



BRUNSWICK CITY COUNCIL AGENDA

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

NOVEMBER 23, 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 November 9, 2020
5. Mayor's Report:
 - (a) Mayor's recommendation to appoint Kevin New, Bank Representative, to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring March 9, 2023;
 - (b) Mayor's recommendation to appoint Debbie Boehmke, Chamber of Commerce Representative, to fulfill an unexpired term on the Financial Audit, Review & Advisory Committee expiring March 9, 2023;
 - (c) Mayor's recommendation to reappoint Stanley Socha and Lisa Jackson-Clements to fulfill a 1-year term on the Volunteer Firefighter Dependents Board expiring December 31, 2021;
 - (d) Mayor's recommendation to reappoint Mattie Jones Hollowell to Community Action Wayne/Medina Board of Directors to fulfill a 3-year term expiring November 27, 2023;
 - (e) Mayor's recommendation to reappoint Peter Lukic to fulfill a 3-year term on the Board of Ethics, retroactive to May 8, 2020 and expiring May 8, 2023;
 - (f) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Hanek

Economic Development Committee Meeting Minutes dated October 20, 2020

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

Finance Committee.....Mrs. Hanek

Finance Committee Meeting Minutes dated October 26, 2020

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

Safety & Environment Committee Meeting Minutes dated October 26, 2020

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

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

Park, Recreation & Community Committee Minutes dated November 26, 2019

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

Building & Building Code Committee Meeting Minutes dated October 19, 2020

8. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

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*)

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. - **3rd 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. - **3rd 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. - **3rd 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. - **3rd 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. - **3rd Reading** (Safety & Environment Committee, *Administration/Josh Erskine)*

b. 2nd Reading(s)

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. - **2nd Reading** (Planning & Zoning Committee, *Administration/Ken Fisher)*

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 - **2nd Reading** (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 - **2nd Reading** (Finance Committee, *Administration/Todd Fischer)*

ORD. NO. 87-2020 - An emergency ordinance creating an OPWC Old Eagle Drive Improvement Fund (#372) - **2nd Reading** (Finance Committee, *Administration/Todd Fischer)*

c. 1st Reading(s)

RES. NO. 90-2020 - An emergency resolution requesting an advance release of property tax revenue funds from the Medina County Treasurer collected for the benefit of the City of Brunswick. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer)*

ORD. NO. 91-2020 - An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer)*

ORD. NO. 92-2020 - An emergency ordinance amending Ordinances #92-19, #7-2020, #29-2020, #52-2020, #61-2020 and #82-2020 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)*

RES. NO. 93-2020 - An emergency resolution authorizing the City Manager to enter

into a three (3) year agreement (with two (2) additional one (1) year options) with Quality Control Inspection, INC. for the provision of professional construction inspection services. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES. NO. 94-2020 - A resolution designating the month of January of each year as “Support Local Food Bank Month” in the City of Brunswick. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Brian Ousley*)

RES. NO. 95-2020 - A resolution repealing Resolution NOS. 19-03 and 100-03 to repeal the Storm Water Commission. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*)

ORD. NO. 96-2020 - An ordinance establishing Section 1270.10(b) by providing temporary relief from the temporary sign regulations for businesses in the City of Brunswick in an attempt to increase economic opportunities. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Joseph Delsanter*)

RES. NO. 97-2020 - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.7311 acre parcel of land (PPN 001-02B-05-004) on North Carpenter Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

RES. NO. 98-2020 - An emergency resolution urging Governor Dewine and the Ohio Legislature to extend the deadline for conducting public meetings electronically. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Michael Abella Jr.*)

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

CITY OF BRUNSWICK, OHIO

MINUTES OF COUNCIL

MONDAY, NOVEMBER 9, 2020

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

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

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

Correspondence: There was none.

Approval of Minutes:

Michael Abella Jr. moved to approve the Regular Council Meeting Minutes dated October 26, 2020, as written, seconded by Brian Ousley. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

Mayor's Report:

Mayor Ron Falconi stated that the 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.

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:

Mayor Falconi removed this agenda item.

Clerk of Council's Report:

The Clerk of Council had no report this evening.

Council Committee Reports:

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

Nicholas Hanek moved to approve the Economic Development Committee Meeting Minutes dated September 15, 2020, as written, seconded by Patricia Hanek. Roll Call - Ayes - 7, Michael Abella Jr., Patricia Hanek, Brian Ousley, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Anthony Capretta. Nays - 0. Motion Carried.

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

Michael Abella Jr. moved to approve the Services, Utilities, Technology & Cable Committee Meeting Minutes dated October 12, 2020, as written, seconded by Anthony Capretta. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek,

Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Patricia Hanek moved to approve the Finance Committee Meeting Minutes dated October 12, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Michael Abella Jr., Brian Ousley, Anthony Capretta. Nays - 0. Motion Carried.

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

Anthony Capretta moved to approve the Safety & Environment Committee Meeting Minutes dated September 28, 2020, and October 12, 2020, as written, seconded by Valerie Zak. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

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

Joseph Delsanter moved to approve the Planning & Zoning Committee Meeting Minutes Dated September 28, 2020, as written, 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.

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.

Reading of Legislation and Action on Legislation:

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):

Anthony Capretta moved to adopt Ordinance Number 76-2020, seconded by Valerie Zak. Roll Call - Ayes - 7, Brian Ousley, Patricia Hanek, Joseph Delsanter, Michael Abella Jr., Anthony Capretta, Valerie Zak, Nicholas Hanek. Nays - 0. Motion Carried.

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*):

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

Joseph Delsanter moved to adopt Resolution 77-2020, seconded by Brian Ousley. Roll Call - Ayes - 7, Nicholas Hanek, Valerie Zak, Michael Abella Jr., Anthony Capretta, Joseph Delsanter, Patricia Hanek, Brian Ousley. Nays - 0. Motion Carried.

RES. NO. 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. 79-2020 - Mr. Abella moved this resolution to third 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. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

RES. NO. 80-2020 - Mr. Abella moved this resolution to third 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. - **2nd Reading** (Committee-of-the-Whole, *Administration/Carl DeForest*):

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

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. 83-2020 - Mr. Capretta moved this resolution to third 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. - **2nd Reading** (Safety & Environment Committee, *Administration/Josh Erskine*):

ORD. NO. 84-2020 - Mr. Capretta moved this resolution to third reading.

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. 85-2020 - Mrs. Hanek moved this resolution to second reading.

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 Finance Committee, *Administration/Todd Fischer*):

ORD. NO. 86-2020 - Mrs. Hanek moved this resolution to second reading.

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*):

ORD. NO. 87-2020 - Mrs. Hanek moved this resolution to second reading.

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*):

Michael Abella Jr. moved to suspend the rules, seconded by Anthony Capretta. 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 88-2020, seconded by Patricia Hanek. Roll Call - Ayes - 7, Patricia Hanek, Joseph Delsanter, Brian Ousley, Nicholas Hanek, Michael Abella Jr., Anthony Capretta, Valerie Zak. Nays - 0. Motion Carried.

ORD. NO. 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*):

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

Mr. Delsanter remarked that the legislation is to continue the effort to manage future

developments until the zoning plan could be implemented and reflect the future use of land use.

Joseph Delsanter moved to adopt Ordinance Number 89-2020, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Anthony Capretta, Nicholas Hanek, Valerie Zak, Joseph Delsanter, Patricia Hanek, Brian Ousley, Michael Abella Jr. Nays - 0. Motion Carried.

City Manager's Report:

City Manager Carl DeForest

- Thanked the current and past City Council for the planning that went into saving in preparation for the North Carpenter Road Improvement Project. As of November 9, 2020, North Carpenter Road is opened to northbound and southbound traffic. Mr. DeForest expressed he appreciates the patience of the community. The planning of this project started ten years ago, and it's about a 15 million dollar project. Mr. DeForest thanked everyone that was involved in the completion of the project. He added that North Carpenter Road was one of the worse roads in the County and the worst in the City of Brunswick.
- Thanked all the veterans for their service in observance of November 11, 2020, Veterans Day. Mr. DeForest noted that there are no plans to have a veterans ceremony at City Hall; however, plans for the year 2021 has started.

Councilman Brian Ousley remarked that it is great North Carpenter Road is open to traffic. Mr. Ousley added that part of North Carpenter Road is part of Brunswick Hills Township and the speed limit is 35 miles per hour. He asked if there are plans to change the speed limit to 45 miles per hour with the road being concrete. He expressed that he would like the speed limit to stay 35 miles per hour. Mr. Ousley added that there are other streets in the city that are in this same position. Mr. DeForest responded that the density for North Carpenter Road prohibits it from moving the speed limit from 35 miles per hour. Mr. DeForest explained the protocol for writing tickets to violators that are speeding on roads that are shared with other jurisdictions. He added that he has not heard of any request to change the speed limit on North Carpenter Road.

Mr. Ousley wanted to know if Brunswick could do anything about the speed limit on Substation Road because the speed limit jumps from 35 to 45 miles per hour. Mr. DeForest remarked that he would look into the process.

Unfinished Business:

There was none.

New Business:

There was none.

Adjournment:

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

There being no further business, the meeting adjourned at 7:17 p.m.

Respectfully submitted,

Fijabi Julien-Gallam, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

NOV 12 2020

APPLICATION FOR
BOARDS AND COMMISSIONSNAME Kevin New PHONE _____STREET 3589 Grafton Road CELL (216) 570-9608Years of Residency 6 Registered Brunswick Voter: YES ☒ NO ☐POSITIONED DESIRED: Local Bank Representative EMAIL knew515@dollarbank.com

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL Nordonia / Dipoloma / 1999COLLEGE Kent State University / BA Vocal Performance

SPECIAL TRAINING _____

CURRENT EMPLOYMENT

Company	Address	Title	Dates
Dollar Bank	3630 Center Road	Branch Manager	2010-Current

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
Fifth Third Bank	9301 Vista Way	Banking Center Manager	2000-2007

Company	Address	Title	Dates
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RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Northern Medina County Chamber Alliance - Executive Board Member (Treasurer)Brunswick Eagles 3505 - MemberLeadership Medina County - Signature Class Graduate 2020

REFERENCES (other than relation):

NAME	ADDRESS	PHONE
1. <u>Carl DeForest / 4095 Center Road / (330) 225-9144</u>		
2. <u>Grant Aungst / 4095 Center Road / (330) 225-9144</u>		

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

Additional Reference - James Collins / 3694 Center Road / (330) 480-6219

I live in Brunswick, run a bank in Brunswick, and have children in two of the schools in Brunswick. I know many of the business owners, community leaders, and support the city in any way that I can. I would be honored to assist by serving on the Financial Audit Review Board and Advisory Committees as the Local Bank Representative.

ATTACH RESUME IF DESIRED.

Signature: [Signature] Date: 11/13/2020

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

NOV 19 2020

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Debbie Boehmke PHONE business- 330.636.6721

STREET 9683 Crow's Nest Lane, Litchfield CELL 330.805.1007

Years of Residency 28

Registered Brunswick Voter: YES ☐ NO ☒

POSITIONED DESIRED: Financial Audit Committee member EMAIL debbie@nmccalliance.com

EDUCATION DEGREE YEAR GRADUATED

HIGH SCHOOL Columbia High School 1983

COLLEGE Cuyahoga Community College/ Baldwin Wallace University yes 1985/1988

SPECIAL TRAINING _____

CURRENT EMPLOYMENT

Company	Address	Title	Dates
Northern Medina County Chamber Alliance	2947 Interstate Parkway, Brunswick	Executive Director	2020

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
Medina County Board of Developmental Disabilities	4691 Windfall, Medina	Economic Developer	2019-2020

Company	Address	Title	Dates
United Way of Medina County		Program Manager of Employing Medina County	2014-2019

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Medina County Career Center Adult Education Advisory Committee Sater to Sater Planning Committee/AAUW Medina County Suicide Prevention Committee Medina County Employment Collaborative Medina County Schools Crisis Response Team Medina County Juvenile Detention Center/ Children's

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.			
2.	Drew Hall	Habitat for Humanity/ Summit County	440.708.3124
3.	Sandy Frommeyer	Medina County Career Center	330.725.8461

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

ATTACH RESUME IF DESIRED.

Signature: _____ Date: 11/13/2020

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

NOV 12 2020

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME STANLEY SOCHA PHONE 330-225-4170
STREET 66 WOODHOLLOW DR. CELL 216-276-1348
Years of Residency 40 Registered Brunswick Voter YES X NO
POSITIONED DESIRED VOL. FIREFIGHTERS DEPENDABLE EMAIL STANENT1@AOL.COM
EDUCATION DEGREE YEAR GRADUATED
HIGH SCHOOL NORTH CATHOLIC 1959
COLLEGE POINT PARK UNIVERSITY B.A. 1972
SPECIAL TRAINING FIREFIGHTER I & II / EMT-A, FIRE INVESTIGATING, FIRE INSPECTION

CURRENT EMPLOYMENT

RETIRED
Company Address Title Dates

RELEVANT PAST EMPLOYMENT

BRUNSWICK DIV. FIRE 3476 CENTER RD. FIRE INSPECTION 10/77/10/80
Company Address Title Dates
LIFE SAFETY ENTER. 4699 HAMMOND PKY. WILLOUGHBY OH INSPECTION 02/01/10/20
Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

BRUNSWICK ROIDNY, ST. AMBROSE PARISH COUNCIL, WESTERN RESERVE FIRE MUSEUM
GREEN LAKE ANTIQUE FIRE APPARATUS ASSOC.

REFERENCES (other than relation)

	NAME	ADDRESS	PHONE
1	<u>PAT CARLSON</u>	<u>1632 PEARL RD BRUNSWICK</u>	<u>330-225-2400</u>
2	<u>JAMES LEPI</u>	<u>3329 TYLER RD BRUNSWICK</u>	<u>330-273-1800</u>
3	<u>BILL WILKINSON</u>	<u>1025 W. 130TH ST HICKLEY</u>	<u>330-220-5494</u>

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

RETIRED BRUNSWICK DIVISION FIRE, PLUS VOLUNTARY FIRE SERVICE IN
PENNSYLVANIA & MICHIGAN, VOLUNTARY POLICE SERVICE IN PENNSYLVANIA &
CALIFORNIA.

ATTACH RESUME IF DESIRED

Signature Stanley Socha Date 10-10-20

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

NOV 19 2020

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Lisa Jackson-Clements PHONE 216-269-7012

STREET 3619 Francis Blvd, Brunswick CELL 216-269-7012

Years of Residency 10 1/2

Registered Brunswick Voter: YES ☒ NO ☐

POSITIONED DESIRED: Volunteer Firefighters EMAIL lisa.jc65@gmail.com

EDUCATION Dependent Fund Board member DEGREE YEAR GRADUATED

HIGH SCHOOL Enterprise Christian Academy Diploma 1983

COLLEGE Tri-C - Cuyahoga Community College (classes)

SPECIAL TRAINING Proficient computer skills including Microsoft Office

CURRENT EMPLOYMENT

N/A

Company	Address	Title	Dates
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RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
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Company	Address	Title	Dates
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RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Current: Director - Board of Trustees - Golden Retrievers In Need

Board member - Northern Medina County Juvenile Diversion Board

Past - Volunteered with Big Sisters, Medina Creative Therapy Ranch

REFERENCES (other than relation):

- | | NAME | ADDRESS | PHONE |
|----|------------------------|--|---------------------------|
| 1. | <u>Lisa Kime</u> | <u>20434 Prairie Meadows, Strongsville</u> | <u>44149 440-263-7821</u> |
| 2. | <u>Michelle Gole</u> | <u>3900 Scribner Rd, Peninsula, Oh</u> | <u>44264 216-513-6820</u> |
| 3. | <u>Carolene Healey</u> | <u>3611 Francis Blvd, Brunswick, 44212</u> | <u>440-429-9775</u> |

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

I moved to Brunswick in June of 2009. I love our city and the community. It is an honor to serve and give back.

ATTACH RESUME IF DESIRED.

Signature: Lisa Jackson-Clements Date: 11/19/2020

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

NOV 17 2020

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Mattie Jones PHONE 216-235-2150
STREET 2935 Benjamin Dr. CELL N/A
Years of Residency 15 Registered Brunswick Voter YES ☒ NO ☐
POSITIONED DESIRED CAU/M Board member EMAIL Mattie.Jones-Holouch@Keybank.com

EDUCATION
DEGREE YEAR GRADUATED
HIGH SCHOOL John F Kennedy 1980
COLLEGE Indiana Wesleyan Bachelor 2009

SPECIAL TRAINING

CURRENT EMPLOYMENT

KeyBank 127 Public Square V.P. Compliance 2016 - Present
Company Address Title Dates

RELEVANT PAST EMPLOYMENT

First Merit Bank Akron, Oh VP Commercial 2012-2015
Company Address Title Dates

KeyBank 127 Public Square VP. Loan Sres. 1998-2015
Company Address Title Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

Past representative of Mayor Falconi on CAU/M Board
Current representative on CHN (Cleveland Housing Network) Board
Fair + Responsible Banking Compliance Officer

REFERENCES (other than relation)

NAME ADDRESS PHONE
1. Melissa Preece CAU/M
2. Carolyn Zichanski
3.

QUALIFICATIONS AND DESIRE FOR SERVING (Attach sheet if needed)

Returning + Resuming another term

ATTACH RESUME IF DESIRED

Signature Mattie Jones Date 11/11/2020

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

NOV 17 2020

APPLICATION FOR
BOARDS AND COMMISSIONS

NAME Peter Lukic PHONE _____

STREET 2910 Elmer Drive CELL (216) 269-1325

Years of Residency 19 Registered Brunswick Voter: YES X NO _____

POSITIONED DESIRED: Ethics Board EMAIL phrogz4evr@gmail.com

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL <u>Max S. Hayes Vocational High School</u>	<u>Diploma</u>	<u>1977</u>
COLLEGE <u>Cleveland St. Univ. / Cuyahoga Comm. College</u>	<u>Incomplete</u>	<u>N/A</u>
SPECIAL TRAINING <u>United States Marine Corps</u>	<u>Various Schools</u>	

CURRENT EMPLOYMENT

Company	Address	Title	Dates
<u>U. S. Postal Service</u>	<u>3955 Center Rd Brunswick, OH 44212</u>	<u>Letter Carrier</u>	<u>2005 to Present</u>

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

United States Marine Corps 1977 -1984

Top Secret Security Clearance

REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>Lori Werner</u>	<u>2910 Elmer Dr. Brunswick, 44212</u>	<u>(216) 903-7943</u>
2.	<u>Jack Boehm</u>	<u>2901 Elmer Dr. Brunswick, 44212</u>	<u>(330) 273-2808</u>
3.	<u>Jim Johnson</u>	<u>3955 W.58th St. Cleveland, 44102</u>	<u>(216) 633-2645</u>

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

I am a current member of the Ethics Boards and have served since 2010. I would like to
continue to serve the citizens of Brunswick for another term.

ATTACH RESUME IF DESIRED

Signature: *Peter Lukic* Date: Nov. 17, 2020

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

ECONOMIC DEVELOPMENT COMMITTEE

October 20, 2020

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

The virtual meeting convened at 5:35 p.m.

GENERAL DISCUSSION:

Mr. Aungst reported that he has been communicating with many business leaders, whereas it appeared that manufacturing was growing and moving forward. However, small businesses were still struggling. Retail customer driven businesses remained on the border. Businesses that were attempting to stay caught up were in the area of metal, with forming and shipping; along with tourism and luxury items. The real estate business has continued to have great interest. The commercial sector remained a challenge in some markets. With small store fronts having been closed or struggling to reopen, time would be a major factor. Many retail centers would continue to change based on the ever changing environment. Residential markets were extremely strong and looking for growth.

Mr. Aungst indicated that people were investing in their homes greatly at this time; this would be a growing trend for many years. More people have been moving to Brunswick from out of state. Traffic counts were rising again with consumers being more active. Unemployment numbers improved slightly in Medina County. For the week ending October 10th, unemployment continued to decline. There were roughly 3446 unemployed; compared to 12,000 in recent months. Companies throughout Medina County were hiring, including Brunswick. Much of the work force team needed should be unskilled and trainable.

Mr. Aungst remarked that he has continued to work with many of the businesses and leaders in promoting the positive aspects of Brunswick. Currently, the City was working with a number of businesses on growth; industrial and commercial, manufacturing, production, and consumer service industries. A lot of good entrepreneurship has been taking place. Mr. Aungst quoted the Federal Reserve Vice Chairman, Richard Clarida:

“Although spending on many services continues to lag, the rebound in the GDP (Gross Domestic Product) data has been broad based across indicators of goods consumption, housing, and investment. These components of aggregate demand have benefited from robust fiscal support including the PPP (Paycheck Protection Program) and expanded unemployment benefits, as well as low interest rates and efforts by the Federal Reserve to sustain the flow of credit to households and firms. In the labor market, about half of the 22,000,000 jobs that were lost in the spring have been restored. Unemployment rate has fallen since April by nearly seven percentage points to 7.9 % as of September. It will take some time to return to the levels of economic activity and employment

that prevailed at the business cycle peak in February. An additional support from monetary and likely fiscal policy will be needed.”

Mr. Aungst reported that Chick-fil-A’s new building was on schedule. The current plan for the company A Raymond Tinnerman, was to keep the headquarters in Brunswick; while the plant was shifting operations to another location. Jiffy Lube was moving along despite some construction challenges. Meijer’s store remained on schedule to start construction in the spring, with completion planned in one year from that time frame. Also, Steak and Shake had informed the City of plans to reopen in early November.

Mr. Aungst advised that manufacturing remained high on the interest for Brunswick area, along with space. He noted that he received calls daily for additional manufacturing space. Sanctus facility has been pulling permits for the development behind the water towers. The schools have been in the process of the third phase for the Middle School with the stadium. The month of October was manufacturing month. Through the City’s partners MCEDC (Medina County Economic Development Corporation), there has been a different video interview of businesses throughout the County featured; including Brunswick manufacturers.

Mr. Aungst stated that there have been three rounds of funding completed with the Medina County Commissioners using CARES Act funding. These funds were for reimbursable items as per the CARES Act and funded through the County funds; all businesses were in the County. That has been a very long and intense process, in which Mr. Aungst expressed his gratitude for Kathy Breitenbucher, of Medina Economic Development Corp, for many hours of long, hard work.

Mr. Aungst pointed out that the City continued to work the processes for the two SPD’s of new housing developments, and new housing development on the south end of Pearl Road; across from Arlington Drive. The company 360 Construction, completed their new building in the back of the property and were expecting to move their staff to Brunswick from their other space. Classic Custom Decks would be constructing a new building to support their current and future growth, which would begin during the next few months. On a positive note, Brunswick remained stable with an upward trend. Mr. Aungst remained cautiously optimistic, however there were many factors that remained unpredictable.

Mr. Delsanter brought up the large Brunswick population that worked outside of the City. He raised concern about their level of hardships. Mr. Aungst clarified that he did not have any data on that information, whereas statistics had been released by County. For those currently unemployed in Medina County, there were many opportunities for different types of jobs currently; perhaps not what people preferred, however there were many jobs open. He went on to say that he has witnessed more positive things in Medina County. There has been more investment in individual homes than in the past five years.

Mr. Aungst concluded that some very small manufacturing companies were seeing some positive seasons. He noted that there were a number of anticipated projects that would bring good paying jobs into the community. There was a high demand to be in this great community.

Mr. Hanek inquired about the Comprehensive Plan and its progress. Mr. Aungst reminded everyone that changes could be slight on the plan, however, very meaningful. There have been discussions with attorneys to ensure that details were suitable. This would be discussed in the near future.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 5:48 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'N Hanek', with a stylized flourish at the end.

Nicholas Hanek
Chairman

DRAFT

FINANCE COMMITTEE MEETING

October 26, 2020

IN ATTENDANCE: Chairwoman Patricia Hanek, Committee Member Valerie Zak, Committee, Anthony Capretta, Joseph Delsanter, Michael Abella Jr., Nicholas Hanek, Service Director Paul Barnett, City Manager/Safety Director Carl DeForest, Parks & Recreation Director John Piepsny, Police Chief Brian Ohlin, Fire Chief Josh Erskine, Finance Director Todd Fischer, Tom Keppler, Strongsville Resident Leah Tornabene, Council Clerk Fijabi Julien-Gallam, News Media.

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

DISCUSSION ITEMS:

RES. 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*)

Mr. Fischer explained that there were three major items in the budget amendment. First, entailed \$194,410 associated with the Plum Creek Greenway Trail, Phase 1. That increase was in accordance with resolution 67-2020. The second item was to get the City budget in order, to reflect House Bill 614 in the CARES Act; with the federal money regarding Covid-19. The final item was an increase of roughly \$36,000 to bring the budget current, to allow the purchase of a three-year back up in Cloud Services. The rest of the items were in Exhibit B, in which most were budget reductions or setting aside money for future capital purchases if available.

Mrs. Zak moved this resolution to tonight’s Council Agenda of October 26, 2020, as an emergency, with suspension of the rules. Vote – 3 Ayes, 0 Nays.

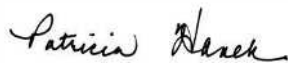
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

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

Respectfully submitted,



Patricia Hanek
Chairwoman

SAFETY & ENVIRONMENT COMMITTEE MEETING

October 26, 2020

IN ATTENDANCE: Chairman Anthony Capretta, Committee Member Michael Abella Jr., Committee Member Val Zak, Nicholas Hanek, Joseph Delsanter, Patricia Hanek, City Manager/Safety Director Carl DeForest, Service Director Paul Barnett, Parks & Recreation Director John Piepsny, Police Chief Brian Ohlin, Fire Chief Josh Erskine, Tom Keppler, Strongsville Resident Leah Tornabene, Council Clerk Fijabi Julien-Gallam, News Media.

The meeting convened at 6:30 p.m.

DISCUSSION ITEMS:

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 the new hire police officers. – **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Brian Ohlin*)

Police Chief Ohlin explained that this ordinance would allow an update to the address requirements of police officers. He had consulted with the legal department. It was a needed update and not current nor best practice to have the 25 mile radius requirement. The change would permit police officers to reside in Medina County, or in an adjacent county; which would provide more efficient response times in events of an emergency. Another element to the ordinance pertained to the age for hiring new police officers, whereas the maximum age would increase to 45 years old.

Mrs. Zak moved this ordinance to tonight's Council Agenda of October 26, 2020, for three readings. Vote – 3 Ayes, 0 Nays.

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*)

Fire Chief Erskine summarized that this ordinance was similar to the other ordinance. This would allow the department to bring the residency requirements and age requirements into line with the Ohio Revised Code for all new hire fire medics.

Mr. Abella moved this ordinance to tonight's Council Agenda of October 26, 2020, for three readings. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 6:34 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anthony P. Capretta".

Anthony Capretta
Chairman

DRAFT

PARKS, RECREATION & COMMUNITY COMMITTEE

November 26, 2019

IN ATTENDANCE: Chairman Michael Abella Jr., Committee Member Patricia Hanek, Committee Member Anthony Capretta, Parks & Recreation Director John Piepsny, Taylor Petkovsek.

The meeting convened at 7:00 p.m.

GENERAL DISCUSSION:

Mr. Piepsny led a general tour of the Recreation Center while discussing capital needs, since the building had reached its 30th year.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn the tour at 7:45 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,



Michael Abella Jr.
Chairman

BUILDING AND BUILDING CODE COMMITTEE

October 19, 2020

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Anthony Capretta, Committee Member Michael Abella Jr., Joseph Delsanter, Patricia Hanek, Council Clerk Fijabi Julien-Gallam, Residents, News Media.

The meeting convened at 7:00 p.m.

DISCUSSION ITEM:

Mr. Ousley guided the meeting by informing those who wished to come forward to speak to the committee, to state their name and address for the record. He advised that there would be three minutes available to share their reason for attendance for the topic at hand; which was off-road vehicles.

First, Mr. Ousley reviewed some key points from the last Committee meeting held, prior to the Council Meeting on September 14, 2020, whereas this was a discussion item. Among the items discussed was an ordinance amending codified ordinance section 476.03, by increasing prohibitions for operations of snow mobiles, off-highway vehicles, and all purpose vehicles. Mr. Ousley recapped where Mr. DeForest reported that there had been complaints regarding off-highway vehicles for the past several months. This was the reason for the present meeting, and for discussion purposes only. Mr. Ousley felt that there needed to be some perimeters implemented pertaining to this issue. He was pleased for an opportunity for openness, as this was the first official Building and Building Code Committee meeting since the pandemic began.

Mr. Ousley explained that in his own neighborhood, he has had no issues with off-highway vehicles. Typically, no calls have come to his attention. Mr. Abella spoke about his ward, whereas he did not typically receive complaints about this issue. Mr. Delsanter also indicated that since 2003, he has not had one complaint about this issue. He questioned this being included in the Building and Building Code Committee rather than the Safety Committee. Mr. Abella felt that this was more of a property issue or property nuisance; which did not affect neighborhoods overall.

Mrs. Hanek felt that historically, there had been problems relating to this. She referred back to the year 2012, in which there was a meeting including residents. She claimed that there were some issues in Ward 2, Ward 3, as well as Ward 4 that entailed many hours of similar disturbances. She pointed out that if there was not much of a problem, then there should not be an issue with passing legislation; because it would not impede on anyone. She commented that these types of vehicles were designed to be in the country.

Mr. Capretta wanted to reiterate the point made, whereas Mr. DeForest previously stated that there had been complaints regarding off-highway vehicles for the “past several months”. Mr. Capretta had assumed that this involved the resident on Dennis Lane, as this was the only complaint that he had been aware of. The complaint was from one resident on Dennis Lane, in which there were many complaints made over the summer. Also, there had been a feud between two neighbors, this one in reference on Dennis Lane, and the other on Shenandoah Parkway. Mr. Capretta then discussed this with the City Manager, whereas he was asked whether he could possibly defuse the situation. Mr. Capretta responded with complete willingness to do so.

Mr. Capretta informed everyone that the neighbor’s sons owned the mini bikes; the neighbor behind them was making the complaints. Mr. Capretta had attempted to defuse the situation along with Mr. DeForest, in which a meeting had been set up for August along with the residents; to be held at City Hall. However, Mr. Capretta was made aware that the resident who made the complaint had notified Mr. DeForest to decline the meeting. Mr. Capretta expressed that he was frustrated. The meeting never took place, therefore there was no resolve. Mr. Ousley raised question to Mr. Capretta whether the problem had been continuing. Mr. Capretta clarified that to his knowledge, the problem had subsided. He pointed out that the neighbor with the bikes had cooperated with the City; there were no more issues. Furthermore, their grass had been receded as requested.

The first resident to come forward to speak was Mr. Richard L. Simon Junior, of 4195 Dennis Lane. Mr. Simon indicated that he and his sister, Heidi Simon, were the next door neighbors of the residents of 4196 Dennis Lane; that have had complaints. He wanted to convey that inaccuracies had occurred in some of the statements made, such as motor bikes being ridden for hours at a time, as well as those about property being destroyed; both were inaccurate. Mr. Simon indicated that he lived directly in front of the family making the complaints. He claimed that the neighbors in question have not damaged anyone’s property, because his yard was directly next door to them. On numerous occasions, the Police have come to the neighborhood, whereas he had been asked about his neighbors. He felt that peculiar things were happening pertaining to complaints made. He went on to say that the Police would inquire about certain complaints reported, and were told by those residents that they had not in fact, made any calls to complain. He remarked that someone also made a call about roofers that were working at the home being complained about, in which proper documentation or work permits were questioned by Police. He believed that this was a pattern of harassment toward the people who lived next to him. He understood that there were rules that should be followed and needed to be made about dirt bikes. He raised question regarding the first rules of the city as to what types of vehicles were applied. He claimed that the new proposed rules stated “motorcycles”. Mr. Simon’s sister rented the house ten years ago, in which he moved in; they have since purchased the home. Mr. Simon felt that it was not a loud street, or he would not have purchased the home, in which his sister was already familiar. He spoke positive about the neighborhood and did not agree with the negativity or peculiar things that were taking place against his neighbor.

The second resident to come forward to speak was Mr. Will Hanek, at 4196 Shenandoah Parkway. He claimed that there were a lot of allegations made today that were foolish. He explained that he had made a complaint in the community, as any citizen would, to his Councilman, Mr. Capretta. He stated that since he was unable to email Mr. Capretta, he emailed all other Council members and requested that Mr. Delsanter forward his concern to Mr. Capretta. Mr. Hanek claimed that when he officially complained about the incessant noise of dirt bike riding, which occurred up to eight hours a day at times, Mr. Capretta called him a liar; indicating that there were never any complaints regarding this residence. Mr. Hanek explained that no action was taken. As a result, Mr. Hanek did a public records request, in which he stated that he discovered Mr. Capretta was dishonest. He indicated that there were documented complaints about the residence regarding dirt bikes dating back to at least 2015. According to Mr. Hanek, the Police had been dispatched to this home twenty one times in a span of seven years. Mr. Hanek believed that there were documented complaints regarding this. Furthermore, the City had went to the residence in 2016; there were e-mails to validate this. He expressed that for a Councilman to portray that there has been only one resident complaining about this, was simply not true. Mr. Hanek shared a conversation that he had with a resident who stated that they did not trust Mr. Capretta and feared retaliation from him, therefore, they did not want to complain. He went on to say that a second resident had communicated that they did not trust Mr. Capretta and refrained from having discussions. As discussion ensued, Mr. Ousley requested that Mr. Hanek stay on track and not make attacking statements.

Mr. Hanek continued that the previous owners of his home had complained about the residence as well. He encouraged anyone to do a public records request to verify the information. He reiterated that Mr. Capretta had given the impression that this had never been in issue, while it had been an issue to him in 2015 at the latest. He felt that Mr. Delsanter also pretended that this was not an issue, after indicating that there was a similar nuisance in his own area pertaining to dirt bikes. Mr. Hanek felt that people had a right to do what they desire on their property within the bounds of the law. He attempted to use the law. He had made a noise complaint; whereas the Police conveyed to him that they were unable to enforce the noise ordinance as is. Mr. Hanek followed exactly what the Police Chief and the City Manager had instructed; he called the Police when it occurred, in which they came to his home. He commented on the allegations, that he had been calling the cops on everyone; he had made two phone calls to the Police as instructed. Mr. Hanek stated that he did not have a particular problem with the resident; he just wanted the noise to stop as he communicated in his emails. He felt that it had been blown out of proportion and that his family had been harassed. His family had to put up a fence, and trees were being put up in order to minimize sound and contact with neighbors. He understood that a person could do what they wish on their property, however, he wanted to know to what extent their rights trumped his rights. He remarked that he had a right to enjoy his property just as everyone else. He concluded that if he practiced loud habits in the neighborhood, that residents would have the right to call the Police as well, and that they rightfully should.

The third resident to come forward to speak was Ms. Heidi Simon, at 4195 Dennis Lane, sister to Richard Simon Jr. at the same address. She claimed that prior to Mr. and Mrs. Hanek moving in, it

was a very quiet neighborhood. However, it was her opinion that since Mr. Hanek and his wife had a baby, this had become a problem. The boys who were riding the motor bikes were ages 11 and 13. She pointed out that in 2013, the boys ages would have been roughly 3 and 5 years old. She indicated that they were not riding motor bikes then; she had lived there for ten years. She shared that this was a really tough issue, since she was ambushed in her own yard by Mr. Hanek and his parents; in which her brother ended up in the hospital. She contacted two Council members entailing this and received no help. Mr. Ousley remarked that he tried to assist her. Discussion ensued between Ms. Simon and Mr. Ousley, whereas she implied that she would go to the newspapers. Ms. Simon commented that Mr. Hanek had lived there for approximately two years and no issues began until they had a baby. She spoke of the two boys, who only ride the bikes dependent on their father's schedule; where he worked many hours as a front line worker. She claimed that the boys did not ride up to 8 hours a day, nor seven days a week, and had a shorter window in which to ride. Ms. Simon worked from home and was home mostly. She was aware when the kids rode the motor bikes. She commented that since this began, the harassment had been horrendous. It was her opinion that Mr. Hanek was not forced to put up a fence, that in actuality, it had to do with the storm sewer. When the City had come to review the scenario, trucks had to be brought through her yard rather than Mr. Hanek's yard. She complained about this, which was why the fence was put up. She indicated that she was told in conversation by Mrs. Pat Hanek that the letter of the law was a technicality. Ms. Simon inquired whether that meant that all law was a technicality, stating strongly that the law was the law. Ms. Simon noted that she was always outside where her brother was able to smoke. The two of them were outside often when the kids were riding; it was not loud. The boys have not been on the bikes for over a month. She wanted to know why this meeting was an emergency. Mr. Ousley conveyed that it was never an emergency meeting; furthermore, it was for discussion. Ms. Simon wanted to find out more about the many complaints against her neighbors. Mr. Ousley indicated that information would come from the Police Department.

Mr. Abella stated that the purpose of the meeting was not to resolve the dispute, although to figure out whether this motorcycle issue was a threat in other parts of the city, if anything needed to be created by Council; as other cities have done. He wanted to explore if this was a current problem. At times, there may be laws that were not explored for many years; Council reviews such items as things come up. Mr. Abella would continue to discuss this issue at length. He thanked the residents for sharing their experience. He would continue to review whether perimeters or guidelines were needed in this situation.

Ms. Simon wanted to make an additional point that the boys with the motor bikes were not involved in any other sports outside; they do one sport. Mr. Abella mentioned that the issue was not about the boys personally, but about the nuisance this could cause neighbors. Ms. Simon believed that no one complained about this other than Mr. Hanek. She wanted to know if a single neighbor was going to change an entire ordinance for the city; mentioning that the resident was related to someone on City Council. Mr. Abella encouraged her to refrain from making this a personal issue, because it was not.

He would treat the situation the same no matter where complaints originated from within the community.

Mr. Capretta wanted to express that when he began this meeting, he did not mention names nor addresses, and had kept it polite. He pointed out that Mr. Hanek started an attack on him, in which everyone witnessed. He thanked Mr. Ousley for taking control of the meeting. As discussion ensued, Mr. Ousley conveyed that he attempted to stick to perimeters for this meeting, nonetheless he allowed the residents to have more time to talk.

Mrs. Pat Hanek wanted to clarify that this was a city wide problem. She had witnessed riding being done on school property. She verified that she was present when some of the claimed harassment took place, and she did not appreciate insults that were said. She did not appreciate the false accusations about her or her son. She expressed that this issue did not arise because someone had a baby, but rather, had to do with a pandemic where people were in their homes. She felt that it did not need to be personal. She stated that this was not a new issue; there were complaints three or four years ago.

Mr. Ousley advised that this was not the last meeting. There were perimeters that needed to be considered. He wanted to review some of the complaints that have been filed back to 2012, perhaps in the entire city, and research happenings in the neighborhoods. There may be old laws that need to be explored within this growing city of close to 40,000 residents. He conveyed that this was the reason for this gathering.

Mr. Delsanter referred to 476.03 of the code in response to Mrs. Hanek, where it stated that it was illegal to operate an off-road vehicle on public property; which would include schools. He expressed the importance to act as a legislative body and wanted to know whether this was, in fact, a community problem. He indicated that Mr. Will Hanek had said some things that were not quite accurate about their communications, whereas there was a thread of emails that anyone could view. There had been hope for a neighborly resolution. Mr. Delsanter felt that the solution came when enforcement acts were utilized and invaded the problem at hand. He anticipated more discussion about the code and what was considered applicable. He had some thoughts entailing this and about the responsibility of the legislative body for future discussions. Mr. Ousley made mention that perhaps zoning issues could be reviewed as well. Mr. Delsanter spoke about the way the code currently reads about unlicensed moving vehicles, whereas there was no definition of motor types.

Mr. Capretta prompted everyone that he was a key player in this situation. He reiterated that he had made a promise to Mr. DeForest that he could defuse the situation. He intended to do so, along with the help of Mr. Ousley in gathering the parties together. Comment was made as to the continuing challenge of the pandemic when it came to having meetings at this time.

Mr. Ousley brought up an issue, whereas he received a call from a gentleman that resided in Laurel Glen pertaining to loud music in their neighborhood. He referred to Mr. Capretta, who had been

working with or planning to work with the resident, along with Brunswick Township on the matter. The resident wanted to know where things stood. Mr. Capretta indicated that he had communicated with the resident and he would follow up with him; pertaining to the loud music on Friday nights.

ADJOURNMENT:

Being no further business, Mr. Capretta moved to adjourn at 7:47 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Ousley", is written on a light-colored rectangular background.

Brian Ousley
Chairman

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

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

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

PURPOSE AND

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

IMPLEMENTATION

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

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

RECOMMENDED

ACTION:

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

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

**ADDITIONAL
INFORMATION:**



A Division of the Medina County Sanitary Engineer



September 9, 2020

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

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

Dear Mayor/Clerk/Council President:

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

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

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

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

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

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

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



A Division of the Medina County Sanitary Engineer

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

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

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

Or, email to: MCSWD_PLAN_UPDATE@medinaco.org

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

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

Sincerely,

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

Medina County Solid Waste Management District

www.recyclemedinacounty.com

Medina County Solid Waste Management District



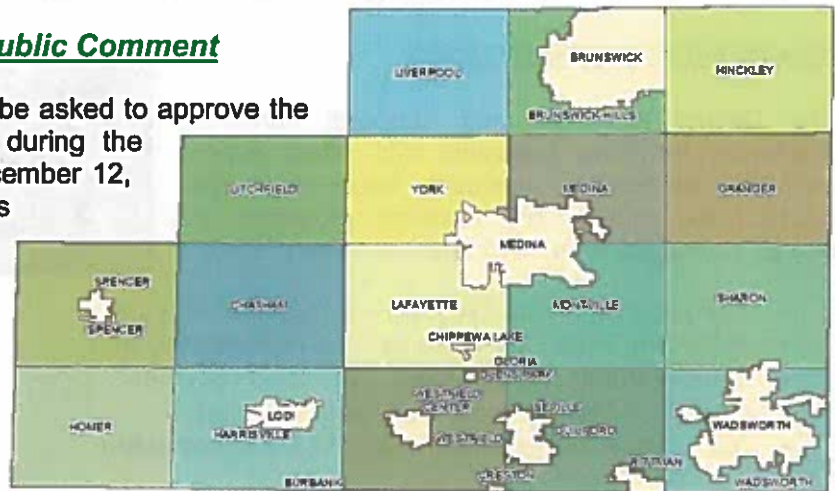
RECYCLE
MEDINA
COUNTY

Introduction

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

Your Community's Responsibility – Public Comment

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



What if the Plan is Not Ratified?

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

Executive Summary of Solid Waste Management Plan

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

Solid Waste Disposal Capacity

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

Goals

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

Financing the Plan

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

Residential Recycling Programs

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

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

Commercial / Industrial Recycling Programs

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

Residential/Commercial Recycling, Education and Awareness Programs

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

Key New Programs

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



Key Performance Indicators

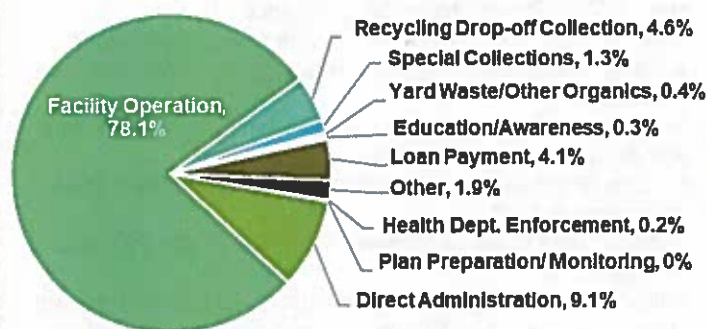
Ohio EPA Plan Format	Old Plan (2016-2030) Plan Format Version 3.0	New Plan (2021-2035) Plan Format Version 4.0
Reference Year (RY)	2012	2018
1 st Year of Planning Period (Y1)	2016	2021
RY Res/Com Recycling Tons	43,525 tons (37,975 tons without volume reduction which is not recognized by EPA as recycling)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

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

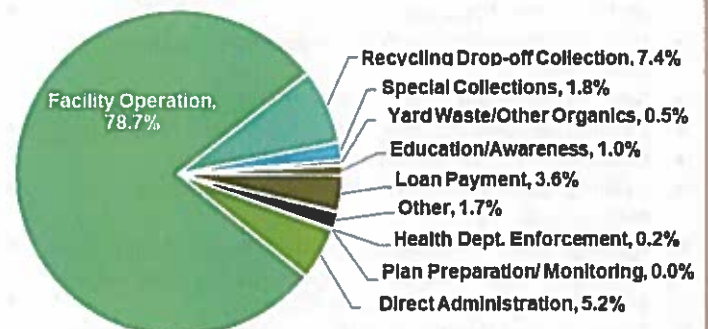
²Recycling programs covered under the old and new plans must send collected materials to a legitimate recycling facility, as defined by Ohio EPA, to ensure recycling is occurring.

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

First Year of Old Plan (2016-2030)



First Year of New Plan (2021-2035)



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

Programs in Plan Update

Old Plan (2016-2030)

- Medina County CPF
- Drop-Off Recycling
- Yard Waste Management
- MSW Composting
- Household Hazardous Waste
- Lead-Acid Battery Collection
- Scrap Tire Program
- Appliance Collection
- Electronics Recycling
- Fluorescent Bulb Recycling
- Education & Awareness
- Initiative MC-1.1 Developing a Performance Measurement System

New Plan (2021-2035)

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

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 70-2020

BY: Committee-of-the-Whole

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

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

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

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

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

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

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

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

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

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

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES ² _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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. - **3rd Reading** (Committee-of-the-Whole, *Administration/Jim Foster*)

BACKGROUND: Public bids were received and opened on October 10, 2017. Two bids were 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.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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

BACKGROUND: Public bids were received on October 10, 2017 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.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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. - **3rd 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: 1st Reading _____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 11/23/2020

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. - **3rd 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: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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. - **3rd 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: 1st Reading _____

2nd Reading _____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 68-2020** - An ordinance establishing the Oak Ridge Preserve Planning District No. 7 Conceptual Development Plan and amending the zoning map by designating an approximately 12.9258 acre portion of PPN 003-18a-04-193 located at 834 Pearl Road as SPD-7. - **2nd Reading** (Planning & Zoning Committee, *Administration/Ken Fisher*)

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

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

IMPLEMENTATION

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

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No

Suspension of Rules No

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

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 68-2020

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

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

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

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

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

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

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

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

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

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

November 20, 2020

Kim and Ryan Harrington
Brownstone Building & Redevelopment
3660 Center Road, Suite #117
Brunswick, OH 44212

RE: Oak Ridge Preserve SPD-7
834 Pearl Road (eastern portion), Brunswick

Dear Mr. and Mrs. Harrington:

The Brunswick City Planning Commission, at their meeting on November 19, 2020, voted to **recommend approval** to City Council of the Oak Ridge Preserve Subdivision rezoning of approximately 13 acres on the eastern portion of 834 Pearl Road, Brunswick, Ohio from the R-R Rural Residential District to Special Planning District 7 (SPD-7), conceptual plan, revised development guidelines, home elevations, and variances for wetland removal and sidewalk location, subject to the following:

1. Pursuant to Section 1268.05(c), in order for City Council to create a SPD, it must first make written findings that the proposed SPD will meet the objectives of Section 1268.01, and that one or more of the following conditions exist within the proposed SPD. The Planning Commission has determined the conditions listed below apply:
 - a. Land that is occupied by substantial natural characteristics worthy of preservation or which are historic aids to the identification of residential communities.
 - b. Lands which call for ingenuity and imagination by site designers and developers in keeping with overall land use and open space objectives of the Comprehensive Plan, while departing from the strict application of use, setback, height, lot size and related requirements of the Zoning Code.
2. Per the City Engineer, there are four wetland removal areas that required variances as follows:
 - a) area west of Sublot 28;
 - b) stormwater management area and parking spaces north of Sublot 28;
 - c) street crossing between Sublots 5 and 29; and
 - d) rear of Sublot 5, which appears to slightly touch Sublot 4.



4095 CENTER ROAD - BRUNSWICK, OHIO 44212

CITY HALL PHONE: (330) 225-9144 - FAX: (330) 273-8023 - POLICE & FIRE PHONE: (330) 225-9111 - FAX: (330) 225-6002 <http://www.brunswick.oh.us>

Pursuant to Section 1222.07 of the Subdivision Regulations, the Planning Commission has granted the above variances and has found that unusual or exceptional factors or conditions require such modification, and that subsections (a) through (f) of the above section are applicable.

3. In accordance with Section 1278.09(d), a 4' wide sidewalk is shown on the south side of Street "A", but a sidewalk will not be installed on the north side. Section 1230.01(b)(3) – Appendix H of the Subdivision Regulations requires sidewalks on both sides of the street. A variance to allow a sidewalk on only the south side of Street "A" has been granted, pursuant to Section 1222.07(a) through (f) of the Subdivision Regulations.
4. The Planning Commission has approved the following home models and elevations:
 - a. The Devonshire – Elevations "A", "B", "C", "D", "E", "F", and "G" with a minimum size of 1,590 sq. ft.
 - b. The Hamilton - Elevations "A", "B", "C", "D", "E", "F", and "G" with a minimum size of 1,735 sq. ft.
 - c. The Heritage (only one elevation proposed) with a minimum size of 1,650 sq. ft.
5. City Council will hold the second reading of three readings on the proposed legislation on November 23, 2020.
6. Planning Commission approval of the detailed site plan is required.

If you have any questions, please contact me at (330) 558-6865.

Sincerely,



Pamela Plavecski,
Planning & Zoning Coordinator

- c: Carl S. DeForest, City Manager
City Council
Grant Aungst, Community & Economic Dev. Director
Ken Fisher, Law Director
Matt Jones, Consulting City Engineer
Cliff Calaway, Chief Building Official

APPENDIX
OAK RIDGE PRESERVE
SPECIAL PLANNING DISTRICT NUMBER 7

Section A: Overview

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

Section B: Purpose

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

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

Section C: Uses

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

Section D: Density, Separation and Floor Area Requirements

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

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

(3) Minimum Building Setbacks.

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

(b) Minimum 5' rear yard setback.

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

(d) Open porches and decks either at grade or raised must also fit inside of the building envelope as outlined on the plan. **Only low-sight impact preservation fences with a maximum height of 5' are permitted.**

(4) Maximum Building Height.

(a) Principally permitted building: 35 feet.

(b) Accessory buildings or pools: Not permitted.

(5) Minimum floor area: 1,200 square feet.

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

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

(c) Only floor levels that are entirely above grade shall be included in the calculation of minimum square footage.

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

(7) Driveways shall be minimum 22' feet in length.

Section E: Development Standards

(1) Unit Types.

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

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

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

(d) **Private driveway maintenance shall be managed by the builder until 60% of the units on the private drives are sold. Then the responsibility shall shift to those homeowners living on the private driveways, per requirements and fees set out in the community HOA and signed off on by Homeowners at closing. Homeowners will be solely responsible for snow removal and any maintenance of the private drive in perpetuity. HOA**

will also collect fees from all homeowners in the cluster development to maintain any ponds or other common areas within SPD 7.

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

(3) Design Standards.

(a) Minimum building envelope shall be 40' in width and 70' in depth with minimum private open space of 200 sq. ft. per unit. No structure will exceed the building envelope, such as porches, patios or decks.

(b) Lighting fixtures shall ensure adequate lighting while reducing glare and light trespass.

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

(c) Structures shall use offsets, projections, recesses and other comparable design elements to avoid long, uninterrupted wall or roof planes. The use of a variety of enduring materials shall be used.

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

(e) Exposed foundation walls shall be covered with brick, stone, masonry or vinyl siding. Exposed formed in place concrete is acceptable no more than 4 inches above grade on front elevation and 16 inches above grade on side and rear elevations.

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

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

(h) There shall be no less than a 50 ft. right of way from back of sidewalk as outlined in development plan.

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

(a) No on street parking permitted. Parking in driveways or designated guest parking spots only.

(b) Guest parking shall be provided with off street parking spaces throughout the SPD.

Section F: Common Open Space

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

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

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

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

(5) Park benches shall be placed strategically in open spaces to take advantage of the overlooks and natural beauty of the site.

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

(7) Mowing shall occur in right of way, over utility easements, in common open space where benches and picnic areas shall be developed, and around the storm water management areas. Other areas shall be left in their natural state. No Mow Zones shall be designated to preserve the natural beauty of the streams and forested areas within the SPD.

Section G Common Open Space Disposition

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

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

(c) Private Open Space. Each building envelope shall be provided open space at the ratio of 200 square feet per unit minimum. Private open space shall not occupy any portion of the common open space required in subsection (b) above. Private open space shall be specifically designed and constructed to be used and enjoyed by the residents of an individual dwelling unit, and shall be located adjacent to and reasonably accessible from the dwelling unit. Such space shall be screened or otherwise designed to provide privacy for the intended users.

(e) Exclusions. Stormwater detention areas may receive full credit towards the common open space requirement in (b) above if they are designed and improved for an appropriate

open space use (such as a lake or playfield) in addition to stormwater detention. Single purpose detention basins shall not receive credit toward the open space requirement.

Section H: Supplemental Requirements.

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

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

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

Section I: Definitions.

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

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

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

The Hamilton

1,735 actual sq.ft.
Elevation F





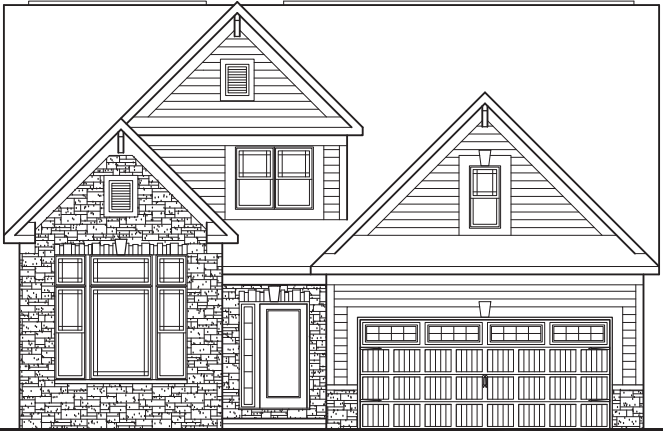
Elevation "A"



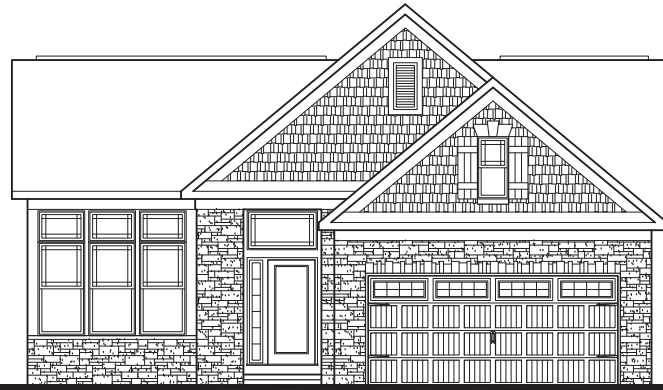
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Elevation "C"



Elevation "D"



Elevation "E"



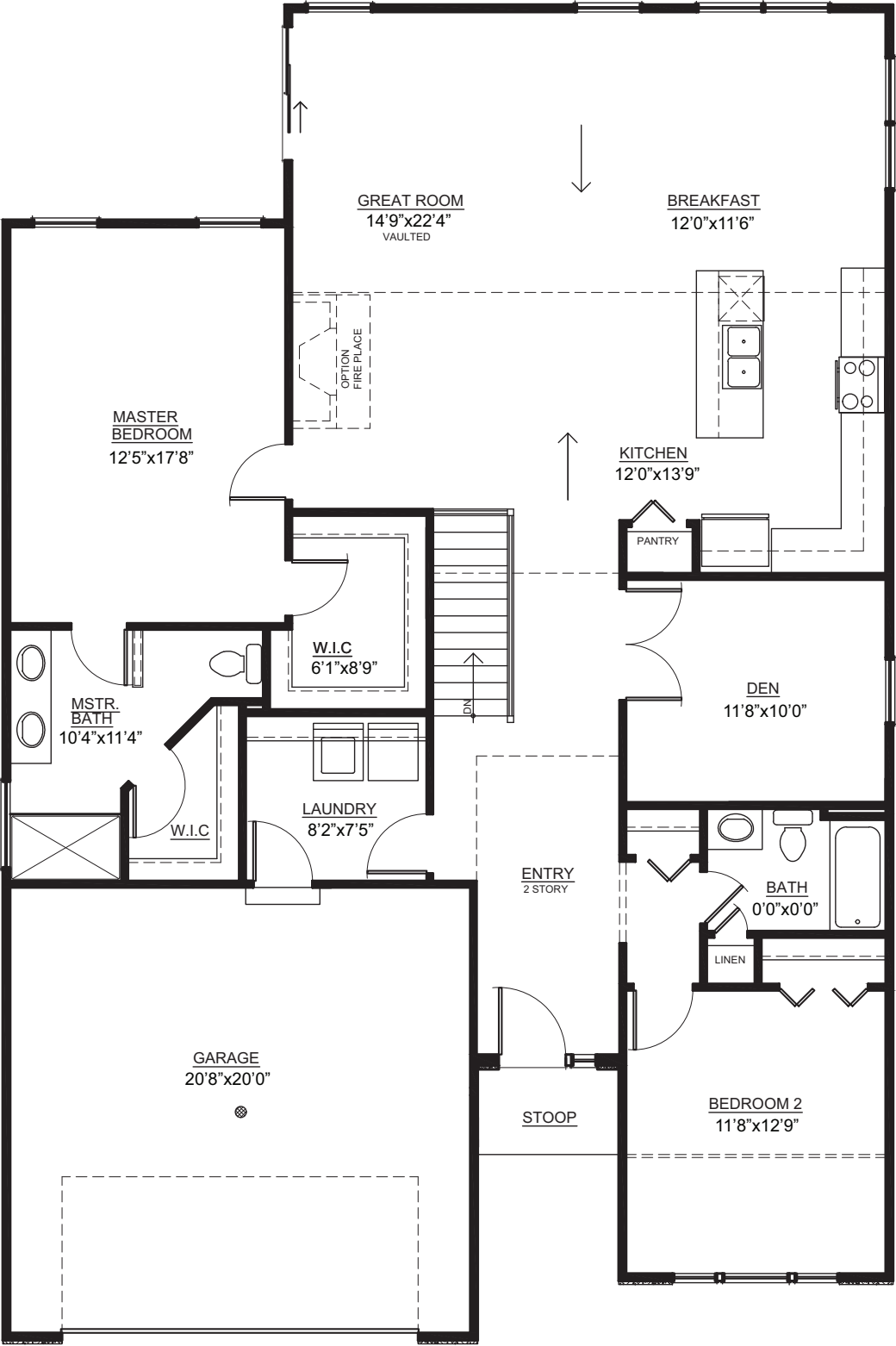
Elevation "G"



Elevation "F"

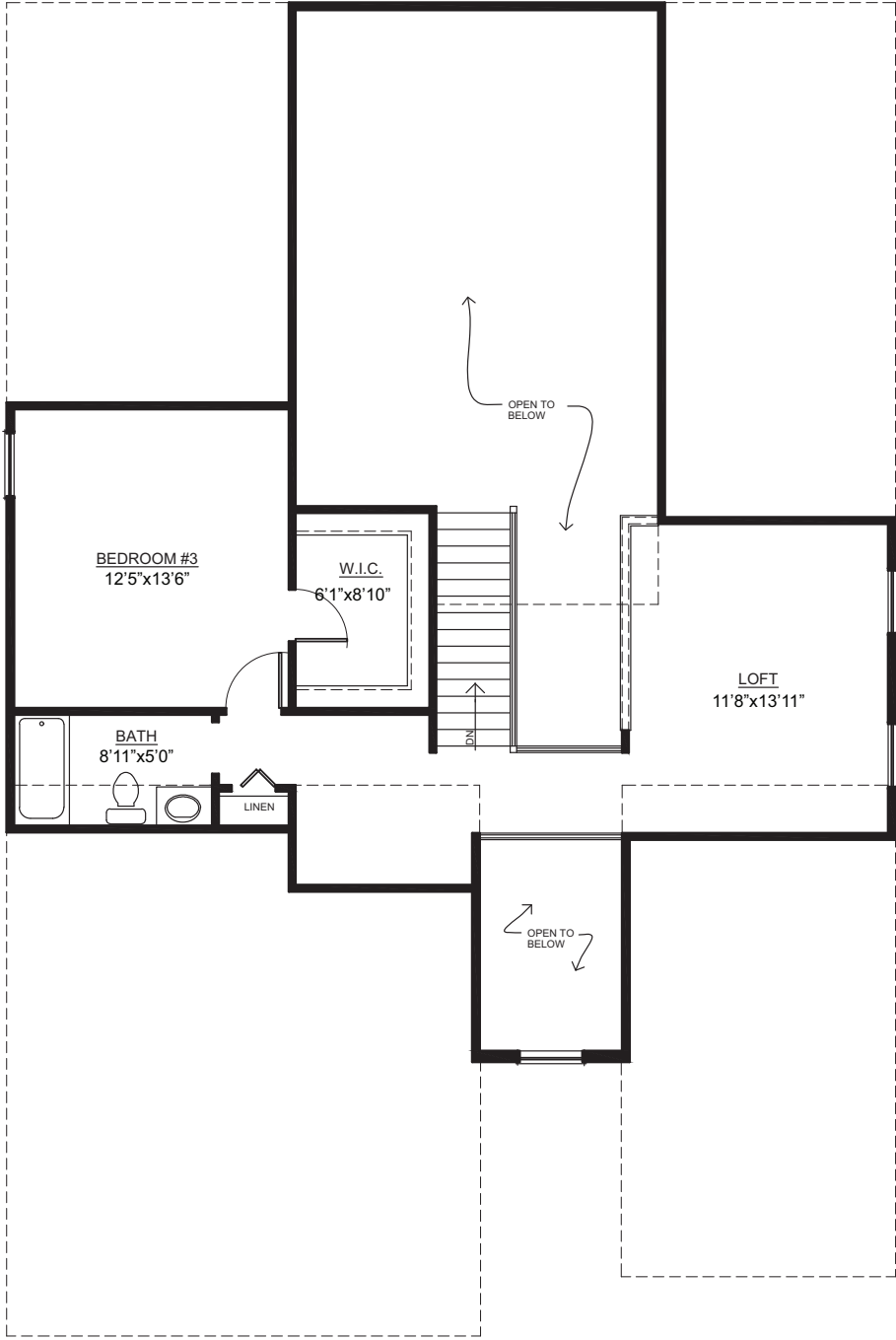
HAMILTON | FIRST FLOOR

"A" Elevation



HAMILTON

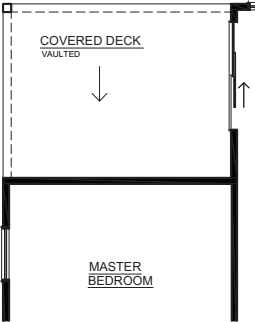
"A" Elevation



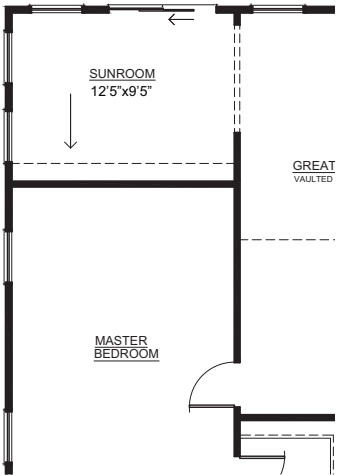
LOFT OPTION

Loft 580 S.F.

OPTIONAL COVERED DECK



OPTION SUN ROOM



The Heritage

1,650 actual sq.ft.
Elevation Finishes



The Devonshire

1,590 actual sq.ft.
Elevation D





Elevation "A"



Elevation "B"



Elevation "C"



Elevation "E"



Elevation "F"



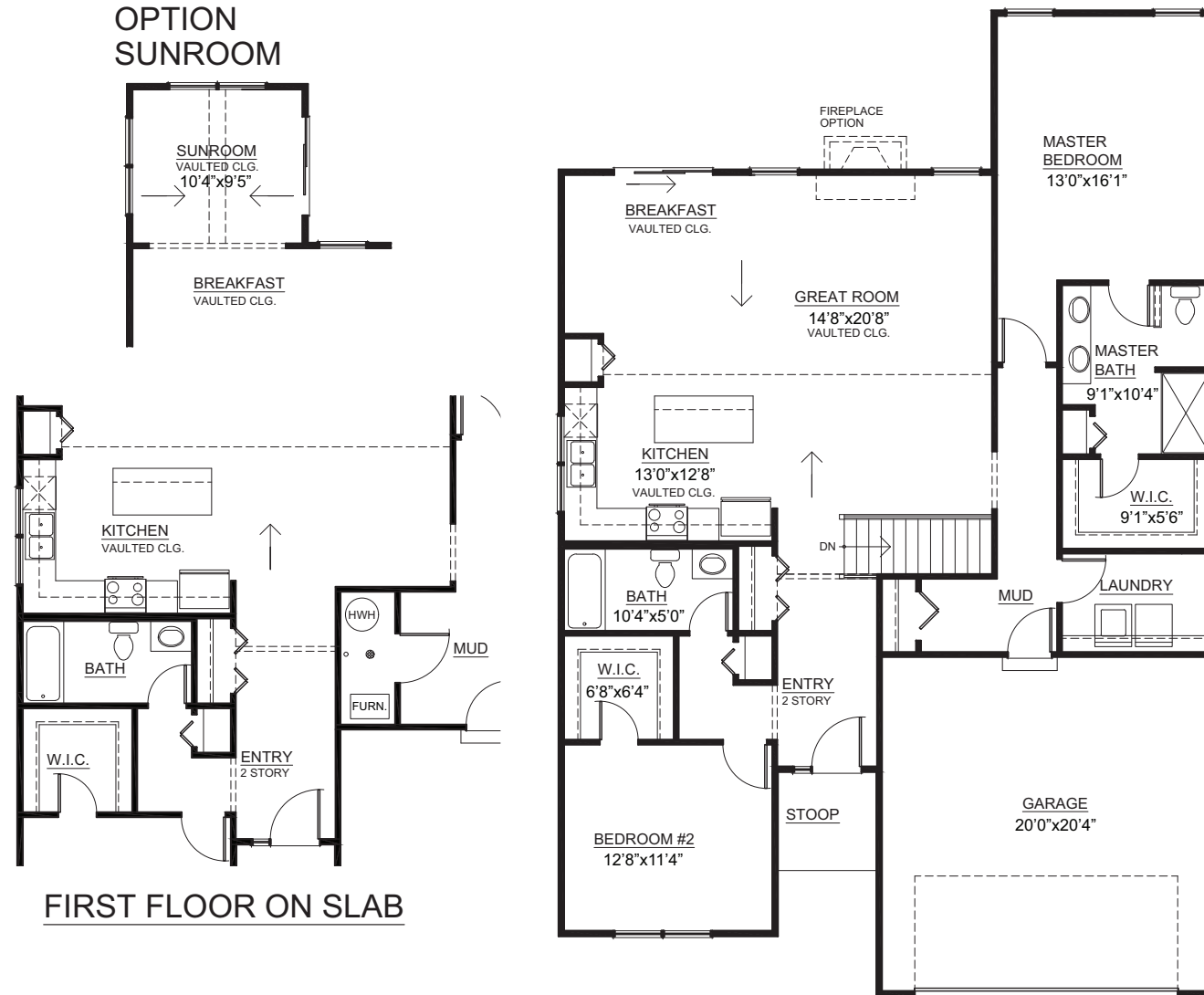
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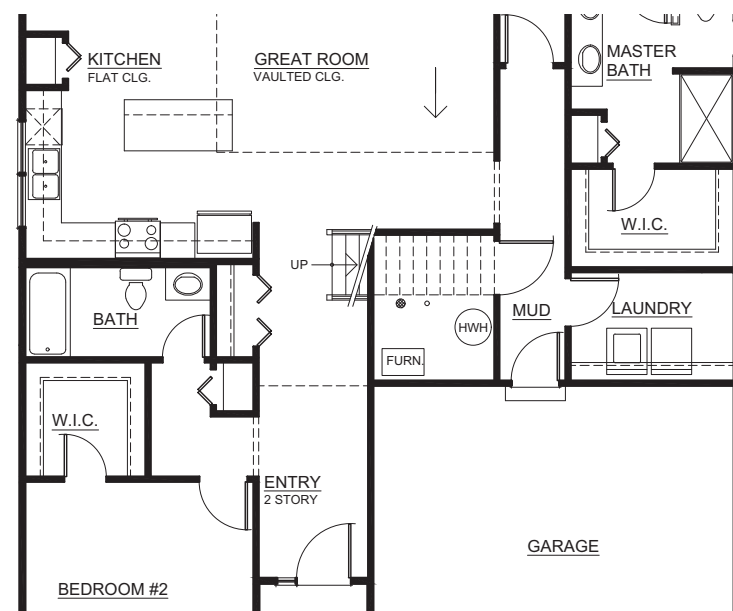
Elevation "D"

DEVONSHIRE | FIRST FLOOR

"A" Elevation



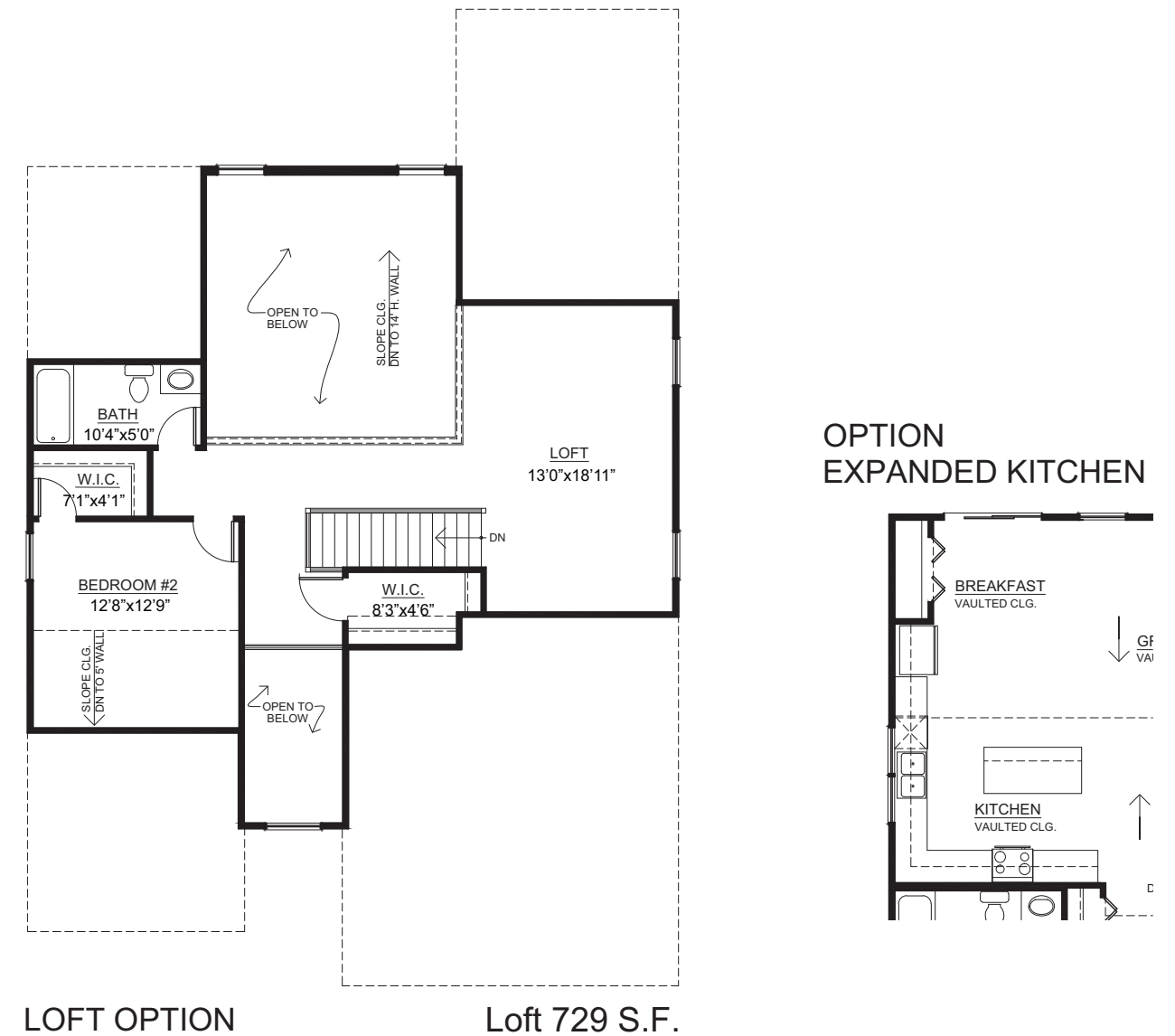
FIRST FLOOR ON SLAB



FIRST FLOOR ON SLAB w/ LOFT OPTION

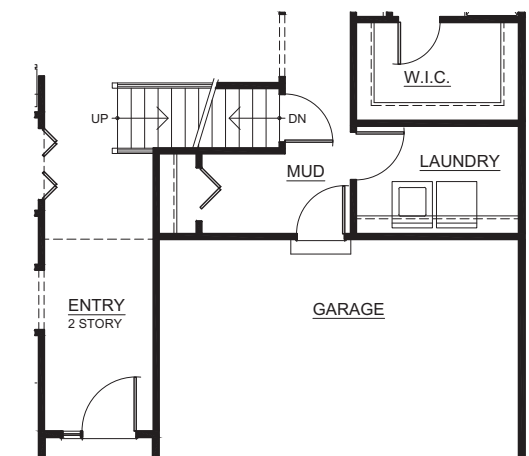
DEVONSHIRE

"A" Elevation



LOFT OPTION

Loft 729 S.F.



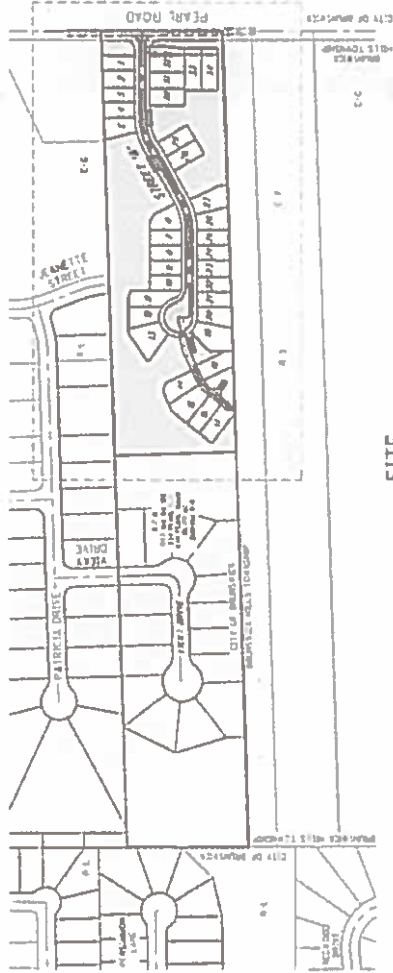
FIRST FLOOR w/ BASEMENT
& LOFT OPTION

PRELIMINARY SITE PLAN FOR OAK RIDGE RESERVE CITY OF BRUNSWICK, COUNTY OF MEDINA AND STATE OF OHIO

SITE DATA

PROJ. NO. 104-24-113
ADDRESS 810 PEARL ROAD, BRUNSWICK, OHIO
AREA 25.0 AC
EXISTING YIELD 12.0 AC
PROPOSED PHASE 2 11.0 AC
EST. NOW 0.3 AC
PROJECT AREA 12.7 AC
ZONING SPECIAL PLANNING DISTRICT-2 (SPD-2)

NO.	BOUNDARY SETBACKS	CODE	FEET
1	FROM PEARL ROAD RIGHT	40'	50'
2	FROM NORTH-PPS & SOUTH-PPS SIDE BOUNDARY	20'	20'
3	FROM WESTERN REAR BOUNDARY	40'	40'
4	FROM BUILDING SETBACKS	10'	10'
5	MIN. SEPARATION BETWEEN BUILDINGS	20'	20'
6	MIN. SETBACK FROM EDGE OF PAVEMENT	20'	20'
7	MIN. SETBACK FROM EDGE OF SIDEWALK	5'	5'
8	MIN. REAR YARD	30.0 (3.0 AC)	41.0 (5.0 AC)
9	MIN. OPEN SPACE	4.0 (5.0 AC)	7.1 (9.4 AC)
10	MIN. SETBACK FROM PERMITS PER ACN	4'	4'
11	50' HGS TO BASE OF SCREENS DISTANCE		



SHEET INDEX:
SHEET 1: SITE PLAN
SHEET 2: PLAN SHEET



LOCATION MAP

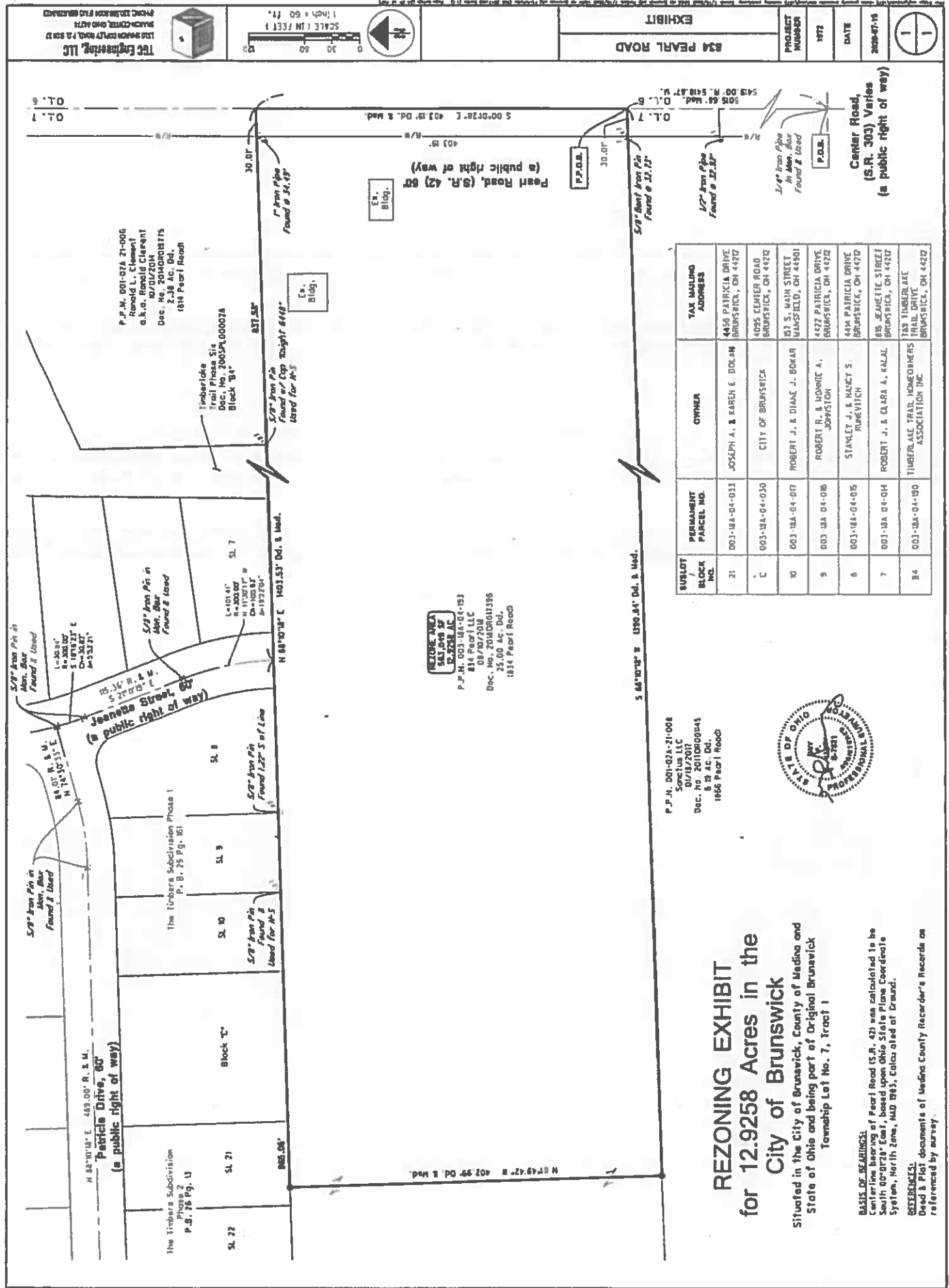


SOILS MAP

REVISIONS

NO.	DATE	DESCRIPTION
1	10/10/2024	ISSUED FOR PERMITS

REVISION	DATE	DESCRIPTION
1	10/10/2024	ISSUED FOR PERMITS



P.P.H. 001-02A-21-008
 Section LLC
 01/18/2017
 Dec. No. 20110100845
 5.19 AC. Dd.
 1056 Pearl Road



REZONING EXHIBIT **for 12.9258 Acres in the** **City of Brunswick**

Situated in the City of Brunswick, County of Medina and State of Ohio and being part of Original Brunswick Township Lot No. 7, Tract 1

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

SUBLOT BLOCK NO.	PERMANENT PARCEL NO.	OWNER	TAX MAPING ADDRESS
21	003-18A-04-033	JOSEPH A. & KAREN E. DOLAN	4456 PATRICIA DRIVE BRUNSWICK, OH 44202
C	003-18A-04-030	CITY OF BRUNSWICK	4095 CENTER ROAD BRUNSWICK, OH 44202
10	003-18A-04-017	ROBERT J. & DIANE J. BOKAR	63 S. MAIN STREET JAMESFIELD, OH 44130
9	003-18A-04-016	ROBERT R. & MONICA A. JOHNSON	4122 PATRICIA DRIVE BRUNSWICK, OH 44202
8	003-18A-04-015	STANLEY J. & NANCY S. MURPHY	4414 PATRICIA DRIVE BRUNSWICK, OH 44202
7	003-18A-04-014	ROBERT J. & CLARA A. KALAL	805 SEAGUETTE STREET BRUNSWICK, OH 44202
B4	003-18A-04-010	TIMBERLAKE VILLAGE HOMEOWNERS ASSOCIATION INC	1743 TIMBERLAKE TRAIL DRIVE BRUNSWICK, OH 44202

SECTION 12A
 12.9258 AC.
 P.P.H. 003-18A-04-193
 814 Pearl LLC
 01/10/2018
 Dec. No. 20140101396
 25.00 AC. Dd.
 1814 Pearl Road

TFC Engineering, LLC
 1110 BRUNSWICK CENTER ROAD, P.O. BOX 12
 BRUNSWICK, OHIO 44202
 PHONE: 330.330.0000 FAX: 330.330.0000

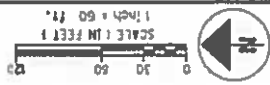


EXHIBIT
 814 PEARL ROAD

PROJECT NUMBER
 1972
 DATE
 2009-07-19

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 11/23/2020

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 - **2nd Reading** (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
General Fund				
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
Special Revenue Funds:				
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
Enterprise Funds:				
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
Capital Improvement Funds:				
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
Self Insurance Fund:				
600	Self Insurance Fund	-	3,445,000.00	\$ 3,445,000.00
Debt Service Funds:				
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
Agency Funds:				
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
Grand Total				\$ 72,128,730.79

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.

PASSED: 1st Reading _____

2nd Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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 - **2nd Reading** (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 2020.

**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:

Fund	Allocation
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:

Fund	Maximum Allocation
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.

PASSED: 1st Reading_____

2nd Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 11/23/2020

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) - **2nd Reading** (Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: The City of Brunswick desires to enter into a contract with Jefferson Health Plan for the provision of Major Medical Health Insurance and Prescription Coverage for full-time employees from January 1, 2018 through December 31, 2018; and

The Jefferson Health Plan is organized and operates as a Council of Governments under Ohio Code 167 with membership open to political subdivisions of the State of Ohio; and

The Jefferson Health Plan enables eligible employers to provide individually designed benefit programs to their employees while being able to enjoy the cost-saving advantages of group purchasing through the consortium.

Ohio Revised Code Section 9.833 (C) (2) requires the City to establish a special fund for self-insurance programs; and

The Self Insurance Fund #600 will be created as an internal service fund and used to account for contributions and payments associated with the City's medical and prescription drug insurance.

**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; and

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.

PASSED: 1st Reading_____

2nd Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Todd Fischer

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 90-2020** - An emergency resolution requesting an advance release of property tax revenue funds from the Medina County Treasurer collected for the benefit of the City of Brunswick. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: Each year the City of Brunswick requests an advance release of the maximum amount allowed by law of property taxes collected by the Treasurer. This request is for the 2020 collection year.

PURPOSE AND EXPLANATION: To allow the City to maximize the interest to be earned on available monies and improve the cash flows of the City. If the City did not execute this legislation then Medina County would be able to reap the interest and cash flow benefits from this otherwise "available" City money.

IMPLEMENTATION SCHEDULE: Consideration for passage as an emergency with the suspension of the rules on 2nd reading - December 14, 2020.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The total financial impact of this legislation is determined by a few variables that cannot be measured at this time. However, the impact of this legislation is positive for the City of Brunswick as it will allow for the City to obtain financial resources earlier than what it would be if it was not passed. This legislation merely changes the timing of when property tax money is received thus allowing for better interest earning potential and improving cash flows. The actual amount of each advancement of property taxes received and the actual interest rates available when the advancements are received cannot be measured or determined at the time this legislation is presented.

RECOMMENDED ACTION:

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

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

Recommendation for passage as an emergency with a suspension of the rules on December 14, 2020, to allow for the timely filing of paperwork with Medina County Auditor's Office. The emergency and suspension of the rules are deemed necessary in order for the City to be prepared and allow it to receive its property tax revenues in advance of the semi-annual settlement and maximize its interest revenue potential. The needed paperwork is expected to be distributed by the Medina County Auditor's Office in first weeks of December and must be filed no later than early January with this Resolution to receive the property taxes in advance of the normal settlement times defined by law.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 90-2020

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

AN EMERGENCY RESOLUTION REQUESTING AN ADVANCED RELEASE
OF PROPERTY TAX REVENUE FUNDS FROM THE MEDINA COUNTY
TREASURER COLLECTED FOR THE BENEFIT OF THE CITY OF
BRUNSWICK

WHEREAS: The City Council of the City of Brunswick wishes to receive advance release of property tax revenues collected by the Medina Country Treasurer for the benefit of the City of Brunswick.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City of Brunswick hereby requests advance release payment of the maximum amount allowed by law from the taxes collected for the benefit of said City credited to the General, Police Pension (Police Fund), and Road Levy Funds of said City, said release payment to be made from prior years, but not collected until 2021 on any and all levies pertaining to the City of Brunswick.

SECTION 2: That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of the Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements including Section 121.22 of the Ohio Revised Code.

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 and welfare of the City, and for the further reason that it is necessary to provide for the City of Brunswick, the necessary funds for the operation of the City; wherefore, this Resolution shall be in full force and effect immediately after its passage by the required number of votes; otherwise, the earliest time permitted by law.

PASSED: 1st Reading _____

2nd Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 11/23/2020

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. 91-2020** - An emergency ordinance to advance funds. - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

BACKGROUND: In order to comply with the Ohio Revised Code Section 5705 advances may become necessary as certain financial situations arise. An advance is the temporary movement of money from one fund to another fund that will be repaid upon the completion of an anticipated event. The process of advancing funds is required by law in certain financial situations and is audited under the direction of the Auditor of State for compliance every year. Advance legislation is generally presented two to three times a year or more, if deemed necessary.

PURPOSE AND EXPLANATION: See background section

IMPLEMENTATION SCHEDULE: Place on the November 23, 2020, Council agenda as an emergency with suspension of the rules.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Advances do not have a financial impact on the City funds as a collective whole. Advances are merely the movement of money from one fund to another and are defined in the Ohio Revised Code Section 5705 and in the Auditor of State Compliance Supplement. Advances are required to be included in the City's adopted budget and are also required to be approved by City Council.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No

Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

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

Recommended approval as an emergency with suspension of the rules. Emergency clause necessary to allow funding to be in place to administer plans and/or purchase orders for various projects, grants, etc.

**ADDITIONAL
INFORMATION:**

None.

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 91-2020

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

AN EMERGENCY ORDINANCE TO ADVANCE FUNDS

WHEREAS: The City of Brunswick wishes to advance monies from the General Fund #001 to the Department of Justice Federal Grant Fund #129 to temporarily fund the Coronavirus Emergency Supplemental Funding Program portion (CFDA#16.034) until federal grant reimbursements have been received.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the following funds are hereby advanced:

FROM: General Fund (#001)
TO: Department of Justice Federal Grant Fund (#129)
AMOUNT: \$10,688.13

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

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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. 92-2020** - An emergency ordinance amending Ordinances #92-19, #7-2020, #29-2020, #52-2020, #61-2020 and #82-2020 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*)

BACKGROUND: 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 necessary and required to present the 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.

PURPOSE AND EXPLANATION: See fiscal section and related attachments for additional information.

IMPLEMENTATION SCHEDULE: Place on the November 23, 2020 Council agenda and consider passage as an emergency with suspension of the rules to keep the budget as up to date possible.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The total financial impact of this legislation is a net increase to the overall City appropriation budget by \$231,109.65. The largest components are 1) an increase of \$352,575.40 for engineering services pertaining to future Pearl Road Improvements. The City Administration also believes we will be successful in obtaining substantial grant funding to help complete this project.; 2) Change Order #2 on the 2020 asphalt neighborhood road improvement project for an additional \$139,057.36. Change Order was due to more work and materials being used to complete certain roads than what was originally planned. 3) \$10,688.13 for a new Coronavirus grant obtained by the Division of Police in the last several weeks along with a corresponding cash advance. The grant deadline is tight and must be completed by December 31, 2020. Most of the remaining budget amendments are proposed reductions to reduce costs or the items are

no longer deemed necessary.

Exhibit A is the legal document required to be reviewed and adopted by Council pursuant to Ohio Revised Code Section 5705 for these budget amendments to be adopted.

All proposed amendments, whether negative or positive, are also detailed with a description and amounts in the attached Exhibit B. Exhibit B is provided for informational and review purposes only. This document is not required per Ohio Revised Code but is compiled to show explanations and amounts for each proposed budget amendment.

It's important to note that this legislation only has budgetary impact and actual expenditures, transfers and advances are still subject to state and local laws.

**RECOMMENDED
ACTION:**

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

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

Recommended approval as an emergency with suspension of the rules. The emergency clause is 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 to keep the budget as up-to-date as possible in order to provide accurate accountability to the City's financial readers and interested parties.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 92-2020

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

AN EMERGENCY ORDINANCE AMENDING ORDINANCES #92-19, #7-2020, #29-2020, #52-2020, #61-2020 AND #82-2020 TO INCLUDE AMENDMENTS TO THE APPROPRIATION BUDGET FOR THE YEAR ENDING DECEMBER 31, 2020 AS INCORPORATED IN EXHIBIT "A" ATTACHED HERETO.

WHEREAS: Ordinance #92-19 adopted appropriations for 2020; and Ordinances #7-2020, #29-2020, #52-2020, #61-2020 and #82-2020 regarding amendments to the 2020 appropriation budget, were previously adopted by Council; and

WHEREAS: "Exhibit A" reflects the appropriations as required by the Ohio Revised Code Section 5705.38(C); and

WHEREAS: The amendments are described in detail and attached hereto as "Exhibit B" for informational purposes only; and

WHEREAS: In order to properly budget in accordance with State law for expenditures presently anticipated it is necessary to amend Ordinances #92-19, #7-2020, #29-2020, #52-2020, #61-2020 and #82-2020.

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

SECTION 1: Ordinances #92-19, #7-2020, #29-2020, #52-2020, #61-2020 and #82-2020 are hereby amended to reflect the appropriations as attached hereto and incorporated herein as Exhibit "A."

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

PASSED: 1st Reading _____

RULES SUSPENDED: AYES _____ NAYS _____

ADOPTED: _____AYES _____ NAYS _____

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

EXHIBIT A

November 23, 2020

Fund Number	Fund Name / Department	Personal Service	Other	Total
General Fund				
001	General Fund			
	City Council	168,569.00	78,538.80	\$ 247,107.80
	Mayor	95,801.00	86,904.01	\$ 182,705.01
	City Manager	190,551.00	127,582.79	\$ 318,133.79
	Information Technologies	167,456.00	313,727.88	\$ 481,183.88
	Engineering	24,081.00	236,616.68	\$ 260,697.68
	Building Department	306,434.00	217,343.98	\$ 523,777.98
	Cemetery Maintenance	-	29,050.00	\$ 29,050.00
	Janitorial Contract	-	21,627.00	\$ 21,627.00
	City Hall Building & Grounds	17,081.00	50,683.38	\$ 67,764.38
	Administrative Services	89,627.00	51,802.68	\$ 141,429.68
	Economic Development	111,212.00	245,380.34	\$ 356,592.34
	Animal Control	75,290.00	67,478.22	\$ 142,768.22
	Law Department	188,482.00	257,285.11	\$ 445,767.11
	Finance Department	253,897.00	222,123.01	\$ 476,020.01
	Income Tax Department	176,332.00	232,083.31	\$ 408,415.31
	Parks & Recreation Director	90,106.00	64,737.74	\$ 154,843.74
	General Fund Administration	-	943,095.76	\$ 943,095.76
	Planning Division/Community Development	46,782.00	31,767.69	\$ 78,549.69
	Board of Building Appeals	456.00	1,211.00	\$ 1,667.00
	Board of Zoning Appeals	3,207.00	4,890.59	\$ 8,097.59
	Board of Civil Service	17,035.00	26,325.28	\$ 43,360.28
	Board of Ethics	5,200.00	4,604.30	\$ 9,804.30
	Board of Charter Review	3,600.00	7,471.00	\$ 11,071.00
	Board of Commemorative Affairs	-	17,000.00	\$ 17,000.00
	General Fund Transfers / Advances	-	20,748,777.07	\$ 20,748,777.07
001	Total General Fund	\$ 2,031,199.00	\$ 24,088,107.62	\$ 26,119,306.62
Special Revenue Funds:				
110	Court Computerization Fund	10,682.00	17,629.19	\$ 28,311.19
111	FEMA Grant Fund	-	5,927.30	\$ 5,927.30
112	Local CoronaVirus Relief Fund	1,682,129.29	634,681.43	\$ 2,316,810.72
114	Police Fund	4,471,505.60	4,127,682.08	\$ 8,599,187.68
115	Fire Fund	2,504,265.95	2,871,591.88	\$ 5,375,857.83
117	Street Repair & Maintenance Fund	1,160,611.00	2,602,973.34	\$ 3,763,584.34
118	State Highway Fund	-	169,225.00	\$ 169,225.00
119	Law Enforcement Fund	-		\$ -
120	Brunswick Transit Alternative (BTA) Fund	-	45,000.00	\$ 45,000.00
123	Brunswick Area Television (BAT) Fund	148,134.00	259,395.33	\$ 407,529.33
127	Parks Fund	208,629.00	461,416.38	\$ 670,045.38
129	Department of Justice Federal Grant Fund	-	135,850.39	\$ 135,850.39
130	DUI Enforcement & Education Fund	-	-	\$ -
131	Recreation Center Fund	347,267.00	661,067.03	\$ 1,008,334.03
133	Home Improvement Grant Fund (CDBG)	-	39,162.40	\$ 39,162.40
Enterprise Funds:				
223	Refuse Fund	67,834.00	2,582,188.50	\$ 2,650,022.50
224	Storm Water Management Fund	31,696.00	1,148,565.24	\$ 1,180,261.24
Capital Improvement Funds:				
300	General Permanent Improvement Fund	-	900,910.00	\$ 900,910.00
332	Road Levy Fund	-	2,598,100.00	\$ 2,598,100.00
333	Road Improvement Fund	-	4,703,258.00	\$ 4,703,258.00
334	Traffic Control Fund	-	-	\$ -
335	Public Square Fund	-	-	\$ -

336	City Building Improvement Fund	-	643,106.74	\$	643,106.74
337	EPA Grant Fund	-	200,000.00	\$	200,000.00
339	Fire Improvement Fund	-	-	\$	-
341	Park Improvement Fund	-	1,021,000.00	\$	1,021,000.00
347	North Carpenter Road Improvement Fund	-	8,572,834.12	\$	8,572,834.12
348	Boston Road Improvement Fund	-	93,519.24	\$	93,519.24
360	Brunswick Lake Improvement Fund	-	40,575.00	\$	40,575.00
370	OPWC Multi Roads Improvement Fund	-	728,800.00	\$	728,800.00
371	OPWC Laurel Road Improvement Fund	-	1,914,664.52	\$	1,914,664.52
Self Insurance Fund:					
600	Self Insurance Fund	-	3,250,000.00	\$	3,250,000.00
Debt Service Funds:					
771	General Obligation Bond Retirement Fund	-	-	\$	-
781	Special Assessment BRF: South Industrial Parkway	-	17.62	\$	17.62
782	Special Assessment BRF: Laurel Road (2006)	-	41,762.50	\$	41,762.50
783	Special Assessment BRF: Brunswick Lake - Dam	-	18,948.81	\$	18,948.81
784	Special Assessment BRF: Brunswick Lake - Dredging	-	11,826.18	\$	11,826.18
Agency Funds:					
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
Grand Total				\$	78,203,738.68

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 93-2020** - An emergency resolution authorizing the City Manager to enter into a three (3) year agreement (with two (2) additional one (1) year options) with Quality Control Inspection, INC. for the provision of professional construction inspection services. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: Construction inspection is a service that we have contracted out for many years. The most recent contract is with QCI which is in effect from 2018 thru 2020. Requests for Proposals were received on November 12, 2020 with 3 companies responding. A panel of 3 ranked the RFP's and recommends QCI as the lowest and best.

PURPOSE AND EXPLANATION: QCI will provide construction inspection services on construction projects that the City of Brunswick will be administering for the length of the agreement.

IMPLEMENTATION SCHEDULE: The services will be available to begin January 1, 2021 and continue thru December 31, 2023 with two (2) one (1) year options.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Provided appropriations are sufficiently in place, a PO for inspection services(QCI) would be issued for each construction project. The cost for inspection for each project will be shown in the costs for each project as estimated by the City Engineer.

In addition, payment shall be made to Quality Control Inspection, Inc. within THIRTY (30) days of the date the invoice was received by the CITY. The CITY shall be provided with a 2% discount on all hourly rates for services paid to QCI within 30-days of the dated invoice

RECOMMENDED

ACTION:

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

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

It is requested that this legislation is passed with an emergency after the 3rd reading in order to be in effect by January 1, 2021.

**ADDITIONAL
INFORMATION:**

Agreement



Contract No.: 73-20-35
Expiration: 12/31/23*
Client: City of Brunswick
Service: Civil Engineering Construction
Inspection Services

This Agreement made this ____ day of _____, 2020 by and between Quality Control Inspection, Inc. ("QCI") and the City of Brunswick ("CITY").

This is a Three (3) year Contract starting on January 1, 2021 and ending on December 31, 2023 with 2 one year options to extend services.

WITNESSETH:

WHEREAS, QCI is in the business of providing consulting services relating to construction engineer inspection and construction management (excluding: wastewater treatment plant, water plant, water towers, landfills, hazardous waste or treatment facilities, or projects adjudged by QCI to be of a specialized nature); and

WHEREAS, the CITY is desirous of engaging QCI to retain non-exclusive consulting services relating to construction engineering inspection and construction management as more fully set forth below: and

WHEREAS, on _____, 2020 the City of Brunswick authorized the hiring of QCI by Resolution # _____; and

WHEREAS, QCI and CITY have agreed to the terms and conditions for the consideration as more fully set forth below.

NOW THEREFORE, in consideration of the mutual promises and obligations observed and performed by the parties hereto, QCI and the CITY hereby agree as follows:

ARTICLE I - SCOPE OF SERVICE

QCI shall provide qualified Resident Project Representative(s) ("RPR"), Contract Administrators ("CA") and Construction Project Engineers ("CPE") for the use by the CITY and at the direction of the CITY's engineer ("ENGINEER") or CITY's ("ARCHITECT") or otherwise authorized representative of the City to inspect, consult, or manage Work being performed by Contractors hired, or authorized to perform work, by the CITY. The CITY shall have the right to reasonably approve all personnel assigned by QCI including any additional or substitute personnel.

Prior to the commencement of any project for which the services of QCI are required and when requested by the CITY, QCI shall meet with the CITY, review the proposed project and provide the CITY with a QCI Pre-Project Support Services Plan and written estimate of cost proposed for services, consistent with Exhibit "A" fee schedule attached hereto, which written estimate must be approved in writing by City Engineer, Finance Director, and City Manager prior to commencement of the work.

1. Duties and Responsibilities of the RPR and CA (while working at the direction of the ENGINEER):

*This is a 3 year contract with two (2) one year options

- a.) Liaison: Serve as the CITY's and ENGINEER's liaison with Contractor working principally through Contractor's Superintendent and assist him/her in understanding the intent of the Contract Documents.
- b.) Review of work, Rejection of Defective Work, Inspection and Tests:
 - (i) Conduct on-site observations of the work in progress to determine if the work is proceeding in accordance with the Contract Documents and that completed work will conform to the Contract Documents.
 - (ii) Report to the CITY and ENGINEER whenever QCI believes that any work is unsatisfactory, faulty or defective or does not conform to the Contract Documents, or does not meet the requirements of any inspections, tests, or approval required to be made or has been damaged prior to final payment; and advise CITY and ENGINEER when QCI believes work should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
 - (iii) Verify that tests are conducted as required by the Contract Documents and in presence of the required personnel, and that the Contractor maintains adequate records thereof; observe, record and report to the CITY and ENGINEER appropriate details relative to the test procedures.
 - (iv) Accompany visiting inspectors representing public or other agencies having jurisdiction over the project, record the outcome of these inspections and report to CITY and ENGINEER.
- c.) Interpretation of Contract Documents: Transmit to the Contractor clarifications and interpretations of the contract documents as approved by the CITY and ENGINEER.
- d.) Modification: Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report them with recommendations to CITY and ENGINEER.
- e.) Reports:
 - (i) Furnish CITY and ENGINEER daily reports as required for progress of the work and Contractor's compliance with the approved progress schedule and schedule of Shop Drawings submissions. Included shall be pay items completed, test data, and comments relative to observations of the day's work.
 - (ii) Consult with CITY and ENGINEER in advance of scheduled major tests, inspections or start of important phases of work.
- f.) RPR:
 - (i) The RPR is authorized to call to the attention of the Contractor any failure of the work or materials to conform to the Specifications and Contract, and report such findings in writing to the CITY and ENGINEER
 - (ii) The RPR is authorized to reject the use or attempted use of non-specified materials and report such rejection to the CITY and ENGINEER.
- g.) Payment Requisitions: Review applications for payment with Contractor for compliance with the established procedure for their submission and forward them

with recommendations to CITY and ENGINEER, noting particularly their relation to the schedule of values, work completed and materials and equipment delivered at the site but not incorporated in the work.

h.) Completion:

- (i) Submit to Contractor a list of observed items requiring completion or correction and report such findings in writing to the CITY and ENGINEER.
- (ii) Conduct final inspection in the presence of the CITY and ENGINEER and Contractor and prepare a final list of items to be completed or corrected, and report such findings in writing to the CITY and ENGINEER.
- (iii) Verify that all items on final list have been completed or corrected and make recommendations to the CITY and ENGINEER concerning acceptance.

i.) Additional Duties and Responsibilities of the CA: In addition to the duties and responsibilities as spelled out in Paragraph 1 (A), at the request of the CITY or ENGINEER, the CA shall act as a representative of the CITY and shall, under the CITY's authority and control; use best effort to resolve, rectify, remedy, correct and/or modify all field problems of any nature whatsoever, included, but not limited to, making recommendations and/or suggestions of solutions to field problems to the CITY and ENGINEER.

2. Duties and Responsibilities of the Construction Project Engineer (CPE): QCI's CPE serves as the responsible engineer in charge of the construction and management of large capital improvement projects. These individuals are Ohio Licensed professional engineers who possess a significant level of experience in managing projects in full compliance with a variety of local, state, and federal government programs.

- a.) The CPE shall provide sufficient organization, personnel and management to carry out the requirements of this Agreement in an expeditious and economical manner consistent with the best interests of the CITY.
- b.) The CPE shall expeditiously review design documents during their development and advise on proposed site use and improvements, selection of materials, building systems and equipment, and methods of Project delivery. The CPE shall provide recommendations on relative feasibility of construction methods, availability of materials and labor, time requirements for procurement, installation and construction, and factors related to construction cost including, but not limited to, costs of alternative design or materials, preliminary budgets, and possible economies.
- c.) The CPE shall consult with the CITY and ENGINEER and/or ARCHITECT regarding the Construction Documents and make recommendations whenever design details adversely affect constructability, cost or schedules.
- d.) The CPE shall assist the CITY in selecting, retaining and coordinating the professional services of surveyors, special consultants and testing laboratories required for the Project.
- e.) The CPE shall assist the CITY's ENGINEER and/or ARCHITECT with bid analyses and make recommendations to the CITY for the CITY's award of Contracts or rejection of bids.
- f.) The CPE may assist the CITY in preparing Construction Contracts and advise CITY on

acceptability of Subcontractors and material suppliers proposed by Contractors.

- g.) The Construction Phase will commence with the award of the initial Construction Contract or purchase order and, together with the CPE's obligation to provide Basic Services under this Agreement, will end 30 days after final payment to all Contractors is made.
3. Additional Duties and Responsibilities of a CPE for projects administered by the CITY's ARCHITECT.
- a.) The CPE shall provide administration of the Contracts for Construction in cooperation with the ARCHITECT as set forth below and in the edition of AIA Document A141-1997, Standard Form of Agreement between CITY and ARCHITECT with Standard Form of ARCHITECT's Services, current as of the date of this Agreement.
 - b.) The CPE shall schedule or be available to attend meetings to discuss such matters as procedures, progress and scheduling. The CM will prepare and promptly distribute minutes to the CITY, ARCHITECT, and Contractors.
 - c.) Utilizing the Construction Schedules provided by the Contractor(s), the CPE shall monitor the update of the Project construction schedule(s) incorporating the activities of the Contractors on the Project, including activity sequences and duration's, allocation of labor materials, processing of Shop Drawings, Product Data and samples, and delivery of products requiring long lead time and procurement. The Project construction schedule shall include the CITY's occupancy requirements showing portions of the Project having occupancy priority. The CPE shall coordinate the updating and reissue of the Project construction schedule as required to show current conditions. If an update indicates that the previously approved Project construction schedule may not be met milestones, critical path items or the completion date, the CPE shall recommend corrective action to the CITY and ARCHITECT.
 - d.) The CPE shall endeavor to obtain satisfactory performance from the Contractor(s). The CM shall recommend in writing courses of action to the CITY when requirements of the Contract are not being fulfilled.
 - e.) The CPE shall maintain accounting records on authorized Work performed under unit costs, additional Work performed on the basis of actual costs of labor and materials and other Work requiring accounting records.
 - f.) The CPE shall develop and implement procedures for the review and processing of applications by Contractor(s) for progress and final payments.
 - g.) Based on the CPE's observations and evaluations of the Contractor(s) Application for payment, the CPE shall review the amounts due the respective Contractor(s) and make recommendations of payment to the ARCHITECT and CITY and report such findings in writing to the CITY.
 - h.) The CPE shall determine in general that the work of the Contractor(s) is being performed in reasonable close conformance with the requirements of the Contract Documents, endeavoring to guard the CITY against defects and deficiencies in the Work and report such findings in writing to the CITY.
 - i.) As appropriate, the CPE shall have authority, upon written authorization from the CITY, to require additional inspection or testing of the Work in accordance with the provisions of the Contract Documents, whether or not such Work is fabricated, installed or completed.

- j.) The CPE, in consultation with the ARCHITECT, may reject Work that does not conform to the requirements of the Contract Documents and report such findings in writing to the CITY.
- k.) The CPE shall monitor the scheduling and coordination of sequence of the construction to the Contract documents and the latest approved Project construction schedule.
- l.) With respect to each Contractor's own Work, the CPE shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work of each of the Contractors, since these are solely the Contractor's responsibility under the Contract for Construction.
- m.) The CPE shall transmit to the ARCHITECT requests for interpretations of the meaning and intent of the Drawings and Specifications, and assist in the resolution of questions that may arise.
- n.) The CPE shall review requests for changes, assist in negotiating Contractor's proposals, submit recommendations to the ARCHITECT and CITY, and, if they are accepted, assist in preparing Change Orders and construction Change Directives which incorporate the ARCHITECT's and CITY modifications to the Documents.
- o.) The CPE shall assist the ARCHITECT in the review, evaluation and documentation of Claims.
- p.) Duties, responsibilities and limitations of authority of the CITY's project representative - "see attached AIA Document B352, modified.
- q.) All additional service, beyond the scope of this agreement shall only be undertaken by QCI upon written authorization by the CITY.

ARTICLE II - LIMITATIONS

Except upon written instruction of the CITY, ENGINEER, and/or ARCHITECT the RPR(s), CA or CPE:

1. Shall not authorize any deviation from the Contract Documents or approve any substitute materials or equipment.
2. Shall not issue instructions contrary to the contract plans, specifications or contract documents.
3. Shall not exceed limitations of the CITY, ENGINEER and/or ARCHITECT's authority as set forth in the Contract Documents.
4. Shall not undertake any of the responsibilities of Contractor, Subcontractor or Contractor's Superintendent, or expedite the work inconsistent with the project schedule of completion.
5. Shall not advise on or issue directions relative to any aspect of the means, methods, techniques, sequences or procedures of construction unless such is specifically called for in the Contract Documents.

6. Shall not issue directions as to safety precautions and programs in connection with the work.

ARTICLE III - FEES

1. Fee Schedule:

- a.) The CITY shall pay to QCI the fees as set forth in Exhibit "A" attached hereto.
- b.) The fees shall be due and payable on a monthly basis upon presentation by QCI of a detailed invoice.
- c.) QCI shall submit a monthly invoice to the CITY, specifying the project name, total RPR hours worked, CA hours worked, CPE hours worked, gas mileage, and reimbursable expenses.
- d.) Payment shall be made to Quality Control Inspection, Inc., 9500 Midwest Avenue, Garfield Heights, Ohio 44125, or QCI assigned financial agent within THIRTY (30) days of the date the invoice was received by the CITY. The CITY shall be provided with a 2% discount on all hourly rates for services paid to QCI within 30-days of the dated invoice
- e.) In the event the CITY or QCI desires to terminate this Agreement, it may be terminated upon THIRTY (30) days written notice by the party so desiring to terminate to the other party. QCI shall be paid for work completed and services performed up to the time of the notice of termination and in the event it is permitted to complete commenced projects, QCI shall be compensated at the rate provided for herein.
- f.) This agreement upon "Acceptance" shall become effective January 1, 2021 upon and remain in effect through December 31, 2023 with two (2) one year option renewals and shall not be construed to provide for exclusive use of QCI or to guarantee utilization of the above stated services to any level stated or implied.

ARTICLE IV - INDEMNIFICATION

1. Indemnification and Hold Harmless:

- e.) QCI shall at all times maintain in force and effect professional liability insurance with a limit of liability of not less than \$1,000,000.00 and in a form generally the same as its current coverage provided by National Union Fire Company of Pittsburgh, PA.

ARTICLE V - NON-SOLICITATION OF QCI EMPLOYEES

1. Solicitation of QCI Employees.

- a.) Information About QCI Employees. CITY may work closely with employees of QCI performing services under this Agreement. All information about such employees which becomes known to CITY during the course of this Agreement and which is not otherwise known to the public, including compensation or commission structure, is a Trade Secret of QCI and shall not be used by CITY in soliciting employees of QCI at any time. CITY agrees to protect the confidentiality of such information unless otherwise subject to disclosure pursuant to applicable Ohio or Federal law.

- b.) Solicitation of Employees Prohibited. During the term QCI is performing services for CITY and from one (1) year following the cessation of such services, CITY shall not directly or indirectly ask or encourage any employee(s) or former employee(s) of QCI to leave their employment with QCI, solicit any employee(s) of QCI or former employee(s) for employment, make any offer(s) of employment to any employee(s) or former employee(s) of QCI or employ any employee(s) or former employee(s) of QCI.
- c.) Injunctive Relief. CITY agrees and acknowledges that the violation of any of the provisions contained herein would cause irreparable injury to QCI, that the remedy of law for any violation or threatened violation thereof would be inadequate, and that QCI shall be entitled to temporary or permanent injunctive or other equitable relief without the necessity to prove actual damages. In any proceeding by QCI to enforce any of the provision of this Agreement, the prevailing party shall be entitled to reimbursement of all costs and reasonable attorney's fees incurred in such litigation.

ARTICLE VI - COPYRIGHTS

CITY acknowledges and agrees that QCI has certain licensing rights to Build A Form® Engineer Report System ("System") that will be utilized by QCI under this Agreement. QCI has proprietary rights in said System which shall remain the sole property of QCI and nothing herein shall be deemed to create any rights in CITY in violation of the rights or interest of QCI or any third party. CITY acknowledges that the remedy at law for any breach of this section will be inadequate and, accordingly, in the event of any breach or threatened breach by CITY of this section, QCI shall be entitled, in addition to any other remedies, to any injunction restraining any such breach.

ARTICLE VII - GENERAL

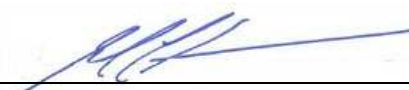
- 1. Heading. The headings to the Articles and Sections of the Agreement are inserted for convenience only and will not be deemed a part of this Agreement for purposes of interpreting or applying the provisions of this Agreement.
- 2. Governing Law. This Agreement will be governed in all respects by the laws of the State of Ohio.
- 3. Severability. If any provision or paragraph of this Agreement shall be prohibited by law or held to be invalid, such provision or paragraph shall be separable from this agreement without invalidating the remaining provisions or paragraphs hereof.
- 4. Amendments. During the term of this Agreement, CITY and QCI may amend this Agreement provided, however, any such amendment must be in writing and signed by both CITY and QCI.
- 5. Force Majeure. Neither party shall be liable for its failure to perform hereunder due to any contingency beyond its reasonable control, including acts of God or the public enemy, fire, explosion, accident, flood, drought, embargoes, war, riot, sabotage, action of any kind of governmental authority, whether valid or invalid, strikes, lockouts, labor disputes or shortages or any contingency, delay, failure or cause beyond the parties reasonable control, whether or not of the kind specified herein.
- 6. Waiver. The waiver by either party of any breach or violation of any provision of this Agreement shall be effective only if given in writing and signed by the waiving party. Any waiver of one breach or violation shall not operate or be construed as a waiver of any subsequent breach or violation.

7. Entire Agreement. This instrument, including the appendices, exhibits, and attachments hereto, constitutes the entire Agreement between the parties covering the subject matter and supersedes all previous agreements and all proposals and negotiations not expressly set forth herein. No modifications or amendments shall be valid unless in writing and signed by both parties. Where conflicts may arise between this Agreement and the proposal of QCI, this Agreement shall prevail.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first above-mentioned.

Acceptance:

QUALITY CONTROL INSPECTION, INC.
40 Tarbell Avenue
Bedford, Ohio 44146

By: 
Rick E. Capone, President

Date: November 16, 2020

CITY OF BRUNSWICK
4095 Center Road
Brunswick, Ohio 44242

By: _____
Carl DeForest, City Manager

Date: _____

Approved as to form

By: _____
Director of Law, City of Brunswick

Date: _____

This agreement authorized by resolution _____ adopted the ____ day of _____, 2020

By: _____
Clerk of Council, City of Brunswick

Date: _____

EXHIBIT “A”

- 1) This is a Three (3) year Contract starting on January 1, 2021 and ending on December 31, 2020 with two (2) one year options to extend services.
- a.) **Resident Project Representative** – \$49.44 to \$54.59 per hour, per person. Work performed on a Saturday, Sunday, Holiday and/or any hours which exceed a total of eight hours (8) per day will be regarded as an extra for which compensation will be in the sum of \$74.16 to \$81.89 per hour, per person for each extra hour worked.
- b.) **Contract Administration** - \$75.19 per hour, per person.
- c.) **Construction Project Engineer (Ohio PE)** - \$97.85 per hour, per person.
- d.) **Discount** – The City of Brunswick shall be provided a 2% discount on all Hourly Rates for services, on invoices paid by the City to within 30-days of the dated invoice. QCI's Invoice(s) shall detail the total amount due and “Discount Amount Due” if paid within 30-days of dated invoice.
- e.) QCI's rates conform to the following cost principles: Monday through Friday, five (5) eight (8) hour workdays.
- f.) CITY shall contact QCI one (1) hour prior to the start of any scheduled work to terminate any scheduled daily inspections. QCI shall forgo compensation for properly terminating scheduled daily inspection services. QCI shall be compensated for TWO (2) hours per person, for all scheduled inspection terminated before a two (2) hour working period, compensated for FOUR (4) hours per person for all scheduled inspection which exceeds two (2) hours but has not exceeded a four (4) hour working period and compensated for EIGHT (8) hours per person for all scheduled inspection exceeding four (4) hours and not exceeding an eight (8) hour working period.
- g.) Reimbursable expenses; mean the actual expenses incurred directly or indirectly, plus 10%, in connection with the project including: expendable materials, transportation and subsistence incidental thereto; providing and maintaining field office facilities including furnishings and utilities; telephone calls, reproduction of reports, drawings and specifications and similar project related items.

D:\QCI\BD\Brunswick, City of\Scope\2020-2023 Scope.doc

6. Listing of Hourly Fees



Hourly Rates and Fee Structure

QCI has a long history of providing the highest level of service for the greatest value in the industry. QCI has provided a range of pricing as per the City of Brunswick's instruction found on page 2 of your request. Upon our selection and in following Ohio's Qualifications-Based Selection process, using this range we will negotiate our rate(s) to perform the required services at a compensation determined in writing to be fair and reasonable to the City of Brunswick. Contract negotiations shall be directed toward:

- (1) Ensuring QCI and the City have a mutual understanding of the essential requirements involved in providing the required services;
- (2) Determining that QCI will make available the necessary personnel, equipment, and facilities to perform the services within the required time;
- (3) Agreeing upon compensation which is fair and reasonable, taking into account the estimated value, scope, complexity, and nature of the services.

QCI Fees and Costs Civil Engineering Construction Inspection Services RFP- 2020-001		
Position	Hourly Rate Range 2020- 2023	Hourly Overtime Rate Range 20120 - 2023
Construction Project Engineer	* \$97.85	N/A
Contract Administrator	* \$75.19	N/A
Resident Project Representative	* \$49.44 to \$54.59	\$74.16 to \$81.89

Discount on Fees and Costs

The City of Brunswick shall be provided with a 2% discount on all hourly rates for services paid by the City to QCI within 30-days of the dated invoice. QCI's invoice(s) shall detail the Total Amount Due as well as the Discount Amount; valid when paid within 30-days.

Below reflects the adjusted hourly rates when the aforementioned discount is applied:

Rates with 2% Discount on Fees and Costs Civil Engineering Construction Inspection Services RFP- 2017-002		
Position	Adjusted Hourly Rate	Adj. Hourly Overtime Rate
Construction Project Engineer	\$95.89	N/A
Contract Administrator	\$73.69	N/A
Resident Project Representative	\$48.45 to \$53.50	\$72.68 to \$80.25

Scoring of RFP for Construction Inspection 2021-2023

Scoring Performed on 11-16-2020

Scorer	Thomarios			ECS Midwest, LLC			QCI		
	Akron, Ohio			Brooklyn Heights, Ohio			Bedford, Ohio		
	Ryan Lutz	Matt Jones	Paul Barnett	Ryan Lutz	Matt Jones	Paul Barnett	Ryan Lutz	Matt Jones	Paul Barnett
Description of Firm	3.0	3.0	3.0	4.5	4.5	4.0	4.0	4.0	4.0
Firm Experience and History in Inspection Services	3.5	2.5	3.0	5.0	4.5	5.0	5.0	5.0	5.0
Staff/Cost	7.0	8.0	7.0	5.0	6.0	4.0	9.0	10.0	10.0
References	4.0	4.5	5.0	4.0	4.0	4.0	5.0	5.0	5.0
Quality of Proposal	4.5	5.0	4.0	5.0	5.0	5.0	4.0	4.5	4.0
Web Based Reporting	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Individual Rater Totals	27.0	28.0	27.0	28.5	29.0	27.0	32.0	33.5	33.0
Grand Totals			82.0			84.5			98.5
Point Ranking			3			2			1

Scoring based on a scale of 0 thru 5 with 5 being the best for all categories except "Staff/Cost" which is scored on a scale of 1 thru 10 with 10 being the best.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 93-2020

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR AGREEMENT (WITH TWO (2) ADDITIONAL ONE (1) YEAR OPTIONS) WITH QUALITY CONTROL INSPECTION, INC. FOR THE PROVISION OF PROFESSIONAL CONSTRUCTION INSPECTION SERVICES.

WHEREAS: Pursuant to a Request for Proposals authorized by Council by Motion, three (3) proposals for the provision of professional construction inspection services were received on November 12, 2020;

WHEREAS: A panel of three (3) City employees ranked the received proposals and recommended the proposal submitted by Quality Control Inspection, Inc. as being the lowest and best; and

WHEREAS: The previous professional construction inspection service agreement with Quality Control Inspection, Inc. expires on December 31, 2020.

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

SECTION 1: That the City Manager, with approval of the Director of Law, is authorized and directed to enter into a three (3) year Agreement (with two (2) additional one (1) year options) with Quality Control Inspection, Inc., as attached hereto as Exhibit "A", for the provision of professional construction inspection services commencing January 1, 2021.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, or welfare and to provide for the usual daily operation of a municipality and for the additional reason that this contract for professional construction inspection services be in effect as soon as possible for the continuation of professional construction inspection services. 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.

PASSED: 1st Reading _____
2nd Reading _____
3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Brian Ousley

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 94-2020** - A resolution designating the month of January of each year as "Support Local Food Bank Month" in the City of Brunswick. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Brian Ousley*)

BACKGROUND: The supply levels at local food banks are depleted after the holiday season and are typically at their lowest levels in January.

PURPOSE AND EXPLANATION: To encourage donations to food banks after the holidays.

IMPLEMENTATION SCHEDULE: Adopt after three readings.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 94-2020

BY: Committee-of-the-Whole

A RESOLUTION DESIGNATING THE MONTH OF JANUARY OF EACH YEAR AS “SUPPORT LOCAL FOOD BANK MONTH” IN THE CITY OF BRUNSWICK.

WHEREAS: Local food banks play an important role in the community by assisting those in need.

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

SECTION 1: That the month of January of each year shall be designated as “Support Local Food Bank Month” in the City of Brunswick.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Fijabi Gallam

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 95-2020** - A resolution repealing Resolution NOS. 19-03 and 100-03 to repeal the Storm Water Commission. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Fijabi Gallam*)

BACKGROUND: On February 24, 2003, City Council adopted Resolution No. 19-03 establishing the Storm Water Commission. On September 8, 2003, City Council adopted Resolution No. 100-03 establishing the composition of the Storm Water Commission.

PURPOSE AND EXPLANATION: It has been determined that the Storm Water Commission is no longer necessary.

IMPLEMENTATION SCHEDULE:

Three Readings

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

If emergency or suspension of the rules, why the request?
None

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 95-2020

BY: Committee-of-the-Whole

A RESOLUTION REPEALING RESOLUTION NOS. 19-03 AND 100-03 TO
REPEAL THE STORM WATER COMMISSION.

WHEREAS: On February 24, 2003, City Council adopted Resolution No. 19-03 establishing
the Storm Water Commission;

WHEREAS: On September 8, 2003, City Council adopted Resolution No. 100-03 establishing
the composition of the Storm Water Commission; and

WHEREAS: It has been determined that the Storm Water Commission is no longer necessary.

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

SECTION 1: That Resolution Nos. 19-03 and 100-03 are hereby repealed in their entirety and
the Storm Water Commission is hereby repealed.

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

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

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

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Joseph Delsanter

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 96-2020** - An ordinance establishing Section 1270.10(b) by providing temporary relief from the temporary sign regulations for businesses in the City of Brunswick in an attempt to increase economic opportunities. - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Joseph Delsanter)

BACKGROUND: 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. 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.

PURPOSE AND EXPLANATION: 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.

IMPLEMENTATION

SCHEDULE: Three Readings

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 96-2020

BY: Committee-of-the-Whole

AN ORDINANCE ESTABLISHING SECTION 1270.10(b) BY PROVIDING TEMPORARY RELIEF FROM THE TEMPORARY SIGN REGULATIONS FOR BUSINESSES IN THE CITY OF BRUNSWICK IN AN ATTEMPT TO INCREASE ECONOMIC OPPORTUNITIES.

WHEREAS: This 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 ORDAINS:

SECTION 1: That Section 1270.10(b) of the Codified Ordinances is hereby established to read as follows:

“(b) Temporary relief from the temporary sign regulations shall be provided as follows:

- (1) 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 a Stipulated Agreement, in such form as promulgated by the City Manager, may erect authorized temporary signage in such manner as permitted by Section 1270.10(a) and (b).
- (2) The maximum total number of permits and the durational requirements for display of temporary signage contained in Codified Ordinance Section 1270.10(a) shall be waived.
- (3) The temporary relief granted herein is effective from November 15th through December 31st annually.
- (4) The City Manager may, in his/her sole discretion, refuse to issue

permits for temporary relief from the temporary sign regulations where the Applicant: (a) previously violated a Stipulated Agreement relative to such temporary relief; (b) is presently in violation of any regulations contained in Codified Ordinance Chapter 1270; or (c) is presently in violation of any other regulation of the Codified Ordinances, including, without limitation, the Building Code, the Zoning Code or the Business Regulation and Taxation Code.

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

PASSED: 1st Reading_____

 2nd Reading_____

 3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

 Clerk of Council

 Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 97-2020** - An emergency resolution declaring the intention of the City of Brunswick to provide municipal services to a 1.7311 acre parcel of land (PPN 001-02B-05-004) on North Carpenter Road. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

BACKGROUND: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick.

PURPOSE AND EXPLANATION: The approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the February 2, 2021 hearing date.

IMPLEMENTATION SCHEDULE: The approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the February 2, 2021 hearing date

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

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

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

Be passed as an emergency measure upon three (3) readings.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NUMBER 97-2020

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION DECLARING THE INTENTION OF THE CITY OF BRUNSWICK TO PROVIDE MUNICIPAL SERVICES TO A 1.7311 ACRE PARCEL OF LAND (PPN 001-02B-05-004) ON NORTH CARPENTER ROAD.

WHEREAS: The City of Brunswick has been notified that a Petition for Regular Annexation on Application of Owners (the "Petition") was presented to the Medina County Commissioners requesting a parcel of land be annexed from Brunswick Hills Township to the City of Brunswick, and

WHEREAS: The City of Brunswick does not object to this Petition.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The Council for the City of Brunswick hereby declares that, should the Medina County Commissioners grant the annexation of 1.7311 acres of land on North Carpenter Road (PPN 001-02B-05-004), the City of Brunswick will provide police protection, fire prevention/suppression, EMS service, and any and all other services rendered to residents of the City of Brunswick. Additionally, the City of Brunswick will support any application to the Cleveland Division of Water for connection to the water system for the provision of water services to the property and to the Medina County Sanitary Engineer for connection to the sanitary sewer system, subject to payment of any and all applicable costs and fees.

SECTION 2: That the Council of the City of Brunswick hereby urges the County to undertake a careful and deliberate study of all matters presented in the Petition for Regular Annexation on Application of Owners, as attached hereto as Exhibit "A", and to approve the proposed annexation of such property to the City of Brunswick.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, welfare, and providing for the usual daily operation of a municipality, and for the further reason that the approved legislation must be filed with the Medina County Commissioners' Office twenty (20) days before the February 2, 2021 hearing date. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

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

NOTICE OF FILING OF PETITION FOR REGULAR ANNEXATION

Date: November 12, 2020

VIA CERTIFIED MAIL:
RETURN RECEIPT REQUESTED

Clerk of Brunswick City Council
c/o Fijabi Julien-Gallam
4095 Center Road
Brunswick, Ohio 44212

This notice is given to you in your capacity as Clerk of City Council of Brunswick, Ohio.

You are advised that a Petition for Regular Annexation was filed by Ermitano Santiago and Ada Iris Santiago in Medina County, Ohio with the Board of Commissioners of Medina County, Ohio on November 12, 2020 at 9:37 a.m., for the annexation of 1.7311 acres located at 299 North Carpenter Road, Brunswick, Ohio 44212 from Brunswick Hills Township, Ohio to the City of Brunswick, Ohio.

The Medina County Board of Commissioners has scheduled the hearing on the Petition for Regular Annexation for Tuesday, February 2, 2021 at 10:00 a.m. in the Medina County Commissioners' Hearing Room, 144 N. Broadway Street, Room 201, Medina, Ohio 44256.

A true and correct copy of the time-stamped Petition for Regular Annexation that was filed with the Medina County Board of Commissioners, along with all attachments or documents accompanying the Petition for Regular Annexation, is attached hereto.



Joshua E. Lamb, Agent for
Petitioners Ermitano Santiago and
Ada Iris Santiago
5750 Cooper Foster Park Road,
Suite 102
Lorain, Ohio 44053
(440) 988-9500

**PETITION FOR REGULAR ANNEXATION OF LAND TO THE CITY OF
BRUNSWICK FROM BRUNSWICK HILLS TOWNSHIP**

To: Board of Commissioners of Medina County, Ohio
144 North Broadway Street
Medina, Ohio 44256

Pursuant to Section 709.02 of the Ohio Revised Code, the undersigned, being all the legal owners of the real property located at 299 N. Carpenter Road, Brunswick, Ohio 44212 (the "Property"), which is contiguous and adjacent to the City of Brunswick, hereby petitions the Board of Commissioners for Medina County for the regular annexation of the Property to the City of Brunswick from the Brunswick Hills Township.

An accurate legal description of the Property to be annexed to the City of Brunswick is attached hereto as Exhibit A and is made a part hereof. An accurate map of the Property sought to be annexed is set forth in Exhibit B, which is attached hereto and made a part hereof. There are two (2) owners of the Property.

Pursuant to O.R.C. §709.02(D), the list of the Property to be annexed to the City of Brunswick is set forth in Exhibit C, which is attached hereto and made a part hereof. The undersigned are the sole owners of the Property sought to be annexed. All the owners of the Property subject to this petition for annexation have consented to this petition and have executed the same.

Pursuant to O.R.C. §709.02(D), a list of all properties adjacent to and/or directly across the street from the Property sought to be annexed are contained in Exhibit C hereto (including but not limited to the name and mailing address of each owner and the permanent parcel number of the relevant properties).

The name of the person hereby appointed to act as agent for the undersigned petitioner is Joshua E. Lamb, Trigilio, Stephenson & Dattilo, PLL., 5750 Cooper Foster Park Road, Suite 102, Lorain, Ohio 44053, Telephone No. (440) 988-9500, Fax No. (440) 988-9511, who can be emailed at jlamb@tsohiolaw.com.

Ermitano Santiago
Ermitano Santiago

Date: 9-18-2020

Ada Iris Santiago
Ada Iris Santiago

Date: 9-18-2020

State of Ohio :
County of Lorain : ss.

This is an acknowledgment clause. No oath or affirmation was administered to the signers.

On this 18th day of September, 2020, before me, a Notary Public, in and for said County and State, personally came Ermitano Santiago and Ada Iris Santiago, the Petitioners in the foregoing Petition for Regular Annexation, who acknowledged that they executed the foregoing instrument and the same is their free act and deed.

Rebecca L. Lengyel
Notary Public



Rebecca L. Lengyel
Notary Public, State of Ohio
My Commission Expires 8/20/2023

EXHIBIT A

Situated in the Township of Brunswick Hills, County of Medina and State of Ohio: And known as being a part of Original Brunswick Township Lot No. 23 in Tract No. 2, bounded and described as follows:

Beginning at an iron pin found on the centerline of Carpenter Road (C.H. 103) (60 feet wide) at the northwest corner of said Lot No. 23. Said iron pin also being at the northwest corner of land conveyed to Grace F. & Earle L. Behner by deed recorded in Volume 117, Page 172 of Medina County Records;

Thence South 2 deg. 30' 00" West, along the centerline of Carpenter Road and the west line of Lot No. 23, 121.42 feet to the southwest corner of land conveyed by Earle L. & Grace F. Behner to James H. and Jacqueline Hollan by deed recorded in Volume 354, Page 457 of Medina County Records and the principal place of beginning of the parcel herein described;

Thence South 81 deg. 57' 49" East, along the south line of land so conveyed to James H. & Jacqueline Hollan, 605.40 feet to an iron pin set on the westerly line of Interstate Highway 71. Said line passing through an iron pin found 29.55 feet, as measured along said line, from the centerline of Carpenter Road;

Thence South 2 deg. 52' 06" East, along the westerly line of Interstate Highway 71, 111.50 feet to an iron pin set at an angle therein;

Thence South 1 deg. 22' 00" East, along the westerly line of Interstate Highway 71, 13.11 feet to an iron pin set at the northeast corner of land conveyed by Earle L. & Grace F. Behner to Noubar Kouyoumdjian by deed recorded in Volume 367, Page 377 of Medina County Records;

Thence North 82 deg. 08' 18" West along the north line of land so conveyed to Noubar Kouyoumdjian, 616.59 feet to the northwest corner thereof, the centerline of Carpenter Road and the west line of Lot No. 23. Said line passing through an iron pin found 29.40 feet, as measured along said line, from the centerline of Carpenter Road;

Thence North 2 deg. 30' 00" East, along the centerline of Carpenter Road and the west line of Lot No. 23, 124.88 feet to the principal place of beginning and containing 1.7311 Acres of Land, more or less, according to a survey prepared by Carl L. Craddock, Registered Surveyor No. 5762 for and in behalf of Bock & Clark, under Project No. 87214, dated December 7, 1987 and subject to all legal highways.

Permanent Parcel No. 001-02B-05-004

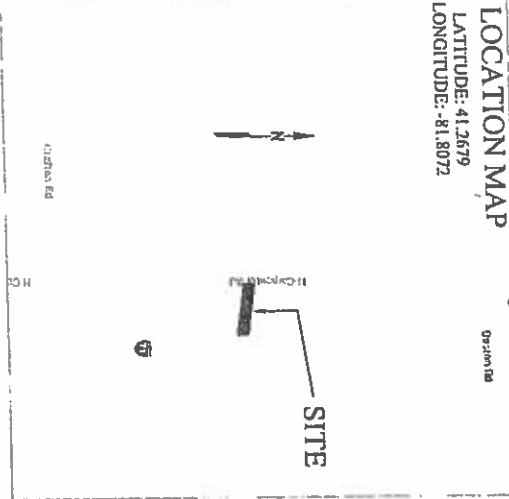
PLAT OF REGULAR ANNEXATION

of 1.7311 acres in Brunswick Hills Township to the City of Brunswick

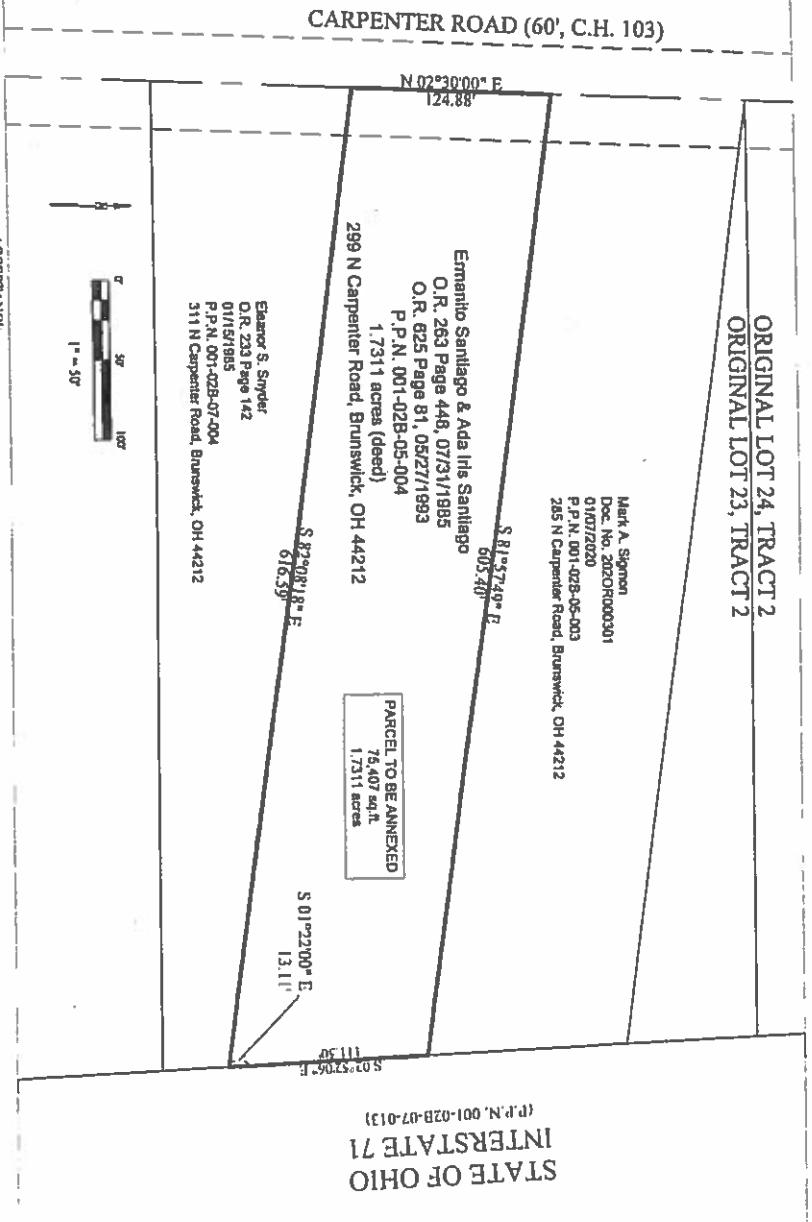
Situated in the Township of Brunswick Hills, County of Medina, and State of Ohio, and known as being part of Original Brunswick Township Lot No. 23 in Tract No. 2

LOCATION MAP

LATITUDE: 41.2679
LONGITUDE: -81.8072



CARPENTER ROAD (60', C.H. 103)



APPROVALS
THIS PLAT WAS DULY ACCEPTED BY THE
BRUNSWICK CITY COUNCIL AT ITS REGULAR
MEETING HELD ON THE ____ DAY OF ____

ORDINANCE NO. ____

CLERK OF COUNCIL (PRINT & SIGN)

THIS PLAT WAS DULY ACCEPTED BY THE
MEDINA COUNTY COMMISSIONERS ON THE
____ DAY OF ____

COMMISSIONER (PRINT & SIGN)

COMMISSIONER (PRINT & SIGN)

COMMISSIONER (PRINT & SIGN)

APPROVALS
APPROVED FOR TRANSFER THIS ____ DAY OF ____

TAX MAP DRAFTSMAN (PRINT & SIGN)

RECEIVED FOR TRANSFER THIS ____ DAY OF ____

MEDINA COUNTY AUDITOR (PRINT & SIGN)

RECEIVED AND RECORDED THIS ____ DAY OF ____

AT ____ A.M./P.M., RECORDED IN PLAT
DOCUMENT NO. ____

FILED: ____
MEDINA COUNTY RECORDER (PRINT & SIGN)

ACCEPTANCE
KNOW ALL MEN BY THESE PRESENTS THAT EMANITO SANTIAGO AND ADA IRIS
SANTIAGO, OWNERS OF THE LANDS EMBRACED WITHIN THIS PLAT, HEREBY
ACKNOWLEDGE THIS PLAT AND HAVE CAUSED THIS SAME TO BE PLATED AND
ANNEXED TO THE CITY OF BRUNSWICK.

Emmanito Santiago
EMANITO SANTIAGO
Ada Iris Santiago
ADA IRIS SANTIAGO

COUNTY OF MEDINA STATE OF OHIO
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY
APPEARED EMANITO SANTIAGO AND ADA IRIS SANTIAGO, WHO ACKNOWLEDGED
THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE THEIR OWN
FREE ACT AND DEED.

IN TESTIMONY WHEREOF I HAVE HEREBY SET MY HAND AND OFFICIAL SEAL AT
____ OHIO THIS ____ DAY OF ____

Jared R. Schmell
NOTARY PUBLIC
MY COMMISSION EXPIRES ____



Jared R. Schmell
Jared R. Schmell, #5 8623
August 5, 2020
North Star Surveying, LLC
2722 Marks Road, Valley City, OH 44280
440-822-5707 jared.r.schmell@gmail.com

EXHIBIT "C"**INFORMATION RELATING TO OWNERS OF REAL PROPERTY
SOUGHT TO BE ANNEXED**

Owners' Name and Address	Permanent Parcel Number	Total Acreage of Property to be Annexed
Ermitano Santiago & Ada Iris Santiago 299 North Carpenter Road Brunswick, Ohio 44212	001-02B-05-004	1.7311

**LIST OF OWNERS OF PROPERTY ADJACENT TO AND DIRECTLY
ACROSS THE STREET FROM PETITIONERS**

Owner's Name and Mailing Address	Permanent Parcel Number
Mark A. Sigmon 285 North Carpenter Road Brunswick, Ohio 44212 & 5872 Wedgewood Road Medina, Ohio 44256	001-02B-05-003
Eleanor S. Snyder 311 North Carpenter Road Brunswick, Ohio 44212	001-02B-07-004
Sandra C. Seitz 298 North Carpenter Road Brunswick, Ohio 44212	003-18B-09-073
Diane Renee Zavcer and Rosemary Gleydura 286 North Carpenter Road Brunswick, Ohio 44212	003-18B-09-069
Philip U. Coker and Ashley M. Coker 310 North Carpenter Road Brunswick, Ohio 44212	003-18B-15-159
State of Ohio 241 Stanford Parkway Findlay, Ohio 45850 & 906 Clark Avenue Ashland, Ohio 44805	001-02B-07-013
State of Ohio 241 Stanford Parkway Findlay, Ohio 45850 & 906 Clark Avenue Ashland, Ohio 44805	001-02B-08-001

Enclave at Autumn Creek Homeowners Association Inc. c/o Steven M. Ott, Statutory Agent 1300 E. 9 th Street, Suite 1520 Cleveland, Ohio 44114 & 5090 Park Avenue W Seville, Ohio 44273	003-18B-22-254
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Medina County Commissioners

Adam Friedrich
Patricia G. Geissman
William F. Hutson

County Administration Building
144 North Broadway
Medina, Ohio 44256

Phone: (330) 722-9208
Toll Free: (844) 722-3800
Fax: (330) 722-9206

NOTICE TO AGENT FOR THE PETITIONERS OF DATE, TIME AND PLACE SET BY BOARD OF MEDINA COUNTY COMMISSIONERS TO HEAR REGULAR ANNEXATION PETITION

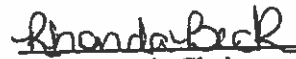
DATE: November 12, 2020

TO: Agent for the Petitioners

In accordance to Ohio Revised Code Section 709.03(A), you, as agent for the petitioners, are hereby notified that the date, time and place are set for the Board of Medina County Commissioners to hear the regular annexation petition filed with the Board on November 12, 2020 to annex 1.7311 acres located in Brunswick Hills Township to the City of Brunswick

Date: Tuesday, February 2, 2021
Time: 10:00 AM
Location: Commissioners' Hearing Room
144 N. Broadway St., Room 201
Medina, OH 44256

Please arrive at the above location no later than 9:30 a.m.


Rhonda Beck, Clerk
Board of Medina County
Commissioners

Delivered via email:
jlamb@tsohiolaw.com
fgallam@brunswick.oh.us
kesber@brunswickhillstwp.org

PROPOSED LEGISLATION



DATE: 11/23/2020

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

FROM: Carl S. DeForest, City Manager
Michael Abella Jr.

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 98-2020** - An emergency resolution urging Governor Dewine and the Ohio Legislature to extend the deadline for conducting public meetings electronically. - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Michael Abella Jr.*)

BACKGROUND: On March 27, 2020, the Ohio Legislature adopted House Bill 197, which includes a provision to allow state boards and commissions, local and county governments, and higher education boards to operate meetings electronically during the emergency declared pursuant to Executive Order 2020-01D on March 9, 2020, but not beyond December 1, 2020, so long as the public is aware and can participate electronically.

PURPOSE AND EXPLANATION: It has been announced that House Bill 404 has been introduced to extend this deadline until July 1, 2021, which is necessary to preserve the health, safety and general welfare of all Ohioans.

IMPLEMENTATION SCHEDULE:

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?

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 98-2020

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION URGING GOVERNOR DEWINE AND THE
OHIO LEGISLATURE TO EXTEND THE DEADLINE FOR CONDUCTING
PUBLIC MEETINGS ELECTRONICALLY.

WHEREAS: On March 27, 2020, the Ohio Legislature adopted House Bill 197, which includes a provision to allow state boards and commissions, local and county governments, and higher education boards to operate meetings electronically during the emergency declared pursuant to Executive Order 2020-01D on March 9, 2020, but not beyond December 1, 2020, so long as the public is aware and can participate electronically;

WHEREAS: Ohio has experienced a large spike of positive COVID 19 cases recently;

WHEREAS: On October 20, 2020, Ohio Governor Mike DeWine called the virus a “red tide going all the way across Ohio”;

WHEREAS: With the increase of the COVID 19 cases and the deadline of December 1, 2020 quickly approaching, there is an immediate need to address the safety and security of our Ohio communities by extending this deadline; and

WHEREAS: It has been announced that House Bill 404 has been introduced to extend this deadline until July 1, 2021, which is necessary to preserve the health, safety and general welfare of all Ohioans.

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

SECTION 1: This Council hereby urges Governor DeWine and the Ohio Legislature to approve House Bill 404 to extend the deadline for conducting public meetings electronically until July 1, 2021.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary as the deadline for conducting public meetings electronically expires as of December 1, 2020. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST:

Clerk of Council
Fijabi Julien-Gallam, CMC