



BRUNSWICK CITY COUNCIL AGENDA

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

SEPTEMBER 28, 2020
In Council Chambers
At 7:00 PM

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Minutes
 - (a) Regular Council Meeting Minutes dated September 14, 2020
5. Mayor's Report:
 - (a) Motion to approve the 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.
 - (b) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Hanek

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

Finance Committee.....Mrs. Hanek

Safety & Environment Committee.....Mr. Capretta

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

Parks, Recreation & Community Committee.....Mrs. Zak

Park, Recreation & Community Committee Minutes dated August 24, 2020

Building & Building Code Committee.....Mr. Ousley
8. Other Boards and Commissions

- (a) Committee of the Whole Meeting Minutes dated September 14, 2020
9. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

ORD. NO. 63-2020 - An ordinance amending Section 412.01(e) of the City of Brunswick Codified Ordinances. - **2nd Reading** (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. - **2nd Reading** (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. - **2nd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

c. 1st Reading(s)

ORD. NO. 66-2020 - An emergency ordinance requesting the Civil Service Commission to provide a process allowing for the lateral transfer of firemedics to the City of Brunswick, Ohio from another Ohio jurisdiction and to authorize the City Manager to select candidates for firemedics from the current eligibility list or the lateral transfer list. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Josh Erskine*)

RES. NO. 67-2020 - An emergency resolution amending resolution No. 66-19 to update the project cost and obligate local match funds relative to a Clean Ohio Funds Grant application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 project. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Matt Jones*)

ORD. NO. 68-2020 - An ordinance establishing the Oak Ridge Preserve Planning District No. 7 Conceptual Development Plan and amending the zoning map by designating an approximately 12.9258 acre portion of PPN 003-18a-04-193 located at 834 Pearl Road as SPD-7. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

RES. NO. 69-2020 - A resolution authorizing the City Manager to enter into a Municipal Engineering Consulting Services agreement with Chagrin Valley Engineering, LTD. for the Provision of Professional Municipal Engineering Services and Designating Matthew M. Jones, P.E., as Consulting Municipal Engineer. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul*)

Barnett)

RES. NO. 70-2020 - A resolution adopting the Solid Waste Management Plan for the Medina County Solid Waste Management District. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

ORD. NO. 71-2020 - An ordinance accepting The Collective Bargaining Agreement with The Fraternal Order Of Police Lodge #15 (Communication Specialists) for a period of three (3) years effective January 1, 2020 through December 31, 2022. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

10. City Manager's Report
11. Unfinished Business
12. New Business
13. Adjournment

CITY OF BRUNSWICK, OHIO
MINUTES OF COUNCIL
MONDAY, SEPTEMBER 14, 2020

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:34 p.m. at the Municipal Complex.

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

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

Approval of Minutes:

Michael Abella Jr. moved to approve the Regular City Council Meeting Minutes dated July 27, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

Michael Abella Jr. moved to approve the Special City Council Meeting Minutes, dated August 17, 2020, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

Mayor's Report:

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.

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:

Anthony Capretta moved to appoint Hope Zakany to fulfill a 2-year term on the Juvenile Diversion Board expiring May 20, 2022, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr.. Nays - 0. Motion Carried.

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.

Clerk of Council's Report:

Clerk of Council Fijabi Julien-Gallam remarked that a resident requested to have her statement be read into the record at the City Council meeting. Mayor Ron Falconi permitted the clerk permission to read the following statement:

"Dear City Council,

My name is Leah Tornabene and I am the Operating Officer of Brady's K9 Fund and a resident of Strongsville. My son Brady Snakovsky and I have worked very hard over the last couple of months cleaning up the Dog Park on Cross Creek Drive. I must say that is a nice, large and peaceful piece of property that you own as a City. Making this a location for your community residents and fellow residents of neighboring cities close by to come and enjoy with their four-legged friends is nice to see. We do not have many places like this around. While Brady and I have been working in the park we see many people that come to this park. Many more than I ever thought would. It is quite a busy spot.

When Brady and I first saw the park it was very depressing. It was in horrible shape and clearly had not been taken care of for many years. We saw the possibility of what it could be though, a nice manicured park that people could come and enjoy while having dogs play with each other, people meet strangers and become friends, and even have police K9s come to train. Something these police k9's do not have access to unless they travel to Hiram, Ohio.

We got straight to work once approval from you, which we give you a BIG thank you!!! We cleaned up the grounds by trimming trees, clearing weeds so high you couldn't see the park from the street, added landscape, painted benches and picnic tables, provided new benches, provided and built 10 agility, and brought media attention to your park/city. We also have purchased a new fence for the park on August 1st that we are waiting for your city to install. We have purchased everything they need for that to happen, we're just told you don't have the manpower for that to happen.

We as a nation are going through a rough time. I understand that our cities are being hit hard. I understand that cities have had to make cutbacks to their budgets, which makes cuts to employees. However, I also am seeing all the work we have done is let go. Even though I am told there are city workers working in the park, we are seeing there is no city worker maintaining this park. It seems the grass has been cut maybe twice since we've cleaned it up. The weeds that we had cleared by hand for countless hours are all growing back. This park is clearly no priority. This will so be right back to the complete mess it once was before we came in and cleaned up. Is this what you want to see for your community? The amount of people who visit this park is extremely high. You should want this as a well-manicured space. Maybe the city doesn't know how many people actually do come here. Maybe you don't know this may be one of the top parks that are visited within your city. What I can tell you is there is no one taking care of this, with pride anyway."

The Clerk of Council concluded the statement at the Mayor's request. The statement is to be

submitted to the record and discussed after the meeting.

Reading of Legislation and Action on Legislation:

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*):

Michael Abella Jr. moved to adopt Ordinance Number 47-2020, seconded by Anthony Capretta. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

2nd Reading(s)

There was none.

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*):

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

Joseph Delsanter moved to adopt Ordinance Number 60-2020, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

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*):

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

Patricia Hanek moved to adopt Ordinance Number 61-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Patricia Hanek, Valerie Zak, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Joseph Delsanter. Nays - 0 Motion Carried.

ORD. NO. 62-2020 - An emergency ordinance to advance funds. - **1st Reading** (To be brought

from Finance Committee, *Administration/Todd Fischer*):

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

Patricia Hanek moved to adopt Ordinance Number 62-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

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. 63-2020 - Mr. Abella moved the ordinance to second reading.

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*):

ORD. NO. 64-2020 - Mr. Abella moved the ordinance to second reading.

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*):

RES. NO. 65-2020 - Mr. Abella moved the ordinance to second reading.

City Manager's Report: City

Manager Carl DeForest

- Remarked that branch chipping starts on September 21, 2020, and ends on September 25, 2020. The collection of the branch chipping is expected to occur as close to the resident's normal trash pick-up date.
- Added that the second leaf collection is scheduled to start the last week of October.
- Reminded everyone that the virtual Trike and Bike fundraiser for VeloSano is on October 3, 2020. The fundraiser raises money for pediatric cancer research. Individuals that are interested in the fundraiser could contact the City Manager's office.

Councilman Joseph Delsanter wanted the City Manager to clarify that residents are to put the cut end of the branches towards the street instead of sticking out towards the sidewalks for safety reasoning. Mr. DeForest agreed with Mr. Delsanter's statement.

Unfinished Business:

Councilman Brian Ousley remarked that if the City Council meetings were open to the public, Leah Tornabene would be able to come into the meeting to read her statement. However, the City Council meetings are not open to the public, so Leah Tornabene did not get the opportunity to come in. Mr. Ousley requested the Clerk of Council to finish the letter that she started under the Clerk of Council's Report. Mayor Ron Falconi gave the Clerk of Council direction to finish reading the statement.

The following are the remaining words from Leah Tornabene, read by the Clerk of Council.

"I have reached out to Mr. John Piepsny multiple times letting him know the grounds are not being maintained. He says it is due to a lack of workers. I did reach out to Mayor Falconi for a meeting even if it was a virtual meeting that was denied. I did reach out to Carl DeForest for help. I was denied even being called back. Mr. Piepsny called me asking what I needed instead stating that Carl was "busy". What I need is someone to hear me. What you have is an opportunity to have something great and the city doesn't seem to care. We put thousands of dollars and countless hours into making this great. Let's try to work together and maintain this to a place people want to come to and not a place that is back to being in horrible shape. If there is anything else our non-profit can do to continue to help, we will be there in a second to help.

Thank you for your time and consideration. I know on behalf of all of the many visitors that come they thank you as well. "

Mayor Ron Falconi remarked that he plans to contact Ms. Tornabene.

Councilwoman Valerie Zak added that she plans to contact Ms. Tonabene, since Ms. Zak is the chair of the Parks, Recreation, & Community Committee.

New Business:

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

The City's administration had no objection to the liquor permit request.

Adjournment:

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

There being no further business, the meeting adjourned at 7:54 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

DRAFT

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
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COLLEGE THIEL COLLEGE AA & BA 1982

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

Company	Address	Title	Dates
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Company	Address	Title	Dates
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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 Arilane, 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 10 of

PARKS, RECREATION & COMMUNITY COMMITTEE

August 24, 2020

IN ATTENDANCE: Chairwoman Valerie Zak, Committee Member Patricia Hanek, Committee Member Nicholas Hanek, Parks & Recreation Director John Piepsny, Resident Mark Harwood.

The meeting convened at 6:00 p.m.

TOUR OF FACILITY:

John Piepsny provided a tour of the Brunswick Recreation Center.

GENERAL DISCUSSION:

Mr. Piepsny opened by discussing the age of the Recreation Center and summarized some improvements that have been made. The thirty year old building has had enhancements over the last ten years, which included a new roof, air conditioning for the gym, a new track, and a new water line. Also a new liner for the pool area; next expected replacement would be in 2029. He mentioned some of the older equipment, whereas the hot water tank and the pump room tanks were the originals. Lastly, some areas of paint were peeling above the pool area. Due to the social distancing in place, some exercise equipment had been spaced out accordingly. Mr. Piepsny spoke of how Covid-19 has had a negative impact for people resulting in no available programs, less membership, as well as daily visits and attendance having decreased.

Mr. Piepsny shared that in his recent conversations, there has been a lot of positive feedback from those who attend the Recreation Center pertaining to weight loss, and physical and mental health. Seniors tend to come for the socialization, especially with less programs being available. He commented that people enjoy the swimming pool, track, and the basketball courts. He discussed concern for the financial picture. He indicated that the Recreation Center building was paid off. Discussion ensued, as it was apparent that further discussion was needed regarding the future of the Recreation Center pertaining to needed decisions and direction.

Mr. Hanek asked about a time frame for these discussions, he suggested exploring conversations with the schools for a partnership, even the possibility of collaborating with the state. Mr. Piepsny advised that he was looking for \$200,000 from the General fund to assist in operations due to Covid-19. He mentioned that there could be a potential loss of \$700,000 for operating; with the same concern for 2021. Mrs. Hanek inquired about the \$700,000 loss, whether that was for operating or capital. Mr. Piepsny reiterated that was for operating costs. Mr. Piepsny noted that currently, there were no programs. He felt there was a need for discussions with City Council as to what the future holds.

Mrs. Zak concurred with the need for discussion regarding partnership with the schools, or a possible park levy. She felt finances needed to be evaluated and given some thought, as to what avenues to

take at this time. Mr. Piepsny shared that the budget meetings would take place in November. Mr. Hanek commented that he had discussions with the Administration to start that process.

Mr. Harwood, of 4043 Cherokee Trail, has had a Recreation Center membership for 13 years. He spoke about the schools for partnership. He felt that if a levy was needed, it would need communicated and better explained to the residents to help them to better understand. He would like to see a new Recreation Center. He encouraged and offered in helping residents be better educated about the levy.

Mr. Piepsny provided the committee with a comparison chart from surrounding cities, including Strongsville and Medina; staffing levels and operating costs. Mr. Piepsny felt that the Brunswick Recreation Center held the best value. He noted that the financial picture and downward trend need further discussion. Mr. Hanek suggested having discussions with Administration sooner than later.

Mr. Hanek brought up the time line and the process pertaining to the Plum Creek Trail to Huntington Elementary. Mr. Piepsny indicated he had discussions with Mr. Jones. Mr. Piepsny mentioned the City's goal was to have it completed by December 31, 2020. Mrs. Hanek commented that she noticed surveying being done on Sleepy Hollow. Mr. Hanek discussed the Plum Creek Trail, pertaining to wild flowers, and the possibility of having a butterfly garden in some of the green areas throughout the parks. He brought up the idea of community help with managing such. Mrs. Zak mentioned there was a group involved with helping manage Heritage Farms. She noted that there was a butterfly garden at Heritage Farms put in by an outside organization.

Mr. Piepsny made everyone aware that an extension was granted until the end of 2020 due to the pandemic.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 6:45 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Chairwoman



COMMITTEE OF THE WHOLE MEETING

September 14, 2020

IN ATTENDANCE: Vice Mayor Michael Abella Jr., Nicholas Hanek, Brian Ousley, Anthony Capretta, Valerie Zak, Patricia Hanek, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Community & Economic Development Director Grant Aungst, Finance Director Todd Fischer, Law Director Kenneth Fisher, Tom Keppler, Council Clerk Fijabi Julien-Gallam, News Media.

The virtual meeting convened at 6:48 p.m.

DISCUSSION ITEMS:

Review and approve the Council's Office 2021 Budget.

Mrs. Gallam reported on the Associations and Conference budget line at training cost, which was budgeted for all at the Council's office, including Council members and Council Clerk. She indicated that the cost has been \$3500.00 for the last three years. Funds had never been utilized to the full \$3500.00. Council does have the option for utilizing it for any training or conferences. This line number was used for memberships as well. Mrs. Gallam explained that the reason for the \$500 decrease, which was due to the last 2 years of transferring money from the conference budget line or supply budget line to bring incidentals budget back up; due to business cards, name plates, etc. Next year would be an election year for new Council members; therefore, Mrs. Gallam requested that \$500 be reserved for the incidental line and also decrease the conference line for 2021.

Mr. Capretta moved to approve the Council's Office 2021 Budget. Votes – 7 Ayes, 0 Nays.

MOTION ITEMS:

Motion to go out to bid for janitorial services for the Brunswick Community Recreation and Fitness Center and the Police Department/City Hall.

Mr. DeForest explained that the City had contracts that expire at the end of February 2021. Question was raised as to whether the same company would be used as prior, for the services. He indicated that it would be the same companies that have been used before. He would like to be prepared to bid prior to February.

Mr. Capretta moved to go out to bid for janitorial services for the Brunswick Community Recreation and Fitness Center and the Police Department/City Hall. Votes – 7 Ayes, 0 Nays.

Motion authorizing the City Manager to solicit requests for proposals for construction inspection services for a three year contract with two one year options.

Mr. DeForest summarized that there was a contract that would expire at the end of 2020 for constructions. He wanted to be ready for inspections and have the contract organized before January 2021. Mr. Ousley raised question about the one year stipulation on the contract. Mr. DeForest indicated that the City was looking for a three year contract with two one-year options. This would ensure that the company does what should be performed for the first three years. Thus far, QCI Group had done fabulous work.

Mrs. Zak moved to authorize the City Manager to solicit requests for proposals for construction inspection services for a three year contract with two one year options. Votes – 7 Ayes, 0 Nays.

A motion authorizing a change order in the amount of \$17,100.00 to Konstruction King, Inc. for the 2020 Catch Basin Repair Program.

Mr. DeForest explained that this would remain under budget. However, because of the bid, the City was able to acquire additional work, including eleven additional catch basins and box out repairs. This would increase the contract to \$119,150.00 from \$102,050.00, and would still be within the Council approved budget. In short, this increase was due to the additional work done to the City during the construction.

Question was raised as to whether the company identified the additional eleven catch basins that were completed. Mr. DeForest commented that the company would have that information by the end of the week.

Mr. Delsanter moved to authorize a change order in the amount of \$17,100.00 to Konstruction King, Inc. for the 2020 Catch Basin Repair Program. Votes – 7 Ayes, 0 Nays.

Motion authorizing the City Manager to exercise two (2) separate one (1) year options for sweeping of the City Streets through the existing contract with Reilly Sweeping subject to annual appropriations by City Council.

Mr. DeForest mentioned that Reilly Sweeping was doing good work. The goal would be for an approved 2021-2022 extension of the two one-year contracts. Mr. Delsanter raised question pertaining to whether municipalities included fiscal funding in the contracts. Mr. Fischer explained that the finance department recommended doing that. His department inputs them and he believed that those were in all of the contracts.

Mr. Delsanter moved to authorize the City Manager to exercise two (2) separate one (1) year options for sweeping of the City Streets through the existing contract with Reilly Sweeping subject to annual appropriations by City Council. Votes – 7 Ayes, 0 Nays.

REVIEW 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*)

Mr. Ousley inquired about why legislations 63-2020 and 64-2020 mirrored one another. Mr. Aungst clarified that was correct, and that these were two separate sections of the code. He explained that it was important to ensure that both were covered correctly in working with the Law department. He felt that both should be improved and were equally important in both sections of the code.

Mr. Abella noted that these ordinances would be voted on separately.

Mr. Capretta moved this ordinance to tonight's Council Agenda of September 14, 2020, for three readings. Votes – 7 Ayes, 0 Nays.

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*)

Mr. Capretta moved this ordinance to tonight's Council Agenda of September 14, 2020, for three readings. Votes – 7 Ayes, 0 Nays.

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*)

Mr. Aungst reported that the City was very fortunate to have I.D. Images in Brunswick, a company that were still growing at this time and hiring. The company was acquiring a new building, which would be over 100,000 square feet, for the Corporate Headquarters and manufacturing facility. Many jobs have been planned, along with increases. As an outstanding community representative, Mr. Aungst felt that I.D. Images have been willing to lend a hand and assist the City, as well as Medina County. Mr. Aungst asked that Council accept this with three readings, in thirty days, in full support in creating many new jobs in the City of Brunswick, and supporting a company that has supported the City.

Mr. Hanek moved this ordinance to tonight's Council Agenda of September 14, 2020, for three readings. Votes – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Abella asked that the sale and Sale of Municipal Property be added into the Executive Session.

Mr. Delsanter moved to go into Executive Session to discuss the employment, appointment, and compensation of a public employee, also to add the Sale and Purchase of Municipal property, seconded by Mrs. Zak. Roll Call – Ayes – 7, Mr. Hanek, Mrs. Zak, Mr. Abella, Mr. Capretta, Mr. Delsanter, Mrs. Hanek, Mr. Ousley. Nays – 0. Motion Carried.

Mr. Delsanter moved to adjourn from Executive Session, seconded by Mr. Capretta. Roll Call – Ayes – 7, Mrs. Hanek, Mr. Delsanter, Mr. Ousley, Mr. Hanek, Mr. Abella, Mr. Capretta, Mrs. Zak. Nays – 0. Motion Carried.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn the Committee of the Whole Meeting at 7:34 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script, reading "Holly Quellos". The signature is written in dark ink on a light-colored background.

Holly Quellos
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 09/28/2020

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. - **2nd Reading** (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: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 09/28/2020

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. - **2nd Reading** (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: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 09/28/2020

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. - **2nd Reading** (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 130th 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: 1st Reading _____

2nd Reading _____

3rd 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.

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

1

PROPOSED LEGISLATION



DATE: 09/28/2020

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

FROM: Carl S. DeForest, City Manager
Josh Erskine

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 66-2020** - An emergency ordinance requesting the Civil Service Commission to provide a process allowing for the lateral transfer of firemedics to the City of Brunswick, Ohio from another Ohio jurisdiction and to authorize the City Manager to select candidates for firemedics from the current eligibility list or the lateral transfer list. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Josh Erskine*)

BACKGROUND: An ordinance requesting the Civil Service Commission to provide a process for the lateral transfer of Firemedics to the City of Brunswick.

PURPOSE AND EXPLANATION: To make provisions for the hiring of experienced firemedics in order to provide for the continued efficient, effective and adequate operation of the Division of Fire and reduce outside training time.

IMPLEMENTATION

SCHEDULE: Once the ordinance is passed and Civil Service has updated rules we would advertise for applicants and create a lateral entry list for review.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

We request an emergency with suspension of the rules so that if passed the Civil Service Commission can begin the process of creating the necessary rules for creating a lateral transfer list.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. 66-2020

BY: Mr. Capretta, Mr. Abella, and Mrs. Zak

AN EMERGENCY ORDINANCE REQUESTING THE CIVIL SERVICE COMMISSION TO PROVIDE A PROCESS ALLOWING FOR THE LATERAL TRANSFER OF FIREMEDICS TO THE CITY OF BRUNSWICK, OHIO FROM ANOTHER OHIO JURISDICTION AND TO AUTHORIZE THE CITY MANAGER TO SELECT CANDIDATES FOR FIREMEDICS FROM THE CURRENT ELIGIBILITY LIST OR THE LATERAL TRANSFER LIST.

WHEREAS: This City Council desires to make provisions for the hiring of experienced Firemedics for the City of Brunswick, Ohio in order to provide for the continued efficient, effective and adequate operation of the Division of Fire and Rescue and reduce outside training time of said City; and

WHEREAS: For the reason that it is immediately necessary to make such provisions for the hiring of experienced Firemedics in order to provide for the continued efficient, effective and adequate operation of the Division of Fire and Rescue and to provide the best protection to the residents of the City; this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare, now therefore; and

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

SECTION 1: That the Civil Service Commission be requested and encouraged to promulgate rules allowing for the Lateral Transfer of Firemedics to the City of Brunswick from another Ohio jurisdiction. The Rules should include general requirements (*i.e.*, certifications, valid Ohio driver's license, minimum physical abilities, *etc.*), address physical fitness minimums, vision standards, a ranking method and background investigation criteria. The Rules must include military and educational credit as set forth in the Charter. As an Equal Opportunity Employer, the City of Brunswick encourages all qualified candidates to apply.

SECTION 2: Said Civil Service Rules should allow for the creation of a Lateral Transfer list from the applicants meeting the minimum criteria described in the rules. The Lateral Transfer list is suggested to be in effect for one year from certification and each year thereafter. Such Lateral Transfer list may be extended for up to one additional year.

SECTION 3: Said Civil Service Rules should give the City Manager (after consultation with the Fire Chief) the ability to select from either the current Firemedic eligibility list or the Lateral Transfer list when filling an opening.

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to allow for lateral transfers as soon as possible. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 09/28/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 67-2020** - An emergency resolution amending resolution No. 66-19 to update the project cost and obligate local match funds relative to a Clean Ohio Funds Grant application to the Ohio Department of Natural Resources for the Plum Creek Greenway Phase 1 project. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Matt Jones*)

BACKGROUND: On September 23, 2019, City Council passed Resolution 66-19, which amended previous Resolution 16-19, authorizing the City Manager to submit a Clean Ohio Funds Grant application to the Ohio Department of Natural Resources (ODNR) for the Plum Creek Greenway Phase 1 project. The grant has since been awarded in the amount of \$301,500 with a 25% local match of \$100,500 based on the preliminary project cost of \$402,000. A detailed cost estimate has since been prepared that revises the estimated project cost of \$596,410. The proposed legislation will further amend the Resolution to account for the updated cost estimate and will obligate additional local match funds in the amount of \$194,410 to cover the increased estimated cost.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: Effective upon passage.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

Currently \$100,500 has been appropriated for the local share and would need to be amended as a result of the revised project cost estimate. In addition to this particular legislation, an additional piece of legislation would be required to be adopted to increase the appropriation budget by an additional \$194,210 for the local share. This additional piece of legislation is expected to be presented to the Finance Committee and Council in a subsequent meeting. The City has the funding and additional costs set aside for this project, provided the budget is amended to match. All local funds for this project will come from the Capital Improvement Fund #300 (account #300-2019-56700) and the ODNR grant funds will come from the Parks

City-Wide Capital Improvement Fund #341 account # 341-0812-56880.

**RECOMMENDED
ACTION:**

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of the municipality, and for the further reason that this project may be bid and awarded in Fall 2020 to allow for completion by the ODNR deadline of June 2021.

**ADDITIONAL
INFORMATION:**

**PLUM CREEK GREENWAY
Preliminary Estimate of Cost**

Item Number	Item Description	Quantity	Units	Unit Price	Total
1	Clearing and Grubbing	1	LUMP	\$42,500.00	\$42,500.00
2	Tree Removal Over 12 inches to 24 inches	26	EACH	\$500.00	\$13,000.00
3	Tree Removal Over 24 inches to 36 inches	2	EACH	\$2,000.00	\$4,000.00
4	Excavation	1	LUMP	\$25,000.00	\$25,000.00
5	Embankment	400	CY	\$40.00	\$16,000.00
6	Subgrade Removal and Replacement	560	CY	\$50.00	\$28,000.00
7	Subgrade Compaction	4960	SY	\$6.00	\$29,760.00
8	6" ODOT 304 Aggregate Base	830	CY	\$75.00	\$62,250.00
9	1-3/4" ODOT 441 Asphat Concrete Intermediate Course, Type 2, (448), PG64-22	220	CY	\$250.00	\$55,000.00
10	1-1/4" ODOT 441 Asphat Concrete Surface Course, Type 1, (448), PG64-22	156	CY	\$275.00	\$42,900.00
11	Recycled Asphalt Shoulder	150	CY	\$50.00	\$7,500.00
12	Curb Ramp W/Truncated Domes	120	SF	\$25.00	\$3,000.00
13	8" Storm Sewer	90	LF	\$50.00	\$4,500.00
14	12" Storm Sewer	60	LF	\$75.00	\$4,500.00
15	18" Storm Sewer	100	LF	\$125.00	\$12,500.00
16	48" Storm Sewer	31	LF	\$250.00	\$7,750.00
17	12" Yard Basin	2	EACH	\$1,000.00	\$2,000.00
18	Full-Height Headwall	2	EACH	\$5,500.00	\$11,000.00
19	Half-Height Headwalls	2	EACH	\$1,000.00	\$2,000.00
20	Rock Channel Protection, Type C W/Filter Fabric	15	CY	\$200.00	\$3,000.00
21	4" Underdrain W/ Fabric Wrap	250	LF	\$20.00	\$5,000.00
22	Safety Railing	175	LF	\$60.00	\$10,500.00
23	Fence and Gate (Mooney Park Entrance)	1	LUMP	\$2,500.00	\$2,500.00
24	Collapsible Bollards	3	EACH	\$2,200.00	\$6,600.00
25	ODNR Trail Signs	1	LUMP	\$3,000.00	\$3,000.00
26	Signing, Misc.: Solar Powered Rectangular Rapid Flashing Beacon (RRFB) Sign Assembly	2	EACH	\$8,500.00	\$17,000.00
27	Pavement Markings and Signage	1	LUMP	\$5,000.00	\$5,000.00
28	Topsoil, Seeding and Mulching	4500	SY	\$5.00	\$22,500.00
29	Erosion Control	1	LUMP	\$10,000.00	\$10,000.00

Subtotal	\$458,260.00
10% Contingency	\$45,826.00
Total Construction Cost	\$504,086.00
Engineering per CVE contract	\$41,828.00
Inspection / Construction Admin 6%	\$27,496.00
Supplemental Services	\$23,000.00
Total Project Cost	\$596,410.00

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 67-2020

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

AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. 66-19 TO UPDATE THE PROJECT COST AND OBLIGATE LOCAL MATCH FUNDS RELATIVE TO A CLEAN OHIO FUNDS GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE PLUM CREEK GREENWAY PHASE 1 PROJECT.

WHEREAS: The Ohio Department of Natural Resources (“ODNR”) offers a Clean Ohio Trails Funds Grant (the “Grant”), which requires a 25% local match;

WHEREAS: On January 30, 2019, Council adopted Resolution No. 16-19 authorizing the City Manager to submit a Clean Ohio Funds Grant Application to ODNR for the Plum Creek Greenway Phase 1 Project (the “Project”), the total cost of which was preliminarily estimated at \$545,000.00;

WHEREAS: On September 23, 2019, Council adopted Resolution No. 66-19 obligating funds for the 25% local match in the amount of \$100,500.00, subject to award of Grant funds, based upon a revised cost estimate for the Project of \$402,000.00;

WHEREAS: Grant funds in the amount of \$301,500.00 were awarded by ODNR based upon cost estimate for the Project of \$402,000.00; and

WHEREAS: The revised cost estimate for the Project is \$596,410.00.

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

SECTION 1: That the City agrees to obligate necessary local match funds in the amount of \$100,500.00 and additional funds in the amount of \$194,410.00 for the Project, subject to formal execution of a Grant Agreement.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the additional reason to allow for completion of the Project by the June 2021 deadline imposed by ODNR. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 09/28/2020

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. 68-2020** - An ordinance establishing the Oak Ridge Preserve Planning District No. 7 Conceptual Development Plan and amending the zoning map by designating an approximately 12.9258 acre portion of PPN 003-18a-04-193 located at 834 Pearl Road as SPD-7. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

BACKGROUND: These development guidelines, together with the concept plan, comprise the conceptual development plan required by Chapter 1268 for Oak Ridge Preserve. As such, the conceptual development plan is the zoning and development requirements for the 12.7 acre Oak Ridge Preserve SPD-7 area. All provisions of Part Twelve of the Brunswick Codified ordinances remain applicable to SPD-7, unless clearly indicated to the contrary in the development guidelines.

PURPOSE AND EXPLANATION: The purpose of the Oak Ridge Preserve Special Planning District is to create a zoning district designed exclusively for low density, detached homes, all of which are individually owned. SPD-7 is intended to create an opportunity for flexible and innovative site design and to allow density averaging across the zoning boundaries which exists prior to the SPD-7 designation.

IMPLEMENTATION

SCHEDULE: 1st Reading on September 28, 2020 with referral to Planning Commission

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. 68-2020

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

AN ORDINANCE ESTABLISHING THE OAK RIDGE PRESERVE PLANNING DISTRICT NO. 7 CONCEPTUAL DEVELOPMENT PLAN AND AMENDING THE ZONING MAP BY DESIGNATING AN APPROXIMATELY 12.9258 ACRE PORTION OF PPN 003-18A-04-193 LOCATED AT 834 PEARL ROAD AS SPD-7.

WHEREAS: 834 Pearl LLC has submitted an Application to establish a Special Planning District for low density, detached residential development relative to an approximate 12.9258 acre portion of PPN 003-18A-04-193, which is presently located in the R-R Rural Residential Zoning District (the “Property”);

WHEREAS: The Special Planning District Application includes a Conceptual Development Plan consisting of proposed Design Guidelines and a Conceptual Site Plan for the development of the Property;

WHEREAS: On _____, 2020, the Planning Commission held a public hearing on the Special Planning District Application and recommended approval to City Council; and

WHEREAS: This Council finds that the proposed Special Planning District meets the objections of Codified Ordinance Section 1268.01 and the required conditions contained in Codified Ordinance Section 1268.05(c)(2) and (3), to wit, the proposed Special Planning District includes land that is occupied by substantial natural characteristics worthy of preservation or which are historic aids to the identification of residential communities and calls for ingenuity and imagination by site designers and developers in keeping with overall land use and open space objectives of the Comprehensive Plan, while departing from the strict application of use, setback, height, lot size and related requirements of the Zoning Code.

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

SECTION 1: That the Oak Ridge Preserve Special Planning District No. 7 Conceptual Development Plan, as recommended by the Planning Commission for approval on _____, 2020, is hereby adopted as Appendix ____ to Title 6 of the Zoning Code as provided in Codified Ordinance Section 1268.07(a). The Oak Ridge Preserve Special Planning District No. 7 Conceptual Development Plan consists of Design Guidelines, as attached hereto as Exhibit “A”, and a Conceptual Site Plan for the development of the Property, as attached hereto as Exhibit “B”.

SECTION 2: That the City Engineer is directed to update the Zoning Map by designating the Property as SPD-7.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

**APPENDIX
OAK RIDGE PRESERVE
SPECIAL PLANNING DISTRICT NUMBER 7**

Section A: Overview

These development guidelines, together with the concept plan, comprise the conceptual development plan required by Chapter 1268 for Oak Ridge Preserve. As such, the conceptual development plan is the zoning and development requirements for the 12.7 acre Oak Ridge Preserve SPD-7 area. All provisions of Part Twelve of the Brunswick Codified ordinances remain applicable to SPD-7, unless clearly indicated to the contrary in the development guidelines below.

Section B: Purpose

The purpose of the Oak Ridge Preserve Special Planning District is to create a zoning district designed exclusively for low density, detached homes, all of which are individually owned. SPD-7 is intended to create an opportunity for flexible and innovative site design and to allow density averaging across the zoning boundaries which exists prior to the SPD-7 designation. More particular purposes for creating SPD-7 are as follows:

- (1) To allow site designers and developers to use ingenuity and imagination in keeping with the overall land use and open space objectives of the Comprehensive Plan, while departing from the strict application of use, setback, height, lot size and related requirements of the Zoning Code;
- (2) To allow more creative and flexible design of the natural and developed environment within SPD 7 than would otherwise not be possible by adhering to the existing zoning;
- (3) To allow creative use of the clustering and density averaging concepts to preserve the natural beauty of the land while maximizing the enjoyment of homeowners in the uniquely picturesque qualities of Oak Ridge Preserve and leaving much of the land untouched as common space for the community.

Section C: Uses

- (1) Permitted Accessory Uses. Signs as regulated by Chapter 1270 and any use or structure which is accessory and incidental to a SPD-7 permitted use.
- (2) Permitted Uses. Detached cluster dwelling units, including single and two story unit types with the option of patios or raised decks subject to the SPD-7 development guidelines and the site plan review procedures in Chapter 1278.

Section D: Density, Separation and Floor Area Requirements

(1) Density. Maximum density shall be 2.7 units per net acre. Actual density may be less, based on topography, required open space, building spacing or other considerations.

(2) Minimum Boundary Setbacks. Building envelopes shall be located 50 feet from the Pearl Road ROW, 20 feet from the Northern and Southern boundaries, and 40 feet from the Western boundary of SPD-7.

(3) Minimum Building Setbacks.

(a) Minimum of 20 feet from front of building envelope to nearest edge of pavement or sidewalk.

(b) Minimum 5' rear yard setback.

(c) Buildings will be separated by a minimum of 10 feet. 24 inches of variance outside of the building envelope will be given to roof or building overhangs, gutters and downspouts, fireplaces and bay windows.

(d) Open porches and decks either at grade or raised must also fit inside of the building envelope as outlined on the plan. No fences are permitted between units.

(4) Maximum Building Height.

(a) Principally permitted building: 35 feet.

(b) Accessory buildings or pools: Not permitted.

(5) Minimum floor area: 1,150 square feet.

(a) Minimum Living Area – Single Floor Ranch Building Type – 1200 sq. ft.

(b) Minimum Living Area – Multiple Floor Building (Two Story) – 1450 sq. ft.

(c) Lower Level Finished Space Area for buildings constructed with daylight windows of 36" height or greater or with walk out doors shall be considered living area for square footage calculation of total living area.

(6) Sidewalk to start 4' inside of ROW.

Section E: Development Standards

(1) Unit Types.

(a) Unit types shall include detached buildings containing only 1 dwelling unit per building.

(b) All dwelling units shall have direct access to the outdoors without use of a common walkway.

(c) All units shall be individually owned as cluster homes as defined in these development guidelines.

(d) Private driveway maintenance shall be the responsibility of those homeowners living on the private driveways, per requirements and fees set out in the community HOA and signed off on by Homeowners at closing. Homeowners will be solely responsible for snow removal and any maintenance of the private drive in perpetuity. HOA will also collect fees from all homeowners in the cluster development to maintain any ponds or other common areas within SPD 7.

(2) Landscaping. Landscaping shall comply with the requirements of Chapter 1282.

(3) Design Standards.

(a) Garages shall be designed and located so that they are not the dominant visual element of the building or streetscape. All garages shall be integrated into the building and trimmed in a minimum of 6" width materials.

(b) Structures buildings shall use offsets, projections, recesses and other comparable design elements to avoid long, uninterrupted wall or roof planes.

(c) Doorways shall be defined and articulated with architectural elements such as lintels, pediments, porches or overhangs. Doorways shall be compatible with the building as a whole and with the door themselves.

(d) There shall be a maximum of 16 inches between exterior wall finishes and the final grade. Exposed foundation walls shall be covered with brick, stone or masonry with a surface design.

(e) Sidewalks shall form a network of pedestrian paths with a logical continuity while allowing for maximum preservation of the natural landscape. Walks shall be designed around large trees and outcroppings without being overly rigid in their placement. Walkability of the neighborhood for residents shall be given priority in site design.

(f) Open space areas shall be planted with trees, shrubs, hedges, ground covers and grasses, unless existing vegetation is to be retained. Landscaping shall be integrated with other functional and ornamental site characteristics to reinforce the character of the area.

(4) Parking. Each dwelling unit shall have 2 parking spaces, including a minimum of one space per unit in a garage which is physically attached to and directly accessible from the dwelling unit.

Section F: Common Open Space

(1) Common open space shall be a minimum of 30 percent of the net acreage (excluding right of way) of the SPD-7 area, and shall be reserved in perpetuity for such use. Common open space shall be designed and appropriate instruments shall be created according to the criteria established below and in Section G.

(2) Open space shall be available and accessible to all residents of SPD-7 and shall be designed primarily for their use. Common open space shall be exclusive of all streets, non-recreational buildings and individually-owned land.

(3) In order to insure that all portions of the open space network are useful for that purpose, no portion of the common open space shall have a dimension of less than 50 feet, subject to modification by the Planning Commission for smaller sections which are particularly well-designed and meet the purposes of SPD-7.

(4) Significant natural amenities, such as outcroppings, tree stands, ponds, ravines and stream channels should be left in their natural state and considered part of the required open space, subject to these standards.

(6) Common open space shall be designed as a network of spaces offering pedestrian access and walkability throughout SPD-7 while maintaining the natural beauty of the area and maximize the number of homes which are adjacent to the open space.

Section G Common Open Space Disposition

(a) Intent. The design standards in this section are intended to insure adequate open spaces, recreation areas and related design standards for the benefit of the residents of the SPD-7 area, comparable to a single family complex.

(b) Common Open Space. The development in the SPD-7 area shall provide common open space equal to a minimum of 30 percent of the development area, excluding right-of-way. As used in this chapter, common open space includes outdoor areas designed for use by all of the residents, and their guests, of the SPD-7 development. Common open space includes lawns and other landscaped areas, natural areas, paved terraces and sitting areas and outdoor recreation areas. Common open space excludes vehicle parking or circulation areas, and individually controlled land. Common open space in excess of the above minimum may be considered for park and recreation credits as provided in Chapter 1232.

(c) Private Open Space. Each building envelope shall be provided open space at the ratio of 100 square feet per unit minimum. Private open space shall not occupy any portion of the common open space required in subsection (b) above. Private open space shall be specifically designed and constructed to be used and enjoyed by the residents of an individual dwelling unit, and shall be located adjacent to and reasonably accessible from the dwelling unit. Such space shall be screened or otherwise designed to provide privacy for the intended users.

(e) Exclusions. Stormwater detention areas may receive full credit towards the common open space requirement in (b) above if they are designed and improved for an appropriate open space use (such as a lake or playfield) in addition to stormwater detention. Single purpose detention basins shall not receive credit toward the open space requirement.

Section H: Supplemental Requirements.

(1) Planning Commission Modification. The Planning Commission may modify the strict requirements of the development guidelines if it finds that privacy, light and openness are improved because of skillful design in the arrangement of buildings, open spaces, landscaping or other site features. The Commission may also require wider yards, where an adjoining building is near a lot line, and may require such features as fences and planting to protect adjoining residences. The Commission shall not decrease the yard width, common open space, or private open space requirements in order to allow the maximum number of units permitted in SPD-7, nor shall the Commission increase the maximum allowable density permitted in SPD-7.

(2) Site Plan Review. Each development phase of SPD-7 shall require review and approval of site plans as provided in Chapter 1278, including approval by City Council. Site plans shall clearly depict the required common open space and private open space areas, including proposed improvements thereto, required by the development guidelines. Site plans shall also comply with the provisions of Chapter 1276 Parking and Site Design and Chapter 1282 Landscaping and Screening.

(3) Supplemental Provisions. In reviewing the SPD-7 development plan, or any portions thereof, the Planning Commission may attach written supplemental provisions to the plan. These supplemental requirements may be adopted by the Commission without a public hearing or action by City Council.

Section I: Definitions.

As used in these development guidelines, certain terms are defined as follows:

(1) Cluster dwelling unit: an ownership arrangement where the individual unit owner holds fee simple title to the land beneath the foundation and may also own some amount of land around the foundation. A cluster may be a detached structure or may be attached to other dwelling units within the same structure.

(Ord. 118-03. Passed 11-10-03.)

CITY OF BRUNSWICK, COUNTY OF MEDINA AND
STATE OF OHIO

SITE DATA

PPIN: 003-18A-04-193
ADDRESS: 814 PEARL ROAD, BRUNSWICK, 44712
AREA: 25.0 AC
EXISTING VICKY LANE: 12.0 AC
PROPOSED PHASE 7: 13.0 AC
EX. ROW: 0.3 AC
PROJECT AREA: 12.7 AC

ZONING: SPECIAL PLANNING DISTRICT-7 (SPD-7)

PSYCHOLOGICAL SETBACKS

FROM PEARL ROAD RD#2:
FROM NORTHERY & SOUTHERN SIDE BOUNDARY:
FROM WESTERN REAR BOUNDARY:

WIN. BUILDING SETBACKS!
WIN. SEPARATION BETWEEN BUILDINGS:

MIN. SETBACK FROM EDGE OF PAVEMENT
MIN. SETBACK FROM EDGE OF SIDEWALK
MIN. REAR YARD:

WIN. OPEN SPACE:	30% (3.8 AC)	45% (5.8 AC)
MAX. DENSITY UNITS PER AC:	4.0 (50 UNITS)	2.7 (34 UNITS)
50' ROW TO BACK OF SIDEWALK DISTANCE:	4'	4'

SHEET INDEX:

54055	1	107LC	54055
54056	2	107LC	54056

SOILS MAP

LOCATION MAP

31725 OM

DATE: 11/11/11	TIME: 11:11	DATE: 11/11/11
TIME: 11:11	TIME: 11:11	TIME: 11:11

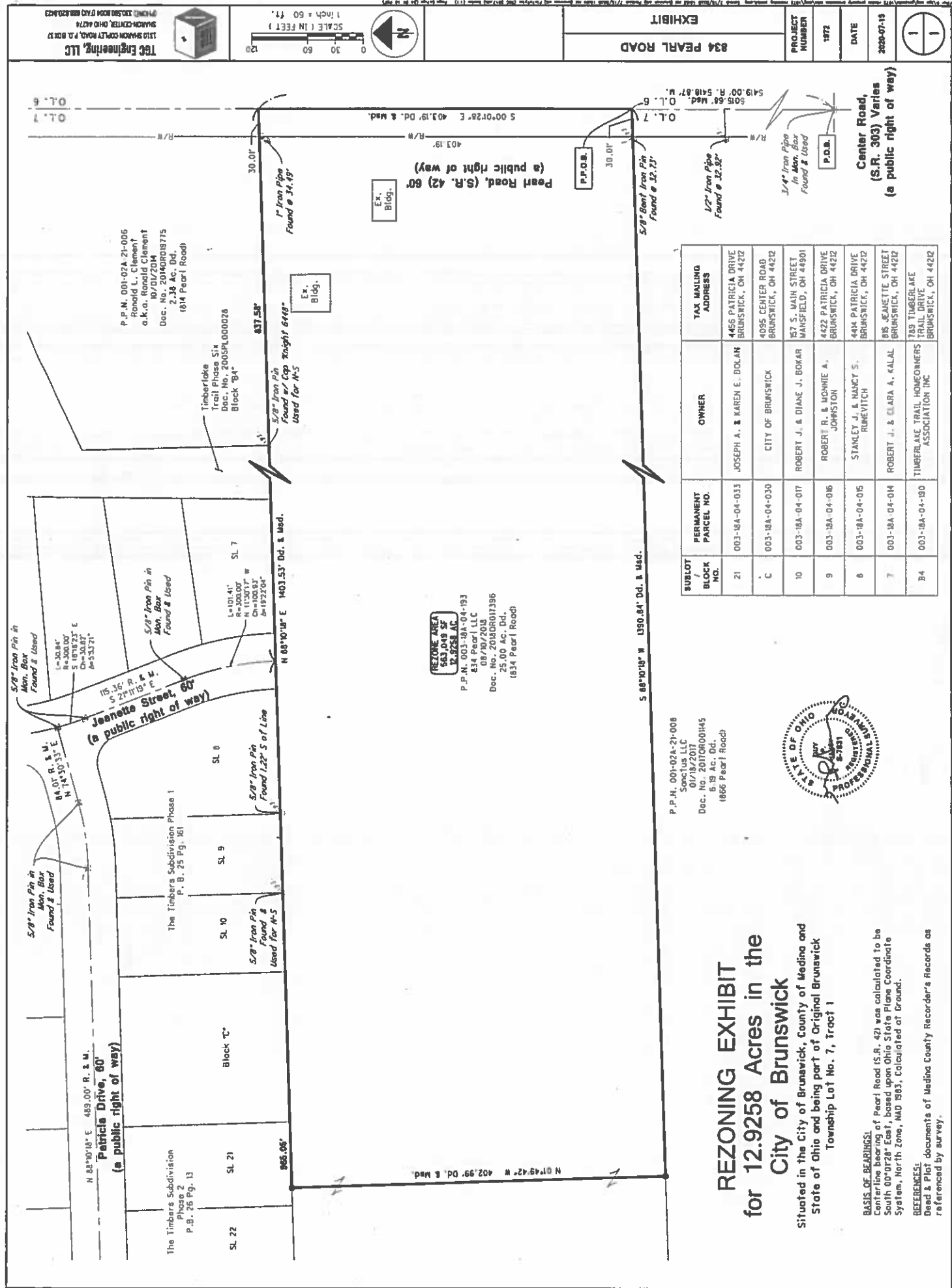
SUBMITTAL INDEX	
SUBMITTAL	DATE
5	JUL 19 1963

NEW: OPEN DESIGN FUNCTION

QUEST
 PIANO: 11 D-30-MA-04-103
 814 PEARL LLC
 2660 CLARK ROAD
 BIRMINGHAM, AL 35244
 THE WASHINGTON
 RYAN WASHINGTON
 701-367-9376

SPRINGSIDE BUILDING AND
RECYCLING CENTER LLC
1640 CLINTON ROAD
SPRINGSIDE, OHIO 44272





REZONING EXHIBIT
for 12.9258 Acres in the
City of Brunswick
Sited in the City of Brunswick, County of Medina and
State of Ohio and being part of Original Brunswick
Township Lot No. 7, Tract 1

BASE OF BEARINGS:
Centerline Bearing of Pearl Road (S.R. 42) was calculated to be
South 00°02'28" East, based upon Ohio State Plane Coordinate
System, North Zone, NAD 1983, Calculated at Ground.

REFERENCES:
Deed & Plot documents of Medina County Recorder's Records as
referenced by survey.

P.P.N. 001-02A-21-008
Socius LLC
Doc. No. 20170800145
6.19 Ac. Dd.
(1856 Pearl Road)



REZONE AREA
963,048 SF
2.2325 AC.
P.P.N. 003-18A-04-193
810 Pearl LLC
Doc. No. 20160801396
25.00 Ac. Dd.
(1834 Pearl Road)

SUBLOT / BLOCK NO.	PERMANENT PARCEL NO.	OWNER	TAX MAILING ADDRESS
21	003-18A-04-033	JOSEPH A. & KAREN E. DOLAN	4456 PATRICIA DRIVE BRUNSWICK, OH 44212
C	003-18A-04-030	CITY OF BRUNSWICK	4055 CENTER ROAD BRUNSWICK, OH 44212
10	003-18A-04-017	ROBERT J. & DIANE J. BOKAR	157 S. MAIN STREET MANSFIELD, OH 44901
9	003-18A-04-016	ROBERT R. & MONNIE A. JOHNSTON	4422 PATRICIA DRIVE BRUNSWICK, OH 44212
8	003-18A-04-015	STANLEY J. & NANCY S. RINEVITCH	4414 PATRICIA DRIVE BRUNSWICK, OH 44212
7	003-18A-04-014	ROBERT J. & CLARA A. KALAL	815 JEANETTE STREET BRUNSWICK, OH 44212
B4	003-18A-04-190	TIMBERLAKE TRAIL HOMEOWNERS ASSOCIATION INC.	789 TIMBERLAKE TRAIL DRIVE BRUNSWICK, OH 44212

Center Road,
(S.R. 303) Varies
(a public right of way)

834 PEARL ROAD
EXHIBIT

PROJECT NUMBER
1872
DATE
2020-07-15



TBC Engineering, LLC
1310 SHAWAN CORLEY ROAD, P.O. BOX 17
SHAWAN CENTER, OHIO 44274
(PHONE) 330.500.0004 (FAX) 330.500.0423

PROPOSED LEGISLATION



DATE: 09/28/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 69-2020** - A resolution authorizing the City Manager to enter into a Municipal Engineering Consulting Services agreement with Chagrin Valley Engineering, LTD. for the Provision of Professional Municipal Engineering Services and Designating Matthew M. Jones, P.E., as Consulting Municipal Engineer. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

BACKGROUND: Chagrin Valley Engineering currently holds this agreement which expires December 31, 2020 as per Resolution 97-18.

PURPOSE AND EXPLANATION: The purpose of this action is to acquire the services of a Professional Engineer to act as the City's Consulting Municipal Engineer and to have under contract an engineering firm to provide professional support for all engineering functions.

IMPLEMENTATION

SCHEDULE: This agreement commences January 1, 2021.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

If this contract is approved, expenses associated with this contract and/or each individual project would be required to be submitted in a purchase order request and follow the contract terms. All purchase orders cannot be certified unless there is sufficient Council appropriations in place at the time. For additional financial information refer to the proposed contract for rate structure.

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:**

**PROPOSAL FOR THE PROVISION OF
MUNICIPAL ENGINEERING CONSULTING SERVICES
TO THE CITY OF BRUNSWICK, OHIO**

This agreement is set between the City of Brunswick, Ohio (City) and Chagrin Valley Engineering, Ltd. (CVE), for the provision of Municipal Engineering Consulting Services.

Section 1. Chagrin Valley Engineering, Ltd. (CVE) with Matthew M. Jones P.E., a Partner of Chagrin Valley Engineering Ltd., duly licensed as a Professional Engineer, is hereby designated as the Consulting Municipal Engineer for the City of Brunswick, Ohio for a term beginning January 1, 2021 and ending December 31, 2023 at the pleasure of the City Manager, upon the terms, provisions and conditions thereafter set forth herein and ratified by the City Council.

Section 2. That said Consulting Municipal Engineer in conjunction with Chagrin Valley Engineering, Ltd. shall furnish services to this City, as required by the City, through the City Council or its designee, including the following services covered by the compensation as described in Section 4 of this Agreement. Services involving the use of additional staff members shall be compensated as described with Section 3 of this agreement:

- (A) Act as a technical consultant and advisor on engineering matters referred by the City Manager.
- (B) Advise the City in matters relating to resident's problems pertaining to engineering as they may relate to public sewers, public water supplies, drainage patterns and building grades.
- (C) Assist the City on municipal engineering matters. The Consulting Municipal Engineer shall also act as the Floodplain Administrator of the National Flood Insurance Program for the City of Brunswick.
- (D) Attend Council meetings and other meetings as requested by the City Manager or City Council. The monthly retainer amount presented in Section 4 is based upon the regular attendance of the Consulting Municipal Engineer or a designated CVE staff member at Planning Commission meetings and City Council Work Session meetings. Attendance by a designated CVE staff member in place of the Municipal Consulting Engineer at meetings will not be billed in addition to the retainer amount.
- (E) Preparation of preliminary sketches and estimates, concerning the advisability of proceeding with public improvements such as pavement improvements, storm water collection, water distribution, or other infrastructure improvements contemplated by the City Manager.
- (F) Performing such other duties as is normally required of Consulting Municipal Engineers not requiring the use of additional staff members such as field crews, etc.

Section 3. For services in connection with the construction of public improvements as described above, Chagrin Valley Engineering, Ltd., shall receive compensation as a percentage of the actual cost of construction of all improvements authorized by City Council and under its control. The percentages paid shall be as follows:

<u>COST OF CONSTRUCTION</u>	<u>FEE</u>
\$ 0 - \$150,000	Hourly
\$ 150,001 - \$250,000	\$ 18,750 plus 8.7% of the amount over \$150,001
\$ 250,001 - \$500,000	\$ 26,000 plus 7.6% of the amount over \$250,001
\$ 500,001 - \$1,000,000	\$ 45,000 plus 6.7% of the amount over \$500,001
\$1,000,001 - \$5,000,000	\$ 78,000 plus 6.1% of the amount over \$1,000,001

The fees provided in this subsection shall cover engineering services including complete detailed plans and specifications, preparation of monthly and final estimates for contractor's payments and providing an Engineer for construction management to administer the construction contract. The above schedule of fees does not cover various supplementary services. Supplemental services not included within the presented fee schedule are, but not limited to: wetland delineations, stream quality assessments, preparation and acquisition of U.S. Army Corps of Engineers / Ohio Environmental Protection Agency wetland or stream fill permits, property, boundary, or right-of-way surveys, topographic surveys, profile surveys, grade stakes for construction, inspection of construction, laboratory inspection of materials, review of material submittals for use in construction, cost of test borings, or other subsurface exploration, traffic studies, or calculations of special assessments. These supplementary services may be provided by the Chagrin Valley Engineering, Ltd. on an hourly basis in accordance with the schedule of rates hereinafter set forth below or upon invoice submitted by the entity providing such supplemental services. Any such supplemental services performed by CVE cannot therefore be included in any municipal contract nor subject to an additional percentage of contracts nor be included in the cost of construction of any contract or this contract. The Engineer shall at all times notify the Service Director, in writing, of any supplementary services associated with a proposed public improvement at the time that a preliminary estimate, covered under Section 2 of this contract, is submitted for consideration or approval. Additionally, inspection and contract administration costs are not to be included in the cost of construction for purposes of calculating the engineering fee for projects covered under this section.

Chagrin Valley Engineering, Ltd. shall be entitled to progress payments in proportion to services performed on monthly basis. Upon authorization by City Council and until such time as bids are taken and contracts awarded, compensation shall be determined by the following percentages and the Engineer's estimated construction cost. As the work is constructed, Chagrin Valley Engineering, Ltd. shall receive additional compensation equal to the balance of the fee based upon a percentage of the certificates of payment to the contractor, provided said payment is authorized by City Council. As soon as the final certificate of payment to the contractor is issued, any adjustment shall be made so the total fee shall be a sum equal to the schedule percentage. The compensation for basic services shall be based upon the following percentages of the total fee attributable to various phases of the work:

- | | |
|------------------------------------|-----|
| 1. Preliminary Report Phase | 15% |
| 2. Preliminary Design Phase | 20% |
| 3. Final Design Phase | 45% |
| 4. Bidding and Project Award Phase | 10% |
| 5. Contract Administration | 10% |

In the event proceedings for work are abandoned or postponed and then revived and actively pressed either by this or by a succeeding City Council within five (5) years of the date of said abandonment or postponement, Chagrin Valley Engineering, Ltd. shall credit against the total compensation the payment previously made hereunder, providing that Chagrin Valley Engineering, Ltd. is at that time employed by this or by a succeeding City Council to provide Municipal Engineering Consulting Services. In the event of the revival of a project within the time frame specified above, Chagrin Valley Engineering, Ltd. could, at its discretion, elect to negotiate additional fees with the City of Brunswick. Additional fees would address conditions that have incurred solely as a result of changes in existing conditions since the abandonment or postponement of the project, or design parameters that have been established by governmental review and approval subsequent to such delay.

Engineering charges for federally funded work must be in accordance with Federal Regulations and are set and approved as part of the funding procedure, and therefore are not part of this document.

HOURLY RATE SCHEDULE: For additional services for which the Engineer shall have been authorized to prepare material or work not let by Contract or for the performance of any of the following tasks:

- Special Surveys
- Preparation of Reports
- Preparation of Special Assessments
- Field Elevation Checks of Walks, Basements, Sewers, etc.
- Storm Water Management Inventory Assistance
- Storm Water Drainage: Plan / Calculation Review
- Erosion and Sediment Control: Plan Review / Site Inspections
- Sanitary "Tap-In" Reviews and Fee Determinations
- Residential / Commercial / Industrial Site Plan and or Subdivision Review
- Survey Plat Review
- Development / Implementation of Phase II Storm Water Management Program

Compensation shall be made on the basis of time spent by the Engineer or his employees and associates at the rates set forth in the following schedule of hourly rates, plus reimbursable expenses.

	<u>2021 Hourly Rates</u>	<u>2022-23 Hourly Rates</u>
Engineer - Partner	\$97.00 per hour	\$100.00 per hour
Engineer – Associate	\$93.00 per hour	\$96.00 per hour
Professional Traffic Operations Engineer (PTOE)	\$110.00 per hour	\$114.00 per hour
Engineer	\$87.00 per hour	\$90.00 per hour
Contract Administrator	\$70.00 per hour	\$72.00 per hour
Storm Water Specialist	\$76.00 per hour	\$79.00 per hour
Professional Surveyor	\$85.00 per hour	\$86.00 per hour
Designer / Technician	\$76.00 per hour	\$78.00 per hour
Geographic Information Systems (GIS) Technician	\$75.00 per hour	\$77.00 per hour
Clerical	\$36.00 per hour	\$36.00 per hour
1 Man Survey Field Crew	\$93.00 per hour	\$96.00 per hour
2 Man Survey Field Crew	\$120.00 per hour	\$124.00 per hour
3 Man Survey Field Crew	\$138.00 per hour	\$142.00 per hour
Environmental Scientist	\$85.00 per hour	\$87.00 per hour
Inspector	\$53.00 per hour	\$54.00 per hour

Prints, Materials, Supplies and Services provided or performed by others at Cost.

September 14, 2020

Section 4. The Consulting Municipal Engineer and Chagrin Valley Engineering, Ltd., as appointed by the City Manager, shall receive as compensation for the services described in Section 2 hereof, the annual sum of \$56,500.00, commencing January 1, 2021 and ending December 31, 2021, and the annual sum of \$58,000.00, commencing January 1, 2022; said sums shall be pro-rated on a per month basis and payable to Chagrin Valley Engineering, Ltd., on the last day of each month.

Section 5. The Chagrin Valley Engineering, Ltd. agrees that for the duration of this contract no member of Chagrin Valley Engineering, Ltd. or employee thereof, will accept any private engineering or surveying work that requires their review and/or approval unless such work is approved by the City Manager; however, work for Federal, State County or Regional Governments is not prohibited.

Section 6. Documents and Files: All engineering documents and project files created for the purposes serving the City of Brunswick shall be the property of the City of Brunswick.

Section 7. The contract provided herein with Chagrin Valley Engineering, Ltd. may be terminated by either party on thirty (30) days advance written notice to the other, provided that such determination shall not affect the duty of the Consulting Municipal Engineer or Chagrin Valley Engineering, Ltd., to render service, nor the obligation of the City to pay for such service rendered, before the effective date of termination.

Matthew M. Jones P.E., Partner, Chagrin Valley Engineering, Ltd.

Date

Accepted this _____ day of _____, 2020 by the City of Brunswick, Ohio, pursuant to
Ordinance of Council No. _____ adopted on _____.

BY: _____

City of Brunswick, Ohio

Attest:

The legal form of the within instrument is hereby approved.

Director of Law

Date

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 69-2020

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUNICIPAL ENGINEERING CONSULTING SERVICES AGREEMENT WITH CHAGRIN VALLEY ENGINEERING, LTD. FOR THE PROVISION OF PROFESSIONAL MUNICIPAL ENGINEERING SERVICES AND DESIGNATING MATTHEW M. JONES, P.E., AS CONSULTING MUNICIPAL ENGINEER.

WHEREAS: The City has received a proposal from Chagrin Valley Engineering, Ltd. for the provision of professional municipal engineering consulting services wherein Matthew M. Jones, P.E. has been designated at the Consulting Municipal Engineer; and

WHEREAS: The current Agreement with Chagrin Valley Engineering, Ltd. expires as of December 31, 2020.

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 a Municipal Engineering Consulting Services Agreement with Chagrin Valley Engineering, Ltd., as attached hereto as Exhibit "A", for the provision of professional municipal engineering services upon such terms and conditions as provided therein.

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 09/28/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 70-2020** - A resolution adopting the Solid Waste Management Plan for the Medina County Solid Waste Management District. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Paul Barnett*)

BACKGROUND: The Plan is prepared in accordance with Ohio Revised Code Section 3734, the State of Ohio's Solid Waste Management Plan and the Ohio Environmental Protection Agency's guidelines. The Plan describes strategies and programs that will be implemented to meet or exceed the minimum state waste reduction goals and objectives. The Medina County Solid Waste Management District completed the draft amended Solid Waste Management Plan and submitted it to the Ohio Environmental Protection Agency for review and comment on March 30, 2020 and the Ohio Environmental Protection Agency provided comments in a non-binding advisory opinion on May 13, 2020.

PURPOSE AND EXPLANATION: The District's Policy Committee has reviewed the non-binding advisory opinion received from the Ohio Environmental Protection Agency and taken these comments into consideration and incorporated changes into the amended Plan as appropriate. The District has conducted a 30-day comment period from August 1, 2020 to August 30, 2020 and a public hearing was held on September 3, 2020 to provide the public an opportunity to comment on the Plan.

IMPLEMENTATION SCHEDULE: An approval resolution requested within ninety days of receiving a copy of the draft plan. The ratification period is between September 14, 2020 until December 12, 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The Plan provides for a fee schedule that generates the required revenue to cover the costs of implementing the strategies and programs designed to meet or exceed the minimum state waste reduction goals and objectives.

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:**



A Division of the Medina County Sanitary Engineer



September 9, 2020

City of Brunswick
Fijabi Julien-Gallam, Council Clerk
4095 Center Rd.
Brunswick, Ohio 44212

Re: Medina County Solid Waste Management District (District)
Solid Waste Management Plan Update Ratification

Dear Mayor/Clerk/Council President:

Enclosed you will find a copy of the draft Solid Waste Management Plan for the Medina County Solid Waste Management District (District). The development of the solid waste plan is a requirement of Ohio law. Every solid waste management district in Ohio must periodically revise and update their solid waste management plan.

After developing an initial draft version of the plan where Ohio EPA reviewed and provided comments, the District held a thirty-day public comment period from August 1, 2020 to August 30, 2020, and a public hearing was held on September 3, 2020 for interested residents, businesses or political jurisdictions to provide comments on the Plan Update.

On September 3, 2020, the District Policy Committee met to discuss and address public comments on the solid waste plan. The District's Policy Committee then adopted the Plan Update with changes made based on public and Policy Committee comment. Once the Policy Committee adopts the Plan Update, Ohio law requires the District to deliver a copy to the County Commissioners and the legislative authority of each municipal corporation and township that are under the District's jurisdiction.

The link below is where you will find the entire solid waste plan and all appendices under:

<https://recyclemedinacounty.com/adoptedplanupdate/>

The Plan documents are presented in PDF format and will require the latest version of Adobe Reader in order to open the documents. You can go to the following web address to obtain a free copy of the latest Adobe PDF Reader at: <http://get.adobe.com/reader/otherversions>.

Also attached is a short summary of the Solid Waste Plan that should be distributed to all voting elected officials in your jurisdiction (i.e. 3 trustees, 9 council members, etc.).



A Division of the Medina County Sanitary Engineer

The District has chosen the ratification period to be: September 14, 2020 until December 12, 2020. Within ninety days of receiving a copy of the draft Plan, the Board of County Commissioners and the legislative authority of each municipal corporation and township in the District shall approve or disapprove the draft Plan by ordinance or resolution to the District. The District determines that the Plan has been ratified when a combination of municipal corporations and townships with a combined population comprising 60 percent of the District has approved the Plan. That combination must include the approval of the County Commissioners and the municipal corporation having the largest population within the county of the District.

Because of the 90-day timeframe, which cannot be extended, we would appreciate your immediate attention to this request. A sample resolution is attached for your convenience. Please mail your resolution or ordinance approving or disapproving the Plan to:

Mr. Jeremy Sinko, P.E.
Medina County Sanitary Engineer's Office
791 West Smith Road
Medina, Ohio 44256

Or, email to: MCSWD_PLAN_UPDATE@medinaco.org

We look forward to hearing from you between September 14, 2020 until December 12, 2020. Resolutions approving or disapproving the Plan enacted outside of the time period stated above cannot be counted toward the ratification of the Solid Waste Plan. Because of the 90-day timeframe which cannot be extended, we would appreciate your immediate attention to this request. Not taking action is like a no vote as we can not count your population toward the ratification assessment.

Please do not hesitate to contact me if you have any questions regarding the ratification process or the solid waste plan update document. Thank you.

Sincerely,

Beth Biggins-Ramer
District Coordinator
Medina County Solid Waste Management District

Medina County Solid Waste Management District

www.recyclemedinacounty.com

Medina County Solid Waste Management District



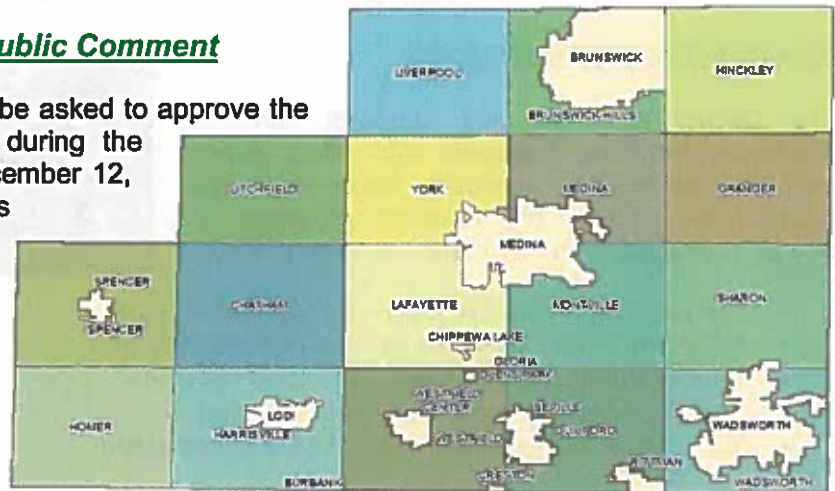
RECYCLE
MEDINA
COUNTY

Introduction

The Medina County Waste Management District (District), also known as Recycle Medina County, will submit its updated Solid Waste Management Plan to all cities, villages, and townships in Medina County for approval. This approval process, also known as ratification, is the final step before the District seeks final approval from Ohio EPA to implement this new Plan.

Your Community's Responsibility – Public Comment

Each community within Medina County will be asked to approve the District's Solid Waste Management Plan during the period of September 14, 2020 through December 12, 2020 (ratification period). The process requires each community to review a copy of the Plan, act on the Plan during the ratification period (90 days) and submit a certified copy of the resolution or legislation to the District. Failure to act on the plan is considered by the State of Ohio to be a negative vote.



What if the Plan is Not Ratified?

If local ratification does not occur, the Director of Ohio EPA is required by state statute to prepare a Solid Waste Plan for the District and order the District to implement the state's plan. This could negatively affect the District because local control of our Plan would be relinquished to Ohio EPA. The Plan you will vote on was developed through a local planning process and contains the recommendations, programs, and initiatives from the District's Policy Committee. These programs and initiatives will provide for a cost effective and environmentally sound solid waste management system for Medina County and are designed to enhance and expand recycling opportunities and recycling participation. The District urges communities to learn more about the Solid Waste Management Plan in order to make an informed decision.

Executive Summary of Solid Waste Management Plan

The following executive summary of the Solid Waste Plan has been created for elected officials in Medina County to demonstrate how the District's Solid Waste Plan benefits each community. The District offers a wide variety of programs and initiatives that offer real value to its communities. The District provides programs in solid waste management programming for hard to manage materials such as household hazardous waste, batteries, scrap tires, and electronics. The District also operates a highly successful education and awareness program and other effective solid waste management programs.

Solid Waste Disposal Capacity

This demonstration is one of the fundamental requirements of the Solid Waste Plan. The District conducted a regional capacity analysis and has demonstrated that there is sufficient disposal capacity for all solid waste generated by District residents, businesses, and industry for the planning period (2021-2035).

Goals

The District meets or exceeds all of the State Solid Waste Management Plan goals as required by Ohio EPA. The District has demonstrated that at least 90% of the District's population has access to recycling by curbside programs and single stream recycling drop-off programs.

Financing the Plan

The District will finance the updated Solid Waste Plan through apportion of the tipping fees collected at the Recycle Medina County Campus located in Seville. Currently, the tipping fee is \$50.00 per ton of solid waste delivered. Tipping fees are projected to increase in this plan based on economic and other operating reasons.

Residential Recycling Programs

The District promotes and supports numerous residential recycling programs and offers special collection services to maximize diversion of solid waste from landfills. The following programs are offered (tonnages from 2018 reference year):

- Curbside Recycling Program – 2,718 tons recycled
- Recycling Drop Off Programs – 3,371 tons recycled
- Special Waste Management – 247 tons recycled
- Appliance Management – 54 tons recycled
- Yard Waste Management – 3,975 tons composted

Commercial / Industrial Recycling Programs

- Commercial Recycling – 49,926 tons recycled (2018)
- Industrial Recycling – 68,384 tons recycled (2018)

Residential/Commercial Recycling, Education and Awareness Programs

- Curbside Recycling
- Single Stream Recycling Drop-Off Program
- Yard Waste Management
- Household Hazardous Waste Management
- Lead-Acid Battery Management
- Electronics Recycling
- Market Development Support
- Education and Awareness
- Industrial Sector Data Collection
- Litter Collection
- Volume Based Rate Support
- District Facilities
- Scrap Tire Management

Key New Programs

- Non-subscription curbside programs (City of Brunswick, Brunswick Hills Township, Hinckley Township, and York Township)
- Assist Communities Interested in Curbside Contracts and RFPs
- Recycle Right Education Initiative
- District Competitive Bidding Processes
- Commercial Mixed Waste Processing
- Strategic Approach to Target Businesses for Assistance
- Invest in Infrastructure Improvements to Recycle Medina County Campus
- Single Stream Recycling Drop-Off Program Use Study



Key Performance Indicators

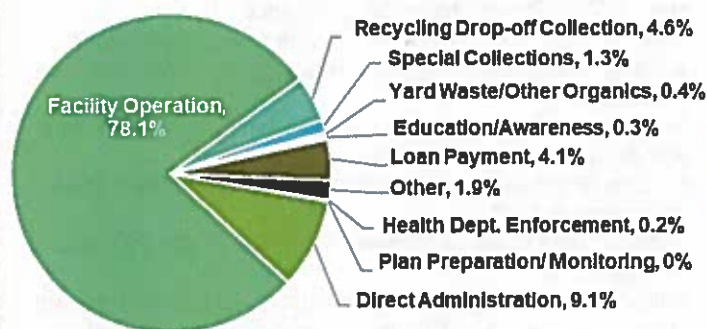
Ohio EPA Plan Format	Old Plan (2016-2030) Plan Format Version 3.0	New Plan (2021-2035) Plan Format Version 4.0
Reference Year (RY)	2012	2018
1 st Year of Planning Period (Y1)	2016	2021
RY Res/Com Recycling Tons	43,525 tons (37,975 tons without volume reduction which is not recognized by EPA as recycling) ²	49,926 tons ^{1,2}
Y1 Projected Res/Com Recycling Tons	55,439 tons (43,439 tons without projected By-Product Management which was not implemented) ²	61,845 tons ^{1,2}
RY Tipping Fee	\$61.00 ¹	\$42.00 ¹
Y1 Tipping Fee	\$42.00 ¹	\$52.00 ¹
Y1 Education and Awareness	\$25,000 ¹	\$100,000 ¹
RY Revenues	\$7,951,273 ¹	\$7,127,880 ¹
Y1 Revenues	\$7,775,536 ¹	\$8,700,249 ¹
RY Expenditures	\$7,813,753 ¹	\$8,067,870 ¹
Y1 Expenditures	\$7,898,226 ¹	\$8,966,312 ¹

¹Projections and budgets are based on a required 15 year planning period with 5 year updates per Ohio EPA format requirements. Actual budgets and fee changes will be made by the County Commissioner on an annual basis as needed that includes a separate public process before being approved.

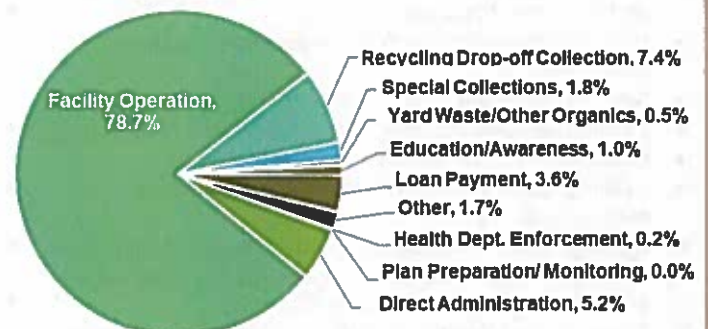
²Recycling programs covered under the old and new plans must send collected materials to a legitimate recycling facility, as defined by Ohio EPA, to ensure recycling is occurring.

The following charts compare the expenses to implement each plan as a percent of total expenses:

First Year of Old Plan (2016-2030)



First Year of New Plan (2021-2035)



For more information, contact the District at 330-769-0289, www.recyclemedinacounty.com, or email: MCSWD_PLAN_UPDATE@medinaco.org

Programs in Plan Update

Old Plan (2016-2030)

- Medina County CPF
- Drop-Off Recycling
- Yard Waste Management
- MSW Composting
- Household Hazardous Waste
- Lead-Acid Battery Collection
- Scrap Tire Program
- Appliance Collection
- Electronics Recycling
- Fluorescent Bulb Recycling
- Education & Awareness
- Initiative MC-1.1 Developing a Performance Measurement System
- Initiative MC-1.2 Rebranding
- Health Department Funding
- Equipment Replenishment
- Commercial/Industrial Surveying
- Advertising Analysis
- Grant Applications
- Engineered Fuel
- By-Product Management
- Alternative and Complimentary Service Model Opportunities
- MC-18: 2016 Work Group

New Plan (2021-2035)

- Existing: Curbside Recycling Programs
- New: Assist communities with single hauler contracts and RFPs.
- New: Assist communities interested in curbside consortium contracts and RFPs.
- New: Meet with all communities that do not have non-subscription curbside recycling to determine pathway to program development.
- Existing: Multi-Material Recycling Drop-Offs
- New: Audit drop-off contractor annually for contract performance.
- New: Drop-Off Program End Use of Collected Materials
- New: Drop-Off Program Use Study
- New: Promote Drop-Off and Paper Retriever Locations
- Existing: Other Commercial/Institutional Programs:
- Commercial/Institutional Recycling
- New: Mixed Waste Processing for Targeted Commercial and Industrial Materials
- New: Strategic Approach to Target Businesses for Assistance
- New: Commercial Sector Consortiums
- Existing: Electronics Collection (year-round)
- Existing: HHW: HHW Collection (year-round)
- Existing: Batteries: Lead Acid Battery Collection (year-round)
- Existing: Other: Fluorescent Bulb Collection (year-round)
- Existing: Scrap Tires: Scrap Tire collection (year-round at the Recycle Medina County Campus)
- Existing: Yard Waste: Yard Waste Collection - Recycle Medina County Campus: Yard Waste Management Area
- Existing: Appliances: Freon-containing and non-Freon appliances accepted year-round at Recycle Medina County Campus
- New: Yard Waste User Fee Adjustments
- New: At-Home Compost Food Waste Generators
- Sales for Residents
- New: HHW Audit
- New: Scrap Tire Audit
- New: E-waste Audit
- Existing: Commercial/Institutional Sector Education and Outreach: Technical Assistance
- Existing: Residential Sector Education and Outreach: Public Awareness and partnerships with MC Soil and Water (booklet).
- Existing: Residential Sector Education and Outreach: Education & Awareness Program (Outreach activities, website, social media platforms, flyers/brochures, advertising, tours, and other awareness activities)
- Existing: Residential Sector Education and Outreach: Development of a Performance Measurement System for Education & Awareness
- New: Advise Curbside Recycling and PAYT Assistance
- New: Conduct seminars and workshops on backyard composting. Work with Soil and Water.
- New: Customizable Materials for Curbside and Drop-Off Program Education
- New: Recycle Right Education Initiative
- Existing: Pass-through Grants: Grant Assistance for OEPA Market Development Grants
- New: PAYT: Provide technical assistance
- New: Grants: Assist Communities with Grant Applications
- Existing: Health Dept. Funding: Health Department Financial Assistance
- New: Medina County Health District: Identifying Open Dump and Scrap Tire Dump Facilities
- Existing: Equipment Replenishment Fund and Infrastructure improvement fund
- Existing: Data Collection Efforts: Commercial and Industrial Surveying
- Existing: Other Programs: By-Product Management Program
- New: Data Collection: Efforts Securing required report data and information from the hauler.
- New: Other Programs: Annual Budget Meetings for Loan Evaluation
- New: User Fees: Review
- New: Generation Fee Compliance Audit
- New: Residential Sector: New Curbside Program Recycling and Disposal Data
- New: Commercial/Institutional Sector: Online Survey Effectiveness
- Potential: Residential Sector: Drop-off Estimated Tonnage Potential: Special Materials Processing Capacity: Regional Capacity Evaluation
- New: Invest in Infrastructure Improvements to Recycle Medina County Campus

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 70-2020

BY: Committee-of-the-Whole

A RESOLUTION ADOPTING THE SOLID WASTE MANAGEMENT PLAN
FOR THE MEDINA COUNTY SOLID WASTE MANAGEMENT DISTRICT.

WHEREAS: The City of Brunswick is located within the jurisdiction of the Medina County Solid Waste Management District (the “District”);

WHEREAS: The District Policy Committee has prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Section 3734.53, 3734.54, and 3734.55 (the “Final Draft Plan”);

WHEREAS: The District has provided a copy of the Final Draft Plan to the legislative authorities in the District for consideration; and

WHEREAS: The City of Brunswick must determine whether to approve such Final Draft Plan within ninety (90) days of receipt of thereof.

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

SECTION 1: The Final Draft Plan, as submitted to the City and presently on file with the Clerk of Council, is hereby approved.

SECTION 2: The Clerk of Council is hereby directed to forward a certified copy of this Resolution to the Medina County Sanitary Engineer’s Office to the attention of: Mr. Jeremy Sinko, P.E., at 791 West Smith Road, Medina, Ohio 44256.

SECTION 3: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of Council and that all deliberations that resulted in those formal action were in meetings open to the public in compliance with law.

SECTION 4: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES ² _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 09/28/2020

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

FROM: Carl S. DeForest, City Manager
Jim Foster

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 71-2020** - An ordinance accepting The Collective Bargaining Agreement with The Fraternal Order Of Police Lodge #15 (Communication Specialists) for a period of three (3) years effective January 1, 2020 through December 31, 2022. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*)

BACKGROUND: The previous Collective bargaining Agreement with the Fraternal Order of Police (Communication Specialists) expired on December 31, 2019; and the City of Brunswick and the Fraternal Order of Police, FOP Lodge #15 (Communication Specialists) have bargained collectively and agreed to the terms and conditions of a Collective Bargaining Agreement effective January 1, 2020 through December 31, 2022

PURPOSE AND EXPLANATION: To provide wages and benefits for union employees

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Costs associated with the Collective Bargaining Agreement are required to be appropriated by Council in order to be paid. It is currently anticipated that the current appropriations for the 2020 year will sufficient to cover this Collective Bargaining Agreement. However, for the Division of Police this is still not yet determinable since one other Division of Police Collective Bargaining Units (Sergeants) paid from the Police Fund #114 remain in the negotiation process. Once the negotiation process is completed for this other unit, the Finance Director plans to review and calculate those costs for the Division of Police Fund #114. If additional appropriation amendments appear to become necessary, additional legislation and discussions may need to take place. At this time, they are not anticipated, however. The 2021 and 2022 budgets will be compiled at a later date and will follow the requirements of budgetary laws contained in the City Charter and the ORC Section 5705.

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?
Legislation to be read three (3) times.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 71-2020

BY: Mr. Capretta, Mr. Abella, and Mrs. Zak

AN ORDINANCE ACCEPTING THE COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE LODGE #15 (COMMUNICATION SPECIALISTS) FOR A PERIOD OF THREE (3) YEARS EFFECTIVE JANUARY 1, 2020 THROUGH DECEMBER 31, 2022.

WHEREAS: The previous Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Communication Specialists) expired on December 31, 2019; and

WHEREAS: The City of Brunswick and the Fraternal Order of Police Lodge #15 (Communication Specialists) have bargained collectively and agreed to the terms and conditions of a Collective Bargaining Agreement effective January 1, 2020 through December 31, 2022.

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

SECTION 1: That the Council of the City of Brunswick hereby accepts the Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Communication Specialists) for a period of three (3) years effective January 1, 2020 through December 31, 2022, as attached hereto as Exhibit "A".

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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