



# BRUNSWICK CITY COUNCIL AGENDA

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

## Administration Representatives

**NOVEMBER 9, 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 October 26, 2020
5. Mayor's Report:
  - (a) Mayor's Court Financial Report for the month ending October 2020 will be posted on the website and added to the minutes for the record;
  - (b) Mayor's recommendation to reappoint Ryan Denker to fulfill a three-year term on the Building Board of Appeals expiring June 26, 2023, and to reappoint John Egan to fulfill a three-year term on the Building Board of Appeals expiring May 22, 2023.
  - (c) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:
 

Economic Development Committee.....Mr. Hanek  
 Economic Development Committee Meeting Minutes dated September 15, 2020

Services, Utilities, Technology & Cable Committee.....Mr. Abella Jr.  
 Services, Utilities, Technology & Cable Committee Meeting Minutes dated October 12, 2020

Finance Committee.....Mrs. Hanek  
 Finance Committee Meeting Minutes dated October 12, 2020

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

Safety & Environment Committee Meeting Minutes dated October 12, 2020

Safety & Environment Committee Meeting Minutes dated September 28, 2020

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

Planning & Zoning Committee Meeting Minutes dated September 28, 2020

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

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

8. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

**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. - **3rd Reading** (Safety & Environment Committee, *Administration/Carl DeForest*)

b. 2nd Reading(s)

**RES. NO. 77-2020** - An emergency resolution providing for temporary relief from the temporary sign regulations contained in City of Brunswick Codified Ordinance Section 1270.10 by waiving the number of temporary special event sign permits permitted in commercial and industrial zoning districts and durational requirements for display. - **2nd Reading** (Planning & Zoning Committee, *Administration/Ken Fisher*)

**RES. NO. 79-2020** - A resolution authorizing the City Manager to enter into a three (3) year agreement with Any Domestic Work, Inc. to provide custodial services at City Hall and the Police Department in a monthly amount not to exceed \$3,925.00. - **2nd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

**RES. NO. 80-2020** - A resolution authorizing the City Manager to enter into a three (3) year agreement with Any Domestic Work, Inc. to provide custodial services at the Brunswick Community Recreation and Fitness Center in a monthly amount not to exceed \$5,745.00. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

**RES. NO. 81-2020** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of Municipal Officers and Departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2021. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

**ORD. NO. 83-2020** - An ordinance amending section 248.02 of the City of Brunswick Codified Ordinances relative to residency restrictions and maximum age limitations for new hire police officers. - **2nd Reading** (Safety & Environment

Committee, *Administration/Brian Ohlin*)

**ORD. NO. 84-2020** - An ordinance amending section 250.04 of the City of Brunswick Codified Ordinances relative to residency restrictions and maximum age limitations for new hire fire medics. - **2nd Reading** (Safety & Environment Committee, *Administration/Josh Erskine*)

c. 1st Reading(s)

**ORD. NO. 85-2020** - An emergency ordinance adopting the Annual Appropriation Budget for Expenditures of the City of Brunswick for the year beginning January 1, 2021 and ending December 31, 2021 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

**ORD. NO. 86-2020** - An emergency ordinance amending Section 1 of Ordinance No. 93-19 to provide for a Revised Allocation of Municipal Income Tax receipts during the period from January 1, 2021 through December 31, 2021 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

**ORD. NO. 87-2020** - An emergency ordinance creating an OPWC Old Eagle Drive Improvement Fund (#372) - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

**RES. NO. 88-2020** - An emergency resolution giving consent to the Ohio Department of Transportation to perform route sign replacements on U.S. Route 42 (Pearl Road). - **1st Reading** (To be brought from Services, Utilities, Technology, & Cable Committee, *Administration/Matt Jones*)

**ORD. NO. 89-2020** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities in all Zoning Districts and Special Planning Districts in the City, with the exception of the Senior Development Special Planning District Number 5, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

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

**CITY OF BRUNSWICK, OHIO**

**MINUTES OF COUNCIL**

**MONDAY, OCTOBER 26, 2020**

**Prayer and Pledge of Allegiance:** The regular meeting of Brunswick City Council was called to order by Mayor Ron Falconi at 7:10 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 City Council Meeting Minutes dated October 12, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

**Clerk of Council's Report:**

Clerk of Council Fijabi Julien-Gallam announced that the City of Brunswick scheduled a public hearing for the 2021 Budget, on Monday, November 2, 2020, at 6:30 p.m. in the Brunswick Area Television Conference Room, at 4274 Manhattan Ave in Brunswick, and via Webex. In compliance with State House Bill 197, Council members may attend and participate in this meeting by online teleconference. Residents could see the public hearing on Brunswick Area Television (BAT). Mrs. Gallam added that residents could participate in the public hearing via Webex.

**Council Committee Reports:**

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

Councilman Nicholas Hanek had no formal reports this evening.

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

Councilman Michael Abella Jr. had no formal reports this evening.

Finance Committee.....Mrs. Hanek:

Councilwoman Patricia Hanek had no formal reports this evening.

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

Councilman Anthony Capretta had no formal reports this evening.

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

Councilman Joseph Delsanter had no formal reports this evening.

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

Councilwoman Valerie Zak had no formal reports this evening.

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

Councilman Brian 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 28, 2020, and October 12, 2020, as written, seconded by Brian Ousley. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

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

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

Michael Abella Jr. moved to adopt Resolution Number 69-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

**RES. NO. 70-2020** - A resolution adopting the Solid Waste Management Plan for the Medina County Solid Waste Management District. - **3rd Reading** (Committee-of-the-Whole, Administration/Paul Barnett):

Councilman Michael Abella Jr. called a point of order. He noted that the City Council made a motion to table Resolution Number 70-2020 at the Committee-of-the-Whole Meeting dated October 26, 2020, and taken off the Regular City Council agenda.

The City Council did not have to do another roll call to table Resolution Number 70-20 at the Regular City Council Meeting dated October 26, 2020.

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

Michael Abella Jr. moved to adopt Ordinance Number 71-2020, seconded by Brian Ousley. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

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

**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. - **2nd Reading** (Safety & Environment Committee, *Administration/Carl DeForest*):

ORD. NO. 76-2020 - Mr. Capretta moved this ordinance to third reading.

## **1st Reading(s)**

**RES. NO. 77-2020** - An emergency resolution providing for temporary relief from the temporary sign regulations contained in City of Brunswick Codified Ordinance Section 1270.10 by waiving the number of temporary special event sign permits permitted in commercial and industrial zoning districts and durational requirements for display. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*):

RES. NO. 77-2020 - Mr. Delsanter moved this resolution to second reading.

**RES. NO. 78-2020** - An emergency resolution authorizing the City Manager to purchase a Unitrends backup solution from SHI, Inc. in n amount not to exceed \$45,000.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Robert Marok*):

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

Michael Abella Jr. moved to adopt Resolution Number 78-2020, seconded by Anthony Capretta. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

**RES. NO. 79-2020** - A resolution authorizing the City Manager to enter into a three (3) year agreement with Any Domestic Work, Inc. to provide custodial services at City Hall and the Police Department in a monthly amount not to exceed \$3,925.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Jim Foster*):

RES. NO. 79-2020 - Mr. Abella moved this resolution to second reading.

**RES. NO. 80-2020** - A resolution authorizing the City Manager to enter into a three (3) year

agreement with Any Domestic Work, Inc. to provide custodial services at the Brunswick Community Recreation and Fitness Center in a monthly amount not to exceed \$5,745.00. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

RES. NO. 80-2020 - Mr. Abella moved this resolution to second reading.

**RES. NO. 81-2020** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of Municipal Officers and Departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2021. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Carl DeForest*):

RES. NO. 81-2020 - Mr. Abella moved this resolution to second reading.

**ORD. NO. 82-2020** - An emergency ordinance amending Ordinances #92-19, #7-2020, #29-2020, #52-2020, and #61-2020 to include amendments to the appropriations budget for the year ending December 31, 2020, as incorporated in Exhibit "A" attached hereto. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*):

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

Patricia Hanek moved to adopt Ordinance Number 82-2020, seconded by Joseph Delsanter. Roll Call - Ayes - 7, Nicholas Hanek, Brian Ousley, Michael Abella Jr., Valerie Zak, Anthony Capretta, Joseph Delsanter, Patricia Hanek. Nays - 0. Motion Carried.

**ORD. NO. 83-2020** - An ordinance amending section 248.02 of the City of Brunswick Codified Ordinances relative to residency restrictions and maximum age limitations for new hire police officers. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*):

ORD. NO. 83-2020 - Mr. Capretta moved this ordinance to second reading.

**ORD. NO. 84-2020** - An ordinance amending section 250.04 of the City of Brunswick Codified Ordinances relative to residency restrictions and maximum age limitations for new hire fire medics. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Josh Erskine*):

ORD. NO. 84-2020 - Mr. Capretta moved this ordinance to second reading.

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

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

- Noted that the City Manager's quarterly newsletter was out in the mail to residents

recently.

- Remarked that Trick or Treat in the City of Brunswick is on Saturday, October 31, 2020, from 6:00 p.m. to 8:00 p.m. The City planned to have additional police officers on the road in the residential areas to patrol the streets. Mr. DeForest advised residents to look out for the safety and wellbeing of the children.
- Added that there were two more car thefts recently in the City. One car was running with the keys in it, and the second car had the keys to the vehicle 8 feet away hanging on a hook. Mr. DeForest advised the residents to lock their cars up and leave the keys separate from their vehicle. He remarked that the Police Department had two juveniles in custody for these acts. Mr. DeForest reiterated for residents to call the Police Department if they see anything out of the ordinary.

#### **Unfinished Business:**

Mr. Delsanter asked the City Manager to clarify if Brunswick is the only city experiencing an increase in car thefts.

Mr. DeForest explained that it's not only Brunswick experiencing this increase.

Mr. Delsanter expressed that he wanted to make it clear to the residents that it's not the city's safety forces, and other communities are receiving an increase in car thefts as well.

Mr. DeForest added that Rocky River, Strongsville, Westlake, and other communities in Northern Ohio is experiencing an increase in car thefts.

#### **New Business:**

Consideration of a new liquor permit request from Scene 75 Entertainment Center, at 3688 Center Road, Brunswick, Ohio 44212:

Mr. Abella wanted to know if this liquor permit request from Scene 75 is a new permit or a renewal.

Mr. DeForest explained that the business is under new ownership, so a new liquor permit is needed.

There was no objection from the Administration or the City council for the liquor permit request.

#### **Adjournment:**

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

There being no further business, the meeting adjourned at 7:26 p.m.



Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

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Mayor Ron Falconi

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Adopted

DRAFT

November 2, 2020

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

WAIVERS/COURT/BONDS

***DEPOSITS (October) 27,755.28***

***DEBITS (October) (28,005.28)***

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Checks to be written in October:

|                                                    |                  |
|----------------------------------------------------|------------------|
| Treasurer State of Ohio                            | \$ 4,712.00      |
| City of Medina MIATF                               | \$ 125.00        |
| City of Medina IDATF                               | \$ 129.00        |
| City of Brunswick Finance Dept/Police Fund *       | \$22,789.28      |
| Misc Checks (bond refunds & transfers/restitution) | <u>\$ 250.00</u> |
| TOTAL for the month                                | \$28,005.28      |

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

Service Charges/Fees for prior month \$275.10

**MAYOR RONALD FALCONI**



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**TERESA BENO, CLERK OF COURTS**

APPLICATION FOR  
BOARDS AND COMMISSIONS



NAME John Egan PHONE 330-273-3836

STREET 3073 Holly Dr CELL 216-780-3534

Years of Residency 42 Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Board of Building Code Appeals EMAIL \_\_\_\_\_

EDUCATION \_\_\_\_\_ DEGREE \_\_\_\_\_ YEAR GRADUATED \_\_\_\_\_

HIGH SCHOOL Valley Forge Parma Heights High School Diploma

COLLEGE Cuyahoga Community College Associates in Business Real Estate

SPECIAL TRAINING IBEW Local 38 Journeyman Electrician

CURRENT EMPLOYMENT

| LoFaso Real Estate Services | 4118 Center Rd. | Broker/Realtor | 1/15 to 10/20 |
|-----------------------------|-----------------|----------------|---------------|
| Company                     | Address         | Title          | Dates         |

RELEVANT PAST EMPLOYMENT

| IBEW Local 38 | 1590 E. 23 St Cleveland | Journeyman Electrician | 8/77 to 8/2012 |
|---------------|-------------------------|------------------------|----------------|
| Company       | Address                 | Title                  | Dates          |

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

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Medina County Board of Realtors, Board of Building Code Appeals Storm Water Commission

VFW Post 3435 Strongsville

American Legion Post 234 Brunswick

REFERENCES (other than relation):

| 1. | NAME          | ADDRESS                            | PHONE        |
|----|---------------|------------------------------------|--------------|
| 2. | Sam Lofaso    | 4118 Center Rd Brunswick, OH 44212 | 330-220-7480 |
| 3. | Michelle Cobb | 4118 Center Rd. Brunswick, OH      | 330-220-4780 |

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

Construction Electrician worked on many commercial projects, Realtor involved in the sale of residential properties

ATTACH RESUME IF DESIRED

Signature: John Egan Date: 10/30/2020

dotloop verified  
10/30/20 10:18 AM EDT  
QSLR-5RB3-WZSS-K870

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



APPLICATION FOR  
BOARDS AND COMMISSIONS

NAME Ryan Denker PHONE 216-288-4890

STREET 2932 Greenwich Lane CELL 216-288-4890

Years of Residency 10

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Building Board of Appeals EMAIL rdenks@gmail.com

| EDUCATION                                     | DEGREE                                         | YEAR GRADUATED |
|-----------------------------------------------|------------------------------------------------|----------------|
| HIGH SCHOOL <u>Toledo St. John's Jesuit</u>   | <u>High School Diploma</u>                     | <u>1994</u>    |
| COLLEGE <u>The University of Ohio State</u>   | <u>Bachelor in the Science of Architecture</u> | <u>2000</u>    |
| SPECIAL TRAINING <u>Kent State University</u> | <u>Master of Architecture</u>                  | <u>2006</u>    |

CURRENT EMPLOYMENT

| Company                     | Address                                        | Title            | Dates               |
|-----------------------------|------------------------------------------------|------------------|---------------------|
| <u>Cleveland Metroparks</u> | <u>4101 Fulton Road, Cleveland, Ohio 44144</u> | <u>Architect</u> | <u>2014-Present</u> |

RELEVANT PAST EMPLOYMENT

|                                  |                                                  |                  |                  |
|----------------------------------|--------------------------------------------------|------------------|------------------|
| <u>Zarzycki Malik Architects</u> | <u>7500 Pearl Road, Middleburg Heights, Ohio</u> | <u>Architect</u> | <u>2007-2014</u> |
| <u>FORUM Architects</u>          | <u>Cleveland, Ohio</u>                           | <u>Associate</u> | <u>2000-2007</u> |

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Licensed Architect in the State of Ohio

REFERENCES (other than relation):

|    | NAME                  | ADDRESS                                        | PHONE               |
|----|-----------------------|------------------------------------------------|---------------------|
| 1. |                       |                                                |                     |
| 2. | <u>Sean McDermott</u> | <u>4101 Fulton Road, Cleveland, Ohio 44144</u> | <u>216-452-8765</u> |
| 3. | <u>Andy Simons</u>    | <u>4101 Fulton Road, Cleveland, Ohio 44144</u> | <u>216-789-5823</u> |

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

I have been serving on the Building Board of Appeals for several years because it is a way for me to give back to the community I care about using the knowledge, education, and experiences I have in my professional life. I look forward to the opportunity to continue to serve on the Board of Building Appeals

Third Reference: Kelly Coffman 4101 Fulton Parkway, Cleveland, Ohio 44144 216-635-3299

ATTACH RESUME IF DESIRED.

Signature: Ryan J. Denker

Digitally signed by Ryan J. Denker  
DN: cn=Ryan J. Denker, email=rdenks@gmail.com  
Date: 2020.10.27 10:38:08 -0400

Date: 10/27/2020

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

## ECONOMIC DEVELOPMENT

September 15, 2020

**IN ATTENDANCE:** Chairman Nicholas Hanek, Committee Member Joseph Delsanter, Committee Member Patricia Hanek, Community & Economic Development Director Grant Aungst, Tom Keppler, Council Clerk Fijabi Julien-Gallam.

The virtual meeting convened at 5:15 p.m.

### GENERAL DISCUSSION:

Mr. Aungst began by expressing his gratitude to the Economic Committee and Council for moving the program forward for I.D. Images, which was very important to the business community, as well as the local community. The company I.D. Images, which provide custom and stock labels, were moving into a large facility, approximately 100,000 square-foot; from a two building facility. Mr. Aungst noted that with the current adversaries, the company continued to grow and were still hiring; with their corporate headquarters in Brunswick. The City competed for the organization to stay local, because they were nationally recognized. Within today's industry of shipping companies that utilize labels, the company was doing well.

Mr. Aungst spoke about local companies that were slow during this time such as, A Raymond Tinnerman, which were closing their manufacturing facility. The corporate offices would remain open and operational; they were working on a plan. Overall, the industries in metal have been experiencing slower times, which has been demonstrated in the automotive sector. Mr. Aungst felt that these industries would return in time. He was witnessing a lot of positive activity. Some industries were going to have some negative impact. Nationally, there have been 100,000 restaurants that have folded. The majority of restaurants in Brunswick were holding strong.

Mr. Aungst reported that Chick-fil-A were still progressing with their building. He shared that their locations were handpicked by their corporate office in Atlanta, therefore, it was very positive that Brunswick was chosen for this building. The company Baskets Galore, a home grown business, have acquired a property on north Pearl Road, in which the company would be filling a vacant building. Mr. Aungst mentioned that most projects take time. Meijer's was expected to begin building this spring.

Mrs. Hanek inquired about the store Marc's moving into the Kmart plaza, as well as plans for the old building. Mr. Aungst clarified that the owners of the plaza were proposing a redesign, where Marc's would move to the east into a new remodeled area; with additional space west of the building, in both the former Kmart and Marc's building. The old building would be occupied, in which there have been ongoing negotiations with other tenants both regionally and nationally. Marc's was planning on moving into the new space when ready.

Mr. Delsanter raised question about the number of closing restaurants, whether there was any tracking. Mr. Aungst was not aware of many local restaurants that had closed. Some that were exploring closing had been improving. He brought up federal grants, as well as emergency loan programs that had been available. Also, the County Commissioners had offered a grant program, which they were in their second round of analysis.

**ADJOURNMENT:**

Being no further business, Mrs. Hanek moved to adjourn at 5:34 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Nicholas Hanek  
Chairman

## SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

October 12, 2020

**IN ATTENDANCE:** Chairman Michael Abella Jr., Committee Member Brian Ousley, Committee Member Anthony Capretta, Patricia Hanek, Joseph Delsanter, Nicholas Hanek, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Information Technology and Security Officer Rob Marok, Community & Economic Development Director Grant Aungst, Tom Keppler, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:20 p.m.

### **DISCUSSION ITEMS:**

**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. - **1<sup>st</sup> Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

Mr. Marok explained that this was the second half of the switch project that began last year. This would entail switching at the outer buildings within the City, such as Service, Fire, and Cable departments.

Mr. Ousley moved this resolution to tonight's Council Agenda of October 12, 2020, as an emergency for two readings. Vote – 3 Ayes, 0 Nays.

**RES. NO. 75-2020** – An emergency resolution authorizing the City Manager to enter into an agreement with TEC Communications for the purchases of a Cisco phone system in an amount not to exceed \$170,000. - **1<sup>st</sup> Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Robert Marok*)

Mr. Marok indicated that this would replace the phones in all City buildings; Parks, Fire, Police, and City Hall. The age of the main telephone system was approaching twenty years. The company Cisco was the most cost effective and better choice.

Mr. Capretta moved this resolution to tonight's Council Agenda of October 12, 2020, as an emergency for two readings. Vote – 3 Ayes, 0 Nays.

### **GENERAL DISCUSSION:**

Mr. Delsanter pointed out that there was a second reading coming up on resolution 70-2020, which was for the adoption of the Solid Waste Management Plan for Medina County; including the flow

control. He was still concerned about what was best for the City and had conversations with the Service Director. There were still many unanswered questions. Mr. Delsanter questioned if the City was eliminating their bargaining position, where there may be a better cost benefit to residents. He asked if there would be further communication from the Service Director and the County, as to how this benefited the City.

Mr. DeForest indicated that he would follow up regarding this. Mr. Abella agreed that it would be best to get questions and uncertainties answered. Mr. Delsanter wanted to be more certain of options prior to moving forward. Mr. Abella raised question regarding the time table for adoption. Mr. DeForest clarified that it would go into effect January 2021, in which he would need confirmation.

Mr. Ousley concurred with Mr. Delsanter in obtaining more information from the Service Director prior to any action being taken. As discussion ensued, Mr. Abella concluded that he hoped Council would be able to gain a better understanding.

**ADJOURNMENT:**

Being no further business, Mr. Ousley moved to adjourn at 6:27 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Abella Jr.", is written over a light gray rectangular background. A large, diagonal "DRAFT" watermark is visible across the page.

Michael Abella Jr.  
Chairman



## FINANCE COMMITTEE MEETING

October 12, 2020

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

The virtual meeting convened at 6:34 p.m.

### **DISCUSSION ITEMS:**

**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*)

Mr. Fischer explained that every year the City is required to approve property tax rates in order to be billed at the County in January. Property tax rates are expected to remain the same. There is only one voted levy in existence, which is the \$1.2 million Road Levy. The Road Levy is estimated to generate \$855,300 per the County Auditor; the ten year levy term runs from 1/1/2014 through 12/31/2023. The collection years on those levies are actually one year later. Therefore, the City would collect that money through 2024, and that levy is set to expire if not renewed. If approved this evening, Mr. Fischer would file that with the County once paperwork was completed.

Mrs. Zak moved this resolution to tonight's Council Agenda of October 12, 2020, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

### **GENERAL DISCUSSION:**

Mr. Fischer announced that the September financial reports had been sent out. The City received roughly \$2.3 million in CARES Act funding that had been spent; per the four House Bills that were passed for the Coronavirus relief bill. Lastly, the Public Hearing 2021 Budget Meeting was set for the date of November 2, 2020, to discuss the Budget Proposal.

### **ADJOURNMENT:**

Being no further business, Mr. Delsanter moved to adjourn at 6:37 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

*Patricia Hanek*

Patricia Hanek  
Chairwoman

DRAFT

## SAFETY & ENVIRONMENT COMMITTEE MEETING

October 12, 2020

**IN ATTENDANCE:** Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Val Zak, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Patricia Hanek, City Manager/Safety Director Carl DeForest, Information Technology and Security Officer Rob Marok, Community & Economic Development Director Grant Aungst, Law Director Kenneth Fisher, Tom Keppler, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:28 p.m.

### DISCUSSION ITEMS:

**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. – **1<sup>st</sup> Reading** (To be brought from Safety & Environment Committee, Administration/Carl DeForest)

Mr. DeForest explained that this ordinance represented the Collective Bargaining Agreement (CBA) with the Fraternal Order of Police, Unit 15; the Sergeants. The City had six CBA's, whereas, five had gone through legislation. The final one was for the Sergeants, in which the City started negotiations last October 2019, with a series of meetings and items going to mediation recently.

Mrs. Zak moved this ordinance to tonight's Council Agenda of September 28, 2020, for three readings. Vote – 3 Ayes, 0 Nays.

### GENERAL DISCUSSION:

Mr. Delsanter brought up the issue of increased car thefts in Brunswick, in which he had sent an e-mail to everyone. He discovered this was more of a regional problem. He expressed gratitude to Mr. DeForest for his response, and also to Mr. Abella for the tools he had mentioned for residents to help with this issue. Mr. Delsanter asked about the number of incidences. Mr. DeForest indicated that there had been a total of nine. Mr. Delsanter expressed the importance of staying ahead of this problem.

### ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:33 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta  
Chairman

DRAFT

## SAFETY & ENVIRONMENT COMMITTEE MEETING

September 28, 2020

**IN ATTENDANCE:** Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Val Zak, Brian Ousley, Nicholas Hanek, Joseph Delsanter, Patricia Hanek, City Manager/Safety Director Carl DeForest, Service Director Paul Barnett, Fire Chief Josh Erskine, Law Director Kenneth Fisher, Council Clerk Fijabi Julien-Gallam, Beth Biggins-Ramer, Libby McGraw, News Media.

The meeting convened at 6:17 p.m.

### DISCUSSION ITEMS:

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

Chief Erskine explained that this request would help align the department with the Division of Police protocol and also allow a larger pool of candidates for the hiring process. Mr. Capretta mentioned that he had met with Chief Erskine and supported the idea.

Mr. Ousley raised concern about whether it would be helping the community. He was concerned about positions that were vacant and the challenge of filling them. He brought up that there were five positions currently open. He thought that other communities had the challenge of positions leaving and not being able to fill them timely. He wondered whether a sufficient amount of candidates would be interested in doing lateral moves to Brunswick.

Chief Erskine clarified that the process of having the formal Civil Service testing would still be in place. The ordinance would allow candidates from other communities, already trained, to come to the City if desired. He explained that there were only 13 candidates to choose from at this time. He shared that this option would help avoid repeated testing, which cost money to the City and tax payers. He felt that this avenue would help bring candidates in with no concerns.

Mr. DeForest concurred with Chief Erskine. He felt that this option would save much time, energy, and cost in the training for other candidates.

Mrs. Zak moved this ordinance to tonight's Council Agenda of September 28, 2020, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

**Presentation on local data figures from surveys conducted earlier this year about the availability of tobacco products to youth – Libby McGraw, Medina County Health Department Health Educator**

Libby McGraw, a health educator at the Medina County Health Department gave a presentation of educational information on tobacco policies, tobacco point of sale, and some findings through observations and assessments that were done in the community. Attached report is included herein.

**GENERAL DISCUSSION:**

There was none.

**ADJOURNMENT:**

Being no further business, Mr. Abella moved to adjourn at 6:38 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Anthony Capretta  
Chairman

## PLANNING AND ZONING COMMITTEE

September 28, 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, Service Director Paul Barnett, Law Director Kenneth Fisher, Tom Keppler, Council Clerk Fijabi Julien-Gallam, Beth Biggins-Ramer, News Media.

The virtual meeting convened at 6:38 p.m.

### **DISCUSSION ITEMS:**

**RES. NO. 67-2020** – An emergency ordinance 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. - **1<sup>st</sup> Reading** (To be brought from Planning & Zoning Committee, *Administration/Matt Jones*)

Mr. DeForest explained that this entailed the 2-foot wide asphalt path from Plum Creek Park north, to the end of Brunswick Lake Park; which would be Phase 1. The latest estimate, which was more accurate due to the trail's location, would be an increase of \$194,410.000. That would go with the original match from the City and \$301,500.00 from the ODNR (Department of Natural Resources) grant to start Phase 1; to construct the path.

Mr. Delsanter questioned the timing of the project. Mr. DeForest clarified that the engineering had been completed. The hope was to begin the project in the fall with the majority of the path being completed next spring. Mr. Hanek questioned if there were any issues with the time frame of construction based on the grant. Mr. DeForest indicated there were extended deadlines due to Covid-19, with no concerns. Mr. Hanek was curious as to potential funding for Phase II. Mr. DeForest clarified that the ODNR had implied they may notify grantees by the middle of November; however, that was uncertain.

Mr. Ousley moved this resolution to tonight's Council Agenda of September 28, 2020, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

**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. - **1<sup>st</sup> Reading** (To be brought from Planning & Zoning Committee, *Administration/Ken Fisher*)

Mr. Delsanter noted that as previously discussed, this was to be able to begin the process before being referred to Planning Commission.

Mr. Fisher explained that the property was roughly 13 acres, currently in the R-R Rural Residential District. The proposed SPD-7 ordinance would create a new SPD; number 7. The plan submitted by the developer had included 34 single family, residential parcels with proposed design guidelines. Mr. Fisher concurred with Mr. Delsanter that this would be referred to Planning Commission for recommendation at the public hearing.

Mr. Ousley mentioned that with this plan, approximately 140 new residents would be coming to the community. He expressed that he would always vote “no” on housing or apartments of any type, until it were demonstrated that the City would place more men and women in its Safety Services and other divisions. He felt that the City continued to grow without adding more staff to take care of the community that was being added to.

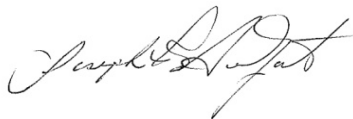
Mr. Hanek moved this ordinance to tonight’s Council Agenda of September 28, 2020, for first reading. Vote – 2 Ayes, 1 Nay – Mr. Ousley.

**GENERAL DISCUSSION:**

**ADJOURNMENT:**

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

Respectfully submitted,



Joseph Delsanter  
Chairman



## PROPOSED LEGISLATION



**DATE:** 11/9/2020

**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. - **3rd Reading** (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.

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

**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. 77-2020** - An emergency resolution providing for temporary relief from the temporary sign regulations contained in City of Brunswick Codified Ordinance Section 1270.10 by waiving the number of temporary special event sign permits permitted in commercial and industrial zoning districts and durational requirements for display. - **2nd Reading** (Planning & Zoning Committee, *Administration/Ken Fisher*)

**BACKGROUND:** The City has adopted temporary special event sign regulations as set forth in Section 1270.10 of the Codified Ordinances.

**PURPOSE AND EXPLANATION:** The City wishes to provide businesses in the community the opportunity to reach the public, in this year's challenging environment for small retailers and commercial businesses, by allowing the maximum number of permits permitted and the durational requirements for display of temporary special event signage contained in City of Brunswick Codified Ordinance Section 1270.10 be waived through the end of the year, thereby giving businesses the opportunity through the holiday season. Businesses would still need to obtain a permit and also sign a Stipulated Agreement obtained through the Division of Permits & Inspections, approved by the Law Director. A similar program was established in the past several years, during the same time frame, after approval by Council resolution.

**IMPLEMENTATION SCHEDULE:** It is anticipated to advise the local chamber of commerce and area businesses upon passage of the legislation.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**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?

Two readings and pass as an emergency measure to enable local businesses to increase their attempts to reach the public.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 77-2020

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

AN EMERGENCY RESOLUTION PROVIDING FOR TEMPORARY RELIEF FROM THE TEMPORARY SIGN REGULATIONS CONTAINED IN CITY OF BRUNSWICK CODIFIED ORDINANCE SECTION 1270.10 BY WAIVING THE NUMBER OF TEMPORARY SPECIAL EVENT SIGN PERMITS PERMITTED IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS AND DURATIONAL REQUIREMENTS FOR DISPLAY.

WHEREAS: The City Council believes that it is appropriate and in the best interest of the citizens and business owners of the City of Brunswick to enable local businesses to increase their attempts to reach the public thus continuing to support and grow the local economy;

WHEREAS: The City has adopted temporary sign regulations as set forth in Section 1270.10 of the Codified Ordinances and the City still supports those regulations and their intent; and

WHEREAS: City Council wishes to provide temporary relief from the temporary sign regulations for businesses in the City of Brunswick in an attempt to increase economic opportunities.

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

SECTION 1: In recognition of the objective to support the local economy and businesses, temporary relief from the temporary sign regulations contained in Section 1270.10 of the City of Brunswick Codified Ordinances shall be permitted as follows:

- A) Persons and/or entities owning or leasing property in commercial or industrial zoning districts in the City upon which their business is located may, upon issuance of necessary permits by the City and execution of the attached Stipulated Agreement, erect authorized temporary signage in such manner as permitted by Section 1270.10 and this Resolution.
- B) The maximum total number of permits and the durational requirements for display of temporary signage contained in City of Brunswick Codified Ordinance Section 1270.10 shall be waived.
- C) The temporary relief granted herein is effective from the effective date of this Resolution up to and including December 31, 2020.

SECTION 2: All requirements contained in City of Brunswick Section 1270.10 or Chapter

1270, as may be amended from time to time, not modified by this Resolution shall remain in full force and effect.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, or welfare and to provide for the usual daily operation of a municipality and for the additional reason that this temporary relief is necessary to immediately enable local businesses to increase their attempts to reach the public and drive growth for local businesses and the economy. Therefore, the same shall be in full force from and after its passage by the required number of votes or from the earliest time allowed by law.

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Jim Foster

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 79-2020** - A resolution authorizing the City Manager to enter into a three (3) year agreement with Any Domestic Work, Inc. to provide custodial services at City Hall and the Police Department in a monthly amount not to exceed \$3,925.00. - **2nd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

**BACKGROUND:** Public bids were received and opened on October 13, 2020. One bid was received. The lowest and best bidder was ADW.

**PURPOSE AND EXPLANATION:** Custodial services are required for City Hall 5 days a week and Police Department 7 days a week.

**IMPLEMENTATION SCHEDULE:** As soon as allowed by law and/or by March 1, 2021.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** No change in costs from the old contract and new bid received. The monthly amount for City Hall and Police Department in total is \$3,925. The costs will be broken down between the General Fund and the Police Fund based on a calculation relating to the square footage and the # of days cleaned in the year. The costs for this contract must be appropriated (budgeted) by Council pursuant to State Law. The costs for this contract will be subject to sufficient Council appropriations and properly certified purchase order pursuant to ORC 5705.41 D.

**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?

We recommend the legislation be read three times with suspension of the rules so the new vendor can be prepared to take over effective March 1, 2021.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 79-2020

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH ANY DOMESTIC WORK, INC. TO PROVIDE CUSTODIAL SERVICES AT CITY HALL AND THE POLICE DEPARTMENT IN A MONTHLY AMOUNT NOT TO EXCEED \$3,925.00.

WHEREAS: The City of Brunswick received one (1) bid to provide custodial services at City Hall and the Police Department, in accordance with public bidding requirements; and

WHEREAS: The one (1) received public bid was opened on October 13, 2020, with Any Domestic Work, Inc. determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into a three (3) year Agreement with Any Domestic Work, Inc., the lowest and best bidder, to provide custodial services at City Hall and the Police Department in a monthly amount not to exceed \$3,925.00, subject to annual appropriations by City Council as required by law.

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

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

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

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

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

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

**THE CITY OF BRUNSWICK**  
**PROPOSED LEGISLATION**



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Jim Foster

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 80-2020** - A resolution authorizing the City Manager to enter into a three (3) year agreement with Any Domestic Work, Inc. to provide custodial services at the Brunswick Community Recreation and Fitness Center in a monthly amount not to exceed \$5,745.00. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

**BACKGROUND:** Public bids were received on October 13, 2020 with ADW being the lowest and the best bidder.

**PURPOSE AND EXPLANATION:** The Brunswick Recreation and Community Fitness Center needs custodial services 7 days a week.

**IMPLEMENTATION SCHEDULE:** As soon as allowed by law and/or by March 1, 2021.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** No change in costs from old contract and new bid received. Monthly rate is \$5,745. The costs for this contract must be appropriated (budgeted) by Council pursuant to State Law. The costs for this contract will be subject to sufficient Council appropriations and properly certified purchase order pursuant to ORC 5705.41 D.

**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. 80-2020

BY: Committee-of-the-Whole

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT WITH ANY DOMESTIC WORK, INC. TO PROVIDE CUSTODIAL SERVICES AT THE BRUNSWICK COMMUNITY RECREATION AND FITNESS CENTER IN A MONTHLY AMOUNT NOT TO EXCEED \$5,745.00.

WHEREAS: The City of Brunswick received one (1) bid to provide custodial services at the Brunswick Community Recreation and Fitness Center, in accordance with public bidding requirements; and

WHEREAS: The one (1) received public bid was opened on October 13, 2020, with Any Domestic Work, Inc. determined to be the lowest and best bidder.

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

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into a three (3) year Agreement with Any Domestic Work, Inc., the lowest and best bidder, to provide custodial services at the Brunswick Community Recreation and Fitness Center in a monthly amount not to exceed \$5,745.00, subject to annual appropriations by City Council as required by law.

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

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Jim Foster

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 81-2020** - A resolution permitting the City Administration to sell, through public internet auctions, personal property, including motor vehicles acquired for the use of Municipal Officers and Departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2021. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*)

**BACKGROUND:** City Council is required to adopt an annual resolution permitting the City to utilize the internet auction provisions of O.R.C. Section 721.15

**PURPOSE AND EXPLANATION:** In order to allow the City Administration to see, through public internet auctions, personal property, including motor vehicles acquired for the use of municipal offices and departments, and road machinery, equipment, tools or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired, legislation must be adopted by City Council annually.

**IMPLEMENTATION SCHEDULE:** This legislation would be effective January 1, 2021.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** Receipts received are returned to the respective capital fund or subfund.

**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?  
This legislation is required to be read three (3) times.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 81-2020

BY: Committee-of-the-Whole

A RESOLUTION PERMITTING THE CITY ADMINISTRATION TO SELL, THROUGH PUBLIC INTERNET AUCTIONS, PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS, OR SUPPLIES, WHICH ARE NOT NEEDED FOR PUBLIC USE, OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED FOR THE YEAR 2021.

WHEREAS: Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction; and

WHEREAS: An annual Resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

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

SECTION 1: That this Council hereby permits the City Administration to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2021.

SECTION 2: That the Clerk of Council shall cause notice of the adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least two (2) times. The second and any subsequent notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice.

SECTION 3: That the Clerk of Council shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the offices of the Clerk of Council and the City Council and shall cause said notice to be posted continuously throughout the year on the City website.

SECTION 4: That the City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.



SECTION 5: That bidding shall continue for no less than fifteen (15) days, including Saturdays, Sundays and legal holidays, and shall be set for each item as noted on the internet auction site.

SECTION 6: That all terms and conditions of sale, including but not limited to pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

SECTION 7: That the highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, the City shall remit an invoice to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

SECTION 8: That all communication with the successful bidder shall occur in writing. Arrangements and costs associated with delivery to the successful bidder shall be the sole responsibility of the successful bidder. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the successful bidder.

SECTION 9: That all items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Brunswick, its officers, employers and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Brunswick, its officers, employers and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

SECTION 10: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 11: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

---

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

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

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

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

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

Clerk of Council  
Fijabi Julien-Gallam, CMC

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Brian Ohlin

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 83-2020** - An ordinance amending section 248.02 of the City of Brunswick Codified Ordinances relative to residency restrictions and maximum age limitations for new hire police officers. - **2nd Reading** (Safety & Environment Committee, *Administration/Brian Ohlin*)

**BACKGROUND:** For the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reasons that immediate passage is necessary for the retention of Police Officers to provide for the continued efficient, effective and adequate operation of the Division of Police.

**PURPOSE AND  
EXPLANATION:**

**IMPLEMENTATION  
SCHEDULE:**

**FINANCIAL  
INFORMATION:**

**FINANCIAL  
SUMMARY:**

**RECOMMENDED  
ACTION:**

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

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

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the

additional reasons that immediate passage is necessary for the retention of Police Officers to provide for the continued efficient, effective and adequate operation of the Division of Police and to comply with applicable law. 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.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 83-2020

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

AN ORDINANCE AMENDING SECTION 248.02 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES RELATIVE TO RESIDENCY RESTRICTIONS AND MAXIMUM AGE LIMITATIONS FOR NEW HIRE POLICE OFFICERS.

WHEREAS: This Council desires to make amended provisions for the hiring of experienced Police Officers for the City in order to provide for the continued efficient, effective and adequate operation of the Division of Police.

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

SECTION 1: That Section 248.02 of the Codified Ordinances is hereby amended to read as follows:

“(a) Each applicant to the Division of Police, upon ~~his~~ application and subsequent appointment to the Division, shall reside in Medina County or any County adjacent to Medina County, or within twenty-five miles of the City. Upon serving the probationary period, each member of the Division shall continue such residency as long as he/~~she~~ remains a member thereof. Members of the Division shall be citizens of the United States, of good moral character, at least twenty-one years of age and mentally and physically fit to perform the duties customarily required in the position to which appointment is made. Members presently employed in the Division shall be bound by the residency requirement set forth herein unless it has been previously waived prior to the passage of this amendment. A physical examination by a licensed physician shall be required of each applicant for appointment or promotion, the cost of which shall be paid by the City.

(b) Any person between the ages of twenty-one and ~~thirty-six~~forty-five , ~~inclusive,~~ may receive an original appointment to the Division from an eligibility list or lateral transfer list.”

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

---

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Josh Erskine

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 84-2020** - An ordinance amending section 250.04 of the City of Brunswick Codified Ordinances relative to residency restrictions and maximum age limitations for new hire fire medics. - **2nd Reading** (Safety & Environment Committee, *Administration/Josh Erskine*)

**BACKGROUND:** A measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reasons that immediate passage is necessary for the retention of Fire Medics to provide for the continued efficient, effective and adequate operation of the Division of Fire and Rescue and to comply with applicable law.

**PURPOSE AND EXPLANATION:** For the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reasons that immediate passage is necessary for the retention of Fire Medics to provide for the continued efficient, effective and adequate operation of the Division of Fire and Rescue and to comply with applicable law.

**IMPLEMENTATION SCHEDULE:**

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:**

**RECOMMENDED ACTION:**

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

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

A measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reasons that immediate passage is necessary for the retention of Fire Medics to provide for the continued efficient, effective and adequate operation of the Division of Fire and Rescue and to comply with applicable law.

**ADDITIONAL  
INFORMATION:**



CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 84-2020

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

AN ORDINANCE AMENDING SECTION 250.04 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES RELATIVE TO RESIDENCY RESTRICTIONS AND MAXIMUM AGE LIMITATIONS FOR NEW HIRE FIRE MEDICS.

WHEREAS: This Council desires to make amended provisions for the hiring of experienced Fire Medics for the City in order to provide for the continued efficient, effective and adequate operation of the Division of Fire and Rescue.

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

SECTION 1: That Section 250.04 of the Codified Ordinances is hereby amended to read as follows:

“(a) Individuals hired after the effective date of this subsection shall be, at the time of their appointment and during their tenure, a residents within a 25-mile radius of the City of Brunswick of Medina County or any County adjacent to Medina County.

(b) All appointments in the Division shall be for a probationary period of one year of continuous service, and no appointment shall be deemed final until the appointee has satisfactorily served his probationary period. Any person between the ages of eighteen and forty may receive an original appointment in the Division from an eligibility list or lateral transfer list. Any person between the ages of forty and forty-five may receive a transfer from another Ohio public entity from the lateral transfer list (original appointment fulfilled in other Ohio public entity).

(c) The Fire Chief shall make a written report to the City Manager/Safety Director at the end of such probationary period concerning the manner in which the appointee has performed his duties. Upon the furnishing of a satisfactory report to the Director, such probationary member shall be deemed a voluntary permanent fire medic-fighter within the Division.”

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

---

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Todd Fischer

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 85-2020** - An emergency ordinance adopting the Annual Appropriation Budget for Expenditures of the City of Brunswick for the year beginning January 1, 2021 and ending December 31, 2021 - **1st Reading** (To be brought from Finance Committee, Administration/Todd Fischer)

**BACKGROUND:** Each year and in accordance with Ohio Revised Code Section 5705.38 (A) Council is required to adopt an annual appropriation budget.

**PURPOSE AND EXPLANATION:** In order to comply with the Ohio Revised Code Section 5705 any and all activity of the City must be included in the budget.

As actual information is obtained and compared to estimates or new items are requested to be added or deleted by the respective departments, it is required to present proposed budget amendments to Council for approval. This process is required by law and audited under the direction of the Auditor of State for compliance every year.

### IMPLEMENTATION

**SCHEDULE:** The 2021 Budget proposal was presented and discussed with the Finance Committee and other members of Council on November 2, 2020. This budget legislation has been moved to the November 9, 2020 Council agenda as an emergency with suspension of the rules for two readings.

The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more timely and seamless transition into 2021.

### FINANCIAL INFORMATION:

Schedule of Fund Appropriations - See Exhibit A - 01/01/2021 - See Exhibit A - Various - - 72128730.79

### FINANCIAL

**SUMMARY:** The total 2021 appropriation budget for all funds (including all book internal transfers, self-insurance, agency funds, etc.) equals \$72,128,730.79.

**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?  
The 2021 Budget proposal was presented and discussed with the Finance Committee and other members of Council on November 2, 2020. This budget legislation has been moved to the November 9, 2020 Council agenda as an emergency with suspension of the rules for two readings.  
  
The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more timely and seamless transition into 2021.

**ADDITIONAL  
INFORMATION:** See Exhibit A.

**City of Brunswick, Ohio**  
 Departmental Budget Worksheet  
 Exhibit A  
 For the Budget Year Ending, December 31, 2021

| Fund Number                       | Fund Name / Department                   | Personal Service | Other            | Total            |
|-----------------------------------|------------------------------------------|------------------|------------------|------------------|
| <b>General Fund</b>               |                                          |                  |                  |                  |
| 001                               | General Fund                             |                  |                  |                  |
|                                   | City Council                             | 170,488.00       | 83,544.00        | \$ 254,032.00    |
|                                   | Mayor                                    | 99,580.00        | 93,942.00        | \$ 193,522.00    |
|                                   | City Manager                             | 187,768.00       | 135,094.00       | \$ 322,862.00    |
|                                   | Information Technologies                 | 168,918.00       | 290,159.00       | \$ 459,077.00    |
|                                   | Engineering                              | 23,769.00        | 318,748.00       | \$ 342,517.00    |
|                                   | Building Department                      | 336,552.00       | 216,525.00       | \$ 553,077.00    |
|                                   | Cemetery Maintenance                     | -                | 29,075.00        | \$ 29,075.00     |
|                                   | Janitorial Contract                      | -                | 21,627.00        | \$ 21,627.00     |
|                                   | City Hall Building & Grounds             | 17,851.00        | 66,979.00        | \$ 84,830.00     |
|                                   | Administrative Services                  | 88,626.00        | 56,694.00        | \$ 145,320.00    |
|                                   | Economic Development                     | 111,361.00       | 274,381.00       | \$ 385,742.00    |
|                                   | Animal Control                           | 75,237.00        | 71,533.00        | \$ 146,770.00    |
|                                   | Law Department                           | 187,380.00       | 254,906.00       | \$ 442,286.00    |
|                                   | Finance Department                       | 251,803.00       | 232,249.00       | \$ 484,052.00    |
|                                   | Income Tax Department                    | 200,640.00       | 214,214.00       | \$ 414,854.00    |
|                                   | Parks & Recreation Director              | 88,938.00        | 67,004.00        | \$ 155,942.00    |
|                                   | General Fund Administration              | -                | 1,024,938.00     | \$ 1,024,938.00  |
|                                   | Planning Division/Community Development  | 46,935.00        | 32,520.00        | \$ 79,455.00     |
|                                   | Board of Building Appeals                | 468.00           | 1,215.00         | \$ 1,683.00      |
|                                   | Board of Zoning Appeals                  | 3,287.00         | 4,949.00         | \$ 8,236.00      |
|                                   | Board of Civil Service                   | 10,550.00        | 26,921.00        | \$ 37,471.00     |
|                                   | Board of Ethics                          | 5,330.00         | 4,615.00         | \$ 9,945.00      |
|                                   | Board of Charter Review                  | -                | -                | \$ -             |
|                                   | Board of Commemorative Affairs           | -                | 22,000.00        | \$ 22,000.00     |
|                                   | General Fund Transfers / Advances        | -                | 20,490,076.00    | \$ 20,490,076.00 |
| 001                               | Total General Fund                       | \$ 2,075,481.00  | \$ 24,033,908.00 | \$ 26,109,389.00 |
| <b>Special Revenue Funds:</b>     |                                          |                  |                  |                  |
| 110                               | Court Computerization Fund               | 10,543.00        | 18,064.00        | \$ 28,607.00     |
| 111                               | FEMA Grant Fund                          | -                | 2,963.65         | \$ 2,963.65      |
| 114                               | Police Wages Fund                        | 4,505,164.00     | 4,167,632.00     | \$ 8,672,796.00  |
| 115                               | Fire Fund                                | 2,493,782.00     | 2,897,871.95     | \$ 5,391,653.95  |
| 117                               | Street Repair & Maintenance Fund         | 1,181,081.00     | 2,409,126.70     | \$ 3,590,207.70  |
| 118                               | State Highway Fund                       | -                | 134,275.00       | \$ 134,275.00    |
| 119                               | Law Enforcement Fund                     | -                | -                | \$ -             |
| 120                               | Brunswick Transit Alternative (BTA) Fund | -                | 45,000.00        | \$ 45,000.00     |
| 123                               | Brunswick Area Television (BAT) Fund     | 148,333.00       | 255,421.00       | \$ 403,754.00    |
| 127                               | Parks Fund                               | 208,800.00       | 301,723.00       | \$ 510,523.00    |
| 129                               | Department of Justice Federal Grant Fund | -                | 69,154.88        | \$ 69,154.88     |
| 130                               | DUI Enforcement & Education Fund         | -                | -                | \$ -             |
| 131                               | Recreation Center Fund                   | 390,221.00       | 558,966.00       | \$ 949,187.00    |
| 133                               | Home Improvement Grant Fund (CDBG)       | -                | 39,162.40        | \$ 39,162.40     |
| <b>Enterprise Funds:</b>          |                                          |                  |                  |                  |
| 223                               | Refuse Fund                              | 67,482.00        | 2,695,797.00     | \$ 2,763,279.00  |
| 224                               | Storm Water Management Fund              | 32,073.00        | 1,822,029.08     | \$ 1,854,102.08  |
| <b>Capital Improvement Funds:</b> |                                          |                  |                  |                  |
| 300                               | General Permanent Improvement Fund       | -                | 656,928.00       | \$ 656,928.00    |
| 332                               | Road Levy Fund                           | -                | 2,566,250.00     | \$ 2,566,250.00  |
| 333                               | Road Improvement Fund                    | -                | 4,126,743.78     | \$ 4,126,743.78  |
| 334                               | Traffic Control Fund                     | -                | -                | \$ -             |
| 335                               | Public Square Fund                       | -                | -                | \$ -             |
| 336                               | City Building Improvement Fund           | -                | 423,585.74       | \$ 423,585.74    |
| 339                               | Fire Improvement Fund                    | -                | -                | \$ -             |
| 341                               | Park Improvement Fund                    | -                | 764,654.00       | \$ 764,654.00    |
| 347                               | North Carpenter Road Improvement Fund    | -                | 5,521,727.66     | \$ 5,521,727.66  |
| 348                               | Boston Road Improvement Fund             | -                | 93,519.24        | \$ 93,519.24     |
| 353                               | I-71 / Rt. 303 Enhancement Fund          | -                | -                | \$ -             |

**City of Brunswick, Ohio**  
 Departmental Budget Worksheet  
 Exhibit A  
 For the Budget Year Ending, December 31, 2021

| Fund Number                 | Fund Name / Department                            | Personal Service | Other        | Total                   |
|-----------------------------|---------------------------------------------------|------------------|--------------|-------------------------|
| 360                         | Brunswick Lake Improvement Fund                   | -                | 40,575.00    | \$ 40,575.00            |
| 371                         | OPWC Laurel Road Improvement Fund                 |                  | 1,864,706.31 | \$ 1,864,706.31         |
| 372                         | OPWC Old Eagle Drive Improvement Fund             |                  | 994,330.00   | \$ 994,330.00           |
| <b>Self Insurance Fund:</b> |                                                   |                  |              |                         |
| 600                         | Self Insurance Fund                               | -                | 3,445,000.00 | \$ 3,445,000.00         |
| <b>Debt Service Funds:</b>  |                                                   |                  |              |                         |
| 771                         | General Obligation Bond Retirement Fund           | -                | -            | \$ -                    |
| 781                         | Special Assessment BRF: South Industrial Parkway  | -                | 45,693.90    | \$ 45,693.90            |
| 782                         | Special Assessment BRF: Laurel Road (2006)        | -                | 40,187.50    | \$ 40,187.50            |
| 783                         | Special Assessment BRF: Brunswick Lake - Dam      | -                | 18,948.81    | \$ 18,948.81            |
| 784                         | Special Assessment BRF: Brunswick Lake - Dredging | -                | 11,826.19    | \$ 11,826.19            |
| <b>Agency Funds:</b>        |                                                   |                  |              |                         |
| 881                         | General Trust Agency Fund                         | -                | 750,000.00   | \$ 750,000.00           |
| 882                         | Unclaimed Money Agency Fund                       | -                | 20,000.00    | \$ 20,000.00            |
| 885                         | Flexible Spending Agency Fund                     | -                | 140,000.00   | \$ 140,000.00           |
| 886                         | Non-Residential 3% Building Permit Agency Fund    | -                | 30,000.00    | \$ 30,000.00            |
| 887                         | Residential 1% Building Permit Agency Fund        | -                | 10,000.00    | \$ 10,000.00            |
| <b>Grand Total</b>          |                                                   |                  |              | <b>\$ 72,128,730.79</b> |

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 85-2020

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

AN EMERGENCY ORDINANCE ADOPTING THE ANNUAL  
APPROPRIATION BUDGET FOR EXPENDITURES OF THE CITY OF  
BRUNSWICK FOR THE YEAR BEGINNING JANUARY 1, 2021 AND  
ENDING DECEMBER 31, 2021

WHEREAS: The City of Brunswick Charter requires that an annual budget be prepared and submitted as provided by the laws of the State of Ohio;

WHEREAS: Ohio Revised Code Section 5705.38(A) requires this Council to adopt an annual appropriation budget; and

WHEREAS: City Council has publicly reviewed the 2021 Operating and Capital Program Budget and is desirous to comply with local and State Laws.

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

SECTION 1: That to provide for expenditures of the City of Brunswick, Ohio during the fiscal year beginning January 1, 2021 and ending December 31, 2021, the 2021 Operating and Capital Program Appropriation Budget, as attached hereto and incorporated herein as Exhibit "A", is hereby adopted.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that Ohio law prescribes time limitations on the adoption and certification of the 2021 Operating and Capital Appropriation Budget. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

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

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

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

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

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

**THE CITY OF BRUNSWICK**  
**PROPOSED LEGISLATION**



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Todd Fischer

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 86-2020** - An emergency ordinance amending Section 1 of Ordinance No. 93-19 to provide for a Revised Allocation of Municipal Income Tax receipts during the period from January 1, 2021 through December 31, 2021 - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

**BACKGROUND:** Per Codified Ordinance Section 880.01 (e) Council is required to pass an Ordinance when amending the distribution of municipal income taxes to various funds. Generally this process occurs at the beginning of the year when the new annual appropriation measure is being considered or “as needed” . The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City’s two income tax specific safety levies in place for 2021.

**PURPOSE AND  
EXPLANATION:**

In accordance with Section 880.01 (e) of the Brunswick Codified Ordinances, this Council will be required to pass ordinances from time to time to provide for the allocation of income tax receipts as required and permitted by Section 880.01; and

City Council has determined that the allocation formula during the period from January 1, 2021 through December 31, 2021, should maximize the amounts provided for municipal services and improvements; and

In order to carry out that purpose subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 93-19;

**IMPLEMENTATION  
SCHEDULE:**

The proposed 2021 income tax allocation draft legislation and 2021 appropriation budget was presented and discussed with the Finance Committee and other members of Council on November 2, 2020. This 2021 income tax allocation legislation is anticipated to be moved to the November 9, 2020 Council agenda for two readings as an emergency with suspension of the rules. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2021.



**FINANCIAL  
INFORMATION:**

**FINANCIAL  
SUMMARY:**

This piece of legislation adopts the distribution requirements for municipal income taxes and imposes a ceiling or maximum of income tax dollars that can be received in specifically listed funds. The estimated income tax collections and distribution of net income taxes as written have also been set to comply with the levy language of the City’s two income tax specific safety levies. Note: The actual income taxes received ultimately relate to the fiscal impact. Actual income tax receipt amounts will become known at the completion and closure of the fiscal year.

**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?  
The proposed 2021 income tax allocation draft legislation and 2021 appropriation budget was presented and discussed with the Finance Committee and other members of Council on November 2, 2020. This 2021 income tax allocation legislation is anticipated to be moved to the November 9, 2020 Council agenda for two readings as an emergency with suspension of the rules. The emergency clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a more seamless transition into 2021.

**ADDITIONAL  
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 86-2020

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

AN EMERGENCY ORDINANCE AMENDING SECTION 1 OF  
ORDINANCE NO. 93-19 TO PROVIDE FOR A REVISED ALLOCATION  
OF MUNICIPAL INCOME TAX RECEIPTS DURING THE PERIOD FROM  
JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

WHEREAS: In accordance with Section 880.01(e) of the City of Brunswick Codified Ordinances, this Council is required to pass Ordinances from time to time to provide for the allocation of income tax receipts as required and permitted by Codified Ordinance Section 880.01; and

WHEREAS: This Council has determined that the allocation formula during the period from January 1, 2021 through December 31, 2021 should maximize the amounts provided for municipal services and improvements; and

WHEREAS: In order to carry out such purpose, subject to and consistent with the requirements of Section 880.01 of the Codified Ordinances, this Council has determined that it is necessary to amend Section 1 of Ordinance No. 93-19;

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

SECTION 1: That Section 1 of Ordinance No. 93-19, adopted on November 25, 2019, be and is hereby amended to read as follows:

“SECTION 1. Subject to and consistent with the provisions of Section 880.01 of the Codified Ordinances, during the period from January 1, 2021 through December 31, 2021, the income tax receipts collected under the provisions of Chapter 880 of the Codified Ordinances each month, after provision for costs of administering and enforcing the provisions of that Chapter, shall be allocated to and deposited in or transferred to the following funds in the following percentage allocations notwithstanding the tax year to which they are attributable, at the close of each month:

| <b>Fund</b>                      | <b>Allocation</b> |
|----------------------------------|-------------------|
| Police Fund                      | 49.25%            |
| Fire Fund                        | 26.50%            |
| Street Repair & Maintenance Fund | 7.00%             |
| BTA Fund                         | 0.25%             |
| Parks Fund                       | 3.00%             |
| Capital Improvement Fund         | 3.25%             |
| General Fund                     | 10.75%            |

; provided that when amounts allocated to a fund reach the designated annual maximum for that fund for 2021 set forth below, no additional income tax receipts will be deposited into that fund in 2021. Any amounts in excess of such maximum allocations shall be allocated to the General Fund.

The annual maximum allocations for the various funds for 2021 shall be as follows:

| <b>Fund</b>                      | <b>Maximum Allocation</b> |
|----------------------------------|---------------------------|
| Police Fund                      | \$7,875,000               |
| Fire Fund                        | \$4,875,000               |
| Street Repair & Maintenance Fund | \$1,200,000               |
| BTA Fund                         | \$15,000                  |
| Parks Fund                       | \$540,000                 |
| Capital Improvement Fund         | No Limit                  |
| General Fund                     | No Limit                  |

This Council finds and determines that, based on the City's estimated income tax receipts for 2021, the allocation percentages and maximum allocations set forth in this Section are consistent with the requirements of paragraphs (b), (c) and (d) of Section 880.01 of the Codified Ordinances. This Council shall act promptly to revise the foregoing allocation percentages and or maximum allocations if, as and when such revisions are necessary to ensure continuing compliance with the requirements of Section 880.01 of the Codified Ordinances.

The Finance Director/Income Tax Administrator shall prepare monthly financial reports reflecting amounts of the prior month's allocations to the various funds and year to date allocations to the various funds and confirming the City's continuing compliance with the requirements of Section 880.01 of the Codified Ordinances.

SECTION 2: That Section 1 of Ordinance No. 93-19, as adopted on November 25, 2019, be and is hereby repealed.

SECTION 3: The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the additional reason that this Ordinance is necessary for the usual daily operation of a municipal government. Therefore the same shall be in full force and effect immediately after its passage by the required number of votes; otherwise, the earliest time permitted by law.

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

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

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

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

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

Clerk of Council  
Fijabi Julien-Gallam, CMC

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Todd Fischer

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **ORD. NO. 87-2020** - An emergency ordinance creating an OPWC Old Eagle Drive Improvement Fund (#372) - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

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

The OPWC Old Eagle Drive Improvement Fund #372 will be created and used to account for the OPWC monies awarded to the City of Brunswick for Old Eagle Drive improvement projects as outlined in the OPWC application(s).

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

The OPWC Old Eagle Drive Improvement Fund #372 will be created and used to account for the OPWC monies awarded to the City of Brunswick for Old Eagle Drive improvement projects as outlined in the OPWC application(s).

**IMPLEMENTATION SCHEDULE:** Legislation has been moved to the November 9, 2020 Council agenda as an emergency with suspension of the rules for two readings.

This will sync up with other 2021 budget legislation and related timetables for a seamless transition into 2021.

**FINANCIAL INFORMATION:**

**FINANCIAL SUMMARY:** The establishment of a fund allows for the accounting structure to be in place if and when a

grant is awarded. There are no costs associated with the act of establishing a fund.

A separate piece of legislation establishing the appropriations and/or authorization comes separately.

**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?

The emergency and suspension clause is considered necessary in order to remain in compliance with the Ohio Revised Code, allow for the daily operations of the City of Brunswick to continue without interruptions, and allow for a timely and seamless transition into 2021 by having the accounting structure in place.

**ADDITIONAL  
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 87-2020

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

AN EMERGENCY ORDINANCE CREATING AN OPWC OLD EAGLE  
DRIVE IMPROVEMENT FUND (#372)

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

WHEREAS: The OPWC Old Eagle Drive Improvement Fund #372 will be created and used to account for the OPWC monies awarded to the City of Brunswick for Old Eagle Drive improvement projects as outlined in the OPWC application(s).

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That an OPWC Old Eagle Drive Improvement Fund #372 is hereby created.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipal department, and for the further reason that proper fund accounting measures be created. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes.

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

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

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

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

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

## PROPOSED LEGISLATION



**DATE:** 11/9/2020

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

**FROM:** Carl S. DeForest, City Manager  
Matt Jones

**COPY:** Mayor Ron Falconi

**LEGISLATION:** **RES. NO. 88-2020** - An emergency resolution giving consent to the Ohio Department of Transportation to perform route sign replacements on U.S. Route 42 (Pearl Road). - **1st Reading** (To be brought from Services, Utilities, Technology, & Cable Committee, *Administration/Matt Jones*)

**BACKGROUND:** New legislation

**PURPOSE AND  
EXPLANATION:**

The proposed project will facilitate the systematic replacement of existing route signs along US Route 42 (Pearl Road) in the City of Brunswick. The project will be administered and 100% funded by the Ohio Department of Transportation.

**IMPLEMENTATION  
SCHEDULE:**

The project is anticipated to commence in Summer 2021.

**FINANCIAL  
INFORMATION:**

**FINANCIAL  
SUMMARY:** N/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?

It is requested that legislation is passed by emergency measure with suspension of the rules so that the legislation can be forwarded to Ohio Department of Transportation District 3 on or



before their December 10, 2020 deadline, and for the further reason to expedite the highway project and promote highway safety.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
RESOLUTION NO. 88-2020

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

AN EMERGENCY RESOLUTION GIVING CONSENT TO THE OHIO  
DEPARTMENT OF TRANSPORTATION TO PERFORM ROUTE SIGN  
REPLACEMENTS ON U.S. ROUTE 42 (PEARL ROAD).

WHEREAS: The Ohio Department of Transportation (“ODOT”) plans to systematically replace existing route signs along U.S. Route 42 (Pearl Road) (the “Project”) within the City of Brunswick;

WHEREAS: The Project is anticipated to commence in the summer of 2021 and will be 100% funded and administered by ODOT.

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

SECTION 1: That being in the public interest, the City hereby gives its consent to the Director of Transportation to complete the above described Project within the City of Brunswick.

SECTION 2: That the City shall cooperate with the Director of Transportation in the above described Project as follows: (a) the City hereby consents to the Project; and (b) although no funds are required from the City for the Project, the City agrees to assume and bear 100% of the total cost for added construction items requested by the City in writing and not necessary for the Project as determined by ODOT and the Federal Highway Administration.

SECTION 3: Upon completion of the Project, and unless otherwise agreed, the City shall: (a) provide adequate maintenance for the described Project in accordance with all applicable state and federal law; (b) provide ample financial provisions, as necessary, for the maintenance of the described Project; and (c) maintain the right-of-way, keeping it free from obstructions; and hold said right-of-way inviolate for public highway purposes.

SECTION 4: To the extent City owned facilities, as located within the municipal corporation limits or in a private easement outside municipal corporation limits, need to be relocated due to the Project, the City will be reimbursed for any costs incurred in such relocation; ODOT shall perform the coordination, relocation and reimbursement, which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual. If other public or private utilities need to be relocated due to the Project, no reimbursement will be provided for such relocations with exceptions due to easement, etc., to be provided.

SECTION 5: 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 this consent must be received by ODOT by December 10, 2020 to allow for the Project in the summer of 2021. 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.

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

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

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

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

Clerk of Council  
Fijabi Julien-Gallam, CMC

# PROPOSED LEGISLATION



**DATE:** 11/9/2020

**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. 89-2020** - An emergency ordinance extending a temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities in all Zoning Districts and Special Planning Districts in the City, with the exception of the Senior Development Special Planning District Number 5, and the issuance of such approvals. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

**BACKGROUND:** City Council had adopted Ordinance No. 12-2020 on February 24, 2020, and Ordinance No. 39-2020 on June 8, 2020, which established said temporary moratoriums. The City of Brunswick currently has multiple facilities for the use of convalescent care and special care facilities. We continue to examine all areas of the City, wanting to ensure the highest and best use, along with any practical difficulties that may affect the delivery of City services to such facilities. Therefore, it is requested that the temporary moratorium be extended for an additional six (6) months.

**PURPOSE AND EXPLANATION:** Based on our Advance Brunswick update, the City continues to study the highest and best use, along with analyzing the available resources the City services are able to offer these types of facilities.

## IMPLEMENTATION

**SCHEDULE:** Earliest time allowed by law

## FINANCIAL INFORMATION:

## FINANCIAL SUMMARY:

## RECOMMENDED ACTION:

|              |     |
|--------------|-----|
| One Reading  | Yes |
| Two Readings | No  |

|                     |     |
|---------------------|-----|
| Three Readings      | No  |
| Emergency           | Yes |
| Suspension of Rules | Yes |

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

To allow proper time to continue to analyze information presented in the Comprehensive Plan Update.

**ADDITIONAL  
INFORMATION:**

CITY OF BRUNSWICK, OHIO  
ORDINANCE NO. 89-2020

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

AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING, OCCUPANCY, CONDITIONAL USE AND/OR BUILDING PERMIT APPROVALS FOR CONVALESCENT CARE FACILITIES IN ALL ZONING DISTRICTS AND SPECIAL PLANNING DISTRICTS IN THE CITY, WITH THE EXCEPTION OF THE SENIOR DEVELOPMENT SPECIAL PLANNING DISTRICT NUMBER 5, AND THE ISSUANCE OF SUCH APPROVALS.

WHEREAS: On February 24, 2020, City Council adopted Ordinance No. 12-2020, which established a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities, including, without limitation, senior living, assisted living, memory care and other similar facilities, in any Zoning District and Special Planning District in the City, with the exception of the Senior Development Special Planning District Number 5, and on the issuance of such approvals, which temporary moratorium was set to expire on August 8, 2020;

WHEREAS: On June 8, 2020, City Council adopted Ordinance No. 39-2020 as a replacement to Ordinance No. 12-2020, which established a six (6) month temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities, including, without limitation, senior living, assisted living, memory care and other similar facilities, in any Zoning District and Special Planning District in the City, with the exception of the Senior Development Special Planning District Number 5, and on the issuance of such approvals, which temporary moratorium is set to expire on December 8, 2020;

WHEREAS: The City of Brunswick may legitimately regulate the location and approval of Convalescent Care Facilities, as defined in Codified Ordinance Section 1242.02(28), which includes, without limitation, senior living, assisted living, memory care and other similar facilities; and

WHEREAS: This Council believes that extending the temporary moratorium on the acceptance and processing of applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities in any Zoning District and Special Planning District in the City, with the exception of the Senior Development Special Planning District Number 5, and on the issuance of such approvals, will not deny property owners economically viable use of their property and will permit the City Administration, Council and Planning

Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Convalescent Care Facilities.

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

SECTION 1: The six (6) month temporary moratorium established by Ordinance No. 39-2020 shall be extended for a period of six (6) months up to and including June 8, 2021, wherein the City shall not accept or process any applications for zoning, occupancy, conditional use and/or building permit approvals for Convalescent Care Facilities, including, without limitation, senior living, assisted living, memory care and other similar facilities, in any Zoning District and Special Planning District in the City, with the exception of the Senior Development Special Planning District Number 5, and further shall not issue any such approvals during said period.

SECTION 2: Whenever the provisions of this Ordinance conflict with any other Ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and its residents and property owners and for the additional reason that it is required to permit the City Administration, Council and Planning Commission necessary time to undertake a review of the Brunswick Zoning Code and possible amendment thereof relative to the location and approval process for Convalescent Care Facilities. 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.

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

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

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

ATTEST:

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Clerk of Council  
Fijabi Julien-Gallam, CMC