



# BRUNSWICK CITY COUNCIL AGENDA

|                          |                             |                               |                                   |                                     |                         |                                          |                                 |                             |                                 |                               |
|--------------------------|-----------------------------|-------------------------------|-----------------------------------|-------------------------------------|-------------------------|------------------------------------------|---------------------------------|-----------------------------|---------------------------------|-------------------------------|
| Valerie<br>Zak<br>Ward 3 | Nicholas<br>Hanek<br>Ward 2 | Patricia<br>Hanek<br>At-Large | Kenneth<br>Fisher<br>Law Director | Carl S.<br>DeForest<br>City Manager | Ron<br>Falconi<br>Mayor | Fijabi<br>Julien-Gallam<br>Council Clerk | Michael<br>Abella Jr.<br>Ward 1 | Brian<br>Ousley<br>At-Large | Joseph<br>Delsanter<br>At-Large | Anthony<br>Capretta<br>Ward 4 |
|--------------------------|-----------------------------|-------------------------------|-----------------------------------|-------------------------------------|-------------------------|------------------------------------------|---------------------------------|-----------------------------|---------------------------------|-------------------------------|

## Administration Representatives

**SEPTEMBER 14, 2020**  
**In Council Chambers**  
**At 7:30 PM**

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Approval of Minutes
  - (a) Regular Council Meeting Minutes dated July 27, 2020;
  - (b) Special Council Meeting Minutes dated August 17, 2020.
4. Mayor's Report:
  - (a) Mayor's Court Financial Report for the month ending July 2020 and August 2020 will be posted on the website and added to the minutes for the record;
  - (b) Motion to approve the Mayor's recommendation to appoint Hope Zakany to fulfill a 2-year term on the Juvenile Diversion Board expiring May 20, 2022;
  - (c) Mayor's recommendation to appoint Denise Arnaud to fulfill an unexpired term on the Ethics Board expiring November 27, 2020, and to fulfill a 3-year term on the Ethics Board starting November 28, 2020, and expiring on November 27, 2023.
5. Clerk of Council's Report
6. Reading of Legislation and Action on Legislation:
  - a. 3rd Reading(s)

**ORD. NO. 47-2020:** An ordinance amending Chapter 836 of the City of Brunswick Codified Ordinances. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*)
  - b. 2nd Reading(s)
  - c. 1st Reading(s)

**ORD. NO. 60-2020:** An emergency ordinance repealing the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

**ORD. NO. 61-2020** - An emergency ordinance amending Ordinances #92-19, #7-2020, #29-2020 and #52-2020 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 Finance Committee, *Administration/Todd Fischer*)

**ORD. NO. 62-2020** - An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

**ORD. NO 63-2020** - An ordinance amending Section 412.01(e) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

**ORD. NO. 64-2020** - An ordinance amending Section 854.08(a) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

**RES. NO. 65-2020** - A resolution authorizing the City Manager to enter into a Grant Agreement with I.D. Images LLC. **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

7. City Manager's Report
8. Unfinished Business
9. New Business
  - (a) Consideration of a new liquor permit request from Los Dos Compas LLC DBA EL Taco Loco located at 3329 Center RD. Brunswick, Ohio 44212
10. Adjournment

# CITY OF BRUNSWICK, OHIO

## MINUTES OF COUNCIL

MONDAY, JULY 27, 2020

**Prayer and Pledge of Allegiance:** The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:00 p.m. at the Municipal Complex.

**Roll Call of Members showed the following Council Members present:** Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, and Brian Ousley.

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

Nicholas Hanek moved to excuse Councilman Michael Abella Jr. with just cause, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

### Approval of Minutes:

Nicholas Hanek moved to approve the Regular Council Meeting minutes dated July 13, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

### Mayor's Report:

Mayor's recommendation to appoint Hope Zakany to fulfill a 2-year term on the Juvenile Diversion Board expiring May 20, 2022.

### Clerk of Council's Report:

Clerk of Council Fijabi Julien-Gallam reminded everyone that the City Council is on recess for August except for any special meetings that are called for by the City Council. The next meeting is scheduled for the second Monday of September.

### Council Committee Reports:

Services, Utilities, Technology & Cable Committee.....Mr. Abella Jr.:

Brian Ousley moved to approve the Services, Utilities, Technology & Cable Committee formal report dated July 13, 2020, as written, seconded by Anthony Capretta. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Patricia Hanek moved to approve the Finance Committee formal report dated July 13, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony

Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

**Other Boards and Commissions:**

Nicholas Hanek moved to approve the Committee-of-the-Whole minutes dated July 13, 2020, as written, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

**Reading of Legislation and Action on Legislation:**

**3rd Reading(s)**

**ORD. NO. 34-2020** - An ordinance amending Chapter 1266 of the Codified Ordinances of the City of Brunswick by removing warehouses, food and goods distribution stations, motor freight garages and truck or transfer terminals as permitted uses in the I-L Light Industrial Zoning District and including warehousing as a conditionally permitted use in the I-L Light Industrial Zoning District. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*):

Nicholas Hanek moved to adopt Ordinance Number 34-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Law Director Ken Fisher remarked that the legislation removes warehouses, food, and goods distribution stations, motor freight garages, and truck or transfer terminals as permitted uses in the I-L Light Industrial Zoning District. It also includes warehousing as a conditionally permitted use in the I-L Light Industrial Zoning District subject to review by the Planning Commission, which may impose conditions on the issuance of any conditional use permit. After adoption, the temporary moratorium extended from July 23, 2020, to October 23, 2020, for Ordinance Number 35-2020 is planned to be formally repealed at the next Council Meeting.

**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. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fischer*):

Nicholas Hanek moved to adopt Ordinance Number 40-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 5, Nicholas Hanek, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0, None, Abstain - 1, Valerie Zak.

Law Director Ken Fisher expressed his appreciation for the work that the Mayor and the Charter Review Commission did on the Charter amendments. Mr. Fisher remarked that Ordinance Number 40-2020 submits the proposed revisions to the Charter as recommended by the Charter Review Commission to the electors of the City of Brunswick, at the November 3, 2020 General Election. Mr. Fisher added that certification to the Medina County Board of Elections is required by August 5, 2020, at 4:00 PM. The required date is 90 days before the November 3, 2020, General election.

Mayor Ron Falconi asked how Councilwoman Valerie Zak would go by voting on this legislation since she was on the Charter Review Commission before being appointed to the Ward 3 Councilmember position. Mr. Fisher explained that Mrs. Zak is not going to vote on this legislation, and Mrs. Zak was able to serve capably on the Charter Review Commission. Mr. Fisher explained the motion.

**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. - **3rd Reading** (Committee-of-the-Whole, *Administration/Paul Barnett*):

Nicholas Hanek moved to adopt Resolution Number 41-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

### **2nd Reading(s)**

**ORD. NO. 44-2020** - An ordinance accepting the Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Patrol officers) for a period of three (3) years effective January 1, 2020 through December 31, 2022.- **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

**ORD. NO. 44-2020** - Mr. Hanek moved this ordinance to third reading.

**ORD. NO. 45-2020** - An ordinance accepting the Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 52 (Division of Streets) for a period of three (3) years effective January 1, 2020 through December 31, 2022. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

**ORD. NO. 45-2020** - Mr. Hanek moved this ordinance to third reading.

**ORD. NO. 46-2020** - An ordinance accepting the Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 52 (Division of Finance, Parks and Recreation, Permits and Inspections and Clerical Employees of the Division of Fire) for a period of three (3) years effective January 1, 2020 through December 31, 2022.- **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

**ORD. NO. 46-2020** - Mr. Hanek moved this ordinance to third reading.

**ORD. NO. 47-2020:** An ordinance amending Chapter 836 of the City of Brunswick Codified Ordinances. - **2nd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*):

**ORD. NO. 47-2020** - Mr. Hanek moved this ordinance to third reading.

**RES. NO. 48-2020** - An emergency resolution declaring the City of Brunswick a “Purple Heart City.” - **2nd Reading** (Committee-of-the-Whole, *Administration/Nicholas Hanek*):

Nicholas Hanek moved to suspend the rules, seconded by Anthony Capretta. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Councilman Nicholas Hanek remarked that this legislation is something that the City has implemented for the past few years. This resolution is designating August 7th, a day the City of Brunswick honors and appreciates those who have been killed or wounded during military service. Mr. Hanek expressed that it is the City's administration to continue to do outreach for military veterans in the community. The reason for the emergency is because Purple Heart Day is on August 7th.

Nicholas Hanek moved to adopt Resolution Number 48-2020, seconded by Anthony Capretta. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

**ORD. NO. 50-2020** - An ordinance accepting the Collective Bargaining Agreement with the International Association of Firefighters 3568 for a period of three (3) years effective January 1, 2020 through December 31, 2022 - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

**ORD. NO. 50-2020** - Mr. Hanek moved this ordinance to third reading.

**ORD. NO. 51-2020** - An ordinance amending the pay ranges for all non-bargaining full-time and part-time positions. - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*):

**ORD. NO. 51-2020** - Mrs. Hanek moved this ordinance to third reading.

**1st Reading(s)**

**RES. NO. 56-2020** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, INC. for the 2020 Catch Basin Repair Program in an amount not to exceed \$102,050.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*):

Nicholas Hanek moved to suspend the rules, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Nicholas Hanek moved to adopt Resolution Number 56-2020, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

**RES. NO. 57-2020** - An emergency resolution authorizing the City Manager to enter into an agreement with set In Stone Contracting, LLC for the construction of the Service Department Decanting Station in an amount not to exceed \$85,094.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Matt Jones*):

Nicholas Hanek moved to suspend the rules, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Nicholas Hanek moved to adopt Resolution Number 57-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

**ORD. NO. 58-2020** - An emergency ordinance establishing a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for small box discount stores in all zoning districts and special planning districts in the city, and the issuance of such approvals. - **1st Reading** (To be brought from Economic Development Committee, *Administration/Nicholas Hanek*):

Joseph Delsanter moved to suspend the rules, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Councilman Nicholas Hanek remarked that the Economic Development Director provided additional information in a video format. The legislation is from the Economic Development Committee to create a temporary moratorium that would allow the City's administration to evaluate the different solutions for small box discount stores (excluding stores selling produce or convenience stores). Mr. Hanek explained the reasoning for the moratorium, which is to give the City time to discuss the best use for certain areas in the city.

Joseph Delsanter moved to adopt Ordinance Number 58-2020, seconded by Valerie Zak. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

#### **City Manager's Report:**

##### **City Manager Carl DeForest**

- Reminded everyone that the Census workers are scheduled to go door-to-door starting July 30, 2020, instead of August 11, 2020. Mr. DeForest added that Census workers do not need solicitor permits, and they will be wearing the recommended personal protective equipment. The Census workers planned to come to a resident door if they have not responded to the Census to get an accurate account for grant funding for the next ten years.
- Added that solicitors are required to have permits from the City. The City's administration has a list of those entities that registered for a permit, and they are listed on the City's website. Mr. DeForest explained that if a resident has a problem with a solicitor to call the non-emergency line at the police department, at 330-225-9111.
- Remarked that the Trike & Bike is a virtual event and it is scheduled for October 3, 2020. The event is to raise funds for Pediatric Cancer Research through the Cleveland Clinic. The fundraiser is involving riders from Ages 3 to 12. It is \$15 for each

participant to sign-up. They are encouraged to raise \$25 for the fight against pediatric cancer. Individuals could contact the City Manager's office for more information.

- Announced that Branch Chipping is scheduled for August 21, 2020, to August 25, 2020. Mr. DeForest added that the service department would do the branch chipping on the resident's trash pick-up day.

**Unfinished Business:**

There was none.

**New Business:**

**New Appointed Official Introduction**

Councilwoman Valerie Zak introduced herself to the residents of Ward 3. She thanked the City Council for her recent appointment, and she looks forward to working with everyone. Mrs. Zak stated that residents could reach her regarding any issues or concerns at 330-225-1825 or e-mail at [vzak@brunswick.oh.us](mailto:vzak@brunswick.oh.us).

Mayor Ron Falconi thanked Mrs. Zak for her willingness for serving her community, and he welcomed Mrs. Zak.

**Adjournment:**

Nicholas Hanek moved to adjourn for August recess and to reconvene at the Regular City Council Meeting time on the second Monday in September, second by Patricia Hanek. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 7:22 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

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Mayor Ron Falconi

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Adopted

**CITY OF BRUNSWICK, OHIO**  
**MINUTES OF COUNCIL**  
**MONDAY, AUGUST 17, 2020**

**Prayer and Pledge of Allegiance:** The special meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 6:30 p.m., at the Municipal Complex.

**Roll Call of Members showed the following Council Members present:** Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, and Brian Ousley.

**Others Present:** Mayor Ron Falconi, Clerk of Council Fijabi Gallam, and City Manager Carl DeForest.

Joseph Delsanter moved to excuse Councilman Anthony Capretta with just cause, seconded by Valerie Zak. Roll Call - Ayes - 6, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Valerie Zak. Nays - 0. Motion Carried.

**Council Committee Reports:**

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

Councilman Nicholas Hanek remarked that there is a correction for the formal report noted from Councilwoman Patricia Hanek. The following is the correction from page 1, the first sentence of the last paragraph.

Amend: "Mr. Delsanter raised a question regarding upcoming *voting issues*."

Correction: "Mr. Delsanter raised a question regarding upcoming *zoning issues*."

Nicholas Hanek moved to approve the Economic Development Committee Formal Report dated July 21, 2020, with the noted correction, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter. Nays - 0. Motion Carried.

**Other Boards and Commissions:**

Michael Abella Jr. moved to approve the Special Committee-of-the-Whole Minutes dated July 15, 2020, and the Committee-of-the-Whole Minutes dated July 27, 2020, as written, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

**Reading of Legislation and Action on Legislation:**

**3rd Reading:**

**ORD. NO. 44-2020** - An ordinance accepting the Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Patrol officers) for a period of three (3) years effective January 1, 2020 through December 31, 2022.- **3rd Reading** (Committee-of-the-Whole,

*Administration/Carl DeForest*):

Michael Abella Jr. moved to adopt Ordinance Number 44-2020, seconded by Brian Ousley. Roll Call - Ayes - 6, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley. Nays - 0. Motion Carried.

**ORD. NO. 45-2020** - An ordinance accepting the Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 52 (Division of Streets) for a period of three (3) years effective January 1, 2020 through December 31, 2022. - **3rd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

Michael Abella Jr. moved to adopt Ordinance Number 45-2020, seconded by Brian Ousley. Roll Call - Ayes - 6, Valerie Zak, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Michael Abella Jr., Patricia Hanek. Nays - 0. Motion Carried.

**ORD. NO. 46-2020** - An ordinance accepting the Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 52 (Division of Finance, Parks and Recreation, Permits and Inspections and Clerical Employees of the Division of Fire) for a period of three (3) years effective January 1, 2020 through December 31, 2022.- **3rd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

Michael Abella Jr. moved to adopt Ordinance Number 46-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Valerie Zak, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

**ORD. NO. 50-2020** - An ordinance accepting the Collective Bargaining Agreement with the International Association of Firefighters 3568 for a period of three (3) years effective January 1, 2020 through December 31, 2022 - **3rd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

Michael Abella Jr. moved to adopt Ordinance Number 50-2020, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Valerie Zak, Nicholas Hanek. Nays - 0. Motion Carried.

**ORD. NO. 51-2020** - An ordinance amending the pay ranges for all non-bargaining full-time and part-time positions. - **3rd Reading** (Finance Committee, *Administration/Todd Fischer*):

Patricia Hanek moved to adopt Ordinance Number 51-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 6, Patricia Hanek, Valerie Zak, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Joseph Delsanter. Nays - 0. Motion Carried.

**1st Reading:**

**ORD. NO. 59-2020** - An emergency ordinance amending section 222.01(a) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*):

Michael Abella Jr. moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes -

6, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

Michael Abella Jr. moved to adopt Ordinance Number 59-2020, seconded by Patricia Hanek. Roll Call - Ayes - 6, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Valerie Zak. Nays - 0. Motion Carried.

**Adjournment:**

Michael Abella Jr. moved to adjourn, seconded by Nicholas Hanek. Roll Call - Ayes - 6, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter. Nays - 0. Motion Carried.

There being no further business, the meeting adjourned at 6:41 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

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Mayor Ron Falconi

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Adopted

August 3, 2020

TO: CITY COUNCIL  
FROM: CLERK OF COURTS  
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.  
FOR THE MONTH OF JULY 2020

WAIVERS/COURT/BONDS

***DEPOSITS (July) 39,150.28***

***DEBITS (July) (39,150.28)***

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Checks to be written in July

|                                                    |                  |
|----------------------------------------------------|------------------|
| Treasurer State of Ohio                            | \$ 7,303.50      |
| City of Medina MIATF                               | \$ 100.00        |
| City of Medina IDATF                               | \$ 218.50        |
| City of Brunswick Finance Dept/Police Fund *       | \$31,348.28      |
| Misc Checks (bond refunds & transfers/restitution) | <u>\$ 180.00</u> |
| TOTAL for the month                                | \$39,150.28      |

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

Service Charges/Fees for prior month \$111.69

**MAYOR RONALD FALCONI**



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**TERESA BENO, CLERK OF COURTS**

September 1, 2020

TO: CITY COUNCIL  
FROM: CLERK OF COURTS  
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.  
FOR THE MONTH OF AUGUST 2020

WAIVERS/COURT/BONDS

**DEPOSITS (August) 32,747.68**

**DEBITS (August) (32,747.68)**

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Checks to be written in August

|                                                    |                  |
|----------------------------------------------------|------------------|
| Treasurer State of Ohio                            | \$ 6,741.50      |
| City of Medina MIATF                               | \$ 150.00        |
| City of Medina IDATF                               | \$ 188.50        |
| City of Brunswick Finance Dept/Police Fund *       | \$25,537.68      |
| Misc Checks (bond refunds & transfers/restitution) | <u>\$ 130.00</u> |
| TOTAL for the month                                | \$32,747.68      |

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

Service Charges/Fees for prior month \$251.27

**MAYOR RONALD FALCONI**



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**TERESA BENO, CLERK OF COURTS**

**APPLICATION FOR  
BOARDS AND COMMISSIONS**

NAME Hope M. Zakany PHONE (330) 273-9771  
 STREET 1424 Jefferson Ave CELL (440) 570-1842  
 Years of Residency 25 Registered Brunswick Voter: YES ☒ NO ☐  
 POSITIONED DESIRED: Juvenile Diversion Board EMAIL hope.zakany@gmail.com  
 EDUCATION DEGREE YEAR GRADUATED  
 HIGH SCHOOL Kennedy High School 1982  
 COLLEGE Buffalo State College M.S. 1989  
 SPECIAL TRAINING \_\_\_\_\_

**CURRENT EMPLOYMENT**

|                               |                          |                       |
|-------------------------------|--------------------------|-----------------------|
| <u>Wadsworth City Schools</u> | <u>Title One Teacher</u> | <u>2013 - Current</u> |
| Company                       | Address                  | Dates                 |

**RELEVANT PAST EMPLOYMENT**

|         |         |       |       |
|---------|---------|-------|-------|
| Company | Address | Title | Dates |
| Company | Address | Title | Dates |

**RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS**

I have been a member of the Juvenile Diversion Board for over 20 years. I have worked in the educational area for over 20 years

**REFERENCES (other than relation):**

|    | NAME                   | ADDRESS                     | PHONE               |
|----|------------------------|-----------------------------|---------------------|
| 1. | <u>Edna Hongland</u>   | <u>4936 Emerald Lane</u>    | <u>330-910-6179</u> |
| 2. | <u>Leila Jindra</u>    | <u>301 Substation Rd</u>    | <u>330-225-2272</u> |
| 3. | <u>Cynthia Sergott</u> | <u>4698 Wolff Dr.</u>       | <u>216-218-3499</u> |
| 4. | <u>Patty Manning</u>   | <u>4393 Stone Creek Dr.</u> | <u>330-521-8755</u> |

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

I have worked in the educational setting for over 20 years. I am interested in serving because I would like to see juveniles be successful in the community

**ATTACH RESUME IF DESIRED.**

Signature: Hope M. Zakany Date: 7/5/2020

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

NAME DENISE ARNAUD PHONE 330-220-8756

Years of Residency 17 1/2 **Ethics Brief** Registered Brunswick Voter: YES X NO     

| EDUCATION | DEGREE | YEAR GRADUATED |
|-----------|--------|----------------|
|-----------|--------|----------------|

COLLEGE THIEL COLLEGE AA & BA 1982

| CURRENT EMPLOYMENT |                                              |                        |                     |
|--------------------|----------------------------------------------|------------------------|---------------------|
| Company            | Address                                      | Title                  | Dates               |
| TravelCenters      | 24601 Center Ridge Rd.<br>Westlake, OH 44145 | Sr. PeopleSoft Analyst | Dec 2016 to Present |

| Company | Address | Title | Dates |
|---------|---------|-------|-------|
|---------|---------|-------|-------|

| Company | Address | Title | Dates |
|---------|---------|-------|-------|
|---------|---------|-------|-------|

Prior member of Charter Review Commission

Prior member of Ethics Board

Board member of Homeowners Association

|    | NAME          | ADDRESS                          | PHONE         |
|----|---------------|----------------------------------|---------------|
| 1. | Bida Hawk     | 27175 Hilliard Blvd, Westlake    | 440-502-16152 |
| 2. | Don Adanitsch | 20375 Morar Circle, Strongsville | 440-220-0703  |
| 3. | Mike Novak    | 9405 Arlane, Macedonia           | 440-759-6373  |

I served on the prior Charter Review Commission. I felt I was an asset to the process. I want to continue serving Brunswick. I have lived in my home for over 17 years & have been a Homeowners Association Board member for almost 10 years.

Signature: Amel M. Chaudhary Date: 8-20-17

Page 15 of

## PROPOSED LEGISLATION



**DATE:** 09/14/2020

**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. 47-2020:** An ordinance amending Chapter 836 of the City of Brunswick Codified Ordinances. - **3rd Reading** (Committee-of-the-Whole, *Administration/Ken Fisher*)

**BACKGROUND:**

**PURPOSE AND  
EXPLANATION:**

**IMPLEMENTATION  
SCHEDULE:**

Three readings

**FINANCIAL  
INFORMATION:**

**FINANCIAL  
SUMMARY:**

**RECOMMENDED  
ACTION:**

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

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

**ADDITIONAL  
INFORMATION:**

1  
CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 47-2020

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING CHAPTER 836 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 836.01(d) of the Codified Ordinances is hereby established to read as follows:

“(d) “Frozen desserts” includes ice cream, frozen custard, water ices, sherbet, imitation ice cream, and any and all other similar frozen desserts.”

SECTION 2: That Section 836.03 of the Codified Ordinance is hereby amended to read as follows:

“(a) Applications for licenses for peddlers or solicitors shall be filed with the ~~Chief of Police~~City Manager’s office or his designee on a form to be furnished ~~by the Chief of Police~~ which shall require at least the following information:

- (1) The name of the applicant and the applicant's physical description.
- (2) The home address of the applicant, social security number or driver's license number and the tax identification number of the employer.
- (3) The name and address of the person by whom the applicant is employed or for whom they are soliciting.
- (4) The length of the applicant's service with such employer or person for whom they are soliciting.
- (5) All places of residence of the applicant and all employment during the preceding year.
- (6) The nature and the character of the goods to be sold or services to be furnished by the applicant or the purpose for which the funds are being collected.
- (7) The City income tax form must also be filled out and filed with the registration.

(b) The Applicant shall furnish a recent photograph. Such application shall be made at least ten days before the license is issued.

(c) A B.C.I. and F.B.I Webcheck must be completed through the Medina County Sheriff’s Office and provided with the original application.

(de) If the Chief of Police determines after an investigation that the applicant proposes to engage in a lawful commercial or professional enterprise and neither the applicant nor the enterprise upon which the applicant proposes to engage

constitutes a clear and present danger to the residents of the City, the City Manager or his designee shall issue a license to the applicant.”

SECTION 3: That Section 836.04 of the Codified Ordinances is hereby amended to read as follows:

“For the license to be issued under the provisions of this Chapter, each applicant shall pay to the City ~~twenty-five~~fifty dollars (~~\$25~~50.00) per each individual application. All licenses issued hereunder shall be for a period of ninety (90) days from the date of issuance.”

SECTION 4: That Section 836.08 of the Codified Ordinances is hereby amended to read as follows:

“No solicitation shall be conducted before 9:00 am or after 7:00 pm on weekdays, or before 11:00 am or after 7:00 pm on Saturdays and Sundays, or any time on a state or national holiday.”

SECTION 5: That Section 836.09 of the Codified Ordinances is hereby amended to read as follows:

“Notice by the owner or occupant of any premises of the determination to refuse to receive any uninvited solicitors or peddlers shall be given by displaying a ~~weatherproof~~ card, decal or sign, not less than 2" x 3" in size, not more than one square foot in total surface area, upon or near the main entrance to the premises indicating such determination by the owner or occupant containing the words "No Solicitors Invited," or words of similar import, with letters at least one- third of an inch in height. Any sign that complies with the requirements of this section shall be exempt from any additional or different requirements contained in the provisions of these Ordinances, including but not limited to the Planning and Zoning Code.”

SECTION 6: That Section 836.12 of the Codified Ordinances is hereby established to read as follows:

“836.12 FROZEN DESSERT PEDDLERS AND VEHICLES.

(a) All persons employed and/or entities operating as frozen dessert peddlers shall:

- (1) Register with the City for a solicitor’s permit and display the permit by wearing it at all times while peddling within the City;
- (2) Be eighteen years of age or older;
- (3) Wear clean, washable outer garments or uniforms disclosing the name of the employer thereon;

- (4) Maintain themselves in a clean and personable condition and free from contagious disease;
- (5) Possess a valid Ohio driver's license if operating a motor vehicle;
- (6) Quarterly file a revenue report with the City of Brunswick Finance Department for any income generated in the City. Reports must be filed within thirty days of quarter end;
- (7) Maintain all necessary food services licenses as required by law; and
- (8) Comply with all food service and/or health guidelines as required by law.

(b) No person shall sell frozen desserts within the City who has been convicted of or pled guilty of any of the following criminal offenses:

- (1) Any offense involving a minor;
- (2) Any sexually-oriented offense, including, but not limited to, corruption of a minor, sexual imposition, importuning, voyeurism, public indecency, procuring, soliciting, prostitution, loitering for the purpose of engaging in prostitution, disseminating material harmful to juveniles, deception to obtain material harmful to juveniles, possession of obscene material involving a minor, possession of sexually-oriented material involving a minor, possession of nudity-oriented material involving a minor, and displaying matter harmful to juveniles;
- (3) Any assault within ten (10) years after conviction or guilty plea;
- (4) Unlawful possession of weapons within ten (10) years after conviction or guilty plea;
- (5) Any felony drug abuse or trafficking in drugs within ten (10) years after conviction or guilty plea;
- (6) Any homicide offense in Ohio Revised Code Chapter 2903 or any substantially similar homicide offense under any municipal or state law; and
- (7) Any other felony within ten (10) years after conviction or guilty plea.
- (8) A B.C.I. and F.B.I. Webcheck must be completed through the Medina County Sheriff's Office and provided with the application.

(c) All vehicles used for the peddling of frozen desserts shall:

- (1) Be clearly marked with the company name and phone number on both sides in letters at least four inches high;
- (2) Carry a minimum of three hundred thousand dollars (\$300,000) bodily injury and property damage insurance. A copy of this insurance coverage policy must be filed with the original application to the City.

- (3) Be safety inspected annually with certification by a mechanic that the vehicle is in safe operating condition. A copy of this inspection must be filed with the City Manager's office.
- (4) Be issued an annual "Food Service Mobile License" by the Medina County Department of Health. A copy of this license must be filed with the City Manager's office.
- (5) Any violations or complaints will be reviewed and investigated by the Division of Police.

(d) Frozen dessert peddling is permitted each day between noon and 8:30 p.m. or dusk, whichever comes first.

(e) Music on frozen dessert vehicles must not be audible in excess of fifty feet from the vehicle and must be turned off while the vehicle is stopped for sales.

(f) No peddler of frozen desserts shall sell, attempt to sell or offer for sale any wares:

- (1) Within 100 feet of any street intersection.
- (2) Within 1,000 feet of any school premises, day care center, playground, church or place of worship unless these entities or facilities request the service.

(g) The following actions, without limitation, by a peddler of frozen desserts are hereby declared to be nuisances and are prohibited in the City:

- (1) The frequent and repeated canvassing in any area or upon any street by representatives of the same organization.
- (2) Failure to keep and maintain the vehicles and containers used for the sale of frozen desserts in a clean and sanitary condition.
- (3) The sale of frozen desserts by a peddler with a communicable disease.
- (4) The sale of frozen desserts to any person under the age of twelve years who has crossed the street to the peddler's vehicle unless under the supervision of a police officer, a parent/guardian or adult in charge of such minor.
- (5) The failure to maintain a lookout for children under twelve years on the opposite side of the street from the place where the peddler's vehicle stops and to instruct them against crossing without supervision.
- (6) The failure to supervise any person under the age of twelve years who has crossed the street to purchase a frozen dessert when such person thereafter attempts to recross the street.
- (7) The departure the peddler's vehicle from the place where a sale is made before any person under twelve years of age who has made a

purchase or attempted to make a purchase has reached a place of safety.

(8) Any other violation of this Section or this Chapter.”

SECTION 7: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

---

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 09/14/2020

**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. 60-2020:** An emergency ordinance repealing the temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

**BACKGROUND:**

**PURPOSE AND**

**EXPLANATION:** Repealing temporary moratorium established by Ordinance No. 35-2020.

**IMPLEMENTATION**

**SCHEDULE:** Ordinance shall be in full force and effect from and after its passage by the required number of votes.

**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?

This will be considered by Council as an emergency measure with suspension of rules on September 14, 2020.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 60-2020

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

AN EMERGENCY ORDINANCE REPEALING THE TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY AND/OR BUILDING PERMIT APPROVALS FOR WAREHOUSING AND MOTOR FREIGHT GARAGES AND TRUCK OR TRANSFER TERMINAL USES IN THE I-L LIGHT INDUSTRIAL DISTRICT AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: On June 22, 2020, Council adopted Ordinance No. 35-2020 extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy and/or building permit approvals for warehousing and motor freight garages and truck or transfer terminal uses in the I-L Light Industrial District in the City, and the issuance of any such approvals during said period, through October 23, 2020; and

WHEREAS: On July 27, 2020, Council adopted Ordinance No. 34-2020 wherein warehousing, food and goods distribution stations, motor freight garages and truck or transfer terminals were removed as permitted uses in the I-L Light Industrial District and warehouses were included as a conditional use in the I-L Light Industrial District, which Ordinance will be effective on August 26, 2020.

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

SECTION 1: That the temporary moratorium established by Ordinance No. 35-2020 is hereby repealed.

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 additional reason to allow development in the I-L Light Industrial District with permitted and/or conditional uses. Therefore, this Ordinance shall be in full force and effect from and after its passage by the required number of votes.

---

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

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

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

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

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 61-2020

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

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #92-19, #7-2020, #29-2020 AND #52-2020 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 Ordinances #7-2020, #29-2020 and #52-2020 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, #7-2020, #29-2020 and #52-2020.

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

SECTION 1: Ordinances #92-19, #7-2020, #29-2020 and #52-2020 are hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit “A.”

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

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

RULES SUSPENDED: AYES \_\_\_\_ NAYS \_\_\_\_

ADOPTED: \_\_\_\_\_AYES \_\_\_\_ NAYS \_\_\_\_

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

**EXHIBIT A**

September 14, 2020

| Fund Number                | Fund Name / Department                   | Personal Service | Other            | Total            |
|----------------------------|------------------------------------------|------------------|------------------|------------------|
| General Fund               |                                          |                  |                  |                  |
| 001                        | General Fund                             |                  |                  |                  |
|                            | City Council                             | 168,569.00       | 78,538.80        | \$ 247,107.80    |
|                            | Mayor                                    | 95,801.00        | 86,904.01        | \$ 182,705.01    |
|                            | City Manager                             | 190,551.00       | 127,582.79       | \$ 318,133.79    |
|                            | Information Technologies                 | 170,456.00       | 277,881.38       | \$ 448,337.38    |
|                            | Engineering                              | 24,081.00        | 256,616.68       | \$ 280,697.68    |
|                            | Building Department                      | 330,154.00       | 214,092.98       | \$ 544,246.98    |
|                            | Cemetery Maintenance                     | -                | 29,050.00        | \$ 29,050.00     |
|                            | Janitorial Contract                      | -                | 21,627.00        | \$ 21,627.00     |
|                            | City Hall Building & Grounds             | 17,081.00        | 50,683.38        | \$ 67,764.38     |
|                            | Administrative Services                  | 89,627.00        | 51,802.68        | \$ 141,429.68    |
|                            | Economic Development                     | 111,212.00       | 245,380.34       | \$ 356,592.34    |
|                            | Animal Control                           | 75,290.00        | 67,478.22        | \$ 142,768.22    |
|                            | Law Department                           | 188,482.00       | 257,285.11       | \$ 445,767.11    |
|                            | Finance Department                       | 253,897.00       | 222,123.01       | \$ 476,020.01    |
|                            | Income Tax Department                    | 185,232.00       | 227,458.31       | \$ 412,690.31    |
|                            | Parks & Recreation Director              | 90,106.00        | 64,737.74        | \$ 154,843.74    |
|                            | General Fund Administration              | -                | 973,095.76       | \$ 973,095.76    |
|                            | Planning Division/Community Development  | 46,782.00        | 31,767.69        | \$ 78,549.69     |
|                            | 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                   | 20,194.00        | 26,906.28        | \$ 47,100.28     |
|                            | Board of Ethics                          | 5,200.00         | 4,604.30         | \$ 9,804.30      |
|                            | Board of Charter Review                  | 3,600.00         | 7,471.00         | \$ 11,071.00     |
|                            | Board of Commemorative Affairs           | -                | 17,000.00        | \$ 17,000.00     |
|                            | General Fund Transfers / Advances        | -                | 20,738,088.94    | \$ 20,738,088.94 |
| 001                        | Total General Fund                       | \$ 2,069,978.00  | \$ 24,084,277.99 | \$ 26,154,255.99 |
| Special Revenue Funds:     |                                          |                  |                  |                  |
| 110                        | Court Computerization Fund               | 10,682.00        | 18,829.19        | \$ 29,511.19     |
| 111                        | FEMA Grant Fund                          | -                | 5,927.30         | \$ 5,927.30      |
| 112                        | Local CoronaVirus Relief Fund            | 1,639,128.32     | 677,682.64       | \$ 2,316,810.96  |
| 114                        | Police Fund                              | 4,499,719.60     | 4,151,596.76     | \$ 8,651,316.36  |
| 115                        | Fire Fund                                | 2,504,265.95     | 2,889,134.88     | \$ 5,393,400.83  |
| 117                        | Street Repair & Maintenance Fund         | 1,160,611.00     | 2,437,033.48     | \$ 3,597,644.48  |
| 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     | 148,134.00       | 259,395.33       | \$ 407,529.33    |
| 127                        | Parks Fund                               | 208,629.00       | 411,416.38       | \$ 620,045.38    |
| 129                        | Department of Justice Federal Grant Fund | -                | 114,474.13       | \$ 114,474.13    |
| 130                        | DUI Enforcement & Education Fund         | -                | -                | \$ -             |
| 131                        | Recreation Center Fund                   | 411,972.00       | 681,833.03       | \$ 1,093,805.03  |
| 133                        | Home Improvement Grant Fund (CDBG)       | -                | 39,162.40        | \$ 39,162.40     |
| Enterprise Funds:          |                                          |                  |                  |                  |
| 223                        | Refuse Fund                              | 67,834.00        | 2,612,188.50     | \$ 2,680,022.50  |
| 224                        | Storm Water Management Fund              | 31,696.00        | 1,148,565.24     | \$ 1,180,261.24  |
| 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                    | -                | 4,450,682.60     | \$ 4,450,682.60  |
| 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         |
| <b>Self Insurance Fund:</b> |                                                   |   |              |           |                      |
| 600                         | Self Insurance Fund                               | - | 3,250,000.00 | \$        | 3,250,000.00         |
| <b>Debt Service Funds:</b>  |                                                   |   |              |           |                      |
| 771                         | General Obligation Bond Retirement Fund           | - | -            | \$        | -                    |
| 781                         | Special Assessment BRF: South Industrial Parkway  | - | 17.62        | \$        | 17.62                |
| 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            |
| <b>Agency Funds:</b>        |                                                   |   |              |           |                      |
| 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            |
| <b>Grand Total</b>          |                                                   |   |              | <b>\$</b> | <b>77,757,729.45</b> |

**City of Brunswick, Finance Office**

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

For the Budget Year Ending December 31, 2020

9/14/2020

| <b>Fund Name /<br/>Account Name</b>                | <b>Account<br/>Number</b> | <b>Appropriation<br/>Adjustment<br/>Amount</b> | <b>Description</b>                                                                                                                                       |
|----------------------------------------------------|---------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>General (#001)</b>                              |                           |                                                |                                                                                                                                                          |
| SITE DEPOSITS                                      | 001-0410-54265            | (40,000.00)                                    | Reduce estimated receipts & expenses by same amount. Activity continues to lag estimates most likely due to COVID 19.                                    |
| COUNTY AUDITOR FEES                                | 001-0880-54278            | (15,000.00)                                    | Remaining appropriation budget for auditor treasurer fees no longer anticipated to be needed.                                                            |
| COVID 19 MAT & SUPPLIES                            | 001-0880-55235            | (17,284.24)                                    | Reduce budget as a result of costs accounted for in Local Coronavirus Relief Fund #112.                                                                  |
| MEMBERS REIMBURSEMENT                              | 001-0930-55215            | 660.00                                         | Allow for 4 additional meetings as entirely new Commission in place with a plan to review Codified Ordinances pertaining to Civil Service.               |
| ADVANCE OUT TO FEMA 111                            | 001-0999-99900            | 2,963.65                                       | Advance Out from the General Fund to temporarily cover grant expenses until reimbursed by the grant.                                                     |
| TRANSFER OUT TAX ALLOCATION                        | 001-0999-99950            | 16,250.00                                      | Transfer Out to Capital Improvement Fund. To be buffer in case actual income tax collections were to come in higher than originally anticipated.         |
| <b>General Fund Total</b>                          |                           | <b>(52,410.59)</b>                             |                                                                                                                                                          |
| <b>FEMA Fund (#111)</b>                            |                           |                                                |                                                                                                                                                          |
| FEMA ASST TO FIREFIGHTERS GRANT                    | 111-0528-56001            | 2,963.65                                       | FY 2020 Assistance to Firefighters Grant Award. City must accept the grant to spend.                                                                     |
| ADVANCE OUT                                        | 111-0999-99940            | 2,963.65                                       | Advance Out to the General Fund once grant expenses are reimbursed by FEMA.                                                                              |
| <b>FEMA Fund Total</b>                             |                           | <b>5,927.30</b>                                |                                                                                                                                                          |
| <b>Local CoronaVirus Relief Fund (#112)</b>        |                           |                                                |                                                                                                                                                          |
| WAGES (COVID 19)- SAFETY/PUBLIC HEALTH             | 112-2020-51000            | 171,628.21                                     | Reallocate appropriation CARES Act on 1st Distribution for COVID 19. Used for EMA wages allowed per US Treasury update for use of funds.                 |
| WAGES (COVID 19)- SAFETY/PUBLIC HEALTH             | 112-2020-51000            | 254,699.09                                     | CARES Act 2nd round of distributions for COVID 19 Response thru State of Ohio HB 481. Must follow Res#42-2020 & US CARES ACT Sect 5001 for use of funds. |
| S.B. 357 WAGES (COVID 19)- SAFETY/PUBLIC HEA       | 112-2020-51007            | 912,801.02                                     | SB 357 is pending House & Governor approval. Been passed by Senate. Time restrictions involved. If not approved, would need to be removed.               |
| FRINGE BENEFITS (COVID 19)-SAFETY/PUBLIC HE.       | 112-2020-52000            | (171,628.21)                                   | Reallocate appropriation CARES Act on 1st Distribution for COVID 19. Used for EMA wages allowed per US Treasury update for use of funds.                 |
| FRINGE BENEFITS (COVID 19)-SAFETY/PUBLIC HE.       | 112-2020-52000            | 96,021.56                                      | CARES Act 2nd round of distributions for COVID 19 Response thru State of Ohio HB 481. Must follow Res#42-2020 & US CARES ACT Sect 5001 for use of funds. |
| S.B. 357 FINGE BENEFITS (COVID 19)-SAFETY/PU       | 112-2020-52007            | 344,125.98                                     | SB 357 is pending House & Governor approval. Been passed by Senate. Time restrictions involved. If not approved, would need to be removed.               |
| MEDICAL CAPITAL ITEMS (COVID 19)                   | 112-2020-56000            | 2,574.00                                       | Anticipated purchase of electrostatic sprayers to disinfect viruses and fight infection.                                                                 |
| <b>Local CoronaVirus Relief Fund Total</b>         |                           | <b>1,610,221.65</b>                            |                                                                                                                                                          |
| <b>Fire Fund (#115/952)</b>                        |                           |                                                |                                                                                                                                                          |
| RESCUE COLLECTION FEES                             | 115-0510-54260            | 1,656.25                                       | Additional fees expected as EMS revenues coming in above estimates.                                                                                      |
| TRANSFER OUT TO CAPITAL SUBFUND #952               | 115-0510-99999            | 375,000.00                                     | Increase Transfer In to represent additional 2020 EMS collections to be set aside for future capital purchases. Not an expenditure, just a set aside.    |
| <b>Fire Fund Total</b>                             |                           | <b>376,656.25</b>                              |                                                                                                                                                          |
| <b>Cable TV Fund (#123/#956)</b>                   |                           |                                                |                                                                                                                                                          |
| EQUIPMENT SERVICE CONTRACTS                        | 123-0460-54253            | 1,043.00                                       | Incode X Vier - Simultansous Web Streaming maintenange agreement extended through July of 2021 not covered in original 2020 budget.                      |
| <b>Cable TV Fund Total</b>                         |                           | <b>1,043.00</b>                                |                                                                                                                                                          |
| <b>Rec. Center Fund (#131)</b>                     |                           |                                                |                                                                                                                                                          |
| REC. CENTER PROGRAM SUPERVISORS                    | 131-0830-51197            | (35,000.00)                                    | Reduce budget further to help offset revenue losses due to COVID 19.                                                                                     |
| REC. PERS                                          | 131-0830-52223            | (4,900.00)                                     | Reduce budget further to help offset revenue losses due to COVID 19.                                                                                     |
| MEDITAX                                            | 131-0830-52226            | (507.50)                                       | Reduce budget further to help offset revenue losses due to COVID 19.                                                                                     |
| HOSPITALIZATION                                    | 131-0830-52275            | 6,024.20                                       | Employee qualifying event. Change of health coverage from single to family.                                                                              |
| UTILITIES & PHONE                                  | 131-0830-54270            | (16,000.00)                                    | Reduce budget as a result of being closed for a few months and to help offset revenue losses due to COVID 19.                                            |
| <b>Rec. Center Total</b>                           |                           | <b>(50,383.30)</b>                             |                                                                                                                                                          |
| <b>Stormwater Management Fund (#224)</b>           |                           |                                                |                                                                                                                                                          |
| REPAIR & MAINTENANCE                               | 224-0420-54243            | 15,000.00                                      | Repair and Maintenance Pos encumbered to 98.8% of Repair and Maintenance budget as of Sept 4, 2020. Request for additional funds to handle repairs.      |
| CONSTRUCTION                                       | 224-0455-56881            | (660,000.00)                                   | Miner Drive Storm Sewer Project is in design phase. Awarding of bid now expected in 2021 (vs original plan in 2020) thus will be moved to 2021 budget.   |
| ENGINEERING & INSPECTIONS                          | 224-0455-56883            | (46,017.59)                                    | Miner Drive Storm Sewer Project is in design phase. Awarding of bid now expected in 2021 (vs original plan in 2020) thus will be moved to 2021 budget.   |
| CONTINGENCY                                        | 224-0455-56884            | (3,530.00)                                     | Miner Drive Storm Sewer Project is in design phase. Awarding of bid now expected in 2021 (vs original plan in 2020) thus will be moved to 2021 budget.   |
| <b>Stormwater Management Enterprise Fund Total</b> |                           | <b>(694,547.59)</b>                            |                                                                                                                                                          |

**City of Brunswick, Finance Office**

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

For the Budget Year Ending December 31, 2020

9/14/2020

| <b>Fund Name /<br/>Account Name</b>           | <b>Account<br/>Number</b> | <b>Appropriation<br/>Adjustment<br/>Amount</b> | <b>Description</b>                                                                            |
|-----------------------------------------------|---------------------------|------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Road Capital Projects Fund (#333)</b>      |                           |                                                |                                                                                               |
| MISCELLANEOUS RD PROJECTS                     | 333-0473-56870            | <u>(150,000.00)</u>                            | Reduce appropriations to be available for the 2021 and future years.                          |
| <b>Road Capital Projects Fund Total</b>       |                           | <u><u>(150,000.00)</u></u>                     |                                                                                               |
| <b>S.A. South Industrial Park Fund (#781)</b> |                           |                                                |                                                                                               |
| AUDITOR FEES                                  | 781-0013-54278            | <u>(82.38)</u>                                 | Remaining appropriation budget for auditor treasurer fees no longer anticipated to be needed. |
| <b>S.A. South Industrial Park Fund Total</b>  |                           | <u><u>(82.38)</u></u>                          |                                                                                               |

## PROPOSED LEGISLATION



**DATE:** 09/14/2020

**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. 62-2020** - An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

**BACKGROUND:** In order to comply with the Ohio Revised Code Section 5705 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 September 14, 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. 62-2020

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

AN EMERGENCY ORDINANCE TO ADVANCE FUNDS

WHEREAS: The City of Brunswick wishes to advance monies from the General Fund #001 to the FEMA Fund #111 to temporarily fund the Assistance to Firefighters Grant Program until grant reimbursements are received.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby advanced:

FROM: General Fund (#001)  
TO: FEMA Grant Fund (#111)  
AMOUNT: \$2,963.65

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

---

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

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

ADOPTED: \_\_\_\_\_AYES \_\_\_\_ NAYS \_\_\_\_

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

# PROPOSED LEGISLATION



**DATE:** 09/14/2020

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO 63-2020** - An ordinance amending Section 412.01(e) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

**BACKGROUND:** The Ordinances of the City of Brunswick pertaining to private snow removal contractors and companies currently regulate the method for depositing of snow and/or ice on private streets as it does on public streets. The City has been notified by home owners associations that the private companies with whom they contract are unable to conform their snow plowing technique to these regulations due to private street widths and spacing of drive aprons. This legislation would update the current ordinance to eliminate private streets from these specific regulations.

**PURPOSE AND EXPLANATION:** By updating the current ordinance, the City will no longer regulate the method for snow and ice removal on private streets, thereby eliminating the hardship on homeowners and their associations who hire private contractors for this service.

**IMPLEMENTATION SCHEDULE:** As soon as allowed by law.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** n/a

**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:**

1  
CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 63-2020

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTION 412.01(e) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 412.01(e) of the Codified Ordinances is hereby amended to read as follows:

“(e) No person, company, contractor or private snow removal ~~firm~~ company or entity shall, while in the process of snow plowing or removal, deposit, or cause to be deposited, any snow and/or ice ~~onto the pavement or sidewalk of any public street, except the tree lawn on the same premises from which the snow is removed~~ that would obstruct, hinder, block or cause damage to any public road, public crosswalk, public sidewalk, public driveway or fire hydrant. City or State snow plow operations are exempt from this Section.”

SECTION 2: 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: 1<sup>st</sup> Reading \_\_\_\_\_

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

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

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

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

# PROPOSED LEGISLATION



**DATE:** 09/14/2020

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 64-2020** - An ordinance amending Section 854.08(a) of the City of Brunswick Codified Ordinances. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

**BACKGROUND:** The Ordinances of the City of Brunswick pertaining to private snow removal contractors and companies currently regulate the method for depositing of snow and/or ice on private streets as it does on public streets. The City has been notified by home owners associations that the private companies with whom they contract are unable to conform their snow plowing technique to these regulations due to private street widths and spacing of drive aprons. This legislation would update the current ordinance to eliminate private streets from these specific regulations.

**PURPOSE AND EXPLANATION:** By updating the current ordinance, the City will no longer regulate the method for snow and ice removal on private streets, thereby eliminating the hardship on homeowners and their associations who hire private contractors for this service.

**IMPLEMENTATION SCHEDULE:** As soon as allowed by law.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** n/a

**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:**

1  
CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 64-2020

BY: Committee-of-the-Whole

AN ORDINANCE AMENDING SECTION 854.08(a) OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES.

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

SECTION 1: That Section 854.08(a) of the Codified Ordinances is hereby amended to read as follows:

“(e) No person, company, contractor or private snow removal company or entity shall, while in the process of snow plowing or removal, ~~shall~~ deposit or cause to be deposited, any snow and/or ice that would obstruct, hinder, block or cause damage to any public ~~or private~~ road, public crosswalk, public sidewalk, public driveway or fire hydrant.”

SECTION 2: 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: 1<sup>st</sup> Reading \_\_\_\_\_

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 09/14/2020

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

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

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 65-2020** - A resolution authorizing the City Manager to enter into a Grant Agreement with I.D. Images LLC. **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Grant Aungst*)

**BACKGROUND:** City Administration has been in discussions with I.D. Images, LLC, an existing business in the City's industrial park, regarding the purchase and move to an existing building and upgrades to the existing structure and site, including additional staffing. Discussions involve economic development incentives that may be available.

**PURPOSE AND EXPLANATION:** The City has in place an economic development grant program to promote the creation of jobs and stimulate economic growth. As part of the agreement, the City shall provide I.D. Images, LLC, with an annual grant in an amount equal to 100% of Municipal Income Tax Receipts as defined in the agreement, upon annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) between \$3,500,000 and \$5,500,000. And as part of the agreement, the City shall provide I.D. Images, LLC, with an annual grant in an amount equal to 50% of Municipal Income Tax Receipts as defined in the agreement, upon annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) between \$5,500,000 and \$8,000,000. No grant shall be paid from Municipal Income Tax Receipts on employee payroll less than \$3,500,000 or greater than \$8,000,000. In order to receive and retain the grant for a maximum of five years, I.D. Images LLC shall retain a business operation in the City, currently or to be located at 2991 Interstate Parkway, moving to 1120 West 130<sup>th</sup> Street, Brunswick, Ohio 44212 for a minimum period of 10 years. The grant would be from non-tax sources.

**IMPLEMENTATION SCHEDULE:**

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** Fiscal approval for this agreement and each applicable year will be done through an annual

purchase order, subject to Council's appropriation and the applicable tax rate in existence at the time. The estimated \$65,000 amount for the completed year of 2021 is the calculated not to exceed maximum amount for the first year of the agreement provided all applicable conditions in the agreement are met, tax rates remain the same, and sufficient appropriations have been passed by Council. Any grant given would come from non-tax sources.

**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:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 65-2020

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO  
A GRANT AGREEMENT WITH I.D. IMAGES LLC.

WHEREAS: In accordance with applicable Ohio law, the City has developed a program to promote the creation of jobs and stimulate economic development in the City;

WHEREAS: The City is desirous of entering into a Grant Agreement with I.D. Images LLC to promote the creation of jobs and stimulate economic development in the City.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is authorized and directed to enter into the Grant Agreement with I.D. Images LLC, as attached hereto as Exhibit "A".

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

---

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

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

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

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

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

Clerk of Council  
Fijabi Julien-Gallam, CMC

## GRANT AGREEMENT

THIS GRANT AGREEMENT (the "Agreement") is entered into by and between the City of Brunswick, Ohio, a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio (the "City"), and I.D. Images LLC, an Ohio limited liability company (the "Company").

### RECITALS:

WHEREAS, the Company and its affiliated entities (any entity that controls the Company, is controlled by Company, or is under common control with Company and is not presently located in the City is an "Affiliate"), provide labels and other products to businesses seeking to improve their marketing, supply chains, and overall productivity via improved information flow; and

WHEREAS, the Company wishes to consolidate and expand its operations in the City and has made a request of the City for assistance through the form of an economic development grant; and

WHEREAS, in accordance with applicable Ohio law and as set forth in Article XVIII, Section 7 of the Ohio Constitution, the City has developed a program to promote the creation of jobs and stimulate economic development in the City; and

WHEREAS, the City has determined to offer economic development incentives described herein to induce the Company to maintain and expand its workforce within the City to create jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio and the City, all as authorized in Article VIII, Section 13 of the Ohio Constitution.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and intending to be legally bound, the City and the Company agree as follows:

#### **A. Company – Representations, Covenants and Warranties.**

- 1) In order to receive and retain the Grant as described in Section B below, the Company shall retain a business operation in the City, which is presently located at 2991 Interstate Parkway, Brunswick, Ohio, for a minimum period of ten (10) years (the "Reporting Period") commencing on January 1, 2021 (the "Commencement Date"), with a minimum annual employee payroll performed in the City of \$3,500,000.00 (the "Minimum Annual Employee Payroll") during the Reporting Period. If the Company fails to maintain the Minimum Annual Employee Payroll throughout the Reporting Period, except during a Force Majeure Event as set forth herein, the City may terminate this Agreement. If the City terminates this Agreement, the City may, upon thirty (30) days' written notice submitted to the Company, demand repayment of the Grant (defined below) in an amount proportionate to the years or portions thereof remaining in the ten (10) year Reporting Period (the "Repayment Calculation"). By means of example, if this Agreement were to terminate as provided herein (or Company was to default under its obligations hereunder): (a) during year 8 of the Reporting Period, Company would be required to repay the last three (3) years of Grant funds receipted from the City; or (b) during year 6 of the Reporting Period, Company would be required to repay all five (5) years of Grant funds receipted from the City.

- 2) During the term of this Agreement, if the Company or any employees of the Company or any Affiliate were to file and receive a tax refund on any Municipal Income Tax Receipt (defined below) for which the Company received a Grant(defined below), the Company agrees to refund to the City that portion of the Grant.

**B. Grants.**

- 1) The City shall provide the Company with an annual grant (the "Grant") in an amount equal to the sum of (a) 100% of Municipal Income Tax Receipts, as defined below, upon annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) above \$3,500,000.00 and up to \$5,500,000.00, and (b) 50% of Municipal Income Tax Receipts, as defined below, upon annual employee payroll performed in the City per Ohio Revised Code Section 718.02(A)(2) above \$5,500,000.00 and up to \$8,000,000.00 . No Grant shall be paid from Municipal Income Tax Receipts on annual employee payroll less than \$3,500,000.00 or greater than \$8,000,000.00. The Grant shall be payable solely from City Non-Tax Revenues, as defined below.

"Municipal Income Tax Receipts", as used herein, means the municipal income taxes actually received by the City during the twelve (12) month period commencing on the Commencement Date, and each twelve (12) months thereafter for the term of this Agreement, derived from the employees of Company and its Affiliates performing services in the City.

"Non-Tax Revenues", as used herein, means all moneys of the City which are not moneys raised by taxation, to the extent available for the purpose of making any payments required hereunder, including, but not limited to, the following: (a) grants from the United States of America and the State of Ohio; (b) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on other City indebtedness; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City's General Fund; (f) investment earnings on other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) gifts and donations; and (i) all rental payments which are deposited in the City's General Fund.

Nothing herein shall be construed as requiring the City to use or apply to the payment of its obligation hereunder any funds or revenues from any source other than Non-Tax Revenues; provided, however, that nothing herein shall be deemed to prohibit the City, at its sole discretion, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Agreement. The obligation to make any Grant hereunder shall terminate immediately if Company ceases business operations within the corporate limits of the City or otherwise fails to fulfill its obligations under this Agreement.

- 2) The annual Grant set forth above shall begin at the Commencement Date and continue for a period of five (5) consecutive twelve (12) month periods (the "Grant Term" and each of the five years is a "Grant Term Year") unless earlier terminated as set forth in this Agreement.
- 3) Notwithstanding anything to the contrary herein, the Company may terminate this Agreement effective upon sixty (60) days prior written notice to the City, in which event the City will be

released from any further liability or obligation to Company. In such event, Company shall, without demand from the City, repay all Grant amounts consistent with the Repayment Calculation detailed in Section A(1) hereof.

- 4) The Grant required hereunder shall be made to Company upon the occurrence of the following: (a) the City's actual receipt of Municipal Income Tax Receipts; (b) the City's actual receipt of all necessary municipal tax returns from Company, which shall be hand-delivered to the Finance Director/Assistant Finance Director; and (c) the City's receipt, review and approval of any requested and reasonably necessary supporting documentation as required herein, which, if requested by the City, shall be requested within thirty (30) days after the City's actual receipt of all necessary municipal income tax returns as hand-delivered by the Company.

Any Grant payment required hereunder shall be made by check payable to Company, to be forwarded by a nationally recognized overnight courier within ninety (90) days of payment and filing all necessary municipal tax returns and forms with the City for the subject twelve (12) month period, to the notice address provided in Section C below, as may be updated by written notice to the City from time to time.

**C. Additional Covenants and General Conditions.**

- 1) This Agreement is specifically conditioned upon enactment by the Brunswick City Council of a Resolution approving this Agreement.
- 2) Upon written notice to the City, the Company may wholly or partially assign its rights, obligations, or both, to one or more Affiliates. Otherwise, Company may not assign its rights or obligations under this Agreement without the express written consent of the City, which consent shall not be unreasonably conditioned, delayed or withheld.
- 3) Company agrees to provide the City with information reasonably requested by the City to evaluate the Company's compliance with this Agreement and to calculate the amount due hereunder until the end of the Reporting Period.
- 4) A notice, demand, or other communication that may be provided or is otherwise required under this Agreement shall be sufficiently given or delivered if it is mailed by registered or certified mail, postage prepaid, return receipt requested, or delivered personally as follows:

To the City:

City of Brunswick  
Attn: City Manager  
Brunswick City Hall  
4095 Center Road  
Brunswick, OH 44212

To Company:

I.D. Images, LLC

Attn: Brian D. Gale

2991 Interstate Parkway

Brunswick, Ohio 44212

With a copy to:

Vorys, Sater, Seymour and Pease LLP

52 East Gay Street

Columbus, Ohio 43215

Attention: Scott J. Ziance

- 5) For a period from the execution of this Agreement to the end of the first Grant Term Year, the City will waive the cost of any building permits requested by the Company in an amount not to exceed \$5,000.00.
- 6) This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Ohio.
- 7) Any delay in the performance of any of the duties or obligations identified in this Agreement of either party (the "Delayed Party") shall not be considered a breach of this Agreement and the time required for performance shall be extended for a period equal to the period of such delay, provided that such delay has been caused by or is the result of a Force Majeure Event (as defined below). A Force Majeure Event pauses a party's performance obligation for the duration of the event, but does not excuse it. "Force Majeure Event" means any event or occurrence that is not within the control of such party and prevents a party from performing its obligations under this Agreement, including without limitation, the following: acts of God; acts of public enemies; orders or restraints of any kind of the government of the United States or of the State or any of their departments, agencies, political subdivisions or officials, or any civil or military authority; insurrections; civil disturbances; riots; epidemics; landslides; lightning; earthquakes; fires; hurricanes; tornados; storms; droughts; floods; arrests; restraint of government and people; explosions; breakage, malfunction or accident to facilities, machinery, transmission pipes or canals; partial or entire failure of utilities; or events otherwise outside the control of the Delayed Party. The Delayed Party shall give prompt (taking into account the nature of the Force Majeure Event) notice to the other party of such cause, and shall take whatever reasonable steps are necessary to relieve the effect of such cause as promptly as possible.
- 8) This Agreement may be executed in several counterparts, each of which shall be deemed to be an original but altogether shall constitute only one and the same instrument. Signatures or counterparts delivered by email, facsimile or other electronic means shall be deemed binding originals.

[SIGNATURE PAGE TO FOLLOW]

WHEREFORE, the parties hereto have caused this Agreement to be executed as of the dates indicated below.

CITY OF BRUNSWICK, OHIO

I.D. IMAGES, LLC

\_\_\_\_\_  
Carl S. DeForest, City Manager

By: \_\_\_\_\_

*Brian D. Gale*

Title: \_\_\_\_\_

*CEO*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

*8/5/2020*

Approved as to form:

\_\_\_\_\_  
Kenneth J. Fisher, Law Director

Date: \_\_\_\_\_

This Grant Agreement has been approved by Brunswick City Council per Resolution No. \_\_\_\_\_ adopted on \_\_\_\_\_, \_\_\_\_\_, 2020.

\_\_\_\_\_  
Fijabi Julien-Gallam, Clerk of Council



## DISCUSSION

**DATE:** 09/14/2020

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

**FROM:** Michael Abella Jr.

**COPY:** Mayor Ron Falconi

**DISCUSSION:** Consideration of a new liquor permit request from Los Dos Compas LLC DBA EL Taco Loco located at 3329 Center RD. Brunswick, Ohio 44212

**BACKGROUND:** Clerk of City Council completes and returns the Notice to Legislative Authority form to the Division of Liquor Control whether or not there is a request for a hearing.

**PURPOSE AND EXPLANATION:** New Liquor Permit request.

**IMPLEMENTATION SCHEDULE:** Responses must be postmarked no later than 9/28/2020.

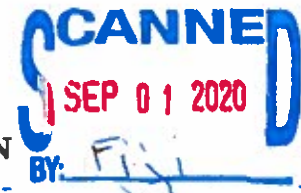
**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

**ADDITIONAL INFORMATION:**

Commerce Division of Liquor Control : Web Database Search

**OWNERSHIP DISCLOSURE INFORMATION**

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

**Searching Instructions**

Enter the known information and click the "Search" button. For best results, search only **ONE** criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

**SEARCH CRITERIA****Permit Number**

5297745

**Permit Name / DBA****Member / Officer Name****Search****Reset****Main Menu**

| Member/Officer Name                                                                                                                          | Shares/Interest | Office Held |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------|
| <b>Permit Number:</b> 5297745; <b>Name:</b> LOS DOS COMPAS LLC; <b>DBA:</b> DBA EL TACO LOCO; <b>Address:</b> 3329 CENTER RD BRUNSWICK 44212 |                 |             |
| REYNALDO RAMIREZ MURILLO                                                                                                                     | MANAGE MEM      |             |
| DAMARIS M DIAZ HERNANDEZ                                                                                                                     | MANAGE MEM      |             |

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

|               |  |                |  |                                                                                |
|---------------|--|----------------|--|--------------------------------------------------------------------------------|
| 5297745       |  | NEW            |  | LOS DOS COMPAS LLC<br>DBA EL TACO LOCO<br>3329 CENTER RD<br>BRUNSWICK OH 44212 |
| PERMIT NUMBER |  | TYPE           |  |                                                                                |
| ISSUE DATE    |  |                |  |                                                                                |
| 04 30 2020    |  |                |  |                                                                                |
| FILING DATE   |  |                |  |                                                                                |
| D1 D2 D3 06   |  | PERMIT CLASSES |  |                                                                                |
| 52 022 C      |  | C70066         |  |                                                                                |
| TAX DISTRICT  |  | RECEIPT NO.    |  |                                                                                |

FROM 08/26/2020

|                |  |             |  |
|----------------|--|-------------|--|
| PERMIT NUMBER  |  | TYPE        |  |
| ISSUE DATE     |  |             |  |
| FILING DATE    |  |             |  |
| PERMIT CLASSES |  |             |  |
| TAX DISTRICT   |  | RECEIPT NO. |  |



MAILED 08/26/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/28/2020

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
REFER TO THIS NUMBER IN ALL INQUIRIES **C NEW 5297745**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL  
4095 CENTER RD  
BRUNSWICK OHIO 44212