



BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Alex Johnson At-Large	Michael Abella Jr. Ward 1	Kenneth Fisher Law Director	Anthony Bales City Manager	Ron Falconi Mayor	Barbara Ortiz Council Clerk	Patricia Hanek At-Large	Joseph Salzgeber Ward 3	Anthony Capretta Ward 4	Nicholas Hanek Ward 2
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Administration Representatives

OCTOBER 10, 2016

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated September 26, 2016.
 - (a) Council Meeting Minutes dated September 26, 2016.
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending September 2016 will be posted on the website and added to the minutes for the record;
 - (b) Proclamation to proclaim the month of October as being Anti-Bullying Month;
 - (c) Jamie Zychowski from the American Cancer Society to speak about Relay for Life;
 - (d) Recognition of the Brunswick Celebration Queen and Court;
 - (e) Motion to approve the Mayor's recommendation to appoint Denise Arnaud to the Ethics Board;
 - (f) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development.....Mr. Johnson

(32) Economic Development Committee Meeting Minutes dated September 20, 2016

Services, Utilities, Technology & Cable.....Mr. Salzgeber

(31) Services Committee Meeting Minutes dated September 26, 2016

Finance Committee.....Mrs. Hanek

Safety & Environment.....Mr. Hanek

Planning & Zoning Committee.....Mr. Ousley

Parks, Recreation & Community Committee.....Mr. Abella Jr.
Building & Building Code Committee.....Mr. Capretta

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated September 26, 2016

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

b. 2nd Reading(s)

c. 1st Reading(s)

RES. NO. 64-16 - A resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2017 through December 31, 2017 - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Ken Fisher*)

ORD. NO. 65 - An emergency ordinance amending Section 624.121 of the Codified Ordinances of the City of Brunswick to reflect revisions to Ohio Revised Code Section 2925.141 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Ken Fisher*)

ORD. NO. 66-16 - An emergency ordinance amending Ordinance No. 108-15 by authorizing an increase in the total amount of the agreement with Myers Equipment Corp. for the purchase of three (3) new Ford Eldorado Aerotech Passenger Buses from \$184,575.00 to an amount not to exceed \$189,575.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Ryan Lutz*)

RES. NO. 67-16 - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

RES. NO. 68-16 - An emergency resolution authorizing the City Manager to enter into an agreement with Precision Pump Inc. to perform fuel tank repairs at City owned fuel stations located at West 130th Street and Center Road in an amount not to exceed \$71,196.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Ryan Lutz*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
16. Adjournment

CITY OF BRUNSWICK, OHIO
MINUTES OF COUNCIL
MONDAY, SEPTEMBER 26, 2016

PRAYER AND PLEDGE OF ALLEGIANCE. THE REGULAR MEETING OF BRUNSWICK CITY COUNCIL WAS CALLED TO ORDER BY MAYOR RON FALCONI AT 7:30 P.M. AT THE MUNICIPAL COMPLEX.

ROLL CALL OF MEMBERS SHOWED THE FOLLOWING COUNCIL MEMBERS PRESENT: BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER AND COUNCIL CLERK BARB ORTIZ, MAYOR RON FALCONI.

CORRESPONDENCE: THERE WAS NONE.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES DATED SEPTEMBER 12, 2016. PATRICIA HANEK MOVED TO APPROVE THE COUNCIL MEETING MINUTES DATED SEPTEMBER 12, 2016 AS WRITTEN, SECONDED BY JOSEPH SALZGEBER. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

MAYOR'S REPORT:

Proclamation presented to Joyce Mills, Elaine Koty and Tom Smith for Pet Awareness Day:

Mayor Falconi presented a proclamation designating the first Sunday, October 2, 2016 as Pet Awareness Day in the City of Brunswick.

Recognition of Dr. Cirino upon his 10th Anniversary in the City of Brunswick:

Dr. Cirino was presented a proclamation from the Mayor on his 10th Anniversary of The Cirino Eye Center in the City of Brunswick.

Proclamation to proclaim September as Prostrate Cancer Awareness Month:

In addition, Mayor Falconi read a proclamation to proclaim the month of September as Prostrate Cancer Awareness Month in the City of Brunswick.

Mayor's recommendation to appoint Denise Arnaud to the Ethics Board:

The Mayor made a recommendation to appoint Denise Arnaud to the Ethics Board. He asked if Council had any questions to let him know.

CLERK OF COUNCIL'S REPORT: MRS. ORTIZ ANNOUNCED THAT THE MEDINA COUNTY HEALTH DEPARTMENT WILL NOW BE OPEN UNTIL 7:00 P.M. ON TUESDAYS, STARTING AS OF OCTOBER 4, 2016. THIS WAS TO ALLOW MORE PEOPLE TO COME INTO VISIT THEM. THEY HAD SERVICES SUCH AS PRIMARY CARE, DENTAL CARE, PHYSICALS FOR SCHOOL AND WORK, IMMUNIZATIONS, SCREENINGS, REPRODUCTIVE HEALTH AND SERVICES FOR ALL AGES.

ALSO, THERE WAS A SHREDDING DATE FOR THE MEDINA COUNTY BOARD OF DEVELOPMENT DISABILITIES ON WINDFALL ROAD IN MEDINA ON SATURDAY, OCTOBER 8 FROM 10:00 TO 1:00 P.M.

IN ADDITION, BRUNSWICK ART WORKS WILL BE HOSING THEIR ART EXHIBIT AT THE BRUNSWICK LIBRARY ON OCTOBER 3 THROUGH OCTOBER 8, 2016. ANYONE CAN STOP IN TO VISIT THE EXHIBIT AND PICK THEIR PERSONAL FAVORITE PIECE OF ART FOR THE PEOPLE'S CHOICE AWARD.

COUNCIL COMMITTEE REPORTS:

Economic Development.....Mr. Johnson:

Mr. Johnson had no report this evening.

Services, Utilities, Technology & Cable.....Mr. Salzgeber:

Joseph Salzgeber moved to adopt the formal report dated September 8, 2016 as written, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Finance Committee.....Mrs. Hanek:

Patricia Hanek moved to adopt the formal report dated September 12, 2016 as written, seconded by Alex Johnson. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Safety & Environment.....Mr. Hanek:

Mr. Hanek stated on October 3, 2016 at 6:30 p.m. he had a Ward 2 meeting scheduled in the Council Chambers. It was also opened up to anyone in the community. They will provide information about the ballot initiative involving the Safety Forces this fall. He had no formal report today.

Planning & Zoning Committee.....Mr. Ousley:

Mr. Ousley had no report this evening.

Parks, Recreation & Community Committee.....Mr. Abella Jr.:

Mr. Abella had no formal report this evening. However, they will be having a meeting on Monday, October

3, 2016.

Building & Building Code Committee.....Mr. Capretta:

Anthony Capretta moved to adopt the formal report dated September 12, 2016 as written, seconded by Alex Johnson. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

OTHER BOARDS AND COMMISSIONS

Committee of the Whole Meeting minutes dated September 12, 2016:

Patricia Hanek moved to adopt the Committee-of-the-Whole Meeting Minutes dated September 12, 2016 as written seconded by Alex Johnson. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

PETITIONS FROM THE PUBLIC ON LEGISLATION: THERE WAS NONE.

READING OF LEGISLATION AND ACTION ON LEGISLATION:

3RD READING(S)

RES. NO. 60-16 - An emergency resolution authorizing the Medina County Department of Planning Services to award a contract to Set in Stone Contracting, LLC, the lowest and best bidder, to construct the Judita Drive Reconstruction Project, Phase 1, in an amount not to exceed \$79,470.00 to be funded as provided herein - **3rd Reading** (To be brought from Committee-of-the-Whole, **Revised 9-14-16, Administration/Matt Jones**)

RES. NO. 60-16 - Patricia Hanek moved to adopt, seconded by Alex Johnson. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mr. Jones noted this item was looked at the September 12 meeting and was approved. It was before Council again to correct some numerical errors that were found in the legislation document. The overall content of this was the same and the same base bid amount. The project exceeded the CDBG funds and the City will use \$5,570 in local money to supplement the additional amount.

2ND READING(S)

1ST READING(S)

RES. NO. 62-16 - An emergency resolution giving consent to the Ohio Department of Transportation to perform a systematic sign replacement of Interstate 71 in the City of Brunswick - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*):

RES. NO. 62-16 - Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mr. Jones explained this was a project that ODOT was performing to replace all of the signs on Interstate 71 throughout Medina County and in the City of Brunswick. It was their policy to request this legislation from the City to show their agreement and permission to perform the project.

Joseph Salzgeber moved to adopt, seconded by Nicholas Hanek. Roll Call -Ayes - 7, Patricia Hanek, Joseph Salzgeber, Brian Ousley, Nicholas Hanek, Michael Abella, Anthony Capretta and Alex Johnson. Nays - 0 Motion Carried.

RES. NO. 63-16 - An emergency resolution amending Resolution No. 23-16 by authorizing a total contract amount for the 2016 concrete repair program awarded to Catts Construction, Inc. in an amount not to exceed \$500,086.79 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, Administration/Matt Jones):

RES. NO. 63-16 - Joseph Salzgeber moved to suspend the rules, seconded by Nicholas Hanek. Roll Call - Ayes - 7, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, Patricia Hanek, Nicholas Hanek, Joseph Salzgeber. Nays - 0. Motion Carried.

Mr. Jones stated this was to increase the amount of the original award for the 2016 concrete repair program by the amount of \$15,536.79. This was to fund additional concrete work that was deemed necessary at multiple locations due to poor pavement conditions. Also, it was due to additional work that was needed to correct pavement due to the water main break at Pearl and Arlington that occurred during the project. The funding from this would come from road levy funds.

Joseph Salzgeber moved to adopt, seconded by Brian Ousley. Roll Call -Ayes - 7, Patricia Hanek, Nicholas Hanek, Brian Ousley, Alex Johnson, Michael Abella Jr., Anthony Capretta, and Joseph Salzgeber. Nays - 0. Motion Carried.

CITY MANAGER'S REPORT: CHIEF DEFOREST REITERATED THAT EVERYONE WAS WELCOME TO ATTEND THE WARD 2 MEETING ON OCTOBER 3, 2016 AT 6:30 P.M. THEY WILL HAVE UPDATES AND INFORMATION ON THE NOVEMBER 8 TAX INITIATIVE. IN ADDITION, MR. AUNGST WILL BE AVAILABLE TO PROVIDE UPDATES ON ECONOMIC DEVELOPMENT, AS WELL AS MR. BARNETT TO PROVIDE INFORMATION ON ROAD CONSTRUCTION, STORMWATER ISSUES AND SNOW PLOWING ISSUES. HE ALSO REMINDED PEOPLE THAT THE MEDINA COUNTY FALL FOLIAGE TOUR WAS THE WEEKEND OF OCTOBER 8 AND 9. IT STARTED AT NOON AND WENT THROUGH 6:00 P.M. HERITAGE FARM WAS ON THE TOUR THIS YEAR. AGAIN, HE ENCOURAGED EVERYONE TO PARTICIPATE IN THE FALL FOLIAGE TOUR AND STOP BY HERITAGE FARM.

THE SERVICE DIRECTOR ASKED HIM TO REMIND EVERYONE THAT THERE WAS A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT ON OCTOBER 8 AT 1238 WEST 130TH. THEY WILL BE COLLECTING ITEMS THAT YOU NORMALLY CANNOT DISPOSE OF IN YOUR NORMAL TRASH SUCH AS PAINT, PAINT RELATED MATERIALS, HOUSEHOLD PESTICIDES, INSECTICIDES, HOUSEHOLD CLEANERS, POOL CHEMICALS, AND GASOLINE. THEY ENCOURAGED PEOPLE INSTEAD OF THROWING THINGS IN YOUR YARD OR DOWN THE DRAIN TO TURN THOSE IN AT 1238 W. 130TH ON OCTOBER 8. THIS EVENT WAS FROM 8 A.M. TO 2 P.M.

IN ADDITION, HE REMINDED EVERYONE THAT THE BRUNSWICK DIVISION OF POLICE AND BRUNSWICK DIVISION OF FIRE WILL HOST OPEN HOUSES ON THURSDAY, OCTOBER 6 FROM 6:00 TO 8:00 P.M. THE BRUNSWICK POLICE WAS LOCATED AT 4095 CENTER ROAD AND STATION ONE LOCATED ON CENTER ROAD JUST WEST OF PEARL ROAD.

ADMINISTRATIVE DEPARTMENTS: MS. OZANICH INFORMED THAT THEY RECENTLY RECEIVED A CALL FROM A RESIDENT FOR THANKING THEIR STAFF FOR GETTING BACK TO HER PROMPTLY ON AN ISSUE SHE WAS HAVING. IN THE PROCESS OF THAT PHONE CALL SHE ALSO MENTIONED SHE RECEIVED WONDERFUL RESULTS WITH A DAMAGED MAILBOX AND SHE THOUGHT THE CITY STAFF WAS DOING A GREAT JOB. IT WAS GOOD TO HEAR THOSE TYPES OF COMMENTS FROM THE RESIDENTS. AS A COMMUNITY ANNOUNCEMENT SHE ENCOURAGED EVERYONE TO VOTE FOR THE MARCHING BLUE DEVILS ON THE CLEVELAND.COM MARCHING BAND COMPETITION. THE VOTING WILL CONTINUE THROUGH SEPTEMBER 28 FOR THE FIRST ROUND. THEY WILL THEN MOVE ONTO THE NEXT ROUND. THERE WAS A LINK ON THE CITY'S WEBSITE AND RESIDENTS CAN ALSO REACH THE SITE THROUGH CLEVELAND.COM.

ASSISTANT CHIEF BARBER STATED AS THEY KICKED OFF THE 2016 FIRE PREVENTION WEEK THEY WILL HAVE A FEW EVENTS. THE HOME SAFETY DAYS WILL TAKE PLACE AT HOME DEPOT ON OCTOBER 1 FROM 9:00 A.M. TO 2:00 P.M. IN CONJUNCTION WITH THE SEVERAL ORGANIZATIONS AND THE POLICE AND FIRE DEPARTMENT. HE MENTIONED THE OPEN HOUSE AT STATION ONE ON OCTOBER 6 FROM 6:00 P.M. TO 8:00 P.M. SEVERAL THINGS WILL BE DONE AT THIS EVENT. THEY WILL CUT A CAR UP AS AN EXTRICATION DEMONSTRATION AND HAVE SEVERAL FUN THINGS FOR THE KIDS TO DO. LASTLY, THREE MEMBERS OF THE FIRE DEPARTMENT THAT WERE INVOLVED IN A FATAL FIRE IN MARCH WILL BE RECOGNIZED FOR THEIR WORK AT A SAFETY COMMUNITIES BREAKFAST ON THURSDAY ALONG WITH SEVERAL POLICE OFFICERS.

MR. JONES RELATED A QUICK RUN DOWN ON THE STATUS OF SEVERAL OF THE CONSTRUCTION PROJECTS ONGOING IN THE CITY. HE MENTIONED THE I-71 SLIP RAMP PROJECT. THIS PROJECT HAS ENTERED ITS FINAL PHASE OF LANE CLOSURES. THE WORK WAS CURRENTLY FOCUSED ON THE CONCRETE MEDIANS. THE WESTBOUND LEFT LANE WAS CLOSED JUST WEST OF THE I-71 UNDERPASS. THIS MEANT THAT IF YOU WERE IN THAT LEFT LANE YOU WOULD NEED TO TURN LEFT ONTO I-71 SOUTH. THROUGH TRAFFIC NEEDED TO KEEP RIGHT. SOME ADDITIONAL SIGNAGE WAS ADDED. THERE HAVE BEEN SOME ONGOING ISSUES WITH THE SIGNAL TIMING IN THAT AREA. THEY WERE WORKING TO GET SOME OF THE ISSUES STRAIGHTENED OUT, HOWEVER, THEY COULD NOT GET EVERYTHING BACK ONLINE UNTIL THE LOOP DETECTORS WERE PUT BACK INTO PLACE IN THE INTERCHANGE. THIS WOULD NOT BE FOR ANOTHER COUPLE OF WEEKS. HE ASKED FOR EVERYONE TO BE PATIENT AND UNDERSTANDING. ON OTHER PROJECTS, HADCOCK ROAD WAS AHEAD OF SCHEDULE. THE NORTHBOUND LANE WAS PAVED LAST WEEK AND THE DRIVEWAYS WERE CURRENTLY BEING DONE ON THAT SIDE OF THE ROAD AS WELL AS THE PARK DRIVE INTERSECTION. TRAFFIC WILL BE SHIFTED ONTO THE NEW PAVEMENT NEXT WEEK IF ALL WENT WELL. WORK WILL THEN COMMENCE ON THE SOUTHBOUND DIRECTION. THE TRAFFIC PATTERN WILL STILL BE SOUTHBOUND LOCAL TRAFFIC ONLY THROUGH THE CONSTRUCTION.

HE STIPULATED THERE WERE MORE PROJECTS. THE JUDITA DRIVE PROJECT WAS DISCUSSED EARLIER THIS EVENING. THIS PROJECT WILL START HOPEFULLY THIS WEEK. THIS WENT FROM HOUSE NUMBER 258 TO HOUSE NUMBER 283. LOCAL TRAFFIC WILL BE MAINTAINED IN THE NORTHBOUND DIRECTION ON THAT PROJECT AND WILL TAKE APPROXIMATELY ONE MONTH TO COMPLETE. THEY ALSO HAD THE FOX DRIVE PROJECT WHICH WILL START ONE WEEK FROM TODAY ON OCTOBER 3. AT SOME POINT THAT ROAD WILL

BE CLOSED FOR A PERIOD OF APPROXIMATELY TWO WEEKS. ACCESS TO HOUSE NUMBERS 1442 AND HIGHER WILL BE VIA WEST 130TH AND MICHAEL DRIVE. THE EXACT DATE OF THE CLOSURE HAS NOT BEEN DETERMINED YET. IT WILL BE ANNOUNCED ON THE CITY'S WEBSITE. FINALLY, THE 2016 ASPHALT ROAD PROGRAM HAD A LITTLE MORE WORK TO BE DONE. THE BERMS HAD TO BE INSTALLED. HE WAS JUST NOTIFIED TODAY THAT WORK WILL BEGIN TOMORROW ON ROCKLYN DIVE TO INSTALL THE GRAVEL BERMS ON THE SIDE OF THE ROAD. ONCE THOSE WERE COMPLETED THEY WILL MOVE OVER TO HICKORY RIDGE AND MANITOULIN.

COUNCILMAN CAPRETTA ASKED WHERE THE BREAKFAST TO HONOR THE FIREFIGHTERS WOULD TAKE PLACE.

ASSISTANT CHIEF BARBER ADVISED IT WILL TAKE PLACE THIS THURSDAY AT 8:00 A.M. AT WILLIAMS ON THE LAKE.

OPEN FORUM: MICKIE PETRENKO OF 3771 MAGNOLIA DRIVE - MS. PETRENKO WAS HERE TO ADDRESS RECENT MEDIA REPORTS ONLINE, IN THE PAPER AND ON TELEVISION REGARDING A MEMBER OF COUNCIL-AT-LARGE AND THE CHARGES FILED AGAINST HIM LAST MONTH. THE CHARGES INVOLVING PETTY THEFT AT THE NATURAL HISTORY MUSEUM. SHE ADVISED THIS INVOLVED TEN POTTED PLANTS. SHE UNDERSTOOD THAT THIS COUNCILPERSON WAS ENTITLED TO HIS DUE PROCESS PERTAINING TO THESE ALLEGATIONS. THE ALLEGATIONS WERE OBSERVED BY A UNIVERSITY CIRCLE DETECTIVE AS STATED IN THE REPORTS. IF HE DID INDEED RETURN THE POTTED PLANTS FROM HIS VEHICLE BACK TO WHERE THEY WERE AT THE MUSEUM AND STATED, "NO HARM, NO FOWL" TO THE DETECTIVE, IT APPEARED THAT HE HAD EVERY INTENTION OF KEEPING THEM. THIS TYPE OF BEHAVIOR WAS NOT ONLY A MAJOR EMBARRASSMENT FOR OUR CITY, BUT SHE WONDERED IF IT WAS A VIOLATION OF THE CITY CHARTER SECTION 3.06(B)(3) AND CONSIDERED A CRIME OF MORAL TURPRITUDE AND MADE HIM INELIGIBLE TO SERVE HIS SEAT. IF HE DECIDED TO REMAIN ON COUNCIL RATHER THAN RESIGN HIS POSITION, SHE HOPED THAT OTHER MEMBERS OF COUNCIL WOULD DO THE RIGHT THING AND VOTE TO REMOVE HIM FROM COUNCIL. THE RESIDENTS OF OUR CITY DID NOT DESERVE TO HAVE WHAT SHOULD BE A RESPECTED POSITION AS HELD BY HIM TAKEN SO LIGHTLY. SHE THOUGHT THERE NEEDED TO BE ACCOUNTABILITY. ON THE CITY'S WEBSITE, MR. OUSLEY'S BIO STATED THAT AS A COUNCILMAN HE PLANNED TO "BE ACCOUNTABLE TO THE CITIZENS OF BRUNSWICK, BECAUSE THE CITIZENS ENTRUSTED THE POSITION OF AN ELECTED OFFICIAL TO BE RESPONSIBLE FOR THEIR ACTIONS." THEREFORE, SHE ASKED COUNCILMAN OUSLEY TO BACK UP HIS BIO AND STEP DOWN FROM HIS COUNCIL SEAT. SHE STATED TRUST HAD BEEN COMPROMISED AND THAT WOULD BE A STEP IN THE RIGHT DIRECTION FOR BOTH MR. OUSLEY, FOR THE CITY AND ITS RESIDENTS.

MR. FISHER COMMENTED THAT PURSUANT TO THE CHARTER SECTION 3.06(B) IT EXPRESSLY STATED IF CONVICTED OF A CRIME INVOLVING MORAL TURPRITUDE. HE RESPECTFULLY POINTED OUT THAT COUNCILMAN OUSLEY HAS BEEN CONVICTED OF NO CRIME AT THIS POINT. HE HAS SIMPLY BEEN CHARGED AND PRESUMED INNOCENT AND ENTITLED TO HIS DAY IN COURT.

UNFINISHED BUSINESS: COUNCILMAN JOHNSON MENTIONED THAT IT WAS ABOUT THREE WEEKS AWAY FROM THE BRUNSWICK PUMPKIN RUN. IT WAS A RACE THAT HE ORGANIZED TO BENEFIT THE BRUNSWICK FOOD PANTRY. THIS YEAR THERE WERE MANY FUN THINGS PLANNED. THERE WERE COSTUME CONTESTS, SPOOKY MUSIC, AND HALLOWEEN FUN FOR THE FAMILY. THEY PLANNED TO HAVE A PHOTO BOOTH AND THE AT THE AFTER PARTY AT PANINI'S WILL DONATE A PORTION OF THE AFTERNOON REVENUES TO THE BRUNSWICK FOOD PANTRY. THEY HAD A GHOSTBUSTER CAR THAT WOULD COME OUT AND LEAD THE RACE

THROUGH THE AREA. THEY ALSO HAD PUMPKIN HEAD TO COME OUT AND TO THE TAILGATE FOR THEM THAT MORNING. IT PROMISED TO BE A GREAT TIME AND PROMOTED HEALTH AND WELLNESS AND WOULD BE FUN FOR ALL AGES. HE ENCOURAGED EVERYONE TO PICK UP A REGISTRATION FORM FROM THE LOBBY. IT WAS \$25.00 UNLESS YOU WENT TO GEORGIO'S PIZZA WHERE YOU CAN HAVE A \$5.00 OFF COUPON.

NEW BUSINESS: MR. SALZGEBER MENTIONED THE CLEVELAND INDIANS MAGIC NUMBER WAS NOW "ONE" TO CLINCH A PLAYOFF SPOT AS AN AL CENTRAL DIVISION CHAMPIONS FOR THE FIRST TIME SINCE 2007. THERE WERE ONLY SEVEN GAMES LEFT AND THEY PLAYED THEIR RIVAL DETROIT TIGERS TONIGHT. HE HOPED THEY COULD JOIN THE CAVALIERS IN MAKING CLEVELAND A TITLE TOWN AGAIN.

ADJOURNMENT: PATRICIA HANEK MOVED TO ADJOURN, SECONDED BY NICHOLAS HANEK. ROLL CALL - AYES - 7, BRIAN OUSLEY, ALEX JOHNSON, MICHAEL ABELLA JR., ANTHONY CAPRETTA, PATRICIA HANEK, NICHOLAS HANEK, JOSEPH SALZGEBER. NAYS - 0. MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 8:03 P.M.

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Ortiz, CMC". The signature is fluid and cursive, with the initials "CMC" clearly visible at the end.

Barbara J. Ortiz, CMC

Clerk of Council

Mayor Ron Falconi

Adopted

October 3, 2016

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF SEPTEMBER 2016

WAIVERS/COURT/BONDS

DEPOSITS (September) 40,727.36

DEBITS (September) (41,347.36)

Checks to be written in September:

Treasurer State of Ohio	\$ 7,516.00
City of Medina MIATF	\$ 125.00
City of Medina IDATF	\$ 244.00
City of Brunswick Finance Dept/Police Fund *	\$ 32,992.36
Misc Checks (bond refunds & transfers/restitution)	\$ 470.00
TOTAL for the month	\$ 41,347.36

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

Service Charges/Fees for prior month \$ 952.64

MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

NAME DENISE ARNAUD PHONE 330-220-8756
STREET 1545 AUGUSTA AVE. CELL 440-666-8587

Registered Brunswick Voter: YES X NO

EDUCATION	DEGREE	YEAR GRADUATED
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SPECIAL TRAINING _____

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

ECONOMIC DEVELOPMENT

September 20, 2016

IN ATTENDANCE: Chairman Alex Johnson, Committee Member Patricia Hanek, Community & Economic Development Director Grant Aungst.

The meeting convened at 6:35 p.m.

Mrs. Hanek moved to excuse Mr. Abella for just cause. Vote – 2 Ayes, 0 Nays.

ECONOMIC DEVELOPMENT UPDATE – GRANT AUNGST:

Mr. Aungst announced there are a number of new opportunities and projects underway. He confirmed the news that Scene 75 from the Cincinnati/Dayton area will be locating their third facility in Brunswick. They are locating in the current Buehler's site; he assured everyone that it was a mutually beneficial business transaction between Buehler's and Scene 75.

As the City is sorry to see Buehler's move on, the City is excited to have Scene 75 join the community. Mr. Aungst noted Scene 75 was investing for the long term in the community by purchasing the shopping complex. It will be a 77,000 square foot facility it will contain wonderful opportunities for family time and entertainment. The City wishes both parties much success as they move forward.

Continuing, Mr. Aungst noted Heritage of Brunswick a skilled nursing facility continues to progress; this facility will be bringing in 90 full time positions; the build time is thirteen months.

The transition from Pacific Tool and Die to Federal Mobile Operations was moving along and they have added a number of new positions.

He also mentioned the new Get Go held its grand opening and according to Giant Eagle if the numbers remain as they are this will be one of their most productive sites.

Additionally, Danbury of Brunswick an assisted living 100 plus bed facility with room to expand will break ground this week at Brunswick Lake. They will have between 50 and 60 full time positions, and their expected build time is twelve to thirteen months.

Mr. Aungst also mentioned that Brunswick will be getting a Westbranch Malt House the facility will be used for malt production of hops and ingredients used in craft beers.

Housing starts remain strong along with a number of new multifamily housing units. The expansion of All Construction and Brunswick Mazda continue to progress. Mr. Aungst noted the newly opened Pet Valu and Antonio's both continue to set record sales; and Hometown Country Kitchen a breakfast and lunch restaurant recently opened in the Brunswick Plaza.

Phase I of the slip ramp project has been completed, and will move into phases 2 and 3. The construction continues to have an effect on the sales to local businesses specifically Liberty Ford and the K-Mart Plaza.

Jimmy Johns will have a soft opening in late October, and Stark Enterprises on S.R. 303/Old Eagle look to break ground soon, this will be a six storefront shopping facility; all six store fronts are booked.

Mr. Aungst will be attending the International Economic Development Council Meeting in Cleveland next week where more than 1500 economic developers will be in attendance along with site selectors, and vendors.

Mrs. Hanek asked about the prospect for other grocery stores coming to the City and Mr. Aungst explained the challenges with that; he noted as a City there are no empty facilities therefore a company coming in would have to either build something or buy somebody, and that was a very expensive process. He also noted a company coming in has to justify why they are coming to Brunswick, and ask if they will be supported. He noted he has been looking at some companies, but again there are the challenges of having the numbers to support another grocery store in some fashion and there has to be a place to put it.

Mr. Johnson asked if Trader Joes ever expressed interest in coming to Brunswick and Mr. Aungst responded not to his knowledge, he commented they tend to focus in the well to do areas where the median household incomes are \$125,000 and above; the median household income in Brunswick is between \$66,000 and \$75,000. He did mention that Trader Joes is owned by Aldi's, so many of the food items sold in Aldi's are sold in Trader Joes. Mr. Aungst mentioned Whole Foods are not in the area either and the trend in the country is going to more organic and fresh foods.

Mr. Aungst mentioned there are companies that focus on retail and focus how cities find retail and what is the best fit for cities, and recently he met with a company by the name of Buxton; they developed software exclusive to them and it runs about \$50,000 a year for the licensing. You become a member of their group through the purchase of their software which they recommend for a minimum of three years to get any type of benefit out of it. Mr. Aungst highlighted the software; he noted there are a great number of demographic questions that have to be answered in great detail. He noted the representative from Buxton was willing to give a presentation to this committee to explain how their company works.

Mr. Johnson asked what type of return there would be if the City invests \$50,000 in software.

In response, Mr. Aungst noted the presentation would explain how the software works, and how the information is gathered.

The committee discussed types of businesses, retail versus manufacturing, and the return on income tax dollars to the City. Mr. Aungst mentioned he has two site visits next month from major companies coming to look at property in the City to build new factories and hire new people.

Mrs. Hanek has information from a study that was done on what type of businesses give the biggest return to cities as far as income tax dollars. She recalled retail being at the bottom, with medical, educational, office, and industrial on top.

To Mr. Aungst in the long run the City would be better off courting local regional restaurants encouraging them to come in and build something new where the building could eventually be used for something else if it did not materialize in a positive manner. He mentioned the investment costs for chain restaurants to open and maintain, many are having financial difficulties and closing down, as are retail stores in difficult financial positions.

Mr. Johnson was receptive to hearing the presentation from the Buxton Company.

Mr. Aungst will get in contact with the representative from Buxton as to his availability to attend an Economic Development Committee meeting either in October or November.

In closing, Mr. Aungst mentioned he has been attending the Medina County Economic Development Corp meetings, at the last meeting Silverload a site selection consulting firm gave a presentation on redevelopment.

Mr. Aungst realizes the residents want an upper sit down restaurant; however the demographics of the City do not justify going to a large company. He noted household incomes do not warrant having a hundred dollar meal.

Mrs. Hanek mentioned Lagerheads in Medina a reasonably priced restaurant, she spoke with them more than a year ago about coming to Brunswick they were receptive however they just opened in Medina.

Mr. Aungst noted being a more local company they understand the market and the area, and that is key at this point in time.

ADJOURNMENT:

There being no further business, Mrs. Hanek moved to adjourn at 7:06 p.m. Vote – 2 Ayes, 0 Nays.

Respectfully submitted,

Alex Johnson
Chairman

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

September 26, 2016

IN ATTENDANCE: Chairman Joseph Salzgeber, Committee Member Brian Ousley, Committee Member Nicholas Hanek, Alex Johnson, Patricia Hanek, Anthony Capretta, Acting City Manager/Service Director Chief Carl DeForest, Service Director Paul Barnett, Engineer Matt Jones, Assistant Finance Director Lynette Ozanich, Law Director Kenneth Fisher, Administrative Services Julie Murawski, Council Clerk Barbara Ortiz, Resident Robert McCafferty, News Media.

The meeting convened at 6:35 p.m.

REVIEW LEGISLATION:

RES. NO. 62-16 – An emergency resolution giving consent to the Ohio Department of Transportation to perform a systematic sign replacement of Interstate 71 in the City of Brunswick

Mr. Jones explained ODOT was performing a sign replacement on I-71 throughout the county. The policy of ODOT is to get legislation from every effective community in support of the project. ODOT requested the legislation by October 2, hence the emergency legislation.

Mr. Hanek moved this resolution to tonight's Council Agenda of September 26, 2016 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

RES. NO. 63-16 - An emergency resolution amending Resolution No. 23-16 by authorizing a total contract amount for the 2016 concrete repair program awarded to Catts Construction, Inc. in the amount not to exceed \$500,086.78

Mr. Jones explained this legislation was for a change order for the 2016 concrete repair program. The original contract amount was \$484,550.00, with an increase of \$15,536.79 taking the amount up to \$500,086.79. The reason for the increase is due to more concrete work being done, and the water main break on S.R. 303/Arlington.

Mr. Jones advised road levy funds are available for the change order increase.

Mr. Hanek moved this resolution to tonight's Council Agenda of September 26, 2016 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Hanek received multiple comments from residents on Arlington that were very happy with the work that was done; they commented how it prevented accidents that would have likely occurred.

Mr. Salzgeber received a phone call from a resident as to the protocol for dealing with ground hogs on your property, if they can be trapped.

Chief DeForest explained the State of Ohio trapping laws; he suggested the resident get in touch with Mike Kellums.

ADJOURNMENT:

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Salzgeber", with a stylized flourish at the end.

Joseph Salzgeber
Chairman

COMMITTEE OF THE WHOLE MEETING

September 26, 2016

IN ATTENDANCE: Vice Mayor Patricia Hanek, Brian Ousley, Joseph Salzgeber, Nicholas Hanek, Anthony Capretta, Alex Johnson, Michael Abella Jr., Acting City Manager/Safety Director Chief Carl DeForest, Assistant Finance Director Lynette Ozanich, Law Director Kenneth Fisher, Service Director Paul Barnett, Administrative Services Julie Murawski, Engineer Matt Jones, Assistant Fire Chief Rick Barber, Clerk of Council Barbara Ortiz, Resident Robert McCafferty, News Media.

The meeting convened at 6:45 p.m.

DISCUSSION OF BTA MERGER (SERVICES COMMITTEE RECOMMENDS A MERGER WITH MCPT WITH SUBSIDIZING DISABLED RIDERS AND VETERANS):

Mr. Barnett distributed a handout to the committee.

Mrs. Hanek advised this discussion was moved from the Services Committee to Committee of the Whole.

Mr. Barnett referred to the handout and pointed out a change since the Services Committee meeting. In previous discussions the question came up about subsidizing veterans and the disabled, and that was looked into. Mr. Barnett pointed out an additional source of revenue and referred to the handout under the variable routes for 65 and older. He explained that 65 and older or disabled depending if the person is two times above the poverty level or below two times the poverty level the Department of Child and Family Services will subsidize, also, those 60 and over can sign up with Medina County Office for Older Adults and in years 2 and 3 are free and the City will not have to subsidize.

Mr. Barnett went over the key points; presently BTA has two fixed routes that deviate from the route to pick up riders, and when that happens the busses end up running behind. However, MCPT has proposed two fixed routes that will not deviate to keep on schedule, and they will add a variable route bus. He pointed out the fares for able body citizens and variable routes will go up to \$2.00 in year two, and \$4.00 in year 3. Riders 60 and over can sign up with the Medina County Office for Older Adults and years 2 and 3 are free. For those 60 and older that do not want to sign up with Medina County Office for Older Adults they could sign up with the Department of Child and Family Services if they are 65 and older with fares of \$1.00 year 2 and \$2.00 year 3. Mr. Barnett encourages anyone 65 and older to sign up. He mentioned there are limited Medina stops for those 60 and over; they are taken to places that are considered necessity of life, such as banks, grocery stores, and medical appointments. For those 65 and older through the Department of Child and Family Services for those under two times the poverty level those people can be taken anywhere in Medina County. He stated there are a lot more opportunities

with MCPT than currently with BTA. Mr. Barnett pointed out the federal poverty guidelines were listed on page 2 of the handout.

Financially Mr. Barnett noted this will be a wash, it will free up staff to concentrate on other City business. Mr. Barnett explained a lot of what the BTA does is funded through the federal government, and what he has been told is the federal government was trying to force the smaller bus lines to merge into larger entities by financially making it difficult if the system has 5 or less busses by not getting as much funding per bus as someone that has 10 or more busses. Currently MCPT is interested in the merger however the fear is if federal guidelines change the interest could change. Mr. Barnett commented eventually there could be a point when GCRTA takes over everybody in the area.

Mr. Salzgeber commented one of the reasons the Services Committee moved this to Committee of the Whole with the recommendation for the merger was based on what Mr. Barnett stated. It was noted that right now nothing will change; however in the future it may not be a good deal for Brunswick and Medina. Doing this now the City is basically hedging against a future cut in funding; otherwise the City could be left holding the bag if MCPT did not want to merge down the road, then the City would be left with options that were not attractive. Mr. Salzgeber noted the committee recommended the merger with the idea that MCPT has greater resources and a greater ability to get funding from the state, essentially there will be no change in the service. He also noted the committee was not proposing cutting Route 251 but rather continuing the route as is from Laurel Square to Strongsville; and that discussion can be revisited in the future.

Mr. Johnson asked about the decrease in funding, and Mr. Barnett indicated there have been conversations taking place at the federal level on decreasing funding.

Mr. Hanek mentioned through conversations at the Services Committee meeting the committee recommended subsidizing the disabled riders and veteran riders, the merger allows for this program and in his opinion it will benefit those riders.

Mr. Barnett referred to a graph on page 3 of the handout; statistics of disabled riders. Noting, if those riders signed up with the Department of Child and Family Services they will pay for the majority of them and there will be no cost to the City. Also, to fund the costs for the veterans that cost would be approximately \$5,000.00 for veterans not over the age of 60 and not disabled. A survey will be done with the riders to try and get an idea on the number of those riders.

If approved Mr. Johnson wanted to know how the riders will find out about this.

To which Mr. Barnett advised the riders will not see a difference, however MCPT will have an informational program and provide information to the riders usually information is distributed through the bus drivers to the riders. Additionally, information will be placed on the City Website.

Mr. McCafferty interjected from the audience that he would like to comment.

Mrs. Hanek indicated that it was up to her and she was not taking any comments from the public right now.

Mr. McCafferty stated he missed out at the beginning of the meeting that a vote would be taken, and that it was not up to her, it was in the Charter to follow the same rules as out front.

Mrs. Hanek stated she is the ruling officer, and unless Council would like to discharge what she determined, her decision stands. Being no motion from Council to let Mr. McCafferty speak, the meeting proceeded, and Mrs. Hanek asked for a motion for the law department to draw up an agreement with MCPT.

Mr. Fisher commented on behalf of the Administration, the law department will follow the request from Council. Legislation will be required and introduced and discussed publically and based on prior discussions in open session the public will have an opportunity to be heard. At least one public hearing will be scheduled where residents and any interested parties will have an opportunity to be heard, once the boundaries of an agreement are drafted and reviewed. Mr. Fisher indicated this was just the first step of many and that it is far from final.

Mr. Salzgeber moved that BTA be merged with MCPT with subsidizing for disabled riders and veterans authorizing the Administration to take the necessary steps to move this forward including the preparation of necessary legislation. Vote – 7 Ayes, 0 Nays.

Mr. Barnett announced the City received word from GCRTA that they received authorization for the grant for the three busses, and they were in the process of writing a check to the City. Unfortunately since it took so long the price of the busses went from \$184,000 to \$188,000. Due to the increase the Administration will be coming to Council with legislation authorizing the \$188,000.00.

REVIEW LEGISLATION:

RES. NO. 60-16 – An emergency resolution authorizing the Medina County Department of Planning Services to award a contract to Set in Stone Contracting, LLC, the lowest and best bidder, to construct the Judita Drive Reconstruction Project, Phase 1, in an amount not to exceed \$79,470.00 to be funded as provided herein

Mr. Jones explained this legislation was revised due to numerical errors in the legislation document. This legislation is for Phase 1, the amount remains the same at \$79,470.00, which exceeds the CDBG funding, and the City will be adding \$5,570.00 of local funding from the road improvement fund.

Mr. Johnson moved this resolution to tonight's Council Agenda of September 26, 2016 as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn at 7:05 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,

Valerie Zak

Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 10/10/2016

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 64-16** - A resolution ratifying and confirming the renewal of the existing agreement with the Medina County Public Defender Commission and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2017 through December 31, 2017 - **1st Reading** (To be brought from Committee-of-the-Whole, Administration/Ken Fisher)

BACKGROUND: The Ohio Public Defender is requiring that the Medina County Public Defender Commission enter into an updated agreement with the City for provision of indigent defense services in Medina Municipal Court for municipal code.

**PURPOSE AND
EXPLANATION:**

**IMPLEMENTATION
SCHEDULE:** Adopt on three readings.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:** Costs are dependent on the number of appointed Public Defenders. Local budgets are established by City Council and expenses paid out of the Law Department's adopted budget.

**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?
Three readings with the first reading on October 10, 2016.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 64-16

BY: Committee-of-the-Whole

A RESOLUTION RATIFYING AND CONFIRMING THE RENEWAL OF THE EXISTING AGREEMENT WITH THE MEDINA COUNTY PUBLIC DEFENDER COMMISSION AND THE MEDINA COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES IN MEDINA MUNICIPAL COURT FOR MUNICIPAL CODE VIOLATIONS FROM JANUARY 1, 2017 THROUGH DECEMBER 31, 2017.

WHEREAS: The Ohio Public Defender is requiring that the Medina County Public Defender Commission enter into an updated agreement with the City for the provision of indigent defense services in Medina Municipal Court for municipal code violations containing a recognizable term and necessary clauses required by Ohio Administrative Code Section 120-1-09;

WHEREAS: On October 10, 2011, this Council adopted Resolution No. 72-11, which authorized the City Manager to enter into such Agreement from January 1, 2012 through December 31, 2012;

WHEREAS: On October 22, 2012, this Council adopted Resolution No. 100-12, which authorized the renewal of the existing Agreement from January 1, 2013 through December 31, 2013;

WHEREAS: On October 28, 2013, this Council adopted Resolution No. 86-13, which authorized the renewal of the existing Agreement from January 1, 2014 through December 31, 2014;

WHEREAS: On October 27, 2014, this Council adopted Resolution No. 82-14, which authorized the renewal of the existing Agreement from January 1, 2015 through December 31, 2015;

WHEREAS: On November 9, 2015, this Council adopted Resolution No. 88-15, which authorized the renewal of the existing Agreement from January 1, 2016 through December 31, 2016; and

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

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

SECTION 1: This Council hereby ratifies and confirms the renewal of the exiting Agreement with the Medina County Public Defender and the Medina County Commissioners for indigent defense services in Medina Municipal Court for municipal code violations from January 1, 2017 through December 31, 2017.

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
Barbara J. Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 10/10/2016

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 65** - An emergency ordinance amending Section 624.121 of the Codified Ordinances of the City of Brunswick to reflect revisions to Ohio Revised Code Section 2925.141 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Ken Fisher*)

BACKGROUND: Ohio Revised Code Section 2925.141 was revised to provide for discretionary driver's license suspensions for the illegal use or possession of marijuana drug paraphernalia, effective September 13, 2015. The City Prosecutor recommended that the City of Brunswick Codified Ordinance Section 624.121, which presently provides for mandatory driver's license suspensions, be amended to reflect the Ohio Revised Code Section 2925.141.

**PURPOSE AND
EXPLANATION:**

IMPLEMENTATION

SCHEDULE: Adopt on Oct. 10, 2016 as an emergency with suspension of rules at the first reading.

**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?

Recommended to adopt as an emergency with suspension of the rules on October 10, 2016 to immediately reflect amendments to State law.

ADDITIONAL

INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 65-16

BY: Mr. Hanek, Mr. Capretta and Mr. Johnson

AN EMERGENCY ORDINANCE AMENDING SECTION 624.121 OF THE
CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK TO REFLECT
REVISIONS TO OHIO REVISED CODE SECTION 2925.141.

WHEREAS: Ohio Revised Code Section 2925.141 was revised to provide for discretionary driver's license suspensions for the illegal use or possession of marihuana drug paraphernalia, effective September 13, 2016; and

WHEREAS: The City Prosecutor has recommended that City of Brunswick Codified Ordinance Section 624.121, which presently provides for mandatory driver's license suspensions, be amended to reflect revisions to Ohio Revised Code Section 2925.141.

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

SECTION 1: That Section 624.121 of the Codified Ordinances is hereby amended to read as follows:

- (a) ***
- (b) ***
- (c) ***
- (d) ***
- (e) ***
- (f) ***
- (g)

- (1) In addition to any other sanction imposed upon an offender for a violation of this section, the court ~~shall~~ may suspend for not ~~less than six months or~~ more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with Ohio R.C. 2925.38.
- (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this Section prior to the effective date of this amendment may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which

the offender's license or permit was suspended under this section shall not file such a motion.

Upon the filing of a motion under division (g)(2) of this Section, the sentencing court, in its discretion, may terminate the suspension.

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 or welfare, and for the additional reason that immediate passage is necessary to immediately reflect amendments to State 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.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
 Clerk of Council
 Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 10/10/2016

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 66-16** - An emergency ordinance amending Ordinance No. 108-15 by authorizing an increase in the total amount of the agreement with Myers Equipment Corp. for the purchase of three (3) new Ford Eldorado Aerotech Passenger Buses from \$184,575.00 to an amount not to exceed \$189,575.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Ryan Lutz*)

BACKGROUND: This is to amend the existing ordinance 108-15.

PURPOSE AND EXPLANATION: Ordinance 108-15 was passed to purchase the three (3) buses listed above. This legislation was based off of quotes that predated December 14, 2015. Due to the time lag from then to now the price has increased. The original legislation was for a purchase of 3 buses not to exceed \$184,575. The amended legislation to purchase 3 buses would need to be revised not to exceed \$189,575.

IMPLEMENTATION SCHEDULE: Once the amended ordinance is passed we will order the new buses.

FINANCIAL INFORMATION: Amendment to Ordinance 108-15 to purchase BTA Buses. - 10/11/2016 - Brunswick Transit Alternative Fund #120 (Capital Subfund #954) - 954-0480-56253 - - 189575

FINANCIAL SUMMARY: City Cost \$42,515.00, Grant Monies from FTA thru GCRTA \$147,060.00, Total Cost \$189,575.00

RECOMMENDED ACTION:

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

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

This legislation is to increase the existing ordinance by \$5,000 to cover the increased cost due to the Federal Grant approval being delayed.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 66-16

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

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 108-15 BY AUTHORIZING AN INCREASE IN THE TOTAL AMOUNT OF THE AGREEMENT WITH MYERS EQUIPMENT CORP. FOR THE PURCHASE OF THREE (3) NEW FORD ELDORADO AEROTECH PASSENGER BUSES FROM \$184,575.00 TO AN AMOUNT NOT TO EXCEED \$189,575.00.

- WHEREAS: The Northeast Ohio Areawide Coordinating Agency (“NOACA”) has been awarded 2015 Unserved Area Formula Funds from the Federal Transit Administration (“FTA”) pursuant to Sections 5307 and 5339 of Title 49 of the United States Code and awarded funds in the amount of \$147,060.00 to the City of Brunswick, who provides public transportation services within the Cleveland Urbanized Area (“CUZA”);
- WHEREAS: The Greater Cleveland Regional Transit Authority (“GCRTA”) is the designated recipient of such funds in the CUZA;
- WHEREAS: Pursuant to the terms of the Agreement between the City and GCRTA, GCRTA will accept such awarded funds on behalf of the City and transfer same to the City for use for public transportation purposes;
- WHEREAS: The City of Brunswick belongs to the State Procurement Program under the direction of the Department of Administrative Services;
- WHEREAS: The State contract, under State Procurement Program, has been awarded to Myers Equipment Corp.;
- WHEREAS: On December 14, 2015, City Council adopted Ordinance No. 108-15 wherein the 2015 Unserved Area Formula Funds in the amount of \$147,060.00 were accepted and the City Manager was authorized to enter into an Agreement with Myers Equipment Co. for the purchase of three (3) 2016 Ford Eldorado Aerotech passenger buses in an amount not to exceed \$184,575.00; and
- WHEREAS: The cost of the three (3) new Ford Eldorado Aerotech passenger buses has increased by \$5,000.00 to a total cost of \$189,575.00.
- WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:
- SECTION 1: That Ordinance No. 108-15 is hereby amended by authorizing a total Agreement amount for the purchase of three (3) new Ford Eldorado Aerotech passenger buses from Myers Equipment Co. to an amount not to exceed \$189,575.00.
- SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety and for the

additional reason to lock-in current pricing. 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
 Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 10/10/2016

TO: Vice Mayor Patricia Hanek and Members of City Council

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

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 67-16** - An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor - **1st Reading** (To be brought from Finance Committee, *Administration/Todd Fischer*)

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

PURPOSE AND EXPLANATION: In order to comply with Ohio Revised Code Section 5705.34 and the County Auditor extension letter, City Council is required to accept the amounts and rates as determined by the budget commission and authorize the necessary tax levies and certify them to the County Auditor. This action will allow the County Auditor to bill these rates on the property tax bills for the succeeding year. 2017 will also mark the third year of collections for the City's 1.2 mill road levy passed by the voters on May 6, 2014. The road levy is a 10 year levy with collections expected for 2015-2024. The County Auditor's most recent annual collection estimate for the 1.2 mill levy = \$787,500 for the 2017 year.

IMPLEMENTATION SCHEDULE: To be adopted on October 10, 2016 with an emergency clause. The emergency clause is necessary in order to remain in compliance with the Ohio Revised Code, the County Auditor's extension letter and allow for the daily operations of the City of Brunswick to continue without interruptions and to ensure timely billing of property taxes due to the City of Brunswick.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The County Auditor's most recent estimate for the 2017 property tax collections to be received by the City of Brunswick equal \$2,498,100 in total. The 1.2 mill road levy portion equaled \$787,500 (third year of collections) and the 2.6 inside mills equal \$1,710,600. The County Auditor typically updates these property tax estimates once the property values and tax rates are certified. The 2017 property tax collections for the City of Brunswick can only occur if this legislation is passed and filed with the County Auditor prior to October 31, 2016. Once certified and filed, the property tax rates will be billed by the County Auditor pursuant to State Law. This tax rate of 1.2 mills was approved by the voters for a ten year collection period (2015-2024) and the 2.6 mills has been

approved by the City Charter Section 7.11(a).

**RECOMMENDED
ACTION:**

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

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

**ADDITIONAL
INFORMATION:**

Discuss at the October 10, 2016 Committee meeting and move to the October 10, 2016 Council agenda as an emergency. Recommended action for approval on October 10, 2016 with emergency clause (suspension of the rules).

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

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

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

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

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, **2017**
and

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

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

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

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

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Com- mission Inside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		\$1,513,200	2.30	
General Bond Retirement Fund				
Police Pension		\$197,400	0.30	
Road Levy	\$787,500			1.20
Recreation Fund				
Fund				
Fund				
TOTAL	\$787,500	\$1,710,600	2.60	1.20

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed years. ,20		
Current Expense Levy authorized by voters on for not to exceed years. ,20		
Current Expense Levy authorized by voters on for not to exceed years. ,20		
Total General Fund outside 10m. Limitation.		
Road Levy authorized by voters on May 6, 2014 for not to exceed 10 years. 1.20 \$787,500		
Levy authorized by voters on for not to exceed years. ,20		
Fund: Levy authorized by voters on for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
Fund: Levy authorized by voters on ,20 for not to exceed years.		
THIS RESOLUTION IS DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, PROPERTY, HEALTH, SAFETY, WELFARE, AND PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPALITY, AND FOR THE ADDITIONAL REASON THAT THIS RESOLUTION MUST BE FILED WITH THE MEDINA COUNTY AUDITOR AS SOON AS POSSIBLE. THEREFORE, THE SAME SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE BY THE REQUIRED NUMBER OF VOTES.		

and be it further

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

Resolution to the County Auditor of Said County.

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

upon its adoption the vote resulted as follows:

Mr./Mrs. _____

Mr./Mrs. _____

Mr./Mrs. _____

Adopted the _____ day of _____, 20_____.

Attest:

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, MEDINA County, ss.

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

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

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

Clerk of Council

No. _____

COUNCIL OF THE CITY OF

County, Ohio.

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

(City Council)

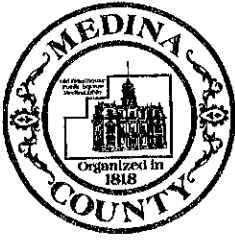
Adopted _____, 20 ____

Clerk of Council

Filed _____, 20 ____

County Auditor

By _____
Deputy



MEDINA COUNTY BUDGET COMMISSION

144 North Broadway St., Room 301
Medina, Ohio 44256
Mike Kovack, Secretary
www.medinacountyauditor.org

Date: September 28, 2016

To: Township Fiscal Officers
Village Fiscal Officers/Clerks
City Finance Directors
Library Treasurers

From: MaryBeth Guenther, Tax Settlements
Medina County Auditor's Office

Re: Official Certificate of Estimated Resources and
Resolution Accepting Amounts and Rates

Enclosed please find your copies of the:

1. Official Certificate of Estimated Resources
2. Extension Letter from the Ohio Department of Taxation, and
3. Your Resolution Accepting Amounts and Rates.

The Extension Letter is for your audit next year. It indicates the reason for extending the dates for the Resolution Accepting Rates.

The Resolution Accepting the Amounts and Rates must be approved and sent back to our office by **October 31, 2016**.

If you have an additional, replacement or renewal with an increase levy that passes on the ballot in November you will be sent another Resolution Accepting Rates after the election. This must be approved and sent back by **November 28, 2016**.

Thank you. If you have any questions please call me at 330.725.9781.

0000000085



JOURNAL ENTRY

Date: JUL 13 2016

The Honorable Michael E. Kovack
Medina County Auditor
144 North Broadway Street, Suite 301
Medina, Ohio 44256-1972

Entry Number: 16-07-0169

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

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on July 11, 2016, for an extension of time beyond the statutory date of September first to complete its work, as provided by Revised Code section 5705.27, finds that the extension of time is necessary and approves October 3, 2016, as the date within which such work shall be completed, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the October first deadline contained in Ohio Revised Code section 5705.34 for the political subdivision to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the political subdivision must authorize the necessary tax levies to the auditor by November 1, 2016. The County Auditor must notify each political subdivision affected by this entry.

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

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

A handwritten signature in cursive script, appearing to read 'Joseph W. Testa'.

JOSEPH W. TESTA
TAX COMMISSIONER

/s/ Joseph W. Testa

Joseph W. Testa
Tax Commissioner

SS

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 10/10/2016

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 68-16** - An emergency resolution authorizing the City Manager to enter into an agreement with Precision Pump Inc. to perform fuel tank repairs at City owned fuel stations located at West 130th Street and Center Road in an amount not to exceed \$71,196.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Ryan Lutz*)

BACKGROUND: A motion was passed on September 12, 2016 authorizing the bid of fuel tank repairs. Cost was estimated at \$77,000.00. Bids were opened on October 4, 2016. There were three bidders with Precision Pump being the lowest and best bid at a bid amount of \$71,196.

PURPOSE AND EXPLANATION: The proposed project will replace concrete and manholes over the existing underground fuel tanks along with replacing the shells of the pumps and control panels on West 130th Street and Center Road fuel sites.

IMPLEMENTATION SCHEDULE: Should authorization to award a contract be given at the October 10, 2016 Committee of the Whole meeting, the project should be complete by mid-December 2016.

FINANCIAL INFORMATION: Fuel Tank Repairs - - Capital Improvement Fund 330-0522-56250 - - 77000

FINANCIAL SUMMARY: Precision Pump Inc. is the lowest and best bid at a cost of 71,196.

RECOMMENDED ACTION:

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules at the October 10, 2016 meeting in order to be able to complete the project before the end of the year.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK - FUEL TANK REPAIRS - BID No. 2016-014

Proponent	Bond or Check	4383 Center Road		1238 West 130th Street		Total w/Alternate
		Base Bid	Alternate Bid	Base Bid	Alternate Bid	
Empaco Equipment Corporation 2958 Brecksville Rd., Box 535 Richfield, OH 44286-0535	Bid Bond 10%	\$43,150.00	\$6,200.00	\$32,750.00	\$6,050.00	\$88,150.00
Precision Pump Inc. 2500 West 3rd Street Cleveland, OH 44113	Bid Bond 10%	\$37,264.00	Alternate items in base bid	\$33,932.00	Alternate items in base bid	\$71,196.00
SSECO Solutions 1294 East 55th Street Cleveland, OH 44103	Check \$8,303.00	\$39,650.00	Not bidding - figured in base bid	\$43,375.00	Not bidding - figured in base bid	\$83,025.00

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 68-16

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

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PRECISION PUMP INC. TO PERFORM FUEL TANK REPAIRS AT CITY OWNED FUEL STATIONS LOCATED AT WEST 130TH STREET AND CENTER ROAD IN AN AMOUNT NOT TO EXCEED \$71,196.00.

WHEREAS: The City of Brunswick received three (3)) bids to perform fuel tank repairs at City owned fuel stations located at West 130th Street and Center Road in accordance with public bidding requirements; and

WHEREAS: The three (3) received public bids were opened on September 12, 2016, with Precision Pump 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 an Agreement with Precision Pump Inc., the lowest and best bidder, to perform fuel tank repairs at City owned fuel stations located at West 130th Street and Center Road in an amount not to exceed \$71,196.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the fuel pump repairs prior to the end of the calendar year. 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
Barbara J. Ortiz, CMC