



BRUNSWICK CITY COUNCIL AGENDA

Brandon Lambert Ward 3	Kristy Piper At-Large	Tim Smith At-Large	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Laura Timura Clerk of Council	Nicholas Hanek Ward 2	Michael Abella Jr. Ward 1	Joseph Delsanter At-Large	Keith Kuczma Ward 4
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Administration Representatives

APRIL 10, 2023

7:00 P.M.

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of Regular Council Meeting Minutes dated March 27, 2023
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending March 2023 will be posted on the website and added to the minutes for the record
 - (b) Motion to approve Mayor's recommendation to reappoint Stephen Hill to the Financial Audit, Review & Advisory Committee
 - (c) Motion to approve Mayor's recommendation to appoint John Egan and Maria Walling to the Board of Building Code Appeals
 - (d) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development Committee.....Mr. Lambert

Services, Utilities, Technology & Cable Committee.....Mr. Smith

Services, Utilities, Technology & Cable Committee Minutes dated March 27, 2023

Finance Committee.....Mr. Hanek

Safety & Environment Committee.....Mr. Kuczma

Safety & Environment Committee Minutes dated March 27, 2023

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

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

Building & Building Code Committee.....Mr. Abella

8. Other Committees, Boards and Commissions

(a) Committee-of-the-Whole Minutes dated March 27, 2023

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

RES. NO. 17-2023 - A resolution authorizing the City Manager to enter into a service agreement with Flock Safety for the provision of ten (10) safety cameras in the City in an amount not to exceed \$25,000.00. - **3rd Reading** (Committee of the Whole, *Administration/Brian Ohlin*)

b. 2nd Reading(s)

c. 1st Reading(s)

RES. NO. 25-2023 - An emergency resolution authorizing the City Manager to execute all necessary documents to accept the 2023 Energized Community Grant from NOPEC in the amount of \$91,390.00. - **1st Reading** (To be brought from the Services, Utilities, Technology & Cable Committee, *Administration/Grant Aungst*)

RES. NO. 26-2023 - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2023-2024 winter season. - **1st Reading** (To be brought from the Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES. NO. 27-2023 - An emergency resolution authorizing the City Manager to enter into an agreement with Fallsway Emergency Equipment to provide emergency repairs to the Division of Fire's Aerial Ladder Truck No. 2 in an amount not to exceed \$49,178.50 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)

RES. NO. 28-2023 - An emergency resolution authorizing the City Manager to enter into an agreement with Mark Haynes Construction, Inc. for the construction of the Plum Creek Greenway Phase 2 project in an amount not to exceed \$1,162,070.00. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Jenny Zoldak*)

11. City Manager's Report

12. Open Forum

13. Unfinished Business

14. New Business
15. Adjournment

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

March 27, 2023

IN ATTENDANCE: Chairman Tim Smith, Committee Member Michael Abella Jr., Committee Member Keith Kuczma, Nicholas Hanek, Kristy Piper, Joseph Delsanter, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Service Director Paul Barnett, Parks & Recreation Director Taylor Petkovsek, PAC Director Jeff Petranko, Clerk of Council Laura Timura, Assistant Clerk of Council Irene Jayapandian, News Media

The meeting convened at 6:34 p.m.

DISCUSSION ITEMS:

- (a) RES. NO. 24-2023** – An emergency resolution authorizing the City Manager to enter into a three (3) year agreement with Always Green Landscaping, LLC to provide grass/weed mowing, debris clean-up services and branch trimming in an annual amount not to exceed \$47,700 pursuant to submitted bid prices. – **1st Reading** – (To be brought from Services, Utilities, Technology & Cable Committee. *Administration/Paul Barnett*)

Mr. Barnett explained that a bid was out for mowing, and one bidder came in with \$290,000 a year, which was too high for the City. Always Green Landscaping, LLC came in with a bid price of \$47,700 per year. Mr. Barnett continued that the City knew the cost would be higher than last year. Always Green Landscaping, LLC came in with \$21,500 per year in previous years. However, they realized they were losing money when charging that amount, so they started charging \$47,700 per year. He added that the mowing starts next month. The majority of this money is from citizens who are cited for high lawns, and the money comes from the bill they receive for the mowing service. Mr. Barnett explained that the City will have to look at modifying the rates now that the price has gone up.

Mr. Delsanter asked what the general rate for cutting a lot is.

Mr. Barnett answered that it is around \$350 per lot. He explained that when the lawn gets to the height where it needs to be cited, the private contractor mows it at a high level first, then rakes off the material, then repeats the process several times. Getting the lawn back to a proper height takes about two or three mowings.

Mr. Abella moved resolution 24-2023 to tonight's Council Agenda of March 27, 2023, as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Hanek asked Mr. Smith for information regarding the First Energy electricity issues. He then asked if NOPEC will auto-enroll people and what that process is.

Mr. Barnett explained that a *Plain Dealer* article spelled out the issue very well. He added that he and Grant Aungst did a podcast about the subject to inform citizens. NOPEC will go through auto-enrollment soon, most likely next month. NOPEC will be sending out a letter to every Brunswick resident, and the letters will explain that NOPEC is back and that it will be doing auto-enrollment. If citizens do not take any action, they will be automatically enrolled back into NOPEC. If citizens do not want to be enrolled, they can opt-out without a fee or penalty by letting NOPEC know. According to the *Plain Dealer* article, First Energy's rates will be twice as high as NOPEC's. NOPEC's rates will essentially be the same as what current NOPEC customers are paying now.

Mr. Delsanter asked if NOPEC's rate was for a one-year agreement.

Mr. Barnett said that the rate is for a six-month agreement. He added that NOPEC is buying more electricity but in stages.

Mr. Delsanter asked where everything went wrong, regarding the electricity problems.

Mr. Barnett explained that NOPEC lost money when acting in the best interest of the citizens of Brunswick. By pushing people off of NOPEC, NOPEC saved the citizens of Brunswick over \$400 per person. If NOPEC had not pushed customers off, they would have had to charge citizens the rates NOPEC was paying for electricity, which was 13¢ per kilowatt hour. NOPEC had to decide whether to keep their customers and charge them 13¢ per kilowatt hour or push them back and charge them the price to compare, which was 6.4¢ per kilowatt hour. NOPEC's board decided to push back the customers to save them money. Mr. Barnett explained that there were some companies who bid the price to compare, which PUCO sets over three years. When PUCO sets that price, the bid prices tend to decrease, but in the past twenty years, the prices have been very high.

Mr. Delsanter explained that his home is all-electric and that he is a big consumer of electricity. He said that his rate was less than 6¢ per kilowatt hour.

Mr. Barnett said that there tend to be special rates for all-electric homes.

Mr. Delsanter added that the homes in Brunswick built in the 1970s that are all-electric also have a special fixed protection rate on their electricity so they are encouraged to use the electric power. He also said that, although this is probably weather-related, this has been the best winter in terms of electric power costs for him.

Mr. Kuczma said that while driving home on Pearl Road, south of Route 303, the lines were being repainted on the part of the road that was being torn up.

Mr. Barnett explained that the lines are temporary pavement markings that are used to shift the traffic. The contractor for the construction project is the one making those markings.

ADJOURNMENT:

Being no further business, Mr. Kuczma moved to adjourn at 6:44 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Tim Smith", with a stylized flourish at the end.

Tim Smith
Chairman

SAFETY & ENVIRONMENT COMMITTEE

March 27, 2023

IN ATTENDANCE: Chairman Keith Kuczma, Committee Member Kristy Piper, Committee Member Brandon Lambert, Michael Abella Jr., Tim Smith, Nicholas Hanek, Joseph Delsanter, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Service Director Paul Barnett, Parks & Recreation Director Taylor Petkovsek, PAC Treasurer Jeff Petranko, Clerk of Council Laura Timura, Assistant Clerk of Council Irene Jayapandian, News Media

The meeting convened at 6:25 p.m.

DISCUSSION ITEMS:

(a) Fire Department Levy

Mr. Kuczma explained that emails with Frequently Asked Questions about the levy went out on Friday. He asked Mr. DeForest if the City had received public feedback regarding the levy.

Mr. DeForest said that there had yet to be any feedback. He mentioned that he was speaking on behalf of Fire Chief Glauner, who was at the scene of a fire. He added that a press release and the Frequently Asked Questions Fact Sheet were released on Friday. He continued that podcasts and cable shows have been done and will continue. There will be a tour of the current stations by the Rotary Club on Thursday morning. There will also be open houses at Fire Station 1 and Fire Station 2 from 10 a.m. until 12 p.m. every Saturday in April. The Fire Chief has several meetings where he will speak to people and give them information about the levy. He said the PAC (Political Action Committee) could encourage voting for the levy. However, the Administration can only provide information about the levy. Additionally, the City can schedule tours of the fire stations or information sessions for groups. Tom Keppler is paying attention to the Facebook page.

Mr. DeForest also mentioned that some of the questions outside the facts sheet would be about what the existing fire station properties will turn into. He said that it would be foolish to put out information that is not confirmed. He concluded that the ideal circumstances would be that the levy goes to the ballot on May 2nd, it passes, money starts being collected on January 1, 2024, the City begins construction in the spring of 2024, and the ribbon cutting will be in spring of 2025. The PAC has been established for the safety of the Administration. Mr. Petranko is the treasurer of the PAC, and questions can be diverted to him.

Mr. Kuczma asked if the City could put up signs regarding the levy.

Mr. DeForest said it is the PAC's job to put up signs.

Mr. Fisher emphasized that the PAC is entirely separate from the City and that discussing the PAC should not be done at a public meeting. The PAC is a separate entity.

Mr. Delsanter disclosed that the Chamber of Commerce is having an informational luncheon featuring the levy. He asked who would be pitching the levy at the luncheon.

Mr. DeForest responded that Chief Glauner would be pitching the levy.

Mr. Delsanter asked that if businesses have to go through the PAC if they want to show support for the levy.

Mr. DeForest said that they do have to go through the PAC.

Mr. Petranko also concurred that businesses should go to him about signage and support for the levy. He then asked if he was allowed to comment on anything as far as what the PAC has purchased.

Mr. Fisher said he prefers that Mr. Petranko would not comment at a public meeting. There are no issues discussing the PAC's purchases, but it should not be a part of a public meeting. He said that the City is not coordinating any efforts with the PAC; the PAC is entirely separate from the City.

Mr. Hanek asked Mr. DeForest what the response should be to citizens who are asking about what would happen to the existing fire station properties.

Mr. Fisher advised that if the City finds that either or both properties are no longer needed for municipal purposes, the City then gets an appraisal and start auction or a bid process. He emphasized that, in order to do this, the City would first have to decide that either or both sites are no longer needed.

GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

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

Respectfully submitted,

A handwritten signature in black ink, reading "Keith A. Kuczma". The signature is fluid and cursive, with the first name "Keith" and last name "Kuczma" clearly legible.

Keith Kuczma
Chairman



COMMITTEE OF THE WHOLE

March 27, 2023

IN ATTENDANCE: Vice Mayor Nicholas Hanek, Joseph Delsanter, Keith Kuczma, Michael Abella Jr., Tim Smith, Kristy Piper, Brandon Lambert, City Manager/Safety Director Carl DeForest, Law Director Kenneth Fisher, Service Director Paul Barnett, Parks & Recreation Director Taylor Petkovsek, PAC Director Jeff Petranko, Clerk of Council Laura Timura, Assistant Clerk of Council Irene Jayapandian, News Media

The meeting convened at 6:44 p.m.

MOTION ITEMS:

- (a) Motion requesting permission to go out to bid for basketball gymnasium floor resurfacing at the Brunswick Community Recreation & Fitness Center (BCRFC).

Mrs. Petkovsek said this project was included in the Capital Plan for 2023.

Mr. Abella asked if there was shifting on the gym floor.

Mrs. Petkovsek answered that there was no air conditioning in the basketball gymnasium for a long time, which caused the floor problems. She added that, traditionally, a floor is resurfaced every ten years. The existing floor is from 1991. Every year, \$5,000 is spent on annual maintenance, which consists of a light sanding of the floor. This resurfacing is the next option before a new gymnasium floor is needed.

Mr. Delsanter moved to approve the request for permission to go out to bid for basketball gymnasium floor resurfacing at the Brunswick Community Recreation & Fitness Center (BCRFC). Vote – 7 Ayes, 0 Nays.

- (b) Motion authorizing the City Manager to extend an existing agreement with Cintas to provide uniforms, walk-off mats and shop towels that expires on April 30, 2023.

Mr. Barnett explained that Cintas is currently providing walk-off mats and uniforms. The City is switching over to UniFirst, which was the lowest bidder. There were some problems with contracts and agreements with UniFirst, so the process took longer than expected to sign the contracts and work through the details. UniFirst did a fitting on Friday of last week, which entails bringing in some garments and getting size measurements. UniFirst is now ordering the uniforms with embroidery, so the order will likely not make the May 1st date to change to new uniforms because it takes 4-6 weeks to get new uniforms in. The Services Department wants to avoid going through a time when they do not have uniforms or walk-off mats. This motion will allow for extending the contract with Cintas for

up to a month. However, the Department will switch over to UniFirst once the uniforms from UniFirst arrive so that the City is not paying for two uniform services simultaneously.

Mr. Lambert moved to authorize the City Manager to extend an existing agreement with Cintas to provide uniforms, walk-off mats and shop towels that expires on April 30, 2023. Vote – 7 Ayes, 0 Nays.

REVIEW LEGISLATION:

ORD. NO. 22-2023 – An emergency ordinance adopting the recommendation of the Brunswick Community Reinvestment Area Housing Council to continue all active agreements in 2023 and accepting the 2022 CRA Status Report - **1st Reading** (To be brought from the Committee of the Whole, *Administration/Grant Aungst*)

Mr. Fisher explained that the CRA met on March 20th. There is a deadline mandated by the State of Ohio Development Services Agency to file the annual report on or before March 31st, which is why this resolution is an emergency with a suspension of the rules. This is a yearly report adopted by the Brunswick Community Reinvestment Area Housing Council.

Mrs. Piper moved Ordinance Number 22-2023 to tonight's Council Agenda of March 27, 2023, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays.

ORD. NO. 23-2023 – An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised Codified Ordinances; and to repeal ordinances in conflict therewith. - **1st Reading** (To be brought from the Committee of the Whole, *Administration/Laura Timura*)

Mrs. Timura explained that this ordinance is to accept the updates for the Codified Ordinances so that the City can distribute them and the City's website can be updated.

Mr. Delsanter moved Ordinance Number 23-2023 to tonight's Council Agenda of March 27, 2023, as an emergency with suspension of the rules. Vote – 7 Ayes, 0 Nays

GENERAL DISCUSSION:

Mrs. Timura introduced the Assistant Clerk of Council, Irene Jayapandian. She explained that Miss Jayapandian has been doing an excellent job shadowing her and learning all of the duties of the Clerk of Council.

Mr. Hanek gave an update regarding House Bill 23. He added that the Commissioners wrote a letter supporting the City's position and sent it to the Ohio legislature. The Senate version of the bill does not include the version of the Ohio Revised Code that worries the Administration, but the House version does. Currently, the bill is in the Conference Committee. The Administration is hopeful that the amendment does not make the bill's final version. The bill must be done by the end of March, so the results will be out very soon. If the amendment is still in the final bill, the Administration will have to look to the Governor's office for a line item veto.

Mr. Hanek reminded that there was a vote last year regarding Strongsville paying for a study. The estimated \$300,000 Strongsville paid was not just for a study but also persuasion. Based on the tactic

that Strongsville used of going around Brunswick to Columbus directly, it is hard to be optimistic about Strongsville's next steps.

Mr. Kuczma asked if Strongsville is open to keeping Boston Road off of the table and leaving the interchange to another intersection in Strongsville.

Mr. Hanek responded that Strongsville has yet to talk with the Administration regarding the interchange. He disclosed that Strongsville tried to do a roundabout at Howe Road and a slip ramp off of Howe Road, but the citizens of Strongsville voted it down. As a result, Strongsville is trying to use Brunswick.

Mr. Delsanter said that Hinckley shares the same opinion as Brunswick regarding the interchange. The Administration will know tomorrow what Brunswick Hill thinks about the interchange. He hopes that Brunswick Hills will join the fight with Brunswick and Hinkley. Mr. Delsanter divulged that he is working with individuals in Columbus who work with the Governor's office to make sure that they know the damage this will cause to Brunswick. He concluded that some federal agencies, such as the Ohio Department of Transportation (ODOT), may also have some objections to the interchange.

ADJOURNMENT:

Being no further business, Mr. Abella moved to adjourn the Committee of the Whole Meeting at 6:55 p.m. Vote – 7 Ayes, 0 Nays.

Submitted Respectfully,

A handwritten signature in cursive script that reads "Irene Jayapandian".

Irene Jayapandian
Assistant Clerk of Council

PROPOSED LEGISLATION



DATE: 4/10/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Brian Ohlin

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 17-2023** - A resolution authorizing the City Manager to enter into a service agreement with Flock Safety for the provision of ten (10) safety cameras in the City in an amount not to exceed \$25,000.00. - **3rd Reading** (Committee of the Whole, *Administration/Brian Ohlin*)

BACKGROUND: The Division of Police requests to enter into an agreement with Flock Safety regarding the services of 10 safety cameras strategically deployed throughout the city.

PURPOSE AND EXPLANATION: The cameras will assist in crime prevention and investigations. They will also assist in helping to locate wanted and missing persons.

IMPLEMENTATION SCHEDULE: As soon as possible.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The cost of the contracted services of \$25,000 for the period of January 1, 2023 through December 31, 2023 is in the approved 2023 police budget. Acct#114-0520-54253.

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:**

Technology and services provided by Flock Safety cameras are proprietary. See attached sole source letter.

flock safety

Sole Source Letter for Flock Safety ALPR Cameras and Solution

Flock Safety is the sole manufacturer and developer of the Flock Safety ALPR Camera. Flock Safety is also the sole provider of the comprehensive monitoring, processing, and machine vision services which integrate with the Flock Safety ALPR Camera.

The Flock Safety ALPR camera and devices are the only Law Enforcement Grade ALPR System to offer the following combination of proprietary features:

1. Vehicle Fingerprint Technology:

- Patented proprietary machine vision to analyze vehicle license plate, state recognition, vehicle color, vehicle type, vehicle make and objects (roof rack, bumper stickers, etc.) based on image analytics (not car registration data)
- Machine vision to capture and identify characteristics of vehicles with a paper license plate and vehicles with the absence of a license plate
- Ability to 'Save Search' based on description of vehicles using our patented Vehicle Fingerprint Technology without the need for a license plate, and set up alerts based on vehicle description
- Only LPR provider with "Visual Search" which can transform digital images from any source into an investigative lead by finding matching vehicles based on the vehicle attributes in the uploaded photo

2. Integrated Cloud-Software & Hardware Platform:

- Ability to capture two (2+) lanes of traffic simultaneously with a single camera from a vertical mass
- Best in class ability to capture and process up to 30,000 vehicles per day with a single camera powered exclusively by solar power
- Wireless deployment of solar powered license plate reading cameras with integrated cellular communication weighing less than 5lbs and able to be powered solely by a solar panel of 60W or less
- Web based footage retrieval tool with filtering capabilities such as vehicle color, vehicle type, vehicle manufacturer, partial or full license plate, state of license plate, and object detection
- Utilizes motion capture to start and stop recording without the need for a reflective plate
- Motion detection allows for unique cases such as bicycle capture, ATV, motorcycle, etc.
- On device machine processing to limit LTE bandwidth consumption
- Cloud storage of footage

flock safety

- Covert industrial design for minimizing visual pollution
- 3. Transparency & Ethical Product Design:
 - One-of-a-kind “Transparency Portal” public-facing dashboard that details the policies in place by the purchaser, as well as automatically updated metrics from the Flock system
 - Built-in integration with NCMEC to receive AMBER Alerts to find missing children
 - Privacy controls to enable certain vehicles to “opt-out” of being captured
- 4. Integrated Audio & Gunshot Detection:
 - Natively integrated audio detection capabilities utilizing machine learning to recognize audio signatures typical of crimes in progress (e.g., gunshots)
- 5. Partnerships:
 - Flock Safety is the only LPR provider to officially partner with AXON to be natively and directly integrated into Evidence.com
 - Flock Safety is the only LPR provider to be fully integrated into a dynamic network of Axon’s Fleet 3 mobile ALPR cameras for patrol cars and Flock Safety’s Falcon cameras
 - Access to additional cameras purchased by our HOA and private business partners, means an ever-increasing amount of cameras and data at no additional cost
- 6. Warranty & Service:
 - Lifetime maintenance and support included in subscription price
 - Flock Safety is the only fully integrated ALPR one-stop solution from production of the camera to delivery and installation
 - Performance monitoring software to predict potential failures, obstructions, tilts, and other critical or minor issues

Thank you,



Garrett Langley CEO, Flock Safety

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH FLOCK SAFETY FOR THE PROVISION OF TEN (10) SAFETY CAMERAS IN THE CITY IN AN AMOUNT NOT TO EXCEED \$25,000.00.

WHEREAS: Pursuant to a free trial, Flock Safety has installed ten (10) safety cameras in strategic locations in the City to assist in crime prevention and investigations by the Division of Police.

WHEREAS: The Flock Safety cameras are proprietary in nature and unique to Flock Safety and therefore not subject to competitive bidding.

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 Service Agreement with Flock Safety for the provision of ten (10) safety cameras in strategic locations in the City to assist in crime prevention and investigations by the Division of Police in an amount not to exceed \$25,000.00.

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
Laura E. Timura

PROPOSED LEGISLATION



DATE: 4/10/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 25-2023** - An emergency resolution authorizing the City Manager to execute all necessary documents to accept the 2023 Energized Community Grant from NOPEC in the amount of \$91,390.00. - **1st Reading** (To be brought from the Services, Utilities, Technology & Cable Committee, *Administration/Grant Aungst*)

BACKGROUND: NOPEC has made available to all of the communities that participate with NOPEC a grant to implement energy efficiency or energy infrastructure projects that will benefit the community. This grant program is the sixth year of available grants. The 2018 grant was approved by Resolution 94-18; the 2019 grant was approved by Resolution 17-19; the 2020 grant was approved by Resolution 4-2020; the 2021 grant was approved by Resolution 4-2021; and the 2022 grant was approved by Resolution 7-2022.

PURPOSE AND EXPLANATION: The purpose of this grant is to allow for the improvement/upgrade of infrastructure to provide energy efficiencies.

IMPLEMENTATION SCHEDULE:

Immediately

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

The 2023 Energized Community Grant from NOPEC is in the amount of \$91,390.00. Eligible grant expenditures are to be charged to acct#336-2023-56800.

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?

That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to allow for receipt of grant funds as soon as possible to allow for the improvement/upgrade of infrastructure to provide energy efficiencies.

**ADDITIONAL
INFORMATION:**

RON MCVOY
Chairman

CHUCK KEIPER
Executive Director

BOARD OF DIRECTORS

RON MCVOY
Ashtabula County

DAVID SCHEFFLER
Central Ohio

JOHN ZEHENTBAUER
Columbiana County

GEORGINE WELO
Cuyahoga County

WILLIAM KOONS
Geauga County

G. STUART O'HARA
Huron County

HOLLIE BARTONE
Lake County

DAVE LESHINSKI
Lorain County

LISA BALSINGER
Mahoning County

GRANT AUNGST
Medina County

MICKEY MAROZZI
Portage County

ANDREW SMALLSTEY
Richland County

AARON MONTZ
Seneca County

MARK BECKDAHL
Southwest Ohio

JOE MAZZOLA
Stark County

NICK MOLNAR
Summit County

DOUG FRANKLIN
Trumbull County

January 30, 2023

Carl DeForest
City Manager
Brunswick
4095 Center Road
Brunswick, OH 44212

RE: IMPORTANT INFORMATION ABOUT YOUR COMMUNITY'S NOPEC GRANTS

Dear City Manager DeForest:

Congratulations! Brunswick has been awarded a NOPEC Energized Community (NEC) grant of \$91,390 for 2023. NOPEC* and our supply partner NextEra Energy Resources value your community's membership and are awarding this grant to help your community continue your energy efficiency projects to achieve future savings on your utility bills. Please accept your 2023 NEC Grant award by completing your community profile by June 30, 2023.

As was announced at our General Assembly Meeting in November, the timing of the disbursement of 2023 NEC Grant funds is being adjusted slightly from previous years due to the current status of the electric aggregation. Please note that we expect more significant adjustments to 2024 NEC Grant levels as grants are based on the number of customers.

Please note important disbursement-related dates below:

2023 NEC Grant –Important Dates			
Year	Amount	Available for Disbursement	Deadline to Disburse
2018-2021 Balance	0	Available Now	November 30, 2023
2022 Balance	\$85,836	Available Now	November 30, 2024
2023 Gas Award	\$24,627	Available when 2023 Profile is approved	November 30, 2025
2023 Dual Aggregation Bonus	\$17,968	Available when 2023 Profile is approved	November 30, 2025
2023 Electric Award	\$48,795	October 1, 2023	November 30, 2025

As you can see, communities who are members of both NOPEC's electric and gas aggregations receive enhanced grant bonuses. We are ensuring that these bonus funds are made available to your community as soon as your 2023 profile is approved.

Later this week, you'll receive an e-mail with detailed instructions on how to access your community's grant information. NOPEC's Community Investment Manager, Jessica Renner, is available by email at grants@nopecinc.org or by phone at 440-249-7072 if you have questions. Your Relationship Manager, Jose Delgado, is also available to help you with any questions.

We look forward to working with you!

Sincerely,



Chuck Keiper
Executive Director

cc: Todd Fischer, Finance Director; Jose Delgado Relationship Manager

*The NEC grant program is funded and administered by NOPEC, Inc., under agreement with Northeast Ohio Public Energy Council (NOPEC).



Energized Community (NEC) Grant

The **NOPEC Energized Community (NEC) Grant Program** provides grants to NOPEC member communities for energy-related projects. Established by NOPEC Inc. and NextEra Energy, the primary goal of providing funds is to help implement energy savings or energy infrastructure measures.



Ideas for 2023 Grant Projects

Grants can be used for **government, residential, and commercial properties**. Here are some examples of what you can do with your grant dollars:

- Lease or purchase of plug-electric vehicles
- Traffic signal upgrades
- Energy-efficient windows
- Solar-powered LED stop signs
- Energy-efficient air conditioner
- Electrical upgrades
- Generators
- Door replacement
- LED lighting upgrades
- Service garage insulation
- Energy-efficient metal roof system
- Installation of radius ceiling fans
- Energy efficient kitchen appliances

Secure Your Grant Dollars

Step 1: Submit Profile at nopecgrants.org — Due by June 30th, 2023

- A. Accept funds by passing community legislation
- B. Complete grant agreement

Step 2: Draw Funds — Due by November 30th, 2025

- A. Submit disbursement requests

Questions?

Contact Jessica Renner, Community Investment Manager, at grants@nopecinc.org.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 25-2023

BY: Mr. Smith, Mr. Abella, and Mr. Kuczma

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT THE 2023 ENERGIZED COMMUNITY GRANT FROM NOPEC IN THE AMOUNT OF \$91,390.00.

WHEREAS: NOPEC has made a grant available to all participating communities to implement energy efficiency or energy infrastructure projects through the 2023 Energized Community Grant Program.

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

SECTION 1: The City Manager is hereby authorized, upon approval of the Law Director, to execute all necessary documents to accept the 2023 Energized Community Grant from NOPEC in the amount of \$91,390.00 to implement energy efficiency or energy infrastructure projects in the City.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason to allow for receipt of grant funds as soon as possible to allow for the improvement/upgrade of infrastructure to provide energy efficiencies. 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
Laura E. Timura

PROPOSED LEGISLATION



DATE: 4/10/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 26-2023** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2023-2024 winter season. - **1st Reading** (To be brought from the Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: The ODOT Office of Contracts Purchasing Services provides the opportunity for municipal corporations to participate in the State's purchase of sodium chloride(road salt) for snow and ice removal.

PURPOSE AND EXPLANATION: This agreement would allow the City to purchase sodium chloride(road salt) through the ODOT contract. This provides an economy of scale that typically provides lower prices than the City can receive on its own and helps the City keep salt costs as low as possible. The City of Brunswick has participated in this program in the past years with benefit.

IMPLEMENTATION SCHEDULE: The participation agreement deadline to have submitted completed legislation and the committed quantity of sodium chloride is no later than May 1st, 2023.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Per ton salt price and purchasing requirements would be based on the new ODOT contract that is yet to be determined. Purchases will be limited to the Council-adopted budget and the certified purchase order amounts in accordance with Ohio Revised Code Section 5705.41D. Account Code 117-0420-55300. Next season's estimate is currently at 2,750 tons but is subject to change based on weather/events/etc.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No

Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

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

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and so that the legislation will be enacted and delivered to ODOT prior to their May 1st, 2023 deadline.

**ADDITIONAL
INFORMATION:**

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

WHEREAS, the (INSERT POLITICAL SUBDIVISION NAME, COUNTY LOCATION) (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and

d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1st, **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 1st,
2023.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 26-2023

BY: Mr. Smith, Mr. Abella, Mr. Kuczma

AN EMERGENCY RESOLUTION AUTHORIZING PARTICIPATION IN THE
OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT FOR
ROAD SALT FOR THE 2023-2024 WINTER SEASON.

WHEREAS: Ohio Revised Code Section 5513.01(B) provides the opportunity for political subdivisions to participate in contracts of the Ohio Department of Transportation (“ODOT”) for purchase of supplies, including road salt; and

WHEREAS: The City has participated in ODOT contracts for road salt in past years, which participation minimizes road salt costs and price increases.

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

SECTION 1: The City Manager is hereby authorized and directed, upon the approval of the Law Director, to enter into all necessary agreements with ODOT for the purchase of road salt for the 2023-2024 winter season upon the following terms:

- a) The City agrees to be bound by all terms and conditions established by ODOT in the Road Salt Contract (the “Contract”) and acknowledges that upon award of the Contract by the Director of ODOT, the City will be bound by all such terms and conditions contained therein.
- b) The City hereby acknowledges that upon formal execution of the Contract by the Director of ODOT, a contract between the City and the awarded road salt supplier (the “Supplier”) shall be created.
- c) The City hereby agrees to be solely responsible for resolving all claims or disputes arising out of the participation in the Contract and agrees to hold ODOT harmless from any claims, actions, expenses or other damages arising therefrom.
- d) The City’s electronic order of Sodium Chloride (road salt) will be the amount the City agrees to purchase from the Supplier at the delivered price per ton as per the Contract.
- e) The City hereby agrees to purchase a minimum of 90% of its electronically submitted road salt quantities from Supplier during the effective period of the Contract.
- f) The City hereby agrees to place orders with and directly pay the Supplier on a net 30 basis for all road salt delivered pursuant to the Contract.
- g) The City hereby acknowledges that should the City wish to rescind its election to participate under the Contract, the City will do so no later than Monday, May 1, 2023 at 5:00 p.m. by sending a written email request to ODOT Office of Contract Sales, Purchase Section at Contracts.Purchasing@dot.ohio.gov. Upon receipt, ODOT shall respond

that it has received the rescission request and confirm removal of the City's participation in the Contract. The City hereby acknowledges that it is the sole responsibility of the City to ensure that ODOT has timely received this Resolution and/or any rescission request and ODOT shall not be held responsible or liable for failure to receive the City's request to participate in the Contract and/or any rescission request.

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 this Resolution must be submitted to ODOT by May 1, 2023 to allow for participation in the Contract for the 2023-2024 winter season. 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
Laura E. Timura

PROPOSED LEGISLATION



DATE: 4/10/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 27-2023** - An emergency resolution authorizing the City Manager to enter into an agreement with Fallsway Emergency Equipment to provide emergency repairs to the Division of Fire's Aerial Ladder Truck No. 2 in an amount not to exceed \$49,178.50 - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)

BACKGROUND: Ladder-2 was taken into Fallsway Emergency Equipment for annual service on the chassis, fire pump and aerial ladder. Upon inspection of the aerial ladder, corrosion on the left side extension cylinder was determined to be beyond repair and in need of replacement. Other deficiencies identified include, but are not limited to: engine oil leaks; rear brakes in need of replacement; power steering leak; pump transmission leak; exhaust leak; torn/tattered seat belt. Per criteria listed in NFPA – 1911, it is recommended that this apparatus be removed from service until repairs are completed.

PURPOSE AND EXPLANATION: As Ladder -2 is the only aerial truck serving the Brunswick area, it is crucial that this apparatus be returned to service as soon as possible.

IMPLEMENTATION SCHEDULE: One Reading

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Repair costs relating to the Division of Fire are charged to acct #115-0510-54243. Repairs of this magnitude are extremely rare and, in essence, will deplete the entire remaining repair and maintenance budget for the year. As a result, a budget amendment request to increase the Division of Fire's repair and maintenance budget by \$50,000 is expected to be presented to City Council in separate legislation in a subsequent meeting.

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?
One Reading - Emergency Suspension of the Rules

**ADDITIONAL
INFORMATION:**



1277 DeValera Ave., P.O. Box 4537
Akron, Ohio 44310-0537
330-633-6000
1-800-458-7941
FAX 330-633-0834

To: Brunswick Fire Department / Asst. Chief Russ Merhaut

Date: March 28, 2023

Quotation For: Misc. Repairs as Noted from PM Service on Ladder-2

2009 Pierce Arrow 75' Aerial Truck {Job #21817}

Vin #4P1CA01E29A009964

Quote valid for 60 days.

We appreciate the opportunity given to us to quote you the listed job and hope to be favored with your order.

<u>Item</u>	<u>Description</u>	<u>Price</u>
1)	Replace the windshield wiper blades (worn and streaking).	
	Labor: (N/c)	\$0.00
	Parts: 20" Wiper Blade (2 ea.) (\$37.49/ea.)	\$74.98
2)	Lighting repairs: Repair / replace all inoperative lights both Cab and Body interior and exterior. Multiple emergency and visual lights are inoperative.	
	Labor: 4.0 hr. (@ \$125.00/hr.)	\$500.00
	Parts: Whelen 600 series Red Lens (3 ea.)	
	(\$57.62/ea.)	\$172.86
	H7680 Bulb (3 ea.) (\$82.46/ea.)	\$247.38
	LED Back-up (3 ea.) (\$48.05/ea.)	\$144.15
3)	Replace the passenger side (Officer's) seat belt (cut & frayed).	
	Labor: 2.5 hr. (@ \$125.00/hr.)	\$312.50
	Parts: Seat Belt Assembly	\$208.59
4)	Dis-assemble and clean and lube the right rear Cab door window. Check the track and regulator for possible replacement.	
	Labor: 3.0 hr. (@ \$125.00/hr.)	\$375.00
	Parts: None	\$0.00
5)	Repair the engine oil leaks and power steering pump leak. {Note: Will sublet this repair to Young's Freightliner who is our partner / Vendor for Cummins engine issues (Cummins authorized dealer). Quote will be provided after their inspection.}	
	Labor: (Sublet to Cummins Dealer)	\$6,500.00
	Parts:	\$3,498.90

Chris Salwan

Cell: (216) 408-2657

(csalwan@fallsway.com)

6)	Replace the Aerial PTO shifter cover gasket (leaking).		
	Labor: 2.0 hr. (@ \$125.00/hr.)		\$250.00
	Parts: Gasket	\$19.95	
	Sensor	\$52.50	
7)	Remove (and re-install) PUC pump gear box to repair leak and then service with new oil and filter.		
	Labor: 12.0 hr. (@ \$125.00/hr.)		\$1,500.00
	Parts: PUC Gearbox Seal Kit	\$225.94	
	Oil (2 gal.) (\$151.00/gal.)	\$302.00	
	Filter (2 ea.) (\$92.00/ea.)	\$184.00	
8)	Repair / re-seal the power steering reservoir and fill with new fluid.		
	Labor: 2.0 hr. (@ \$125.00/hr.)		\$250.00
	Parts: Dextron-3 (4 qt.) (\$15.00/qt.)	\$60.00	
	Seals & O-rings (INCL)	\$0.00	
9)	Replace the complete exhaust system to include wrapping with new heat wrap and hangers / hardware.		
	Labor: 7.0 hr. (@ \$125.00/hr.)		\$875.00
	Parts: Clamp V Band	\$85.00	
	Exhaust Tube	\$2,640.48	
	Exhaust Tube	\$1,061.35	
	Muffler	\$1,425.83	
	Hanger, Muffler	\$186.06	
10)	Replace the air filter (dirty / clogged).		
	Labor: (N/c)		\$0.00
	Parts: Air Filter	\$247.50	
11)	Replace the crank case filter.		
	Labor: 0.5 hr. (@ \$125.00/hr.)		\$62.50
	Parts: Filter Crankcase Cummins	\$155.33	
12)	Replace the front axle (steer axle) hub caps and fill with new oil.		
	Labor: 1.5 hr. (@ \$125.00/hr.)		\$187.50
	Parts: 75W/140 Gear Oil (2 qt.) (\$25.46/qt.)	\$50.92	
	Hub Cap (2 ea.) (\$49.71/ea.)	\$99.42	

13)	Replace the rear brakes, to include new brake shoes and drums.		
	Labor: 8.0 hr. (@ \$125.00/hr.)		\$1,000.00
	Parts: Shoe Kit (2 ea.) (\$1,080.47/ea.)	\$2,160.94	
	Drums (2 ea.) (\$479.36/ea.)	\$958.72	
14)	Perform a maintenance service on the Air Dryer.		
	Labor: 0.5 hr. (@ \$125.00/hr.)		\$62.50
	Parts: Dryer Filter	\$108.84	
15)	Replace the radiator cap.		
	Labor: (N/c)		\$0.00
	Parts: Radiator Cap (10 lb.)	\$14.29	
16)	Remove the Pump panel slide-out steps and replace the slide assemblies. Lube and test operation.		
	Labor: 5.0 hr. (@ \$125.00/hr.)		\$625.00
	Parts: Slide Assembly (2 ea.) (\$1,312.78/ea.)	\$2,625.56	
17)	Replace both Aerial ladder extension cylinders. Check and adjust cables after cylinder install.		
	Labor: 25.0 hr. (@ \$125.00/hr.)		\$3,125.00
	Parts: Extension Cylinder (2 ea.) (\$4,622.93/ea.)	\$9,245.86	
18)	Replace the generator hydraulic pump (leaking).		
	Labor: 10.0 hr. (@ \$125.00/hr.)		\$1,250.00
	Parts: Hydraulic Pump	\$4,646.05	
	ATF Fluid	\$150.00	

Estimated Total Labor Cost: \$16,875.00
Estimated Total Parts Cost: \$31,053.40
Shop Supplies & EPA: \$349.00
Estimated Shipping Cost: \$900.00

Estimated Total Cost: \$49,177.40

Note: *The estimated total cost of the above listed repairs is subject to change due to unknown factors that will not be realized until dis-assembly and inspection of all parts / components is completed for wear and/or damage. If additional labor time and/or parts are needed to properly complete the repairs as required, the Customer will be notified immediately and this estimate updated to reflect the additional labor time and/or parts required to properly complete the repairs.*

All quotations made, orders placed, and repairs "in progress", are subject to changes and/or delays caused by unforeseen circumstances which may be beyond our control. All quotes are prepared with the understanding that all applicable taxes and shipping charges are additional and will be added to the quoted prices. All quotes are for the stated repairs only. Fallsway Equipment Co. reserves the right to amend this quote, with the customer's approval, should additional repairs and/or parts needed, be discovered, or customer requests additional repairs to be completed.

Quotation and/or Proposal Accepted By:

Signed: _____ Title: _____

Purchase Order Number: _____

Respectfully Submitted By:

Chris Salwan
Cell: (216) 408-2657

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 27-2023

BY: Mr. Kuczma, Mr. Lambert, and Mrs. Piper

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FALLSWAY EMERGENCY EQUIPMENT TO PROVIDE EMERGENCY REPAIRS TO THE DIVISION OF FIRE'S AERIAL LADDER TRUCK NO. 2 IN AN AMOUNT NOT TO EXCEED \$49,178.50.

WHEREAS: Aerial Ladder Truck No. 2 is the only ladder truck servicing the City of Brunswick.

WHEREAS: In the course of performing the annual service inspection of Aerial Ladder Truck No. 2, it was determined that: (a) the aerial ladder side extension cylinder was corroded beyond repair and in need of replacement; (b) the engine is leaking oil; (c) the rear brakes are in need of replacement; (d) power steering fluid is leaking; (e) pump transmission fluid is leaking; (f) there is an exhaust leak; and (g) torn/tattered seat belts need replacement.

WHEREAS: Pursuant to the criteria listed in NFPA – 1911, it is recommended that Aerial Ladder Truck No. 2 be removed from service until emergency repairs are completed.

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 FallsWay Emergency Equipment to provide emergency repairs to the Division of Fire's Aerial Ladder Truck No. 2 in an amount not to exceed \$49,178.50.

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 to complete emergency repairs and return the sole ladder truck in the City to service as soon as possible. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura

PROPOSED LEGISLATION



DATE: 4/10/2023

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Carl DeForest

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 28-2023** - An emergency resolution authorizing the City Manager to enter into an agreement with Mark Haynes Construction, Inc. for the construction of the Plum Creek Greenway Phase 2 project in an amount not to exceed \$1,162,070.00. - **1st Reading** (To be brought from Committee of the Whole, *Administration/Jenny Zoldak*)

BACKGROUND: Authorization for public bid granted by City Council motion on January 9, 2023.

PURPOSE AND EXPLANATION: The proposed project will construct a 3/4 mile long, 10-foot-wide asphalt multi-purpose trail on a new alignment from the existing Phase 1 trail near Mooney Park to Laurel Road, including a bridge over Plum Creek on the south side of Laurel Road and a trailhead parking lot on the north side of Laurel. This project is being partially funded by a grant from the Ohio Department of Natural Resources.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence in May. Completion date is to be determined based on material lead times.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The City's Finance Department has requested confirmation from ODNR that the City can proceed with this project. A purchase order for this legislation will be certified after 1) City Council's approval and 2) ODNR's permission to proceed (per their rules and regulations). No work for this project shall begin until various events take place, including, but not limited to, a properly certified purchase order pursuant to ORC 5705.41 D.

Total project costs = \$1,162,070.00. Up to \$500,000 of these costs is expected to be funded through an ODNR Grant. All eligible ODNR grant costs are to be recorded in acct#341-0812-56875. All eligible costs on this contract are expected to be split 75% ODNR Grant/25% City, until the maximum grant award is reached. After the maximum

grant award of \$500,000 is reached, 100% of the remaining costs will be borne by the City. All City related costs will be charged to account #300-0812-56700.

The ODNR is a reimbursable grant, so all expenditures will be initially paid for by the City until grant reimbursements are received.

**RECOMMENDED
ACTION:**

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

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

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence and be substantially completed during the 2023 construction season.

**ADDITIONAL
INFORMATION:**

BID TABULATION
PLUM CREEK GREENWAY, PHASE 2
CITY OF BRUNSWICK
DATE: MARCH 2, 2023 @ NOON
CVE JOB NO. 21348 Engineer's Estimate \$1,180,000.00

				Mark Haynes Construction, Inc.		Vizmeg Landscape, Inc.		Marks Construction, Inc.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	CLEARING AND GRUBBING	LUMP	1	\$37,000.00	\$37,000.00	\$4,600.00	\$4,600.00	\$109,775.00	\$109,775.00
2	CONCRETE SIDEWALK REMOVAL	SF	2,400	\$2.50	\$6,000.00	\$3.25	\$7,800.00	\$2.75	\$6,600.00
3	CONCRETE DRIVEWAY REMOVAL	SF	1,500	\$2.50	\$3,750.00	\$3.25	\$4,875.00	\$2.75	\$4,125.00
4	ASPHALT DRIVEWAY REMOVAL	SF	800	\$3.75	\$3,000.00	\$5.00	\$4,000.00	\$3.00	\$2,400.00
5	ODOT 202 GUARDRAIL REMOVED	LF	52	\$65.00	\$3,380.00	\$57.00	\$2,964.00	\$5.50	\$286.00
6	TREE REMOVAL OVER 12 INCHES TO 24 INCHES	EACH	18	\$330.00	\$5,940.00	\$445.00	\$8,010.00	\$606.00	\$10,908.00
7	TREE REMOVAL OVER 24 INCHES TO 36 INCHES	EACH	2	\$360.00	\$720.00	\$3,200.00	\$6,400.00	\$1,068.00	\$2,136.00
8	STUMP GRINDING & OFF-SITE TREE DISPOSAL OVER 12" TO24"	EACH	17	\$350.00	\$5,950.00	\$570.00	\$9,690.00	\$706.00	\$12,002.00
9	STUMP GRINDING & OFF-SITE TREE DISPOSAL OVER 24" TO36"	EACH	2	\$380.00	\$760.00	\$800.00	\$1,600.00	\$806.00	\$1,612.00
10	EXCAVATION AND EMBANKMENT	LUMP	1	\$82,300.00	\$82,300.00	\$129,100.00	\$129,100.00	\$101,250.00	\$101,250.00
11	EMBANKMENT	CY	500	\$30.00	\$15,000.00	\$32.00	\$16,000.00	\$124.00	\$62,000.00
12	SUBGRADE REMOVAL AND REPLACEMENT (ODOT 304)	CY	250	\$54.00	\$13,500.00	\$46.00	\$11,500.00	\$279.00	\$69,750.00
13	SUBGRADE REMOVAL AND REPLACEMENT (ODOT #1's & #2's)	CY	250	\$64.00	\$16,000.00	\$49.00	\$12,250.00	\$283.00	\$70,750.00
14	GEOGRID	SY	750	\$6.00	\$4,500.00	\$8.50	\$6,375.00	\$77.00	\$57,750.00
15	SUBGRADE COMPACTION	SY	4,900	\$2.00	\$9,800.00	\$1.50	\$7,350.00	\$11.57	\$56,693.00
16	ODOT 304 AGGREGATE BASE	CY	500	\$110.00	\$55,000.00	\$123.00	\$61,500.00	\$198.60	\$99,300.00
17	ODOT 441 ASPHALT CONCRETE INTERMEDIATE COURSE,TYPE 2,(448),PG64-22	CY	375	\$365.00	\$136,875.00	\$314.00	\$117,750.00	\$308.00	\$115,500.00
18	CONCRETE SIDEWALK	SF	650	\$23.00	\$14,950.00	\$18.00	\$11,700.00	\$10.00	\$6,500.00
19	CONCRETE ADA RAMP	SF	260	\$50.00	\$13,000.00	\$37.00	\$9,620.00	\$18.70	\$4,862.00
20	CONCRETE DRIVE APRON	SF	525	\$30.00	\$15,750.00	\$18.00	\$9,450.00	\$13.52	\$7,098.00
21	ASPHALT DRIVE APRON	SF	110	\$43.00	\$4,730.00	\$35.00	\$3,850.00	\$24.45	\$2,689.50
22	ASPHALT PARKING LOT	SY	415	\$86.00	\$35,690.00	\$96.00	\$39,840.00	\$72.50	\$30,087.50
23	12" STORM SEWER	LF	55	\$130.00	\$7,150.00	\$115.00	\$6,325.00	\$844.55	\$46,450.25
24	42" STORM SEWER	LF	60	\$155.00	\$9,300.00	\$285.00	\$17,100.00	\$887.51	\$53,250.60
25	CONCRETE HW-1.1 HEADWALL	EACH	2	\$19,000.00	\$38,000.00	\$20,400.00	\$40,800.00	\$15,000.00	\$30,000.00
26	CONCRETE HW-2.1 HEADWALL	EACH	2	\$6,000.00	\$12,000.00	\$1,635.00	\$3,270.00	\$1,500.00	\$3,000.00
27	ROCK CHANNEL PROTECTION	CY	75	\$175.00	\$13,125.00	\$255.00	\$19,125.00	\$695.27	\$52,145.25
28	SAFETY RAILING	LF	425	\$80.00	\$34,000.00	\$66.00	\$28,050.00	\$74.80	\$31,790.00
29	ODOT 606 GUARDRAIL, TYPE MGS	LF	26	\$115.00	\$2,990.00	\$105.00	\$2,730.00	\$94.00	\$2,444.00
30	GUARDRAIL POSTS	EACH	6	\$160.00	\$960.00	\$444.00	\$2,664.00	\$143.00	\$858.00
31	ODOT 606 ANCHOR ASSEMBLY, MGS TYPE T	EACH	2	\$2,075.00	\$4,150.00	\$1,960.00	\$3,920.00	\$1,892.00	\$3,784.00
32	COLLAPSIBLE BOLLARDS	EACH	2	\$800.00	\$1,600.00	\$1,650.00	\$3,300.00	\$1,650.00	\$3,300.00
33	ODNR TRAIL SIGNS	LUMP	1	\$550.00	\$550.00	\$1,200.00	\$1,200.00	\$330.00	\$330.00
34	SIGNING,MISC: SOLAR POWERED RECTANGULAR RAPID FLASHING BEACON (RRFB) SIGN ASSEMBLY	EACH	2	\$11,200.00	\$22,400.00	\$8,870.00	\$17,740.00	\$9,350.00	\$18,700.00
35	PAVEMENT MARKINGS AND SIGNAGE	LUMP	1	\$11,000.00	\$11,000.00	\$13,700.00	\$13,700.00	\$10,335.00	\$10,335.00
36	TOPSOIL, SEEDING AND MULCHING	SY	10,500	\$5.00	\$52,500.00	\$5.25	\$55,125.00	\$7.10	\$74,550.00
37	EROSION CONTROL	LUMP	1	\$32,000.00	\$32,000.00	\$55,000.00	\$55,000.00	\$92,040.00	\$92,040.00
38	PEDESTRIAN BRIDGE	LUMP	1	\$392,000.00	\$392,000.00	\$488,000.00	\$488,000.00	\$541,200.00	\$541,200.00
39	STEEL PILES ADDITIONAL DEPTH	LF	50	\$95.00	\$4,750.00	\$65.00	\$3,250.00	\$66.00	\$3,300.00
40	GENERAL CONSTRUCTION CONTINGENCY ALLOWANCE	LUMP	1	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
	TOTAL PROJECT COST			TOTAL	\$1,162,070.00	TOTAL	\$1,287,523.00	TOTAL	\$1,841,551.10
				DAYS TO COMPLETE: 91		DAYS TO COMPLETE: 150		DAYS TO COMPLETE: 365	
				EARLIEST START DATE: 5/1/23		EARLIEST START DATE: 4/17/23		EARLIEST START DATE: 4/15/23	

* Written words
did not match
numbers

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: April 5, 2023
RE: Plum Creek Greenway Phase 2

On March 2, 2023, public bids were opened for the Plum Creek Greenway Phase 1 project. A tabulation of the bid results is attached for your reference. Three companies submitted bids for the project. The low bidder for the project was Marks Construction, Inc. at \$1,162,070.00. The Engineer's estimate was \$1,180,000.00. Vizmeg Landscape, Inc. was the second low bidder with a bid of \$1,287,523.00.

This project will facilitate the installation of a $\frac{3}{4}$ mile long asphalt multi-purpose trail that will link the existing Phase 1 trail near Mooney Park with Laurel Road. The project will also include drainage improvements, a new bridge crossing Plum Creek south of Laurel Road, a trailhead parking lot on the north side of Laurel Road, and a crosswalk with flashing beacon signal at the trail's intersection with Laurel Road.

CVE staff has contacted a sampling of municipal references provided by Mark Haynes Construction. The reference check did not find any reoccurring issues with Mark Haynes. Three municipalities were contacted and all characterized them as an above average contractor.

Based upon a review of the bid documents and other municipal references, it is my opinion that Mark Haynes Construction has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract in the amount of \$1,162,070.00 to Mark Haynes Construction, Inc. to complete the Plum Creek Greenway Phase 2 project.

If you have any questions or require any additional information please contact me at your convenience.

Attachments

C: Carl DeForest, City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 28-2023

BY: Committee-of-the-Whole

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARK HAYNES CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE PLUM CREEK GREENWAY PHASE 2 PROJECT IN AN AMOUNT NOT TO EXCEED \$1,162,070.00.

WHEREAS: The City of Brunswick received three (3) bids for the Plum Creek Greenway Phase 2 Project (the "Project"), in accordance with public bidding requirements;

WHEREAS: The three (3) received public bids were opened on March 2, 2023, with Mark Haynes Construction, Inc. determined to be the lowest and best bidder; and

WHEREAS: The Project is being partially funded by a grant from the Ohio Department of Natural Resources.

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 Mark Haynes Construction, Inc., the lowest and best bidder, for the Plum Creek Greenway Phase 2 Project in an amount not to exceed \$1,162,070.00.

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 substantial completion of the Project during the 2023 construction season. 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
Laura E. Timura