



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

**OCTOBER 12, 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 28, 2020
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending September 2020 will be posted on the website and added to the minutes for the record;
 - (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.
 - Services, Utilities, Technology & Cable Committee Meeting Minutes dated September 14, 2020
 - Finance Committee.....Mrs. Hanek
 - Finance Committee Meeting Minutes dated September 14, 2020
 - Safety & Environment Committee.....Mr. Capretta
 - Planning & Zoning Committee.....Mr. Delsanter
 - Planning & Zoning Committee Meeting Minutes dated September 14, 2020
 - Parks, Recreation & Community Committee.....Mrs. Zak
 - Building & Building Code Committee.....Mr. Ousley

Building & Building Committee Meeting Minutes dated September 14, 2020

8. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

ORD. NO. 63-2020 - An ordinance amending Section 412.01(e) of the City of Brunswick Codified Ordinances. - **3rd 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. - **3rd 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. - **3rd Reading** (Committee-of-the-Whole, *Administration/Grant Aungst*)

b. 2nd Reading(s)

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. - **2nd Reading** (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. - **2nd Reading** (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. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

c. 1st Reading(s)

RES. NO. 72-2020 - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 73-2020 - An emergency resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2021 through December 31,

2021. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 74-2020 - An emergency resolution authorizing the City Manager to purchase Cisco switches and network equipment from SHI, Inc. in an amount not to exceed \$37,000.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

RES. NO. 75-2020 - An emergency resolution authorizing the City Manager to enter into an agreement with TEC Communications for the purchase of a Cisco phone system in an amount not to exceed \$170,000.00. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

ORD. NO. 76-2020 - An ordinance accepting the Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Sergeants) for a period of three (3) years effective January 1, 2020 through December 31, 2022. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Carl DeForest*)

9. City Manager's Report
10. Unfinished Business
11. New Business
 - (a) Consideration of a new liquor permit request from Ohio Pie Co. LLC, at 1315 1/2 Pearl Road, Brunswick, Ohio 44212.
12. Adjournment

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, SEPTEMBER 28, 2020

Prayer and Pledge of Allegiance: The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:09 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 Gallam, City Manager Carl DeForest, and Law Director Ken Fisher.

Correspondence: There was none.

Approval of Minutes:

Michael Abella Jr. moved to approve the Regular Council Meeting Minutes dated September 14, 2020, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

Mayor's Report:

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:

Brian Ousley moved 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., 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.

Clerk of Council's Report:

Clerk of Council Fijabi Gallam remarked that City Hall is closed on October 12, 2020, in observance of Columbus Day. The City Council will meet on October 12, 2020.

Council Committee Reports:

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

Mr. Hanek had no formal reports this evening.

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

Mr. Abella had no formal reports this evening.

Finance Committee.....Mrs. Hanek:

Mrs. Hanek had no formal reports this evening.

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

Mr. Capretta had no formal reports this evening.

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

Mr. Delsanter had no formal reports this evening.

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

Valerie Zak moved to adopt the Parks, Recreation & community Committee Meeting Minutes dated August 24, 2020, as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

Building & Building Code Committee.....Mr. Ousley:

Mr. Ousley had no formal reports this evening.

Other Boards and Commissions:

Michael Abella Jr. moved to approve the Committee-of-the-Whole Minutes dated September 14, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

Reading of Legislation and Action on Legislation:

{Clerk notes: Recorded videos regarding the following legislation were emailed to councilmembers for informational purposes prior to the Regular Council Meeting.}

3rd Reading(s)

There was none.

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. 63-2020 - Mr. Abella moved this ordinance to third reading.

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*):

ORD. NO. 64-2020 - Mr. Abella moved this ordinance to third reading.

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*):

RES. NO. 65-2020 - Mr. Abella moved this resolution to third reading.

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*):

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

Anthony Capretta moved to adopt Ordinance Number 66-2020, 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.

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*):

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

Joseph Delsanter moved to adopt Resolution Number 67-2020, seconded by Nicholas Hanek. Roll Call - Ayes - 7, - Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

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*):

ORD. NO. 68-2020 - Mr. Delsanter moved the ordinance to second reading and back to Planning Commission for review.

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. 69-2020 - Mr. Abella moved this resolution to second reading.

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*):

RES. NO. 70-2020 - Mr. Abella moved this resolution to second reading.

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*):

RES. NO. 71-2020 - Mr. Abella moved this resolution to second reading.

City Manager's Report

City Manager Carl DeForest:

- Remarked that the first leaf pick-up is scheduled to start on Monday, October 26, 2020. Mr. DeForest advised everyone to watch the City's website for any updates.
- Added that residents could now pay their quarterly Storm and Refuse bill online by going to the City's website and creating an account. It is free to do make payments by electronic checks or for a fee with a debit or credit card.
- Noted that two ladies from the community are hosting Wreaths Across America in Brunswick. The wreaths are to honor the fallen Veterans on December 19, 2020, at noon, at Westview Cemetery. Wreaths are \$15 each to sponsor a Veteran. The organization is looking for volunteers to help place the wreaths on the graves.

Unfinished Business:

There was none.

New Business:

In-Person Meetings and Open Forum

Councilman Brian Ousley read the following notice that is submitted with the City Council packet:

"Due to the coronavirus pandemic, and in compliance with State House Bill 197, Council

members may attend and participate in the meetings that are scheduled on the Council's weekly schedule by online teleconference. Residents can see these meetings on Brunswick Area Television (BAT). If a resident does not have a cable, the resident could still watch the meetings online at bat.viebit.com. The meeting is aired on BAT on the following cable systems in Brunswick:

- 1) Spectrum – Government Channel 1020
- 2) WOW! – Government Channel 21
- 3) WOW! With a direct digital connection – Government Channel 117.21

This is an effort to encourage the stay at home order and comply with social distancing."

Mr. Ousley expressed that this notice is an effort to encourage the stay at home order or to comply with social distancing. He noted that according to, Governor Mike DeWine, political rallies could have as many unmasked individuals. Mr. Ousley explained that when he visited City Hall during the day, he noticed the Council Chambers was set up for Mayor's Court for many individuals to attend. He expressed that they are taking away the residents' first amendment rights. Mr. Ousley asked are there any plans to open City Hall for the residents? Mr. Ousley urged that a plan is needed to move forward. Mr. Ousley added that if Municipal Court could be held in-person with many individuals sitting, then the City Council meetings should be in-person with everyone spaced out. He expressed that he is receiving calls from residents requesting the council meetings to reopen back up to the public. He noted that it is possible with safety procedures in place for the administration and the residents when coming through the door of City Hall. Mr. Ousley added that he believes COVID is real, but the doors need to be open to the residents with safety procedures put in place.

Adjournment:

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

There being no further business, the meeting adjourned at 7:24 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

DRAFT

October 1, 2020

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

WAIVERS/COURT/BONDS

DEPOSITS (September) 30,534.79

DEBITS (September) (30,549.79)

Checks to be written in September

Treasurer State of Ohio	\$ 6,087.50
City of Medina MLATF	\$ 125.00
City of Medina IDATF	\$ 170.50
City of Brunswick Finance Dept/Police Fund *	\$24,166.79
Misc Checks (bond refunds & transfers/restitution)	\$ 0.00
TOTAL for the month	\$30,549.79

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

Service Charges/Fees for prior month \$285.21

MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

September 14, 2020

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

The meeting convened at 6:19 p.m.

GENERAL DISCUSSION:

Mr. DeForest advised that branch chipping would begin next week. Residents would need to have branches on their tree lawns no later than 7 a.m. on the morning of their trash collection day. Leaf collection was planned to start the last week of October, depending on the weather. Any updates or changes would be posted on the website.

Mr. Ousley received a phone call from a resident that lives on Monte Vista Drive regarding service that he was not pleased about. Mr. Hanek indicated that he had communications with the Administration regarding a number of residents in that development that were displeased with how some of the construction has taken place, in terms of logistics. He commented that the Administration had been as responsive as possible to work with the contractor. Mr. Hanek mentioned that it has not been a smooth process. The Administration has been in contact with the resident, as well as the contractor regarding some of the issues.

Mr. Delsanter raised question as to whether there had been any downstream damages following the large rain occurrence on Labor Day. Mr. DeForest explained that there was nothing major, however, there were some issues on Gaylann Drive that the County were looking into.

Mr. Abella raised question about the estimated time of the construction completion on North Carpenter Road. Mr. DeForest noted that there were some delays, but that the majority of the construction would be completed on time or slightly delayed; which should be done the first week of December.

ADJOURNMENT:

Being no further business, Mr. Ousley moved to adjourn at 6:24 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Abella Jr.", is placed on a light gray rectangular background.

Michael Abella Jr.
Chairman

DRAFT

FINANCE COMMITTEE MEETING

September 14, 2020

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

The virtual meeting convened at 6:25 p.m.

DISCUSSION ITEMS:

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*)

Mr. Fischer summarized that this was about a net increase proposal increasing the budget by \$1,046,424.34. The main part of that was due to an increase of approximately \$1.6 million in additional CARES Act money that was expected. The first part being roughly \$353,000 that was received, and would make the City’s second distribution to House Bill 481. The second part to this, Mr. Fischer mentioned, was the improvement in the budget amendment for Senate Bill 357, which had only passed the Senate to his knowledge. That was an additional \$1.2 million that still needed to be signed by the House and the Governor. This was included because of the many types of timing restrictions within the CARES Act on the Federal level. Mr. Fischer noted that if it did not come to fruition, there would be a necessary budget amendment in the future to remove it. He had informed the County Budget Commission regarding this. On a positive note, the City of Brunswick was being administered with U.S. Federal funds, comparable to a lot of businesses, which has improved this calendar year. Mr. Fischer indicated that if things come to fruition, there would be more additional money received. Currently the plan was to spend most of that on the front lines; the EMS (Emergency Medical Service).

Additionally, there was a decrease of roughly \$700,000 as a result of the Minor Drive project being postponed to next year. This was due to a utility line existing through that area, causing a delay. He was expecting to put that in the 2021 Budget Proposals, and take it out of the 2020 Budget as a result. Mr. Fischer was looking to set aside approximately \$375,000 in EMS revenues for future Division of Fire capital purchases. Also, there was a removal of \$150,000 out of the 2020 Road budget to put into the 2021 Road budget; for additional neighborhood road improvements anticipated for next year. The reason for the emergency clause with suspension of the rules was mainly due to the CARES Act timing and restrictions; if the Committee so desired.

Mrs. Zak moved this ordinance to tonight's Council Agenda of September 14, 2020, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

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

Mr. Fischer explained that this entailed taking funds from the General fund to the FEMA (Federal Emergency Management Agency) grant fund just under \$3,000, relating to the City receiving an additional FEMA Grant; which pertained to Covid-19 situation and related supplies in following that grant. In order to do so, the City must advance money and then return it after reimbursement was received by FEMA. The reason for the emergency clause with suspension of the rules would be to get that in place due to the time restrictions on purchasing materials. Mrs. Hanek wanted to clarify that the City fronts the money and then gets reimbursed. Mr. Fischer indicated that was correct.

Mr. Delsanter moved this ordinance to tonight's Council Agenda of September 14, 2020, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

The August financial reports have been sent out. The assessment from paid refuse and storm water bills were being submitted through the County this week, in which they would be placed on the property tax bills in January. The 2021 Budget process was started; the first round of departmental meetings had been held.

Mr. Fischer indicated that the City did well in 2019. The City would begin to put together a 2021 Budget Proposal. There were a decent amount of reserve funds that the City had not seen in many years. Mrs. Hanek pointed out that there was a place on the website where residents could pay their refuse and storm water bill. Mr. Fischer concurred, adding that many features had been added since Covid-19. The City planned on advertising that on upcoming refuse and storm water bills.

ADJOURNMENT:

Being no further business, Mr. Delsanter moved to adjourn at 6:32 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Patricia Hanek
Chairwoman

PLANNING AND ZONING COMMITTEE

September 14, 2020

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

The virtual meeting convened at 6:33 p.m.

DISCUSSION ITEMS:

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*)

Mr. Fisher provided a brief description. The temporary moratorium was no longer necessary due to the adoption of ordinance 34-2020 on July 27th, effective August 26th; whereas warehouses, food and goods distribution stations, motor freight garages, and truck or transfer terminals, would remove as permitted uses in the I-L Industrial District. Furthermore, warehouses were included as conditionally permitted uses, subject to review by Planning Commission.

Mr. Hanek moved this ordinance to tonight's Council Agenda of September 14, 2020, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

Oak Ridge Preserve SPD-7 Discussion – Kim Harrington

Mr. Delsanter explained that as the SPD-7 was being discussed at Planning Commission, some of the items that needed included in the public hearing were not exposed, therefore, there were items that were left off; putting the process somewhat behind. However, the presentation and the administrative commentary seemed to be in a good place. He asked the assistant law director that if the City were able to move forward, whether it would be agreeable to the committee to have legislation started. Mr. Fisher indicated that it could be, with the consideration that that both consultants and the Planning Commission could possibly have additional changes added to the legislation before its final reading.

Mr. Aungst explained that SPD-7 (Special District Planning 7), the seventh one in the City, was looking at property on Pearl Road across from Rolling Hills Plaza. There would be a proposed 34 lots and this would be a public street. The impetus behind the SPD was the terrain and the uniqueness of the property itself; in the use and dispelling of the property. The applicant has reviewed it in great detail with their development team, in which they had a plan for single family cluster homes that range from

approximately 1500 to 1750 square feet. He felt that the setting was beautiful with trees, woods, some unique ravines, and water running through the property as well. He reminded Council that SPD's take time for the process. The Planning Commission agreed that it should be an SPD, however, there was also part of the code that permits Planning Commission to request a consultant be brought in to review the application and the details. The consultant would then have a time frame to complete their work and present it to the Planning Commissions and to the Administration. At that point, it would be presented to the applicant, where changes may or may not be made; to go forward or not.

Mr. Aungst explained that this particular development has some dramatically unique characteristics, however, there would be engineering issues that would have to be addressed along with some other concerns. The work was prepared ahead of time and some plans could begin to move forward. It was likely that the consultant would have some recommendations. That would be up to the applicant and consultant to complete. Lastly, Council would reconvene. In the meantime, Council had the ability to choose, per the committee, to move legislation forward of the design guidelines that the applicant developed. It was up to the committee and Council as well.

Mr. Delsanter raised question as to whether Council could ask for legislation on the SPD-7 to be drawn up for readings, but with the understanding that things could be added or changed. Mr. Aungst indicated that yes, Council could table it.

Mr. Delsanter had requested that Kim Harrington, the developer, join the meeting virtually. Mrs. Harrington summarized that she believed it should be moved forward as an SPD-7 for two out of the three reasons outlined in the ordinances. The land had substantial natural characteristics, worthy of preservation, in which work had been done very diligently to be able to preserve the beauty of the land and allow the future owners to enjoy a great living space. She pointed out that as an SPD, it would call for ingenuity and imagination by site designers and developers, in keeping with the overall land use and open space objectives of the Comprehensive Plan. Work was done vigilantly to be imaginative in their design, so that developers could work to show-case this kind of hidden gem in Brunswick. The consultant was hired to move forward, one that has done work in Brunswick before and was highly regarded. Mrs. Harrington asked if it could be moved forward graciously, prior to that work being finalized with the understanding of possible changes.

Mr. Delsanter clarified that the only thing that could be done at this time as Council waits for the process, was to move to have legislation written for the next available Council meeting for a first reading.

Mr. Hanek moved to have legislation drafted for the Oak Ridge Preserve SPD-7, for the next available Council meeting for a first reading. Vote – 2 Ayes, 1 Nay – Mr. Ousley.

GENERAL DISCUSSION:

Mr. Delsanter indicated that he looked forward to the opportunity to begin working on the Comprehensive Plan. He hoped Administration would work to start that process.

Mr. Fisher referred back to the SPD and procedures, whereas it would have to go back to Planning Commission, as variances would be required for wet land removal and to allow a side walk only on the south side of Street A; instead of both sides, after the first reading. It would have to go back to Planning Commission, as well as another public hearing implemented in front of Planning Commission, before any formal action could be taken. Mr. Delsanter concurred.

Mr. Delsanter raised question to Mrs. Harrington as to a time line on the consultant's feedback. She indicated that they expect to get that in the next couple of weeks; tentatively on the agenda for November 3rd for Planning Commission.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 6:48 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Joseph Delsanter
Chairman

BUILDING AND BUILDING CODE COMMITTEE

September 14, 2020

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

The meeting convened at 6:02 p.m.

DISCUSSION ITEM:

An ordinance amending Codified Ordinance Section 476.03 by increasing prohibitions for operations of snowmobiles, off-highway vehicles, and all- purpose vehicles.

Mr. DeForest explained that there have been complaints regarding off-highway vehicles for the past several months; for example, dirt bikes. Mr. DeForest had been asked to conduct some research as to other cities' practices. He talked about creating an ordinance somewhat stricter than what the City had currently. He wanted to present his findings to Council for further discussion. This ordinance was for discussion purposes only at this time.

Mr. Fisher reiterated that this was for discussion only. He could understand both sides to this issue; the right for families to enjoy their property, but in the appropriate manner. The objective of the proposed ordinance was to weigh the two conversations, which would be quiet enjoyment versus the right to use one's property in a lawful way. The goal would be to come up with an ordinance that addressed both concerns. It would not limit the right to use residential property for recreational vehicle use, however, the outside noise level outside of prescribed hours would be the concern. He felt that it would be good to have some guidelines for neighbors to be able to remain neighborly and avoid unpleasantness. He commented that this would be subject to Council's input. He shared an idea of having a warning system, something similar to that of a speeding ticket.

Mr. Ousley concurred with Mr. Fisher and reiterated the importance of peace and harmony in one's neighborhood. He felt that the City must look at the guidelines, and also whether there have been issues in the past. He expressed his concern about the difficulty to live stream meetings through a television when a resident may wish to speak in front of Council. He felt that input from residents was necessary and important.

Mr. Abella mentioned that this issue would be discussed in a separately called Building Code Committee meeting, and that it would be left in the committee at this time. There would be discussions in the near future pertaining to more openness for the next called meeting. Mr. Ousley noted that he would like to have a separate committee meeting again. Mr. Fisher agreed that it was

important for the public to have the chance to be heard so that Council could consider both sides. Mr. Fisher reminded everyone that meetings were still being limited to ten people in a public setting until the end of December; per the Governor. He hoped things would change for January.

GENERAL DISCUSSION:

Mr. Aungst provided an update on things that were taking place in the community. Chick-fil-A were coming along on their build, as well as Jiffy Lube. St. Colette Catholic Church was currently working on phase II of construction, which included a new gymnasium and classrooms; which would be provided to the Planning Commission this week. The Brunswick Area Historical Society's new building located at Heritage Farm has been completed. The Orchard Apartments were nearing completion with a few additional final inspections needing performed. Sanctus Senior Living Complex was in the process of submitting their building plans for the first phase and entire project, which would be built on the sixteen acres behind the water towers on Pearl Road.

Mr. Aungst indicated that things remained very busy in the Building department. Year to date there have been close to 2000 building permits processed, 656 contractors registered, 68 foreclosures, over 900 plan reviews completed, and nearly 700 property maintenance violations and inspections conducted. He continued to work with stake holders to address many issues. There have been 692 rental units registered; this was an accumulative total. Addresses were reviewed periodically. In regards to grass and weeds, there have been 115 postings and 110 grass cuts; totaling 47 properties. Property Maintenance removed over 60 vehicles thus far from around the community and the team continued to work on improving those areas.

Mr. Abella questioned the timeline of the opening of Chick-fil-A. Mr. Aungst was not certain as to the opening date, however, the project would be expected to speed up after the roof was installed. He hoped for an opening by the end of the year. Mr. Ousley raised question pertaining to the Orchard Apartments. He wanted a timeline as to when the articles would be removed, such as the silt tube socks, along the northeast corner of the apartments by Magnolia Drive and Pearl Road; the back side toward Judita Drive. He noted that residents have contacted him about the difficulty in maintaining their grass etc. because of the items still being there. Mr. Aungst indicated that he would take a look at that the following day to find out what was preventing the delay.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 6:19 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Brian Ousley
Chairman

PROPOSED LEGISLATION



DATE: 10/12/2020

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. - **3rd 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: 10/12/2020

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. - **3rd 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: 10/12/2020

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. - **3rd 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

PROPOSED LEGISLATION



DATE: 10/12/2020

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. - **2nd Reading** (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: 10/12/2020

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. - **2nd Reading** (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



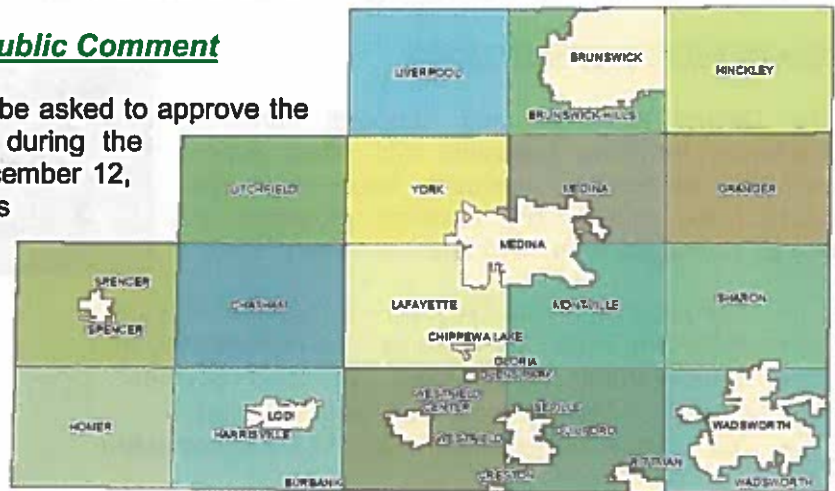
RECYCLE
MEDINA
COUNTY

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.

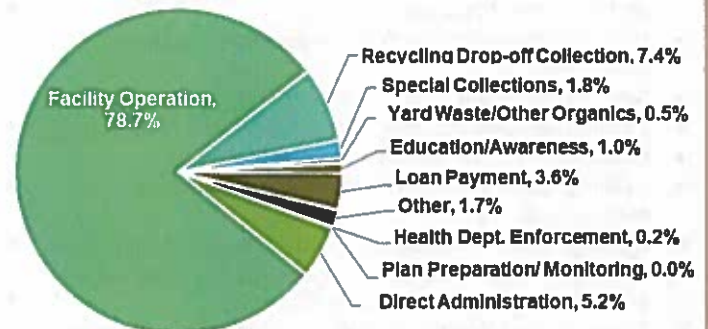
²Recycling programs covered under the old and new plans must send collected materials to a legitimate recycling facility, as defined by Ohio EPA, to ensure recycling is occurring.

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

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
- New: Target High Volume 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: 10/12/2020

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. - **2nd Reading** (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: Committee-of-the-Whole

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

PROPOSED LEGISLATION



DATE: 10/12/2020

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 72-2020** - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor.

PURPOSE AND EXPLANATION: In order to comply with Ohio Revised Code Section 5705.34 and the County Auditor extension letter, City Council is required to accept the amounts and rates as determined by the budget commission and authorize the necessary tax levies and certify them to the County Auditor. This action will allow the County Auditor to bill these rates on the property tax bills for the succeeding year. 2021 will also mark the seventh year of collections for the City's 1.2 mill road levy passed by the voters on May 6, 2014. The road levy is a 10 year levy with collections expected for 2015-2024. The County Auditor's most recent annual collection estimate for the 1.2 mill levy = \$855,300 for the 2021 year. No change in tax rates (full millage) occurred from the previous year.

IMPLEMENTATION

SCHEDULE: To be adopted on October 12, 2020 with an emergency clause. The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, the County Auditor's extension letter and allow for the daily operations of the City of Brunswick to continue without interruptions and to ensure timely billing of property taxes due to the City of Brunswick.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

The County Auditor's most recent estimate for the 2021 property tax collections, including homestead and rollback distributions, to be received by the City of Brunswick equal \$3,131,800 in total. The 1.2 mill road levy portion equaled \$855,300 (seventh year of collections) and the 2.6 inside mills equal \$2,276,500. The County Auditor typically updates these property tax

estimates once the property values and tax rates are certified. The 2021 property tax collections for the City of Brunswick can only occur if this legislation is passed and filed with the County Auditor by November 2, 2020. Once certified and filed, the property tax rates will be billed by the County Auditor pursuant to State Law. This tax rate of 1.2 mills was approved by the voters for a ten year collection period (2015-2024) and the 2.6 mills has been approved by the City Charter Section 7.11(a).

**RECOMMENDED
ACTION:**

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

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

The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, the County Auditor's extension letter and allow for the daily operations of the City of Brunswick to continue without interruptions and to ensure timely billing of property taxes due to the City of Brunswick.

**ADDITIONAL
INFORMATION:**

Discuss at the October 12, 2020 Committee meeting and move to the October 12, 2020 Council agenda as an emergency. Recommended action for approval on October 12, 2020 with emergency clause (suspension of the rules).

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of BRUNSWICK, MEDINA
County, Ohio, met in _____ session on the _____ day of _____
(Regular Or Special)
20____, at the office of _____ with the following members
present:

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, **2021**
and

WHEREAS, The Budget Commission of MEDINA County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Auditor of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of BRUNSWICK,
MEDINA County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further
RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Com- mission Inside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		\$2,013,800	2.30	
General Bond Retirement Fund				
Police Pension		\$262,700	0.30	
Road Levy	\$855,300			1.20
Recreation Fund				
Fund				
Fund				
TOTAL	\$855,300	\$2,276,500	2.60	1.20

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed years. .20		
Current Expense Levy authorized by voters on for not to exceed years. .20		
Current Expense Levy authorized by voters on for not to exceed years. .20		
Total General Fund outside 10m. Limitation.		
Road Levy authorized by voters on May 6, 2014 for not to exceed 10 years. 1.20 \$855,300		
Levy authorized by voters on for not to exceed years. .20		
Fund: Levy authorized by voters on for not to exceed years.		
Fund: Levy authorized by voters on for not to exceed years. .20		
Fund: Levy authorized by voters on for not to exceed years. .20		
Fund: Levy authorized by voters on for not to exceed years. .20		
THIS RESOLUTION IS DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, PROPERTY, HEALTH, SAFETY, WELFARE, AND PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPALITY, AND FOR THE ADDITIONAL REASON THAT THIS RESOLUTION MUST BE FILED WITH THE MEDINA COUNTY AUDITOR 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.		

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this

Resolution to the County Auditor of Said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. _____

Mr./Mrs. _____

Mr./Mrs. _____

Adopted the _____ day of _____, 20____.

Attest:

President of Council

Clerk of Council

**CERTIFICATE OF COPY
ORIGINAL ON FILE**

The State of Ohio, _____ County, ss.

I, _____, Clerk of the Council of the City

of _____ within and for said County, and in whose custody the Files
and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby
certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of Council

No. _____

COUNCIL OF THE CITY OF

County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR

(City Council)

Adopted _____, 20 ____

Clerk of Council

Filed _____, 20 ____

County Auditor

By _____
Deputy

SCHEDULE B TAX YEAR 2020 COLLECTION YEAR 2021 2020 ESTIMATED VALUES AND YIELDS

1. RES/AG \$710,127,110
 2. OTHER REAL \$173,726,860
 3. PUCO PERSONAL \$11,257,780
 4. RES/AG NEW CONSTR. \$4,026,870
 5. OTHER NEW CONSTR. \$3,505,530
 6. TOTAL \$902,644,150

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: BRUNSWICK CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO. # YEARS	TAX YEAR FIRST/LAST	COLL. YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUCO PERSONAL	NEW CONSTRUCTION	TOTAL
GENERAL FUND						2.30	0.000000 0.000000	2.300000 2.300000	\$1,584,300	\$387,600	\$25,100	\$16,800	\$2,013,800
SPECIAL REVENUE	POLICE PENSION					0.30	0.000000 0.000000	0.300000 0.300000	\$206,600	\$50,600	\$3,300	\$2,200	\$262,700
	ROAD LEVY	2014	10	2014/2023	2015/2024	1.20	0.210416 0.099449	0.947501 1.080661	\$652,700	\$182,100	\$13,100	\$7,400	\$855,300

2.60 INSIDE MILLAGE \$2,443,600 \$620,300 \$41,500 \$26,400 \$3,131,800
 1.20 OUTSIDE MILLAGE

3.80 TOTAL MILLAGE
 3.547501 RES/AG EFFECTIVE
 3.680661 OTHER EFFECTIVE

0000000479



Department of
Taxation

Office of the Tax Commissioner
30 E. Broad St., 22nd Floor
Columbus, OH 43215
www.tax.ohio.gov

JOURNAL ENTRY

Date:

AUG 10 2020

The Honorable Mike Kovack
Medina County Auditor
144 North Broadway St., Rm. 301
Medina, Ohio 44256

Entry Number: 20-07-0179

Re: Approval of Extension for the Medina County Budget Commission to Complete its Work

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on July 1, 2020, for an extension of time beyond the statutory date of September first to complete its work, as provided by Revised Code section 5705.27, finds that the extension of time is necessary and approves October 1, 2020, as the date within which such work shall be completed, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the October first deadline contained in Ohio Revised Code section 5705.34 for the political subdivision to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the political subdivision must authorize the necessary tax levies to the auditor by November 2, 2020. The County Auditor must notify each political subdivision affected by this entry.

It is ordered that a copy of this entry be certified to the County Auditor, as secretary of the County Budget Commission.

I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL

/s/ Jeffrey A. McClain

JEFFREY A. MCCLAIN
TAX COMMISSIONER

Jeffrey A. McClain
Tax Commissioner

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of BRUNSWICK, MEDINA
County, Ohio, met in regular session on the 12th day of October
(Regular Or Special)
2020, at the office of Brunswick, Medina County with the following members
present:

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, **2021**
and

WHEREAS, The Budget Commission of MEDINA County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Auditor of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of BRUNSWICK,
MEDINA County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Com- mission Inside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		\$2,013,800	2.30	
General Bond Retirement Fund				
Police Pension		\$262,700	0.30	
Road Levy	\$855,300			1.20
Recreation Fund				
Fund				
Fund				
TOTAL	\$855,300	\$2,276,500	2.60	1.20

SCHEDULE B TAX YEAR 2020 COLLECTION YEAR 2021 2020 ESTIMATED VALUES AND YIELDS

1. RES/AG \$710,127,110
 2. OTHER REAL \$173,726,860
 3. PUCO PERSONAL \$11,257,780
 4. RES/AG NEW CONSTR. \$4,026,870
 5. OTHER NEW CONSTR. \$3,505,530
 6. TOTAL \$902,644,150

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: BRUNSWICK CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO. # YEARS	TAX YEAR FIRST/LAST	COLL. YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUCO PERSONAL	NEW CONSTRUCTION	TOTAL
GENERAL FUND						2.30	0.000000 0.000000	2.300000 2.300000	\$1,584,300	\$387,600	\$25,100	\$16,800	\$2,013,800
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	ROAD LEVY	2014	10	2014/2023	2015/2024	1.20	0.210416 0.099449	0.947501 1.080661	\$652,700	\$182,100	\$13,100	\$7,400	\$855,300

This has no 10/2.5%

2.60 INSIDE MILLAGE \$2,443,600 \$620,300 \$41,500 \$26,400 \$3,131,800
 1.20 OUTSIDE MILLAGE

3.80 TOTAL MILLAGE
 3.547501 RES/AG EFFECTIVE
 3.680661 OTHER EFFECTIVE

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed years. ,20		
Current Expense Levy authorized by voters on for not to exceed years. ,20		
Current Expense Levy authorized by voters on for not to exceed years. ,20		
Total General Fund outside 10m. Limitation.		
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THIS RESOLUTION IS DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, PROPERTY, HEALTH, SAFETY, WELFARE, AND PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPALITY, AND FOR THE ADDITIONAL REASON THAT THIS RESOLUTION MUST BE FILED WITH THE MEDINA COUNTY AUDITOR 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.		

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this

Resolution to the County Auditor of Said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. _____

Mr./Mrs. _____

Mr./Mrs. _____

Adopted the _____ day of _____, 20_____.

Attest:

President of Council

Clerk of Council

**CERTIFICATE OF COPY
ORIGINAL ON FILE**

The State of Ohio, _____ County, ss.

I, _____, Clerk of the Council of the City

of _____ within and for said County, and in whose custody the Files
and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby
certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of Council

No. _____

COUNCIL OF THE CITY OF

County, Ohio.

**RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR**

(City Council)

Adopted _____, 20 ____

Clerk of Council

Filed _____, 20 ____

County Auditor

By _____
Deputy

PROPOSED LEGISLATION



DATE: 10/12/2020

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 73-2020** - An emergency resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2021 through December 31, 2021. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND:

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:**

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

Charges that come through for this resolution would require a certified purchase order pursuant to ORC 5705.41 with sufficient City Council budget at the time. Charges related to this resolution have historically been charged to account #001-0600-54233 in the past and is expected to be the same moving forward.

**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. 73-2020

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION RATIFYING AND CONFIRMING THE RENEWAL OF THE EXISTING AGREEMENT WITH THE MEDINA COUNTY PUBLIC DEFENDER COMMISSION AND THE MEDINA COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES IN MEDINA MUNICIPAL COURT FOR MUNICIPAL CODE VIOLATIONS FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021.

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

WHEREAS: On November 11, 2019, this Council adopted Resolution No. 80-19, which authorized the renewal of the existing Agreement from January 1, 2020 through December 31, 2019; and

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

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

SECTION 1: This Council hereby ratifies and confirms the renewal of the exiting Agreement with the Medina County Public Defender and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2021 through December 31, 2021.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary as the current Agreement for the provision of indigent defense services expires on December 31, 2020. 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: 10/12/2020

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

FROM: Carl S. DeForest, City Manager
Robert Marok

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 74-2020** - An emergency resolution authorizing the City Manager to purchase Cisco switches and network equipment from SHI, Inc. in an amount not to exceed \$37,000.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, Administration/Robert Marok)

BACKGROUND: The core of the city's switching equipment was replaced last year and this is a continuation of the project. The vast majority of the city buildings have switches approaching 20 years in age and past end of life.

PURPOSE AND EXPLANATION: These replacements will encompass all out buildings. The quote from SHI is approximately \$18,500 less than Ohio State Contract and Sourcewell contracted price.

IMPLEMENTATION SCHEDULE: Upon authorization, the new equipment will be ordered

FINANCIAL INFORMATION: - 10/26/2020 - 904-0302-56252 - 45000 - Network switches - 45000

FINANCIAL SUMMARY: This project was budgeted for 2020 and the quote is under budget.

RECOMMENDED ACTION:

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

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

To be adopted on October 26, 2020 with an emergency clause. The emergency clause is necessary in order to continue without interruptions and to ensure continued network operations of the City of Brunswick.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 74-2020

BY: Mr. Abella, Mr. Ousley, and Mr. Capretta

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE CISCO SWITCHES AND NETWORK EQUIPMENT FROM SHI, INC. IN AN AMOUNT NOT TO EXCEED \$37,000.00.

WHEREAS: The City of Brunswick belongs to the Ohio Cooperative Purchasing Program under the direction of the Ohio Department of Administrative Services;

WHEREAS: The State contract under the State Purchasing Program has been awarded to SHI, Inc.;

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

WHEREAS: The proposed purchase of Cisco switches and network equipment from SHI, Inc. in an amount not to exceed \$37,000.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program.

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

SECTION 1: That the City Manager is hereby authorized to purchase Cisco switches and network equipment from SHI, Inc. in an amount not to exceed \$37,000.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to ensure continued network operations without interruption. 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 _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 10/12/2020

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

FROM: Carl S. DeForest, City Manager
Robert Marok

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 75-2020** - An emergency resolution authorizing the City Manager to enter into an agreement with TEC Communications for the purchase of a Cisco phone system in an amount not to exceed \$170,000.00. – **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Rob Marok*)

BACKGROUND: The City's phone system; a Toshiba System, that after the sale of Toshiba to Mitel is no longer being supported and needs to be replaced. The system was budgeted to be replaced and with needed integration with 911, the Cisco system is the best available system meeting the requirements.

PURPOSE AND EXPLANATION: This project replace the city wide phone system, voicemail, and all city owned building's phone

IMPLEMENTATION SCHEDULE: Upon passage, parts will ordered and installation scheduled.

FINANCIAL INFORMATION: - 10/26/2020 - Capital Improvement Fund #300 - 300-0522-56252 - City wide Telephone - 170000

FINANCIAL SUMMARY: The phone system was budgeted for replacement this year and will come in within budget.

RECOMMENDED ACTION:

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

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

To be adopted on October 26, 2020 with an emergency clause. The emergency clause is necessary in order to continue without interruptions and to ensure continued telecommunication operations of the City of Brunswick. The current phone system is no longer being supported with no new parts being available and any change in licensing would not be available. The phone system is city wide and a portion of the project will be the integration with Medina County 911 system.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 75-2020

BY: Mr. Abella, Mr. Ousley, and Mr. Capretta

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEC COMMUNICATIONS FOR THE PURCHASE OF A CISCO PHONE SYSTEM IN AN AMOUNT NOT TO EXCEED \$170,000.00.

WHEREAS: The City of Brunswick belongs to the Ohio Cooperative Purchasing Program under the direction of the Ohio Department of Administrative Services;

WHEREAS: The State contract under the State Purchasing Program has been awarded to TEC Communications;

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

WHEREAS: The proposed purchase of the Cisco phone system from TEC Communications in an amount not to exceed \$170,000.00, is upon equivalent terms, conditions and specifications and at a lower price than through the State Purchasing Program.

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

SECTION 1: That the City Manager, upon approval of the Law Director, is hereby authorized to enter into an Agreement with TEC Communications for the purchase of a Cisco phone system from TEC Communications in an amount not to exceed \$170,000.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that the current phone system is no longer being supported and replacement parts are no longer available. 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 _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 10/12/2020

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. 76-2020** - An ordinance accepting the Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Sergeants) for a period of three (3) years effective January 1, 2020 through December 31, 2022. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Carl DeForest*)

BACKGROUND: The previous Collective Bargaining Agreement with the Fraternal Order of Police Lodge #15 (Sergeants) expired on December 31, 2019; and the City of Brunswick and the Fraternal Order of Police Lodge #15 (Sergeants) 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:

IMPLEMENTATION

SCHEDULE: That this 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 be sufficient to cover this Collective Bargaining Agreement. 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. 76-2020

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

AN ORDINANCE ACCEPTING THE COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE LODGE #15 (SERGEANTS) 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 (Sergeants) expired on December 31, 2019; and

WHEREAS: The City of Brunswick and the Fraternal Order of Police Lodge #15 (Sergeants) 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 (Sergeants) 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

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

6527450		NEW	OHIO PIE CO LLC 1315 1/2 PEARL ROAD BRUNSWICK OH 44212
PERMIT NUMBER		TYPE	
ISSUE DATE			
05 07 2020			
FILING DATE			
D1 D2		PERMIT CLASSES	
52	022	C	C72385
TAX DISTRICT		RECEIPT NO.	

FROM 10/01/2020

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



MAILED 10/01/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/02/2020

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **C NEW 6527450**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL
4095 CENTER RD
BRUNSWICK OHIO 44212

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

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

Searching Instructions

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

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

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

SEARCH CRITERIA

Permit Number

6527450

Permit Name / DBA

Member / Officer Name

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Member/Officer Name	Shares/Interest	Office Held
Permit Number: 6527450; Name: OHIO PIE CO LLC DBA Address: 1315 1/2 PEARL ROAD BRUNSWICK 44212		
NICHOLAS D ROBSON	MANAGE MEM	

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