE SHARED ENGINEERING/CONSTRUCTION AND UTILIZATION OF A
DECANTING STATION LOCATED at the BRUNSWICK CITY SERVICE GARAGE,
1238 W 130th STREET, BRUNSWICK, OHIO

This Agreement is entered into this ____ day of _____, 2020 by and between the City of Brunswick (CITY) and the Board of Commissioners of Medina County (COUNTY).

WHEREAS, the CITY has proposed to publicly bid and construct a decanting station at the Brunswick Service Garage, 1238 W 130th Street, Brunswick, Ohio, in year 2020 for the deposition of materials collected by their service department personnel utilizing vacuum truck(s) to pneumatically collect a combination of slurries, sludge, liquids, and solids as part of the CITY's storm sewer maintenance program for an estimated engineering/construction cost of \$140,000.00; and

WHEREAS, the COUNTY owns the sanitary sewers located within the CITY, operates and maintains those sewers through the Medina County Sanitary Engineer's (MCSE) office and personnel, as part of the MCSE's sewer maintenance program utilizes vacuum truck(s) to pneumatically collect a combination of slurries, sludge, liquids, and solids, and has requested permission to use the CITY's proposed decanting station to process said materials; and

WHEREAS, the CITY and the COUNTY agree it is in their mutual interest and in the public interest to cooperate in the construction and utilization of the proposed decanting station pursuant to the terms stated herein, as demonstrated by the CITY's approval of this Agreement on the ____ day of _____, 2020 through Resolution No. _____, and the COUNTY's approval of this Agreement on the ____ day of _____, 2020 through Resolution No. _____.

NOW, THEREFORE, the CITY and the COUNTY agree as follows:

Section I – The CITY and the COUNTY shall Cooperation in Engineering and Construction of the decanting station as follows:

1. The CITY shall submit the completed construction plans to the COUNTY for review and approval prior to commencing this project as the liquid fraction from the decanting station will connect into the COUNTY sanitary sewer system.
2. The CITY shall comply with all public bidding requirements of the Ohio Revised Code and City Ordinances in entering into a contract for the construction of the decanting station.
3. The CITY shall pay seventy-nine percent (79%) and COUNTY will pay twenty-one percent (21%) of the cost to engineer and construct the decanting station, which is based on a proportional volume of anticipated usage as demonstrated on the attached Exhibit 'A'.
4. The CITY shall use final approved engineering and construction costs to calculate the final total share due from the COUNTY, and the COUNTY shall submit payment for the final total share due to the CITY within sixty (60) days after receiving the invoice from the CITY.

Section II – The CITY and the COUNTY shall Cooperate in Operation and Maintenance of the decanting station as follows:

1. The CITY and COUNTY agree to log the materials that each respective party deposits into the decanting station.
2. The CITY will remove the residual solids from the decanting station, load the residual solids into a roll off container, and be responsible for its proper disposal.
3. The CITY and COUNTY agree to proportionally split the costs of disposal based on the proportion of material each party deposits at the decanting station.
4. The COUNTY shall submit payment for the disposal of residual solids as described above within sixty (60) days after receiving the invoice from the CITY.
5. The CITY will be responsible for all other necessary construction, maintenance and upkeep of the CITY decanting station, but the COUNTY will not be required to share in the cost of such construction, maintenance and/or upkeep.

Section III – Term:

This Agreement shall remain in force for a period of ten (10) years, and at the end of the initial term the Agreement shall be renewed automatically for a period of one (1) year unless either party provides notice of non-renewal no less than sixty (60) days before the date of termination, and shall renew for one (1) year periods thereafter unless and until terminated by either party as provided herein.

MEDINA COUNTY COMMISSIONERS

CITY OF BRUNSWICK, OHIO

By (signature): _____

By (signature): _____

Printed Name: _____

Printed Name: Carl S. DeForest

Title: _____

Title: City Manager

Date: _____

Date: _____

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 41-2020

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY FOR THE SHARED ENGINEERING, CONSTRUCTION AND USE OF A DECANTING STATION.

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

SECTION 1: That the City Manager is hereby authorized, upon approval of the Law Director, to enter into an Agreement, in the form attached hereto as Exhibit "A", with the Board of County Commissioner of Medina County for the shared engineering, construction and use of a decanting station.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

DATE:	6/22/2020
TO:	Vice Mayor Michael Abella Jr. and Members of City Council
FROM:	Carl S. DeForest, City Manager Todd Fischer, Lynnette Ozanich
COPY:	Mayor Ron Falconi
LEGISLATION:	RES. NO. 42-2020 - An <u>emergency</u> resolution requesting the City's share of funds from the County Coronavirus Relief Distribution Fund and affirming funds received will be expended consistent with the requirements of Section 5001 of the Cares Act as described in 42 U.S.C. 601 (D). - 1st Reading (To be brought from Committee-of-the-Whole, <i>Administration/Todd Fischer</i>)
BACKGROUND:	The Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and The Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in H.B. 481 of the 133rd General Assembly (H.B. 481); and H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and The City is desirous in obtaining available funds to cover eligible COVID 19 costs per the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act).
PURPOSE AND EXPLANATION:	See background section
IMPLEMENTATION SCHEDULE:	Place on the June 22, 2020, Council agenda as an emergency with suspension of the rules.
FINANCIAL INFORMATION:	
FINANCIAL SUMMARY:	Eligible COVID 19 costs covered by the CARES ACT distribution would otherwise save the City and its taxpayers from having to cover these costs locally. Amounts are currently unknown but must be final and reported on or before December 28, 2020
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 receive available funds and to cover eligible costs associated with COVID 19 as outlined in the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act).

**ADDITIONAL
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 42-2020

By: Committee-of-the-Whole

AN EMERGENCY RESOLUTION REQUESTING THE CITY'S SHARE OF FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND AND AFFIRMING FUNDS RECEIVED WILL BE EXPENDED CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601 (D).

WHEREAS: The Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

WHEREAS: The Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in H.B. 481 of the 133rd General Assembly (H.B. 481); and

WHEREAS: H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

WHEREAS: City Council is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

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

SECTION 1: That all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the City consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in the City's most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

SECTION 2: In compliance with H.B. 481, the Finance Director will take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the City's local coronavirus relief fund to the County Treasurer;
- (2) On or before December 28, 2020, pay the balance of any money in the City's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and

(3) Provide any information related to any payments received under H.B. 481 to the Director of the Ohio Office of Budget and Management as requested.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to accept funds to cover costs associated with COVID-19. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading __

RULES SUSPENDED: AYES ____ NAYS ____

ADOPTED: _____AYES ____ NAYS ____

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

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 6/22/2020

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

FROM: Carl S. DeForest, City Manager
Todd Fischer, Lynnette Ozanich

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 43-2020** - An emergency ordinance creating a local Coronavirus Relief Fund (#112) - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Todd Fischer*)

BACKGROUND: The Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in H.B. 481 of the 133rd General Assembly (H.B. 481); and

H.B. 481 requires the City to create a Local Coronavirus Relief Fund; and

H.B. 481 requires any “Coronavirus Aid, Relief, and Economic Security Act” funds to be deposited into the Local Coronavirus Relief Fund; and

Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose.

PURPOSE AND EXPLANATION: See details listed in the background section.

IMPLEMENTATION SCHEDULE: Recommended action for approval with emergency and suspension of the rules on June 22, 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The establishment of a fund is required by law and will allow for the accounting structure to be in place.

RECOMMENDED ACTION:

One Reading Yes

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

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

The emergency and suspension clause is considered 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 allow for the proper accounting structure to be in place as required by law.

**ADDITIONAL
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO

ORDINANCE NUMBER 43-2020



By: Committee-of-the-Whole

AN EMERGENCY ORDINANCE CREATING A LOCAL CORONAVIRUS RELIEF FUND (#112)

WHEREAS: The Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in H.B. 481 of the 133rd General Assembly (H.B. 481); and

WHEREAS: H.B. 481 requires the City to create a Local Coronavirus Relief Fund; and

WHEREAS: H.B. 481 requires any “Coronavirus Aid, Relief, and Economic Security Act” funds to be deposited into the Local Coronavirus Relief Fund; and

WHEREAS: Ohio Revised Code Section 5705.09(F) requires the City to establish a special fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That a Local Coronavirus Relief Fund #112 is hereby created.

SECTION 2: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that proper fund accounting measures be created. 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